

Statement of Environmental Effects



GARTNERTROVATO Architects
Pty Ltd

ABN 51 673 668 317
ACN 115 186 206

Suite 13, Level 1
10 Park Street
(PO Box 1122)
Mona Vale
NSW, 2103

P +612 9979 4411
F +612 9979 4422
E gta@g-t.com.au

Nominated Architects
Sean Gartner # 6072
Luke Trovato # 7094



Demolish Existing buildings,
Construct a new dwelling and swimming pool

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23 Lancaster Crescent, Collaroy

Prepared For Teda FNQ Pty Ltd

project no 2202

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issue A

1.0 INTRODUCTION

This Statement of Environmental Effects is a report that forms part of an application for development consent submitted to the Northern Beaches Council for: -

- Demolish existing dwelling and build a new 3 storey dwelling
- Demolish existing carport and build a new garage connected to the dwelling
- New in-ground swimming pool

The location of the proposal is 23 Lancaster Crescent, Collaroy which currently contains a single dwelling on Lot 23, DP 16081, a site zoned R2 with an area of 520.8m².

The site is a regular shaped lot with a street frontage of 14.13m to Lancaster Crescent and generally widens to a rear boundary of 16.765m over a depth 34/36m. Sites on either side boundary are similar and a regular pattern of subdivision exists in the street with dwellings generally located close to the street frontage due to the slope.

The site falls steeply away from the street from north to south at approximately 26% slope.

The steep slope results in most dwellings being located at minimum setback to the street and often with nil setbacks to the garages and carports, demonstrated below with reference to nearby sites of 19 & 21 Lancaster.

The steep slope also results in built forms that generally exceed the side boundary building envelopes and maximum 7.2m wall heights. Council has generally approved developments with these non-compliances due to steep slope, evidenced by the reference to the approval to 25 Lancaster below.

The subject site will be consistent with this established pattern of reduced setbacks and minor breach of envelope.



Figure 1. Aerial view of the location of the site (site outline in yellow).

2.0 THE SITE, BACKGROUND & DESIGN RESPONSE

The proposal seeks to construct a new dwelling to replace the existing dwelling, with attached garage and swimming pool. The design recognises the steep slope of the site and responds in location of built form, heights, and setbacks to side boundaries which increase as the dwellings moves down the site and building height increases. The design is consistent with the nature of nearby dwellings in Lancaster Crescent.

The key features of the site are:

- The site is on the south side of the street and falls away steeply from the street.
- The site and all adjoining sites have scenic views to the ocean, Long Reef and Dee Why beaches and Dee Why lagoon in a South Easterly direction through the rear boundary.
- The site is relatively small at 520.8m²

This report refers to the following accompanying documents: -

- Architectural Drawings **A.00-A.17 issue A**, Project No.2202
- Landscape Plan
- Survey
- Stormwater Management Plan
- Geotechnical Report
- BASIX certificate

This report examines the issues of compliance with Council codes and applicable SEPP's, analyses the potential environmental impacts of the development and summarises the design opportunities that the proposal provides.

Background

The design takes reference of the nearby built forms that reveal the following characteristics:

- Street front setbacks to garages and dwellings varying from NIL to minimum 6.5m setbacks
- Setbacks to the street minimal due to steeply sloping sites falling away from the street
- Minor breach of side boundary envelope and wall height due to sloping land
- Design to take advantage of views through the rear of the property

This analysis demonstrates a consistent built form character on the Dee Why headland on narrow sites, of which the proposed development will be consistent with.



Figure 2. Streetscape – 21 Lancaster to Left, 23 Lancaster centre, 25 Lancaster to right of image

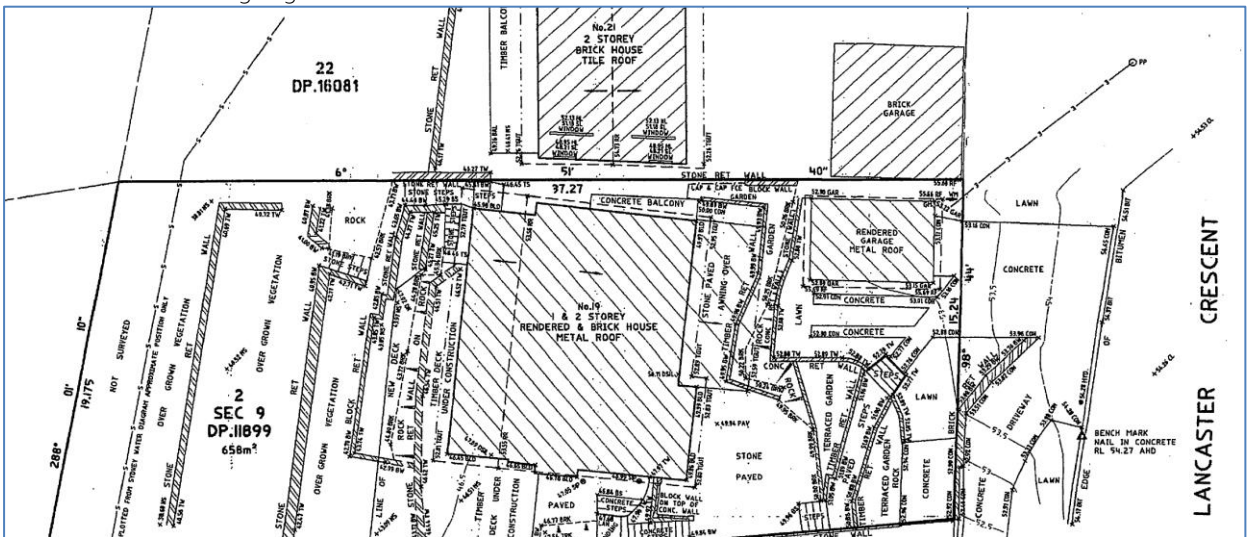


Figure 3. Streetscape of dwellings on high side of Lancaster Crescent opposite the site.

Figure 4. Street view of 19 Lancaster (left) and 21 Lancaster (centre) with zero and minimum front setback to the garage



Figure 5. Survey submitted for Pool DA 19 Lancaster, indicating NIL setback to 21 Lancaster garage and approx. 1.5m setback to 19 Lancaster garage



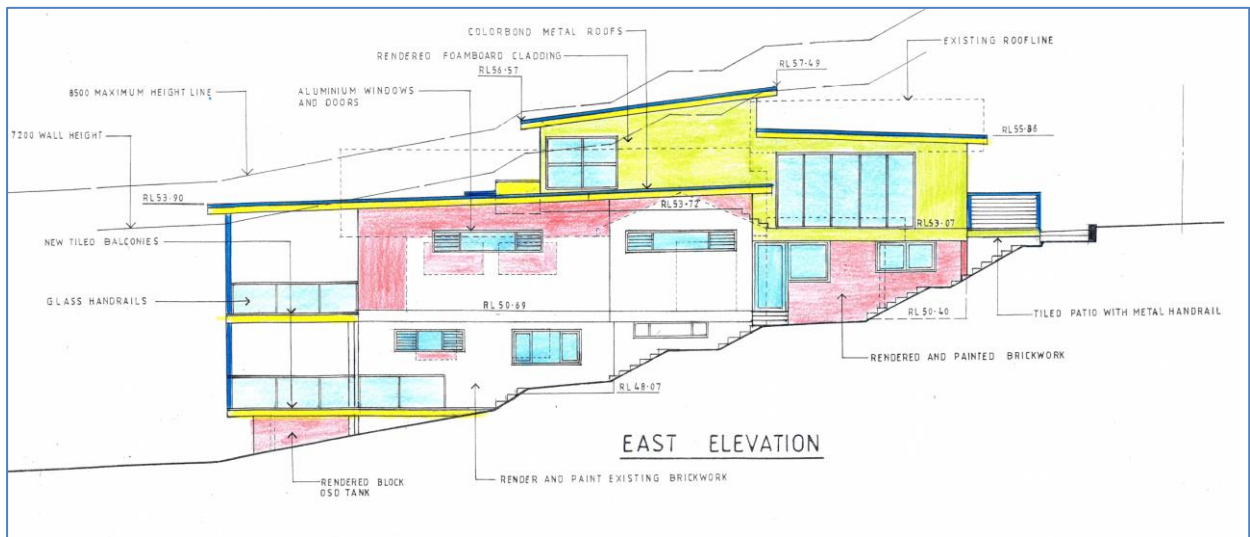


Figure 6. Approved plan of 25 Lancaster showing non-compliance with envelope and wall height

Design Proposal

The design of the proposed new dwelling responds respectfully to the various aspects of the locality. The presentation to Lancaster Crescent is a modest single storey low height dwelling to a street. This is consistent with adjoining dwellings on the low side of the street with a minimal setback to the garage and a larger compliant setback to the dwelling.



Figure 7. 3D view of the site from Lancaster Crescent

As the dwelling moves down the site, the side setbacks increase and the roof slopes down the site to comply with maximum height. The side elevations are designed to retain privacy to the neighbouring dwellings by the use of privacy screens to bedrooms. All living areas are oriented towards the rear of the property to maximise privacy.

The design utilises several materials and varying setbacks to provide depth, scale and modulation to the façade to reduce any impression of bulk and scale to the side boundaries from the minor breach of envelope and wall height. The setbacks are also significant to side boundaries and exceed 2m to provide meaningful landscape between properties for added privacy.



Figure 8. Aerial view looking west with the roof following the slope of the site

Figure 9. View from the rear yard looking north towards the house



The rear elevation takes full advantage of the scenic ocean views and is predominantly glazed. The top floor is setback above the two lower floors to reduce bulk and scale from below and to comply with the height control.

The design results in minor numerical non-compliances due to the steep slope. The non-compliances do not carry any adverse impacts, as demonstrated further in this statement. The non-compliances are:

1. Front setback
2. Wall Height (above 7.2m)
3. Side Boundary Envelope

The design however is well considered and suitable for approval, being entirely consistent with the pattern of established development in the immediate locality of the site.

3.0 PLANNING CONTROLS & COMPLIANCE

WARRINGAH LOCAL ENVIRONMENT PLAN 2011 & WARRINGAH DEVELOPMENT CONTROL PLAN

Warringah LEP 2011

The WLEP is the principal planning instrument applicable to the land, and the relevant provisions of the LEP are assessed for the proposed development below

Zoning R2 Low Density Residential

Zone Objectives (**response in bold**)

- To provide for the housing needs of the community within a low density residential environment*
The proposal is a compatible use
- To enable other land uses that provide facilities or services that meet the day to day needs of residents*
The proposed dwelling is consistent to meet the needs of residents
- To ensure that low density residential environments are characterised by landscape settings that are in harmony with the environment of Warringah*
The proposal is accompanied by a landscape plan, which identifies appropriate vegetation species for the headland and coastal location, whilst in harmony with the environmental qualities of scenic views to surrounding areas by the specification of species that will not cause the loss of scenic views

Clause 4.3 Height of Buildings

The stated objectives of this clause, and the design responses are as follows:

- to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
The dwelling is compatible with the scale of surrounding dwellings.
- to minimise visual impact, disruption of views, loss of privacy and loss of solar access*
The proposal does not create any visual impact, loss of views, privacy or solar access to any adjoining or nearby properties.
- to minimise the adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
The proposal does not alter the scenic quality of the coastal and bushland environment.
- to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities*
The proposal complies, the visual impact is consistent with the nature of surrounding low density residential development

The **Height of Buildings Map**, identifies the site to be within land where the height of buildings is not to exceed 8.5 metres

The proposed works have a maximum height above existing ground level of 8.45 metres.

Warringah DCP 2011

B1 Wall Heights

Requirements	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).
Outcomes	The proposal breaches the wall height to a maximum of 7.85m at the southern end of the top floor of the dwelling as shown in elevations. The proposal seeks a 9% variation.

Justification for the breach is provided by satisfying the outcomes of the policy as follows:

- *to minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes*
The proposed breach relates to a small portion of the site for approximately 5m of the side boundary wall length of 25m, and the roof above remains below the 8.5m maximum. The walls are well setback from the boundary in the area of breach with 3m to the west and 2m to the east to provide significant area for landscape screening to adjoining sites. The proposal is also not inconsistent with adjoining development and the breach does not impact the public views from the road as the dwelling falls away below the road.
- *to ensure development is generally beneath the existing tree canopy level*
There are no significant trees on site, although the wall heights to a low pitched roof would be below a medium sized tree with canopy at 8.5m. The landscape plan indicates trees in this location that can reach a height to be above the roof.
- *to provide a reasonable sharing of views to and from public and private properties*
There is no view loss due to the breach of wall height. The properties to the north look over the compliant roofs toward the street and this area is well below those. The property to the west at 25 Lancaster has windows at the rear with views to the south east and is unaffected by this breach – refer Figure 6 in this report for the East Elevation of 25. The proposal provides for no view loss from surrounding properties.
- *to minimise the impact of development on nearby and adjoining properties*
The breach of wall height will have minimal impact to the adjoining properties, no greater than they currently have on the subject site. As all sites face north towards the street, the impact will be minor in terms of overshadowing in the morning/afternoon; however a compliant wall height would still overshadow the adjoining property. There is no view loss and privacy is maintained, therefore the minor impact is acceptable and consistent with the context of surrounding development on narrow sites.
- *to ensure that development responds to site topography and to discourage excavation of the natural landform*
The proposal responds to the topography with a low pitched skillion roof following the slope of the land under the 8.5m maximum height. Excavation is reasonable to attain amenity on a small site due to steeply sloping land and compliance with the height control
- *to provide sufficient scope for innovative roof pitch and variation in roof design*
The proposal consists of two separate roof forms, one that slightly breaches the wall height, another that on balance is significantly below the wall height control, demonstrating compliance with this outcome

B3. Side Boundary Envelope

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.
Outcomes	<p>The site is within land that requires a building envelope of 4m – 45 degrees.</p> <p>The proposal breaches the building envelope in the same manner as the breach of wall height. Similar to the Wall Height control, the proposal relies on satisfaction of the outcomes to justify minor departure from the numerical control as follows:</p> <ul style="list-style-type: none"> • <i>to provide opportunities for deep soil landscape</i> The proposed achieves compliance with the landscape ratio requirement and the accompanying landscape plan identifies numerous mature tree plantings and supplementary landscape, to satisfy this outcome • <i>to ensure that development does not become visually dominant.</i> The breach of envelope is consistent with the predominant pattern of dwelling development within the locality on steeply sloping sites and does not dominate the adjoining properties.

- *to ensure that scale and bulk of buildings is minimised*
The proposal minimises bulk and scale through varying materials, setbacks, building modulation and form, in addition to locating the dwelling in similar proximity to the adjoining dwelling where there are no views across the side boundary
- *to provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained*
Privacy is afforded to the adjoining dwelling with screens and low intensity rooms to the upper floor, solar access is compliant with in excess of 3hrs to the adjoining dwelling and amenity is maintained
- *to provide reasonable sharing of views to and from public and private properties*
The breach of envelope has no impact on views. Views from the adjoining properties are away from the subject site, and views from other properties are not impacted by the envelope breach

The variation is justified for support

B.5 Side Boundary Setbacks

Requirements	Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map. All land in R2 zone: 0.9m
Outcomes	The proposed dwelling setback to the west side boundary is 1.8 to 3.5m and complies The proposed dwelling setback to the east side boundary is 2.0m and complies

B7. Front Boundary Setbacks

Requirements	Development on land shown coloured on the DCP Map Front Boundary Setbacks is to maintain a minimum setback from boundaries as shown on the map. All land in R2 zone: 6.5m
Outcomes	The proposal dwelling setback to the street frontage of Lancaster Crescent is 6.5m and complies. The proposed setbacks for the garage attached to the dwelling varies from 0.3 – 3.0m. Justification is provided by the steep slope of the land and the similar precedence's outlined earlier in this report. Justification for the breach is provided by satisfying the outcomes of the policy as follows: <ul style="list-style-type: none"> • <i>to create a sense of openness</i> The site has a large road reserve of 10m depth which combined with the varying setbacks, landscaping and building modulation and materials provides a sense of openness to the front facade • <i>to maintain the visual continuity and pattern of buildings and landscape elements</i> The proposal is entirely consistent with the pattern of surrounding buildings as demonstrated earlier in this report • <i>to protect and enhance the visual quality of streetscapes and public spaces</i> The varied setbacks, building modulation, natural materials and architectural design provide a streetscape of high quality and visual interest • <i>to achieve reasonable view sharing</i> The reduced setback has no impact on views to the dwellings to the side boundaries or opposite the street to the north as they are significantly elevated above the site

The variation is justified for support

B9. Rear Boundary Setbacks

Requirements	Development on land shown coloured on the DCP Map Rear Boundary Setbacks is to maintain a minimum setback from boundaries as shown on the map. All land in R2 zone: 6m
Outcomes	A setback of 8m is proposed to the dwelling and complies

C2. Traffic, Access and Safety

Requirements	Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. Vehicle access is to be obtained from minor streets and lanes where available and practical. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.
Outcomes	The proposal seeks a crossings from the street frontage of 4500mm to assist access, with profiles that will comply with standard council 'street levels' and provide safety

C3. Parking Facilities

Requirements	<ul style="list-style-type: none">• To provide adequate off street carparking.• To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.• To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.
Outcomes	The proposal provides two car spaces in a new double lock up garage. The parking facilities are integrated into the design. The proposal complies.

C4 Stormwater

Requirements	Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like. The stormwater drainage systems for all developments are to be designed and installed in accordance with Council's Water Management for Development Policy
Outcomes	A stormwater management plan from a qualified engineer accompanies the application addressing the Water Management for Development Policy.

C9. Waste Management

Requirements	All development that is or includes demolition, and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan
Outcomes	The proposal is accompanied by a Waste Management Plan.

D1. Landscaped Open Space and Bushland Setting

Requirements	Development on land shown coloured on the DCP Map Landscaped Open Space and Bushland Setting is to maintain a minimum percentage landscape area of the site. All land in R2 zone: Minimum 40%
Outcomes	The proposal provides a landscaped area of 216.59m ² of the total site area of 520.8m ² , representing a built upon area of approximately 41.6%. The proposal complies

D2. Private Open Space

Requirements	Dwelling houses and attached dwellings with 3 or more bedrooms must provide A minimum 60m ² with 5m dimension
Outcomes	The proposal complies.

D6. Access to Sunlight

Requirements	Development should avoid unreasonable overshadowing of any public open space, and at least 50% of the area of private open space of each dwelling and at least 50% of the required areas of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21
Outcomes	<p>The proposal has multiple living and private open spaces areas that receive in excess of the 3hrs sunlight through an internal courtyard to address a south facing dwelling and complies.</p> <p>The overshadowing of the adjoining property is limited to 3 hours as all properties face north to the street. The proposal complies</p>

D7. Views

Requirements	Development shall provide for the reasonable sharing of views
Outcomes	There are no views affected by the proposal as demonstrated earlier in this report

D8. Privacy

Objectives	<ul style="list-style-type: none">• 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.
Outcomes	The proposal no impact on the privacy to adjoining properties as demonstrated earlier in this report

D9. Building Bulk

Objectives	<ul style="list-style-type: none">• 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.
Outcomes	The proposal provides an acceptable impact of bulk and scale to adjoining properties.

D10. Building Colours and Materials

Objectives	<ul style="list-style-type: none">• To ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.
Outcomes	A colour and finishes schedule is submitted with this application. The materials and colours selected are in harmony with the surrounding dwellings. The proposal complies

D11. Roofs

Objectives	<ul style="list-style-type: none">• To encourage innovative design solutions to improve the urban environment.• Roofs are to be designed to complement the local skyline.• Roofs are to be designed to conceal plant and equipment.
Outcomes	The roof form has been carefully designed to provide interest, variation and a low pitching height to the perimeter. The proposal complies.

D12. Glare and Reflection

Objectives	<ul style="list-style-type: none">• To ensure that development will not result in overspill or glare from artificial illumination or sun reflection.• To maintain and improve the amenity of public and private land.• To encourage innovative design solutions to improve the urban environment
Outcomes	The proposal complies

D22. Conservation of Energy and Water

Objectives	<ul style="list-style-type: none">• To encourage innovative design solutions to improve the urban environment.• To ensure energy and water use is minimised.
Outcomes	A compliant Basix Certificate has been submitted with this application.

E2. Prescribed Vegetation

Requirements	<ul style="list-style-type: none">• To preserve and enhance the area's amenity, whilst protecting human life and property.• To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.• To provide habitat for local wildlife, generate shade for residents and provide psychological & social benefits.• To protect and promote the recovery of threatened species, populations and endangered ecological communities.• To protect and enhance the habitat of plants, animals and vegetation communities with high conservation significance.• To retain and enhance native vegetation communities and the ecological functions of wildlife corridors.• To reconstruct habitat in non vegetated areas of wildlife corridors that will sustain the ecological functions of a wildlife corridor and that, as far as possible, represents the combination of plant species and vegetation structure of the original 1750 community.• Promote the retention of native vegetation in parcels of a size, condition and configuration which will as far as possible enable plant and animal communities to survive in the long-term.
Outcomes	There are no significant trees to be removed as a part of this application. The proposal complies with the objective.

E10. Landslip Risk

Objectives	<ul style="list-style-type: none">• To ensure development is geotechnically stable.• To ensure good engineering practice.• To ensure there is no adverse impact on existing subsurface flow conditions.• To ensure there is no adverse impact resulting from stormwater discharge
Outcomes	The proposed includes excavation for a pool and lower floor levels. A Geotechnical Report is submitted with the application

E11. Flood Prone

Objectives	<ul style="list-style-type: none">• To ensure the development is compatible with the flow regime of the waterway.• To ensure that existing development is not adversely affected through increased flood damage and / or flood hazard as a result of new development.• To provide for the safety of people and property.• To provide a mechanism to control development on flood prone land.• To ensure a sustainable and holistic catchment wide approach is taken to development on flood prone land.
Outcomes	The subject site is not identified as being within any Flood Prone land on the maps.

Coastal Management Act 2016

The Coastal Management Act 2016 (The Act) applies to the land, as the land is identified on mapping within the SEPP (Coastal Management) 2018 (The SEPP). The SEPP identifies the site:

- is not within the *Coastal Use Map*,
- is within the *Coastal Environment Area Map* as shown below.

As such, clauses 8 of the Act relating to the Coastal Environment Area is applicable and is assessed below, but clause 9 of the Act relating to the Coastal use area is not relevant to this application.

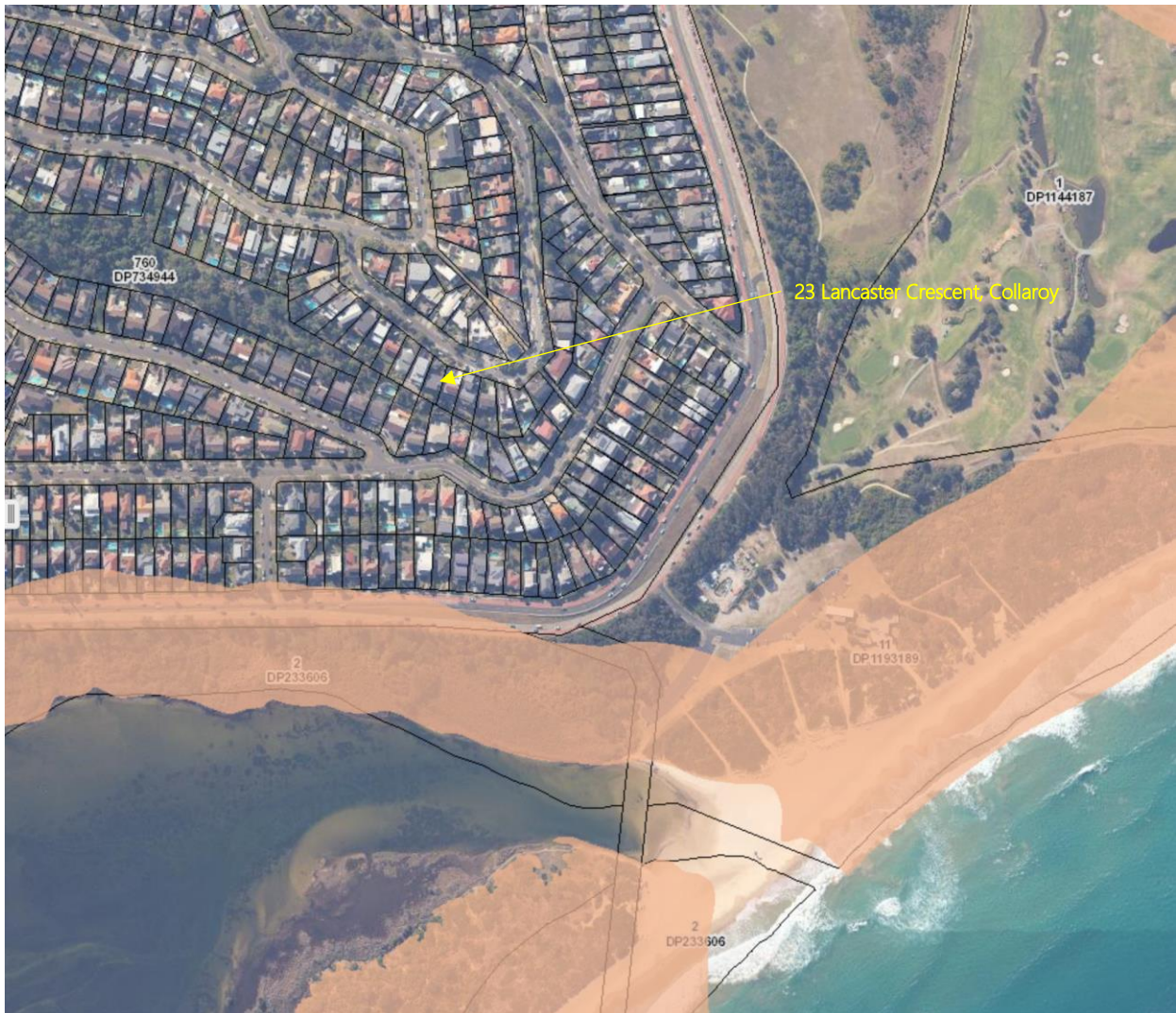


Figure 10. SEPP mapping, Coastal Use Map in red,



Figure 11. SEPP mapping, Coastal Environment Area Map in blue,

The objectives in the act align with the considerations that must be given by councils in The SEPP, and have been taken into consideration in the design of this application as follows:

Clause 8 Coastal Environment Area

- 2) *The management objectives for the coastal environment area are as follows:*
 - a) *to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity*
 - b) *to reduce threats to and improve the resilience of coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change*
 - c) *to maintain and improve water quality and estuary health*
 - d) *to support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons*
 - e) *to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place*
 - f) *to maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms*

The proposal being totally within the site and on private land, with all works above MHW, has no impact on items a), b), c). The proposal has no effect on the social values of the waterway with a new dwelling that is partially seen from the ocean. The proposal has no impact upon the ability for residents to partake in social and cultural values of the waterway.

The proposal has no impact to item e) as it is not fronting a beach or dunes.

The proposed development achieves the objectives of The Act.

State Environmental Planning Policy (Coastal Management) 2018

The SEPP mapping identifies the site as falling within the area assessable under the Coastal Management SEPP. The site is not shown within the *Coastal Use Map*, but is shown within the *Coastal Environment Area Map* (extract above).

For the purposes of assessment of this application, the relevant SEPP clauses are 13 with assessment below. Clauses 14 and 15 is not applicable as it relates only to the Coastal Environment area which the subject site is not within.

As the land is identified within the *Coastal Use Map*, the following applies:

13 Development on land within the coastal environment area

- 1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and*
 - b) *ecological environment,*
 - c) *coastal environmental values and natural coastal processes,*
 - d) *the water quality of the marine estate (within the meaning of the Marine Estate*
 - e) *Management Act 2014), in particular, the cumulative impacts of the proposed development*
 - f) *on any of the sensitive coastal lakes identified in Schedule 1,*
 - g) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands*
 - h) *and rock platforms,*
 - i) *existing public open space and safe access to and along the foreshore, beach, headland or*
 - j) *rock platform for members of the public, including persons with a disability,*
 - k) *Aboriginal cultural heritage, practices and places,*
 - l) *the use of the surf zone.*

The site is located within the coastal environment area. The proposal is to build a new dwelling within proximity of Dee Why Lagoon and the Pacific Ocean. The site is separated by multiple other sites and Pittwater Road from the coastal environment and does not adjoin the lagoon or ocean.

None of the works proposed will cause any adverse impacts to items a) to l) above as the works are wholly contained within the subject site and do not extend into the waterway. The proposed works to the existing dwelling, will create no greater visual impact on the coastal area than exists.

The proposed works being completely contained on private land, do not have an impact on public foreshore access, coastal processes or are within the vicinity of any known Aboriginal heritage sites.

- 2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that*
 - a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1),*
or
 - b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to*
minimise that impact, or
 - c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development is located entirely within the property boundaries on private land, and the works involve no material change to the pattern of housing along the southern escarpment of Collaroy within the setting to the Pacific Ocean. As such the proposed development does not result in any unacceptable impact to the processes of the ocean, public foreshore access, Aboriginal heritage or native vegetation.

Council can be satisfied that the proposed new dwelling on the site will achieve compliance with this clause of the SEPP.

5.0 CONCLUSION

The proposal to construct **a new dwelling and swimming pool** at 23 Lancaster Crescent, Collaroy, as submitted is permissible with the consent of Council. The development is consistent with the provisions of the Warringah LEP 2011 and responds to the relevant DCP controls and outcomes and provides assessment under the requirements of the Coastal SEPP.

The proposal is consistent with the zone objectives and will provide a positive contribution to the locality without any unacceptable adverse environmental effects.

The application is therefore suitable for approval.