

30 September 2024

STATEMENT OF ENVIRONMENTAL EFFECTS – MINOR WORKS

SITE	SP 7795, No. 82 Pacific Highway, Dee Why
ZONING	R3 Medium Density Residential
PROPOSAL	Replace existing two-car garage with new two-car garage
LGA	Northern Beaches
CLIENT	BFMS Facilities Management
ARCHITECT	C A Group

1. Introduction

The proposed development involves the demolition of the existing two-car garage and replacement with a new two-car garage, as shown in the below figure and as illustrated in the accompanying architectural plans.

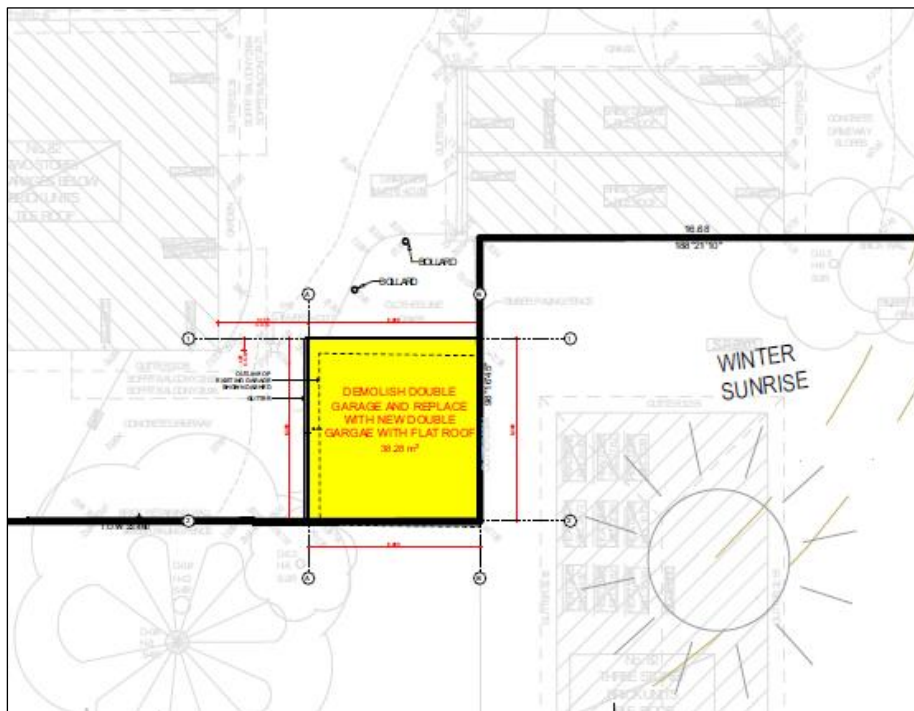


Figure 1

The existing garage has structural damage which is unable to be repaired. Whilst the existing garage was approved as part of the original development for the residential flat building, Council has advised that the rebuilding of the garage would require a new DA. This garage currently serves as resident parking for Units 22 and 23.

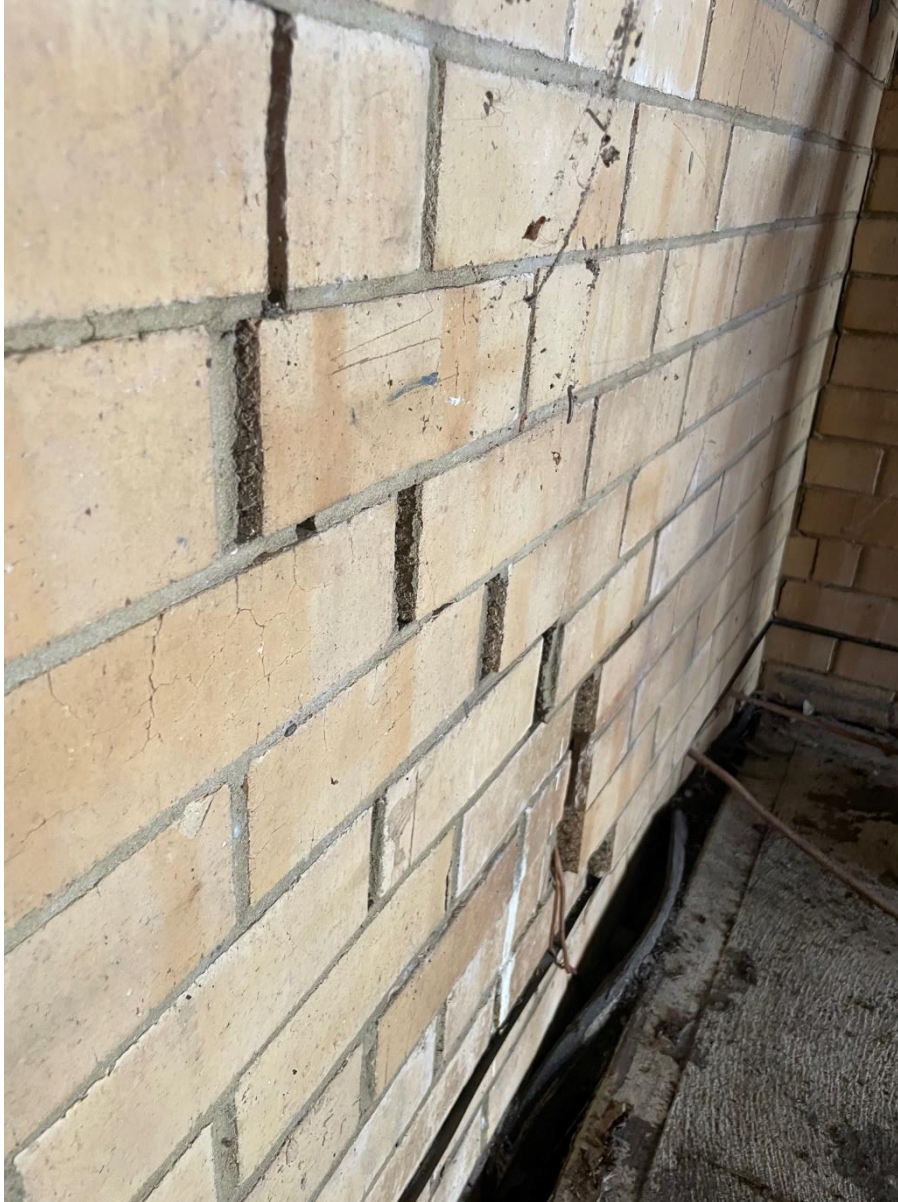


Figure 2

The apartment complex comprises 31 units within a 3 storey residential flat building with enclosed garages at ground floor level. Each unit has one (1) enclosed space, with two (2) visitor car parking spaces located close to the entrance off Oaks Avenue.

The site is zoned R3 Medium Density Residential pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed alterations and additions to an existing residential flat building development are permitted within the R3 zone and are consistent to be consistent with the zone objectives. The proposal is considered to be consistent with the relevant development standards contained within the Warringah LEP 2011 and with the relevant controls contained within the Warringah DCP 2011.

2. Site and surrounds

The site is legally identified as SP 7795, and is known as No. 82 Pacific Parade, Dee Why.

The site is located on the northern side of Pacific Parade, approximately 50 metres to the West of Avon Road. The site is irregular in shape and has a dual frontage to both Pacific Parade and Oaks Avenue.

The site currently comprises of a three storey residential flat building, likely constructed in the 1970s. The unit complex comprises 31 units with one enclosed garage for each unit provided at ground floor level and within detached garages located within the access handle. Vehicular access to the site is provided via both Pacific Parade and Oaks Avenue.

The site is zoned R3 Medium Density Residential zone pursuant to the provisions of the Warringah Local Environmental Plan 2011. Adjoining and surrounding development consists of similar multi-storey apartment complexes characteristic of a higher density residential zone.

A locality map and aerial photograph of the site and surrounds is provided below at Figures 3 & 4.



Figure 3: Locality Plan (Source – Six Maps: 2024)

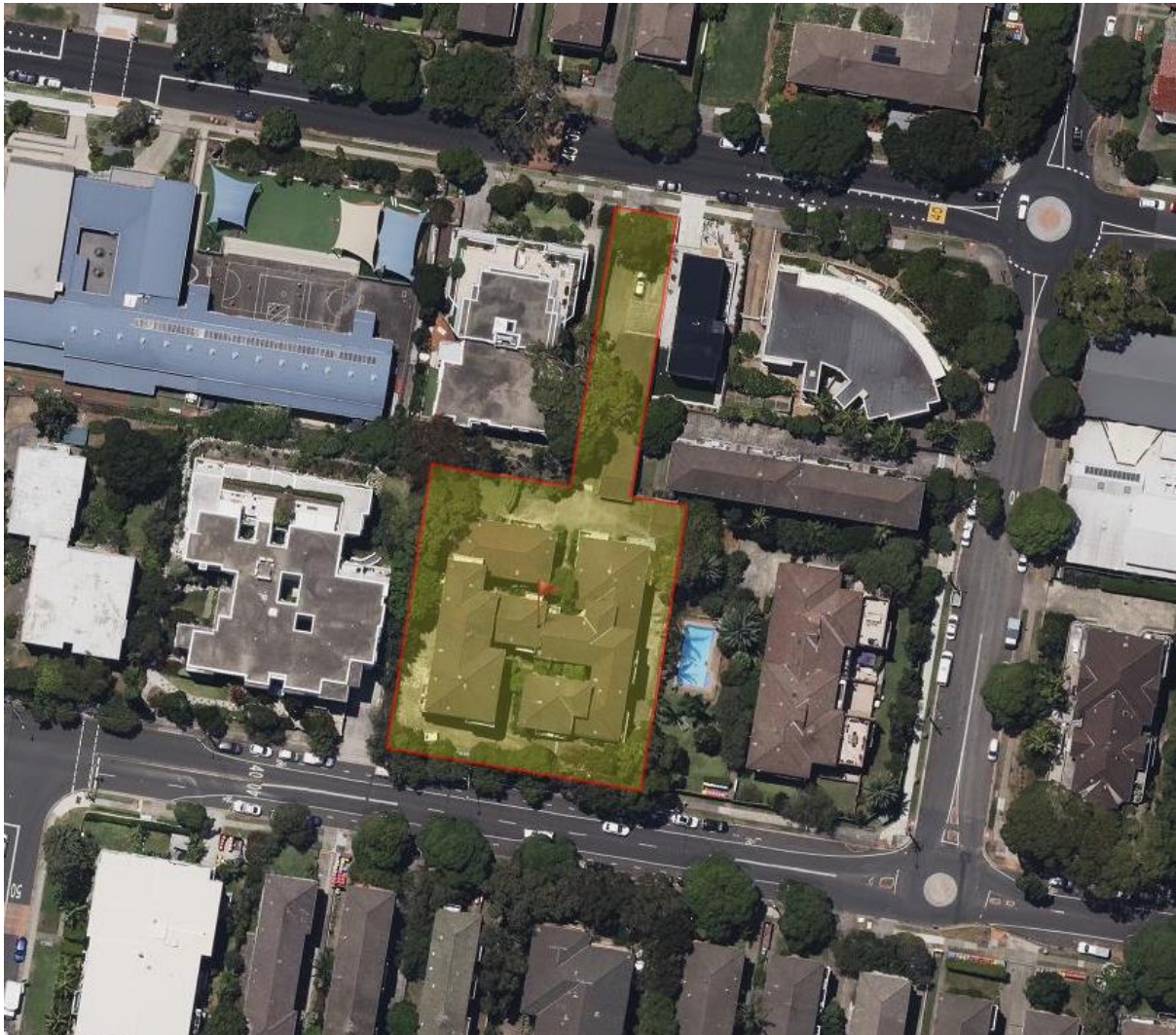


Figure 4: Aerial Map (Source – Six Maps: 2024)

4. Zoning and Permissibility

The site is zoned R3 Medium Density Residential pursuant to the Warringah Local Environmental Plan 2011. Development for the purposes of alterations and additions to an existing residential flat building development is permitted within the zone with consent and is considered to be consistent with the objectives of the zone.

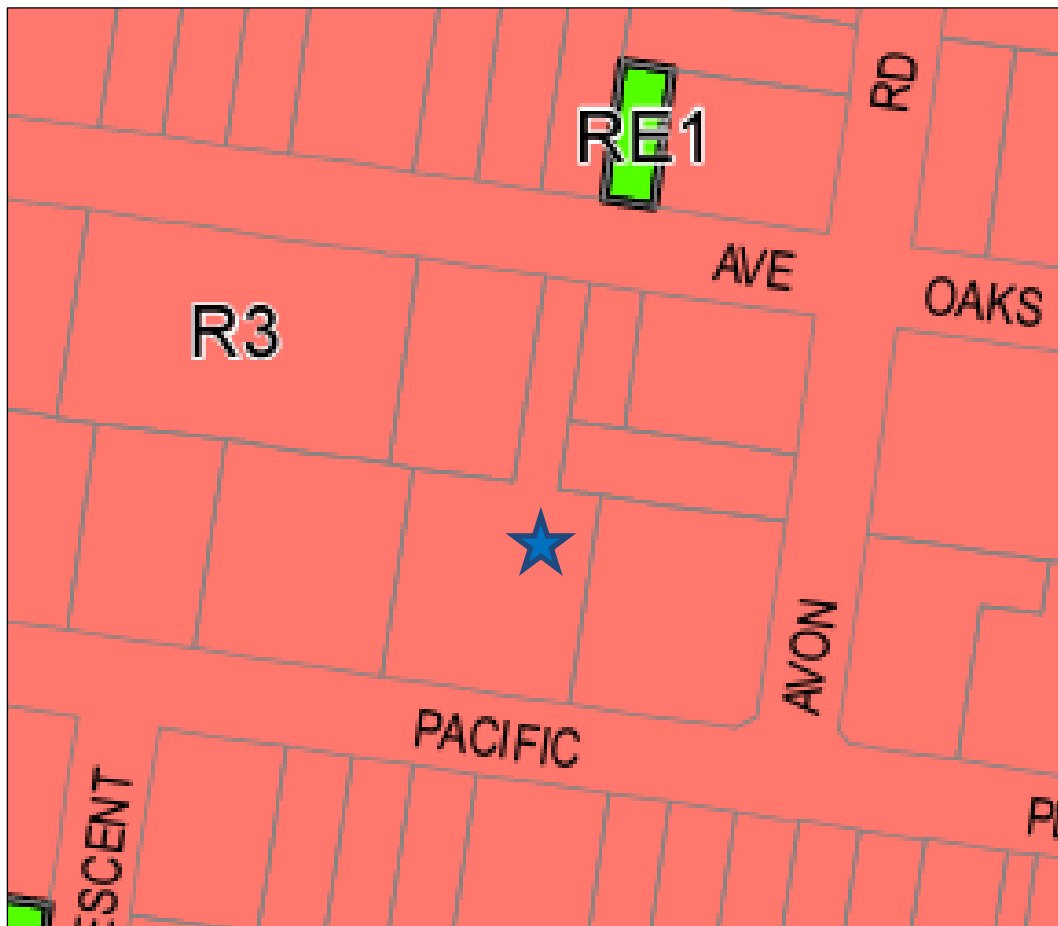


Figure 5: Zoning map (Source – Legislation website: 2024)

Compliance with the relevant LEP provisions is documented in the following table.

5. Warringah LEP 2011 – Relevant Provisions

Cl. 4.3	Height of Buildings <ul style="list-style-type: none">- Max height = 11m- Proposed max height = 3.635m
Cl. 4.4	Floor Space Ratio <ul style="list-style-type: none">- There is no maximum FSR applicable. Not applicable however, as there is no change to existing GFA / FSR
Cl. 5.10	Heritage Conservation <ul style="list-style-type: none">- The site is not identified as a heritage item, nor is the site located within a heritage conservation area. It is considered that the proposal will have no impact on nearby heritage items.
Cl. 5.21	Flood Planning <ul style="list-style-type: none">- The site is not identified as flood affected.
Cl. 6.1	Acid Sulfate Soils <ul style="list-style-type: none">- The site is not identified as containing acid sulfate soils.
Cl. 6.4	Development on sloping land <ul style="list-style-type: none">- The site is located within Area A and Area B.- Refer to accompanying preliminary assessment by Geotech Engineer.
Cl. 6.5	Coastline hazards <ul style="list-style-type: none">- The site is not identified on the coastline hazards map.

6. Warringah Development Control Plan 2011

The following specific development controls apply to the development site and the proposed alterations and additions to an existing residential flat building development.

Warringah Development Control Plan 2011			
Clause	Required	Provided	Complies
Part B: Built Form Controls			
B1 Wall Heights			
	Does not apply to R3 zoned land.	N/A	N/A
B2 Number of Storeys			
	Max. number of storeys - 3 storeys	Single storey proposed	Yes
B3 Side Boundary Envelope			
1.	Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> • 4 metres, or • 5 metres as identified on the map.	A side boundary envelope of 5 metres applies to the site. As the proposed garage is only 3.635m in height, the structure complies.	Yes
2.	On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.	Noted	
B4 Site Coverage			
	The site is not identified on the DCP Map Site Coverage.	N/A	N/A
B5 Side Boundary Setbacks			
1.	Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.		

	<p>- Required setback = 4.5m</p> <p>2. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.</p> <p>3. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, basement car parking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side setback except as provided for under Exceptions below.</p> <p>Land Zoned R3 All development:</p> <ul style="list-style-type: none"> • Light fittings, electricity or gas meters or other services infrastructure and structures not more than 1 metre above ground level (existing) (including steps, landings, pedestrian ramps and stormwater structures) may encroach beyond the required setback up to 2 metres from a side boundary; and • Entrance and stair lobbies at ground floor level may encroach the required setback up to 2 metres from a side boundary. <p>Basement carparking structures, and private open space:</p>	<p>Zero setback proposed having regard to the zero setbacks for the existing garage.</p> <p>As noted above, a zero side setback is proposed.</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>No, refer to below B6 Merit Assessment</p> <p>No</p>
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	<ul style="list-style-type: none"> • Variations will be considered for existing narrow width allotments, where compliance is unreasonable in the context of surrounding medium density development for basement carparking and private open space. • Basement car parking may extend: <ul style="list-style-type: none"> • Up to 2 metres from the side boundary, and • No more than 1 metre above ground level (existing) • Private open space may extend: <ul style="list-style-type: none"> • Up to 3.5 metres from a side boundary 	<p>N/A</p> <p>N/A</p> <p>N/A</p>	
<p>B6 Merit Assessment of Side Boundary Setbacks</p>			
<p>1.</p> <p>2.</p>	<p>Side boundary setbacks will be determined on a merit basis and will have regard to:</p> <ul style="list-style-type: none"> • streetscape; • amenity of surrounding properties; and • setbacks of neighbouring development <p>Generally, side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.</p> <p>Comments</p> <p>As noted above, the existing garage was approved with zero setbacks to both side boundaries. In this regard, there is no further impact from the new structure as that which currently exists. It is also noted that the new garage is single storey in height and is located internally to the site and is therefore not viewed from the public domain.</p> <p>The siting of the garage on the boundaries will not cause any further impact to neighbouring properties, given that the proposal is just a replacement of the existing garage.</p>		

B7 Front Boundary Setbacks			
1.	Development is to maintain a minimum setback to road frontages. - Min. required setback = 6.5m	N/A	N/A
2.	The <u>front boundary setback</u> area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, <u>garbage</u> storage areas and fences.	N/A	N/A
3.	Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.	N/A	N/A
Part C: Siting Factors			
C3 Parking Facilities			
1.	The following design principles shall be met: <ul style="list-style-type: none"> Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.; Laneways are to be used to provide rear access to carparking areas where possible; 	Whilst the garage is a free standing structure, the design mirrors that of the existing garage and existing apartment complex. Noted	Yes

	<ul style="list-style-type: none"> • Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • 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. 	<p>The apartment complex already exists and was constructed in the 1970s with grade level enclosed garages.</p> <p>No views will be obscured.</p> <p>N/A</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>
<p>2.</p>	<p>Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:</p> <ul style="list-style-type: none"> • the land use; • the hours of operation; • the availability of public transport; • the availability of alternative car parking; and • the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles. 	<p>Noted</p>	
<p>3.</p>	<p>Carparking, other than for individual dwellings, shall:</p> <ul style="list-style-type: none"> • Avoid the use of mechanical car stacking spaces; • Not be readily apparent from public spaces; • Provide safe and convenient pedestrian and traffic movement; 	<p>Noted</p> <p>The existing situation is considered satisfactory.</p>	<p>Yes</p>

	<ul style="list-style-type: none"> • Include adequate provision for manoeuvring and convenient access to individual spaces; • Enable vehicles to enter and leave the site in a forward direction; • Incorporate unobstructed access to visitor parking spaces; • Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; • Provide on site detention of stormwater, where appropriate; and • Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1. 	<p>The proposal maintains vehicular access and manoeuvrability.</p> <p>The proposal maintains forward movement of vehicles to and from the site.</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>The proposed new car parking area meets the requirements of AS 2890.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Yes</p>
4.	<p>Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</p>	<p>The proposed parking is just replacing existing parking.</p>	<p>N/A</p>
5.	<p>Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if</p>	<p>There is no change to current servicing requirements for the existing apartment complex.</p>	<p>N/A</p>

<p>6.</p>	<p>appropriate to the land use.</p> <p>For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.</p>	<p>N/A</p>	
<p>7.</p>	<p>Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.</p>	<p>N/A in this instance.</p>	
<p>C7 Excavation and Landfill</p>			
<p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p>	<p>All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</p> <p>Excavation and landfill works must not result in any adverse impact on adjoining land.</p> <p>Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</p> <p>Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.</p> <p>Rehabilitation and revegetation techniques shall be applied to the fill.</p> <p>Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties.</p>	<p>There is no cut or fill proposed.</p>	<p>N/A</p>

C8 Demolition and Construction			
1.	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the <u>Waste Management Guidelines</u> and all relevant Development Applications must be accompanied by a <u>Waste Management Plan</u> .	A Waste Management Plan will accompany the DA.	Yes
C9 Waste Management			
1.	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the <u>Waste Management Guidelines</u> and all relevant Development Applications must be accompanied by a <u>Waste Management Plan</u> .	A Waste Management Plan will accompany the DA.	Yes
Part D Design			
D6 Access to Sunlight			
1.	Development should avoid unreasonable overshadowing any public open space.	The proposed garage maintains the height of the existing garage and does not result in any overshadowing that would restrict direct sunlight to adjoining living and POS areas.	Yes
2.	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 minimum of 3 hours of sunlight between 9am and 3pm on June 21.		
D7 Views			
1.	Development shall provide for the reasonable sharing of views.	The proposed location and height of the garage structure does not impede any existing view corridors.	Yes
D8 Privacy			
1.	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	It is considered that the proposed garage structure will not result in any adverse impacts to visual or acoustic privacy.	Yes

2.	Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.		
3.	The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.		
4.	The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.		
5.	Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.		
D9 Building Bulk			
1.	Side and rear setbacks are to be progressively increased as wall height increases.	As noted above, a zero setback is proposed for the single storey garage structure.	Considered satisfactory in this instance.
2.	Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.	The design of the garage is the same as the existing garage structure.	Yes
3.	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. In particular:	N/A	N/A

4.	<ul style="list-style-type: none"> The amount of fill is not to exceed one metre in depth. Fill is not to spread beyond the footprint of the building. Excavation of the landform is to be minimised. <p>Building height and scale needs to relate to topography and site conditions.</p>	The height of the proposed garage is single storey, which is consistent with the existing garage structures and is considered suitable for the existing site conditions.	Yes
5.	Orientate development to address the street.	N/A	
6.	Use colour, materials and surface treatment to reduce building bulk.	Colours and materials will match the existing garages.	Yes
7.	Landscape plantings are to be provided to reduce the visual bulk of new building and works.	N/A	N/A
8.	Articulate walls to reduce building mass.	The rectangular nature of the garage is suitable for its intended purpose.	Considered satisfactory.
D10 Building Colours and Materials			
1.	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 location is not highly visible.	N/A
2.	The colours and materials of development on sites adjoining, or in close proximity to, <u>bushland</u> areas, waterways or the beach must blend in to the natural landscape.	N/A	N/A

3.	The colours and materials used for <u>alterations and additions</u> to an existing structure shall complement the existing external building façade.	The proposed colours and materials will match the existing garages.	Yes
D11 Roofs			
1.	Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.	N/A	N/A
2.	Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.	A simple skillion roof is proposed which incorporates a pitch consistent with the other garages on the site.	Yes
3.	Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.	N/A	N/A
4.	Roofs shall incorporate eaves for shading.	N/A	N/A
5.	Roofing materials should not cause excessive glare and reflection.	The proposed roof colour will not cause glare.	Yes
6.	Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building.	N/A	N/A
Part E: The Natural Environment			
E1 Preservation of Trees or Bushland Vegetation			
1.	Authority to clear a tree or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 i.e. 'Vegetation SEPP'. In particular, Part 2 of the Vegetation SEPP sets out the authority to clear vegetation and Part 3 provides for Council to	The proposal does not involve the removal of any vegetation.	N/A

	declare under this DCP when a Vegetation Clearing Permit may be issued for clearing of vegetation.		
E10 Landslip Risk			
1.	The applicant must demonstrate that: <ul style="list-style-type: none"> • The proposed development is justified in terms of geotechnical stability; and • The proposed development will be carried out in accordance with good engineering practice. 	Refer to accompanying preliminary geotechnical assessment.	Yes
2.	Development must not cause detrimental impacts because of stormwater discharge from the land.		
3.	Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.		
4.	To address Requirements 1 to 3: ii) For land identified as being in Area B or Area D: A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application. If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical		

	<p>engineer / engineering geologist and must be submitted with the development application.</p> <p>Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</p>		
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