



statement of environmental effects



NEW DWELLING HOUSE

24 BEACH ROAD
COLLARROY NSW 2097

November 2024

Prepared by Rebecca Englund
B Arch Studies | M Plan | MPIA

Director | Northern Beaches Planning

Phone: 0472 65 74 74

Web: www.northernbeachesplanning.com.au

Email: rebecca@northernbeachesplanning.com.au



Disclaimer

This report has been prepared on the basis of information available at the date of publication. Whilst attempts have been made to ensure the accuracy of the information in this document, Northern Beaches Planning accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance on information in this publication or referenced in this publication. Reproduction of this report (or part thereof) is not permitted without prior permission from Northern Beaches Planning.

introduction

This statement of environmental effects has been prepared by Northern Beaches Planning on behalf of Dan and Danielle De Gail to accompany the lodgement of a development application for demolition of the existing dwelling and the construction of a new dwelling and swimming pool at 24 Beach Road, Collaroy (**site**).

This statement is informed and accompanied by the following documentation:

- Detail and Boundary Survey by True North Survey Group
- Architectural Plans by Rama Architects
- Stormwater Management Plans by Stellen Consulting
- Arboricultural Impact Assessment Report by Peake Arboriculture
- Landscape Plan by Rama Architects
- Geotechnical Report by White Geotechnical Group
- BASIX & NatHERS Certificates by Rama Architects
- Waste Management Plan by Rama Architects

site details

The site is legally identified as Lot 7 in Section 5 of Deposited Plan 6777, and is commonly referred to as 24 Beach Road, Collaroy. The site is rectangular in shape, with a 15.24m wide frontage to Beach Road to the east, a 15.24m wide frontage to Cliff Road to the west, a depth of 45.72m and a total area of 696.8m².

A two-storey dwelling house is located centrally on the site, with vehicle and pedestrian access to/from both street frontages. The site is generally level, with a minimum RL of 9.09m AHD along the Beach Road frontage and a maximum RL of 10.16m AHD along the Cliff Road frontage. The site does not contain any significant vegetation.

The surrounding area predominately comprises residential dwellings typically two storeys in height, with garages with nil and reduced setbacks characteristic of the eastern side of Cliff Road.

Aerial images of the site and its surrounds is provided in Figures 1 and 2 on the following page. Images of the site, the existing dwelling and the streetscapes are also provided (Figure 3-6).



Figure 1 – Aerial image with site bordered in yellow
Source: Nearmap

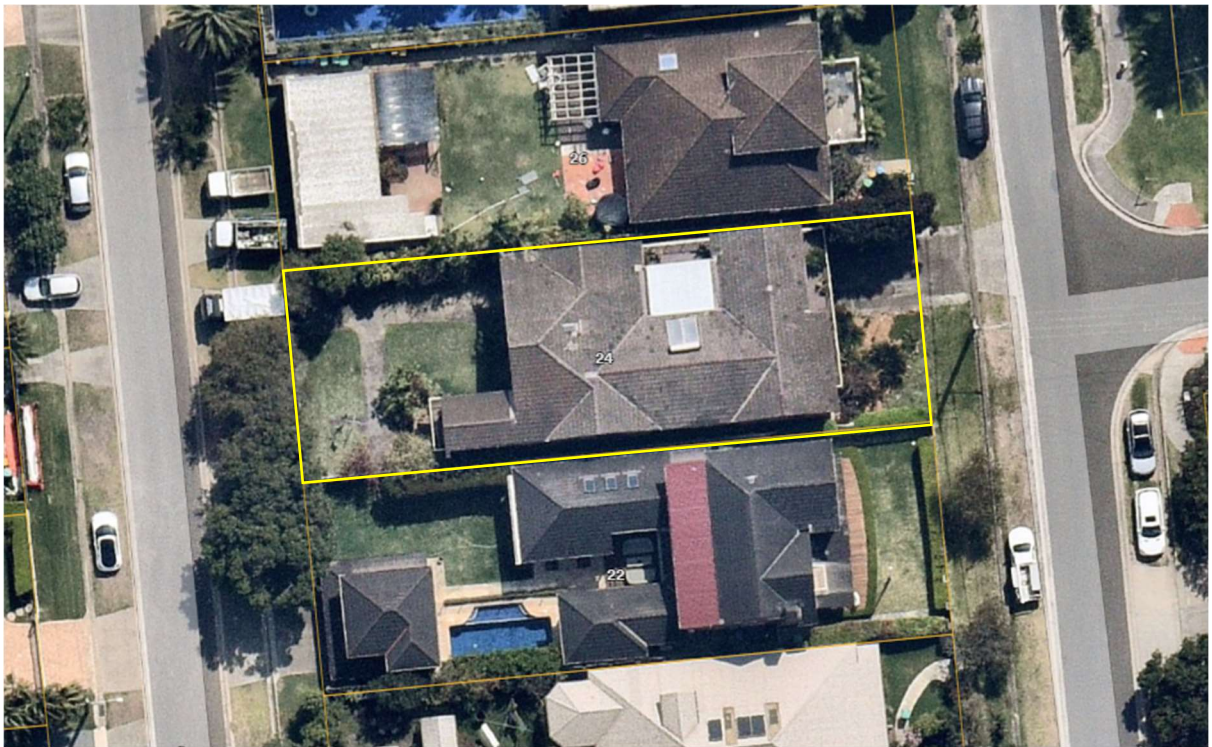


Figure 2 – Aerial image (zoom) with site bordered in yellow
Source: Nearmap



Figure 3 – The subject site (centre) as seen from Beach Road to the east
Source: NBP



Figure 4 – Views to the ocean along Florence Avenue and through Fox Park from the Beach Road frontage
Source: NBP



Figure 5 – The neighbouring dwelling at 22 Beach Road (right) and the subject site (left) as seen from Cliff Road
Source: NBP



Figure 6 – The neighbouring dwelling at 20 Beach Road (left) and the subject site (right) as seen from Cliff Road
Source: NBP

proposed development

The application seeks consent for the demolition of the existing dwelling and the construction of a new dwelling, as depicted in the Architectural Plans prepared by Rama Architects, and as described as follows:

- Demolition works,
- Construction of a new two storey dwelling, comprising:
 - Ground floor: guest suite, store, mud room, multi-purpose room, bathroom, WC, laundry, open plan kitchen/living/dining area, butler's pantry, entrance terrace, internal lift and stair access,
 - First Floor: main bedroom with ensuite and WIR, rumpus, front (east) balcony, study, two bathrooms, three bedrooms, stair and lift access,
- Construction of a detached double garage fronting Cliff Road,
- Construction of a spa and swimming pool,
- Landscaping, and
- Stormwater infrastructure.

The proposal also necessitates works to both the Beach Road and Cliff Road public road reserves, including:

- Removal of redundant driveway crossings to both Beach Road and Cliff Road,
- Tree removal of two trees on Cliff Road, and
- Construction of a new driveway crossing to Cliff Road.

legislation, plans and policies

The following relevant state and local policies are applicable to the proposed development:

- Environmental Planning and Assessment Act (**EP&A Act**)
- Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
 - Coastal Use Area Map
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Warringah Local Environmental Plan 2014 (**WLEP 2011**):
 - Lot Size Map: 600m²
 - Land Zoning Map: R2 Low Density Residential
 - Height of Buildings Map: 8.5m
 - Landslip Risk Land Map: Area A
 - Acid Sulfate Soils Map: Class 5
- Warringah Development Control Plan 2011 (**WDCP 2011**)

environmental planning and assessment act

The matters prescribed by section 4.15(1) of the EP&A Act are considered, as follows:

Clause	Provision	Comment
(a)	<p><i>the provisions of—</i></p> <ul style="list-style-type: none"> <i>i. any environmental planning instrument, and</i> <i>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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i> <i>iii. any development control plan, and</i> <i>iv. 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</i> <i>v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i> <p><i>that apply to the land to which the development application relates,</i></p>	<p>The relevant provisions of WLEP 2011, all relevant SEPPs, and WDCP 2011 have been considered and addressed in this statement.</p>
(b)	<p><i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i></p>	<p>The likely impacts of the proposed development have been addressed with respect to relevant plans and policies in this statement. The proposed development will not result in any unacceptable impacts upon the natural or built environment, or any social or economic impacts in the locality.</p>
(c)	<p><i>the suitability of the site for the development,</i></p>	<p>The subject site is suitable for the proposed development.</p>
(d)	<p><i>any submissions made in accordance with this Act or the regulations,</i></p>	<p>The application will be notified to all potentially affected properties, with any submissions received to be considered by Council.</p>
(e)	<p><i>the public interest.</i></p>	<p>The proposed development is in the public interest, in so far as it is consistent with the objectives and outcomes of WLEP 2011 and WDCP 2011.</p>

state environmental planning policy (resilience and hazards)

Coastal Hazard

The site is identified as land in the coastal environment area on the Coastal Use Area Map. The provisions of chapter 2 of SEPP (Resilience and Hazards) are applicable in relation to the site and this proposal.

Development on land in the coastal use area

The application is supported by Stormwater Management Plans by Stellen Consulting that demonstrate the management of stormwater in accordance with Council's Water Management Policy. Further, the supporting Geotechnical Report by White Geotechnical Group confirms that the proposed development will not have an adverse impact upon the geology of the site. The site is not identified as being subject to coastal hazard, and as such, a Coastal Report has not been prepared.

The proposed development is maintained within private property and does not result in any impacts upon safe access to and along the foreshore, beach or headland. The proposed dwelling is well articulated and is of a scale that is commensurate with that of surrounding and nearby dwellings.

The proposal has been designed to ensure that impacts upon neighbouring properties and the public domain are appropriately minimised, whilst also providing high levels of internal amenity for residents of the proposed dwelling. The site does not contain any known items of heritage significance and is not located in the vicinity of any. As such, the proposal is unlikely to result in any impacts upon items of Aboriginal or built heritage significance.

The consent authority can be satisfied that the proposed development has been designed, sited and will be managed to avoid adverse impacts upon the relevant matters identified in section 2.11(1) of this policy.

Coastal Zone

The proposed development is not likely to cause increased risk of coastal hazards on the land or other land, and the consent authority can be satisfied with respect to section 2.12 of this policy.

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land. Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. The site has been used for residential purposes for an extended period of time, with no known prior land uses. The site is not identified on the public register of contaminated sites and is not located in the vicinity of any.

Council can be reasonably satisfied that there is no contamination risk. Overall, the proposed development is consistent with the relevant provisions of SEPP (Resilience and Hazards).

*state environmental planning policy
(sustainable buildings)*

The proposed works constitute 'BASIX affected development', as defined by the EP&A Regulation. The application is accompanied by a BASIX Certificate demonstrating that the proposed development can meet relevant performance criteria.

*state environmental planning policy
(biodiversity and conservation)*

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 application proposes the removal of three (3) trees from the subject site. As identified in the accompanying Arboricultural Impact Assessment Report by Peake Arboriculture, the trees in question (being Trees 6, 7 & 8) have low landscape significance and their removal is offset by replacement native trees elsewhere on the site.

The application also necessitates the removal of two (2) trees from the adjacent road reserve (Cliff Road). The trees in question (being Trees 3 & 4) have low landscape significance and their removal is to be offset by a replacement canopy tree in the location of the existing driveway crossover. This is considered to be the best outcome for the site for the following reasons:

- The removal and replacement of Trees 3 & 4 allows for the driveway crossing and garage to be located on the southern side of the property, maximising the amenity of the proposed area of private open space to the north.
- Locating the garage to the southern side of the site allows for the retention of Trees 1 and 2, both of which make a greater contribution to the landscaped character of the streetscape compared to Trees 3 and 4.
- Locating the garage to the southern side of the site allows for the enhancement of landscaping between the proposed garage and the garage on the adjoining site to the north, ensuring that there are sufficient landscaped breaks between garages presenting to Cliff Road.

As such, the proposed development is considered to be consistent with the requirements and objectives of SEPP (Biodiversity and Conservation).

The site is identified on the Land Application Map of WLEP 2011 and the provisions of this policy are applicable in relation to the site and the proposed development. The relevant provisions of WLEP 2011 are considered, as follows:

Clause	Standard	Proposal	Compliance
2.3 Zone objectives and Land Use Table			Yes See discussion
2.7 Demolition requires consent			Yes
Zone R2 Low Density Residential			Yes See discussion
4.3 Height of buildings	8.5m	8.3m	Yes
4.6 Exceptions to development standards			N/A
6.1 Acid sulfate soils			Yes
6.2 Earthworks			Yes
6.4 Development on sloping land			Yes

Zone R2 Low Density Residential

The site is zoned R2 Low Density Residential under the provisions of WLEP 2011. Pursuant to the land use table in Part 2 of this instrument, dwelling houses (and associated ancillary development) are permissible with consent. In accordance with the provisions of clause 2.3 of WLEP 2011, the objectives of the zone are considered as follows:

- *To provide for the housing needs of the community within a low density residential environment.*

Comment: The proposed new dwelling house provides for the housing needs of the landowners, within the existing low density environment.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: Not applicable – The application relates to a dwelling house.

- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Comment: The site retains sufficient landscaped area, with an enhancement of landscaping proposed in the accompanying Landscape Plan by Rama Architects. The landscaped character of the resultant development will be entirely commensurate with that of surrounding and nearby sites.

development control plan

WDCP 2011 is applicable to the site and the proposed development. The relevant provisions of WDCP 2011 are considered, as follows:

Clause	Control	Proposal	Compliance
B1 Wall Height	7.2m	North: 2.7m – 6.5m South: 2.8m – 6.4m	Yes
B2 Number of Storeys			N/A
B3 Side Boundary Envelope	45 degree plane from a point 4m above the side boundary	North: Within envelope South: Beyond envelope	No See discussion
B5 Side Boundary Setbacks	0.9m	<u>Dwelling</u> North: 2.0m South: 0.9m <u>Garage</u> North: 8.8m South: 0.2m <u>Swimming Pool</u> North: 0.9m South: 11.4m	Yes No See discussion Yes
B7 Front Boundary Setbacks	Beach Road: 6.5m Cliff Road: 3.5m	<u>Dwelling</u> Beach Road: 6.5m Cliff Road: 10.5m <u>Garage</u> Beach Road: 37.3m Cliff Road: Nil	Yes No See discussion
B9 Rear Boundary Setbacks			N/A
C2 Traffic, Access and Safety	Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and		Yes

Clause	Control	Proposal	Compliance
	Vehicle Access to Roadside Development LAP-PL 315.		
C3 Parking Facilities	2 spaces	2 spaces	Yes
C4 Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.	Stormwater Management Plans accompany the application.	Yes
C7 Excavation and Landfill	Excavated and landfill areas shall be constructed to ensure the geological stability of the work.	The application is supported by a Geotechnical Report that provides detailed recommendations to ensure an acceptable level of risk.	Yes
C8 Demolition and Construction	All development must comply with the appropriate sections of the Waste Management Guidelines and be accompanied by a Waste Management Plan.	The application is supported by a Waste Management Plan.	Yes
C9 Waste Management	All development must comply with the appropriate sections of the Waste Management Guidelines and be accompanied by a Waste Management Plan.	The application is supported by a Waste Management Plan.	Yes
D1 Landscaped Open Space	40% (278.72m ²) of the total site area	309.20m ² or 44.37%	Yes
D2 Private Open Space	60m ² with minimum dimension of 5m	>60m ²	Yes
D3 Noise	Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.	Pool pump to be located in acoustically sealed enclosure.	Yes

Clause	Control	Proposal	Compliance
D6 Access to Sunlight	At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.	<p>The application is supported by detailed Shadow Diagrams by Rama Architects to confirm that the proposed development does not result in any adverse impacts upon adjoining properties with regard to solar access and that sufficient sunlight is retained to usable areas of open space at both the front and rear of the property throughout the day in midwinter.</p> <p>The Shadow Diagrams also demonstrate that in excess of 3 hours of sunlight will also be achieved to proposed areas of private open space at the subject site.</p>	Yes
D7 Views	Development shall provide for the reasonable sharing of views.		Yes
D8 Privacy	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	The proposed development maintains acceptable levels of privacy for adjoining properties.	Yes
D9 Building Bulk	<p>Orientate development to address the street.</p> <p>Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</p>	The proposed development is well articulated, with varied setbacks and materiality to ensure that the bulk and scale of the development is appropriately minimised.	Yes
D10 Building Colours and Materials	The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.	The proposed development is to be finished in colours and materials that complement the locality, as demonstrated on the Schedule of Colours and	Yes

Clause	Control	Proposal	Compliance
		Finishes prepared to accompany the application.	
D12 Glare and Reflection	Sunlight reflectivity should be minimised.	The proposed development will not result in excessive or unreasonable glare.	Yes
D13 Front Fences and Walls	<p>Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character.</p> <p>Where a solid fence is required, it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence.</p>	<p>The proposed fencing appropriately responds to the context of each individual street.</p> <p>A solid fence is proposed with a nil setback along the Cliff Road frontage. An increased setback or the requirement for articulation is considered unreasonable in the context, where the proposed fence seeks to replace an existing solid fence in the same location and where high, unarticulated fences are characteristic of the streetscape.</p>	Yes
D14 Site Facilities	Site facilities including garbage and recycling enclosures, mailboxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places.	Appropriate site facilities are proposed.	Yes
D15 Side and Rear Fences	Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.		Yes
D16 Swimming Pools and Spa Pools	Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.	The proposed swimming pool is not located within the front setback.	Yes

Clause	Control	Proposal	Compliance
D20 Safety and Security	Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	The proposed development has appropriate regard for the CPTED principles.	Yes
D22 Conservation of Energy and Water	All development must comply with Council's Water Management Policy		Yes
E1 Preservation of Trees or Bushland Vegetation		The application proposes the removal of 3 trees from the site and necessitates the removal of 2 trees from the adjacent road reserve. The trees in question have low landscape significance and the application does not involve the removal of any significant trees or vegetation.	Yes
E2 Prescribed Vegetation			Yes
E6 Retaining Unique Environmental features			Yes
E10 Landslip Risk	Area A	The application is supported by a Geotechnical Report that provides detailed recommendations to ensure an acceptable level of risk.	Yes

Clauses B3 Side Boundary Envelope

A minor portion of the southern side elevation of the upper floor encroaches within the building envelope prescribed by clause B3 of WDCP 2011.

The non-compliance does not result in any adverse impacts upon the amenity of the adjoining dwelling to the south at 22 Beach Road with regards to views, visual privacy, visual amenity or solar access. Further, the upper floor is set in from the level below, consistent with the intent of the building envelope control and the marginal non-compliance does not attribute to excessive bulk and scale, noting that the northern side is maintained below the prescribed building envelope to a greater degree.

It is also relevant to note that the dwelling has a far greater degree of articulation compared to the dwelling which currently exists on site. For direct comparison, the existing two storey dwelling extends

within 900mm of the side boundaries, with an overall width of approximately 13.3m at both levels presenting to Beach Road. The proposed dwelling has a maximum width of 12.34m at the ground level and 10.14m at the upper level, resulting in greater spatial separation between dwellings and a reduction in bulk and scale compared to that which currently exists.

As such, a variation to the prescribed side boundary envelope is reasonably warranted in relation to the southern elevation, as the objectives of the control are otherwise achieved.

Clauses B5 Side Boundary Setbacks and B7 Front Boundary Setbacks

The proposed garage is non-compliant with the 900mm minimum side prescribed by clause B5 of WDCP 2011 and the 3.5m variable front setback prescribed for secondary street frontages by clause B7 of WDCP 2011. However, the siting of the proposed garage is entirely consistent with other garages and structures along the eastern side of Cliff Road, which is characterised by high fences and garages nil/nominal setbacks to the street, as shown in Figure 7.

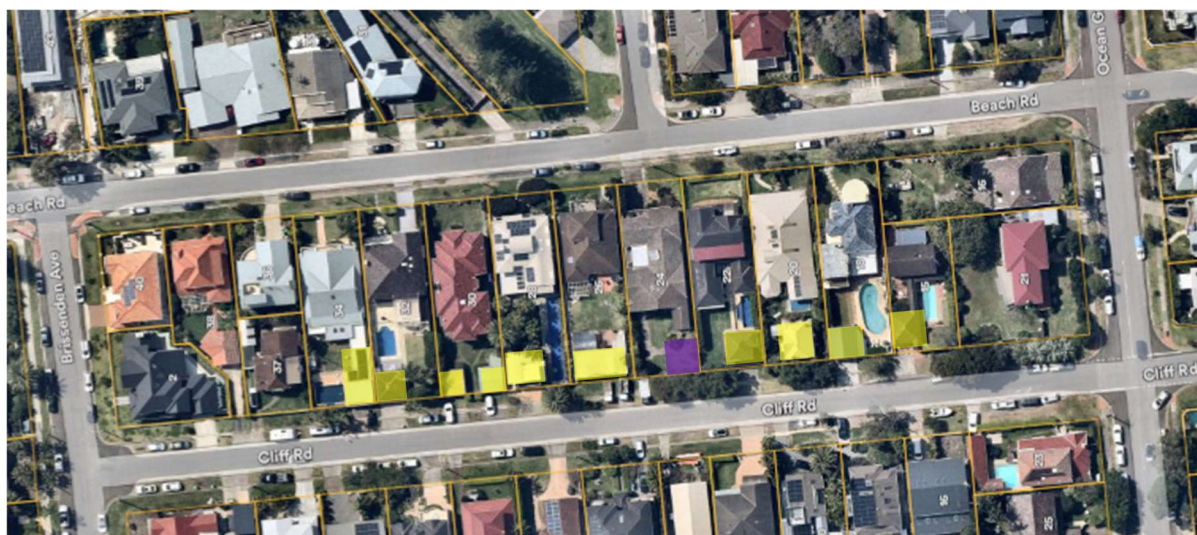


Figure 7 – Aerial image of site and its surrounds, with the location of existing garages along Cliff Road highlighted in yellow and the location of the proposed garage shown in purple
Source: Nearmap & NBP

The proposed variation to the front and side setbacks associated with the garage is reasonable in the circumstances of this application, as the non-compliance is limited to a single storey ancillary building, with strict compliance achieved in relation to the primary dwelling. Further, the non-compliance does not result in inconsistency with the objectives of the controls, as follows:

- *To provide opportunities for deep soil landscape areas.*

Comment: The footprint of the proposed garage is appropriately minimised, with more than 50% of the setback to Cliff Road comprising deep soil landscaping, consistent with the provisions of clause B7 of WDCP 2011. Further, strict compliance with the minimum side setback would be inconsistent with this objective in this instance, resulting in 900mm wide strip to the south of the garage that would not contribute to the deep soil landscaped area calculation or the landscaped amenity of the site.

- *To ensure that development does not become visually dominant.*

Comment: The non-compliance is associated with a single storey ancillary structure that is sited in a manner that is entirely consistent other development along the Cliff Road streetscape, ensuring that it is not visually dominant.

- *To ensure that the scale and bulk of buildings is minimised.*

Comment: The width and footprint of the proposed garage is appropriately minimised, consistent with the provisions of clause B7 of WDCP 2011 which limit car parking structures to no more than 50% of the front setback area. The proposed non-compliance does not result in excessive bulk and scale.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

Comment: The proposed non-compliance does not result in any adverse impacts upon the amenity of the neighbouring property with regards to privacy or solar access.

- *To provide reasonable sharing of views to and from public and private properties.*

Comment: The proposed non-compliance does not result in any adverse impacts upon the amenity of the neighbouring or nearby properties with regards to views.

- *To create a sense of openness.*

Comment: The eastern side of Cliff Road presents as more of a laneway or rear setback, such that there is no established sense of openness. Nonetheless, the majority of the setback to Cliff Road is to remain free of development, ensuring an appropriate sense of openness is to be maintained (to a degree that is commensurate with adjacent development).

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment: The siting of the proposed garage is entirely consistent with the pattern of buildings along Cliff Road, as demonstrated in Figure 7.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment: The design of the proposal is of high-quality and will positively contribute to the Cliff Road streetscape.

conclusion

The proposal is a well resolved and considered design solution for the site, which has appropriate regard for the amenity of adjoining properties and the natural features of the site. The proposal will not result in any unreasonable impacts upon adjoining properties or the surrounding natural environment and appropriately reflects the desired character of the locality.

The proposal involves non-compliance with the front and side setback controls (limited to the proposed garage), in addition to the side boundary envelope control of WDCP 2011. We ask that Council apply flexibility in this regard, consistent with the provisions of 4.15(3A)(b) of the EP&A Act, noting that the extent of non-compliance is minor, and as the objectives of these controls are nonetheless achieved.

The resultant development will positively contribute to both the Beach Road and Cliff Road streetscapes, and the application warrants Council's support in this regard.



Rebecca Englund

B Arch Studies | M Plan | MPIA

Director | Northern Beaches Planning