

STATEMENT OF ENVIRONMENTAL EFFECTS
FOR PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

LOCATED AT

88 QUIRK STREET, DEE WHY

FOR

JUSTIN & TRUDY LOWRY



**Prepared
June 2021**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared by LKS Design & Drafting for Justin & Trudy Lowry, Project No 2101 Drawings No. DA01 – DA21, Revision A, dated 1 June 2021, detailing the construction of alterations and additions to an existing dwelling at **88 Quirk Street, Dee Why**.

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 considered to be acceptable and is worthy of the support of the 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 No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as 88 Quirk Street, Dee Why, being Lot 4 within Deposited Plan 10683 and is zoned R2 Environmental Living under the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

The land is noted as being Landslip Area A & B and this issue will be discussed further within this submission. A preliminary geotechnical assessment has been prepared by White Geotechnical Group, Reference No. J3446, dated 1 June 2021 and is submitted with this application.

No other hazards have been identified.

3.0 Site Description

The property has a dual frontage with a south facing primary frontage to Quirk Street and north facing secondary frontage to Bushey Place, with the site falling gradually towards the northern boundary.

The site is rectangular in shape, with a frontage to Quirk Street of 12.47m. The north-western and south-eastern side boundaries measure 57.86 (by title), 58.005m (by survey), 55.414 (by title), 55.57m (by survey) respectively. The rear boundary to Bushey Place measures 12.19m and the total site area is 692.2m².

The property has a general fall towards the northern boundary at Bushey Place, with stormwater dispersed within the site and subsequently to Bushey Place.

The site is currently developed with 1 & 2 storey brick house with a tile roof and a single attached garage. A driveway from Quirk Street provides access to a double garage.

The details of the site are as indicated on the survey plan prepared by Bee & Lethbridge, Reference No. 21890, dated 20 November 2020, which accompanies the DA submission.



**Fig 1: Location of Subject Site
(Source: Google Maps)**



Fig 2: View of subject site, looking north from Quirk Street



Fig 3: View of the adjoining site to the west at 86 Quirk Street, with new dwelling under construction, looking north-west from Quirk Street



Fig 4: View of the adjoining dwelling to the east at No 90 Quirk Street, looking north from Quirk Street



Fig 5: View of the subject site (centre of view) and neighbouring dwelling at No 90 Quirk Street, looking south from Bushey Place



Fig 6: View of the adjoining site at No 86 Quirk Street with new dwelling under construction, looking south from Bushey Place

4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of residential dwellings and a range of detached outbuildings, of a variety of architectural styles.

The varying age of development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a consistent setback to the public domain.

The surrounding properties comprise a range of original style dwellings with an emergence of modern dwellings and additions. The surrounding dwellings comprise a mix of single and two storey dwellings over basement levels or elevated sub-floor areas as the sites slope towards the north.

The rear yards of the properties have generally been developed and provide for a range of outdoor recreation uses to meet the requirements of the property owners.



Fig 7 Aerial view of locality
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for additions and alterations to the existing dwelling, which involve the demolition and removal of the existing dwelling and the provision of a contemporary style parapet roof over the existing dwelling roof and a rear addition with skillion roof form.

Specifically, the new works comprise the following works:

Ground Floor Level

Internal alterations to provide for the following changes:

- Demolition works, including existing pool
- Games and entertaining room with attached deck, wet bar, en-suite and W.C; and
- New lounge, home office and guest room.

First Floor Level

- Alterations and additions, including a new extension to existing first floor level to provide for a new lounge, kitchen and dining areas, bedroom and balcony.

Mezzanine

- Construction of new mezzanine level

The proposal will not require the removal of any significant vegetation, with the majority of the new works over the existing disturbed areas.

The development indices for the site are:

Site Area	692.2m ²
Required Landscaped Area	40% or 276.88m ²
Proposed Landscaped Area (areas >2m)	40.95% or 283.5m ²

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

6.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal meets water, thermal and energy standards required by BASIX. A BASIX certificate has been submitted with the development application.

6.4 Warringah Local Environmental Plan 2011

The land is zoned R2 Low Density Residential under the provisions of the WLEP 2011.

The proposed alterations and additions to the existing dwelling are a permissible form of development within the R2 zone under the WLEP 2011.



Fig 8: Extract of Warringah Local Environmental Plan 2011

The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- *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.*

It is considered that the proposed alterations and additions to the existing dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any impact on the existing landscaped area or long-distance views.

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

***building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

The building height limit for development in this portion of Dee Why is 8.5m. The proposed alterations and additions to the existing dwelling provide for a height of up to 8.5m and therefore comply with this maximum height control. It is noted that the inclusion of the new parapet roof form over the existing dwelling will result in a substantial lowering of the height when viewed from Quirk Street.

The new skillion roof over the additions at the north (rear) of the current footprint include a low pitch skillion roof, in order to minimise the visual bulk and scale.

Clause 5.9 relates to the preservation of trees or vegetation. The proposal will not see any loss of any substantial vegetation.

Clause 6.2 relates to earthworks.

The proposal is accompanied by a Preliminary Geotechnical Investigation has been prepared by White Geotechnical Group, Report No. J3446, dated 1 June 2021, which concludes that the proposal meets Council's requirements subject to compliance with the recommendations contained within the report.

Additionally, the works will be carried out in accordance with the recommendations of a qualified structural engineer.

Clause 6.4 related to development on sloping land. The land has been identified on Councils Landslip Risk map as being within an Area A & B.

The Clause seeks to achieve the following objectives:

- *to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land,*
- *to ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land,*
- *to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.*

Accordingly, a Preliminary Geotechnical Investigation has been prepared by White Geotechnical Group, Report No. J3446, dated 1 June 2021. The report concludes that *“Provided good engineering and building practice are followed, no further Geotechnical assessment is recommended for the proposed development.”*

The proposal is therefore considered to satisfy the provisions of this clause.

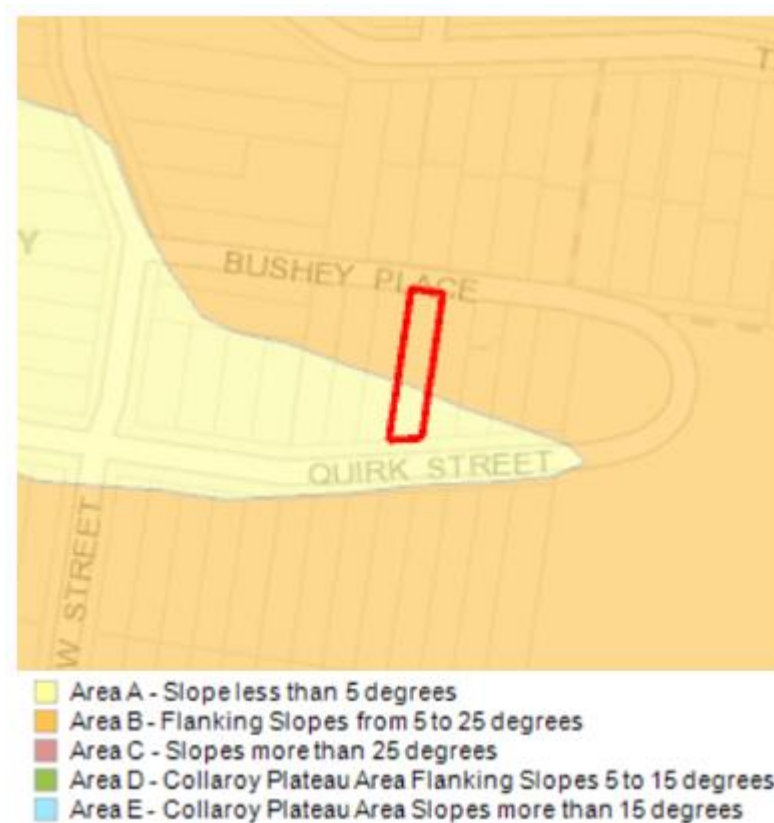


Fig 9: Extract of Warringah Local Environmental Plan 2011 Landslip Risk Map

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

6.5 Warringah Development Control Plan

The relevant numerical and performance-based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	<p>Proposed maximum wall height 5.58m at the north-eastern corner of the dwelling of the side elevations.</p> <p>The proposed mezzanine level has been set in 4.380m from the eastern boundary and from 2.94m from the western boundary to ensure the development complies with Council’s building envelope control.</p> <p>The objectives of this control read as follows:</p> <ul style="list-style-type: none"> • <i>To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.</i> • <i>To ensure development is generally beneath the existing <u>tree</u> canopy level.</i> • <i>To provide a reasonable sharing of views to and from public and private properties.</i> 	Yes

		<ul style="list-style-type: none"> • <i>To minimise the impact of development on adjoining or nearby properties.</i> • <i>To ensure that development responds to site topography and to discourage <u>excavation</u> of the natural landform.</i> • <i>To provide sufficient scope for innovative roof pitch and variation in roof design.</i> <p>The proposed development will follow the sloping topography of the site and existing excavation, which minimises the visual impact of the development.</p> <p>By maintaining a comparable rear setback to the adjacent properties, the proposal will not see any unreasonable loss of views for neighbouring properties.</p> <p>The proposed skillion roof form will complement the existing development on site and maintain consistency with the character of residential development in the locality.</p>	
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		The proposal is in keeping with the objectives of this clause, and the minor breach of the wall height is therefore considered acceptable in this instance.	
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	<p>As discussed, the articulated wall lines and stepped form of the development ensure the development complies with Council building envelope control with the proposed mezzanine level to be centrally located over the dwelling to minimise impacts to the neighbouring properties and observe councils building envelope control.</p> <p>The objectives of this control read as follows:</p> <ul style="list-style-type: none"> • <i>To ensure that development does not become visually dominant by virtue of its height and bulk.</i> • <i>To ensure adequate light, solar access and privacy by providing spatial separation between buildings.</i> • <i>To ensure that development responds to the topography of the site.</i> 	Yes – on merit

		<p>The external form of the new works has been designed to follow the sloping topography of the site, thereby minimising the visual bulk of the development. The proposed earthy colours and finishes, together with the modulation and articulation of the elevations, provides further visual relief. The shadow diagrams provided with the application confirm neighbouring dwellings will continue to receive at least three hours of solar access to their principal private open space and internal living areas between 9am and 3pm on 21 June. The new works will not see any significant changes to the shadows of the existing dwelling.</p>	
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	Minimum proposed eastern and western setbacks 1.07m and 0.9m, respectively.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	The existing front setback to Quirk Street remains unchanged at 6.54m. All proposed works are located to	Yes

		<p>the rear of the existing dwelling.</p> <p>A 3.5m secondary setback to Bushey Place applies in this case. All proposed works are in excess of 3.5m</p>	
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9 – Rear Boundary Setbacks	Min 6m rear setback	N/A – site has a secondary frontage to Bushey Place; therefore, no assessment of rear setback is required.	N/A
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A

Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council’s Vehicle Crossing Policy	The proposal will provide for the retention of the existing crossing and layback and the driveway will be unchanged.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal will retain the existing double garage.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council’s Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	The proposed new roof areas will be connected to the existing stormwater system.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	The proposal is accompanied by sediment and erosion control measures (Drawing No. DA09).	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	All development on land containing or adjacent to or proposing to reconstruct/relocate a public drainage system, must comply with council’s water management policy and building over or adjacent to constructed council drainage systems and easement technical specifications. Any council drainage line located within the property may require upgrading and	N/A	N/A

	easements created in favour of council over the drainage line at the applicant's expense.		
C7 – Excavation and Landfill	Site stability to be maintained	Minimal excavation is required to provide for new ground floor works. The works are considered minor and will have no detrimental impact on the stability of the site.	Yes
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed as shown on drawing DA19.	Yes
C9 – Waste Management	Waste storage area to be provided	Bin storage available within garage	Yes
Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposal will see a landscaped area of 283.5m ² or 40.95% of the site area and therefore comfortably complies with this control. The landscaping will assist with softening the built form of the development.	Yes
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	The proposal provides for additional areas of private open space directly accessible from the dwelling. The primary private open space is in the form of a new timber deck located adjacent to the new entertainment and games room on the ground floor. The proposal also provides for a new balcony to be located adjacent to	Yes

		the dining and lounge areas on the first floor, both with good access to the northern sun.	
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	No new mechanical equipment is proposed.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	The site enjoys good access to northern sun to the rear yard.	Yes
D6 – Access to sunlight	This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.	The site benefits from a north-south orientation; therefore, achieves excellent solar access to the principal living areas and areas of outdoor primary open space within the subject site. As a result of the favourable orientation, there will be additional overshadowing to adjoining properties with suitable solar access being achieved in accordance with Council’s requirements.	Yes

<p>D7 – Views</p>	<p>View sharing to be maintained</p>	<p>The controls require that development should enable the reasonable sharing of views. The works see alterations and additions to the existing dwelling.</p> <p>The subject site and neighbouring properties enjoy expansive views to the north. The proposed design has duly considered existing views by achieving compliance with building height and setback controls and largely complying with the prescribed building envelope control.</p> <p>The low pitch roof form of the new works, along with the generous setbacks, will ensure that the primary outlook for the surrounding properties is not unreasonably diminished.</p>	<p>Yes</p>
<p>D8 – Privacy</p>	<p>This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties</p>	<p>The new ground floor deck and first floor balcony will incorporate privacy screens to the north and south elevations, therefore ensuring adjoining properties are not unreasonably overlooked and will not reduce the privacy enjoyed by the neighbours.</p>	<p>Yes</p>

<p>D9 – Building Bulk</p>	<p>This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces</p>	<p>While the proposal includes a new mezzanine level, the dwelling will continue to present as a predominately two storey dwelling with the mezzanine level not contributing to an unreasonable level of bulk and scale, while it will not visually dominate the street or surrounding properties. The form of the proposed development is compatible in height and scale, with an articulated façade, and will not visually dominate Quirk Street.</p> <p>The proposed alterations and additions maintain consistency with the bulk and scale of development in the locality.</p>	<p>Yes</p>
<p>D10 – Building Colours and materials</p>		<p>The proposed new works will be finished in colours which complement the existing development on site and the locality.</p>	<p>Yes</p>
<p>D11 – Roofs</p>	<p>The LEP requires that roofs should not dominate the local skyline.</p>	<p>The proposed new additions and alterations and including a new first floor level extension to the dwelling provides for a low pitch roof form that does not dominate the skyline. Further the roof minimises bulk and scale and maximises</p>	<p>Yes</p>

		view retention to adjoining properties.	
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The existing external finishes and colours will be retained and the proposed new finishes will complement the existing dwelling. No significant glare impacts will result from proposed new works.	Yes
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street. Landscaping to be provided to reduce the view of the site facilities	Bin storage area is available in the garage or surrounding the dwelling. The mailbox is to be designed with minimal visual impact.	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	N/A	N/A
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the	Yes

	surveillance of the street.	street is available from the dwelling to the street over and through the front landscaped area.	
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	A BASIX Certificate is provided to support the development	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	N/A

Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	No significant protected trees are affected by the works.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area A & B.	The proposal is accompanied by a Preliminary Geotechnical Investigation has been prepared by White Geotechnical Group, Report No. J3446, dated 1 June 2021, which concludes that the proposal meets Council’s requirements subject to compliance with the recommendations contained within the report.	Yes
E11 – Flood Prone Land	Not identified on map		N/A

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011 and the relevant supporting Council policies. 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.

7.2 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 applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Warringah Development Control Plan 2011.

The application has been prepared having regard to the requirements of Part A, Part B, Part C, Part D and Part E of the Warringah DCP 2011.

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

7.4 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

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

7.6 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 proposed construction of alterations and additions to an existing dwelling, 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 residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's WLEP 2011 and Council's Codes and Policies, in particular the Warringah DCP 2011.

7.7 The suitability of the site for the development

The subject land is currently zoned R2 Low Density Residential under the Warringah Local Environmental Plan 2011 and is considered suitable for the proposed development.

7.8 Submissions made in accordance with this Act or the regulations

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

7.9 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.

8.0 Conclusion

The principal objective of this development is to provide for the construction of alterations and additions to existing dwelling, which respect and complements the site's location.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbour's amenity and by complementing the existing style and character of the surrounding locality, the stated objectives have been satisfied.

As the proposed development 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.

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