

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED ALTERATIONS AND ADDITIONS AND A
SWIMMING POOL
TO AN EXISTING RESIDENCE
AT**

13 KINSDALE CLOSE, KILLARNEY HEIGHTS, 2087

LOT 2

DP 246696

Prepared By *JJ Drafting*

November 2020

1) Introduction

This Statement of Environmental Effects accompanies documents prepared by JJ Drafting, job number 823.20, drawing numbers DA.01 to DA.16 dated August/20 to detail proposed alterations and additions to an existing residence at 13 Kinsdale Close, Killarney Heights, 2087.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is acceptable and is worthy of support by Council.

In preparation of this document, consideration has been given to the following:

- # *The Environmental Planning and Assessment Act 1979 as amended*
- # *The Environmental Planning and Assessment regulation 2000*
- # *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- # *Warringah Local Environmental Plan 2011*
- # *Warringah Development Control Plan 2011*
- # *Warringah development Control Plan Map 2011*

2) Site Characteristics and Description

The subject allotment is described as 13 Kinsdale Close, Killarney Heights with a site area of 762.38sqm.

- The site is in R2 Low Density Residential.
- The site is not listed as heritage or in a conservation area.
- The site is located in a bushfire vegetation buffer zone, bushfire report attached with this application
- The site is in area B of the slip zone – geo tech assessment attached with this application
- The property addresses Kinsdale Close to the East and Garigal National Park to the West.
- The site is currently developed with a two storey brick dwelling with a tiled hip roof, with an attached garage.
- Driveway access is provided via an existing concrete driveway off Kinsdale Close.
- The site falls from the front boundary (East) down towards the rear boundary West) approximately 4.8m.
- Vegetation consists of mixed endemic and introduced species that surround the property with areas of lawn to the rear of the property.
- Front, side and rear setbacks vary throughout the streetscape and that of adjoining dwellings.



3) The Proposal

Description

As detailed within the accompanying plans, the proposal seeks consent for alterations and additions and a swimming pool to an existing dwelling. It provides compliance with the Warringah Development Control Plan 2011 and Warringah Local Environment Plan 2011.

The proposed additions and alterations are as follows:

Ground Floor

- Existing timber deck to be extended and parts of it raised to create one level deck.
- A new concrete swimming pool with a capacity of 24.4KL to the rear of the house is proposed.

First Floor

- A new sliding glass door to replace the existing window in Bedroom 2.
- Extending the existing balcony in front of Bedroom 2
- Replacing the existing roof over the existing balcony with a new Colorbond flat roof, and over the new balcony extension.

As the existing residence is unable to meet the present and future outdoor space requirements of its occupants, these additions and alterations will provide the owners with more practical and usable outdoor space, and additional outdoor space with added shading.

There will be no affect on neighbouring properties due to the proposed additions.

Considerations has been given to bulk and form

4) Zoning & Development Controls

4.1 Warringah Local Environmental Plan 2011

The site is zoned R2 Low Density Residential under the provisions of the WLEP 2014. The proposed alterations and additions to the existing dwelling are permissible with the consent of council.

4.2 Height of Building (LEP 4.3)

The control for this parcel of land is a maximum of 8.5m.

The proposed additions and alterations **comply** with this control.

There are no changes to the height of the building.

4.3 General Principals of Warringah Development Control Plan 2011

The proposed development responds to the characteristics of the site and the qualities of the surrounding neighbourhood in a sympathetic and positive manner.

BUILT FORM CONTROLS

4.5 Side Boundary Envelope (DCP B3)

The side building envelope control is a height plane of 4 metres along the side boundary and with a projection inwards of 45 degrees.

The balcony and roof extension to the North and South side boundaries comply.

4.5 Side Boundary Setbacks (DCP B5)

Warringah DCP control is a min. of 900mm.

The proposal provides compliance with Warringah Development Control Plan 2011 side setbacks of min.900mm.

GROUND FLOOR LEVEL

North side ----- varies - min. 2.87m -----COMPLIES

south side ----- NO CHANGE varies - min. 2.61 m -----COMPLIES

POOL south sidesetback to paving —3.1 m - COMPLIES

Pool edge - 4.5m --COMPLIES

FIRST FLOOR LEVEL

North side----- varies - min. 3.07m -----COMPLIES

South side -----NO CHANGE 4.1 m -----COMPLIES

4.6 Front Boundary Setbacks (DCP B7)

Warringah DCP control is a min. of 6.5m or an average of the adjoining properties.

No change to existing front setback of 9.5m. **Complies**

4.7 Rear Boundary Setbacks (DCP B9)

Warringah DCP control is a min. of 6.0m

The proposed first floor balcony extension will have a varied rear setback with minimum 6.55m.

Complies

The proposed pool and deck extension encroaches into the 6m rear setback, but the area of the pool, deck extension and steps is only 23.3% of the total rear setback area -----**COMPLIES**

The objectives of the rear setback are still met despite this encroachment. There is a sense of openness in the rear yard, with still a large lawn area, there is no encroaching on privacy to the neighbours, and it is in keeping with the surrounding properties.

It is difficult to adhere to the rear setback with the pool due to pre-existing structures. It is therefore requested that this non compliance be supported as it will not affect adjoining properties

DESIGN

4.8 Landscaped Open Space (DCP D1)

The minimum landscaped open space required is 40% of the site area.

Site area of this allotment is 762.38m² - 40% control – 304.95m²

Existing landscaped open space area -----341.8 m² ---44.83%
(areas less than 2.0m in any direction)

New landscaped open space area -----344.18 m² —45.38% - **COMPLIES**

4.9 Private Open Space (DCP D2)

Requirement is a total of 60sqm with a minimum dimension of 5m.

Private open space is located to the rear of the dwelling with an area of approx. 160m² which **complies**.

4.10 Access to Sunlight (DCP D6)

No loss of daylight to main living areas in adjacent dwellings will be experienced as a consequence of this proposal. Adjoining properties will receive a minimum of 3 hours of solar access. **Complies**.

4.11 Views (DCP D7)

Neighbours views will not be affected by the proposed additions.

4.12 Privacy (DCP D8)

There will be no loss of privacy, due to the proposed additions.

SITING FACTORS**4.13 Traffic , Access and safety – (DCP C2)**

There will be no change to the existing concrete crossover and layback

4.14 Parking Facilities – (DCP C3)

There will be no change to the existing parking facilities on the site. Currently there is parking available for 2 cars

4.14 Stormwater – (DCP C4)

To be provided in accordance with councils stormwater drainage design guidelines.

The proposal provides for all collected stormwater to drain to the existing rainwater tank.

4.15 Building over or adjacent to constructed council Drainage Easements – (DCP C6)

The proposed deck does not encroach on the drainage easement, and complies with Council's Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications.

5) Matters for Consideration Under Section 79c of The Environmental Planning and Assessment Act, 1979**5.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Warringah Development Control Plan 2011 and the relevant supporting Council Local plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

5.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

It is not considered that there are any draft environmental planning instruments applying to the site.

5.3 Any development control plan

The development has been designed to comply with the requirements of the Warringah Development Control plan 2011 and the general principles of WLEP 2011.

It is considered that the proposal respects the aims and objectives of the DCP, however it is noted that the Environmental Planning and Assessments Amendment Act 2012 No. 93 (amendment Act) which received assent on 21 November 2012 commenced on 1st March 2013.

Key amongst the amendments are requirement to interpret DCP's flexibly and to allow reasonable alternative solutions to achieve the objectives of the DCP standards .

The new section 74BA provides that the principal purpose of the DCP is to provide guidance on:

- * giving effect to the aims of any applicable environmental planning instrument
- * facilitating permissible development
- * achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 79C(3A) which:

- * prevents the consent authority requiring more onerous standards than a DCP provides
- * Requires the consent authority to be flexible and allow reasonable alternative solutions in applying DCP provisions with which a development application does not comply.
- * limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the rear setback requirements is a reasonable alternative solution to compliance as the proposal effectively responds to the site constraints.

It is considered that the proposed design respects the desired character objectives of the WDCP 2011 and WLEP 2011 in that it reinforces the existing and new residential character of the area and is compatible with the existing uses in the vicinity.

5.4 Any matter prescribed by the regulations that apply to the land to which the development relates

No matters of relevance area raised regarding the proposed development.

5.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for alterations and additions to an existing dwelling and a swimming pool will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is well designed having regard to the relevant provisions of the Warringah Development Control Plan 2011

5.6 The suitability of the site for the development

The subject land is in the low density residential R2 and the proposed development is permissible as category 1 development. The site is considered suitable for the proposed development. The proposal will provide for alterations and additions to an existing dwelling without having a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

5.7 Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

5.8 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

6) Conclusion

The proposal which provides for alterations and additions to the existing dwelling and a swimming pool will not have any detrimental impact on the adjoining properties or the locality. The proposal is in keeping with Council's aims and objectives for this locality. There will be no effect on local fauna and flora.

In scale, form and finishes, the proposal will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours.

As the proposal will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.



Photo 1

Looking Southwest from site entry on Kinsdale Close showing front of building.



Photo 2

Looking East to the rear of the house showing the existing first floor balcony and bedroom window and ground floor deck

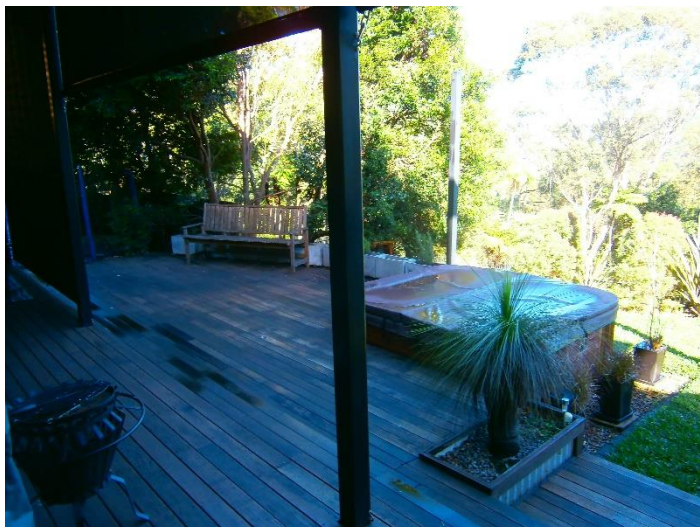


Photo 3

Looking Southwest from rear deck across to where proposed pool will be located



Photo 4

Looking north from existing deck showing where deck extension and proposed pool will be.

SCHEDULE OF EXTERIOR FINISHES

13 KINSDALE CLOSE, KILLARNEY HEIGHTS

GROUND FLOOR SCREENING WALL

Stone cladding

BALCONY ROOF

Colorbond roof, medium finish

DOOR FRAMES

Powder-coated aluminium in colour to match existing.

TRIMS

To match existing