

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR

PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

LOCATED AT

11 LYLY ROAD, ALLAMBIE HEIGHTS

FOR

DAVID GUZZO



**Prepared
March 2022**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of David Guzzo by Sammy Fedele Architectural Drafting Services, Job Number 20/19, Sheets DA01 – DA14 dated 18 November 2021 detailing the proposed construction of alterations and additions to an existing dwelling at **11 Lyly Road, Allambie Heights**.

The site was previously the subject of a Development Application submission – DA2021/1348 which was withdrawn following concerns raised by Council during the assessment.

The revised architectural submission responds to the issues raised by Council and subsequent matters raised by Council's Building Compliance Officer.

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 (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as 11 Lyly Road, Allambie Heights, being Lot A within Deposited Plan 22132 and is zoned R2 Low Density Residential within the provisions of 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 B, with no other hazards identified. A Geotechnical Investigation has been prepared by White Geotechnical Group, Report No. J2967B, dated 21 March 2022 and is discussed further within this submission.

3.0 Site Description

The property is a regular shaped allotment located on the eastern side of Lyly Road. The site falls to the rear, eastern boundary, with a total fall of approximately 6.1m over its length. The site is rectangular in shape with a width of 20.15m and a depth of up to 40.235m. The land has a total site area of 798m².

Stormwater from the site is directed to the rear of the site to an existing stormwater drainage reserve adjoining the site.

The site is currently developed with a one and two storey rendered dwelling with a tile roof. Vehicular access is available via a concrete driveway from Lyly Road to a hardstand parking area. The site has no existing formal off-street parking.

The details of the site are as indicated on the survey plan prepared by Teca Management Pty Ltd, Reference No. 4515, dated 13 July 2021, which accompanies the DA submission.



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



Fig 2: View of the subject dwelling and driveway access to the site, looking north-east from Lyly Road



Fig 3: View of the adjoining development to the north at No 13 Lyly Road looking east



Fig 4: View of the existing front yard conditions, looking north-east



Fig 5: View of the location of the proposed carport, looking east



Fig 6: View of the rear elevation of the dwelling, looking west



Fig 7: View of the adjoining southern neighbour, looking south-west

4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of single detached dwellings and associated ancillary structures such as garages and swimming pools.

Located to the north is an educational establishment and a learn to swim centre, while further to the north is Northern Beaches TAFE campus. Located to the west is “Gumbooya Reserve”.

The sites immediately to the north and south comprise similar two storey dwellings.

The site and its surrounds are depicted in the following aerial photograph:



Fig 8: Aerial view of locality
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks consent for alterations and additions to the existing ground floor level, together with the use of a portion of the dwelling for a secondary dwelling, together with the inclusion of a double carport over a proposed elevated car stand within the front setback.

The proposed works comprise:

Ground Floor

- Alterations and additions to existing ground floor level to provide for a roof cover to the existing covered balcony which will be extended with a new deck with roof over
- Infill of an existing void adjacent to the kitchen area and use as new living room
- Inclusion of a secondary dwelling comprising two bedrooms, living and dining room

External Works

- New double carport; and
- New driveway and layback
- Use of an existing pond as a sandpit

The proposed external finishes of the new works will comprise similar finishes to the existing dwelling. The new roof areas will be provided with colourbond sheet roofing which will complement the finishes of the existing dwelling.

The overall height of the dwelling will be unchanged.

The collected roofwaters have been directed to the drainage easement adjacent to the northern boundary of the site to address previous concerns raised by Council.

The proposal results in the following development indices:

Site Area:	798m ²
Required Landscaped Area:	40% or 319.2m ²
Existing Landscaped Area:	40.72% or 325m ²
Proposed Landscaped Area:	45.4% or 363m ²

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 – Remediation of Land and in particular Clause 4.6 suggests that a 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.

6.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal meets water, thermal and energy standards required by BASIX. A BASIX certificate has been submitted with the development application.

6.3 Warringah Local Environmental Plan 2011

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

The proposed works to the dwelling are permissible in the R2 zone.

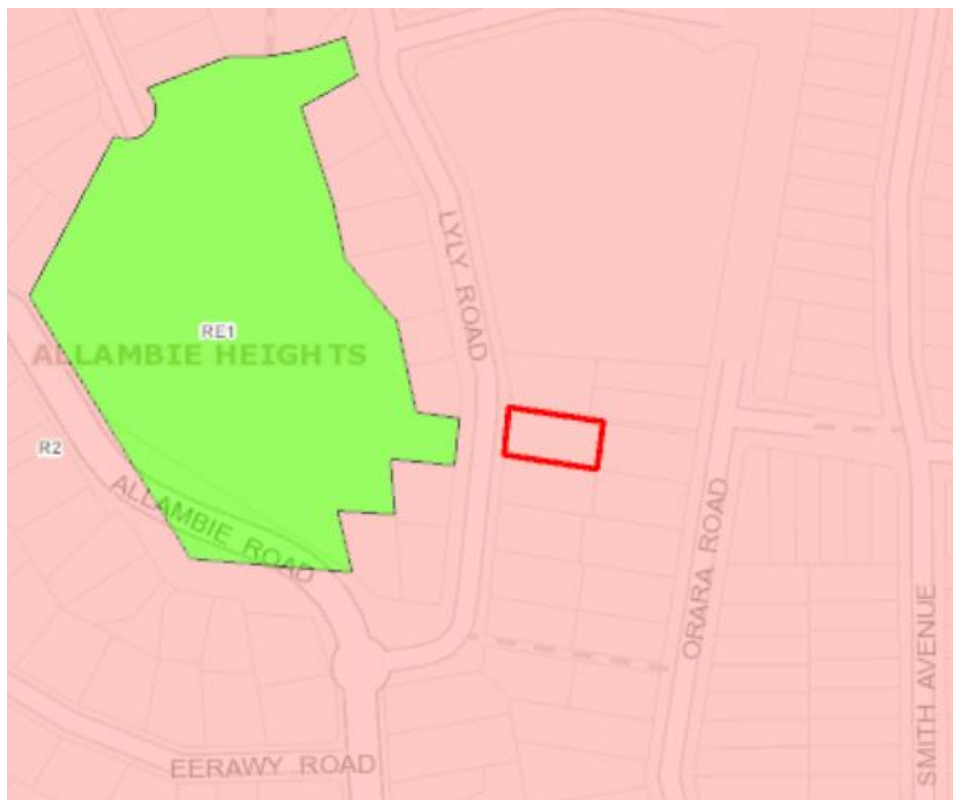


Fig 9: Extract of Warringah Local Environmental Plan 2011

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 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 will see an increase in the available landscaped area and will not unreasonably affect long distance views for the surrounding properties.

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 Allambie Heights is 8.5m. The works are located over the existing dwelling and will not see any change to the overall height of the building. The new works are up to a maximum height of 5.91m above ground level (existing) and therefore comply with Council's maximum building height.

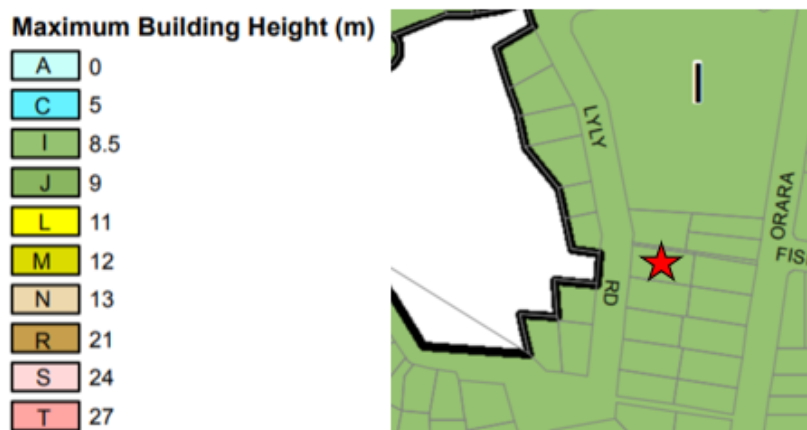


Fig 10: Extract of Warringah Local Environmental Plan 2011 Height of Building Map

Clause 6.2 relates to earthworks.

The proposal is accompanied by a Preliminary Geotechnical Assessment prepared by White Geotechnical Group, Reference No. J2967B, dated 21 March 2022, 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 relates to development on sloping land. The site is noted on Council's Landslip Risk Map as being within Area B.

Accordingly, a Preliminary Geotechnical Assessment has been prepared by White Geotechnical Consulting, Reference No. J2967B, dated 21 March 2022. The report concludes that the proposal meets Council's requirements subject to compliance with the recommendations contained within the report. The proposal is therefore considered to satisfy the provisions of this clause.

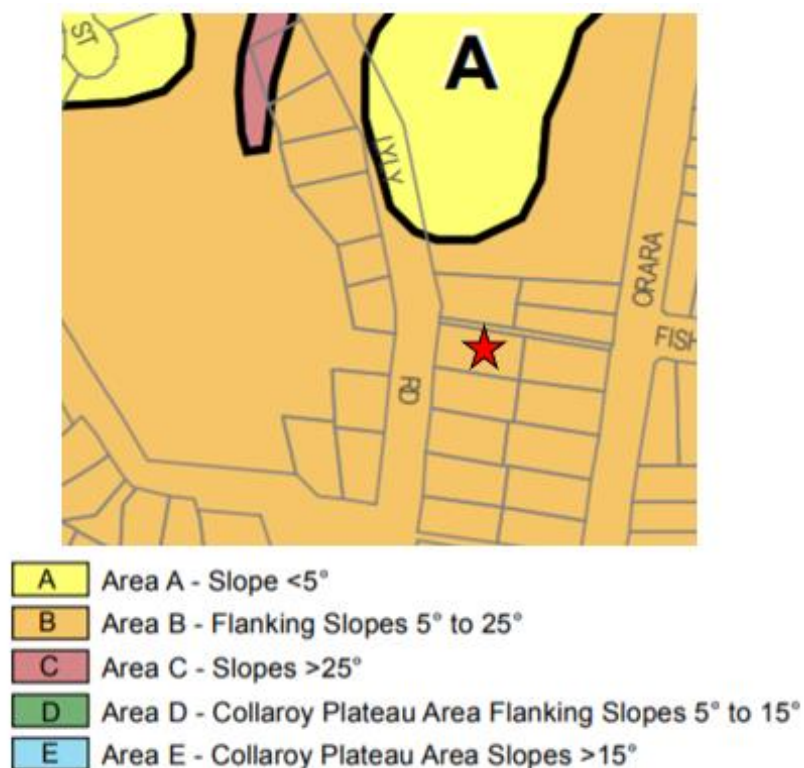


Fig 11: Extract of Warringah Local Environmental Plan 2011 Landslip Risk Map

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.

6.4 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 heights are maintained. Any new works comfortably comply with the 7.2m wall height 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	As noted in the submitted elevations, the proposal will not present any breach to the building envelope control.	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	<p>Carport: North – >0.9m South – 2.488m</p> <p>Dwelling: North – Existing setbacks maintained South – Existing setbacks maintained</p> <p>The proposed new works exceed Council's minimum setback control.</p>	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>The proposal includes a new carport structure which stands 1.004m of the front western boundary.</p> <p>The existing dwelling and slope of the site make providing a compliant front setback impracticable. Notwithstanding, the proposed carport is considered to satisfy the objectives of the clause.</p> <p>The proposal will provide for an open-style, light weight structure which will create a sense of openness. The carport will not be present any unreasonable bulk and scale to the streetscape, maintaining the existing character and visual quality of the streetscape. The open design of the carport will allow for any existing views to be maintained through the structure.</p> <p>It is noted that the existing site does not provide for any formal off-street parking. Therefore, the proposal intends to create a safe and convenient parking arrangement by providing opportunity</p>	<p>Yes</p>
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		<p>for vehicles to be parked on-site.</p> <p>In light of the above, it is considered that the proposal is reasonable within the context of the site and should be supported on merit.</p>	
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9 – Rear Boundary Setbacks	<p>Min 6m rear setback</p> <p>R2 Zoned land swimming pool not to exceed 50% of rear setback area.</p>	The proposed deck extension will be sited 13.503m from the eastern rear boundary, and therefore comply with Council's requirements.	<p>Yes</p> <p>N/A</p>
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
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 existing vehicle crossing will be upgraded. It will be designed and constructed in accordance with Council's Vehicle Crossing Policy.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal includes a new double carport which will provide for covered off street parking for the owner's requirements. It will be designed in accordance with AS/NZS 2890.1 and not dominate the façade.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	Existing stormwater directed to an existing easement to the rear of the site. The proposal will see stormwater directed to the existing easement.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	The proposal will provide for sediment and erosion control during the construction period.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained	There will be no significant excavation or landfill required for the proposed works. All works will be undertaken in accordance with the recommendations of the Consulting Geotechnical and	Yes

		Structural Engineers and will therefore satisfy the provisions of this clause.	
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes
C9 – Waste Management	Waste storage area to be provided	Bin storage provided adjacent to garage	Yes
Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The proposal will see the removal of a portion of the front hedge to accommodate the new driveway and carport. Other than this, the proposal largely retains the existing vegetation. In addition to this, the proposal intends to removal an existing pebble pathway to the rear and front of the dwelling, increasing the landscaped area to a total 42.1% or 336m².</p> <p>The development within the site will continue to achieve the Objectives of the controls, which are noted as:</p> <p>Objectives</p> <ul style="list-style-type: none"> • To enable planting to maintain and enhance the streetscape. • To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife. • To provide for landscaped open space 	Yes

		<p><i>with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.</i></p> <ul style="list-style-type: none"> <i>• To enhance privacy between buildings.</i> <i>• To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.</i> <i>• To provide space for service functions, including clothes drying.</i> <i>• To facilitate water management, including on-site detention and infiltration of stormwater.</i> <p>The proposal will provide for sufficient area for the private open space and recreational requirements of the owners, and as previously noted, will not see the removal of any significant vegetation.</p>	
D2 – Private Open Space	<p>Dwelling houses with three or more bedrooms</p> <p>Min 60m² with min dimension 5m</p>	<p>The existing private open space is maintained, in addition to the extended rear balcony which will provide for greater private open space that is conveniently</p>	Yes

		located adjacent to the principal living areas of the dwelling.	
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Given the residential nature of the proposal, no noise impacts are anticipated.	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 front and rear yards.	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.	As noted in the submitted Shadow Diagrams (Sheet No's DA10 – DA12), the internal and external living areas of neighbouring properties will continue to receive suitable solar access. Sheet DA12 provides elevational shadow diagrams, which demonstrate solar access is reasonably to the north facing, first floor windows to the southern property.	Yes
D7 – Views	View sharing to be maintained	The controls require that development should enable the reasonable sharing of views. The works see alterations and	Yes

		<p>additions to the existing dwelling.</p> <p>The subject site and neighbouring properties enjoy district views to the east.</p> <p>The modest roof height and low profile roof form of the new works will ensure that the primary outlook for the surrounding properties is not unreasonably diminished.</p>	
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 proposal maintains the primary living areas on the ground floor level. The new ground floor addition is sufficiently separated from the adjacent dwellings to the north and south with compliant setbacks, while window openings are strategically located to minimise any opportunity for direct overlooking. The proposal is not considered to result in any adverse privacy impacts to neighbouring properties.	Yes
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	The existing surrounding development comprises a mix of one and two storey dwellings. The form of the proposed development is modest	Yes

	visually dominate the street or surrounding spaces	in height and scale, with the works sited over the dwelling, and will not visually dominate Lyly Road.	
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.	The proposed additions provide for a low-pitched skillion roof extension that does not dominate the skyline. Further the roof minimises bulk and scale and maximises view retention to adjoining properties.	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
D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street	N/A – no new front fencing proposed	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the	Bin storage area is available adjacent to the dwelling. The existing mailbox is to be maintained.	Yes

	view of the site facilities		
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	The existing side and rear fencing will be maintained.	N/A
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.	N/A – no swimming pool is proposed	N/A
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 and carport.	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.	No signage proposed	N/A

	Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.		
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.	Accordingly, a Preliminary Geotechnical Assessment prepared by White Geotechnical Group, Reference No. J2967B, dated 21 March 2022, 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. It is considered that the provisions of these environmental planning instruments 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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

It is not considered that there are any draft environmental planning instruments applying to the site.

7.3 Any development control plan

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

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.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site which will make a positive contribution to the area.

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

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 the proposed construction of alterations and additions to an existing dwelling, which have been located and designed to appropriately minimise impacts on the amenity of adjoining properties and are compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard for the relevant provisions of the SEPP,

Council's LEP and DCP.

7.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

The proposal will provide for the construction of alterations and additions to an existing dwelling.

It is suggested that the proposal will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

7.8 Any submissions made in accordance with this Act or the regulations

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

7.9 The public interest

The proposal will not impact upon the environment or the character of the locality and the considered location of habitable room windows and decks will mitigate any unreasonable visual impacts on 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 proposed construction of alterations and additions to an existing dwelling including a new carport, which respects and complements the site's location.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By careful and considered designed to ensure that the proposal is within the existing building footprint and respecting Council's key design controls and 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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