

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**112A CLONTARF STREET, NORTH BALGOWLAH**

**CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO  
AN EXISTING DWELLING**

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

**SEPTEMBER 2024**

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## 1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling upon land at Lot 100 in DP 851797 which is known as **No. 112A Clontarf Street, North Balgowlah**.

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

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

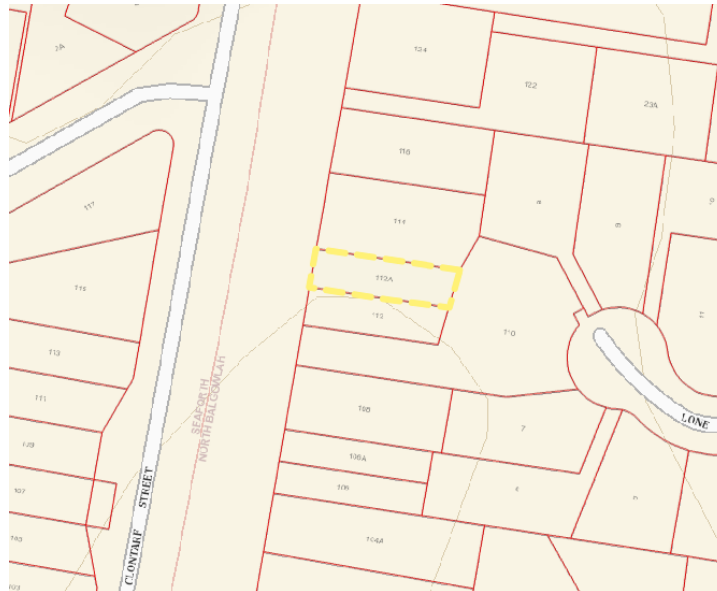
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by CMS Surveyors Pty Ltd, Ref No. 23598, Issue 1 and dated 18/03/2024.
- Architectural Plans prepared by Sally Gardner Design & Draft, Job No. 24-0712 and dated 29/08/2024.
- BASIX Certificate No. A1762123 and issued 29/08/2024.
- Preliminary Geotechnical Assessment prepared by White Geotechnical Group, Ref No. J5678 and dated 09/04/2024.
- Waste Management Plan.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## 2. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot 100 in DP 851797 which is known as 112A Clontarf Street, North Balgowlah. The site is generally a rectangular shaped allotment located on the eastern side of Clontarf Street. The site has an area of 365.4m<sup>2</sup> with a street frontage of 9.93m and a maximum depth of 37.33m. The locality is depicted in the following map:



**Site Location Map**

The site is currently occupied by a two storey semi-detached dwelling house. It is understood that the site is part of an attached dual occupancy with No. 112 Clontarf Street (to the south) as evidenced by the approval for 'Additions to an Existing Dual Occupancy (DA2000/4867) approved by Warringah Council on 06/09/2000.

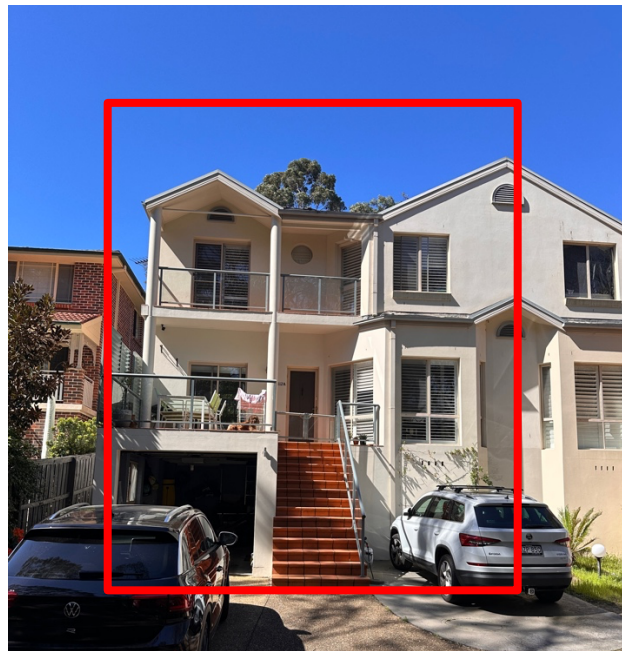
The dwelling is located towards the rear of the site, being setback at least 20.5m to the street frontage (as measured from the wall of the dwelling). The site is accessed via a concrete driveway that services the subject site and the adjoining properties at No. 112 and 114 Clontarf Street. The site generally falls to the centre from both the rear and front boundaries. The site is burdened by an easement, 4.7m wide, to drain water. The easement dissects the front portion of the site

Given the fall of the site and the ample setback to the existing dwelling, the existing structures on site are not visible from the public domain.

The site is depicted in the following photographs:



**View of Subject Site from Clontarf Street**



**View of Existing Dwelling from Driveway**

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on similar sized allotments.

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



**Aerial Photograph of Locality**

### **3. THE DEVELOPMENT PROPOSAL**

This proposal seeks approval for the construction of alterations and additions to the existing dwelling. The additions are to be constructed of external clad walls with a pitched colourbond roof.

#### **Dwelling Alterations/Additions**

The proposal provides for the enclosure of the existing balcony located over the garage. The enclosure will provide for a sunroom to be accessed from the existing study. The sunroom is provided with a setback of 1.025m to the northern side boundary consistent with the existing dwelling on site.

#### **Stormwater**

All collected stormwater will continue to be discharged to the existing stormwater system. The proposed additions are located over the existing building footprint and will not result in any additional stormwater runoff.

#### **Landscape**

The additions are located over the existing building footprint and do not require the removal of any protected trees nor reduce the existing landscaped area.

The proposal will result in the following numerical indices:

<b>Site Area:</b>	365.4m <sup>2</sup>
<b>Existing Landscaped Area:</b>	98.82m <sup>2</sup> or 27.04%
<b>Proposed Landscaped Area:</b>	98.82m <sup>2</sup> or 27.04%

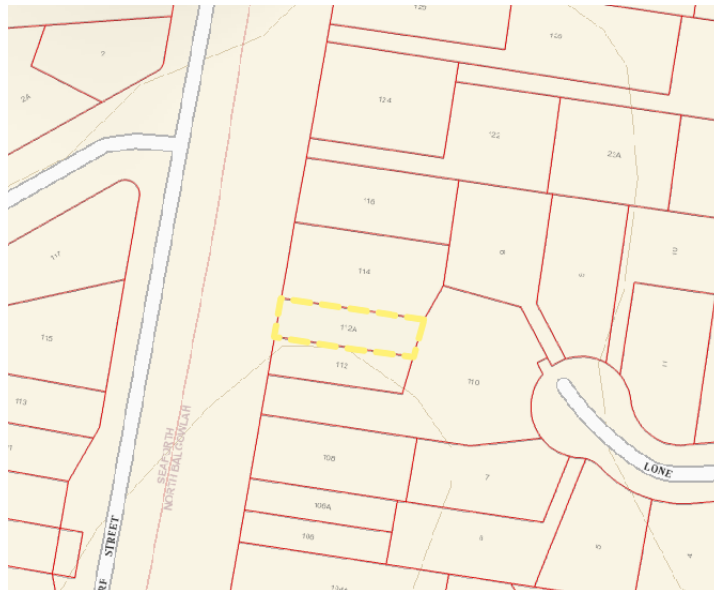


#### 4. ZONING & DEVELOPMENT CONTROLS

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

##### 4.1 Planning for Bushfire Protection 2006

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

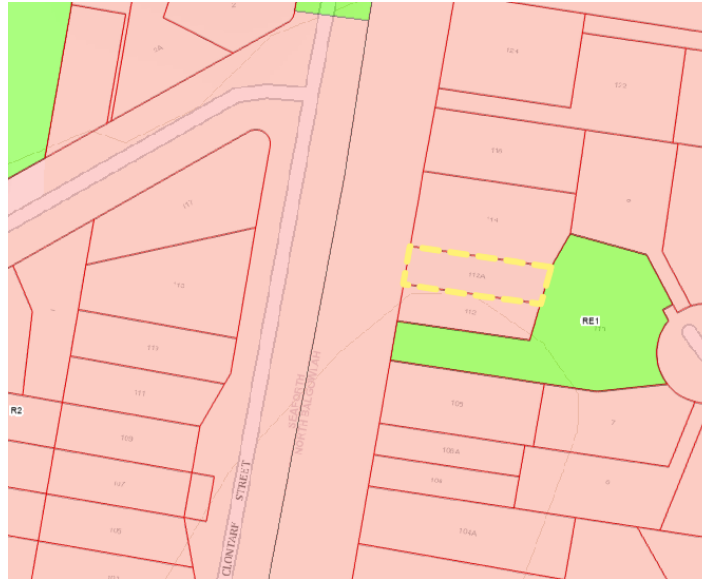


**Extract of Bushfire Map**



## 4.2 Warringah Local Environmental 2011

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



**Extract of Zoning Map**

The site is zoned R2 Low Density Residential. The site currently comprises a dwelling house and construction of alterations/additions and ancillary works are permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	6.583m.	Yes

The following provisions are also relevant:

### Clause 6.4 Development on Sloping Land

The site is classified as Class B on Council's Landslip Map. A Geotechnical Investigation has been prepared by White Geotechnical Group which in summary provides:

*The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.*

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

### 4.3 Warringah Development Control Plan 2011

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

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

Clause	Requirement	Compliance
B1 – Wall heights	7.2m	Yes Refer to plans
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	Yes The eave encroaches the building envelope on the northern façade. Eaves are an allowable encroachment. The additions retain the existing boundary setback and do not encroach the existing building envelope.
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Additions are setback 1.025m to the northern side boundary.
B7 – Front Boundary Setbacks	Minimum 6.5m	Yes Proposed additions are located behind the existing front setback and provided ample setback to the street frontage.
	Secondary frontage 3.5m	Not Applicable

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.5m  Exceptions: Swimming pools and outbuildings that, in total, do not exceed 50% of the rear setback area	Not Applicable There is no change to the existing rear setback.
B11 – Foreshore Building Setback	Not applicable	Not Applicable
B12 – National Parks Setback	Not applicable	Not Applicable
B13 – Coastal Cliffs Setback	Not applicable	Not Applicable
B14 – Main Roads Setback	Not applicable	Not Applicable
B15 – Minimum Floor to Ceiling Height	Not applicable	Not Applicable
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes The proposal retains the existing vehicular crossing and driveway.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes There is no change to existing on site parking.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater will continue to the existing stormwater system. The proposal does not increase the existing hard surface area.

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Soil Erosion Management Plan has been prepared and forms part of the submission to Council.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes Proposal does not require any excavation or fill.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.
C9 – Waste Management	Waste storage area to be provided	Yes There is sufficient area on site for waste and recycling bins.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	Existing landscaped area: 27.04% Proposed landscaped area: 27.04%. The proposal does not comply with the numerical requirements of this clause, however the proposed additions are located over the existing building footprint and does not reduce the existing landscaped area.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	Yes The proposal retains existing open space in the rear yard.

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
D4 – Electromagnetic Radiation	Not Applicable	Not Applicable
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	Yes A BASIX Certificate has been submitted with the application.
D6 – Access to sunlight	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties' private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	Yes Shadow diagrams have been submitted with the application. The additional shadow does not extend to the principal area of private open space or the habitable areas of the adjoining property. The proposal complies with this clause.
D7 - Views	View sharing to be maintained	Yes The subject site and surrounding properties do not enjoy any significant views. The proposal will not obstruct any views from adjoining properties.

Clause	Requirement	Compliance
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	<p>Yes</p> <p>The proposed additions to enclose the existing balcony will improve privacy to the adjoining properties. The proposal does not provide for any windows on the side elevations and therefore will direct views over the driveway and dwelling approach.</p> <p>The proposal complies with this clause.</p>
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	<p>Yes</p> <p>The proposed additions to do not encroach the existing side boundary setbacks and is not visible public domain.</p> <p>The additions enclose the existing balcony and does not dominate the adjoining properties.</p>
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	<p>Yes</p> <p>External finishes selected to complement the natural environment.</p>
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	<p>Yes</p> <p>The proposed additions provide for a pitched roof form to complement the existing dwelling.</p>
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	<p>Yes</p> <p>The proposal will not result in unreasonable glare or reflection.</p>

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	Not Applicable
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	Yes There is sufficient area on site for storage and site facilities.
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Not Applicable
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Not Applicable
D17 – Tennis Courts	N/A	Not Applicable
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable



<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The resultant dwelling will continue to provide a good outlook of dwelling approach and towards the street.
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.
D22 – Conservation of Energy and Water	A BASIX Certificate is required.	Yes BASIX Certificate is submitted.
D23 - Signs	Not Applicable	Not Applicable
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	N/A – the proposal does not require the removal of any vegetation.
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable
E7 – Development on land adjoining public open space	Development is to complement the landscape character and public use and enjoyment of the adjoining public open spaces.	Not Applicable

Clause	Requirement	Compliance
	Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.	
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as B	Yes A Geotechnical Investigation has been submitted with the application.
E11 – Flood Prone Land	Not Applicable	Not Applicable

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

## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

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

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

### **The Likely Impacts of the Development**

It is considered that the development will provide for the construction of alterations and additions to an existing dwelling without any detrimental impact on the environment, social and economic status of the locality. The proposal does not require the removal of any vegetation and there is no detrimental impact on the adjoining properties.

### **The Suitability of the Site for the Development**

The subject site is zoned R2 Low Density Residential and the construction of additions and alterations to a dwelling in this zone is permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with the existing surrounding development.

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

### **The Public Interest**

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

## 6. CONCLUSION

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

It is therefore considered that the proposed construction of alterations and additions to an existing dwelling at **No. 112A Clontarf Street, North Balgowlah** is worthy of the consent of Council.

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September 2024