



**5 KIRRA ROAD  
ALLAMBIE HEIGHTS**

**STATEMENT OF ENVIRONMENTAL EFFECTS  
FOR ALTERATIONS AND ADDITIONS  
TO A DWELLING**



Report prepared for  
**Michele and Daniel Clewett**  
May 2023

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## 1. Introduction

- 1.1 This is a Statement of Environmental Effects for alterations and additions to an existing two storey dwelling at 5 Kirra Road, Allambie Heights including the erection of a carport, rear balcony (replacement) and minor external and internal works. A detailed description of the works can be found in Section 4 of this Statement.

The report describes how the application addresses and satisfies the objectives and standards of the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011 and the Matters for consideration – General listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Site visit,
- ◆ Survey prepared by CMS Surveyors,
- ◆ DA Plans prepared by Action Plans,
- ◆ BASIX Certificate prepared by Action Plans,
- ◆ Bushfire Assessment Report prepared by Bushfire Consultancy Australia,
- ◆ Geotechnical Report prepared by Ascent Geo Geotechnical Consulting,
- ◆ Stormwater plan prepared by Taylor Consulting,
- ◆ Waste Management Plan.

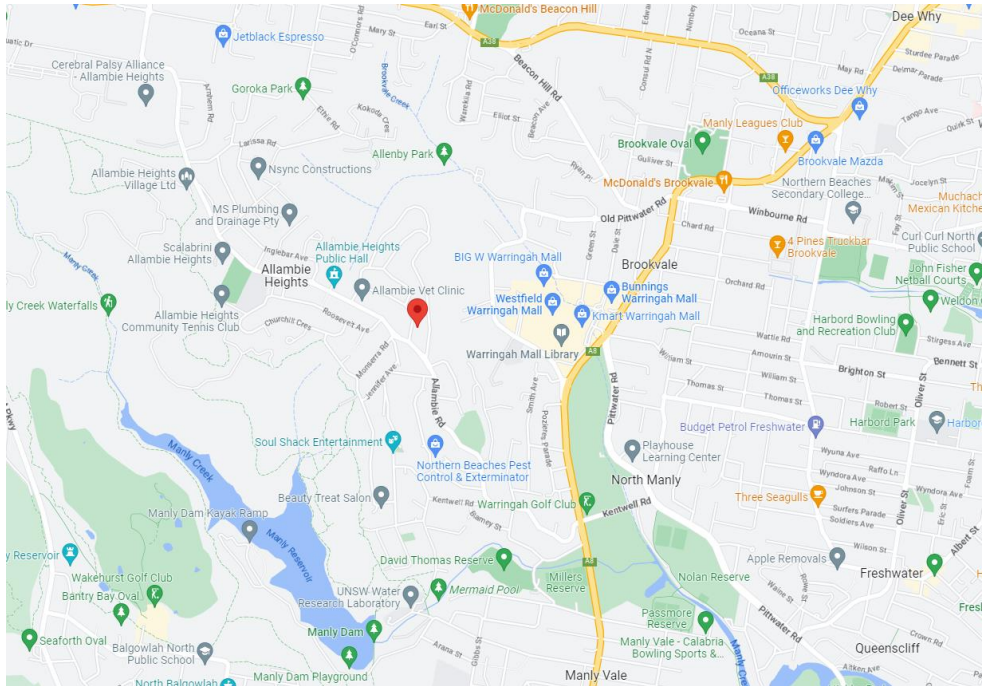
- 1.3 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and the streetscape and results in improved amenity for the residents of the site. It comprises development that is suitable for the site and consistent with development in the vicinity and is therefore considered to be worthy of Council consent.

## 2. The subject site and locality

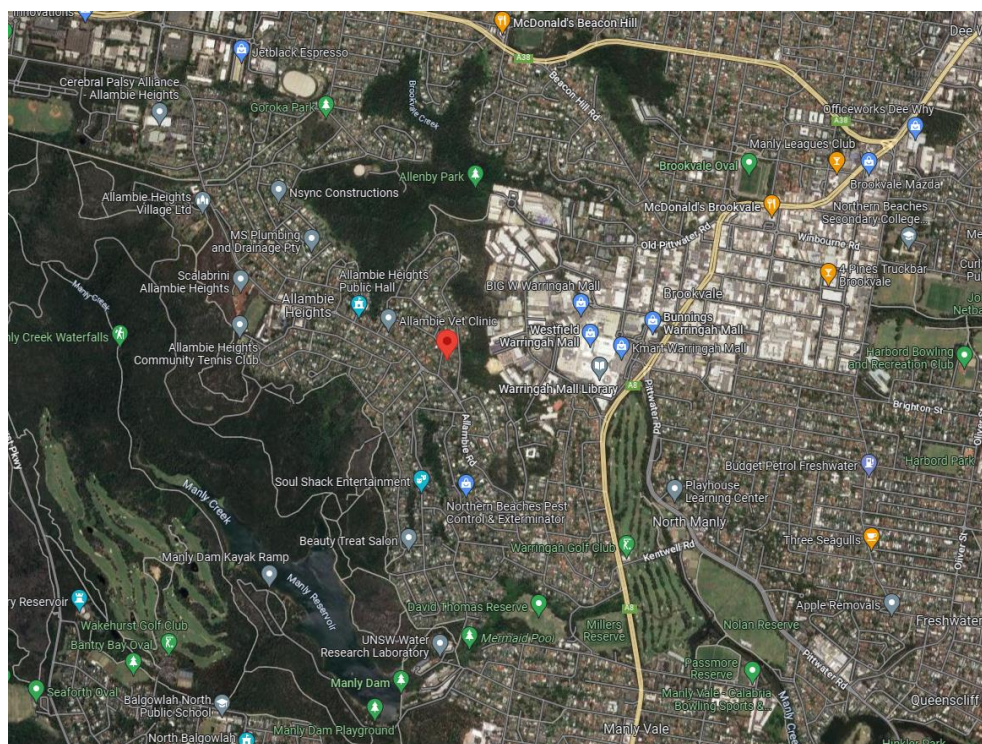
- 2.1 The subject site is located on the eastern side of Kirra Road, approx. 65 metres north of its intersection with Allambie Road. It is legally described as Lot 1 in DP 560135 and is known as 5 Kirra Road Allambie Heights.
- 2.2 It is an irregular shaped lot with boundaries of 27.38m metres (north side boundary), 26.97 metres (east rear boundary), 43.30 metres (south side boundary) and 21.335 metres (west – Kirra Road Frontage). The site has an area of 773.7m<sup>2</sup> and slopes steeply to the east (towards the rear of the lot, with a fall of approx. 7 metres across the lot).
- 2.3 The site is currently occupied by a two storey (with sub floor) brick dwelling with a metal roof, an in-ground swimming pool within the front setback, a concrete driveway, a detached metal shed, retaining walls and landscaping. The site is burdened by an easement for drainage located along its northern boundary.
- 2.4 The property is immediately surrounded by detached residential dwellings in all directions. It is located in close proximity to shops and services at the Warringah Mall, which is located approx. 200m to the east.



**Figure 1: The site and its immediate surrounds**



**Figure 2: The site within the locality**



**Figure 3: Aerial image of the site within the locality**

### 3. Site Photos



Figure 4: The existing dwelling, looking east from Kirra Road



Figure 5: The existing driveway and south setback, looking east.



Figure 6: The existing swimming pool and dwelling facade, looking north-east.

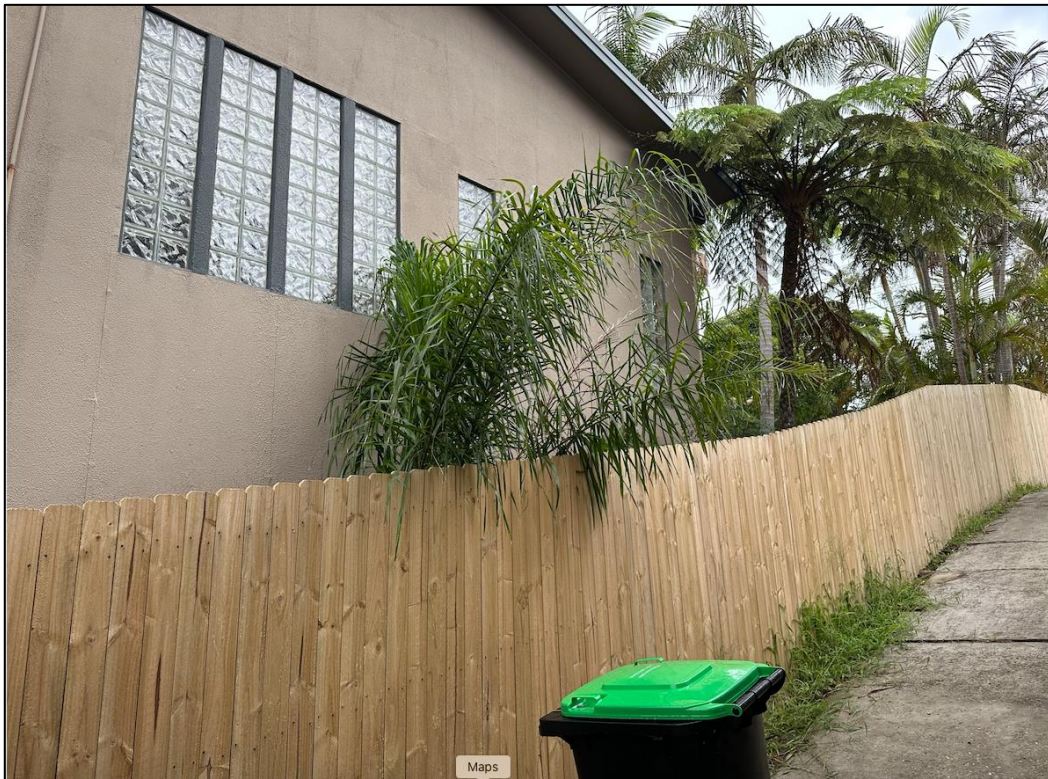


Figure 7: The neighbouring dwelling and driveway, looking south-west.



Figure 8: The rear of the existing dwelling, looking west.



Figure 9: The adjoining dwelling, looking south from the rear deck.



**Figure 10: The rear yard and district views, looking south-east.**



**Figure 11: District views, looking east.**



**Figure 12: View towards North from rear yard**



**Figure 13: The north side setback and deck, looking west.**

## 4. Proposed Development

4.1 The proposed development is for alterations and additions to the existing dwelling, including a new rear terrace, a new carport and reconfigured internal floorplan to create a 4 bedroom dwelling on the site.

4.2 The proposed alterations and additions will be made up of the following:

### Lower Ground Floor

- Retain the existing subfloor area and laundry,
- A new external landing from the laundry, with a staircase to access the terrace above.
- A new retaining wall on the south side of the dwelling.

### Ground Floor

- Retain the existing entry, sunroom, kitchen, lounge, bathroom, bedroom, pool and landscaping,
- Convert the existing office and bedroom to a living room, including demolition of the internal walls and a new door to the east,
- Demolish the existing staircase and internal dining room wall to create a new dining room and staircase to access the first floor, including a new door to the east,
- Demolish the existing terrace and construct a new, larger terrace with external staircases,
- Demolish the detached metal shed and construct a new carport on the south side of the dwelling.

### First Floor

- Retain the existing master bedroom, WIR and 2 bedrooms,
- Demolish the existing staircase and construct a new staircase to access the ground floor,
- Convert the existing family room to bed 4 (including a door to access the existing balcony) and a bathroom,
- Convert the existing bathroom to an ensuite for the master bedroom,
- Refurbish the existing balcony.

4.3 The alterations and additions proposed remain consistent with the streetscape and the locality. The proposal is consistent with Council controls and ensures privacy and solar access are maintained for both the adjoining properties and the subject site.

## 5. Statutory Framework

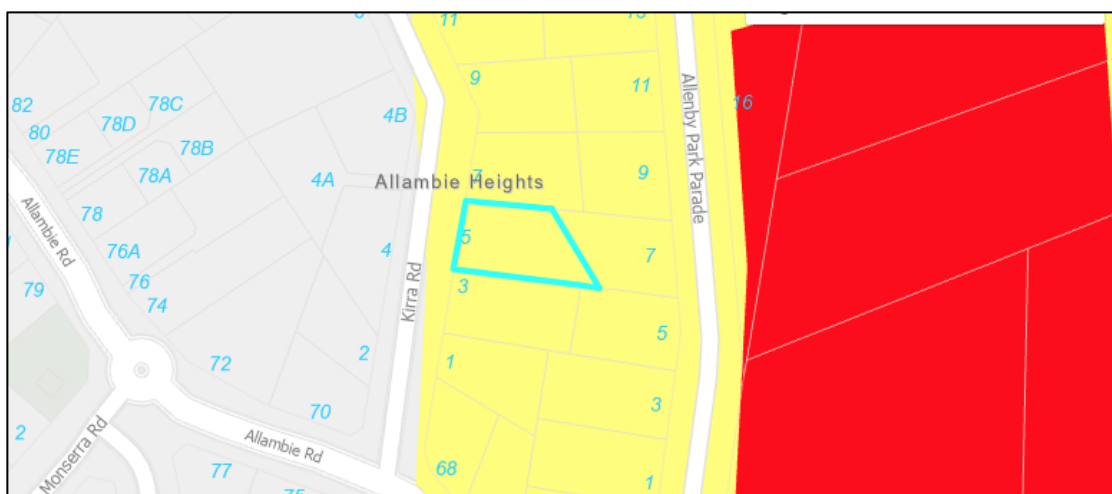
### 5.1 Rural Fires Act 1997

The *Rural Fires Act 1997* aims to protect the community from injury or death, property from damage and to protect infrastructure and environmental, economic, cultural, agricultural and community assets from damage, arising from fires.

Clause 100B of the RF Act requires applicants to obtain a bush fire safety authority (BFSA) for subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose. If a proposal requires a BFSA it is considered integrated development under Clause 4.46 of the EPA Act.

Section 4.14 of the EPA Act requires that a council does not approve any development on bush fire prone land unless the development application complies with *Planning for Bush Fire Protection 2019*. All developments on land that is designated as bush fire prone has a legal obligation to consider bush fire and meet the requirements of *Planning for Bush Fire Protection 2019*.

**Comment:** The subject site is mapped as bushfire prone land (vegetation buffer).



**Figure 14: Extract Bushfire Prone Land Map**

The proposal is not for subdivision or a special fire protection purpose and therefore is not integrated development and does not require a BFSA from RFS. The site is, however, bush fire prone land, and therefore the proposal must comply with *Planning for Bush Fire Protection 2019* (as amended).

A Bushfire Assessment Report, provided with this application, concludes the property has a BAL 29 (north, east and south elevations) and BAL 19 (west elevation). Appropriate construction standards will be adhered to for compliance with relevant Australian Standards and Planning for Bushfire Protection Bushfire Attack Level BAL 29.

## **5.2 State Environmental Planning Policies**

### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

### **State Environmental Planning Policy (Resilience and Hazards) 2021**

#### Chapter 4 Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

### **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

#### Chapter 2 Vegetation in Non-Rural Areas

This chapter aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any significant trees.

### 5.3 Warringah Local Environment Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

#### Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed development comprises alterations and additions to an existing dwelling and dwelling houses are permissible with development consent in the R2 zone.

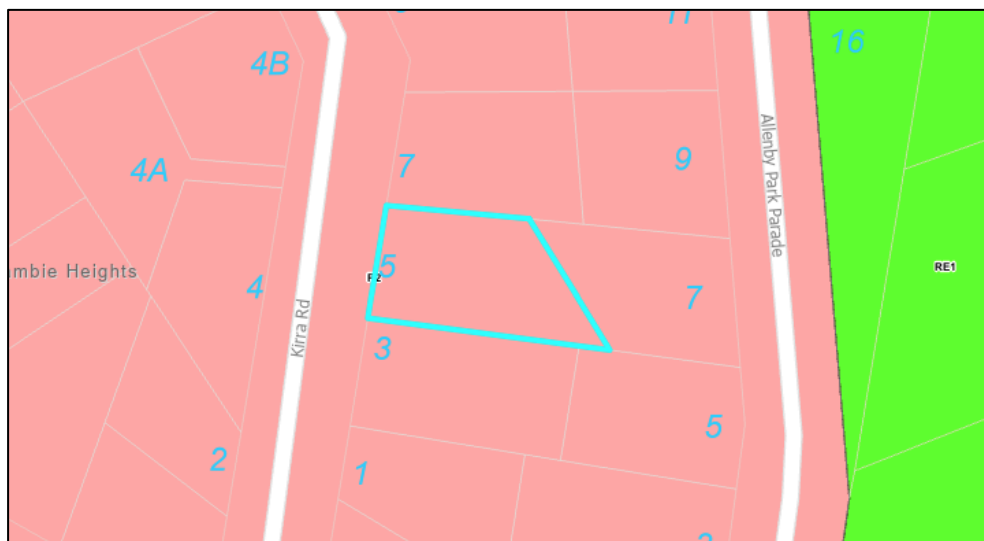


Figure 15: Extract from Warringah LEP 2011 zoning map

#### Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

#### Minimum Lot Size

The site is mapped with a minimum lot size of 600m<sup>2</sup>. The subject site comprises a compliant areas of 773.7m<sup>2</sup> and no further subdivision of the lot is proposed.

#### Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres.

The existing dwelling has a maximum building height of 9.7 metres and no change is proposed. The new works propose a compliant maximum height of 7.949 metres to the first floor balcony, 5.213 metres to the ground floor terrace and 4.361m (carport).

### **Heritage Conservation**

The property is not a heritage item, is not located within a heritage conservation area and is not located near any heritage items which will be impacted by the proposed development.

### **Acid Sulfate Soils**

The site is not located in an area nominated as Acid Sulfate soils.

### **Earthworks**

Minor earthworks (footings) are proposed for the construction of the alterations and additions. Erosion and sediment control measures will be implemented as required subject to any consent conditions and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

### **Development on Sloping Land**

The site is located in the area nominated on the LEP maps as Area B 5 to 25°. As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

A Preliminary Geotechnical Assessment has been prepared and accompanies this application.

### **Bushfire Prone Land**

As described above the subject site is identified as being Bush Fire Prone land (vegetation buffer). A Bushfire Assessment Report, provided with this application, concludes the property has a BAL 29 (north, east and south elevations) and BAL 19 (west elevation). Appropriate construction standards will be adhered to for compliance with relevant Australian Standards and Planning for Bushfire Protection Bushfire Attack Level BAL 29.

## 5.4 Warringah Development Control Plan 2011

The relevant sections of the Warringah DCP 2011 are addressed below.

### Part A Introduction

#### Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

### Part B General Controls

#### Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP.

No change is proposed to the existing maximum wall height of 7.7 metres. The new works propose a compliant maximum wall height of 4.549 metres on the southern side of the terrace.

#### Side Boundary Envelope

The DCP requires a side boundary envelope of 4m/45°. New works are located within the permitted building envelope, as illustrated in the plan extract below.

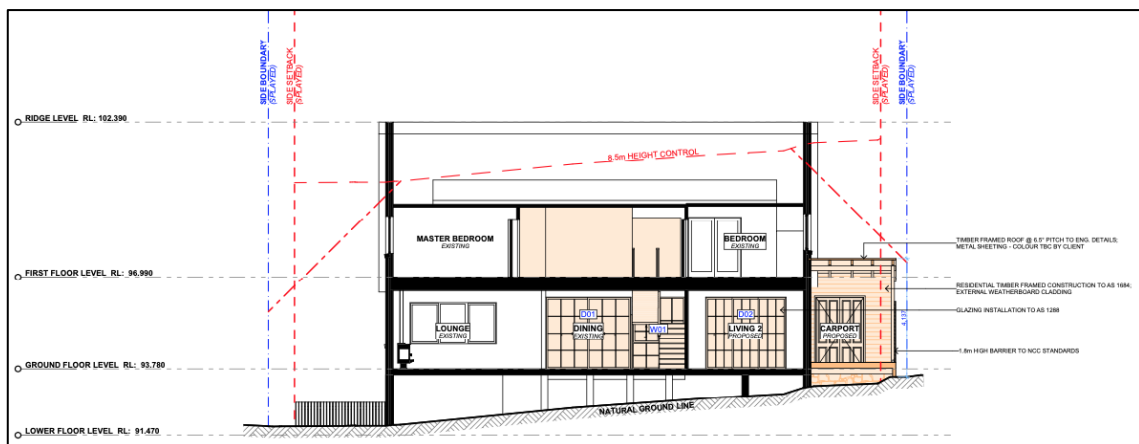


Figure 16: Extract – Cross Section

## Side Boundary Setbacks

Side setbacks of 900mm are permitted on the subject site. The development proposes the following side setbacks:

|                           | Side setback                                                                                                                                                                         | Compliance                                                              |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>Lower Ground Floor</b> | <u>North</u><br>4.172 metres (existing building)<br>4.261 metres (new works)<br><br><u>South</u><br>0.38 metres (driveway retaining wall)                                            | Yes – no change,<br>Yes,<br><br>Yes.                                    |
| <b>Ground Floor</b>       | <u>North</u><br>0.4 metres (existing deck),<br>3.82 metres (existing building)<br>4.172 metres (new works)<br><br><u>South</u><br>0.38 metres (carport)<br>1.3 metres (terrace wall) | No change,<br>Yes – no change,<br>Yes.<br><br>Merit assessment,<br>Yes. |
| <b>First Floor</b>        | <u>North</u><br>3.914 metres (existing building)<br><br><u>South</u><br>3.295 metres (existing building)                                                                             | Yes – no change,<br><br>Yes – no change.                                |

A variation to the side boundary setback is considered appropriate, in this case, as the variation applies to the carport only and is located over the existing concrete driveway area. In addition the development remains consistent with the objectives of the control, as addressed below:

- *To provide opportunities for deep soil landscape areas.*

The proposed development complies with the overall landscaped open space area and private open space requirement prescribed by the DCP. A compliant side setback would not contribute to deep soil or landscaped area, as the carport is located over the existing concrete driveway on the site.

- *To ensure that development does not become visually dominant.*

The proposed carport is located on the southern side of the existing dwelling, behind the primary building line. It is an open structure, with a lesser height than the dwelling house, ensuring it will not be visually dominant, as illustrated below.



**Figure 17: Montage of the proposed carport**

- *To ensure that the scale and bulk of buildings is minimised.*

As stated above, the proposed carport is located on the southern side of the dwelling, in the same location as the existing driveway. The open structure presents with an appropriate single storey height and is located within the permitted building envelope, ensuring a minimal bulk and scale.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

The siting of the carport is in the same location as the existing driveway and hardstand parking area, resulting in no material change to the use of this area for carparking. The non-habitable carport will be screened from the neighbouring dwelling by existing side boundary fencing and new privacy screening, ensuring privacy and amenity is retained. In addition, the adjoining dwelling to the south presents non-openable glass brick windows and solid walls to the proposed carport area as illustrated below.

The carport will result in a minor increase in shadowing to the southern neighbour at 9am and 3pm, however the site retains compliant solar access at 9am and 12pm on 21 June as assessed further below.



**Figure 18: The southern neighbour, adjoining the proposed carport area.**

- *To provide reasonable sharing of views to and from public and private properties.*

The subject site and surrounding properties enjoy district views across Brookvale to the west and south-west. A site visit has been undertaken and it is considered that no views will be impacted by the proposed carport, as no views are obtained across this portion of the site due to existing vegetation on the site. In addition, corridor views across the subject site are retained from the street and neighbouring dwellings on the north side of the dwelling as illustrated below.



**Figure 19: Views across the subject site, looking east.**



Figure 20: Views across the subject site, looking east.

### Front Setback

A front setback of 6.5 metres is required by the DCP. The development will retain the existing, compliant front setback of 12.635 metres.

### Rear Setback

The DCP requires a rear building setback of 6 metres on the site.

No changes are proposed to the existing building line setbacks, however the new works to the landing, terrace and balcony propose minimum rear setbacks of 4.426 metres (lower ground floor), 5.412 metres (ground floor) and 6.717 metres (first floor).

A variation to the rear boundary setback is considered appropriate, in this case, as the rear boundary of the subject site is an irregular shape and the vast majority of the new works comply with the rear setback control, as illustrated below.

In addition, the development remains consistent with the objectives of the control, despite the variation, as addressed below:

- The development proposes a landscaped area of 327.21m<sup>2</sup> or 42.29%, compliant with the minimum 40% area prescribed by the DCP. Significant deep soils areas are retained in the front and rear yards of the site.

- The minor variation to the rear setback control applies to a 0.7m<sup>2</sup> area of the terrace roof and the remaining rear setbacks to the dwelling and terrace are easily compliant as illustrated above. The site retains a large open space area in the front and rear yard, retaining a sense of openness on the site.

- The rear boundary of the site is shared with the rear yard of the neighbouring dwelling. There is significant existing vegetation, providing privacy between the sites, which will be retained. The minor variation to the rear setback will not be discernible in this context and appropriate separation and privacy is easily retained.

- Visual continuity will be retained, with an existing, irregular rear setback pattern evident in the locality as illustrated below. The adjoining dwelling to the east has a

minimum rear setback of approx. 4 metres to the rear pergola as a result of the irregular rear boundary, consistent with the additions proposed on the subject site. The development will retain the garden and landscape elements in the large front and rear yard.



Figure 22. Rear setbacks in the locality.

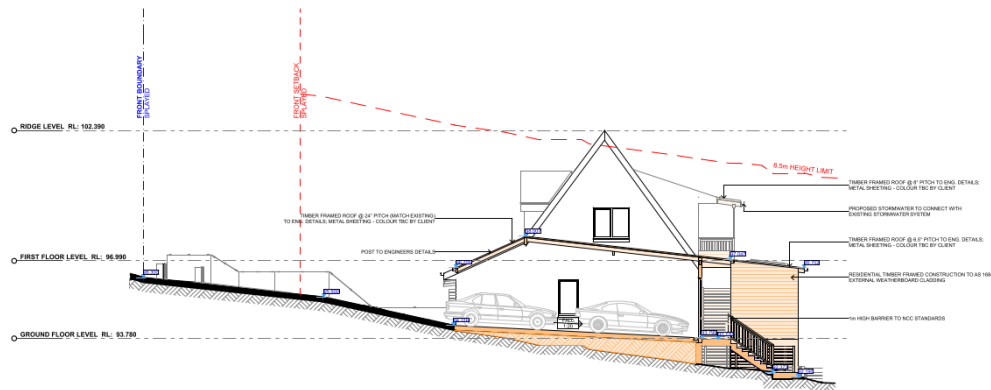
- To provide opportunities to maintain privacy between dwellings.

As described above the rear boundary of the site is shared with the rear yard of the neighbouring dwelling. There is significant existing vegetation, providing privacy between the sites, which will be retained.

## Part C Siting Factors

### Traffic Access and safety

The subject site has an existing crossover and driveway from Kirra Road, which will be retained. The development proposes to construct a new carport, with a new raised parking pavement, to comply with the relevant grade required, as illustrated below.



**Figure 23. Plan Extract – Driveway Long Section**

## Parking Facilities

The DCP requires a minimum 2 car parking spaces and a maximum width of garage openings of 6 metres or 50% of the building width (whichever is lesser).

The development proposes a single width carport on the southern side of the dwelling, containing 2 stacked parking spaces, thereby meeting the parking requirement for this site.

## Stormwater

Stormwater from the development will be connected to the existing drainage infrastructure on the site, as detailed in the stormwater plan provided with this application.

## Excavation and Landfill

Minor earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed.

## Demolition and Construction

The proposed development includes demolition of the existing rear ground floor balcony and associated stairs and other sections of the dwelling. All demolition and construction works will be undertaken as required by Council controls and will comply with any conditions that may be imposed as part of any future consent.

## Waste Management

Appropriate waste management will be undertaken during the construction process. All waste materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

The existing dwelling has a compliant bin storage area, with waste to be collected by Councils regular service.

## **Part D Design**

### **Landscaping and Open space and bush land setting**

The DCP requires 40% landscaping of the site which is equivalent to 309.48m<sup>2</sup> for the site area of 773.7m<sup>2</sup>.

The development will result in a compliant landscaped area of 327.19m<sup>2</sup> or 42.29%.

### **Private open space**

The DCP requires a minimum private open space area of 60m<sup>2</sup> (with minimum dimensions of 5 metres). The development provides a compliant area of private open space, in excess of 60m<sup>2</sup> in the rear yard, for the enjoyment of the residents.

### **Noise**

The development will not result in noise levels inappropriate to a residential area and the site is not located in close proximity to a noise generating activity.

### **Access to sunlight**

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 under this DCP Clause.

The following observations are made of the shadow diagrams included with this application:

**9am** – The development will result in a minor increase in shadowing to a small portion of the side and rear yard of the subject site and the side yard of No. 3 Kirra Road.

**12pm** – The development will result in a minor increase in shadowing to a small portion of the side and rear yard of the subject site and No. 3 Kirra Road.

**3pm** – The development will result in a minor increase in shadowing to a small portion of the side and rear yard of the subject site and No. 3 Kirra Road.

It is concluded that the private open space of the subject site and the adjoining properties maintain compliant solar access at 9am and 12pm on 21 June.

## **Views**

As discussed above the subject site and surrounding properties enjoy district views across Brookvale to the west and south-west.

A site visit has been undertaken and it is considered that no views will be impacted by the proposed development, with works largely located at the rear of the site, behind the existing building line.

The proposed carport will have no impact on views, as no views are obtained across this portion of the site due to existing vegetation on the site. In addition, corridor views across the subject site are retained from the street and neighbouring dwellings on the north side of the dwelling as illustrated above.

## **Privacy**

Privacy will be retained for neighbours with the design incorporating privacy screening to the carport and the rear terrace.

There is some existing overlooking between dwellings, due to the significant slope of the site, however this will not be exacerbated.

## **Building Bulk**

The proposed building incorporates articulation, modulation and openings to alleviate any appearance of bulk, resulting in an aesthetically pleasing contribution to the streetscape.

The design is also of a scale consistent with surrounding residential dwellings in Allambie Heights, and the works will result in a contemporary and complementary addition to the site and Kirra Road.

## **Building Colours and Materials**

The proposed building materials include Colorbond metal roofing to the balcony areas, horizontal weatherboard cladding and horizontal timber privacy screening. The glazing proposed includes framing with a pattern to complement the existing dwelling.

Details are provided in the attached materials and finishes schedule and all materials and finishes are complementary to the residential surrounds and consistent with a modern finish.

## **Roofs**

The proposed roofing to the balconies include a 6.5° and 8° pitch and a BCA compliant balustrade to the northern, southern, and eastern elevations which is complimentary to the local streetscape / housing style in the area.

## **Glare & Reflection**

The metal roofing (Colorbond) is pre-coloured and non-reflective and will meet the requirements of any conditions of consent as imposed on any future consent.

## **Site Facilities**

Appropriate, existing waste, recycling areas and drying facilities will not change as part of the proposed application.

## **Side and Rear Fences**

No changes are proposed to existing boundary fencing on the property. A new privacy screen is proposed on the southern side of the carport, to provide privacy screening with the adjoining dwelling.

## **Safety and Security**

The proposed new dwelling will improve safety and security features of the site, allowing for casual surveillance of the street and safer access to the site and dwelling.

## **Conservation of Energy and Water**

The design has achieved a BASIX Certificate which accompanies the application.

## **Part E - The Natural Environment**

### **Preservation of Trees or Bushland Vegetation**

The development does not propose the removal of any significant trees.

### **Prescribed Vegetation**

The subject site is not mapped as native vegetation, High Conservation Habitat or Wildlife Corridor.

### **Retaining unique Environmental Features**

No unique environmental features will be impacted by the proposal.

### **Waterways and Riparian Lands**

There will be no impact on waterways or riparian lands in the locality.

### **Landslip Risk**

The site is located in the area nominated on the LEP maps as Area B - 5 to 25°. A Preliminary Geotechnical Assessment has been prepared and accompanies this application.

## 6. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

|                           | Standard                   | Proposed                                                                                                                                                                                                                                         | Compliance                                                       |
|---------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>Warringah LEP 2011</b> |                            |                                                                                                                                                                                                                                                  |                                                                  |
| Zoning                    | R2 Low Density Residential | Alts / adds to dwelling                                                                                                                                                                                                                          | Yes                                                              |
| Lot Size                  | 600m <sup>2</sup>          | 773.7m <sup>2</sup>                                                                                                                                                                                                                              | Yes – no change                                                  |
| Building Height           | 8.5 metres                 | <u>Existing</u><br>9.7m (dwelling)<br><br><u>New works</u><br>7.949m (first floor balcony)<br>5.213m (ground floor terrace)<br>4.361m (carport)                                                                                                  | No change<br><br><br>Yes<br>Yes<br>Yes                           |
| Floor Space Ratio         | Not identified             | -                                                                                                                                                                                                                                                | -                                                                |
| <b>Warringah DCP 2011</b> |                            |                                                                                                                                                                                                                                                  |                                                                  |
| Wall Height               | 7.2 metres                 | <u>Existing</u><br>7.7m (dwelling)<br><br><u>New works</u><br>4.549m (terrace)                                                                                                                                                                   | No change<br><br><br>Yes                                         |
| Number of Stories         | Not identified             | -                                                                                                                                                                                                                                                | -                                                                |
| Side Boundary Envelope    | 4 metres / 45 degrees      | New works within permitted envelope                                                                                                                                                                                                              | Yes                                                              |
| Site Coverage             | Not identified             | -                                                                                                                                                                                                                                                | -                                                                |
| Side Boundary Setbacks    | 0.9 metres                 | <u>Lower ground floor</u><br><u>North</u><br>4.172 metres (existing building)<br>4.261 meters (new works)<br><br><u>South</u><br>0.38 metres (driveway retaining wall)<br><br><u>Ground Floor</u><br><u>North</u><br>0.4 metres (existing deck), | Yes – no change,<br><br>Yes,<br><br>Yes.<br><br>Yes – no change, |

|                                            | Standard                                                                                                     | Proposed                                                                                                                                                                                                                                                                    | Compliance                                                                                                                |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|                                            |                                                                                                              | 3.82 metres (existing building)<br>4.172 meters (new works)<br><br><u>South</u><br>0.38 metres (carport)<br>1.3 metres (terrace wall)<br><br><u>First floor</u><br><u>North</u><br>3.914 metres (existing building)<br><br><u>South</u><br>3.295 meters (existing building) | Yes – no change,<br><br>Yes.<br><br><br>Merit assessment,<br>Yes.<br><br><br>Yes – no change,<br><br><br>Yes – no change. |
| Front Boundary Setback                     | 6.5 metres                                                                                                   | 12.635m                                                                                                                                                                                                                                                                     | Yes                                                                                                                       |
| Rear Boundary Setbacks                     | 6 metres                                                                                                     | <u>Lower ground floor</u><br>4.426m<br><br><u>Ground floor</u><br>5.412 metres<br><br><u>First floor</u><br>6.717m                                                                                                                                                          | Merit assessment<br><br>Merit assessment<br><br>Yes                                                                       |
| Parking                                    | 2 spaces                                                                                                     | 2 spaces (stacked)                                                                                                                                                                                                                                                          | Yes                                                                                                                       |
| Landscaped Open Space and Bushland Setting | 40% = 309.48m <sup>2</sup> for the site area of 773.7m <sup>2</sup> .                                        | 327.19m <sup>2</sup> or 42.29%                                                                                                                                                                                                                                              | Yes                                                                                                                       |
| Private Open Space                         | 60m <sup>2</sup>                                                                                             | >60m <sup>2</sup>                                                                                                                                                                                                                                                           | Yes                                                                                                                       |
| Solar Access                               | 3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21. | Complies at 9am and 12pm                                                                                                                                                                                                                                                    | Yes                                                                                                                       |

## 7. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

### 7.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the R2 zone.

### 7.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

#### **Context and Setting**

*What is the relationship to the region and local context in terms of:*

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

*What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed development has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

### **Access, transport and traffic**

*Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:*

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

### **Public domain**

The proposed development will not impact the public domain.

### **Utilities**

There will be no impact on the site, which is already serviced.

### **Flora and fauna**

There will be no impact.

### **Waste**

There will be no impact. Management of construction waste detailed in Waste Management plan provided with application.

### **Natural hazards**

The site is mapped as being within a low level landslip area, Area B. A Preliminary Geotechnical Assessment including recommendations has been prepared and accompanies this application submission.

The site is bushfire prone and a bushfire assessment accompanies the application.

### **Economic impact in the locality**

There will be no impact, other than the possibility of a small amount of employment during construction.

### **Site design and internal design**

*Is the development design sensitive to environmental conditions and site attributes including:*

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the residential surrounds.

*How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

### **Construction**

*What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

### **7.3 The suitability of the site for the development**

*Does the proposal fit in the locality?*

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

*Are the site attributes conducive to development?*

The site is appropriate for the development proposed.

### **7.4 Any submissions received in accordance with this Act or the regulations**

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

### **7.5 The public interest**

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

## **8. Conclusions**

- 8.1 The proposed development for alterations and additions to an existing dwelling house at 5 Kirra Road, Allambie Heights is appropriate considering all State and Council Planning controls.
- 8.2 When assessed under the relevant Matter for consideration – General of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious, and we believe worthy of consent.
- 8.3 Considering all the issues, the proposed development is considered worthy of Council's consent.

## Planner Declaration

**This report was prepared by:**

Report Version: Final

### Document Control Table

| Document Purpose: | Statement of Environmental Effects |                               |
|-------------------|------------------------------------|-------------------------------|
| Date              | Prepared by                        | Approved by                   |
| 8/05/2023         | Nancy Sample                       | Naomi Lyons<br>Senior Planner |

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