



## **2 LINCOLN AVENUE COLLARROY**

### **STATEMENT OF ENVIRONMENTAL EFFECTS FOR A NEW DWELLING HOUSE**



Report prepared for  
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## 1.0 Introduction

- 1.1 This is a statement of environmental effects for the demolition of the existing dwelling and construction of a new dwelling at 2 Lincoln Avenue Collaroy.

The report describes how the application addresses and satisfies the objectives and standards of the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2000 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Survey
- ◆ Site visit
- ◆ DA Plans prepared by Sally Gardner Design and Draft
- ◆ Geotechnical Report

- 1.3 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and streetscape and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

## 2.0 The site and its locality

- 2.1 The site is located on the northern side of Lincoln Avenue in Collaroy, at its intersection with Lancaster Crescent.
- 2.2 It is an irregular shaped lot with a frontage of 18.29 metres, a rear boundary of 12.19 metres and side boundaries of 37.49 metres and 38.105 metres. The lot has an area of 538.5m<sup>2</sup>.
- 2.3 The site is currently occupied by a two storey brick dwelling with a tile roof. The site is set within a residential lot which falls from an RL of 66.5 at the rear to an RL of 63.5 on the Lincoln Avenue street frontage.
- 2.4 The site is surrounded by detached residential dwellings in all directions with Long Reef Beach located nearby. The site is also in close proximity to the retail and public transport services on Pittwater Road. Dwellings in the locality enjoy water views to the south across Dee Why Lagoon and the Pacific Ocean.



Figure 1. The site and it's immediate surrounds



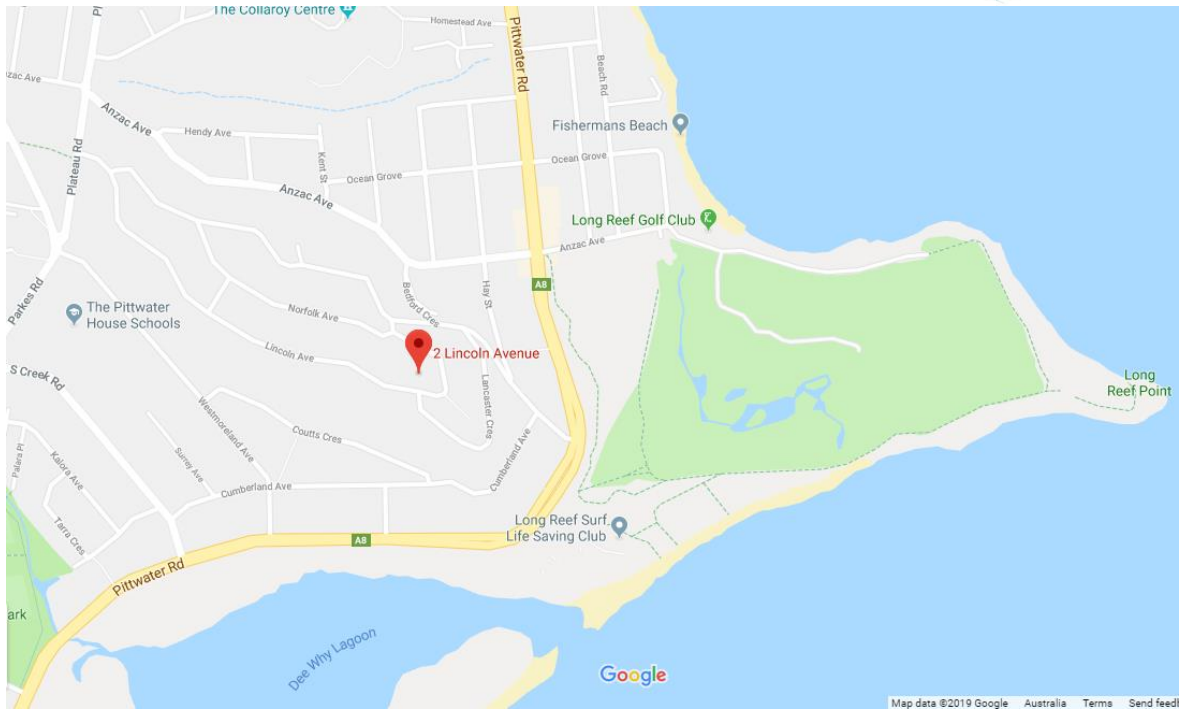


Figure 2. The site within the locality



Figure 3. Aerial photograph of the site and its immediate surrounds

### **3. Proposed Development**

3.1 It is proposed to demolish the existing dwelling and construct a new 3 storey, 5 bedroom dwelling on the subject site.

3.2 The proposed new dwelling remains consistent with the streetscape and the locality. The proposal is compliant with Council controls, ensures privacy, solar access and ensures views are maintained for both neighbours and the subject site.

3.3 The additions to the dwelling will be made up as follows:

#### **Driveway**

- New crossover and driveway

#### **Lower Ground Floor**

- Double garage and workshop
- Foyer
- Study
- WC
- Staircase
- Subfloor area

#### **Ground floor**

- Kitchen, Dining and Living Rooms
- Bedroom 4 with ensuite and dressing room
- Bedroom 5 / Media Room
- Laundry
- WC
- Staircase
- Balcony accessible from Bedroom 4 and Living Rooms
- Covered entertaining area at rear

#### **First floor**

- Bedroom 1 with ensuite and dressing room
- Bedrooms 2 and 3
- Family Room
- Bathroom
- Storage room
- Staircase
- Balcony accessible from Bed 1 and Family Room



Figure 4. The existing brick and tile dwelling view from Lincoln Avenue



Figure 5. Rear yard viewed from the northern boundary





Figure 6. View from the subject site looking south



## 5. Statutory Framework

### 5.1 Warringah Local Environment Plan 2011

#### Zoning

The site is zoned R2 pursuant to the provisions of the Warringah Local Environment Plan 2011. The proposed development is a permissible use in the R2 zone which permits dwelling houses with development consent.

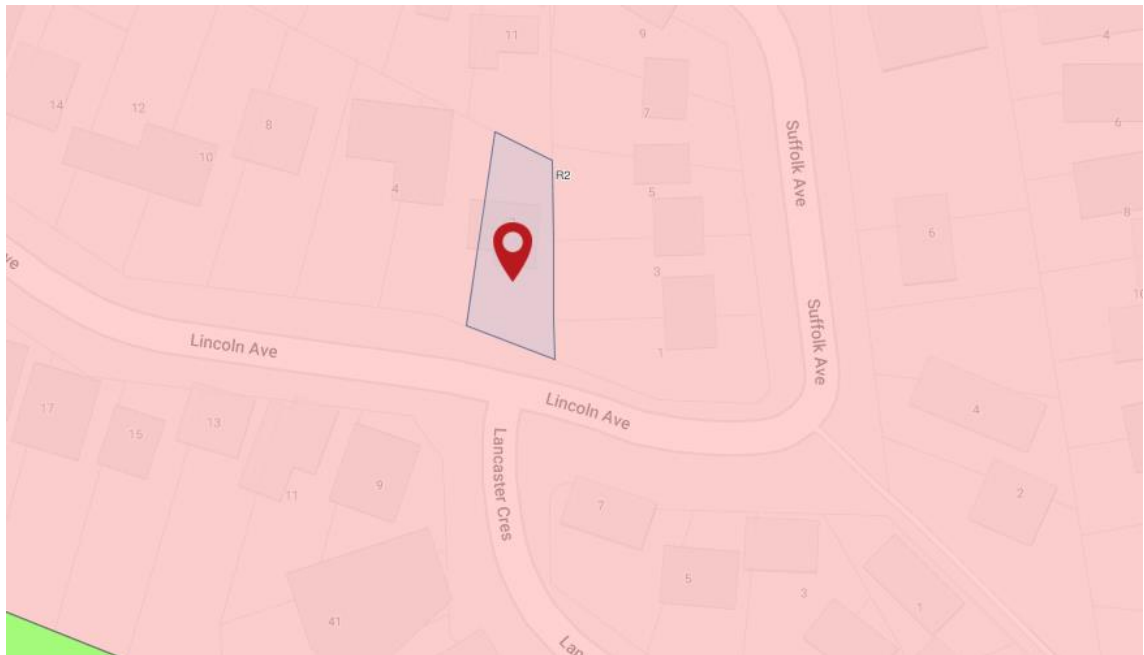


Figure 7. Extract from Warringah LEP zoning map

#### Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development complies with this requirement on all elevations.

#### Heritage

The site is not a heritage item, located within a heritage conservation area or located near any heritage items which will be impacted by the proposed development.

#### Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

#### Earthworks

Excavation and earthworks are proposed to allow for the lower ground floor garage, workshop, study and subfloor area. The cut proposed will be appropriately disposed of as detailed in the waste management plan, and drainage patterns will be unaffected by the works.

### **Development on Sloping Land**

The site is located in the area nominated on the LEP maps as Area D – Collaroy Plateau Area Flanking Slopes. A geotechnical report is provided in support of the proposal under separate cover.

## **5.2 Warringah Development Control Plan 2011**

The relevant sections of the Waringah DCP 2011 are addressed below.

### **5.2.1 Part B General Controls**

#### **Wall Heights**

A maximum wall height of 7.2 metres is permitted. The proposed development will result in a maximum wall height of 6.114metres on the northern elevation, 5.75 metres on the southern elevation, 6.981metres on the western elevation and 6.114metres on the eastern elevation which are all easily compliant with Council's DCP control.

The dwelling is broken up with the upper floor being set in for the most part, the inclusion of balconies and decks ensuring that the facades are of appropriate scale and interest.

#### **Side Building Envelope**

The site requires a side boundary envelope of 4m/45°. The proposed dwelling minimally breaches the envelope on the eastern and western sides of the site.

The minimal breach on the eastern side comprises a small portion of the upper parapet. On the western side the breach is only visible from the rear of the site and comprises predominately the parapet and a very small corner of Bedroom 2.

The proposed dwelling has been designed to sit within the provisions of the envelope with the small exception of the parapet and a portion of bedroom 2 which is an acceptable variation, and which will have no impact on neighbours due to building siting and the fall of the land.

The objectives of the envelope control are achieved with ample separation provided, solar access fully compliant and the overall bulk and scale of the development being appropriate within the streetscape.

#### **Side Boundary Setbacks**

The side setbacks of 900mm are permitted on the subject site. Both proposed side boundaries are easily compliant with required setbacks.

Side setback	Minimum Proposed
East	1.125 metres

West	1.75 metres
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#### **Front Setback**

A front setback of 6.5 metres is required on the site. The front setback of the proposed dwelling is compliant with the 6.5 metres minimum requirement.

#### **Rear Setback**

A rear setback of 6 metres is required on the site. The proposed rear boundary exceeds the minimum 6 metres required by the DCP, as illustrated on the attached site plan.

### **5.2.2**

#### **Part C Siting Factors**

##### **Traffic Access and safety**

It is proposed that the existing driveway crossover will be widened and a new driveway constructed, which comply with Council controls.

##### **Parking**

A new double garage is proposed which will increase the secure parking onsite to a compliant 2 spaces per dwelling. The garage is integrated into the house design and the proposed garage door is 5.93 metres wide, which represents 49% of the building width.

##### **Storm water**

The dwelling will be connected to Council's existing stormwater system.

##### **Excavation and Landfill**

Excavation works are proposed to allow for the lower ground floor garage, workshop, study and subfloor area. The maximum cut proposed is 2.506 metres at the rear subfloor. A cut of 1.715 metres is proposed at the double garage and 1.843 metres at the workshop. Reinforced concrete block retaining walls are proposed to stabilise the areas of cut, which will be constructed in accordance with engineering specifications.

A geotechnical report is provided in support of the proposal which demonstrates the proposed cut proposed will be appropriately disposed of as detailed in the waste management plan, and drainage patterns will be unaffected by the works.

##### **Demolition and Construction**

The existing dwelling is proposed to be demolished and replaced with a new dwelling. All demolition and construction works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

##### **Waste Management**

Appropriate waste management will be undertaken during the demolition and construction process.

All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

The new dwelling has appropriate waste storage areas, with waste to be collected by Councils regular service.

### 5.2.3 Part D Design

#### **Landscaping and Open space and bush land setting**

The DCP requires 40% landscaping on the site which is equivalent to 215.6m<sup>2</sup> for the site area of 539m<sup>2</sup>. The proposed development achieves a compliant landscaped area of 232m<sup>2</sup> or 43.08%.

#### **Private open space**

Private open space area in excess of 60m<sup>2</sup> is provided in the rear yard as required by the DCP.

#### **Noise**

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in close proximity to a noise generating activity.

#### **Access to sunlight**

The site has a north to rear orientation, which results in excellent solar access to the rear yard private open space as illustrated on the attached shadow diagrams.

Similarly, the impacts on the neighbours is appropriate and limited with a small loss of shadow to 4 Lincoln Avenue's front yard at 9am, which is gone by midday and a loss of afternoon sun for the neighbours to the east only at 3pm. These are reasonable and appropriate losses to be anticipated in an urban environment and compliant with Council's controls.

#### **Views**

In determining the extent of potential view loss to adjoining properties, the 4 planning principles outlined within land and Environment Court case of tenacity Consulting Pty Ltd V Warringah Council (2004) NSWLEC 140, are applied to the proposal.

A site inspection of the subject site has been taken. It is noted that the properties surrounding the site all have water views. Each of these is considered below.





**Figure 8: Aerial image of views**

Views are available over 90° – 180° area for the subject site and surrounding properties, due to the elevation of the site. We note that the properties immediately adjacent to the site (Lincoln Avenue and Suffolk Avenue) will retain significant views out the front of their dwellings towards the beach. If a small sections were to be lost, it would be a fraction of the existing view and not of great significance.

The dwellings to the north and east of the site including numbers 3, 5 and 11 Suffolk Avenue, have higher elevations and will retain the vast majority of their existing views. Should a small area of views be lost due to the new dwelling, it would be of minor significance, given that the majority of views will be retained.

Additionally No. 1 Suffolk is located immediately to the east of the site and 4 Lincoln is located immediately to the west of the subject site. These dwellings will both retain the views to the water (south/east), with the impacts of the new dwelling having a negligible impact and views over Lincoln Avenue retained to the greatest extent.

*The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured*

#### Comment

The views at 3, 5 and 11 Suffolk Avenue will be essentially unchanged with the key views retained due to their elevation. These views are 90° – 180° to the water and hinterland and will primarily remain.

Similarly views from 1 Suffolk and 4 Lincoln will be retained with the view across Lincoln Avenue to the water essentially unchanged.

*The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

#### Comment

The views from 3, 5, and 11 Suffolk Avenue impacted by the proposed development are from the rear and side of the dwellings, predominantly from the first floors. The views at 3, 5 and 11 Suffolk Avenue will be essentially unchanged with the key views retained due to their elevation. However we note that the key views from these properties are in the alternate direction to the front of their properties and away from the subject site.

Views from 1 Suffolk are from the rear and side of the dwelling and unaffected. Views from 4 Lincoln are from the front of the dwelling with the specific room unknown.

*The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

### Comment

View loss from number 3 Suffolk Avenue would be minimal hinterland view loss. View loss to the water would be nil.

View loss from number 5 Suffolk Avenue would be minimal and negligible, with the vast majority of the water views maintained to the north and east of their property as shown in the photograph below.

View loss is not anticipated for 1 Suffolk or 4 Lincoln Avenue.



**Figure 9: View from No. 5 Suffolk Avenue maintained to the north**

View loss from number 11 Suffolk Avenue, across the subject site to the south, would be minimal and negligible, with the vast majority of the water views maintained. This dwelling is a higher elevation and also comprises 3 stories. While the main view for this site is in the opposite direction, a large corridor for views is maintained between no 2 Lincoln Avenue and 1 Suffolk Avenue which will benefit the upper level window at this property.

*The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable."*

### **Comment**

The location of the surrounding properties is to the benefit of 2 Lincoln Avenue, as the key views from the neighbouring sites to the north and east are not over the subject site, but in the alternate direction to the north. The minor loss of views which may be created are their secondary views and not from key living areas. View loss would be limited and corridors retained. The overall view loss is not so great as to refuse the development. The design as proposed incorporates a compliant building height and setbacks and allows for the majority of water views to be retained and shared between the subject site and surrounding properties.

### **Privacy**

Privacy will be retained for neighbours with ample setbacks and no direct overlooking into any key living areas. The surrounding dwellings are at varying levels and there is significant existing landscaping including palms and hedging which aids in ensuring that privacy is maximised.

The upper level balconies are oriented towards Lincoln Avenue and the water views and will not overlook neighbours.

### **Building Bulk**

The proposed building incorporates articulation, balconies and parapet features to alleviate bulk. The building will be consistent with the streetscape and surrounding dwellings, with the overall impact being a modern, aesthetically pleasing and complimentary addition to Lincoln Avenue.

### **Building Colours and Materials**

The proposed new dwelling will be of brick construction with a colorbond roof. Natural colours to match the coastal surrounds are proposed as detailed on the plans.

### **Roofs**

The new dwelling roof design is a low line structure to ensure compliance with height and retention of views. Eaves are incorporated for shading and materials will be non-reflective.

### **Glare & Reflection**

Materials have been chosen to ensure no glare or reflection issues.

### **Site Facilities**

The proposed dwelling has appropriate waste, recycling areas and drying facilities.

### **Safety and Security**

An ability to view the street frontage is retained allowing for casual surveillance which is to the benefit of the safety and security.



### **Conservation of Energy and Water**

The design has achieved a BASIX Certificate which accompanies the application.

#### **5.2.4**

### **Part E Design**

### **Preservation of Trees or Bushland Vegetation**

No trees are to be removed or detrimentally impacted as a result of the proposed development which primarily sits within the envelope of the existing dwelling which is to be demolished.

### **Retaining unique Environmental Factors**

The development will have no impact on any unique environmental factors in the area.

### **Wildlife Corridors**

There will be no impact on any valued wildlife as a result of the proposed dwelling.

### **Landslip Risk**

A geotechnical report has been prepared in support of the application in its current form.

## 6. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

### **The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations**

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the zone.

### **6.1. The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality**

#### ***Context and Setting***

*What is the relationship to the region and local context in terms of:*

- the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement.

*What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed dwelling has been designed to complement the site and its surrounds. The dwelling is appropriate and will have negligible impact on adjacent properties.

## **6.2. Access, transport and traffic**

*Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:*

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

The new dwelling will increase onsite parking to comply with current controls. No conflict or issues will arise as a result of the proposed development.

## **6.3. Public domain**

The proposed development will have a positive impact on the public domain as the proposal is consistent with the character and streetscape of the residential area.

## **6.4. Utilities**

There will be no impact on the site, which is already serviced.

## **6.5. Flora and fauna**

There will be no impact.

## **6.6. Waste**

There will be no impact.

## **6.7. Natural hazards**

The site is affected by slip. A report has been provided by an expert with regard to the geotechnical aspects of the site and is supportive of the proposal subject to recommendations. This report accompanies the development application.

## **6.8. Economic impact in the locality**

There will be no impact, other than the possibility of a small amount of employment during construction.

## **6.9. Site design and internal design**

*Is the development design sensitive to environmental conditions and site attributes including:*

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed dwelling is highly appropriate to the site with regard to all of the above factors. The development fits well within the context of the surrounds and is an appropriate scale, well-suited to its residential surrounds.

*How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

## **6.10. Construction**

*What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

### **The suitability of the site for the development**

*Does the proposal fit in the locality?*

- *are the constraints posed by adjacent developments prohibitive?*



- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

*Are the site attributes conducive to development?*

The site is appropriate for the new dwelling proposed.

#### **Any submissions received in accordance with this Act or the regulations**

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

#### **The public interest**

It is considered that the proposal is in the public interest as it allows for appropriate use of an existing residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

## **7. Conclusions**

- 7.1 The proposed development for the demolition of the existing dwelling and construction of a new dwelling at 2 Lincoln Ave Collaroy is appropriate considering all State and Council controls.
- 7.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3 Considering all the issues, the fully compliant development is considered worthy of Council's consent.

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