

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

LOCATED AT

88 QUIRK STREET, DEE WHY

FOR

JUSTIN & TRUDY LOWRY



**Prepared
December 2024**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared by LKS Design & Drafting for Justin & Trudy Lowry, Project No. 2401, dated 16 January 2024, detailing the construction of alterations and additions including a new garage, workshop store and swimming pool at **88 Quirk Street, Dee Why**.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

Development Application No. 2021/0732 for alterations and additions to a dwelling house was approved by Council on 23 August 2021. The works subject of the application have been completed.

2.0 Property Description

The subject allotment is described as 88 Quirk Street, Dee Why, being Lot 4 within Deposited Plan 10683 and is zoned R2 Environmental Living under the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

The land is noted as being Landslip Area A & B and this issue will be discussed further within this submission. A preliminary geotechnical assessment has been prepared by White Geotechnical Group, Reference No. J5833 dated 17 December 2024 is submitted with this application.

No other hazards have been identified.

3.0 Site Description

The property has a dual frontage with a south facing primary frontage to Quirk Street and north facing secondary frontage to Bushey Place, with the site falling gradually towards the northern boundary.

The site is rectangular in shape, with a frontage to Quirk Street of 12.47m. The north-western and south-eastern side boundaries measure 57.86 (by title), 58.005m (by survey), 55.414 (by title), 55.57m (by survey) respectively. The rear boundary to Bushey Place measures 12.19m and the total site area is 692.2m².

The property has a general fall towards the northern boundary at Bushey Place, with stormwater dispersed within the site and subsequently to Bushey Place.

The site is currently developed with a two and three storey clad dwelling with a metal roof and attached double garage, accessed by a driveway from Quirk Street.

The details of the site are as indicated on the survey plan prepared by Bee & Lethbridge, Reference No. 21890A, dated 16 April 2024, which accompanies the DA submission.



Fig 1: Location of Subject Site
(Source: Google Maps)



Fig 2: View of subject site, looking south from Bushey Place



Fig 3: View of the adjoining sites to the east of the site, looking south-east from Bushey Place



Fig 4: View of the adjoining property (secondary dwelling adjoins Bushey Place) to the west at No 86 Quirk Street, looking south-west from Bushey Place



Fig 5: View of the location of the proposed garage/workshop/store building over the existing open parking area looking north-west



Fig 6: View of the location of the proposed swimming to be located forward of the existing lawn area, looking north-west



Fig 7: View of the existing rear yard and the location of the proposed swimming to be located forward of the existing lawn area, looking north



Fig 8: View of the existing rear yard and the location of the proposed swimming to be located forward of the existing lawn area, looking north-east



Fig 9: View of the existing rear yard pool to the adjoining site at No 86 Quirk Street, looking west

4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of residential dwellings and a range of detached outbuildings, of a variety of architectural styles.

The varying age of development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a consistent setback to the public domain.

The surrounding properties comprise a range of original style dwellings with an emergence of modern dwellings and additions. The surrounding dwellings comprise a mix of single and two storey dwellings over basement levels or elevated sub-floor areas as the sites slope towards the north.

The rear yards of the properties have generally been developed and provide for a range of outdoor recreation uses to meet the requirements of the property owners.



**Fig 10: Aerial view of locality
(Source: Google Maps)**

5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for additions and alterations to the existing dwelling.

Specifically, the new works comprise the following works:

- Proposed new double garage with workshop/storage and patio over
- New swimming pool and spa
- New landscaping

The proposal will not see any change to the existing dwelling, with the proposed new works provided within the Bushey Place frontage.

The construction of the proposed garage building will see some minor excavation of the toe of the existing small escarpment which traverses the site. An area of existing rock formation will remain undisturbed to the east of the pool and garage position.

The proposed pool will sit to the north of the existing lawn area and primarily over the garage and the pool itself will not require any substantial site disturbance.

The proposal will not require the removal of any significant vegetation, with the majority of the works over the existing disturbed areas. Two existing palm trees will be removed as a consequence of the works.

The development indices for the site are:

Site Area	692.2m²
Required Landscaped Area	40% or 276.88m ²
Existing Landscaped Area	38.09% or 263.71m ²
Proposed Landscaped Area (areas >2m)	36.67% or 253.83m ² (See DCP discussion)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

No significant or high value vegetation is proposed to be removed as part of the proposed development.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

Clause 4.6(1)(a) of SEPP (Resilience and Hazards) prescribes that the consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

The proposal is consistent with the provisions of Chapter 4 of this policy.

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

SEPP (Sustainable Buildings) 2022, commenced on 1 October 2023 and applies to the proposed development. In accordance with the provisions of the SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort, and energy efficiency requirements of the policy.

6.4 Warringah Local Environmental Plan 2011

The land is zoned R2 Low Density Residential under the provisions of the WLEP 2011.

The proposed alterations and additions to the existing dwelling are a permissible form of development within the R2 zone under the WLEP 2011.



Fig 11: Extract of Warringah Local Environmental Plan 2011

The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- *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.*

It is considered that the proposed alterations and additions to the existing dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality.

- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any impact on the existing landscaped area or long-distance views.

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

***building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

The building height limit for development in this portion of Dee Why is 8.5m. The proposed new balustrade to the patio over the garage provides for a height of up to 3.95m and therefore readily complies with this maximum height control.

The existing overall height of the dwelling remains unchanged

Clause 6.2 relates to earthworks.

The proposal is accompanied by a Geotechnical Investigation has been prepared by White Geotechnical Group, Report No. J5883, dated 17 December 2024, which concludes that the proposal meets Council's requirements subject to compliance with the recommendations contained within the report.

Additionally, the works will be carried out in accordance with the recommendations of a qualified structural engineer.

Clause 6.4 related to development on sloping land. The land has been identified on Councils Landslip Risk map as being within an Area A & B.

The Clause seeks to achieve the following objectives:

- *to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land,*
- *to ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land,*
- *to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.*

Accordingly, a Preliminary Geotechnical Investigation has been prepared by White Geotechnical Group, Report No. J5833, dated 17 December 2024.

The report concludes:

"The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice".

The proposal is therefore considered to satisfy the provisions of this clause.

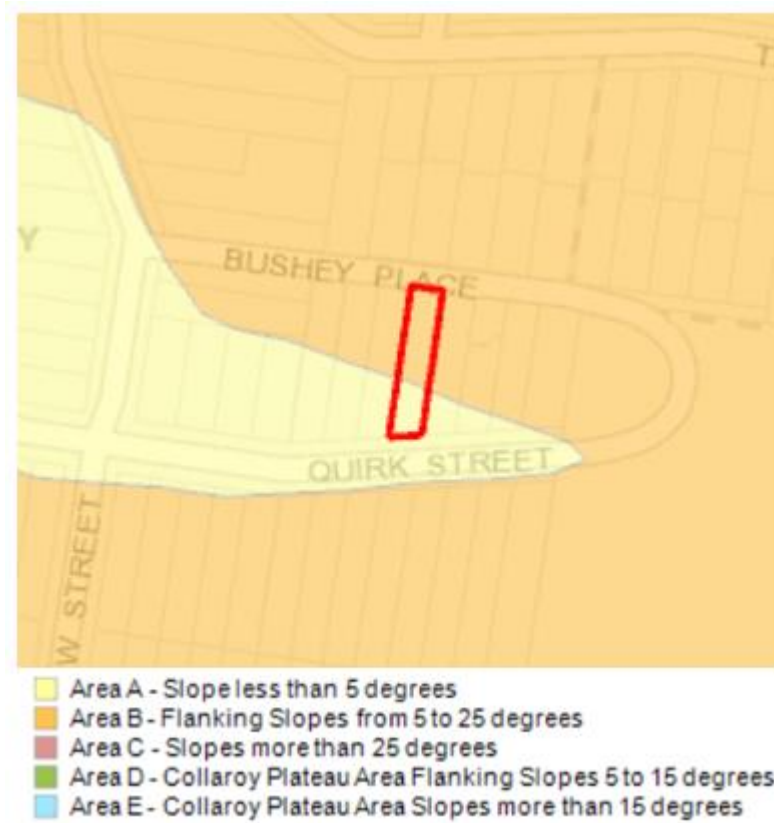


Fig 9: Extract of Warringah Local Environmental Plan 2011 Landslip Risk Map

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

6.5 Warringah Development Control Plan

The relevant numerical and performance-based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	The existing wall height of the dwelling will remain unchanged. The proposed wall height of the garage is up to 2.95m or 3.95m inclusive of the balustrade over the garage and readily complies with this control.	Yes
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	The existing dwelling will remain unchanged and will not see any change to the compliance of the development with the building envelope control. The proposed garage will readily comply with the building envelope control.	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	Minimum proposed eastern and western setbacks or new garage 3.945m and 0.900m, respectively.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A

<p>B7 – Front Boundary Setbacks</p>	<p>Minimum 6.5m</p> <p>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.</p>	<p>The subject site has two street frontages, and the works are therefore subject to a 3.5m setback.</p> <p>The proposed new garage will stand 2m from Bushey Place and therefore presents a minor variation to this control.</p> <p>It is not uncommon for development along Bushey Place to present a reduced setback to the street.</p> <p>The new ancillary works are modest in bulk and scale and will not be visually dominant when viewed within the Bushey Place streetscape, and the reduced setback is therefore considered acceptable on merit.</p>	<p>Yes – on merit</p>
<p>B8 – Merit assessment of front boundary setbacks</p>	<p>No requirement identified on map</p>		<p>N/A</p>
<p>B9 – Rear Boundary Setbacks</p>	<p>Min 6m rear setback</p>	<p>N/A – site has a secondary frontage to Bushey Place; therefore, no assessment of rear setback is required.</p>	<p>N/A</p>
<p>B10 – Merit Assessment of rear boundary setbacks</p>	<p>No requirement identified on map</p>		<p>N/A</p>
<p>B11 – Foreshore Building Setback</p>	<p>No requirement identified on map</p>		<p>N/A</p>
<p>B12 – National Parks Setback</p>	<p>No requirement identified on map</p>		<p>N/A</p>

B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A

Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council’s Vehicle Crossing Policy	The proposal will provide for a new crossing for suitable access to the new works.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposed new garage is integrated into the landform and utilises colours and finishes that complement existing surrounding development and the landscaped character of the locality. The proposed garage will not be visually dominant within the Bushey Place streetscape.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council’s Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	The proposed new roof areas will be connected to the existing stormwater system.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	The proposal is accompanied by sediment and erosion control measures as detailed with Sheet DA09.	Yes
C6 – Building over or adjacent to	All development on land containing or adjacent to or	N/A	N/A

<p>Constructed Council Drainage Easements</p>	<p>proposing to reconstruct/relocate a public drainage system, must comply with council's water management policy and building over or adjacent to constructed council drainage systems and easement technical specifications.</p> <p>Any council drainage line located within the property may require upgrading and easements created in favour of council over the drainage line at the applicant's expense.</p>		
<p>C7 – Excavation and Landfill</p>	<p>Site stability to be maintained</p>	<p>Excavation is required to provide for the new garage. The works will be carried out in accordance with the recommendations of the consulting Geotechnical and Structural Engineers.</p>	<p>Yes</p>
<p>C8 – Demolition and Construction</p>	<p>Waste management plan required</p>	<p>Waste management measures to be employed as deemed necessary.</p>	<p>Yes</p>
<p>C9 – Waste Management</p>	<p>Waste storage area to be provided</p>	<p>Bin storage available within garage.</p>	<p>Yes</p>

Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The proposal will see a minor reduction in the existing landscaping for the site from 38.09% to 36.6% as a consequence of the construction of the garage with workshop and storage and swimming pool.</p> <p>Whilst the garages largely locate our existing disturbed area, some elements of rock surface will be removed which would be located behind the garage and do not visually contribute to any soft appearances for viewed from the public areas.</p> <p>Given the structures will achieve an increase in recreational opportunity and the provision for further parking off street, which will assist in easing on street parking demand in the area for the requirements of the family, the proposal is considered to still maintain suitable soft areas and the opportune for further screening planting is required, to visually soften the building.</p>	Yes

		The extent of the proposed built footprint within the property is compatible with that of the surrounding properties and the proposal is considered to be acceptable on merit.	
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	The proposal maintains a suitable area of private open space directly accessible from the dwelling, which will be enhanced through the introduction of the proposed swimming pool and landscaping.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	No new mechanical equipment is proposed, with the exception of the pool which will be contained within the workshop storage area and therefore should suitably mitigate any issues with the potential noise to the surrounding properties.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	The site enjoys good access to northern sun to the northern yard.	Yes

D6 – Access to sunlight	This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.	The site benefits from a north-south orientation; therefore, achieves excellent solar access to the principal living areas and areas of outdoor primary open space within the subject site. The proposal provides for a modest single storey development which will not result in any adverse solar impacts for neighbouring properties.	Yes
D7 – Views	View sharing to be maintained	<p>The controls require that development should enable the reasonable sharing of views. The works see alterations and additions to the existing dwelling comprising a new garage with patio over, swimming pool and spa and associated landscaping.</p> <p>The new works are modest in bulk and scale and will not result in any unreasonable loss of views for neighbouring properties.</p>	Yes
D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties	The new garage roof patio provides suitable separation from neighbouring properties, therefore ensuring adjoining properties are not unreasonably overlooked and will not reduce the privacy	Yes

		enjoyed by the neighbours.	
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces	The existing dwelling will remain unchanged. The proposed new garage is modest in bulk and scale, and will not be visually dominant within the streetscape.	Yes
D10 – Building Colours and materials		The proposed new works will be finished in colours which complement the existing development on site and the locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	Existing roofing remains unchanged.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The existing external finishes and colours will be retained and the proposed new finishes will complement the existing dwelling. No significant glare impacts will result from proposed new works.	Yes
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street. Landscaping to be provided to reduce the view of the site facilities	Bin storage area is available in the garage or surrounding the dwelling. The mailbox is to be designed with minimal visual impact.	Yes

D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Proposed pool provided within secondary frontage.	Yes
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from the dwelling to the street over and through the front landscaped area.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	A BASIX Certificate is provided to support the development	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	N/A

Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	No significant protected trees are affected by the works.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area A & B.	The proposal is accompanied by a Geotechnical Investigation prepared by White Geotechnical Group, Report No. J5883 dated 17 December 2024, which concludes that the proposal meets Council’s requirements subject to compliance with the recommendations contained within the report.	Yes
E11 – Flood Prone Land	Not identified on map		N/A

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

7.2 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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Warringah Development Control Plan 2011.

The application has been prepared having regard to the requirements of Part A, Part B, Part C, Part D and Part E of the Warringah DCP 2011.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for proposed construction of alterations and additions to an existing dwelling, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's WLEP 2011 and Council's Codes and Policies, in particular the Warringah DCP 2011.

7.7 The suitability of the site for the development

The subject land is currently zoned R2 Low Density Residential under the Warringah Local Environmental Plan 2011 and is considered suitable for the proposed development.

7.8 Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the construction of alterations and additions to existing dwelling, which respect and complements the site's location.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbour's amenity and by complementing the existing style and character of the surrounding locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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