

# STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:  
Mojo Homes  
Suite 1, 62 Norwest Boulevard  
BAULKHAM HILLS NSW 2153

Site Address:  
Lot 1 DP 954849  
74 Soldiers Avenue  
FRESHWATER NSW 2096

Construction of a Two Storey Dwelling.

## INTRODUCTION

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This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the erection of a new two storey dwelling containing four (4) bedrooms, upper childrens activities, home theatre, rumpus, guest, living and dining rooms, along with an outdoor alfresco dining area.

The site is a battle-axe allotment, with vehicular access from Soldiers Avenue and a total land area of 583m<sup>2</sup>. The lot currently contains an existing dwelling to be demolished under a separate application. Some minor trees will require removal, with other trees within the rear yard to be retained to maintain a suitable landscape character. Additional planting is capable of being provided if required.

The site has a gentle fall to the eastern boundary, with drainage to be directed to an approved system as per the drainage plan.

The neighbourhood generally consists of a mix of residential dwellings of one and two storey construction as anticipated within an existing residential area.

The proposed dwelling will contribute positively to the surrounding area and the streetscape of Soldiers Avenue.

## ENVIRONMENTAL EFFECTS

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The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011

## 4.15 EVALUATION

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### (1) Matters for Consideration – general:

#### (a)(i) Relevant environmental planning instruments

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#### Warringah Local Environmental Plan 2011

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Warringah Local Environmental Plan 2011.

The proposed development is defined in the plan as a '*dwelling house*', being '*a building containing only one dwelling*'.

The identified zone permits the construction of a '*dwelling house*' subject to development consent from Council.

#### Clause 2.3      Zone objectives and land use table

The objectives of the R2 Zone are:

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

The proposed development is for a low density residential dwelling, being compatible with the existing and future character of the locality. The dwelling is designed to provide a high level of amenity for its residents whilst considering the natural constraints of the site. The proposed dwelling is considered to meet the objectives of the R2 Zone.

#### Clause 4.3      Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m	7.73m	Yes

#### Clause 4.6      Exceptions to Development Standards

The proposed development does not contravene the development standards.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance, nor within the vicinity of heritage items.

#### Clause 5.11 Bush fire hazard reduction

The subject site has not been identified as bushfire prone land as per the 10.7 Certificate.

#### Clause 6.1 Acid Sulfate Soils

The subject property is not identified as being affected by Acid Sulphate Soils.

#### Clause 6.3 Flood planning

The subject site has not been identified as flood prone land on Councils 10.7 Certificate.

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#### Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dwelling houses as contained within WLEP 2011.

#### (a)(ii) Relevant draft environmental planning instruments

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There are no draft environmental planning instruments that would prevent the subject development from proceeding.

## Warringah Development Control Plan 2011

## PART B BUILT FORM CONTROLS

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<i>B1 – Wall heights</i> Max. wall height 7.2m existing ground to upper ceiling.	Approx. 6m max. wall height.	Yes
<i>B2 - Number of Storeys</i> Max. no. storeys shown on DCP No. Storeys map.	Two storey dwelling proposed.	Yes
<i>B3 - Side Boundary Envelope</i> Side boundary envelope 45° & 4m or 5m from existing ground (refer DCP Map) Encroachment of the fascia, gutters, eaves permitted.	Dwelling within the building envelope, with minor encroachment of gutters and eaves at the rear considered reasonable.	Yes
<i>B4 - Site Coverage</i> Site coverage as per Site Coverage Map	N/A	N/A
<i>B5 – Side Boundary Setbacks</i> As per DCP Side Boundary Setbacks map: - 0.9m.	Min. 1.55m provided.	Yes
<i>B6 - Merit Assessment of Side Boundary Setbacks</i> for sites shown on map.	N/A	N/A
<i>B7 – Front Boundary Setbacks</i> As per DCP Front Boundary Setbacks map: - 6.5m.  Corner allotments in R2 and R3 Zones: Where the min. front setback is 6.5m on both frontages the secondary street setback can be reduced to 3.5m	N/A – site is a battle-axe allotment. Suitable separation provided between rear adjoining properties.  N/A	Yes  N/A

<i>B8 - Merit Assessment of Front Boundary Setback</i> for sites shown on map.	N/A	N/A
<i>B9 - Rear Boundary Setbacks</i> As per DCP Rear Boundary Setbacks map: - 6m.  Corner lots on R2/R3 Zones with 6m rear boundary requirements not applicable.	11.071m  N/A	Yes  N/A
<i>B10 - Merit Assessment of Rear Boundary Setback</i> for sites shown on map.	N/A	N/A
<i>B11 - Foreshore Building Setback</i> As per the map - 15m	N/A	N/A
<i>B12 - National Parks Setback</i> As per the map - 20m	N/A	N/A
<i>B13 - Coastal Cliffs Setback</i> as per map.	N/A	N/A
<i>B14 - Main Roads Setback</i> as per map.	N/A	N/A

## PART C SITING FACTORS

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<i>C2 – Traffic, Access and Safety</i> Suitable vehicular access from a public road.	Access from public road provided.	Yes
<i>C3 – Parking Facilities</i> Garage/carport integrated into house design.  Laneways to provide rear access where possible.  Parking not to obscure views from dwelling to street.	Parking not proposed as part of this application. Carports understood to be proposed as part of a separate application to follow construction of the dwelling.	N/A

Garage/carport opening max. 6m or 50% building width, whichever lesser.  2 spaces per dwelling.		
<i>C4 – Stormwater</i> Suitable stormwater system for each site.	Stormwater as per drainage details.	Yes
<i>C5 – Erosion and Sedimentation</i> Erosion and Sedimentation controls to be in place.	Provided for consideration.	Yes
<i>C7 – Excavation and Landfill</i> Cut and fill not to impact neighbours.  Clean fill only.	Cut and fill appropriately minimised with the use of drop edge beams to minimise impact on neighbours.  No imported fill proposed.	Yes  Yes
<i>C9 Waste Management</i> Waste Management Plan to be provided.  Bin storage area to be allocated.	Provided.  Adequate area available on site out of public view.	Yes  Yes

#### PART D      DESIGN

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<i>D1 – Landscape Open Space and Bushland Setting</i> Landscaped open space as per map soft landscape with min 2m width.  Subject site = 40%	>2m width.  37.4% provided.	Yes  Yes

\*Landscaped Area – The proposed landscaped area is below the minimum required by Council, however, is requested to be considered due to the size and type of the allotment. The nature of the battle-axe site is that the access handle is largely hard surface to provide vehicular access and egress, however, still contributes to the overall site area. If this was excluded from the site area calculation when calculating landscaped area, the landscaped area is >40% of the available site area.

The reduction in landscaped area is not the result of increased site coverage and the dwelling remains compliant as far as setbacks, site coverage and provides adequate POS areas, ensuring the design is suitable for the allotment. The landscaped area is still capable of maintaining privacy and adding to the landscape character of the area through the large landscaped rear yard. The proposed landscaped area is considered appropriate for the site conditions.

The provided landscaped area will still contribute positively to the landscape character of the area and will ensure privacy and amenity of adjoining properties can be maintained despite the variation. The landscaped area provides suitable areas for a functional private open space area, suitable for the passive, leisure and recreation activities of the residents. A suitable drainage system will be in place to ensure there is no increased runoff to adjoining properties or into natural drainage channels as a result of the decreased landscaped area.

Despite the numerical non-compliance, the provided landscape area is still capable of meeting with Councils objectives and will positively contribute to the area.

As the proposed development will not result in any impact beyond that of a compliant proposal, it is considered reasonable for a variation to be supported in this instance.

<i>D2 – Private Open Space</i> POS area = 1-2 bedrooms – 35m <sup>2</sup> min 3m width.	N/A	N/A
3+ bedrooms – 60m <sup>2</sup> min 5m width.	>60m <sup>2</sup> provided, with min. width 5m.	Yes
Direct access from living area.	Accessible from living/dining room.	Yes
POS located behind building line.	Behind building line, within rear yard.	Yes
Maximise solar access & privacy.	North to front, with appropriate levels of solar access to the POS areas, living and home theatres rooms given orientation of the site. Privacy is maintained with suitable window design and placement. The upper childrens activities room window and bedroom windows have been provided with raised sill heights to maintain privacy. The siting and design of the dwelling will ensure solar access and privacy is maintained to the subject site and adjoining properties.	Yes

<p><i>D6 – Access to Sunlight</i> Consider solar access &amp; ventilation in siting of dwelling.</p> <p>3hrs sunlight to 50% POS and glazed areas to living rooms between 9am &amp; 3pm.</p>	<p>Dwelling appropriately sited for the orientation of the allotment.</p> <p>Proposed and adjoining POS and living areas will receive suitable solar access given the orientation of the site. Dwelling remains suitably sited and designed to ensure reasonable solar access is maintained.</p>	<p>Yes</p> <p>Yes</p>
<p><i>D7 – Views</i> View sharing to be considered.</p>	<p>No loss of views is anticipated.</p>	<p>Yes</p>
<p><i>D8 – Privacy</i> Maintain privacy to adjoining properties.</p>	<p>Upper childrens activities room windows are provided with raised sill heights to minimise any overlooking of POS and living areas of the adjoining dwellings. No detrimental impact is anticipated to the privacy of the subject or adjoining dwellings POS or living areas as a result of the upper floor windows.</p>	<p>Yes</p>
<p><i>D9 – Building Bulk</i> Avoid large areas of continuous wall planes.</p> <p>Max. fill 1m and to remain within building footprint.</p> <p>Minimise excavation.</p> <p>Orientate dwelling to street.</p> <p>Use articulation and materials to reduce building mass.</p>	<p>Dwelling is not considered to have an excessive visual bulk.</p> <p>&lt;1m fill within dwelling footprint.</p> <p>Excavation not considered excessive for the site.</p> <p>Suitable orientation of dwelling for battle-axe site.</p> <p>Suitable articulation and materials considered to have been provided for the site.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><i>D10 – Building Colours and Materials</i> Colours finishes to blend with natural setting.</p>	<p>Suitable colours and materials provided for Council's consideration.</p>	<p>For Councils Consideration</p>

<p><i>D11 – Roofs</i></p> <p>Pitch to compliment streetscape.</p> <p>Varied roof forms to be provided.</p> <p>Eaves required.</p>	<p>Pitch in keeping with surrounding area.</p> <p>Varied roof forms provided.</p> <p>Eaves provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><i>D12 – Glare and Reflection</i></p> <p>Materials to minimise glare.</p>	<p>Non-reflective materials proposed.</p>	<p>Yes</p>
<p><i>D13 – Front fences and Front walls</i></p> <p>Front fences 1.2m.</p> <p>Solid fences to be articulated and setback for landscaping.</p> <p>Provide casual surveillance (unless excessive noise requires blocking).</p> <p>Gates to remain in boundary when open.</p>	<p>N/A – No fencing proposed as part of the application.</p>	<p>N/A</p>
<p><i>D14 – Site facilities</i></p> <p>Site Facilities – bin storage, clothes drying etc. to be provided</p>	<p>Proposed dwelling provides adequate area for site facilities.</p>	<p>Yes</p>
<p><i>D15 – Side and Rear Fences</i></p> <p>Side &amp; Rear boundary fencing max. 1.8m measure from low side (can be averaged for sloping sites to allow regular steps).</p>	<p>Boundary fencing capable of being provided in accordance with Council's requirements.</p>	<p>Yes</p>
<p><i>D16 – Swimming Pools &amp; Spas</i></p> <p>Not within primary setback (2ndry setback OK for corner sites).</p> <p>Appropriate setback from trees.</p>	<p>N/A</p>	<p>N/A</p>
<p><i>D19 – Site Consolidation requirements for the R3 &amp; IN1 Zones</i></p>	<p>N/A</p>	<p>N/A</p>
<p><i>D20 – Safety and Security</i></p> <p>Casual surveillance of street &amp; suitable lighting.</p>	<p>Casual surveillance of the vehicular access provided, with no direct street view due to battle-axe site. View to approach available from</p>	<p>Yes</p>

	entry, home theatre, rumpus and upper habitable room windows.	
<i>D22 – Conservation of Energy and Water</i> Design for water and energy conservation.	BASIX Certificate provided.	Yes

## PART E THE NATURAL ENVIRONMENT

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<i>E3 – Threatened species, population, ecological communities</i> Minimise tree removal and protect remaining trees.	Some minor trees require removal. These trees will not impact upon the landscape character of the area with other vegetation to be retained. Landscaping is capable of being provided following construction to maintain the landscape character of the area, with mature vegetation to remain in the rear.	Yes
Flora & Fauna assessment if native veg >100m <sup>2</sup> to be removed or veg removed from site in last 5 years.	N/A	N/A
<i>E7 – Development on land adj. public open space</i> Development adj public reserve to compliment character of reserve.  Casual surveillance of public reserve.  Landscaping to screen development.	N/A	N/A
<i>E8 - Waterways and Riparian Land</i> Waterway Impact Statement for works in waterway.	N/A	N/A

Riparian Land Group A & Group B have specific requirements. APZ not to extend into such land.		
<i>E9 - Coastline Hazard</i>	N/A	N/A
<i>E10 - Landslip Risk</i> As per the map.  Geotech required where indicated in DCP.	Landslip Risk identified as Area A. Preliminary assessment to be provided if requested by Council.	For Council's consideration
<i>E11 – Flood Prone Land</i> Flood Risk map indicates level. Requirements outlined in DCP.	N/A	N/A

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#### Conclusion with respect to DCP Requirements

The proposed dwelling is considered to be appropriately designed and sited to achieve the objectives of the design provisions with Warringah DCP 2011.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.

The following matters are considered relevant when considering onsite impacts.

**Siting and Design**

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

The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

**Sedimentation Control**

Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

**Waste Minimisation**

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

**Noise and Vibration**

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

(c) The suitability of the site for the development

The subject site is within an existing residential area, within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The two storey dwelling, the subject of the application, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The dwelling is permissible with development consent under the provisions of Warringah LEP 2011, and generally satisfies the objectives of the relevant development control plans as discussed above.

#### (d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

#### (e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

### CONCLUSION

The residential use of the site is permissible with development consent under the provisions of Warringah LEP 2011 and can satisfy the objectives of the relevant development control plan.

It is considered that the construction of a new two storey dwelling will complement and blend with the existing, and likely future character of Freshwater. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd  
November 2023