

# STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed New  
Dwelling

231 Alfred Street,  
Cromer

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## Statement of Environmental Effects

### Proposed New Dwelling

### 231 Alfred Street, Cromer

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## TABLE OF CONTENTS

<b>1</b>	<b>Introduction.....</b>	<b>4</b>
<b>2</b>	<b>Site Analysis .....</b>	<b>5</b>
2.1	Site Description and Location.....	5
<b>3</b>	<b>Description of Proposed Development .....</b>	<b>6</b>
3.1	Details of the Proposed Development.....	6
<b>4</b>	<b>Statutory Planning Framework .....</b>	<b>7</b>
4.1	Warringah Local Environmental Plan 2011 .....	7
4.1.1	Zoning and Permissibility.....	7
4.1.2	Height of Buildings.....	7
4.1.3	Development on Sloping Land .....	8
4.1.4	Earthworks.....	8
4.2	Warringah Development Control Plan 2011 .....	8
4.2.1	DCP Compliance Table .....	8
4.3	State Environmental Planning Policy (Sustainable Buildings) 2022 .....	17
4.4	State Environmental Planning Policy (Biodiversity and Conservation) 2021 .....	17
4.4.1	Vegetation in non-rural areas .....	17
4.5	Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended.....	17
(c)	<i>The suitability of the site for the development.....</i>	<i>21</i>
(d)	<i>Any submissions received in accordance with this act or regulations .....</i>	<i>21</i>
(e)	<i>The public interest .....</i>	<i>21</i>
<b>5</b>	<b>Conclusion.....</b>	<b>22</b>

## 1 Introduction

This Statement has been prepared as part of the documentation associated with a Development Application proposing a new dwelling at the subject site.

The proposed has provided a site-specific contemporary design which affords high levels of amenity for future occupants whilst maintaining the residential amenity to adjoining properties in terms of privacy, solar access and view sharing. The dwelling will have an appropriate streetscape outcome and contribute positively to the local area. A new landscape regime will also positively contribute to the local area and soften and screen the proposed new dwelling.

In addition to the Statement of Environmental Effects and the architectural plans the application is also accompanied by the following:

- Survey Plan
- Architectural plans
- Landscape plans
- Basix Certificate
- Waste Management Plan
- Stormwater Management plan
- Geotechnical Report

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

- Environmental Planning and Assessment Act, 1979;
- Warringah Local Environmental Plan 2011 and
- Warringah Development Control Plan 2011

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed new dwelling is compatible with the desired future character and zone objectives for the locality.
- The proposed new dwelling will not have an adverse impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirement

## 2 Site Analysis

### 2.1 Site Description and Location

The application relates to Lot 15 in DP 14433, 231 Alfred Street, Cromer. An aerial location map is included as **Figure 1**.



*Figure 1: Site Location (Source: Six Maps)*

The site is a predominately rectangular shaped allotment with an angled rear boundary. The site measures 777.8m<sup>2</sup> with a front boundary of 12.18m, variable depth between 59.71m and 65.76m and a rear boundary of 13.505m.

The topography of the site includes a crossfall in a north easterly direction of approximately 1.5m at the front of the site. At the rear the crossfall is more pronounced and slopes down in a northerly direction approximately 2.5m. Rock outcrops are identified towards the rear of the property. No significant trees are located on the site. The canopy of a significant tree at 233 Alfred Street slightly encroaches onto the subject site. The site characteristics are depicted on the site survey provided.

The existing development on the site comprises a single brick dwelling with a secondary dwelling forward of the primary.

Development within the vicinity comprises predominately residential dwellings. The site is not heritage listed or within a heritage conservation area.

### 3 Description of Proposed Development

#### 3.1 Details of the Proposed Development

This application proposes the demolition of the existing primary dwelling with the approved secondary dwelling (DA2020/0609) to remain. The works are detailed on the plans provided by Gaea Architects. Specifically, the works comprise:

**Lower Floor Plan:**

- Storage area which will also house the OSD and rainwater tanks.
- Entry which leads to stairs to access the ground floor

**Ground Floor:**

- Open plan kitchen/dining/living area with access to decking and the swimming pool
- Study, mud/laundry and bathroom

**First Floor:**

- 3 Bedrooms including an ensuite and WIRD for bedroom 1
- Media room and bathroom

**Detached Studio/Gym:**

- Detached structure for a gym or studio use. Studio will include a bathroom.

The application is supported by a landscape plan within the architectural set.

Stormwater management plans have been provided which are consistent with Council's water management policy.

A geotechnical report is provided with regard to the landslip risk and include recommendation for the development.

A BASIX report is provided demonstrating consistency with the sustainability standards.

## 4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

### 4.1 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

#### 4.1.1 Zoning and Permissibility

As previously noted the site is zoned R2 Low Density Residential pursuant to the provisions of the Warringah Local Environmental Plan 2011.

Dwelling Houses are permissible with consent in the zone. The specific objectives of the zone are identified as follows:

- *To provide for the housing needs of the community within a low density residential environment*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The application relates to new dwelling and is permissible in the zone.

#### 4.1.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- (a) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) *to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) *to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

### 4.1.3 Development on Sloping Land

The site is identified as falling within Land Slip Risk Area B and, as such, a geotechnical report has been provided. The report concludes that the development is acceptable with regard to landslip risk provided that the recommendations of the report are followed.

### 4.1.4 Earthworks

The consent authority can be satisfied that the excavation proposed to accommodate the new dwelling will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, consistent with the provisions of clause 6.2.

## 4.2 Warringah Development Control Plan 2011

The proposal relates to Proposed New Dwelling and the following relevant DCP controls have been addressed with respect to consideration of the proposed subdivision application.

### 4.2.1 DCP Compliance Table

A table demonstrating compliance with the relevant provisions of the Warringah DCP 2011 is detailed as follows:

Control	Requirement	Proposed	Compliance
<b>Wall Height</b> <b>DCP Control B1</b>	7.2 metres from ground level (existing) to the underside of the ceiling to the uppermost floor of the building (excluding habitable areas wholly located within a roof space)	<p>The southwest elevation will comply with the control. The crossfall present on the site make it challenging to comply with the wall height on the northeastern elevation.</p> <p>The portion of the dwelling to the rear will sit on piers to minimise impacts to the natural rock outcrops. The front which incorporates the lower level storage and entry is the only area with wall extending from ground level.</p> <p>In this regard, the proposed variation to wall height is reflective of the topographical</p>	No – to northeastern elevation.



Control	Requirement	Proposed	Compliance
		<p>constraints. The skillion roof also contributes to wall height to the northeastern elevation.</p> <p>We note that the development is compliant with the setbacks, building envelope and has a minor building height breach due to existing disturbed ground levels. The variation to the northeastern wall height is considered reasonable in this instance.</p>	
<b>Side Boundary Envelope</b>  <b>DCP Control B3</b>	Buildings must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of 4 metres.	The proposal is consistent with the building envelope control. We note that eaves are permissible to extend outside the envelope and that is the only area of encroachment.	Yes
<b>Side Boundary Setback</b>  <b>DCP Control B5</b>	Development is to maintain a 900mm minimum setback from side boundaries.	<p>Complies</p> <p>The facades of the dwelling are well in excess of the requirements.</p>	Yes
<b>Front Boundary Setback</b>  <b>DCP Control B7</b>	<p>Development is to maintain a front setback of 6.5 metres.</p> <p>Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the</p>	<p>Complies.</p> <p>The secondary dwelling is located forward of the dwelling and will remain as per existing.</p>	Yes

Control	Requirement	Proposed	Compliance
	primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.		
<b>Rear Boundary Setback</b>  <b>DCP Control B9</b>	Development is to maintain a minimum rear boundary setback of 6 metres.	<p>The development is compliant with the rear setback to the dwelling. Portions of the decking and swimming pool are proposed to be within the rear setback.</p> <p>The approved secondary dwelling is located at the front of the site which results the primary dwelling required to be further back from the front boundary. The areas encroaching are considered minor. Landscaping features are proposed to surround the pool and along the boundaries which will provide a high level of softening and screening of the deck and pool area. In this regard, the rear setback does provide opportunities for deep soil landscaping.</p> <p>The minor rear setback variation is considered reasonable in this instance.</p>	No – deck and pool minor encroaches into the rear setback.
<b>Traffic, Access and Safety</b>	Applicants shall demonstrate that the location of vehicular and	The existing driveway is to be retained and will	Yes

Control	Requirement	Proposed	Compliance
<b>C2</b>	pedestrian access meets the objectives.	accommodate 2 hardstand parking space.	
<b>Parking Facilities</b> <b>DCP Control C3</b>	<p>2 off street parking spaces must be located behind the front building alignment.</p> <p>Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser.</p>	As mentioned above, 2 hard stand spaces are achieved on the existing driveway.	Yes
<b>Stormwater</b> <b>DCP Control C4</b>	<p>To protect and improve the ecological condition of Warringah's beaches, lagoons, waterways, wetlands and surrounding bushland;</p> <p>to minimise the risk to public health and safety;</p>	Stormwater management plans have been prepared in accordance with the DCP controls and accompany this application.	Yes
<b>Excavation and Landfill</b> <b>DCP Control C7</b>	Excavation and landfill works must not result in any adverse impact on adjoining land.	A geotechnical report is provided which details the excavation and provides recommendations for construction to mitigate any potential risk.	Yes

Control	Requirement	Proposed	Compliance
<b>Demolition &amp; Construction</b>  <b>DCP Control</b>  <b>C8</b>	<p>A demolition and waste management plan must be satisfactorily completed and submitted.</p>	<p>The demolition of the dwelling is proposed and detailed within the architectural plans. Demolished materials will be disposed of appropriately with designated waste storage areas located on site during construction.</p> <p>A waste management plan is provided.</p>	Yes
<b>Waste Management</b>  <b>C9</b>	<p>To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).</p> <p>To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.</p> <p>To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours,</p>	<p>Materials will be reused or recycled where appropriate. Contract waste collectors will be engaged during the construction when required.</p> <p>A waste management plan is provided.</p>	Yes

Control	Requirement	Proposed	Compliance
	and pedestrian and vehicle movements.		
<b>Landscaped Open Space</b> <b>DCP Control D1</b>	A minimum 40% landscaped open space is to be provided.	The proposal provides for 311.55m <sup>2</sup> or 40% in compliance with the control.  A landscape plan is provided which will see an enhancement of the site with new trees, shrubs and vegetation.	Yes
<b>Private Open Space</b> <b>DCP Control D2</b>	Dwelling houses with 3 or more bedrooms are to provide a minimum area of 60sqm of private open space.	Well in excess of 60m <sup>2</sup> of private open space proposed	Yes
<b>Noise</b> <b>D3</b>	To encourage innovative design solutions to improve the urban environment.	No unreasonable noise concerns are anticipated above that of a family home.	Yes
<b>Access to Sunlight</b> <b>DCP Control D6</b>	Pursuant to these provisions development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing: <ul style="list-style-type: none"> <li>At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of</li> </ul>	Shadow diagrams have been prepared which demonstrate that the adjoining dwelling at 229 Alfred Street will receive at least compliant levels of solar access to their private open space areas of the home.	Yes

Control	Requirement	Proposed	Compliance
	private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.		
<b>Views</b> <b>D7</b>	Development shall provide for the reasonable sharing of views.	No impact to views.	Yes
<b>Privacy</b> <b>DCP Control D8</b>	Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.	<p>The proposal does not give rise to unreasonable privacy impacts. We note that the crossfall results in the dwelling being elevated above 233 Alfred Street. In this regards, greater setbacks to the northeastern boundary are provided to provide spatial separation.</p> <p>Decking is proposed to wrap around the ground floor to the rear. The main private open space and recreation area is associated at the pool which is orientated to the rear. As such, the privacy outcome is considered reasonable.</p> <p>Increased landscaping to the perimeter of the site will</p>	Yes

Control	Requirement	Proposed	Compliance
		provide additional privacy attenuation also.	
<b>Building Bulk</b> <b>DCP Control D9</b>	Encourage good design and innovative architecture to improve the urban environment. Minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.	<p>The proposal has been architecturally designed and reflects an innovative and quality design outcome. The dwelling will contribute positively to the design quality of the streetscape.</p> <p>The built form is highly articulated which minimises bulk and scale. A range of materials and finishes are proposed to break up the wall facades and provide visual interest.</p>	Yes
<b>Building Colours and Materials</b> <b>DCP Control D10</b>	Ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.	The materials and finishes are sympathetic with the existing character of the dwelling. The materials and finishes to be used are identified on the architectural plans.	Yes
<b>Roofs</b> <b>DCP Policy D11</b>	Roofs are to be designed to complement the local skyline.	The skillion roof proposed complement existing development in the area.	Yes
<b>Glare and Reflection</b> <b>DCP Policy D12</b>	Ensure that development will not result in overspill or glare from artificial illumination or sun reflection.	The proposed window glazing and roof finishes will not give rise to any unacceptable glare or reflection.	Yes

Control	Requirement	Proposed	Compliance
<b>Site Facilities</b>  <b>D14</b>	<p>Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection;</p> <p>All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets;</p>	Existing bin storage will be maintained to the new dwelling.	Yes
<b>Safety and Security</b>  <b>D20</b>	To ensure that development maintains and enhances the security and safety of the community.	The dwelling provides appropriate casual surveillance of the street. Adequate lighting will be accommodated to entrances and pedestrian areas.	Yes
<b>E10 Landslip Risk</b>	A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified	A preliminary geotechnical report is provided with this application.	Yes



Control	Requirement	Proposed	Compliance
	geotechnical engineer/ engineering geologist and must be submitted with the development application.		

#### 4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

#### 4.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

##### 4.4.1 Vegetation in non-rural areas

The provisions of Chapter 2 of this policy are applicable to all non-rural land across the state and aim to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural areas through the preservation of trees and other vegetation.

The proposed development is supported by a landscape plan that will improve the vegetation on site and includes a range of grasses, shrubs and trees. The proposal is consistent with the requirements and objectives of Chapter 2 of SEPP (Biodiversity and Conservation).

#### 4.5 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the EP&A Act (as amended):

(i) *any environmental planning instrument*

The proposed dwelling is permissible and consistent with the objectives of LEP and DCP as they are reasonably applied to the proposed works given the constraints imposed by the site's location, environmental and topographical characteristics.

(ii) *Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has*

*notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

There are no draft instruments that are applicable in relation to the proposed development.

(iii) *Any development control plan*

Warringah DCP applies and the relevant provisions have been considered in this statement.

(iiia) *Any Planning Agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and*

N/A

(iv) *The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

N/A

(v) *Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)*

N/A

(b) *The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,*

[The assessment considers the Guidelines (in italics) prepared by the Department of Planning and Environment in this regard].

*Context and Setting*

i. *What is the relationship to the region and local context in terms of:*

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

These matters have been discussed in the body of this report.

ii. *What are the potential impacts on adjacent properties in terms of:*

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*

- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report.

*Access, transport and traffic:*

*Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:*

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

The development provides adequate carparking facilities in conformity with the objectives of DCP.

*Public Domain*

The proposed development will have no adverse impact on the public domain.

*Utilities*

This matter has been discussed in detail in the body of this report.

*Flora and Fauna*

The proposal will result not result in any unreasonable impacts upon flora and fauna.

*Waste Collection*

The proposed development provides appropriate onsite waste storage, with waste to be collected from the street weekly by Council's contractors.

*Natural hazards*

Geotechnical report provided

### *Economic Impact in the locality*

The proposed development will generate temporary employment during construction, which is appropriate given the residential nature of the site.

### *Site Design and Internal Design*

i) *Is the development design sensitive to environmental considerations and site attributes including:*

- *size, shape and design of allotments*
- *The proportion of site covered by buildings*
- *the position of buildings*
- *the size (bulk, height, mass), form, appearance and design of buildings*
- *the amount, location, design, use and management of private and communal open space*
- *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

The proposed development will comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

### *Construction*

i) *What would be the impacts of construction activities in terms of:*

- *The environmental planning issues listed above*

- *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) *The suitability of the site for the development*

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The adjacent development does not impose any unusual or impossible development constraints. The site is well located with regards to utility services. The development will not cause excessive or unmanageable levels of transport demand.

(d) *Any submissions received in accordance with this act or regulations*

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) *The public interest*

The proposed works are permissible and consistent with the intent of the LEP and DCP standards and controls as they are reasonably applied to the proposed development. The development would not be contrary to the public interest.

## 5 Conclusion

The proposed new dwelling is permissible with consent and consistent with the intent of the built form controls as they reasonably apply. It is considered that the proposal is appropriate on merit with the variations identified to the building envelope and front setback well founded. Such variations succeed pursuant to section 4.15(3A)(b) of the Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

The application is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed works are compatible with the zone and desired future character of the locality.
- The proposed works will have a positive impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is suitable for the proposal, having regard to the relevant land use and planning requirements.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

**Boston Blyth Fleming Pty Limited**

**William Fleming**

**Director**