



**17A CROWN ROAD
QUEENSCLIFF**



**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS
TO AN EXISTING DWELLING**

Report prepared for
Jelte Bakker
December 2020

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1. Introduction

- 1.1** This is a statement of environmental effects for alterations and additions to the existing dwelling at 17A Crown Road Queenscliff.
- 1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011, and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3** This statement of environmental effects has been prepared with reference to the following:
- Site visit
 - Site Survey
 - DA Plans prepared by Valdis Macens Architects P/L
 - BASIX Certificate
 - Geotech Report prepared by Coffey Services Australia Pty Ltd
 - Statement of Heritage Impact prepared by Long Blackledge Architects Pty Ltd
 - Structural Engineer Report prepared by Randall Jones & Associates
- 1.4** The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and the coastal setting and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

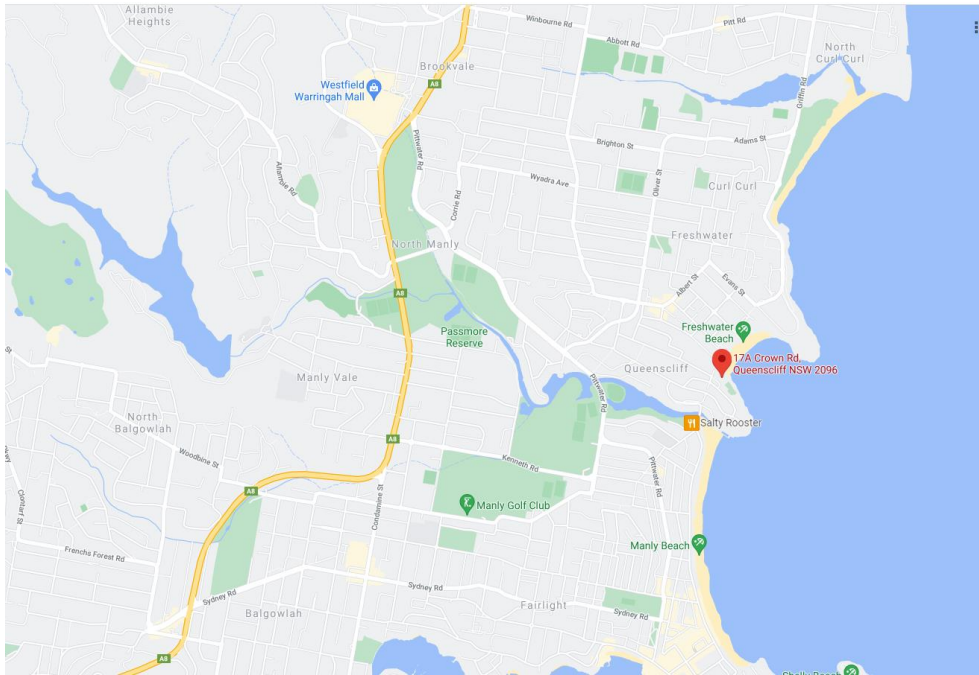


Figure 2. The site within the locality

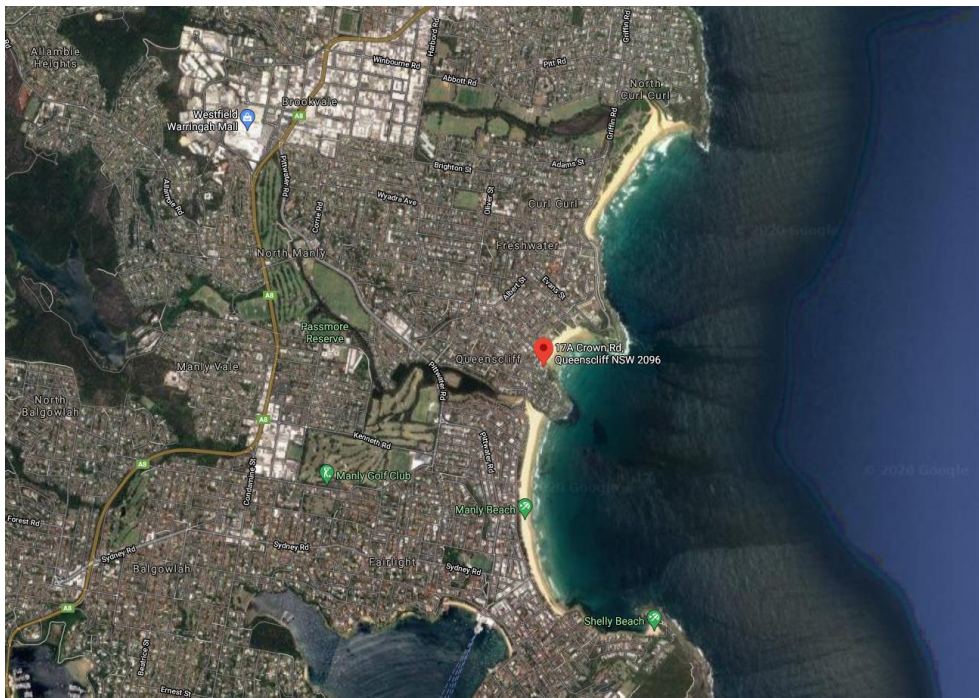


Figure 3. Aerial Image of the site within the locality

3. Site Photos



Figure 4: The existing pedestrian access, looking north east from Crown Road



Figure 5: The courtyard between the original cottage and the new additions, looking south east.



Figure 6: The courtyard and kitchen between the original cottage and the new additions, looking north west.



Figure 7: Looking north east from the rear of the dwelling, towards Freshwater Beach.



Figure 8: The level 2 store room and location of proposed excavation to create a larger store room.



Figure 9: The existing kitchen.



Figure 10: The rear of the existing dwelling, looking south east.

4. Proposed Development

The proposed development is for alterations and additions to the existing dwelling house to enclose the open courtyard between the original cottage and the new extension, basement excavation and a reconfigured floor plan to create a modern and functional family layout and first floor balcony.

The proposed alterations and additions remain consistent with the streetscape and the locality. The proposal is consistent with Council controls, ensures privacy, solar access and views are maintained for both neighbours and the subject site.

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

Level 1

- Convert the living room to a study, including a new internal wall and shelving,
- Relocate the ensuite, including an extension to south west,
- Excavation to convert the existing ensuite into a WIR and create a larger storeroom.
- A new door to the storeroom.

Level 2

- Remove sub floor piers below the heritage cottage and excavate the storeroom to create a new larger storeroom,
- Convert the existing kitchen to a study, including a new window on the north western elevation,
- Enclose the open courtyard and construct a new entry, cloakroom and kitchen,
- Demolish the glass walls between the new kitchen and existing lounge room, to create an open plan layout,
- Convert the existing window in the heritage building to a door.

Level 3

- A new balcony above the kitchen.
- Demolish the existing retractable awning and aluminum windows,
- New sliding doors and sliding windows.

5. Background

A pre-lodgement meeting was held with Council on 20/08/2020 (PLM2020/0176). In accordance with the advice from this meeting the following additional information and amendments are included with this development application:

Issues

Control	Issues raised	Comment
Storage Area in Subfloor.	<i>Council notes that the removal of stone piers and excavation into the subfloor may be supported, provided the Development Application is accompanied by a signed cover letter from a consulting Structural Engineer stating that the heritage cottage can withstand such structural works and that all structural building works will comply with relevant Australian Standards and Codes.</i>	A cover letter from a structural engineer is provided with this application.
Enclosure for internal living space of existing courtyard, and the construction of roof balcony above.	<i>Council is generally supportive of this aspect of the development. Council's Heritage Officer has noted that the preservation of the window between the subfloor storage and proposed kitchen enclosure is preferred. Alternatively, should the window be replaced with a door the development shall maintain the width and height of the existing window.</i>	The window is proposed to be replaced with a door. In accordance with Council's comment, the door will retain the existing width as the window, and retain the existing stone lintel above.
Internal reconfiguration of bathroom area on the lower ground floor.	<i>Council has reviewed this aspect of the development and raises no objections.</i>	Noted.

Warringah LEP 2011

Control	Required	Compliance
Height 8.5 metres	6.97m (deck balustrade)	Yes
Heritage Conservation	The site accommodates Heritage Item No. I118 'House'. Heritage report required.	Yes
Development on sloping land	Geotechnical Report required.	Yes

Warringah Development Control Plan

Control	Required	Compliance
Wall height	7.2m	Yes
Building envelope	5m / 45°	Yes
Side Setbacks	0.9m	Yes North west: 1.0m-1.3m South east: 1.8m – 1.9m
Front setback	6.5m	Yes
Rear setback	6m	5m-42m No change to existing rear building line. Assessment provided within SEE.
Landscaped Open Space and Bushland Setting	40%	119.5m ² or 33.92% No change to existing. Assessment provided within SEE.
Views	<p><i>The control requires development to provide for reasonable view sharing.</i></p> <p><i>The balcony extension may result in view impacts for neighbouring properties, in particular from elevated terrace areas from 15 Crown Road.</i></p> <p><i>The Statement of Environmental Effects shall provide a detailed analysis on views referencing the Planning Principle established by the NSW Land and Environment Court in the case Tenacity Consulting v Warringah Council (2004) NSWLEC 140.</i></p> <p><i>Careful consideration should be given to any view impacts that may be caused by the proposed development, as this may require alterations to the proposal prior to lodgement.</i></p> <p><i>Council's assessment on this matter can only be undertaken following the notification period, as view loss inspections may be required should concerns be raised</i></p>	A view loss assessment is provided within this SEE.

	<p><i>by neighbouring property owners.</i></p> <p><i>If unreasonable view impacts are caused (as assessed with regard to the Tenacity principles mentioned above) then the application may not be supported.</i></p>	
Privacy	<p><i>The control requires building layout to be designed in a manner that optimises privacy for the occupants of the development and occupants of adjoining properties. Council raised concerns with the proposed balcony, noting the southernmost edge being in close proximity to the private open space/terrace areas of 15 Crown Road.</i></p> <p><i>The applicant shall ensure the finished floor level of the balcony does not directly correlate with the adjoining terrace to avoid direct overlooking.</i></p> <p><i>Consideration should also be given to the proposed sliding glazed doors on the north-western elevation of the dwelling. To ensure the proposal maintains privacy, it may also be necessary to consider reducing the dimensions (length and width) of the balcony to allow greater spatial separation from the shared boundary with 15 Crown Road.</i></p> <p><i>The application should provide an analysis outlining how the proposal achieves an acceptable level of privacy for residents and users and protects the privacy of any adjoining development. It is also encouraged that the proposal be discussed with neighbours that may be affected before lodging your application.</i></p>	<p>'No.15 Crown Road has its principal view & outlook both from within living spaces & the balcony adjacent towards the south east, as detailed later in the report. This aspect takes in both uninterrupted beach and ocean views. No windows exist in the north west wall of No.15 which would otherwise look on to the proposed balcony at No.17A. The introduction of privacy screens, considered to be unnecessary, would introduce additional bulk, and negate incidental cross views across both properties. With vastly different topographic levels, and ample distance, privacy between the new balcony at 17a and the existing dwelling at 15 Crown Road is considered more than ample to ensure privacy. Similarly, the new north west facing windows in the study are amply screened from overlooking by virtue of their low elevation, compared to the adjacent contour, fencing and vegetation, as well as the proposed sun hood overhang protecting the windows.</p>
Wildlife Corridors	The site is identified within the 'Wildlife Corridors' precinct.	Yes, addressed within the SEE.
Native Vegetation	The site is identified within the 'Native Vegetation precinct	Yes, addressed within the SEE.
Development on land adjoining public open space	The site is identified as 'land adjoining public open space'	Yes, addressed within the SEE.
Landslip Risk	The site is identified within 'Area C' on the Landslip Risk Map.	Yes, addressed within the SEE.

6. Statutory Framework

6.1 State Environmental Planning Policies

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any trees.

State Environmental Planning Policy No. 55 – Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

State Environmental Planning Policy (Coastal Management) 2018

The site is mapped as 'Coastal Environment Area' and 'Coastal Use Area' by State Environmental Planning Policy (Coastal Management) 2018, accordingly the consent authority must consider clauses 13, 14 and 15 of the SEPP.



Figure 12: Extract – SEPP (Coastal Management) 2018

13. Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

The proposed development is located on a disturbed portion of the site. It will not impact upon the biophysical, hydrological or and ecological environments.

(b) coastal environmental values and natural coastal processes,

There will be no impact on environmental values or natural coastal processes.

(b) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

The proposal will not result in a decrease to water quality leaving the site.

(c) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

There will be no impact on vegetation, habitats, headlands or rock platforms.

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed development will not result in any change to the existing access to and along the foreshore and beach.

(f) Aboriginal cultural heritage, practices and places,

The location of the proposed addition is highly disturbed, there will be no impacts on Aboriginal cultural heritage, practices and places.

(g) the use of the surf zone.

There will be no impact on the surf zone.

14 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed development will not result in any change to the existing access to and along the foreshore.

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

The proposed development will not result in an unreasonable increase to shadowing or wind funnelling. There will be no loss of views from public places to foreshores.

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

The consistent nature of the proposal with surrounding development, ensures scenic quality of the coast is maintained, with the minor scale, materials and colours consistent with the locality.

- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

The proposed development is minor and located on a disturbed portion of the site. There will be no significant impacts on the heritage item.

(b) is satisfied that:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

As described above the proposed development is minor and located in the disturbed area of the site. It is concluded that there will be no adverse impacts as referred to in (a).

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

The appearance of the proposed alterations and additions is consistent with the surrounding coastal and built environment. The bulk and scale is appropriate and compatible with the locality.

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

The proposed development will not increase the risk of coastal hazards on the subject site.

6.2 Warringah Local Environmental Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed development is for alterations and additions to the existing dwelling house and dwelling houses are permissible with development consent in the R2 zone.



Figure 13: Extract from Warringah LEP 2011 Zoning Map

Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum lot size of 450m². The subject site is an existing undersized parcel, comprising an area of 352.2m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum height of 6.97 metres to the deck balustrading.

Heritage Conservation

The subject site is mapped to contain *Heritage Item No. I118 'House'*.

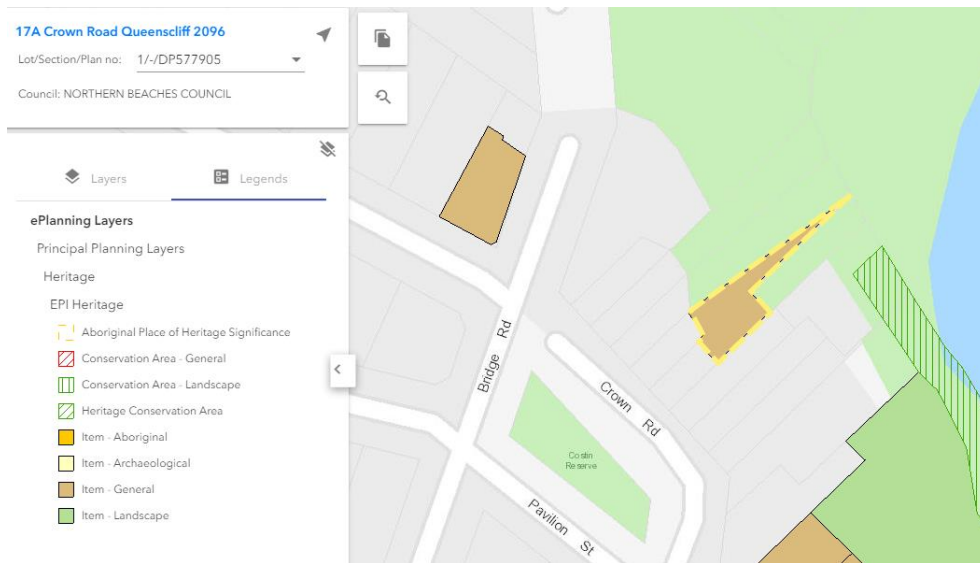


Figure 14. Extract from Warringah LEP 2011 heritage map

The following comments are reproduced from the pre-DA minutes:

Heritage Listings

The subject property is a heritage item with local significance, Item – I118 – House at 17A Crown Road, listed within the Warringah LEP 2011.

Statement of significance:

A locally rare survivor of a number of small cottages which were built on the cliff face between Freshwater and Queenscliff. Historically represents the nature of early development in the area.

Physical description:

Original single storey weatherboard dwelling located on cliffside. Corrugated metal gabled roof with skillion roofed verandah structures which have been enclosed. The building has been altered by the enclosure of the verandah. Sandstone block foundations appear in good condition and are an important feature of the building.

There have been further alterations and a 2 storey pavilion style addition to the north-east (beach side) of the original building in the late 1990s.

Comments

This proposal is for further alterations to the existing building to infill the courtyard and create a balcony above the courtyard, to excavate the subfloor area and remove the existing stone piers supporting the original dwelling in order to increase the store area and to modify the internal layout of the later addition.

The impact of the proposed infill of the courtyard will be negligible as the stonework in this the courtyard area is already hardly visible from the public domain. Proposed internal modifications related with the later extension (2001) will not adversely impact upon the heritage item.

Any DA must be accompanied by a Heritage Impact Statement assessing the impact of the proposed development on the identified heritage significance of the listed item and the details of the proposed colours and materials should also be included.

There is a possibility that the excavation and the removal of the stone piers can harm the original building and although the stone piers form part of the original building, removing them could be acceptable, but it needs to be justified that it is worth to take the risk. The window opening also is not in the public domain, it is preferred to keep as window but could be replaced with a door opening, keeping the width and height unchanged.

In accordance with Cl. 5.10(4) of LEP 2011 the consent authority must consider:

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Comment

The proposed development is for alterations and additions to the existing heritage item. The proposed works are considerate of the heritage item and will not impact upon the significance of the building.

A Heritage Impact Assessment is provided in support of the proposal under separate cover.

Acid Sulfate Soils

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

Earthworks

Earthworks are proposed to excavate into the subfloor to increase storage.

In accordance with Council's pre-DA comments, a cover letter from a structural engineer is provided with this application. All works will be undertaken in accordance with engineering details.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25 and Area C – Slopes >25. As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

The attached geotechnical assessment demonstrates the proposal complies with Council controls.

6.3 Warringah Development Control Plan

The relevant sections of the DCP are addressed below.

Part A Introduction

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part B General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP. The development proposes a compliant maximum wall height of 5.5 metres.

Side Building Envelope

The site requires a side boundary envelope of 5m/45°.

The new works are located within the existing building envelope and new works comply with the building envelope control.

Side Boundary Setbacks

Side setbacks of 900mm are permitted on the subject site by the DCP.

The alterations and additions to the dwelling, propose compliant side setbacks of 1.0 metres (north west) and 1.8 metres – 2.7 metres (south east).

Front Setback

A front setback of 6.5 metres is required by the DCP.

No change is proposed to the existing front setback to Crown Road which, due to the battle axe configuration, far exceeds the 6.5 metre minimum.

Rear Setback

A rear setback of 6 metres is required by the DCP.

Due to the irregular shape of the lot, the proposed rear setback of the new works are numerically non-compliant with a minimum 5 metres to a maximum 42 metres.

A variation to the numerical minimum rear setback control is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as addressed below.

Objectives of the control:

- *To ensure opportunities for deep soil landscape areas are maintained.*

Comment

Consistent as the proposed works do not alter the current deep soil or landscaped areas on the site.

- *To create a sense of openness in rear yards.*

Comment

Consistent as the proposed works do not alter the current minimum rear setback or rear yard.

- *To preserve the amenity of adjacent land, particularly relating to privacy between buildings.*

Comment

Consistent. Privacy is maintained between dwellings with no change to the existing minimum side and rear setbacks.

- *To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*

Comment

Consistent as the proposed works do not alter the current minimum rear setback, rear garden or landscaping.

- *To provide opportunities to maintain privacy between dwellings.*

Comment

Consistent. Privacy is maintained between dwellings with no change to the existing minimum side and rear setbacks.

Part C Siting Factors

Traffic, access and safety

The subject site currently has no vehicular access and no changes are proposed.

Parking facilities

The subject site currently has no onsite carparking and no changes are proposed.

Stormwater

Stormwater will be connected to the existing drainage infrastructure on the site, which drains to Freshwater Beach.

Excavation and Landfill

Earthworks are proposed to remove the stone piers and excavate the subfloor area of the heritage cottage and minor excavation to the sub floor of the new addition. In accordance with the pre-DA comments from Council a cover letter from a structural engineer, stating that the heritage cottage can withstand such structural works and that all structural building works will comply with relevant Australian Standards and Codes, is provided with this application.

In addition, a geotechnical report provided with this application, demonstrates the geological stability of the proposed work. The cut proposed will be appropriately disposed of as detailed in the waste management plan, and drainage patterns will be unaffected. All works will be undertaken in accordance with engineering details.

Demolition and Construction

The proposed alterations and additions will involve demolition works as detailed above and in the attached plan set. 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. We note that additional access to the site during construction is available from the pathway at the northern corner of the site.

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

Part D Design

Landscaped open space and bushland setting

The DCP requires 40% landscaped area on the site which is equivalent to 140.88m² for the site area of 352.2m². The existing landscaped area is non-compliant at 119.5m² or 33.92% and no change is proposed.

A variation to the numerical landscaped area control is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as addressed below.

Objectives of the control:

- *To enable planting to maintain and enhance the streetscape.*

Comment

Not relevant as the subject site is not visible from the street.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment

Consistent as the development will not exacerbate the existing non-compliance.

- *To provide for landscaped open space 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.*

Comment

Consistent as the development proposes to retain existing landscaping on the site.

- *To enhance privacy between buildings.*

Comment

Consistent as the development proposes to retain existing landscaping and minimum setbacks on the site.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment

Consistent as the development proposes to retain the existing landscaped areas on the site and provide an additional balcony for the enjoyment of the residents.

- *To provide space for service functions, including clothes drying.*

Comment

Consistent as the site has existing service areas (including a clothes drying area) and no change is proposed.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment

Consistent. Stormwater from the alterations and additions will be connected to the existing drainage infrastructure on the site, which drains to Freshwater Beach.

Private open space

Private open space area in excess of 60m² will be retained in the rear yard as required by the DCP. The proposed 31.36m² balcony will provide an additional functional area of private open space for the enjoyment of the residents.

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

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 by this clause DCP.

The following observations are made of the shadow diagrams included with this application:

9am – The development will result in no loss of sunlight to neighbouring dwellings.

12pm – The development will result in no loss of sunlight to neighbouring dwellings.

3pm – The development will result in no loss of sunlight to neighbouring dwellings.

It is concluded that the private open space of the subject site and the adjoining properties maintain compliant solar access, with direct sunlight available to more than 50% of the rear yard retained. Loss of sunlight within the private open space of the subject property will be compensated and exceeded by the provision of the proposed level 3 balcony.

Views

The subject site and surrounding properties enjoy broad ocean views to Freshwater Beach and district views across Freshwater.

Views have been considered from all neighbouring properties and no concern of view loss results. We note that 17 Crown Road, which is to the south east of the site fronting Crown Road is significantly elevated above the subject site and looks over the top. With no increased elevation, it is evident, that views will be maintained for this lot.

In accordance with the pre-DA minutes, a view loss assessment from 15 Crown Road, also located to the south east, but extending alongside the subject site, is provided below.

View Loss Analysis

Tenacity Consulting v Warringah Council (2004) NSWLEC 140. The Planning Principle established a four-step process for considering the impact of a development on views.

Step 1. An assessment of the value of views to be affected by reference to their nature, extent and completeness.

The view subject to this assessment is from No. 15 Crown Road. The nature of the views under assessment are views to Freshwater district and beach to the north and north east.



Figure 15: Aerial Image of the subject site and views subject to this assessment

Step 2. A consideration of how views are obtained and what part of the property the views are obtained from.

The assessed views are to Freshwater district and beach. Access to No 15 Crown Road and other adjoining properties was not possible to establish which rooms views are obtained from.

Step 3. A qualitative assessment of the extent of the impact in terms of severity particularly as to whether that impact is negligible, minor, moderate, severe or devastating.

The extent of the impact in terms of severity is considered negligible as No 15 Crown Road has broad ocean and district views which will not be impacted at all by the proposal as illustrated in Figures 16 and 17 below.

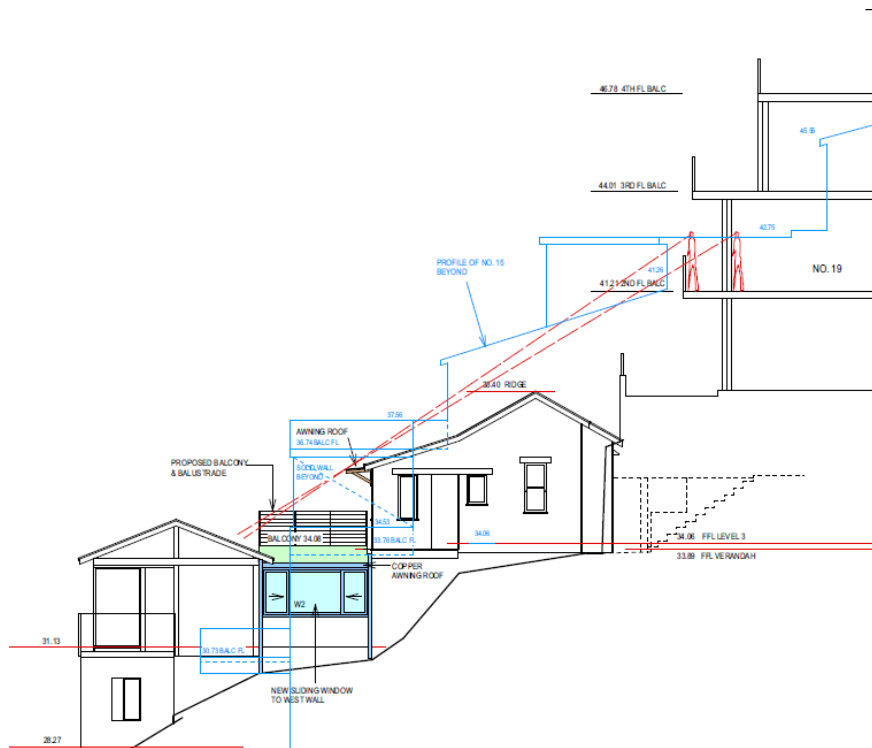
The proposed alterations will not impact adjoining properties as new works are located below the roof line of the existing buildings on the site. In addition, the significant slope of the site means all properties maintain excellent views of the district and the water as illustrated in Figure 18 – West Elevation below.



Figure 16: Views from No 15 Crown Road.

Source: <https://www.realestate.com.au/property/15-crown-rd-queenscliff-nsw-2096>

Source: <https://www.realestate.com.au/property/15-crown-rd-queenscliff-nsw-2096>



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Step 4. An assessment of the reasonableness of the proposal causing the impact particularly in terms of compliance with applicable planning controls and whether a different or complying design must produce a better result. 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.

The proposed development is considered reasonable, as there will be no impact on the broad district and ocean views from No 15 Crown Road.

The proposed alterations and additions are compliant with height and side setback and are of a lesser scale than the existing built form on the site.

Privacy

Privacy will be retained for neighbours with compliant side setbacks and no direct overlooking into any key living areas. The steep slope of the locality means the site and surrounding properties are subject to some existing overlooking.

Level 2 of the existing dwelling is visually separated from the neighbouring dwelling by the side boundary fencing, topography and siting of dwellings.

A number of privacy measures have been incorporated into the design. New glazing in the heritage cottage replaces existing, including a window converted to a door. The new study window faces north west onto an elevated boundary fence. The new ensuite window on level 1 faces south east and will be obscure glass. The finished floor level of the proposed balcony is at a similar floor level to an adjoining terrace at No.15, however there are no windows in either dwelling affording cross views into adjoining properties. In accordance with the pre-DA minutes, the finished floor level of the proposed deck, does not directly correlate with the adjoining terrace to avoid direct overlooking.

Similarly, the property to the rear of the site, no 17 Crown Road, is at a vastly different topographic level. This ensures that the new balcony area has no immediate eye line. This combined with ample distance results in no concerns of visual or acoustic privacy.



Figure 19: Location if proposed balcony and the adjoining terrace at No 15 Crown Road.

Building Bulk

The proposed alterations and additions incorporate articulation to alleviate bulk. They are of a lesser scale than the existing dwelling and surrounding properties, with the overall impact being a minor and complimentary addition to the existing dwelling.

Building Colours and Materials

The proposed building materials include a metal window awning, weatherboard cladding and metal balcony balustrade with timber boarded cladding with details provided in the attached materials and finishes schedule.

All materials and finishes are complementary to the coastal and residential surrounds and are consistent with a modern finish.

Roofs

The new works proposed a new metal awning roof and a new balcony constructed of concrete construction.

Glare & Reflection

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

Side and Rear Fences

No change is proposed to existing fencing.

Site Facilities

The existing dwelling has appropriate waste, recycling areas and drying facilities. These will be retained as part of the proposed application.

Safety and Security

The proposed works will not alter the safety and security features of the site.

Conservation of Energy and Water

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

Part E: The Natural Environment

Preservation of Trees or Bushland Vegetation

No trees are to be removed or detrimentally impacted as a result of the proposed development.

Wildlife Corridors

The subject site is mapped as a wildlife corridor.

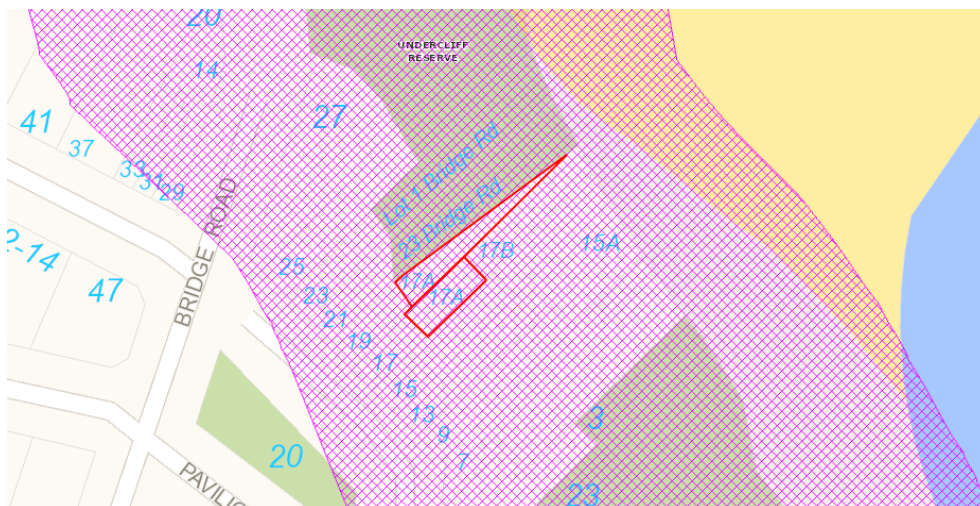


Figure 20: Extract Warringah DCP Wildlife Corridor mapping

It is considered the proposal will have no impact on valued wildlife, as works are minor and are located on a highly disturbed portion of the site.

Native Vegetation

A portion of the subject site is mapped as native vegetation.

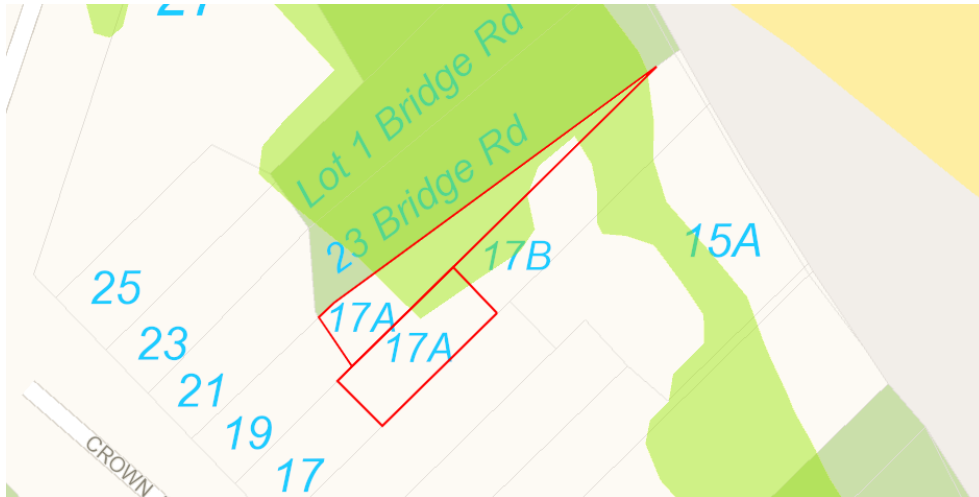


Figure 21: Extract Warringah DCP Native Vegetation mapping

It is considered the proposal will have no impact on native vegetation, as works are minor and are located on a highly disturbed portion of the site.

Retaining unique Environmental Features

No unique environmental features will be impacted by the proposal.

Development on land adjoining public open space

The subject site adjoins Freshwater Beach. The proposed development is compatible with the character of the public beach and does not impact on outlook and views or public access to the beach.

Waterways and Riparian Lands

There will be no impact on waterways or riparian lands in the locality.

Landslip Risk

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25 and Area C – Slopes >25. The attached geotechnical report supports the application in its current form.

7. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	450m ²	352.2 m ²	Yes – no change
Building Height	8.5 metres	6.97 metres	Yes
Warringah DCP 2011			
Wall Height	7.2 metres	5.5 metres	Yes
Side Boundary Envelope	5 metres / 45 degrees		Yes
Side Boundary Setbacks	0.9 metres	NW: 1.0 metres SE: 1.8-2.7 metres	Yes
Front Boundary Setback	6.5 metres	>6.5 metres	Yes
Rear Boundary Setbacks	6 metres	5 metres	No – merit assessment
Parking	2 spaces	0	No – existing non-compliance
Landscaped Open Space and Bushland Setting	40% (140.88m ²)	33% (119m ²)	No – existing non-compliance
Private Open Space	60m ²	>60m ²	Yes
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliant	Yes

8. 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:

8.1 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 R2 zone.

8.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic 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, appendices and attached specialist reports.

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 alterations and additions have been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

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?*

No conflict or issues will arise as a result of the proposed development.

Public domain

The proposed development will not impact the public domain.

Utilities

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

Flora and fauna

There will be no impact.

Waste

There will be no impact.

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.

Economic impact in the locality

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

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 development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the coastal and 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.

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.

8.3 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 alterations and additions proposed.

8.4 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.

8.5 The public interest

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

8. Conclusions

- 8.1** The proposed development for alterations and additions to the existing dwelling at 17A Crown Road Queenscliff is appropriate considering all State and Council controls.
- 8.2** 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.
- 8.3** Considering all the issues, the development is considered worthy of Council's consent.