Statement of Environmental Effects

Proposed alteration and additions 5 Lae Place Allambie Heights NSW 2100 Lot 5 / DP 237417

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1 Introduction

This statement of environmental effects (SoEE) has been prepared in support of the development application for alterations and additions to the existing dwelling at 5 Lae Place Allambie Heights.

- Section 2 provides a description of the site
- Section 3 outlines the proposed alternations and additions (the proposal)
- Section 4 provides consideration of matters of relevance to the proposal (as described in Section 3) that in determining the development application Council is to take into consideration in accordance with the requirements of section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act).
- Section 5 assess potential impacts to the natural and built environment and considers the social and economic impacts of the proposal
- Section 6 provides a concluding statement

2 Description of the site

2.1 Location and current use

The site is located at 5 Lae Place Allambie Heights NSW 2100 and the land is legally described as Lot 5 in DP 237417.

The site is located within the R2 Low Density Residential zone and accommodates a two-story (three split-levels) detached dwelling house. Adjoining and surrounding development is characterised by detached dwelling houses of various heights and designs. The current use of the site is a detached owner-occupied private residence.

The site has a total area of 557.6 m² and a road frontage of 19.54 m.

2.2 Aspect and adjacent development

The subject site is situated on the western side of Lae Place (Figure 2-1) and is surrounded by:

- An access handle to Lot 6 to the north (side);
- Lae Place to the east (front);
- Lot 3 to the south (side); and
- Lots 4 and 6 to the west (rear).



Figure 2-1: Location and aspect

A brief description of the adjacent development is included in the following sections.

2.2.1 Lot 6 (north/side and west/rear) and Lot 4 (west/rear)

Due to the sloping nature of the site (Section 2.3), the lots to the rear (Lot 4 and Lot 6) are approximately 12m height difference from the subject site. The access handle to Lot 6, forming the northern boundary of the site, follows a similar gradient and as such is only suitable for access to Lot 6 via an elevated concrete stairway (Figure 2-2). The roof of Lot 6 can be seen at the top of Figure 2-2, with the dwelling on Lot 6 located at the rear of Lot 5 and the ground level at approximately 12 m above the Lae Place street level.

The presence of the access handle on Lot 6 provides a physical separation between the proposed additions/alterations on Lot 5 and the existing dwelling on Lot 7.



Figure 2-2 Lot 6 access handle

2.2.2 Lot 3 (south/side)

Lot 3 is located to the south of the site and comprises a two-storey detached dwelling, with a carport within the front setback area. As the majority of the proposal (Section 3) is located on the northern side of Lot 5, there is negligible interaction with Lot 3.

2.2.3 Lot 7

Lot 7 does not adjoin the site, however is the closest existing dwelling to the majority of the proposed works. Lae Place is a cul-de-sac, with the western side dominated by steep rocky outcrops (Figure 2-3) and as such the lots are irregularly shaped with varied access. The existing two-storey dwelling on Lot 7 is oriented on a north-east / south-west plane.

Private open spaces of Lot 7 are located on the northern side of the existing dwelling, with the proposal facing the southern side of Lot 7 which is predominantly the carport, driveway and the front setback area.

As outlined above, the presence of the access handle on Lot 6 provides a physical separation between the existing dwelling (and proposal) on Lot 5 and the existing dwelling on Lot 7.



Figure 2-3 Aerial image of the locality

2.3 Slope

The site is identified by the Warringah Landslip Risk Map (Figure 2-4) as being predominantly within Area B – Flanking Slopes from 5 to 25 degrees. A small area at the north-eastern corner of the lot is location with Area A. The site has an approximate 12m difference in height between the front and rear of the lot. The geotechnical investigations undertaken reported an average slope of approximately 23% across the site.



Figure 2-4 Warringah Landslip Risk Map (accessed 6 October 2021)

2.4 Existing environment

The site is characterised almost entirely by steep sloping rock outcrops with limited to no vegetation cover (Figure 2-5). Were vegetation is present on the site, it is dominated by landscaped planting of predominately native species (Acmena smithii minor) or small lawn areas. No trees are present on the site. The site is not located in proximity to any areas mapped as Threatened and High Conservation Habitat. The property is not listed as having any heritage significance and there are no known items of heritage significance in the immediate vicinity.



Figure 2-5 Photographs showing existing environment at the front and rear of the site

3 The proposal

3.1 Objectives

The proposed alteration and additions to 5 Lae Place Allambie Heights are being undertaken with the following objectives:

- To improve the thermal / energy efficiency of the existing dwelling and subsequent enhancement of amenity.
- To establish an area of functional and integrated private open space

3.2 Detailed description

Detailed drawings have been prepared by Envirotecture Projects Pty Ltd and are provided as part of the development application.

3.2.1 Dwelling

The following alterations are proposed to the existing dwelling:

- Replacement of all existing timber awning windows and doors, with some minor modification to the size, with double glazed UPVC windows. The design of the new windows will improve thermal efficiency during weather extremes while also allowing for natural sea-breezes to be maximized in summer
- New north-facing windows in the kitchen and master bedroom. These new windows do not overlook any adjoining properties and will maximise natural lighting
- Minor internal alterations to the master bedroom, walk-in robe and ensuite
- Installation of under-floor insulation and membrane
- Installation of insulation within wall cavities
- Removal of the first-floor balcony

3.2.2 Private open space

A private open space will be established by:

- Extending the existing outdoor deck and roof over, and within the existing footprint, of the existing garage
- Installation of planter boxes and screens to maximise privacy of both the private open space and adjoining properties.

3.2.3 Plunge pool

A plunge pool is proposed adjacent to the deck and is situated to maximise integration with the main living area of the existing dwelling and proposed private open space area. The location of the plunge pool has been selected to minimise the need for excavation by responding to the natural steep terrain of the site.

3.2.4 Landscaping

Timber posts and wires will be installed in place of the existing first-floor balcony (to be removed). The wires will be planted with deciduous climbing vines and will provide shade to the lower ground floor windows during summer. The incorporation of this landscape element will also reduce the visual bulk of the existing dwelling and provide continuity with the streetscape.

4 Planning instruments and controls

4.1 SEPP (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the proposal and requires that a BASIX certificate is prepared. The development application is accompanied by a relevant BASIX certificate.

4.2 SEPP No. 55 – Remediation of Land

Clause 7 of the State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires contamination and remediation to be considered by the consent authority in determining the development application.

The long-term historical use of the site is residential and as such is unlikely to contain any Contaminants of potential concern (CoPC). The proposal includes minor excavation to support installation of the pool, however this will be virgin excavated natural material (VENM) and as such presents a negligible risk of encountering any CoPC.

4.3 Warringah Local Environmental Plan 2011

The following discusses compliance with relevant parts and clauses of the Warringah Local Environmental Plan 2011 (WLEP 2011).

The site is located within the R2 Low Density Residential zone as mapped in accordance with clause 1.7 of the WLEP 2011 (Figure 4-1). The objectives of zone R2, as described in the WLEP 2011, are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

The proposal as described in Section 3 is consistent with the above objectives.



Figure 4-1 Zoning

An assessment of the proposal against the relevant clauses of the WLEP 2011 is provided in Table 4-1.

Table 4-1 Relevant clauses of WLEP 2011

Item	Requirements	Proposal	Compliant with requirements
Clause 4.3 Height of buildings	The site is located within an area of maximum building heights of 8.5 m as shown on the Warringah Height of Building Map in accordance with clause 4.3 of the WLEP 20211.	The proposal does not increase the maximum building height, is less than 8.5 m and is therefore compliant with this development standard.	Yes
Clause 4.4 Floor space ration	There is no floor space ration development standard applicable to the site.	N/A	N/A
Clause 5.10 Heritage conservation	The consent authority may, before granting consent to any development on land that is within the vicinity of a heritage item or HCA, require the submission of a heritage management document.	The property is not listed as having any heritage significance and there are no known items of heritage significance identified in the immediate vicinity as shown on the Warringah Heritage Map, or listed in Schedule 5 of the WLEP 2011. The proposal will not impact on the historic or Aboriginal heritage values of the site and as such is considered to meet the requirements of clause 5.10 of the WLEP 2011.	Yes
		The closest heritage item identified by the Warringah Heritage Map, is Item I130 - Warringah Reservoir (WS 0131) and attached valve house, which is listed in Schedule 5 of the Warringah Local Environment Plan 2011 (WLEP 2011). Item I130 is location at 40-50 Government Road (Lot 54, DP 117875), situated approximately 200 m north-east of the site. The proposed as described in Chapter 3 will not have any impact on heritage item I130.	
Clause 6.1 Acid sulphate soils	To ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	The site is not identified as containing acid sulphate soils by the Warringah Acid Sulfate Soils Map. The proposal includes excavation of a small area of sandstone, however does not disturb any area of potential acid sulphate soils. As such the proposal is considered to meet the requirements of clause 6.1 of the WLEP 2011.	Yes
Clause 6.2 Earthworks	To ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land	The proposal as described in Section3, includes earthworks to allow for the installation of the pool and extended garage area. The area to be excavated is part of a large rock mass adjacent to the existing dwelling and is separated vertically by wide horizontal bedding planes in the rock and separated sub horizontally by widely spaced vertical cracks known as joints that run in two directions at roughly 90°. The joints are spaced mostly at distances of 3.0m or larger. This type of formation results in an overall stable rock formation of large, roughly square blocks of rock that are stacked on top of each other.	Yes

		Geotechnical investigations undertaken for the proposal concluded that the rock is of good quality and instability issues are not expected provided the excavation is inspected periodically by a geotechnical consultant as the excavation is lowered. Management of excavation induced vibrations to avoid any building damage to the subject and neighbouring houses can easily be achieved by using the correct excavation equipment/ technique or with vibration monitoring. As such, the proposal is unlikely to have any detrimental effect on existing drainage patterns and soil stability in the locality; effect the likely future use or redevelopment of the land; effect the existing and likely amenity of adjoining properties; or have adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. A detailed geotechnical investigation has been completed and is provided with the development application.	
Clause 6.4 Development on sloping land	That the application for development has been assessed for the risk associated with landslides in relation to both property and life The development will not cause significant detrimental impacts because of stormwater discharge from the development site The development will not impact on or affect the existing subsurface flow conditions.	As outlined above (see Clause 6.2 Earthworks), the proposed works do not pose a landslip risk. Further detail is provided in the geotechnical assessment included with the development application. The proposed works will not impact on the existing drainage of the site and stormwater will be managed within the existing system. All excavation on site is within a sandstone rock mass that would have limited subsurface flow connectivity and as such the proposed works will not impact on the groundwater of the site or adjoining properties. Due to the slope and elevation of the block, the water table is expected to be many metres below the base of the proposed excavations.	

4.4 Warringah Development Control Plan 2011

4.4.1 Part B – Built form controls

An assessment of the proposal against the relevant Part B Built form controls identified in the Warringah Development Control Plan 2011 (WDCP 2011) is provided in Table 4-2. Further justification for on merit consideration is provided in the following sections.

Table 4-2 Relevant built form	n control compliance summary
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Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
B1 – Wall heights	8.5m maximum height of building	No change is proposed to the maximum height of the existing dwelling which complies with the development control	Yes	Yes
B3 – Side boundary envelope	Building must be sited within a building envelope determined by projecting planes at 45 degrees from 4 m above ground level (existing) at the side boundaries	Refer Section 4.4.1.1	On merit	Yes
B5 - Side boundary setbacks	Minimum setback from side boundaries of 900 mm	Refer Section 4.4.1.2	On merit	Yes
B7 – Front boundary setbacks	Minimum setback to road frontage of 6.5 m	Refer Section 4.4.1.3	On merit	Yes
B9 – Rear boundary setbacks	Minimum setback to rear boundary of 6 m	No change is proposed to the rear setback of the existing dwelling which complies with the development control	Yes	Yes

4.4.1.1 B3 - Side boundary envelope

Description of partial compliance

Part B3 of the WDCP 2011 prescribes that the proposal must be sited within a building envelope determined by projecting planes at 45 degrees from 4 m above ground level (existing) at the side boundaries.

The majority of the proposal complies with the side boundary envelope controls, including the 'solid' sections comprising the existing garage structure, walls and the proposed planter boxes. However, a section of the proposed roof over the deck adjacent the northern boundary (refer Figure 4-2) encroaches the envelope.

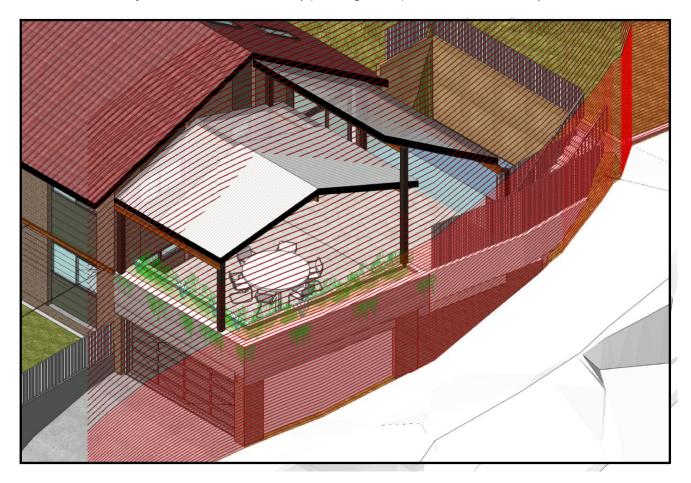


Figure 4-2 Side boundary envelope

Merit consideration of request for variation

A variation is requested for the encroachment of the roof within the side boundary envelope and is justified against the objectives of the control:

Objective: To ensure that development does not become visually dominant by virtue of its height and bulk

The proposal converts the tiled roof of the existing garage to a deck with an open roof structure and vegetation in planter boxes on both the eastern (front) and northern (side) sides of the proposed deck. On the northern side of the property, the roof of the existing garage is the dominant structure. The proposed vegetation in planter boxes will provide a break in the bulk of the proposal and constitutes a reduction in the visual bulk of the dwelling compared to the existing tiled garage roof structure.

The height of the proposed deck roof is lower than, and follows the lines of, the existing dwelling. The roof structure has also been designed to maximise solar exposure during winter, whilst providing shade during summer months in accordance with the objectives of Part D6 of the WDCP 2011.

A significant mitigating factor is the separation between Lot 5 and Lot 7 created by the presence of the access handle to Lot 6 adjacent the northern boundary of the proposal (refer Figure 2-2). Further discussion on this is provided in the following sections.

A photomontage (refer Figure 4-3) has been prepared to show how the overall architecture of the development is articulated in a manner that is consistent with the general typology of buildings in the immediate vicinity, thereby negating any impact of the variation sought, and ensuring compatibility with surrounding developments by virtue of height and bulk.

As such, it is considered that the proposal satisfies this objective.



Figure 4-3 Photo montage showing the proposal

Objective: To ensure adequate light, solar access and privacy by providing spatial separation between buildings

The proposed deck and roof are located on the northern side of the existing dwelling. As a result, the proposal does not overshadow adjoining and nearby properties and therefore does not impact on light and solar access.

The proposal has been designed in a manner that maximises light and solar access for the existing dwelling. The roof structure incorporates materials that will allow light into the north facing windows of the existing dwelling, whilst also maintaining the amenity of the proposed deck.

A significant mitigating factor is the presence of the access handle to Lot 6 adjacent the northern boundary of the proposal (refer Figure 2-2). This access handle is on a steep (~23°) sloping rocky outcrop and includes a suspended concrete stairway. The presence of the access handle provides a physical separation to Lot 7 to the north and ensure that there is no encroachment on all existing, and potential permissible future, dwellings/structures.

In developing the draft design consultation was undertaken with the owners of Lot 6. A letter of support for the proposal from the owners of Lot 6 is provided in APPENDIX A.

Whilst it is believed that adequate light, solar access and privacy are provided by the spatial separation achieved by the presence of the access handle to Lot 6, consideration has been given to feedback from Council provided as part of pre-lodgement advice. As a result of Council's advice, a combination of planter boxes and privacy screens have been incorporated into the northern side of the deck to ensure any potential privacy impact of Lot 7 are minimised. It is also noted that the private open spaces of Lot 7 are located on the northern side, with the proposal facing the southern side (predominantly the carport, driveway and the front setback area) of the Lot 7 dwelling, and as such the proposal does not have any privacy impact on the private open space of Lot 7.

As such, it is considered that the proposal satisfies this objective.

Objective: To ensure that development responds to the topography of the site

As outlined in Chapter 2, the site is characterised almost entirely by steep sloping rock outcrops. The site has an approximate 12m difference in height between the front and rear of the lot which equates to a rise from street level to the rear of the block at an average slope of approximately 23%. As further discussed in Section 4.4.3.1, this topography provides a significant constraint for the siting of private open space. The proposed location of the pool and deck is considered the only opportunity on the site to achieve private open space. A key objectives of Part D2 of the WDCP 2011 is ensuring that '*Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play'*. To achieve this control objective, the proposed deck has been designed to be accessed from the main living area of the existing dwelling. These siting factors, and subsequent responding design approach are key drivers of the need for the above requested variations to the Part B3 controls.

As such, it is considered that the proposal satisfies this objective.

4.4.1.2 B5 - Side boundary setbacks

Description of partial compliance

Part B5 of the WDCP 2011 prescribes that the proposal should maintain a minimum setback from side boundaries of 900 mm. Both the existing garage and deck are sited with the northern side boundary setback, and the proposal does not change this. However, as the proposal is located above the existing garage and within the footprint of the existing deck it also encroaches within the side boundary setback (refer Figure 4-4).

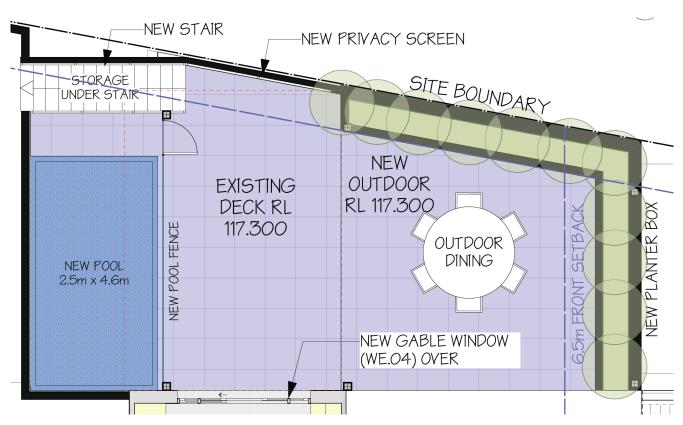


Figure 4-4 Northern side boundary setback

Merit consideration of request for variation

A variation is requested for the encroachment within the northern side boundary setback and is justified against the objectives of the control:

Objective: To provide opportunities for deep soil landscape areas

As outlined in Chapter 2, the site is characterised almost entirely by steep sloping rock outcrops and as such has very limited (if any) areas of deep soil landscape. Existing areas of soil/vegetation are currently confined to established garden beds that have been constructed as part of the existing dwelling.

Both the existing garage and existing deck are sited with the northern side boundary setback, and the proposal does not change this and as such is not impacting on any deep soil landscape areas. The proposal does however include deep planter boxes within the northern side boundary area. The incorporation of these planters will increase the areas of deep soil landscape from the existing status.

As such, it is considered that the proposal satisfies this objective.

Objectives: To ensure that development does not become visually dominant; To ensure that the scale and bulk of buildings is minimized; and To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained

Consideration of these objectives and justification for the request for variation in this regard are discussed in relation to similar Part B3 objectives in Section 4.4.1.1.

In addition, consideration has been given to feedback from Council provided as part of pre-lodgement advice. As a result, a planter box is proposed for the majority of the length of the northern boundary (in place of a privacy

screen) to ensure the majority of the side boundary setback is maintained as a non-trafficable area. A small trafficable area, primarily within the footprint of the existing deck (refer Figure 4-4), is proposed within the side boundary setback to allow access to the stairs adjacent the proposed pool. This small exception was suggested as potentially supported by Council in the pre-lodgement advice.

As such, it is considered that the proposal satisfies these objectives.

Objective: To provide reasonable sharing of views to and from public and private properties

Lot 4 and Lot 6: As outlined in Section 2.2, the lots to the rear (Lot 4 and Lot 6) are approximately 12m height difference from the subject site due to the sloping nature of the site. As such, the views for these properties to the rear look over the top of the existing dwelling and the proposal and are not impeded in any way. As such, the proposal has no effect on the views from Lot 4 or Lot 6.

Lot 7: The northern boundary of Lot 7 adjoins the public open space of Lae Reserve and as such this is the primary view direction. There are no views of value to the south and any existing views to the south from Lot 7 are currently impeded by the existing dwelling of the site and as such are not further impeded or impacted by the proposal. As such, the proposal has no effect on the views from Lot 7.

Lot 3: The proposal is located on the northern side of the existing dwelling and as such would not be visible from the habitable / recreational areas of Lot 3. As such, the proposal has no affect of the views from Lot 3.

Properties on the eastern side of Lae Place: Due to the steep terrain and height differential, there are no views of value to the west of Lae Place as they are impeded by the natural topography/landscape and existing dwellings. As such, the proposal has no effect on the views from existing dwellings on the eastern side of Lae Place.

Public spaces: Key public spaces in proximity to the site include the streetscape of Lae Place and Lae Reserve. The proposal is not visible from Lae Reserve and as such is not impacted. As for the properties on the eastern side of Lae Place, views from Lae Place towards the site are obscured by natural topography and existing dwellings and as such are not impacted by the proposal.

As such, it is considered that the proposal satisfies this objective.

4.4.1.3 B7 – Front boundary setbacks

Description of partial compliance

Part B5 of the WDCP 2011 prescribes that the proposal should maintain a minimum setback to the road frontage of 6.5 m.

Due to the significant siting constraints of the site (refer Chapter 2) both the existing garage and existing dwelling encroach within the front boundary setback (refer Figure 4-5). However, as the proposal is located above, and within the footprint of, the existing garage it also encroaches within the front boundary setback (refer Figure 4-4).

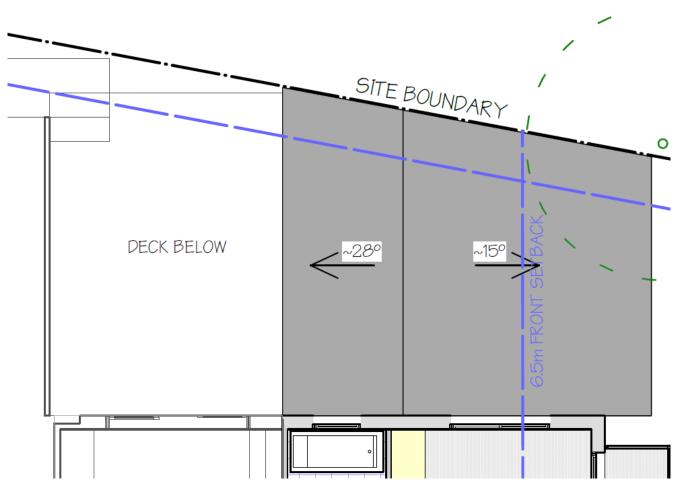


Figure 4-5 Existing front boundary setback.

Merit consideration of request for variation

The pre-lodgement advice received from Council indicated that this non-compliance is supportable, and as such a variation is requested for the encroachment within the front boundary setback and is justified against the objectives of the control:

Objective: To create a sense of openness; To maintain the visual continuity and pattern of buildings and landscape elements; To protect and enhance the visual quality of streetscapes and public spaces.

The proposal converts the tiled roof of the existing garage to a deck with an open roof structure and vegetation in planter boxes on both the eastern (front) and northern (side) sides of the proposed deck. The proposed vegetation in planter boxes will provide a break and reduction in the visual bulk of the dwelling compared to the existing tiled garage roof structure and will enhance the visual quality of the dwelling when viewed from both adjacent private and public spaces. This is demonstrated in the photo montage shown in Figure 4-3.

The existing dwelling also includes a first-floor balcony that stretches the entire width of the dwelling and is entirely within the front setback. The proposal removes this balcony and replaces it with a landscaping element (ie timber posts and wires) that will support vegetated landscaping (ie climbing vines). The removal of the first-floor balcony and replacement with climbing vines will reduce the bulk of the existing dwelling and promote visual continuity with the proposed planter boxes and existing landscape elements.

Overall the proposal significant improves the visual continuity, landscape elements and visual quality of the dwelling and as such is considered to meet these objectives.

Objective: To achieve reasonable view sharing.

The proposal does not impact on the views to and from public properties of any adjoining private dwellings, or other dwellings in the locality. As outlined in Section 2.2, the lots to the rear (Lot 4 and Lot 6) are approximately 12m height difference from the subject site due to the sloping nature of the site. As such, the views for these properties to the rear look over the top of the existing dwelling and the proposal and are not impeded in any way.

The northern boundary of Lot 7 adjoins the public open space of Lae Reserve and as such this is the primary view direction. Any views to the south from Lot 7 are currently impeded by the existing dwelling of the subject site and as such are not further impeded or impacted by the proposal.

Refer Section 4.4.1.2 for further justification.

As such, it is considered that the proposal satisfies this objective.

4.4.2 Part C – Siting factors

An assessment of the proposal against the relevant Part C Siting factor controls identified in the WDCP 2011 is provided in Table 4-3.

Table 4-3 Relevant siting factor control compliance summary

ltem	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
C2 – Traffic, access and safety	 Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. Vehicle access is to be obtained from minor streets and lanes where available and practical. Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification. 	The proposal does not change the location of vehicular or pedestrian access to the existing dwelling which complies with the controls.	Yes	Yes
C3 – Parking facilities	 Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located so that views of the street from front windows are not obscured. Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. 	The existing dwelling incudes a two-car garage, which is currently not deep enough to accommodate the length of a vehicle longer than a small SUV. The proposal will increase the depth of the existing garage to allow a larger range of vehicles to be accommodated and as such will ensure the continued provision of off-street parking. The proposal does not alter the width of the existing garage which does not exceed 6 m or 50% of the building width.	Yes	Yes
C4 - Stormwater	Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like. 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 proposal does not increase the hard surface / roofed area of the existing dwelling and will be connected to the existing stormwater. The incorporation of planter boxes onto the eastern and northern edges of the proposed deck, and corresponding reduction in roofed area, will decrease offsite discharge of stormwater. As such, the proposal will not impact on downstream flooding and will not increase the existing negligible environmental impact.	Yes	Yes

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
		The stormwater drainage associated with the proposal has been designed in accordance with Council's Water Management for Development Policy.		
C7 – Excavation and landfill	All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation. Excavation and landfill works must not result in any adverse impact on adjoining land. Excavated and landfill areas shall be constructed to ensure the geological stability of the work. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.	No landfill is proposed. The proposal includes minor excavation to allow for the installation of the pool, however will not impact on adjoining land and is geologically stable (refer geotechnical investigation report for further detail). The proposed excavations are predominantly into a sandstone rock mass and as such sediments prone to erosion and subsequent offsite mobilization are not expected to be encountered. However, appropriate erosion and sediment controls (ESC) will be adopted where required during excavation to minimise any risk of siltation. No risk of siltation would remain following completion of the excavation.	Yes	Yes
C8 - Demolition and Construction	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	Construction waste would be guided by the waste management plan attached to the development application.	Yes	Yes
C9 – Waste management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	The existing on site waste management is not impacted by the proposal.	Yes	Yes

4.4.3 Part D – Design

An assessment of the proposal against the relevant Part D Design controls identified in the WDCP 2011 is provided in Table 4-4.

Table 4-4 Relevant design control compliance summary

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
D1 - Landscaped Open Space and Bushland Setting	Meet the minimum area of landscaped open space of 40%	The proposal results in a slight increase in the area of landscaped open space. The landscaped open space will be 284.7 m2, or 51% of the lot area which exceeds the requirement.	Yes	Yes
D2 - Private Open Space	 Residential development is to include private open space with the minimum area of 60 m² Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development. Private open space shall not be located in the primary front building setback. Private open space is to be located to maximise solar access. 	The existing site is not compliant with this requirement, with the area of private open space on 24.6 m ² . The proposal increases the area of private open space to 50.9m ² . Further discussion is provided in relation to the objectives of the control as the establishment of an area of private open space is a key objective of the proposal. Refer Section 4.4.3.1	On merit	Yes
D3 - Noise	Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.	No mechanical plant or equipment forms part of the proposal. The existing dwelling complies with the objectives of this control and this will not change.	Yes	Yes
D6 - Access to Sunlight	Development should avoid unreasonable overshadowing any public open space. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a	The majority of the proposal is located on the northern side of the existing dwelling and as such does not create any overshadowing of public open space.	Yes	Yes

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
	minimum of 3 hours of sunlight between 9am and 3pm on June 21.	The proposed area of private open space incorporates a roof structure that has been designed to maximise solar exposure during winter, whilst providing shade during summer months.		
D7 - Views	Development shall provide for the reasonable sharing of views.	The proposal does not impact on the views of any adjoining dwellings, or other dwellings in the locality. Refer Section 4.4.1.2 for further detail.	Yes	Yes
D8 - Privacy	 Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass. 	As further discussed in Section 4.4.3.1, the proposed location of the deck responds to the steep topography of the site and provides the only opportunity for establishment of an area of private open space. Whilst it is believed that adequate privacy is provided by the spatial separation achieved by the presence of the access handle to Lot 6, a combination of planter boxes and privacy screens have been incorporated into the northern side of the deck to ensure any potential privacy impact of Lot 7 are minimised. The private open spaces of Lot 7 are located on the northern side, with the proposal facing the southern side (predominantly the driveway to Lot 7 and the front setback area) of the Lot 7 dwelling, and as such the proposal does not have any privacy impact on the privacy or private open space of Lot 7. All windows on the northern side of the existing dwelling open onto the proposed area of private open space. The addition of a roof over the proposed deck will reduce the potential for overlooking from the existing north facing bedroom window. Two additional windows are proposed on the northern side of the existing dwelling, however both have been positioned to prevent any opportunity for overlooking.	Yes	Yes
D9 – Building bulk	Side and rear setbacks are to be progressively increased as wall height increases. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.	On the northern side of the property, the roof of the existing garage is the dominant structure. The proposal converts the tiled roof of the existing garage to a deck with an open roof structure and vegetation in planter boxes on both the eastern (front) and northern (side) sides of the proposed deck. The proposed vegetation in planter boxes will provide visual relief by creating a break in the bulk of the proposal and constitutes	Yes	Yes

ltem	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
	On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. Building height and scale needs to relate to topography and site conditions. Orientate development to address the street. Use colour, materials and surface treatment to reduce building bulk. Landscape plantings are to be provided to reduce the visual bulk of new building and works. Articulate walls to reduce building mass.	 a reduction in the visual bulk of the dwelling compared to the existing tiled garage roof structure. The height of the proposed deck roof is lower than and follows the lines of the existing dwelling. A photomontage (refer Figure 4-3) has been prepared to show how the overall architecture of the development is articulated in a manner that responds to the topography of the site and is consistent with the general typology of buildings in the immediate vicinity, thereby negating any impact of the variation sought (setback/envelope), and ensuring compatibility with surrounding developments by virtue of height and bulk. 		
D10 – Building colours and materials	In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.	External finishes selected are to be compatible with the existing dwelling and with external materials present in the locality. The colour scheme of the proposed alternations and additions will be in sympathy with the existing dwelling. The development will make a positive visual contribution to the streetscape.	Yes	Yes
D11 - Roofs	Roofs should complement the roof pitch and forms of the existing buildings in the streetscape. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas. Roofs shall incorporate eaves for shading. Roofing materials should not cause excessive glare and reflection.	The roof of the existing dwelling has a relatively flat pitch facing the street and steeper pitch to the rear. The roof over the proposed deck has been designed to compliment the pitch and form of the existing dwelling and aligns with other buildings in the streetscape. Materials selected will provide solar access to existing north facing windows while providing shade of the private open space. Selection of materials will minimise glare and reflection.	Yes	Yes

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
D12 – Glare and reflection	The overspill from artificial illumination or sun reflection is to be minimised Any glare from artificial illumination is to be minimised Sunlight reflectivity that may impact on surrounding properties is to be minimised	The proposal does not result in an increase in artificial illumination. The proposal provide a slight reduction in the dimensions of the existing windows to improve thermal efficiency and as such will also result in a reduction in the potential for glare and sun reflection from the windows. The orientation and materials proposed for the deck roof will not result in glare or reflection impact sot adjoining properties.	Yes	Yes
D13 – front fences and front walls	 Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character. Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence. Fences located within the front building setback area are to complement the existing streetscape character. Fences are to be constructed to allow casual surveillance, except where there is excessive noise. Gates are not to encroach over the property boundary when opening or closing. Fences should complement the architectural period of the building. 	No changes to existing fences or front walls form part of the proposal	Yes	Yes
D14 – Site facilities	Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places.	No changes to site facilities form part of this proposal.	Yes	Yes
D15 – Side and rear fences	Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.	No changes to existing fences form part of the proposal	Yes	Yes

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
	All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.			
D16 – Swimming pools and spa pools	Pools are not to be located in the front building setback. Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.	The proposed pool is located behind the front building setback and does not impact any trees.	Yes	Yes
D20 – Safety and security	Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	The existing dwelling provides good line of sight to the proposed private open space of the deck. The existing dwelling is also located on the high side of the street and as such allows for the street to be overlooked for casual surveillance.	Yes	Yes
D22 - Conservation of Energy and Water	The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy. Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties. Buildings are to be designed to minimize energy and water consumption. Landscape design is to assist in the conservation of energy and water. All development must comply with Council's Water Management Policy.	A key aspect of the proposal is the replacement of the existing windows and skylights with double glazed windows. Insultation will also be installed into the wall cavities and under the sub-floor of the existing dwelling. These changes will provide a significant improvement in the thermal efficiency of the existing dwelling and subsequent reduction in energy usage. The proposal does not impact on solar access to adjoining properties. No changes to the water consumption of the existing dwelling is proposed, which already utilises water conserving fittings in all bathrooms, and operates water efficient cleaning appliances.	Yes	Yes

4.4.3.1 D2 - Private open space

The existing dwelling does not meet the requirements of Part D2, with an area of only 24.6 m² of private open space provided. This equates to only 41 % of the required 60 m². As such, the existing dwelling also does not meet the objectives of Part D2.

The proposal increases the area of private open space to 50.9 m^2 or 85% of the required area and as such is considered to meet the objectives of Part D2 of the WDCP 2011. Further discussion is provided in relation to the objectives of the control as the establishment of an area of private open space is a key objective of the proposal.

Objective: To ensure that all residential development is provided with functional, well located areas of private open space

As outlined in Chapter 2, the site is characterised almost entirely by steep sloping rock outcrops. The site has an approximate 12m difference in height between the front and rear of the lot which equates to a rise from street level to the rear of the block at a slope of approximately 23%. This topography provides a significant constraint for the siting of private open space. In developing the design of the proposal, opportunity to incorporate private open space to the rear of the existing dwelling were considered. A small deck area of approximately 1 m depth is situated at the rear of the existing dwelling, however is bounded by a steep (near vertical) rock outcrop. Due to this topography of the site the requirements or objectives of this control were unable to be met with any practical or economically feasible solutions. The proposed location of the pool and deck is considered the only opportunity on the site to achieve private open space.

The proposal establishes a functional area of private open space, by providing opportunity for outdoor dining and relaxation and is integrated with the outdoor recreation of the proposed pool. The location on the northern side of the existing dwelling will maximise solar access during winter months whilst the roof further enhances the space by providing sunshade in summer. The proposed planter boxes on the northern and eastern edges of the deck make provision for privacy while allowing the natural north-eastern sea breezes to be utilised in summer months. The proposal will include outdoor furniture for both dining and relaxation and the stairs provide access to an existing lawn area with children's play equipment.

Objective: To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings

The proposal has been designed to allow direct access, via bi-fold doors, from the kitchen and main living area of the existing dwelling. The floor level of the deck has been aligned to the floor level of the existing dwelling to provide integration of the indoor and outdoor spaces.

Objective: To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces

The proposed area of private open space is located on the northern side of the existing dwelling, with the northern boundary of the site adjoins an access handle to Lot 6. The presence of the access handle provides a physical separation to Lot 7 to the north and as such minimises any potential for adverse impacts on adjoining buildings. A combination of planter boxes and privacy screens have also been incorporated into the northern side of the deck to ensure any potential privacy impact of Lot 7 are minimised. It is also noted that the private open spaces of Lot 7 are located on the northern side, with the proposal facing the southern side (predominantly the driveway to Lot 7 and the front setback area) of the Lot 7 dwelling, and as such the proposal does not have any privacy impact on the private open space of Lot 7.

Objective: To ensure that private open space receives sufficient solar access and privacy

The proposed area of private open space is located on the northern side of the existing dwelling. The roof pitch has been designed to maximise solar access during the winter months while providing shade during summer months. The proposal has also been designed in a manner that maximises light and solar access for the existing dwelling. The roof structure incorporates materials that will allow light into the north facing windows of the existing dwelling, whilst also maintaining the amenity of the proposed deck.

Whilst it is believed that adequate light, solar access and privacy are provided by the spatial separation achieved by the presence of the access handle to Lot 6, consideration has been given to feedback from Council provided as part of pre-lodgement advice. As a result of Council's advice, a combination of planter boxes and privacy screens have been incorporated into the northern side of the deck to ensure privacy for the use of this area and to minimise any impact on adjoining properties.

4.4.4 Part E – The natural environment

An assessment of the proposal against the relevant Part E The natural environmental controls identified in the WDCP 2011 is provided in Table 5-4.

Table 5-4 Relevant natural environment control compliance summary

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
E1 - Preservation of Trees or Bushland Vegetation	Authority to clear a tree or other vegetation is required. A person shall not ringbark, cut down, top, lop, remove, poison, injure, or wilfully destroy any tree or bushland vegetation that requires a Vegetation Clearing Permit	No clearing of trees or bushland vegetation is required as part of this proposal	Yes	Yes
E2 - Prescribed Vegetation	Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.	The site does not include any Threatened and High Conservation Habitat or Native Vegetation and is not within the Wildlife Corridor as mapped under the WDCP 2011. The proposal does not include removal of any vegetation.	Yes	Yes
E6 – Retaining unique environmental features	Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land. Development should respond to these features through location of structures, outlook, design and materials.	As shown in Figure 2-3, the site is characterised almost entirely by steep sloping rock outcrops. As such, the proposed area of private open space (comprising the deck, roof and pool) has been sited on the northern side of the existing dwelling. This design responds to the dominate features of the site and maximises the retention of the natural rock features of the site.	Yes	Yes
E10 – Landslip risk	The proposed development is justified in terms of geotechnical stability and will be carried out in accordance with good engineering practice. Development must not cause detrimental impacts because of stormwater discharge from the land. Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties. A preliminary assessment of site conditions must be prepared by a suitably qualified geotechnical engineer/ engineering geologist.	The proposal as described in Section3, includes earthworks to allow for the installation of the pool and extended garage area. The area to be excavated is part of a large rock mass adjacent to the existing dwelling and is separated vertically by wide horizontal bedding planes in the rock and separated sub horizontally by widely spaced vertical cracks known as joints that run in two directions at roughly 90°. The joints are spaced mostly at distances of 3.0m or larger. This type of formation results in an overall stable rock formation of large, roughly square blocks of rock that are stacked on top of each other. Geotechnical investigations undertaken for the proposal concluded that the rock is of good quality and instability issues are not expected provided the excavation is inspected periodically by a geotechnical consultant as the excavation is	Yes	Yes

Item	Development Control	Proposal	Compliant with requirements	Consistent with aims/objectives
		lowered. Management of excavation induced vibrations to avoid any building damage to the subject and neighbouring houses can easily be achieved by using the correct excavation equipment/ technique or with vibration monitoring. As such, the proposal is unlikely to have any detrimental effect on existing drainage patterns and soil stability in the locality; effect the likely future use or redevelopment of the land; effect the existing and likely amenity of adjoining properties; or have adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. A detailed geotechnical investigation has been completed and is provided with the development application.		

5 Environmental impacts

5.1 Natural environment impacts

5.1.1 Aboriginal heritage

The disturbance area of the proposal, as described in Section 3, is predominantly within the footprint of the existing dwelling. The proposal does include minor excavation to allow for the installation of the pool, however are predominantly into a sandstone rock mass (Figure 5-1). As such, the proposed construction activities and minor excavation are very unlikely to impact on any cultural material or the cultural values of the site and adjoining areas.



Figure 5-1 Area of excavation

5.1.2 Biodiversity

The site does not include any Threatened and High Conservation Habitat or Native Vegetation (Figure 5-2) and is not within the Wildlife Corridor as mapped under the WDCP 2011. As outlined above, the disturbance area of the proposal is predominantly within the footprint of the existing dwelling with a small area of minor excavation.

The proposal does not include removal of any native vegetation and the small area of excavation is unlikely to provide suitable habitat for any threatened native fauna.

As such, the proposal will have negligible to no impact on the biodiversity of the site and adjoining areas.



Figure 5-2 Threatened and High Conservation Habitat (left) and Native vegetation (right)

5.1.3 Land and water

The proposal includes minor excavation to allow for the installation of the pool, however are predominantly into a sandstone rock mass. Sediments prone to erosion and subsequent offsite mobilization are not expected to be encountered, however appropriate erosion and sediment controls (ESC) will be adopted where required during excavation to minimise any risk of siltation. There is anticipated to be limited to no subsurface flow connectivity and as such the proposed works will not impact on the groundwater of the site or adjoining properties.

The long term historical use of the site is residential and as such is unlikely to contain any Contaminants of potential concern (CoPC). The minor excavation will be virgin excavated natural material (VENM) and as such presents a negligible risk of encountering any CoPC.

As such, the proposal will have negligible to no impact on the land and water of the site and adjoining areas.

5.2 Built environment impacts

Assessment of potential impacts on the built environmental are considered against the relevant requirements of the WLEP 2011 and WDCP 2011 as described in Section 4. Consideration of the proposal has determined the works are entirely consistent with objectives of the relevant environmental planning instruments and are generally consistent with all controls, with the exception of minor and justifiable exceptions. Clear justification, considered against the objectives of the relevant controls, is provided in Section 4 where a variation is requested on merit.

The proposed alterations and additions are sited and designed to respond to the constraints of the site whilst maximizing the amenity of the site and mitigating any potential adverse impact on amenity of adjoining dwellings.

The closest built heritage item identified by the Warringah Heritage Map, is Item I130 - Warringah Reservoir (WS 0131) and attached valve house (Figure 5-3), which is listed in Schedule 5 of the Warringah Local Environment Plan 2011 (WLEP 2011). Item I130 is location at 40-50 Government Road (Lot 54, DP 117875), situated approximately 200 m north-east of the site. The proposed as described in Chapter 3 will not have any impact on heritage item I130.



Figure 5-3 Built heritage (WDCP 2011)

The proposal results in positive built environment outcomes and as such is considered to have negligible impacts on the built environment.

5.3 Social and economic impacts

Social impacts generally consider the consequences that people (individuals, households, groups etc) experience when a proposal brings change, both positive and negative. The development of the proposal has minimised any negative social impacts through the use of innovative design that responds to constraints of the site and adjoining properties. The proposal also provides for the enhancement of positive social impacts by establishing an area of private open space, which when integrated with the thermal efficiency improvements to the existing dwelling and incorporate of a pool, provide opportunity for recreation and relaxation and a high amenity environment.

Social impacts are overwhelmingly positive and adverse social impacts have been mitigated and are considered negligible.

The proposal will also have positive short term economic impacts through creation of jobs associated with construction works. The proposal will improve also resultant in improvements to the streetscape providing opportunity for uplift in property value. Economic impacts associated with the proposal are considered positive.

6 Conclusion

This statement of environmental effects (SoEE) has been prepared in support of the development application for alterations and additions to the existing dwelling at 5 Lae Place Allambie Heights.

The objectives of the proposal are to:

- To improve the thermal / energy efficiency of the existing dwelling and subsequent enhancement of amenity.
- To establish a functional and integrated private open space

Key elements of the proposal include replacement of windows to improve thermal efficiency, minor reconfiguration of the master bedroom suite, and establishment of a deck and roof to provide private open space. A new plunge swimming pool is proposed adjacent the deck.

Consideration of the proposal has determined the works are entirely consistent with the objectives of the relevant environmental planning instruments and are generally consistent with all controls, with the exception of minor and justifiable exceptions. Clear justification, including considered against the objectives of the relevant controls, is provided in the following sections where a variation is requested on merit.

Based on the evaluation of the proposal (Section 3) against relevant planning instruments and controls (Section 4) and consideration of the environmental impacts (Section 5), we consider that the proposal meets the objectives of relevant instruments and controls and will have negligible impact on the environment and as such should be granted conditional approval.





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Northern Beaches Council 725 Pittwater Road Dee Why NSW 2099

26 May 2021

Development application – 5 Lae Place Allambie Heights (Lot 5 / DP 237417)

To whom it may concern,

We are writing in relation to the proposed alterations and additions to 5 Lae Place Allambie Heights (Lot 5 / DP 237417).

Our property (6 Lae Place Allambie Heights - Lot 6 / DP 237417) is located to the rear of Lot 5 and includes a stairway access handle to Lae Place that forms the northern side-boundary.

We recently met with Tessa and Christopher Holloway to discuss their proposed renovations.

Having reviewed the draft plans prepared by their architect, we are very supportive of, and have no objection to, the proposed works.

Yours sincerely,

Sff 4 Sel

Dr Sarah M. McKay & Mr Geoffrey H. Gill

Owners – 6 Lae Place Allambie Heights



