

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**11 TAYLOR STREET, NORTH CURL CURL**

**DWELLING ALTERATIONS & ADDITIONS AND SWIMMING  
POOL**

**PREPARED ON BEHALF OF**

Ms Heavener & Mr Olsson

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## 1. INTRODUCTION

This application seeks approval for the construction of dwelling alterations and additions upon land at Lot 22 in DP 1040941 which is known as **No. 11 Taylor Street, North Curl Curl**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Hill & Blume Consulting Surveyors, Drawing No. 62382001A and dated 14/08/2020.
- Architectural Plans prepared by Scope Architects, Project No. 02111, Issue 1 and dated 27/04/22.
- BASIX Certificate #A445337\_03 and dated 27/04/2022.
- Preliminary Geotechnical Report prepared by White Geotechnical Group, Job No. J4095 and dated 14 March 2022.

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. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that 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.

## 2. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot 22 in DP 1040941 which is known as 11 Taylor Street, North Curl Curl. The site which is located on the northern side of Taylor Street is a battle axe allotment with a street frontage of 4.99m. The site proper has a width of 15.09m and depth of 18.39m. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a two storey clad and rendered dwelling with metal roof. The dwelling is located northern portion of the site. A concrete driveway located within the access handle provides access to the site, the single attached garage and an at grade parking space located forward of the dwelling. The sites common boundaries with the rear and adjoining properties are provided with high fencing and dense landscaping.

The site has falls steeply towards the rear boundary towards the street frontage.

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

The site is depicted in the following photographs:



**Aerial Drone View of Subject Site from South**



**View of Access Handle from Taylor Street  
(No. 10 Taylor Street in foreground)**



**View of Dwelling from Garage**



**View of Rear (Northern Boundary)**

The existing surrounding development comprises a mix of one, two and three storey detached residential dwellings on varied sized allotments. Dwellings are generally orientated towards the south and southeast to maximise views of Curl Curl Beach and surrounds.

The subject site and existing surrounding development are depicted in the following aerial photograph:





**Aerial Photograph of Locality**



### 3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling including a new upper level. The additions will be constructed of rendered walls with a skillion metal roof. The proposal also provides for a new swimming pool.

There are no works proposed at the existing lower level.

At ground level, some internal alterations are proposed. A portion of the existing terrace is to be enclosed to provide additional floor area. Some existing windows will be replaced. A new pitched metal roof is to be provided over the existing front (southern) elevation. An openable louvred pergola roof will be provided over the existing rear patio.

A new upper level will be provided over the rear (northern) portion of the existing dwelling. This level provides for a bedroom with study and ensuite. A terrace is provided on the southern front elevation. The upper level is provided with setbacks of 1.94m to the eastern boundary and 3.04m to the western boundary.

The proposal provides for a new swimming pool adjacent to the western boundary of the site. The pool is provided with a setback of 1.04m to the western side boundary. The existing privacy screen along the western elevation will be retained.

All collected stormwater will continue to be discharged to the existing stormwater system which discharges to Taylor Street.

The proposal will result in the following numerical indices:

<b>Site Area:</b>	416.2m <sup>2</sup>
<b>Existing Landscaped Area:</b>	75m <sup>2</sup> or 18%
<b>Proposed Landscaped Area:</b>	75m <sup>2</sup> or 18%

#### 4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Warringah Council.

##### 4.1 Planning for Bushfire Protection 2006

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.



**Extract of Bushfire Map**

## 4.2 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



**Extract of Zoning Map**

The site is zoned R2 Low Density Residential. Development for the purposes of a dwelling alterations and additions are permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	9.26m	Clause 4.6 variation provided

The following provisions are also relevant:

### **Clause 6.4 Development on Sloping Land**

The site is classified as Class B on Council's Landslip Map. A Preliminary Geotechnical Report has been prepared by White Geotechnical Group and is submitted with the application.

There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

### 4.3 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) has been prepared by Council and was due to come into effect upon the gazettal of the LEP 2011. The new DCP contains detailed planning controls that support LEP 2011.

The following table provides a summary of the relevant controls of the DCP:

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
B1 – Wall heights	7.2m	Refer to clause 4.6 for discussion on height.
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	There is a non-compliance with the roof form and portion of the wall at the southwest corner of the upper level addition. This element is setback 3.04m to the side boundary which is considered to be sufficient separation. The element does not result in any additional overshadowing nor reduce privacy.
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Ample setbacks are provided to both boundaries.
B7 – Front Boundary Setbacks	Minimum 6.5m  Secondary frontage 3.5m	Not Applicable Site is a battle axe allotment.

Clause	Requirement	Compliance
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.0m	<p>The proposal provides for new flat roof openable pergola that extends to within 300mm of the rear boundary. It is noted that the roof form does not extend above the roof form and vegetation existing on the common boundary with the adjoining rear property. The pergola provides weather protection to an existing paved area without any detrimental impacts on the adjoining property.</p> <p>The new upper level and additions to the main part of the dwelling do not encroach the existing rear setbacks.</p>
B11 – Foreshore Building Setback	Not applicable	Not Applicable
B12 – National Parks Setback	Not applicable	Not Applicable
B13 – Coastal Cliffs Setback	Not applicable	Not Applicable
B14 – Main Roads Setback	Not applicable	Not Applicable
B15 – Minimum Floor to Ceiling Height	Not applicable	Not Applicable
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council’s Vehicle Crossing Policy	Yes Existing vehicular crossing retained.



<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes Existing parking retained.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater to continue to be drained to the existing stormwater system which drains to Taylor Street.
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes Submitted with the application.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes Proposal does not provide for any significant excavation. A Geotechnical Assessment has been submitted with the application.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.
C9 – Waste Management	Waste storage area to be provided	Yes There is sufficient area on site for waste and recycling bins.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	Proposal provides for a landscaped area of 75m <sup>2</sup> or 18%.

Clause	Requirement	Compliance
		It is noted that the proposal does not result in any reduction of landscaped area and as such strict compliance is unreasonable.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	Yes The proposal provides for sufficient private open space in the rear yard. The proposal does not reduce existing open space.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
D4 – Electromagnetic Radiation	Not Applicable	Not Applicable
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	Yes The proposal will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.

Clause	Requirement	Compliance
D6 – Access to sunlight	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties' private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	Yes Shadow diagrams have been provided the proposed shadows. Given the existing boundary fencing and orientation of the allotment, the proposal does not result in any significant overshadowing. The proposal continues to comply with the solar access requirements of the DCP.
D7 - Views	View sharing to be maintained	A view analysis is provided at the end of this table.
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Yes The new upper level provides for only a bedroom suite. This level is provided with appropriate setbacks to the boundaries of the site. The bedroom and attached terrace are orientated to maximise views towards the south. The terrace is provided with privacy screening and landscaping to prevent overlooking to the adjoining properties. The orientation and height of the terrace is designed to view over the roof form of the dwelling to the south.

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	Yes The proposal will not result in unreasonable bulk or scale. The dwelling is well articulated and provides for appropriate setbacks.
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to be compatible with the existing surrounding development and the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposal provides for a skillion roof form. This is compatible with the varied roof forms in this locality.
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	Not Applicable

Clause	Requirement	Compliance
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.	Yes There is ample area on site for storage and site facilities.
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	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.	Yes The pool is located behind the front wall of the dwelling. The existing boundary fencing, privacy screen and vegetation will ensure that the pool will not result in a loss of privacy or amenity to the adjoining properties.
D17 – Tennis Courts	N/A	Not Applicable
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The dwelling provides views of the dwelling approach.



<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.
D22 – Conservation of Energy and Water	A BASIX Certificate is required.	Yes
D23 - Signs	Not Applicable	Not Applicable
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Not Applicable – the proposal does not require the removal of any vegetation.
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable
E7 – Development on land adjoining public open space	N/A – not identified on map	Not Applicable
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as Class B	Yes A geotechnical report is submitted.
E11 – Flood Prone Land	Not Applicable	Not Applicable

## D7 Views

The proposal provides for a new upper level. The upper level is located over the rear of the dwelling and is designed so as to be two storeys above existing ground level in the rear yard. An assessment of the view sharing principles under the provisions of the Tenacity Consulting P/L v Warringah Council is provided below in respect of the adjoining property to the rear (No. 13 Pitt Street).

1. The subject and adjoining sites enjoy views to the south and south east of Curl Curl beach including the land and water interface.
2. The views from No. 13 Pitt Road are obtained from the upper two levels. It is anticipated that the lower level does not enjoy any views. The view is obtained over the rear boundary and the subject site.
3. The photo below depicts the subject and adjoining properties and an estimate of the roof height proposed. The height is generally equivalent to the floor level of the No. 13 Pitt Street. Therefore, from the information available, the existing sitting and standing views currently enjoyed from No. 13 Pitt Street are to be retained.
4. The proposal results in a non-compliance with the building height and a clause 4.6 variation is included. The non-compliance is a result of the topography of the site. However, it is not envisaged that the non-compliance will result in a loss of views.



**Photo depicting subject site with approx. height and No. 13 Pitt Street**

## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned R2 Low Density Residential under the provisions of the LEP. Construction of dwelling alterations/additions are permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

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

### **The Likely Impacts of the Development**

It is considered that the development will provide for the construction of dwelling alterations/additions without any detrimental impact on the environment, social and economic status of the locality. The proposal does not require the removal of any vegetation and there is no detrimental impact on the adjoining properties.

### **The Suitability of the Site for the Development**

The subject site is zoned R2 Low Density Residential and the construction of dwelling alterations/additions in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will provide for dwelling alterations/additions that are consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction of dwelling alterations/additions and swimming pool at **No. 11 Taylor Street, North Curl Curl** is worthy of the consent of Council.

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