

STATEMENT OF ENVIRONMENTAL EFFECTS

PROJECT
PROPOSED CONSTRUCTION OF A SECONDARY DWELLING

PROPERTY
9 WILLOW WAY FORESTVILLE

CLIENT
MAI POON

JOB NO 24-48

DATED 4 February 2025

Suite 6, 7 Parkes Street,
Parramatta 2150 NSW
www.rkdesigns.com.au
admin@rkdesigns.com.au
02 9633 4797

The logo for RK DESIGNS is located in the bottom right corner. It consists of a solid yellow square. Inside the square, the letters "RK" are written in a large, bold, white sans-serif font. Below "RK", the word "DESIGNS" is written in a smaller, white, all-caps sans-serif font.

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1.0 INTRODUCTION

The purpose of this submission is to enlighten Council on some of the thoughts behind the design development of the proposed new secondary dwelling the proprietors wish to construct on the property at 9 Willow Way Forestville.

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.

This presentation also outlines the design mechanisms implemented to ensure that the impact of the proposal on the adjoining amenity is lessened.

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 Council.

2.0 THE SITE AND EXISTING BUILDING

The property is located on 9 Willow Way Forestville, Lot 13 within Deposited Plan 27432. The block of land is approximately 788.9 sqm in site area, faces north on Willow Way. The site has a fall towards the north (front) boundary. The property is zoned R2 Low Density Residential under the Warringah Local Environmental Plan 2014.

A double- storey brick dwelling exists on the property with a tile roof. There is a vehicle crossing on Willow Way and a driveway runs along the western boundary which leads to a closed garage.



Image 1: 9 Willow Way Forestville

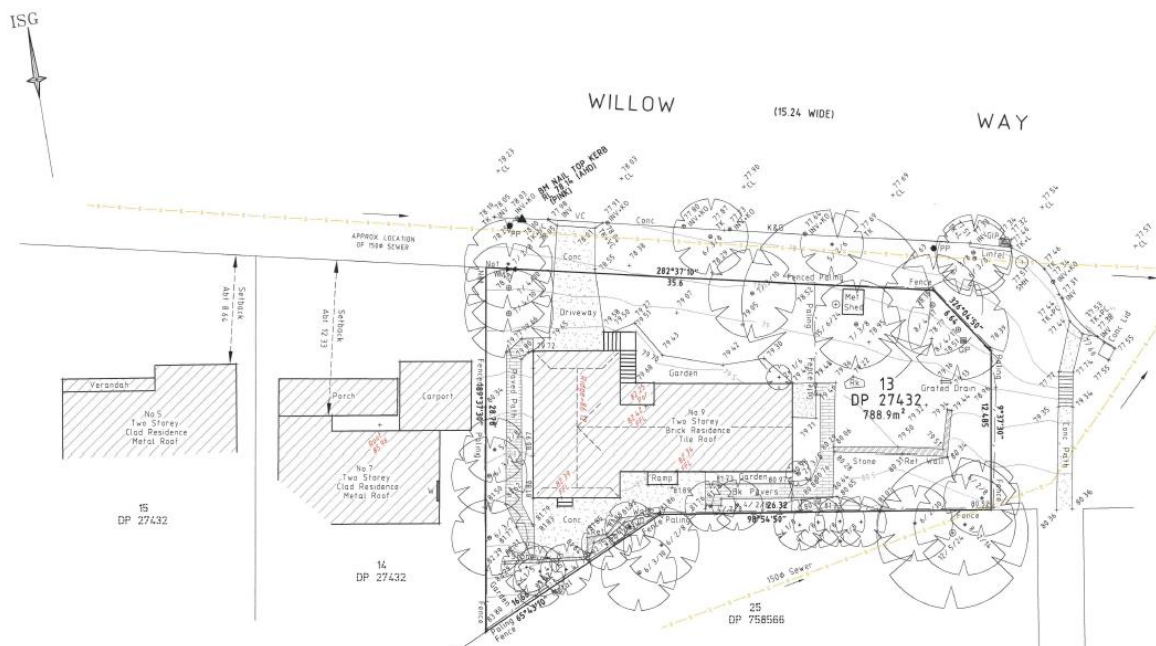


Image 2: Survey Plan

3.0 EXISTING STREETScape

To the immediate south of the subject property at 14 and 15 Tullamore Ave, Killarney Heights, and 2 Omega Place single-storey dwellings exist.



Image 3: 14 and 15 Tullamore Ave, Killarney Heights

To the immediate north of the subject property, across the street, a single and double- storey dwelling exist at 8 and 10A Willow Way Forestville.



Image 4: 8 and 10A Willow Way Forestville

To the east of the subject property past the concrete steps, at 16 Willow Way, a single-storey dwelling exists.



Image 5: 16 Willow Way Forestville

To the immediate west of the subject property, at 7 Willow Way, a double-storey dwelling exists.

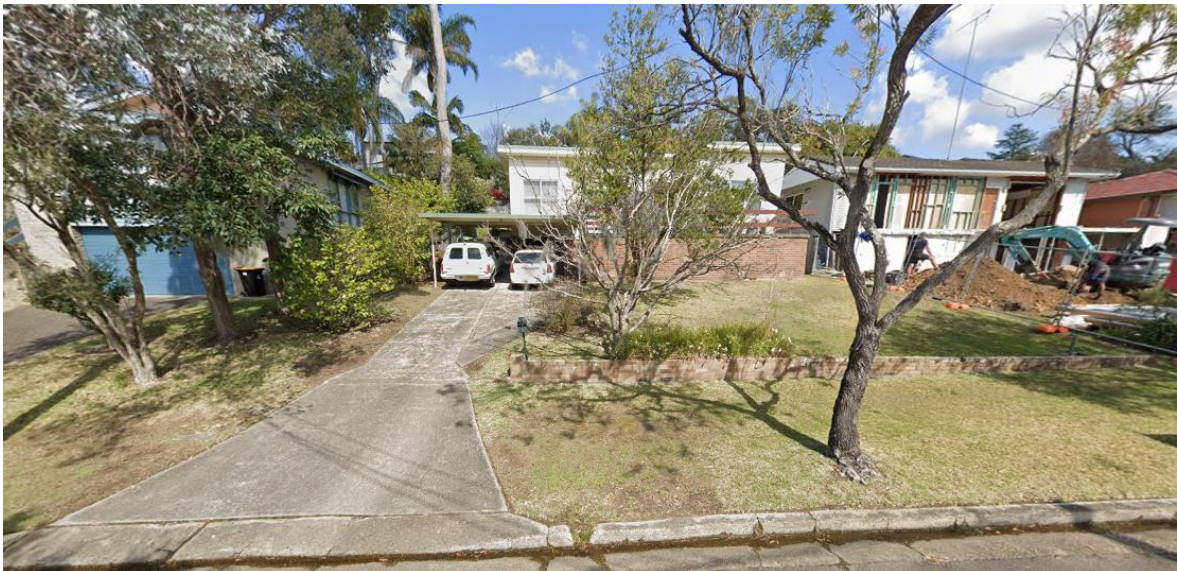


Image 6: 7 Willow Way Forestville

The remainder of Willow Way is an amalgamation of one and two- storey dwellings in a wide range of architectural styles, character, materials, finishes, bulk and scale.



Image 7: Streetscape of Willow Way Forestville



Image 8: Streetscape of Willow Way Forestville



Image 9: Streetscape of Willow Way Forestville

4.0 THE PROPOSAL

Object:

The proprietors of 9 Willow Way Forestville, instructed RK Designs to propose a secondary dwelling that will cater for and compliment the needs and lifestyle of two families. We are of the opinion that this was adequately carried out in our proposal presently before Council.

Privacy:

There is a separated open space between the primary and secondary dwelling where the family can enjoy outdoor activities individually. The living area and the decking is designed and positioned well away from the primary dwelling creating the private, light and open space for the family.

As a result, the secondary dwelling is provided with functional, well-located area of private open space, accessible from the living area retaining adequate private open space for the principal dwelling.

Privacy issue is also resolved through the positioning of openings. Openings of the proposed secondary dwelling do not overlook to existing openings of surrounding buildings. Therefore, there will be no adverse impact on the privacy to the Proprietors and any adjoining properties.

Amenity

To increase the amenity, habitable areas including living, kitchen and dining have generous openings. These openings allow the space to achieve sufficient penetration of daylight and cross ventilation into the building. The simple open plan of the secondary dwelling generates a compact yet pleasant space for users. The open plan layout creates a central living space which is very spacious and healthy. Also, openings in the living area and kitchen will open out onto covered alfresco areas. This will enable both visual and physical interaction between indoor and outdoor living and entertaining.

Context consideration:

The form and finishes of the proposed secondary dwelling also reflect the surrounding characteristics of the existing streetscape. It has adopted the architectural style of a gable roof with a similar colour tone of the surroundings. Furthermore, the addition of a secondary dwelling will also satisfy the need for more affordable housing in the northern beaches area.

5.0 Compliance with State Environmental Planning Controls

5.1 Compliance with SEPP (Transport and Infrastructure) 2021

The Infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The application is not subject to clause 2.45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure that trigger a written referral to the energy authority.

The proposal is not adjacent to a rail corridor and therefore Clause 2.101 of the SEPP does not apply.

The application is not subject to clause 2.119 of the SEPP as the site does not have frontage to a state classified road nominated as a Main Road.

The application is not subject to clause 2.120 of the SEPP as the proposed uses are non-sensitive and are not likely to be adversely affected by road noise or vibration.

5.2 Compliance with SEPP (Resilience and Hazards) 2021

Remediation of Land and in particular 4.6 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.

The site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated.

Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under this SEPP

5.3 Compliance with SEPP (Sustainable Buildings) 2022

The proposal meets water, thermal and energy standards required by BASIX. A BASIX Certificate accompanies this submission.

6.0 COMPLIANCE WITH WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The requirements of the Northern Beaches Council, Warringah Local Environmental Plan 2011 and the subject proposal's compliance with the Local Environmental Plan are outlined as follows.

6.1 ZONING AND PERMISSIBILITY

ZONE R2 LOW DENSITY RESIDENTIAL

1) Objectives of zone

- 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.

2) Permitted without consent

Home-based child care; Home occupations

3) Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; **Secondary dwellings**; Tank-based aquaculture; Veterinary hospitals

4) Prohibited

Any development not specified in item 2 or 3

Therefore, the development is permissible with consent.

6.2 FLOOR SPACE

Clause 5.4 (9): The requirements of the Northern Beaches Council, Warringah Local Environmental Plan 2011 and the subject proposal's compliance with the Local Environmental Plan are outlined as follows:

Control:

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 60 square metres,
- (b) 11% of the total floor area of the principal dwelling.

Comment:

Existing floor area of the principal dwelling = 170.2 sqm

11% of the total floor area of the principal dwelling = 18.72 sqm

Proposed floor area = 60 sqm

Therefore, the proposal complies with the requirements. Refer to the Area Calculation Sheet.

6.3 BUILDING HEIGHT

The requirements of the Northern Beaches Council, Warringah Local Environmental Plan and the subject proposal's compliance with the Local Control Plan are outlined as follows.

Allowed height – 8.5 metres to the highest point of the roof.

Proposed height – 4.55 metres maximum to the highest point of the roof.

The proposed building is one- storey in height with a 15-degree pitched roof.

Therefore, the proposal complies with the requirements.

6.4 LANDSLIDE RISK LAND

The requirements of the Northern Beaches Council, Warringah Local Environmental Plan 2011 and the subject proposal's compliance with the Local Control Plan are outlined as follows:

The site is within Area B/ slopes 5 to 25 on Council's Geotechnical Hazard Map. Therefore, a Geotechnical Investigation has been prepared by White Geotechnical Group. The proposal will be carried out in accordance with the recommendations of this report.

6.5 BUSHFIRE PRONE LAND

The requirements of the Northern Beaches Council, Warringah Local Environmental Plan 2011 and the subject proposal's compliance with the Local Control Plan are outlined as follows:

The site is within Bushfire prone land on Council's Bushfire map. A Bushfire Risk Assessment has been prepared by Bushfire Planning Service dated 25th of November 2024

The proposal will be carried out in accordance with the recommendations of this report.

7.0 COMPLIANCE WITH WARRINGAH DEVELOPMENT CONTROL PLAN 2011

7.1 BUILT FORM CONTROLS

7.1.1 WALL HEIGHTS

B1 The requirements of the Northern Beaches Council of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows:

Objectives:

- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.
- To ensure development is generally beneath the existing tree canopy level.
- To provide a reasonable sharing of views to and from public and private properties.
- To minimise the impact of development on adjoining or nearby properties.
- To ensure that development responds to site topography and to discourage excavation of the natural landform.
- To provide sufficient scope for innovative roof pitch and variation in roof design.

Control:

Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).

Comment:

Walls are not exceeding 7.2m high as the proposed secondary dwelling is a single-storey structure with a height of 4.55 to the heights point of the roof.

Therefore, the proposal complies with the requirements of the Development Control Plan.

7.1.2 SIDE BOUNDARY ENVELOPE

B3 The requirements of the Northern Beaches Council, of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows.

Objectives

- To ensure that development does not become visually dominant by virtue of its height and bulk.
- To ensure adequate light, solar access and privacy by providing spatial separation between buildings.
- To ensure that development responds to the topography of the site.

Requirements

Buildings on land shown coloured on the DCP Map Side Boundary Envelopes 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.

Comment:

The development will comply with the building envelope control relative to the east side boundaries.

The proposed building is one- storey in height with a 15-degree gable roof and it is within the allowable 45 degrees' envelope. Refer to North Elevation.

Therefore, the proposal complies with the requirements of the Development Control Plan.

7.1.3 BUILDING SETBACKS

B5, B7 and B9 The requirements of the Northern Beaches Council of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows.

Required setbacks

Primary Front	- 6.5 metres
Side	- 0.9 metres
Rear	- 6.0 metres

Proposed setbacks

Primary Front	- 4.4 metres
Side	- 1 metre
Rear	- 5.5 metres– 5.7 metres

Therefore, the proposal does not comply with the requirements of the Development Control Plan. Refer to Section 7.1.4 and Section 7.1.5 for Front and Rear Setback Variations.

7.1.4 FRONT AND REAR SETBACKS VARIATION

Objectives:

- To create a sense of openness.
- To maintain the visual continuity and pattern of buildings and landscape elements.
- To protect and enhance the visual quality of streetscapes and public spaces.
- To achieve reasonable view sharing.
- To ensure opportunities for deep soil landscape areas are maintained.
- To create a sense of openness in rear yards.
- To preserve the amenity of adjacent land, particularly relating to privacy between buildings.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.
- To provide opportunities to maintain privacy between dwellings.

The varied proposal is in keeping within the characteristics of the existing locality. The proposed development is 1 storey structure, integrated with the landform and landscape providing more compact and affordable opportunities with minimal environmental impact.

The proposed development will be consistent with the objectives of the zone and of the development standards that are being varied.

Therefore, we request that Council take into consideration the existing site surroundings and the following justifications:

- 1- The design of the proposed secondary dwelling is not visually dominating the street, the front setback is free of any structure such as garage or driveways, hence it allows for more landscaping. Therefore, the sense of openness is maintained.
- 2- Our proposed design for the secondary dwelling effectively preserves the visual continuity and pattern of the surrounding buildings and landscape elements. The new structure is set back further than the existing building line on the site, aligning with the established building line of the neighboring dwellings, as shown below. This approach ensures a seamless integration with the landscape and surrounding buildings, maintaining the overall character and cohesion of the area.



Image 10: 9 Willow Way and adjoining dwellings.

- 3- The design of the secondary dwelling will maintain the visual quality of the streetscape. It has adopted the same shape of the roof design of the existing dwelling and with the same finishes and colours of the adjoining dwellings too. Therefore, the design is blended seamlessly with the existing surroundings, ensuring that the overall aesthetic of the streetscape is maintained.
- 4- It is important to note that the proposed secondary dwelling will not cause any overshadowing of the existing dwelling, as both structures face north. Additionally, the site is bordered by a cul-de-sac road to the east and a pathway leading to the property from the south. As a result, the adjoining dwelling at 2 Omagh Place, located to the south, will not experience any overshadowing. This is due to its being situated at a higher elevation compared to the subject site as shown below. Therefore, there will be no adverse impact on sunlight access or shadow patterns for the neighboring property at 2 Omagh Place.

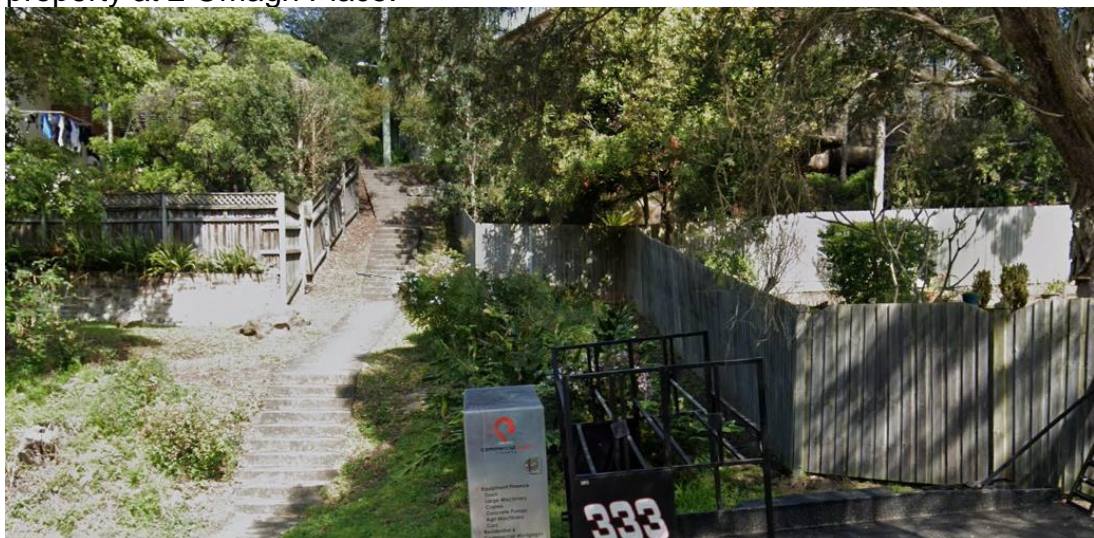


Image 11: 9 Willow Way and adjoining area

- There is enough space provided at the rear of the site for deep soil landscaping, allowing for the retention and enhancement of natural planting areas. This ensures that the design complies with the requirement to maintain opportunities for deep soil landscaping, contributing to the overall aesthetic value of the development.
- The proposed secondary dwelling will not require the removal of any trees at the rear of the site, which helps to maintain the existing landscape and visual continuity. Even with the slight variation in the rear setback, the trees and landscaping are preserved, keeping the natural look and feel of the area. This ensures the design stays in line with the goal of maintaining the site's overall appearance and character.
- The proposed design effectively preserves privacy between dwellings by thoughtfully placing and orienting windows, as well as designing the layout of outdoor spaces. This prevents any direct line of sight between the living areas of neighboring properties. Additionally, the numerous existing trees at the rear will create a natural barrier, further enhancing privacy for both the occupants of the proposed secondary dwelling and those on the southern side.

In conclusion, the proposed setbacks variations are designed to uphold the residential amenity of the property while being consistent with and complementary to the existing built form in the street.

The overall scale of the building has been carefully considered to ensure that it will not result in adverse effects such as shadowing, bulk, or an overwhelming scale relative to the surrounding environment.

We believe these considerations justify the variation to the front and rear setbacks controls, and therefore, we respectfully request Council's support for the proposed variations based on these sufficient environmental planning grounds.

7.2 DESIGN

7.2.1 LANDSCAPED OPEN SPACE

D1 The requirements of the Northern Beaches Council of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows.

SITE AREA = 788.9 sqm

LANDSCAPED AREA

Required Landscaping = 40 % of Site Area = 315.56 sqm
(Minimum landscape dimension not less than 2m)

Proposed Landscaped area = 321 sqm

Proposed Landscaped area as % of Site Area = 40.7%.

No trees of significance will be impacted by this development. An arborist report is submitted along with this application.

Therefore, the proposal complies with the requirements of the Development Control Plan. Refer to the Area calculation sheet

7.2.2 PRIVATE OPEN SPACE

D2 The requirements of the Northern Beaches Council of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows.

Required POS for 2-bedroom dwelling = 35sqm with a minimum dimension of 3m.

Proposed POS = >35sqm with a minimum dimension of 3m.

Therefore, the proposal complies with the requirements of the Development Control Plan. Refer to the area calculation sheet.

7.2.3 PRIVACY

D8 The requirements of the Northern Beaches Council, of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows.

Objectives

- To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.
- To encourage innovative design solutions to improve the urban environment.
- To provide personal and property security for occupants and visitors.

Requirements

1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.
2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.
3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass. The windows of one dwelling are to be located so they do not provide direct or close views (i.e., from less than 9 metres away) into the windows of other dwellings.
4. Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.

Comment:

Refer the privacy issues addressed in Section 4.0, The Proposal of this Statement of Environmental Effects.

7.2.4 BUILDING BULK

D9 The requirements of the Northern Beaches Council, of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the Development Control Plan are outlined as follows.

Objectives

- To encourage good design and innovative architecture to improve the urban environment.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

Requirements

- Side and rear setbacks are to be progressively increased as wall height increases.
- Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.
- On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular: The amount of fill is not to exceed one metre in depth. Fill is not to spread beyond the footprint of the building. Excavation of the landform is to be minimised.
- Building height and scale needs to relate to topography and site conditions.
- Orientate development to address the street.
- Use colour, materials and surface treatment to reduce building bulk.
- Landscape plantings are to be provided to reduce the visual bulk of new building and works.
- Articulate walls to reduce building mass.

Comment:

The proposed secondary dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The visual impact of the proposed structure when viewed from the surrounding properties is minimised as it is only one- storey development.

Therefore, the proposal complies with the Development Control Plans.

7.2.5 BUILDING COLOURS AND MATERIALS

The requirements of the Northern Beaches Council, part D10 of the Warringah Development Control Plan 2011 and the subject proposal's compliance with the

Development Control Plan are outlined as follows.

1. In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.
2. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape.
3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.
4. The holiday/fisherman shack character of the waterfront of Cottage Point is to be enhanced by the use of building materials which are sympathetic to the small timber and fibro cottages currently in existence on the waterfront. All buildings visible from the water are to utilise materials such as weatherboard, fibre cement, corrugated steel and timber. The use of masonry is discouraged.

Comment:

The proposed facades, inclusive of their finishes and the architectural character of the building are in keeping with the streetscapes and the area in general.

Therefore, the proposal complies with the requirements of the Development Control Plan. Refer to the Finishes Schedule.

8.0 OTHER REQUIREMENTS

The proposal presently before Council has also addressed other requirements such as energy efficiency and sustainability, site/waste management, soil, water and waste management, site analysis and context, streetscape, materials and finishes, erosion and sediment control, drainage, landscaping and the like in this development application.

As a result, the proposal complies with the Development Control Plan requirements for all of these items.

9.0 CONCLUSION

We, therefore, present before Council, a proposal that combines Council codes and regulations and the principles of these codes and regulations with our client's requirements and, at the same time, is in context with its surroundings.

We would appreciate Council reviewing all of the matters mentioned above and deliberate on the proposal in such a manner that will assist the proprietors to achieve their ultimate goals for their family residence and property in general.

We await your positive reply on this proposal and, in anticipation of your assistance, we wish to thank you on behalf of the proprietors for your efforts.

Should you require any further information, please do not hesitate to contact us.

RK Designs

Email: admin@rkdesigns.com.au

Ph: (02) 9633 4797