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**KEEPPLAN**

PLANNING & DEVELOPMENT SERVICES

**STATEMENT OF ENVIRONMENTAL EFFECTS REPORT****DEMOLITION OF EXISTING DWELLING CONSTRUCTION OF NEW TWO STOREY DWELLING**

39 Inglebar Avenue, Allambie Heights

**KEEPLAN**

Planning and Development Services  
Trading as KEEPLAN Pty Ltd

8 Mortain Avenue  
Allambie Heights NSW 2100  
Telephone: 0418 431 897  
Email: keeplan@bigpond.com

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## 1.0 INTRODUCTION

*KEEPLAN*, Planning and Development Services has been engaged by G J Gardner Homes (Brookvale) to prepare a Statement of Environmental Effects Report (SEE) in support of a development application which seeks consent for the demolition of an existing dwelling and construction of a new two (2) storey dwelling on a site located at No.39 Inglebar Avenue, Allambie Heights. The existing secondary dwelling on site is proposed to be retained.

The site is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011(WLEP 2011) and the proposed dwelling is permissible with consent as detailed in Section 4.3 of this report.

The dwelling is also generally consistent with the relevant controls of Warringah Development Control Plan 2011 with the exception of a minor variation to the 45 degree building envelope control under Part B3 as detailed in Section 4.4 of this report.

The report is intended to assist Northern Beaches Council in its assessment of the Development Application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations;
- Consideration of relevant environmental effects;
- S4.15-Matters for Consideration under EP & A Act

The report should be read in conjunction with the following supporting material:

- Architectural Plans prepared by KJR Drafting;
- BASIX Certificate prepared by KJR Drafting;
- Stormwater Drainage Plan prepared by Nastasi and Associates; and

## 2.0 SITE DETAILS

The following details of the site's physical and locational characteristics are provided to assist Council in the assessment of the Development Application.

### 2.1 Site Location

The subject land is located at 39 Inglebar Avenue, Allambie Heights as identified in Figure 1.



Figure 1-Site Locality Plan

### 2.2 Site Description

The subject land is described as Lot 6 DP 246804.

The site is a rectangular shaped lot with an area of 864m<sup>2</sup> which has a frontage of 18.29m to Inglebar Avenue and a depth of 47.2m.

The site is currently occupied by a two storey clad construction dwelling with tile roof which is proposed to be demolished and a secondary dwelling which is proposed to be retained.

The site has a gently slope of approximately 3m from the rear boundary towards the front boundary and comprises maintained lawns.

Figure 2 provides an aerial depiction of the site.



Figure 2-Aerial view of site

### 2.3 Site Context

This site is located within a low density residential area of Allambie Heights comprising a mixture of established single storey detached dwellings on similar sized lots to the subject site. More recent developments comprise larger two storey dwellings of contemporary appearance.



### 3.0 PROPOSED DEVELOPMENT

The development application seeks consent for the demolition of an existing dwelling and construction of a new two (2) storey dwelling on a property located at 39 Inglebar Avenue, Allambie Heights. The site plan of the proposed dwelling is contained in Figure 3.

The proposed dwelling comprises the following floor layout:

**Ground Floor:** Entry/foyer, open family, dining and kitchen room, pantry, lounge room, office, laundry, bathroom, double garage and rear alfresco

**First Floor:** Four (4) bedrooms, including master bedroom with ensuite and WIR, activity room, bathroom and front balcony

The dwelling is proposed to have a primary front setback of 6.6m to the garage, 1.6m to northern side boundary, variable southern boundary setbacks of 2.4m, 3.1m and 4.3m and 6.97m to the rear boundary from the alfresco.

The dwelling is proposed to be constructed of rendered brick walls on the ground level and timber cladded wall materials on the upper first floor level. The roof is a contemporary skillion metal colorbond design.

The proposal provides for stormwater disposal in accordance with the Stormwater Concept Plan prepared by Nastasi and Associates which provides for all collected stormwater being discharged towards the front of the site towards the public drainage system.

The proposal provides for a new driveway.

The proposal does not require the removal of any significant vegetation.



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## 4.0 PLANNING CONSIDERATIONS

### 4.1 State Environmental Planning Policy No.55-Remediation of Land (SEPP 55)

Pursuant to Clause 7 of SEPP 55, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state, or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

The site displays no evidence of contamination and is suitable for its continued low density residential use. On this basis, the proposal is consistent with relevant objectives and matters for consideration under SEPP 55.

### 4.2 State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004

A BASIX Certificate is submitted with the development application. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal.

### 4.3 Warringah Local Environmental Plan 2011 (WLEP 2011)

The subject land is zoned R2 Low Density Residential under the provisions of Warringah LEP 2011 and the proposal is permissible with the consent of Council. An assessment of the proposal with relevant clauses of WLEP 2011 is addressed below in Table 1.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011		
Clause	Comment	Compliance
<b>1.0-PRELIMINARY</b>		
<b>1.2 Aims of Plan</b>	Proposal consistent with aims of the plan.	Yes
<b>2.0-PERMITTED OR PROHIBITED DEVELOPMENT</b>		
<b>2.1 Land use Zones</b>	The site is zoned R2 Low Density Residential.	Yes
<b>2.3 Zone Objectives</b>	<b>R2 Low Density Residential zone</b> <ul style="list-style-type: none"> <li><i>To provide for the housing needs of the community within a low density residential environment.</i></li> <li><i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li> </ul>	Yes

<b>2.3 Zone Objectives</b>	<ul style="list-style-type: none"> <li>To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.</li> </ul> <p>The proposal represents a single detached dwelling with existing secondary dwelling which is a permissible use that is consistent with the objectives of the R2 Low Density Residential zone.</p>	Yes
<b>4.0-PRINCIPAL DEVELOPMENT STANDARDS</b>		
<b>4.3 Height of Buildings</b> 8.5m	<8.5m	Yes
<b>4.4 Floor Space ratio</b>	Not adopted.	N/A
<b>5.0-MISCELLANEOUS PROVISIONS</b>		
<b>5.9 Preservation of trees and vegetation</b>	The proposal does not necessitate removal of any significant trees or vegetation.	Yes
<b>5.10 Heritage Conservation</b>	The site does not contain any European heritage items and nor is it in the vicinity of surrounding heritage items or in a heritage conservation area.	Yes
<b>6.0-ADDITIONAL LOCAL PROVISIONS</b>		
<b>6.1 Acid Sulfate Soils</b>	The site is not mapped with high acid sulfate soils.	Yes
<b>6.2 Earthworks</b>	The proposal involves limited earthworks.	Yes
<b>6.3 Flood Planning</b>	The site is not mapped as flood prone land.	Yes
<b>6.4 Development on sloping land</b>	The site is mapped in Area A with less than 5 degree slope with no landslip risk.	Yes
<b>6.5 Coastline Hazards</b>	The site is not mapped with coastline hazard	Yes

Table 1-Warringah LEP 2011

#### 4.4 Warringah Development Control Plan 2011 (WDCP 2011)

The subdivision has been designed in accordance with Warringah Development Control Plan 2011. A compliance table of relevant controls under Warringah DCP 2011 is contained in Table 2 below.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROLS	REQUIRED	PROVIDED	COMPLIANCE
<b>PART B –BUILT FORM CONTROLS</b>			
<b>B1 Wall Heights</b>	7.2m	5.59m	Yes
<b>B2 No of</b>	Not applicable	Not applicable	Not

Stories			applicable
<b>B3 Side Boundary envelope</b>	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment.	Minor encroachment occurs on front north eastern corner of dwelling.	<b>Minor Variation</b>
<b>B4 Site Coverage</b>	33.3% - the total building footprint(s) must not cover more than 33.3% of the site area	N/A	N/A
<b>B5 Side Boundary setbacks</b>	0.9m	North-4.9m & 5.79m South-1.5m & 3.4m	Yes
<b>B6 Merit assessment of side boundary setbacks</b>	N/A	N/A	N/A
<b>B7 Front Boundary setbacks</b>	6.5m	7.79m	Yes
<b>B8 Merit assessment of front boundary setbacks</b>	N/A	N/A	N/A
<b>B9 Rear boundary setback</b>	6.0m	>6.0m	Yes
<b>B10 Merit assessment of rear setbacks</b>	N/A	N/A	N/A
<b>B11 Foreshore Building Setback</b>	N/A	N/A	N/A
<b>B12 National Parks Setback</b>	N/A	N/A	N/A
<b>B13 Coastal Cliffs setback</b>	N/A	N/A	N/A
<b>B14 Main Roads Setback</b>	N/A	N/A	N/A
<b>B15 Minimum floor to ceiling height</b>	N/A	N/A	N/A
<b>PART C-SITING FACTORS</b>			
<b>C2 Traffic, access &amp;</b>	Vehicle crossing to be provided in accordance	New driveway crossing to be	Yes

<b>safety</b>	with Council's vehicle crossing policy.	provided in accordance with Council controls.	
<b>C3 Parking Facilities</b>	Garages not to visually dominate façade. Parking to be in accordance with AS/NZS 2890.1.	The garage is well integrated into the dwelling front façade.	Yes
<b>C4 Stormwater</b>	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	The proposal is supported by a detailed stormwater design plan prepared by Nastassi & Associates which provides for all collected stormwater to discharge to the front of the site.	Yes
<b>C5 Erosion &amp; Sedimentation</b>	Soil & water management plan required	A Soil Erosion Management Plan is submitted in support of the proposal.	Yes
<b>C6 Building over or adjacent to constructed Council drainage easements</b>	N/A	N/A	N/A
<b>C7 Excavation &amp; landfill</b>	Site stability to be maintained	The dwelling is stepped to minimise excavation works and maintain site stability.	Yes
<b>C8 Demolition &amp; construction</b>	Waste Management Plan required.	Waste Management Plan provided.	Yes
<b>C9 Waste Management</b>	Waste storage area to be provided.	There is sufficient area on site for waste and recycling bins behind the building line.	Yes
<b>PART D-DESIGN</b>			
<b>D1 Landscaped open space &amp; bushland</b>	Minimum 40% landscaped area required.	Proposal provides for a landscaped area in excess of 40%.	Yes
<b>D2-Private</b>	Dwelling houses with	Proposed dwelling	Yes

<b>Open Space</b>	three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	provides for greater than 60m <sup>2</sup> of private open space. The open space is directly accessible from the living rooms.	
<b>D3 Noise</b>	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements.	N/A	N/A
<b>D4 Electromagnetic radiation</b>	N/A	N/A	N/A
<b>D5 Orientation and Energy Efficiency</b>	Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements.	The proposed dwelling will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.	Yes
<b>D6 – Access to sunlight</b>	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	The proposal provides for a new two storey dwelling on a north/south orientated allotment. Given the orientation and considered design the proposal and adjoining properties maintain at least 3 hours of solar access to private open space and north facing windows on the winter solstice.	Yes
<b>D7 Views</b>	View Sharing to be maintained	The proposed dwelling will not result in any obstruction of views that surrounding properties benefit from.	Yes



<b>D8 Privacy</b>	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	The proposal has been designed to limit visual privacy impacts via minimising overlooking opportunities towards adjoining properties.	Yes
<b>D9 Building Bulk</b>	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	The proposal provides for a two storey dwelling that is compatible with the existing surrounding development. The dwelling is well articulated through the use of varied setbacks and balcony/porches. The proposal provides for appropriate setbacks to the side boundaries to ensure appropriate visual separation.	Yes
<b>D10 Building Colours and materials</b>	External finishes and colours sympathetic to the natural and built environment.	External finishes selected to be compatible with the existing surrounding development and the natural environment.	Yes
<b>D11 Roofs</b>	The LEP requires that roofs should not dominate the local skyline.	The proposal provides for a modern contemporary roof form which is compatible with the variety of roof forms in the locality.	Yes
<b>D12 Glare &amp; Reflection</b>	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	The proposal will not result in unreasonable glare or reflection.	Yes
<b>D13 - Front Fences and Front Walls</b>	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to	N/A	N/A

	encroach onto street.		
<b>D14 – Site Facilities</b>	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.	No adverse visual impacts.	Yes
<b>D15 – Side and Rear Fences</b>	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Fencing will comply with 1.8 maximum height requirements.	Yes
<b>D16 Swimming Pools and Spa Pools</b>	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.	No pool proposed.	N/A
<b>D17 Tennis Courts</b>	N/A	N/A	N/A
<b>D18 Accessibility</b>	Safe and secure access for persons with a disability to be provided where required.	Safe and secure access for persons with a disability to be provided where required.	
<b>D19 – Site Consolidation in the R3 and IN1 Zone</b>	N/A	N/A	N/A
<b>D20 – Safety and Security</b>	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The dwelling will provide a good outlook of dwelling approach and street.	Yes
<b>D21 – Provision and Location of Utility Services</b>	Utility services to be provided.	Existing facilities on site.	Yes
<b>D22 – Conservation of Energy and Water</b>	A BASIX Certificate is required.	Basix Certificate submitted.	Yes
<b>D23 - Signs</b>	Building identification signage to be appropriate for proposed use and not	N/A	N/A

	to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.		
<b>E1 Private Property Tree Management</b>	Arboricultural report to be provided to support development where impacts to trees are presented.	Proposal does not require the removal of any significant vegetation	Yes
<b>E3 Threatened species, populations, ecological communities</b>	Not identified on map.	N/A	N/A
<b>E4 – Wildlife Corridors</b>	Not identified on map.	N/A	N/A
<b>E5 – Native Vegetation</b>	Not identified on map.	N/A	N/A
<b>E6 - Retaining unique environmental features</b>	Unique or distinctive features within a site to be retained	There are no distinctive environmental features on site.	Yes
<b>E7 Development on land adjoining public open space</b>	Site does not adjoin public open space.	N/A	N/A
<b>E8 Waterways and Riparian Lands</b>	N/A	N/A	N/A
<b>E9 – Coastline Hazard</b>	Not identified on map.	N/A	N/A
<b>E10 Landslip Risk</b>	Identified on map A	Site not subject to landslip or subsidence	Yes
<b>E11 Flood Prone Land</b>	Site is not affected by Flooding	N/A	N/A

Table 2-Warringah DCP 2011

Building Envelope Variation

The front north eastern corner of the dwelling marginally exceeds the 45 degree building envelope requirement as identified on the front elevation plan prepared by KJR Drafting. The

exceedance is as a result of the site's topography which slopes to the front portion of the site. The exceedance is not foreseen to contribute any additional overshadowing or privacy impacts to adjoining properties and accordingly no adverse amenity impacts will result to adjoining properties. We note that the overshadowing diagrams submitted in support of the proposal demonstrate that there will be no additional overshadowing impacts. It is also noted that the proposal is compliant with the mapped WLEP height requirement of 8.5m.

On this basis, the variation is considered worthy of support.

**5.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.****(a)(i) – The Provisions of any Environmental Planning Instrument**

Statutory assessment of the proposal has been previously addressed in Section 4.0. The site is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposal is permissible with development consent.

The proposal is also consistent with relevant State Environmental Planning Policies.

**(a)(ii) Any proposed Draft Environmental Planning Instrument subject of public consultation**

There are no Draft Environmental Planning Instruments applicable to the site.

**(a)(iii) – The Provisions of any Development Control Plan**

Also as discussed earlier in the report, the site is subject to assessment under Warringah Development Control Plan 2011. The proposal complies with relevant objectives and controls which are detailed in Section 4.4 of this report with the exception of a minor variation to the 45 degree building envelope control under Part B3.

**(b) – The likely impacts of that Development**

It is considered that the development will provide for a new dwelling without any detrimental impact on the environment, social and economic status of the locality.

**(c) – Suitability of the Site for Development**

The site is of a suitable size and configuration to accommodate the proposed dwelling. The subject site is zoned R2 Low Density Residential and the construction of a new dwelling house in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing and envisaged character of the surrounding area.

On this basis the site is considered suitable for the proposed development.

**(d) – Any submissions made in accordance with this Act or Regulations.**

Any submissions received will be considered by Council.



**(e) – Public Interest**

The proposal will provide for housing needs of the community within a low density residential environment and is in the public interest.

## 6.0 CONCLUSION

The subject land is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposed dwelling is permissible with the consent of Council. The proposal is also consistent with the zone objectives and other relevant clauses for consideration as previously addressed.

The proposal is also generally consistent with relevant matters for consideration under Warringah Development Control Plan 2011 with the exception of a minor variation to the 45 degree building envelope control under Part B3.

The application before the Council provides no unreasonable impacts to adjoining or adjacent residential properties. The proposed dwelling is also in keeping with the envisaged low density residential character of the locality and no adverse amenity or environmental impacts are foreseen.

Accordingly it is recommended that Council support the proposal and grant development consent subject to conditions of consent.