

# STATEMENT OF ENVIRONMENTAL EFFECTS

Owner:

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Project:

**Alterations and additions to residence at:**

**9 Leinster Avenue, Killarney Heights, NSW 2087**

Prepared by:

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## **1.0 INTRODUCTION**

This statement of Environmental Effects has been prepared as part of supporting documentation in association with a Development Application concerning Lot 497, DP 218045, no. 9 Leinster Avenue (otherwise known as 1 Yeats Ave) , Killarney Heights in the Local Government Area of Warringah in the Northern Beaches Council: to assess the proposal's compliance with the relevant provisions of Northern Beaches Council's planning controls and policies and to assess the likely impacts on neighbouring properties and the locality.

## **2.0 SITE LOCATION AND DESCRIPTION**

The site at 9 Leinster Avenue lies at the Eastern edge of Killarney Heights urban area Locality of Warringah in the Northern Beaches Council Area.

The site dimensions are 777.8m<sup>2</sup> with irregular pentagonal geometry, situated on the corner of Leinster Ave and Yeates Ave. The existing dwelling on site is aligned to a North-South axis being the main façade and pedestrian entry (and street address) over Yeates Ave while Leinster Ave is deemed the secondary frontage and is used for vehicular access.

There is a natural slope rising across the site at an approximately angle of 5° , with the highest point at the Southwest corner (RL76.66) being 3.32m higher than the lowest point at the Northern corner (RL73.34).

The vicinity is characterised by low density housing stock of mid-to-late 20<sup>th</sup> Century styles featuring abundant native vegetation of mature gum trees and pines in the front and rear setbacks.

The neighbouring property at the West of the site (No. 7 Leinster Ave) is a two-storey rendered residence with tiled roof. At the South (No 3 Yeats Ave) is also a two-storey rendered house with tiled roof.

Existing Improvement on site includes a single-storey four-bedroom rendered dwelling residence with tile roof and a basement which originally comprises a two-car garage and access to under house storage. Also, there is a pool and a separated spa at the

rear of the property.



Figure 1. Aerial Locality Plan, Google Maps



Figure 2. Dwelling as viewed from corner, 9 Leinster Avenue (1 Yeats Ave)

### **3.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

Application is made for the following modifications:

- a) Construction of new carport;
- b) Conversion of the basement into a rumpus/office with bathroom;
- c) New connecting stairs including minor internal and external alterations.

The proposed development is described in Drawings DA001, DA010, DA050, DA100, DA101, DA\_200, DA201 and DA302, by Hot House Studio. A site survey plan showing existing levels by NGEO Surveys is also provided.



## **4.0 ASSESSMENT OF STATUTORY REQUIREMENTS AND POLICY**

### **4.1 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011**

#### **Clause 1.2 Aims of Plan**

Noted.

#### **Clause 1.3 Land to which Plan applies**

The site for the proposed development is identified on the Land Application Map as Included.

#### **Clause 2.2 Zoning**

The site is identified on the Land Zoning Map as R2 – Low Density Residential.

#### **Clause 2.3 Zone objectives and Land Use Table**

The existing development is a detached dwelling house. Proposed additions and alterations to dwelling houses are permissible with consent and are consistent with the objectives of the zone.

#### **Clause 2.7 Demolition requires consent**

No significant excavations are required, and no fills are proposed.

#### **Clause 4.3 Height of buildings**

Height of Buildings Map – sheet HOB\_008 identifies the site as Zone I – 8.5m. The existing roof, with a maximum ridge height of 6.90 metres will remain unchanged while the maximum height of the proposed carport is 3.5 metres and therefore complies.

#### **Clause 4.4 Floor space ratio**

Not adopted.

#### **Clause 4.6 Exceptions to development standards**

No exceptions to development standards are sought.

**Clause 5.10 Heritage Conservation**

The site is not identified by LEP mapping as a heritage item, in the vicinity of a heritage item, or in a heritage conservation area.

**Clause 6.1 Acid sulfate soils**

Acid Sulfate Soils Map – Sheet ASS\_008 does not identify the site as being subject to acid sulfate soils.

**Clause 6.2 Earthworks**

A preliminary geotechnical report prepared by White geotechnical group has been submitted as part of the application that confirms the proposed development works would be considered satisfactory from a Geotechnical and landslip perspective subject to the application of good engineering practice for the structural design and construction methods.

**Clause 6.4 Development on sloping land**

Landslip Risk Map – sheet HOB\_008 identifies the site as Area B – Flanking Slopes 5 to 25. A geotechnical report prepared by White geotechnical group has been submitted as part of the application that confirms the proposed development works would be considered satisfactory from a Geotechnical and landslip perspective subject to the application of good engineering practice for the structural design and construction methods.

## **4.2 WARRINGAH DEVELOPMENT CONTROL PLAN 2011**

### **Part B1 Wall heights**

DCP mapping identifies the site as requiring a maximum wall height of 7.2m. There are no new walls or extensions of walls proposed.

### **Part B2 Number of storeys**

DCP mapping does not identify the site as being subject to number of storey restrictions.

### **Part B3 Side boundary envelope**

DCP mapping identifies the site as requiring a side boundary envelope of 45 degrees projected at 4m height at the boundary. The proposed additions compliant with the control.

### **Part B4 Site coverage**

Not adopted.

### **Part B5 Side boundary setbacks**

DCP mapping identifies the site as zone B requiring a side boundary setback of 0.9m. The Western carport post has a setback of 1.09m and therefore complies. There are no other proposed changes to the existing side building lines at the existing dwelling.

The proposal is consistent with the outcomes and controls of the clause.

### **Part B7 Front boundary setbacks**

DCP mapping identifies the site as zone F requiring a front boundary setback of 6.5m. The proposed additions maintain a setback of at least 6.5m from the front boundary at the primary front (Yeats Ave) with an encroachment at the secondary front setback (Leinster Ave) of the proposed additions. Due to the corner allotment the proposal seeks a variation to the allowed 3.5m secondary frontage setback. The off-axis alignment and location of the dwelling on the corner lot precludes a setback that allows a strictly complying double carport footprint. A single carport interferes with the capacity to accommodate 2 vehicles off-street and thus is not proposed.

### ***Exceptions***

#### ***Land Zoned R2 or R3***

*On corner allotments or sites with a double street frontage, where the minimum front building*

*setback is 6.5 metres to both frontages, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street variations must consider the character of the secondary street and the predominant setbacks existing to that street.*

Variation is sought, with the encroachment considered minor in that it:

- does not cause the structure to be visually dominant due to the rise in land and the second storey set above, as viewed from Leinster Ave;
- allows for adequate light, solar access and privacy for both the owner and neighbours, in that the carport is ideally located at the sites low point.
- The carport position, with roof being offset from the dwelling by 1.2m, allows for adequate solar access and ambient natural light to enter into the lower ground north facing glazing. A carport that abutted the dwelling wall would compromise the natural light available to the internal spaces.
- responds to the slope of the site by reducing the perceived bulk of the two-storey wall via the introduction of the single level carport structure, which is more aligned with the street level.
- Additional floor space is requested beneath the ground level, rather than a level 1 addition, which has significantly less impact on neighbouring solar access, privacy and local amenity.
- By allowing a carport with a setback encroachment, the additional floor space required by the family dwelling can be achieved with minimal impact by relocating the garage to an external carport.
- The proposed additions will benefit the local environment, are consistent with the objectives of the control.

## **Part B9      Rear boundary setbacks**

DCP mapping identifies the site as zone D requiring a rear boundary setback of 6m. No changes to existing rear setback are proposed.

## **Part C2      Traffic, access and safety**

No changes to existing roadway access from the site are proposed. The existing hardstand and the vehicular function of the driveway are maintained.

## **Part C3      Parking facilities**

The proposed carport will provide adequate off-street parking and has been designed in accordance with AS2890.1. It is in harmony with the form of the existing dwelling and the structure will have minimal impact on the street frontage as it will not dominate the dwelling or streetscape. Two parking spaces are proposed in accordance with Appendix 1 of the DCP.



#### **Part C4          Stormwater**

The proposed carport will stand over the existing driveway. Its roof adds 2.1m<sup>2</sup> to the existing catchment area and will be connected to the existing stormwater assets (Refer to Drawing DA101). OSD is not required for the proposed development. Overall, the additions are consistent with the objectives and requirements of the control and the Policy.

#### **Part C5          Erosion and sedimentation**

A preliminary geotechnical report prepared by White geotechnical group has been submitted as part of the application that confirms the proposed development works would be considered satisfactory from a Geotechnical and landslip perspective subject to the application of good engineering practice for the structural design and construction methods.

The proposed alterations and additions have been designed and sited such as to minimise excavation works. A Site Management Plan is submitted as part of the application that requires sediment control for the construction period.

#### **Part C7          Excavation and landfill**

As above, a preliminary geotechnical report prepared White geotechnical group confirms the proposed development works would be considered satisfactory from a Geotechnical and landslip perspective subject to the application of good engineering practice for the structural design and construction methods.

The proposed alterations and additions have been designed and sited to minimise excavation works. Although there will be net cut, the amount is considered minor and will be re-cycled as per the Waste Management Plan.

The proposed development is consistent with the objectives and requirements of the control.

#### **Part C8          Demolition and construction**

A Waste Management Plan is submitted as part of the application. The proposed development is consistent with the objectives and requirements of the control.

#### **Part C9          Waste management**

As above, a Waste Management Plan is submitted as part of the application. The proposed development is consistent with the objectives and requirements of the control.

**Part D1          Landscaped open space and bushland setting**

Council mapping identifies the site as requiring 40% (311.12m<sup>2</sup>) Landscaped Open Space with minimum dimensions of 2m. Drawing DA050 Design Compliance submitted with this application shows 42% (327m<sup>2</sup>) of site area as Landscaped Open Space. The proposed development is consistent with the objectives and requirements of the control.

**Part D2          Private open space**

The overall existing private open space with minimum dimensions of 5m (POS 112.3m<sup>2</sup>) is consistent with the objectives of the clause and are generally consistent with the requirements of the clause. No changes to existing private open space are proposed.

**Part D6          Access to sunlight**

The proposed development will not have any impact over the private open space of number 9 or 7 Leinster Ave due to its low contour siting. It is consistent with the objectives and the requirements of the control.

**Part D7          Views**

The proposed development allows the reasonable preservation of views for neighbouring and uphill properties. The siting of the carport in front of the dwelling at the site low point confirms zero impact on views. The proposed development is consistent with the objectives and requirements of the clause.

**Part D8          Privacy**

The proposed development will have no impact on the existing privacy of neighbouring properties and is consistent with the objectives and requirements of the clause.

**Part D9          Building Bulk**

The proposed development ensures that bulk is minimized by stepping additions along the slope of the site. A hipped roof matching the existing roof of the residence is proposed over the carport which will minimize bulk at the front and side boundary, with ridge height set below the ground level window sill height of the subject property and the immediate neighbours.

**Part D10        Building colours and materials**

The proposed additions and alterations utilise materials and colours that complement the existing developments. A materials schedule is submitted as part of the application.

**Part D11      Roofs**

The proposed new roof complements the roof pitch and forms of the existing dwellings in the locality. The proposed development is consistent with the objectives and requirements of the clause.

**Part D12      Glare and reflection**

Proposed new windows and glazing are recessed into the existing façade, close to natural ground level. The proposed carport roof will be finished with medium to dark colour tiles to minimise any potential solar glare.

**Part D13      Front fences and front walls**

No changes are proposed to the existing fence or front wall structures.

**Part D14      Site facilities**

Site facilities are provided adjacent to the proposed carport and are adequate for the intended uses.

**Part D15      Side and rear fences**

No changes are proposed to the existing fence structures.

**Part D16      Swimming pools and spa pools**

No changes are proposed to the existing swimming pool.

**Part D21      Provision and location of utility services**

Existing services to site are sufficient for the proposed development.

**Part D22      Conservation of energy and water**

The proposed development is designed and sited such as to maximise solar access to both the dwelling and the neighbouring dwelling by utilising a hipped roof. The

proposal has been prepared in accordance with Council's Water Management Policy and is consistent with the objectives and requirements of the clause and the Policy.

**Part E1          Preservation of trees or bushland vegetation**

All existing trees and vegetation on site are maintained and are not impacted by the proposed works.

**Part E10        Landslip risk**

A preliminary geotechnical report prepared by White geotechnical group has been submitted as part of the application that confirms the proposed development works would be considered satisfactory from a Geotechnical and landslip perspective subject to the application of good engineering practice for the structural design and construction methods.

**Appendix 1    Car parking requirements**

Appendix 1 requires 2 car parking spaces per dwelling house. The proposed new carport provides for two car parking spaces that meet the minimum dimensions set out in AS2890.1-1993.



#### 4.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

##### Part 4, Division 4.3, Section 4.15, EVALUATIONS

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

*(i) any environmental planning instrument, and*

*(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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iii) any development control plan, and*

*(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

*(v) (Repealed)*

The considerations arising from the relevant planning instruments and development control plan are addressed in the foregoing statement of environmental effects.

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

These considerations are addressed in the foregoing statement of environmental effects. The social and economic impacts will be positive in improving the residential accommodation and amenity of the property at 9 Leinster Avenue, Killarney Heights.

*(c) the suitability of the site for the development,*

The proposed alterations and additions are consistent with the zoning of the land, appropriate in scale and will create no adverse environmental or amenity impacts and is therefore extremely suitable.

*(d) any submissions made in accordance with this Act or the regulations,*

The applicant has consulted with the immediate neighbours prior to lodgement of the application. At this time no objections were raised, and no submissions have been made to the Council.

*(e) the public interest,*

The proposed development will provide for low density residential housing stock that will provide for the housing needs of the local community and will provide for employment and contribute to the local economy through the construction phase.

#### **4.4 BASIX**

A BASIX report forms part of this Development Application.

## **5.0 CONCLUSION**

The proposed alterations and additions to 9 Leinster Avenue, Killarney Heights are considered complimentary and compatible within the locality, and will enhance the living standards for the occupants significantly. Careful attention has been given to achieving compliance with the relevant provisions of Warringah Local Environmental Plan 2011, Warringah Development Control Plan 2011 and Part 4, Division 4.3, Section 4.15 of the NSW Environmental Planning and Assessment Act. A thorough site analysis has informed the design to ensure that there will be minimal adverse impacts on the occupants of neighbouring properties.

The identified non-compliance with the secondary front setback provisions of Warringah DCP 2011 has been addressed and justified according to the objectives of the control. The requested variation to the control is acceptable under section 4.15(3A)(b) of the Act which requires Council to be flexible when applying such provisions and to allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

The design outcome shows respect for the context of the site, the existing character of the locality, and the amenity of the adjoining properties and satisfies the provisions of S.4.15(1) of the Act. We believe Northern Beaches Council will find the proposed alterations and additions satisfy the objectives required and find the Development Application fit for approval.



Figure 3. Dwelling as viewed from Yeats Ave: street address (1 Yeats Ave), pedestrian entry house alignment



Figure 4. View to existing driveway on site from Leinster Avenue.



Figure 5. View to existing garage and landscape on site from driveway.





Figure 6. Landscape area at the front of the house.



Figure 7. Dwelling as viewed from Leinster Avenue – secondary frontage.