

STATEMENT OF ENVIRONMENTAL EFFECTS

SECTION 4.55 (1A) MODIFICATION TO AN APPROVED DA DA 2021/0370

PROPOSED ALTERATIONS AND ADDITIONS AND A SWIMMING POOL TO AN EXISTING RESIDENCE AT

13 KINSDALE CLOSE, KILLARNEY HEIGHTS, 2087

LOT 2

DP 246696

Prepared By *JJ Drafting Aust P/L*

December 2021

1) Introduction

This Statement of Environmental Effects accompanies documents prepared by JJ Drafting Australia P/L, job number 823.20, drawing numbers DA.01 to DA.11 modified date 15th December 2021 to detail proposed modification to the approved alterations and additions to an existing residence and a pool at 13 Kinsdale Close, Killarney Heights, 2087.

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 acceptable and is worthy of support by 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 (Building Sustainability Index: BASIX) 2004

Warringah Local Environmental Plan 2011

Warringah Development Control Plan 2011

Warringah development Control Plan Map 2011

2) The proposed Modification

Description

As detailed within the accompanying plans, the proposal seeks consent for modifications to the approved alterations and additions and a swimming pool to the existing dwelling

It provides compliance with the Warringah Development Control Plan 2011 and Warringah LEP 2011.

NO CHANGES TO THE APPROVED ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING

The proposed modifications are as follows.

The approved concrete swimming pool has resized and reduced to a rectangle shape.

The new design is to reduce any impact upon the main sewer line.

3) Zoning & Development Controls

3.1 Warringah Local Environmental Plan 2011

The site is zoned R2 Low Density Residential under the provisions of the WLEP 2014. The proposed swimming pool modification to the approved alterations and additions are permissible with the consent of council.

3.2 Height of Building (LEP 4.3)

The control for this parcel of land is a maximum of 8.5m.

THERE WILL BE NO CHANGE TO THE APPROVED HEIGHT

3.3 General Principles of Warringah Development Control Plan 2011

The proposed MODIFICATION responds to the characteristics of the site and the qualities of the surrounding neighbourhood in a sympathetic and positive manner.

4.0 BUILT FORM CONTROLS Side Boundary Envelope (DCP B3)

The side building envelope control is a height plane of 4 metres along the side boundary and with a projection inwards of 45 degrees.

THERE WILL BE NO CHANGE TO THE SIDE BUILDING ENVELOPE

Side Boundary Setbacks (DCP B5)

Warringah DCP control is a min. of 900mm.

The proposed pool modification provides compliance with Warringah Development Control Plan 2011 side setbacks of min.900mm.

POOL south sidesetback to paving —3.1 m – COMPLIES ---**NO CHANGE**

Pool edge – 4.13m --COMPLIES

Front Boundary Setbacks (DCP B7)

Warringah DCP control is a min. of 6.5m or an average of the adjoining properties.

No change to existing front setback of 9.5m. Complies

Rear Boundary Setbacks (DCP B9)

Warringah DCP control is a min. of 6.0m

The proposed pool and deck extension encroaches into the 6m rear setback, but the area of the pool, deck extension and steps is only 23.3% of the total rear setback area -----**COMPLIES**

The objectives of the rear setback are still met despite this encroachment. There is a sense of openness in the rear yard, with still a large lawn area, there is no encroaching on privacy to the neighbours, and it is in keeping with the surrounding properties.

It is difficult to adhere to the rear setback with the pool due to pre-existing structures. It is therefore requested that this non compliance be supported as it will not affect adjoining properties.

The modified pool has a varied rear setback between 1.1m – 4.3m

DESIGN**Landscaped Open Space (DCP D1)**

The minimum landscaped open space required is 40% of the site area.

Site area of this allotment is 762.38m² - 40% control – 304.95m²

Existing landscaped open space area -----341.8 m² ---44.83%
(areas less than 2.0m in any direction)

New landscaped open space area -----344.18 m² —45.38% - COMPLIES

NEW MODIFIED LANDSCAPED OPEN SPACE AREA – 310.7sqm – 40.75sqm ---COMPLIES

Private Open Space (DCP D2)

Requirement is a total of 60sqm with a minimum dimension of 5m.

Private open space is located to the rear of the dwelling with an area of approx. 160m² which **complies**.

NO CHANGES TO THE PRIVATE OPEN SPACE DUE TO THE PROPOSED POOL MODIFICATION

Access to Sunlight (DCP D6)

No loss of daylight to main living areas in adjacent dwellings will be experienced as a consequence of the PROPOSED POOL MODIFICATION. Adjoining properties will receive a minimum of 3 hours of solar access. **Complies**.

Views (DCP D7)

Neighbours views will not be affected by the proposed pool modification.

Privacy (DCP D8)

There will be no loss of privacy, due to the proposed pool modification.

SITING FACTORS**Traffic , Access and safety – (DCP C2) -NO CHANGES**

There will be no change to the existing concrete crossover and layback

Parking Facilities – (DCP C3)- NO CHANGES

There will be no change to the existing parking facilities on the site. Currently there is parking available for 2 cars

Stormwater – (DCP C4) – NO CHANGES

To be provided in accordance with councils stormwater drainage design guidelines.

The proposal provides for all collected stormwater to drain to the existing rainwater tank.

Building over or adjacent to constructed council Drainage Easements – (DCP C6) – NO CHANGES

The proposed deck does not encroach on the drainage easement, and complies with Council's

5) Matters for Consideration Under Section 79c of The Environmental Planning and Assessment Act, 1979

5.1 The provisions of any environmental planning instrument

The proposed modification is subject to the provisions of the Warringah Development Control Plan 2011 and the relevant supporting Council Local plan. 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.

5.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

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

5.3 Any development control plan

The modification has been designed to comply with the requirements of the Warringah Development Control plan 2011 and the general principles of WLEP 2011.

It is considered that the proposed pool modification respects the aims and objectives of the DCP, and the desired character objectives of the WDCP 2011 and WLEP 2011 in that it reinforces the existing and new residential character of the area and is compatible with the existing uses in the vicinity.

5.4 Any matter prescribed by the regulations that apply to the land to which the development relates

No matters of relevance area raised regarding the proposed development.

5.5 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 proposed pool modification 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 character of the area.

5.6 The suitability of the site for the development

The subject land is in the low density residential R2 and the proposed pool modification is permissible as category 1 development. The site is considered suitable for the proposed development. The proposed pool modification will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

5.7 Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of the proposed pool modification.

5.8 The public interest

The proposed pool modification 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.

6) Conclusion

The proposed pool modification to the approved alterations and additions to the existing dwelling and a swimming pool will not have any detrimental impact on the adjoining properties or the locality. The proposed pool modification is in keeping with Council's aims and objectives for this locality. There will be no effect on local fauna and flora.

In scale, form and finishes, the proposed pool modification will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours.

As the proposed pool modification 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.

