



*statement of environmental effects*



## NEW DWELLING HOUSE

22 CICADA GLEN ROAD  
INGLESIDE NSW 2101

April 2025

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## *introduction*

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This statement of environmental effects has been prepared by Northern Beaches Planning on behalf of Michael & Merica Bucknell and Elcom Homes to accompany the lodgement of a development application for demolition of the existing dwelling and the construction of a new dwelling house at 22 Cicada Glen Road, Ingleside (**site**).

This statement is informed and accompanied by the following documentation:

- Detail and Boundary Survey by RGM Property Surveys
- Architectural Plans by Elcom Homes
- Geotechnical Investigation by Sydney Geotech
- BASIX Certificate by Sustainability -Z
- Bushfire Risk Assessment Report by Clarke Dowdle & Associates
- Flora and Fauna Report by Kingfisher Urban Ecology and Wetlands
- On-Site Wastewater Report by Broadcrest Environmental
- Landscape Plans by Elcom Homes
- Stormwater Management Plans by Vanguard Consulting Engineers
- Waste Management Plan by Elcom Homes

## *site details*

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The site is legally identified as Lot 243 in Deposited Plan 752046, and is referred to as 22 Cicada Glen Road, Ingleside. The site is square shaped, with a 40.235m wide frontage to Cicada Glen Road to the east, a depth of 40.235m and a total area of approximately 1618.7m<sup>2</sup>.

An existing single storey dwelling is situated on the site, with an attached garage on the southern side of the dwelling. Vehicular and pedestrian access is obtained from a shared driveway connecting to Cicada Glen Road. The topography of the site is irregular, but generally falls from the north-east towards the south-west, from a maximum of RL 131.89 to a minimum of RL 125.67m AHD. The site contains canopy trees and exposed rock outcrops.

The site is identified as being prone to landslip and bushfire. The site is not connected to the Sydney Water sewerage system.

The surrounding area is characterised by large lot residential properties, with dwelling houses of varying age and character.

Aerial images of the site and its surrounds are provided in Figures 1 and 2. Images of the site, the existing dwelling and the streetscape are also provided on the following pages (Figure 3-8).





Figure 1 – Aerial image with site bordered in yellow  
Source: Nearmap



Figure 2 – Aerial image (zoom) with site bordered in yellow  
Source: Nearmap





**Figure 3 – The site, as seen from Cicada Glen Rd, opposite the driveway**  
Source: NBP



**Figure 4 – The site (left) and 26 Cicada Glen Rd (right), as seen from the shared driveway in the road reserve**  
Source: NBP





**Figure 5 – The existing dwelling, as seen from the driveway, at the front boundary**  
**Source: NBP**



**Figure 6 – The site as seen from Cicada Glen Rd to the south-east**  
**Source: NBP**





**Figure 7 – Looking south along Cicada Glen Road from the shared driveway entrance**  
Source: NBP



**Figure 8 – Looking east from the shared driveway entrance**  
Source: NBP

## *proposed development*

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The application seeks consent for the demolition of the existing dwelling house and the construction of a new dwelling house at the site, as detailed in the Architectural Plans by Elcom Homes.

Specifically, the works include:

- Demolition of the existing dwelling house and outbuildings,
- Construction of a new single storey dwelling house, comprising double garage (with store and workshop), front porch, entry, media room, rumpus room, open plan kitchen/living/dining area, pantry, laundry, powder room, bathroom, four (4) bedrooms, including the master with a WIR and ensuite, rear alfresco,
- Stormwater infrastructure,
- Installation of a new wastewater treatment system, and
- Landscaping.

## *legislation, plans and policies*

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The following relevant state and local policies are applicable to the proposed development:

- Environmental Planning and Assessment Act (**EP&A Act**)
- Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**)
- Rural Fires Act 1997
- Biodiversity Conservation Act 2016 (**BC Act**)
  - Biodiversity Values Map
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Pittwater Local Environmental Plan 2014 (**PLEP 2014**):
  - Acid Sulfate Soils Map: Class 5
  - Lot Size Map: 20,000m<sup>2</sup>
  - Land Zoning Map: RU2 Rural Landscape
  - Height of Buildings Map: 8.5m
  - Biodiversity Map: Biodiversity
  - Geotechnical Hazard Map: H1 Geotechnical Hazard
- Pittwater 21 Development Control Plan (**P21 DCP**)
  - Ingleside Locality
  - Bushfire Prone Land Map: Vegetation Buffer & Vegetation Category 1



## *environmental planning and assessment act*

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The matters prescribed by section 4.15(1) of the EP&A Act are considered, as follows:

Clause	Provision	Comment
(a)	<p><i>the provisions of—</i></p> <ul style="list-style-type: none"> <li><i>i. any environmental planning instrument, and</i></li> <li><i>ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i></li> <li><i>iii. any development control plan, and</i></li> <li><i>iv. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i></li> <li><i>v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i></li> </ul> <p><i>that apply to the land to which the development application relates,</i></p>	The relevant provisions of PLEP 2014, all relevant SEPPs, and P21 DCP have been considered and addressed in this statement.
(b)	<i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The likely impacts of the proposed development have been addressed with respect to relevant plans and policies in this statement. The proposed development will not result in any unacceptable impacts upon the natural or built environment, or any social or economic impacts in the locality.
(c)	<i>the suitability of the site for the development,</i>	The subject site is suitable for the proposed development.
(d)	<i>any submissions made in accordance with this Act or the regulations,</i>	The application will be notified to all neighbouring properties, with any submissions received to be considered by Council.
(e)	<i>the public interest.</i>	The proposed development is in the public interest, in so far as it is consistent with the objectives and outcomes of PLEP 2014 and P21 DCP.



## *rural fires act*

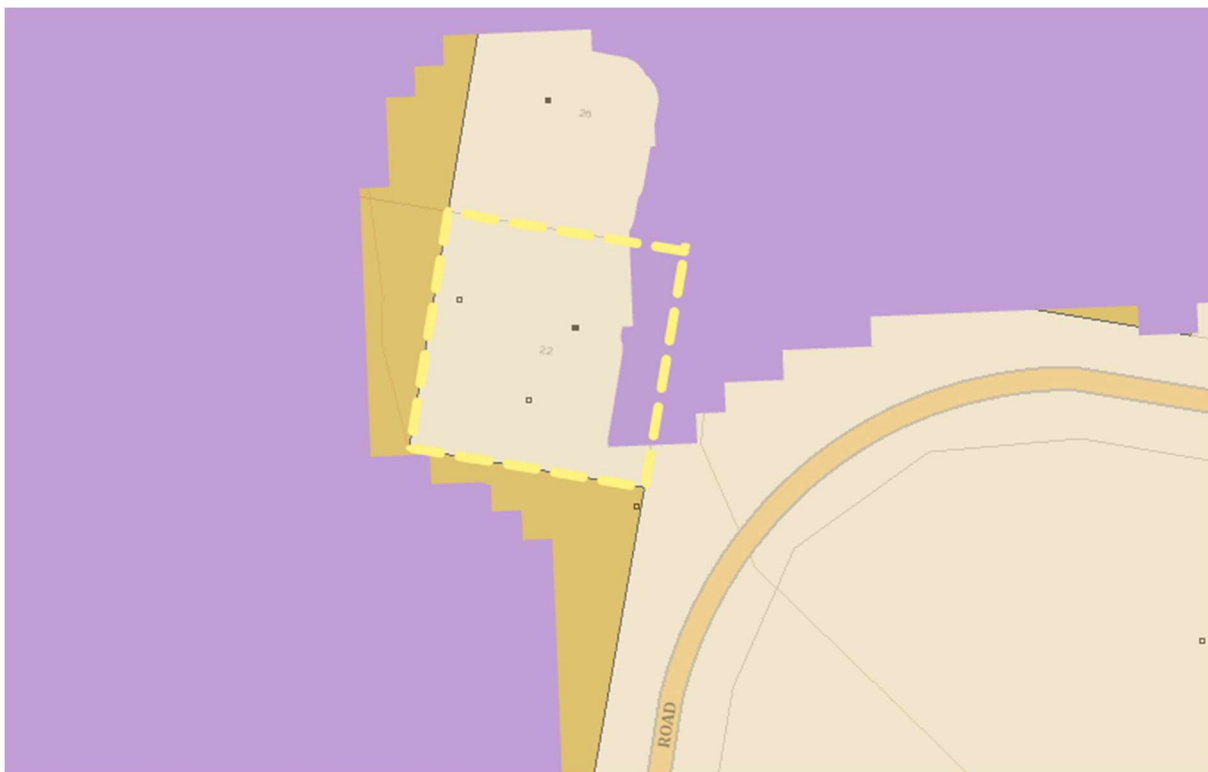
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The site is identified as being prone to bushfire, as shown on the Bush Fire Prone Land Map prepared by the NSW RFS pursuant to Section 10.3 of the EP&A Act. The application is supported by a Bushfire Planning Report by Clarke Dowdle & Associates which provides a series of recommendations to ensure proposed development is consistent with the provisions of Planning for Bushfire Protection 2019.

## *biodiversity conservation act*

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A part of the site is identified as “Biodiversity Value” on the Biodiversity Values Map prepared by the Office of Environment and Heritage (OEH) under Part 7 of the BC Act, as shown on Figure 9. No works, and specifically no clearing of vegetation, is proposed within the part of the site. As such, the proposal does not trigger the Biodiversity Offsets Scheme, and a Biodiversity Development Assessment Report is not required.



**Figure 9 – Extract of the Biodiversity Values Map with the site bordered in yellow**  
**Source: NSW Planning Portal Spatial Viewer**

Nonetheless, the application is accompanied by a Flora and Fauna Assessment by Kingfisher Urban Ecology and Wetlands, which confirms that no additional vegetation removal is proposed or required and provides recommendations to ensure that impacts upon the surrounding natural environment are minimised.



## *state environmental planning policy (resilience and hazards)*

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### **Remediation of Land**

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. The existing site has been used for residential purposes for an extended period of time, with no known prior land uses. The site is not identified on the public register of contaminated sites and is not located in the vicinity of any. Council can be reasonably satisfied that there is no contamination risk, subject to the imposition of suitable conditions relating to demolition.

## *state environmental planning policy (sustainable buildings)*

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The proposed works constitute 'BASIX affected development', as defined by the EP&A Regulation. The application is accompanied by a BASIX Certificate demonstrating that the proposed development can meet relevant performance criteria.

## *local environmental plan*

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The site is identified on the Land Application Map of PLEP 2014 and the provisions of this policy are applicable in relation to the site and the proposed development. The relevant provisions of PLEP 2014 are considered, as follows:

Clause	Standard	Proposal	Compliance
Clause 2.3 Zone objectives and Land Use table			Yes
Clause 2.7 Demolition requires development consent			Yes
Zone RU2 Rural Landscape			Yes
4.3 Height of buildings	8.5m	<8.5m	Yes
7.1 Acid sulfate soils	Class 5		Yes



Clause	Standard	Proposal	Compliance
7.2 Earthworks			Yes See discussion
7.6 Biodiversity			Yes
7.10 Essential services			Yes See discussion

### Clause 2.3 Zone objectives and RU2 Rural Landscape zone

The site is zoned RU2 Rural Landscape under the provisions of PLEP 2014. Pursuant to the land use table in Part 2 of this instrument, dwelling houses are permissible with consent. In accordance with the provisions of clause 2.3 of PLEP 2014, the relevant objectives of the zone are considered as follows:

- *To maintain the rural landscape character of the land.*

Comment: The proposed dwelling complements the rural landscape character of the site, and the proposal includes the retention of existing vegetation to ensure that the dwelling is softened by landscaping.

- *To provide for a range of compatible land uses, including extensive agriculture.*

Comment: The proposed dwelling is a form of development that is compatible with the rural landscape character.

- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

Comment: The proposed new dwelling seeks to replace an existing dwelling at the site, with no increase in the demand for public services or facilities.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones*

Comment: The proposed new dwelling does not create conflict with adjacent land uses, particularly noting that the proposal seeks to replace an existing dwelling.

### Clause 7.2 Earthworks

Earthworks are generally limited to those associated with footings. Nonetheless, the proposal is supported by a Geotechnical Report prepared by Sydney Geotech, which includes recommendations to ensure that the earthworks are undertaken safely.

The application is supported by Stormwater Management Plans by Vanguard Consulting Engineers, which confirm that a suitable stormwater management solution will be achieved on the site. As such, Council can be satisfied that the matters prescribed by clause 7.2(3) of PLEP 2014 have been considered and adequately addressed in the subject application.

## Clause 7.10 Essential Services

The site is not connected to Sydney Water's sewerage systems. As such, the development application proposes a new on-site wastewater system to manage wastewater. The system is detailed in the accompanying On-Site Wastewater Report by Broadcrest Environmental. Subject to approval for this system, Council can be satisfied that all essential services will be available, when required, consistent with the provisions of clause 7.10 of PLEP 2014.

## *development control plan*

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P21 DCP is applicable to the site and the proposed development. The site is identified within the Ingleside Locality. The relevant provisions of P21 DCP are considered, as follows:

Clause	Control	Proposal	Compliance
A1.7 Considerations before consent is granted	Have regard for the matters for consideration under section 4.15 of the EP&A Act.	The matters for consideration prescribed by section 4.15 of the EP&A Act have been considered (above).	Yes
A4.6 Ingleside Locality			Yes
B1.3 Heritage Conservation – General			Yes
B1.4 Aboriginal Heritage			Yes
B3.2 Bushfire Hazard	All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development.	The application is supported by a Bushfire Report.	Yes
B3.6 Contaminated Land and Potentially Contaminated Land			Yes
B4.18 Heathland/ Woodland Vegetation	Development shall not result in a significant onsite loss of canopy cover or net loss in native canopy trees.	<p>The application does not propose the removal of any existing vegetation or works within 5m of trees to be retained.</p> <p>The application is supported by a Landscape Plan, demonstrating an enhancement of native vegetation on the site.</p>	Yes



Clause	Control	Proposal	Compliance
B5.15 Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.	The application is supported by Stormwater Management Plans, which demonstrate consistency with Council's Water Management Policy.	Yes
B6.1 Access Driveways and Works on the Public Road Reserve		The application seeks to retain the existing driveway arrangements connecting to Cicada Glen Road.	Yes
B6.2 Internal Driveways			Yes
B6.3 Off-Street Vehicle Parking Requirements	2 spaces (minimum)	2+ spaces	Yes
B8.1 Construction and Demolition – Excavation and Fill		The application is accompanied by a Geotechnical Report.	Yes
B8.3 Construction and Demolition – Waste Minimisation		The application is accompanied by a Waste Management Plan demonstrating consistency with Council's Waste Management Guidelines.	Yes
B8.4 Construction and Demolition – Site Fencing and Security			Yes
C1.1 Landscaping	All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species.  At least 2 canopy trees are to be provided in the front yard and 1 in the rear yard.	The application is accompanied by a Landscape Plan demonstrating consistency with this control.	Yes
C1.2 Safety and Security		The proposed dwelling has been designed with appropriate regard for the CPTED principles.	Yes
C1.3 View Sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	There are no apparent view corridors over or across the site, and as such, the proposed single storey dwelling will not result in	Yes

Clause	Control	Proposal	Compliance
		any adverse impacts upon existing view corridors.	
C1.4 Solar Access	3 hours of direct sunlight to the main private open space and windows of principal living areas between 9am and 3pm in mid-winter.	<p>There are no dwellings located to the south of the property, and the proposed centrally located single storey dwelling will not result in any adverse overshadowing.</p> <p>Further, between the east facing media and rumpus rooms and the west facing living rooms, Council can be satisfied that future occupants of the dwelling will enjoy in excess of 3 hours of direct sunlight to living areas between 9am and 3pm in midwinter.</p>	Yes
C1.5 Visual Privacy	Private open space and living rooms of adjoining dwellings are to be protected from direct overlooking.	<p>The proposed new dwelling does not result in any adverse impacts upon the visual privacy of adjoining properties.</p> <p>The primary, elevated area of open space is located centrally on the rear façade, in excess of 9m from neighbouring properties.</p>	Yes
C1.6 Acoustic Privacy			Yes
C1.7 Private Open Space	80m <sup>2</sup> of private open space at ground level with dimensions no less than 3m.	>80m <sup>2</sup> of POS proposed.	Yes
C1.12 Waste and Recycling Facilities	All development must comply with the appropriate sections of the Waste Management Guidelines and must be accompanied by a Waste Management Plan	The application is accompanied by a Waste Management Plan demonstrating consistency with Council's Waste Management Guidelines.	Yes
C1.13 Pollution Control			Yes
C1.23 Eaves	450mm (minimum) eaves to all buildings.		Yes



Clause	Control	Proposal	Compliance
D6.1 Character as Viewed from a Public Place	Walls without articulation shall not have a length greater than 8 metres to any street frontage.	The proposed new dwelling is well articulated, with a single storey presentation to Cicada Glen Road.	Yes
D6.3 Building Colours and Materials	Dark and earthy tones.	The application is supported by a Schedule of Colours and Finishes, which demonstrates the use of dark and earthy tones to primary external surfaces.	Yes
D6.5 Front Building Line	20m	<b>12.8m – 13.3m</b>	<b>No</b> See discussion
D6.6 Side and Rear Building Line	Side & Rear: 20m	Side (north): <b>7.5m</b> Side (south): <b>10.0m</b> Rear (west): <b>11.6m – 12.6m</b>	<b>No</b> See discussion
D6.7 Building Envelope	Buildings maintained within a plane projected at 45 degrees from a height of 3.5m above existing ground level along the side boundaries.	The proposed works are wholly maintained below the prescribed building envelope.	Yes
D6.9 Landscaped Area – Non Urban	96% of the total site area minus 400m <sup>2</sup> (1153.96m <sup>2</sup> )	1154.66m <sup>2</sup>	Yes
D6.11 Fences – Flora and Fauna Conservation Areas			N/A
D6.12 Construction, retaining walls, terracing and undercroft areas			Yes

### Clauses D6.5 Front Building Line and D6.6 Side and Rear Building Lines

The proposed dwelling encroaches within the 20m minimum setbacks prescribed by clauses D6.5 and D6.6 of P21 DCP, with the following minimum setbacks proposed:

- Front (east): 13.3m to the front external wall and 12.8m to the front porch
- Rear (west): 12.6m to the rear external wall and 11.6m to the rear access stairs
- Side (north): 7.5m to the side external wall
- Side (south): 10.0m to the side external wall

However, strict compliance with the 20m minimum setbacks prescribed is unreasonable in the circumstance of this site, noting that the width and depth of the property is limited to 40.235m, leaving a total buildable area in the centre of the site of 0.235m x 0.235m.

The siting of the proposed dwelling is an appropriate response in light of the undersized nature of the allotment, that is also appropriately responsive to the siting of both the existing dwelling at the site and that on the adjoining property to the north, which is also an equally undersized allotment. Further, the siting of the dwelling provides sufficient setbacks for the necessary APZs required in light of the bushfire hazard that affects the site.

The proposed variations to the front, side and rear building lines are also considered reasonable in circumstances where the outcomes of the controls are nonetheless achieved, as follows;

- *Achieve the desired future character of the Locality.*

Comment: Noting that there is no specific reference to the depth of setbacks in the Character Statement at A4.6 of P21 DCP, non-compliance with the 20m minimum building lines does not detract from consistency in this regard.

- *Equitable preservation of views and vistas to and/or from public/private places.*

Comment: The proposal does not result in any adverse impacts upon views, despite non-compliance with the setbacks prescribed.

- *The amenity of residential development adjoining a main road is maintained.*

Comment: Not applicable, as the site does not adjoin a main road.

- *Vegetation is retained and enhanced to visually reduce the built form.*

Comment: The non-compliance does not result in the removal of existing significant vegetation, with existing landscaping within the resultant setbacks serving to screen and soften the visual impact of the proposed new dwelling.

- *Vehicle manoeuvring in a forward direction is facilitated.*

Comment: Vehicle movement in a forward direction is facilitated.

- *To preserve and enhance the rural and bushland character of the locality.*

Comment: The bushland character of the locality is preserved to the highest degree possible, noting the bushfire hazard that affects the site. The proposal results in an increased landscaped area calculation than that which currently exists.

- *To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*

Comment: Whilst not readily visible, the proposed dwelling is a high-quality design that will positively contribute to the Cicada Glen Road streetscape. The non-compliance with the prescribed minimum setbacks is unlikely to be perceived by the casual observer noting the dense vegetation within the road reserve and that the proposed setbacks are generally consistent with that of the existing dwelling on the site.



- *To encourage attractive street frontages and improve pedestrian amenity.*

Comment: The proposed new dwelling is a high-quality design that complements the existing rural residential character of the locality.

- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

Comment: As highlighted above, the setbacks of the proposed dwelling generally align with the setbacks of the existing dwelling and those of the adjacent dwelling at 26 Cicada Glen Road.

- *The bulk and scale of the built form is minimised.*

Comment: The dwelling is limited to a single storey in height, and is well articulated with varying materials to ensure that bulk and scale is appropriately minimised.

- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

Comment: The proposed new dwelling does not result in any adverse impacts upon the amenity of the adjoining dwelling. The living rooms and primary areas of open space are centrally located and are oriented away from the adjacent dwelling to the north. Further, the orientation of the properties ensure that overshadowing of the adjoining dwelling will not occur.

- *Flexibility in the siting of buildings and access.*

Comment: Strict compliance with the minimum setbacks prescribed would be antipathetic to this outcome, noting that strict compliance would prohibit the construction of a dwelling at the site.

## *conclusion*

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The proposal seeks consent for the demolition of the existing dwelling house and the construction of a new dwelling house on the rural residential site. The proposed development will not result in any unreasonable impacts upon adjoining properties or the surrounding natural environment and appropriately preserves the desired future character of the Ingleside Locality.

Due to the undersized nature of the site, the proposal involves unavoidable non-compliance with the minimum setbacks prescribed by P21 DCP. We ask that Council apply flexibility in this regard, consistent with the provisions of 4.15(3A)(b) of the EP&A Act, noting that the outcomes of these controls are nonetheless achieved.

Overall, the proposed development will positively contribute to the Cicada Glen Road streetscape and the application warrants Council's support in this regard.



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