

STATEMENT OF ENVIRONMENTAL EFFECTS

6 BELLEVUE PLACE, NORTH CURL CURL

**DWELLING ALTERATIONS AND ADDITIONS & SWIMMING
POOL**

**PREPARED ON BEHALF OF
Mr & Mrs Pilling**

APRIL 2020

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	SITE DESCRIPTION AND LOCALITY	4
3.	THE PROPOSAL	7
4.	ZONING & DEVELOPMENT CONTROLS	8
5.	EP & A ACT - SECTION 4.15	19
6.	CONCLUSION	20

1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling including a new swimming pool upon land identified as Lot 6 in DP 514865 which is known as **No. 6 Bellevue Place, North Curl Curl**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by CMS Surveyors Pty Ltd, Job No. 1931A, dated 05/04/19.
- Architectural Plans prepared by Sally Gardner Design and Draft, Job No. 19-0327 and dated 11 November 2019.
- BASIX Certificate #A352835_02 issued 21 April 2020.
- Geotechnical Report prepared by White Geotechnical Group, Project No. J2636 and dated 1 April 2020.

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. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that 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.

2. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot 6 in DP 514865 which is known as 6 Bellevue Place, North Curl Curl. The site is located at the eastern side of Bellevue Place with a street frontage of 11.06m. The site which is of an irregular shape has an area of 559.4m². The site widens towards the rear. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a two storey brick and metal roof dwelling located towards the rear of the site. A large concrete terrace extends from the house towards the southern side boundary. The area below the terrace is currently utilised as carport and storage area.

The site slopes from the rear northeast corner of the site (RL30.78) towards the street frontage (RL25.0). A number of stone retaining walls dissect the front yard. A concrete driveway adjacent to the southern boundary of the site provide vehicular access to the existing carport.

The site is depicted in the following photographs:



View of Subject Site from Driveway



View of Existing Paved Terrace

The existing surrounding development comprises a mix of one, two and three storey detached residential dwellings on similar sized allotments to the subject site. More recent development comprises larger two/three storey dwellings of modern appearance.

The subject site and existing surrounding development is depicted in the following aerial photograph:



Extract of Aerial Map

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling. The proposed additions are to be constructed of a mixture of rendered masonry external cladding with a pitched metal roof.

The proposal provides for an addition to the front of the dwelling. This structure is proposed to be setback 11.075m to the street frontage, with a setback of at least 900mm to southern side boundary. This addition comprises a new double carport to the lower level and a cabana and outdoor living area above. A portion of the existing driveway will be upgraded to enable vehicular access to the carport. A new external stair provides access to the upper level. A new awning is proposed over the existing entry on the western elevation of the existing dwelling.

Additions to the ground floor of the existing dwelling comprise an increase in floor area to the southeast corner of the dwelling. The existing concrete paved terrace will be replaced with a timber deck and new swimming pool. The deck maintains a setback of 900mm to the southern side boundary whilst the pool is proposed to be setback at least 1.535m to this boundary. The pool is setback 2.175m to the eastern side boundary. A new window is proposed to the rear elevation of the existing dwelling and serves the kitchen.

A new internal stair from the existing ground floor to the lower level laundry is also proposed. An existing window on the southern elevation of the ground floor will be replaced with a similar sized window and is required to comply with the current BCA.

At first floor level the existing terrace that extends around the front and southern elevations of the dwelling will be demolished. A new tiled terrace is proposed on the southern elevation of the dwelling. This terrace is setback 3.1m to the southern side boundary and 1.5m to the eastern rear boundary.

All collected stormwater will continue to discharge to the street gutter.

The proposal will result in the following numerical indices:

Site Area:	559.4m ²
Existing Landscaped Area:	175.39m ² or 31.35%
Proposed Landscaped Area:	180.45m ² or 32.26%

4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Warringah Council.

4.1 Planning for Bushfire Protection 2006

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

4.2 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



Extract of Zoning Map

The site is zoned R2 Low Density Residential. Development for the purposes of alterations and additions to an existing dwelling house are permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	Proposed additions do not exceed the height limit	Yes

The following provision is also relevant:

Clause 6.4 Development on Sloping Land

The site is classified as Class B on Council's Landslip Map. A Geotechnical Report has been prepared by White Geotechnical Group and is submitted in support of this application and in summary provides:

Provided good engineering and building practice are followed, no further Geotechnical assessment is recommended for the proposed development.

There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

4.3 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) has been prepared by Council and was due to come into effect upon the gazettal of the LEP 2011. The new DCP contains detailed planning controls that support LEP 2011.

The following table provides a summary of the relevant controls of the DCP:

Clause	Requirement	Compliance
B1 – Wall heights	7.2m	Yes Wall height of proposed additions is approximately 5.8m.
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	Yes Proposed additions comply.
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Proposed additions are setback at least 0.9m from the side boundaries.

Clause	Requirement	Compliance
B7 – Front Boundary Setbacks	Minimum 6.5m	Yes The proposed additions are setback at least 11.075m to the street frontage which does not encroach the setbacks of the adjoining properties and complies with the numerical requirements of this clause.
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.0m	See discussion at end of table
B11 – Foreshore Building Setback	Not applicable	Not Applicable
B12 – National Parks Setback	Not applicable	Not Applicable
B13 – Coastal Cliffs Setback	Not applicable	Not Applicable
B14 – Main Roads Setback	Not applicable	Not Applicable
B15 – Minimum Floor to Ceiling Height	Not applicable	Not Applicable
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes The existing vehicular cross over is retained. The driveway on site is to be upgraded to ensure complying access to the carport. The open design and articulated elevation ensures that the parking structure will not dominate the streetscape.

Clause	Requirement	Compliance
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater will continue to be discharged to the street gutter.
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Soil Erosion Management Plan has been prepared and forms part of the submission to Council.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes A Geotechnical Report has been submitted with the application.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.
C9 – Waste Management	Waste storage area to be provided	Yes There is sufficient area on site for waste and recycling bins.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposal provides for a landscaped open space of 180.45m ² or 32.26%. Whilst this does not strictly comply it is noted that the proposed works result in an increase in the existing landscaped area (currently 175.39m ² or 31.35%).

Clause	Requirement	Compliance
		Further, the proposal does not require the removal of any protected vegetation. It is considered that strict compliance with this clause is unreasonable as it would prohibit any works on site.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes Proposal improves private open space through the provision of a new outdoor living area over the carport and the upgrading of the existing terrace.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
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	Yes The proposed additions will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.

Clause	Requirement	Compliance
D6 – Access to sunlight	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.	Yes Shadow diagrams have been prepared and are submitted with the application. Given the orientation of the allotment, any development will result in some overshadowing to the adjoining southern property. However, the design aims to minimise additional overshadowing, by locating the two storey component forward of the existing dwelling and away from the private open space of the adjoining southern property. It is submitted that the private open space of the adjoining southern property continues to receive at least 3 hours of solar access to at least 50% of the area.
D7 - Views	View sharing to be maintained	Yes The subject and adjoining properties enjoy water and headland views to the southeast. The proposal has been designed to maintain appropriate view sharing. This has been achieved by locating the new addition forward of the existing dwelling and maintaining a view corridor.

Clause	Requirement	Compliance
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	<p>Yes</p> <p>The additions have been designed to ensure the current level of privacy of the adjoining properties is maintained. The pool is located in place of an existing deck and will not decrease the level of privacy to the adjoining properties.</p> <p>The new cabana structure is not located adjacent to private open space of the surrounding properties.</p> <p>The new upper level terrace also replaces an existing terrace. Further, this terrace only serves bedrooms with all high use living areas being retained on the ground floor.</p> <p>It is noted that the new terraces (which replace existing) are orientated to maximise views towards the southeast of the water and headland. The topography of the site and surrounds is such that the views from these terraces look beyond rather than into the yards of the adjoining properties.</p>
D9 – Building Bulk	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.	<p>Yes</p> <p>The proposed additions do not extend above the height of the existing building. The resultant building is well articulated and modulated. The proposal provides for an appropriate bulk and scale.</p>

Clause	Requirement	Compliance
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to be compatible with the existing surrounding development and the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposal provides for additions with a pitched roof form to minimise height and is compatible with the surrounding development.
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.
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.	Not Applicable
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	Yes Existing facilities retained.
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Not Applicable

Clause	Requirement	Compliance
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.	Yes Pool is located behind the existing front building line.
D17 – Tennis Courts	N/A	Not Applicable
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The dwelling will continue to provide a good outlook of dwelling approach and street.
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.
D22 – Conservation of Energy and Water	A BASIX Certificate is required.	Yes
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.	Not Applicable

Clause	Requirement	Compliance
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Not Applicable – no trees proposed to be removed.
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable
E7 – Development on land adjoining public open space	N/A – not identified on map	Not Applicable
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as B	Yes A Geotechnical report has been submitted with the application.
E11 – Flood Prone Land	Not Applicable	Not Applicable

***B9 Rear Setback**

This clause requires a rear setback of 6.0m. The proposed works provide for a setback of 0.622m from the ground floor deck to the rear boundary and 1.5m from the upper floor terrace to the rear boundary. It is considered that the objectives of the clause have been achieved for the following reasons:

Objectives

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

Comment: The proposal does not encroach the existing rear setback. At ground floor level the proposal replaces an existing terrace with a new terrace retaining the existing rear setback. The upper level does not encroach the setback of the existing building at this level. There is no loss of existing landscaping in this portion of the site. It is noted that the proposed development increases the existing landscaped area on site (currently 31.35% and the proposal provides for 32.26% of landscaped area).

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

Comment: The proposal is constrained by the location of the existing dwelling and the proposed additions do not encroach the existing rear setbacks. The proposed works do not result in unreasonable bulk or scale.

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

Comment: The proposed terrace to the ground floor replaces the existing terrace retaining the existing boundary setbacks and thereby maintaining existing privacy levels.

The new terrace to the upper level is larger than the existing terrace in this location. However, this terrace has been designed to maximise views to the south and southeast. The height of this terrace in conjunction with the topography of the site and surrounds is such that views from this deck are over the surrounding properties.

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

Comment: The proposal retains existing rear setbacks and the works to the rear portion of the existing dwelling do not extend beyond the existing footprint. The proposal does not require the removal of any vegetation.

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

Comment: The existing and surrounding dwellings are designed and orientated to maximise views to the south and southeast. As discussed above the terrace at ground level replaces an existing terrace in the same location and as such will not reduce privacy to the surrounding properties. The upper level terrace is orientated to the south and is of a height that it will look above the adjoining properties towards the view. Further this terrace is accessed only from a bedroom, with all high use living areas on the ground floor level. It is therefore considered that privacy to the adjoining properties will be appropriately maintained.

There are no other provisions of the DCP that apply to the proposed development.

5. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned R2 Low Density Residential under the provisions of the LEP. Construction of alterations and additions to an existing dwelling house are permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

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

The Likely Impacts of the Development

It is considered that the development will provide for alterations and additions to an existing dwelling without any detrimental impact on the environment, social and economic status of the locality.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of alterations and additions to an existing 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 surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide alterations and additions to an existing dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction of alterations and additions to an existing dwelling at **No. 6 Bellevue Place, North Curl Curl** is worthy of the consent of Council.

Natalie Nolan
Grad Dip (Urban & Regional Planning) Ba App Sci (Env Health)
Nolan Planning Consultants
April 2020