

STATEMENT OF ENVIRONMENTAL EFFECTS

Submission to Northern Beaches Council

ALTERATIONS AND ADDITIONS TO EXSISTING DWELLING HOUSE

at



53A Wyuna Avenue Freshwater

August 2022

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1 Summary

Land to be developed	Lot 41 DP 5278
(Address):	53A Wyuna Avenue Freshwater NSW 2096
Proposed Development:	Alterations and Additions to an existing dwelling house
Zoning:	R2: Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	Not applicable to this development
Consent Authority:	Northern Beaches Council
Owner:	Ann Dixon

2 Introduction

This Statement of Environmental Effects assesses against the applicable planning controls for the site, including the relevant provisions of:

- Environmental Planning and Assessment Act 1979 (EPAA);
- Environmental Planning and Assessment Regulation 2021 (EPAR);
- Warringah Local Environmental Plan 2011 (WLEP);
- Warringah Development Control Plan 2011 (WDGP);
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX);
- State Environmental Planning Policy No 55—Remediation of Land;

in support of the development application for the proposed alterations and additions to an existing dwelling house at 53A Wyuna Avenue Freshwater NSW 2096.

The proposed development provides improved amenities to the occupants. Upon completion of the assessment against all aforementioned documents, it is concluded that the development comes within the 'four corners' of the relevant development standards.



Arial Photograph (from SIX Maps)

3 Site & Locality Description

- The subject allotment is a regular rectangular lot and is known as 53A Wyuna Avenue Freshwater and has a total area of 414.3 sqm;
- The site is located on the Northern side of Wyuna Avenue;
- A Single storey rendered dwelling house with a tiled roof, currently occupies the site with a single detached garage;
- The site is located within land zoned for R2: Low Density Residential pursuant to the WLEP. Dwelling houses are permitted with consent on R2 zone;
- Site is surrounded by lushes green privacy screen providing much needed privacy to and from the adjoining neighbours;
- The site enjoys few minutes driving distance to local shops, restaurants and walk to Bus transport;
- The site comprises of one lot, legally described as Lot 41 DP 5278;

- Lot sizes of surrounding buildings are similar to the site and consist of one to two storey dwelling houses of varying ages.



Existing Dwelling House - View from Wyuna Avenue

4 Proposed Development in Detail

The development proposal includes alterations and additions, as follows:

Ground Floor Level

- Demolish bedroom walls, opening to dining/living room;
- Demolish laundry & toilet & sink;
- Add a new staircase;
- Add a new window and a door;
- Add a new Pantry with sliding doors;
- Add a new window in pantry area facing north near;
- Add a laundry area next to the stairs;

First Floor Level (Proposed)

- Add 2 new bedrooms at the front;
- Add new awning roof at eastern and western sides;

- Add a new bathroom;
- Add a new Master bedroom with an ensuite and a walking robe;
- Add a new staircase;

5 Site History

A general search of Council's records has revealed the following relevant development applications:

- Complying Development Certificate CDC2013/0075 Private SEPP - Alterations and additions to the rear of the existing dwelling, Approved on 25/03/2013

6 Compliance Assessment

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this proposal.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder:

6.1 Warringah Local Environmental Plan 2011 (WLEP)

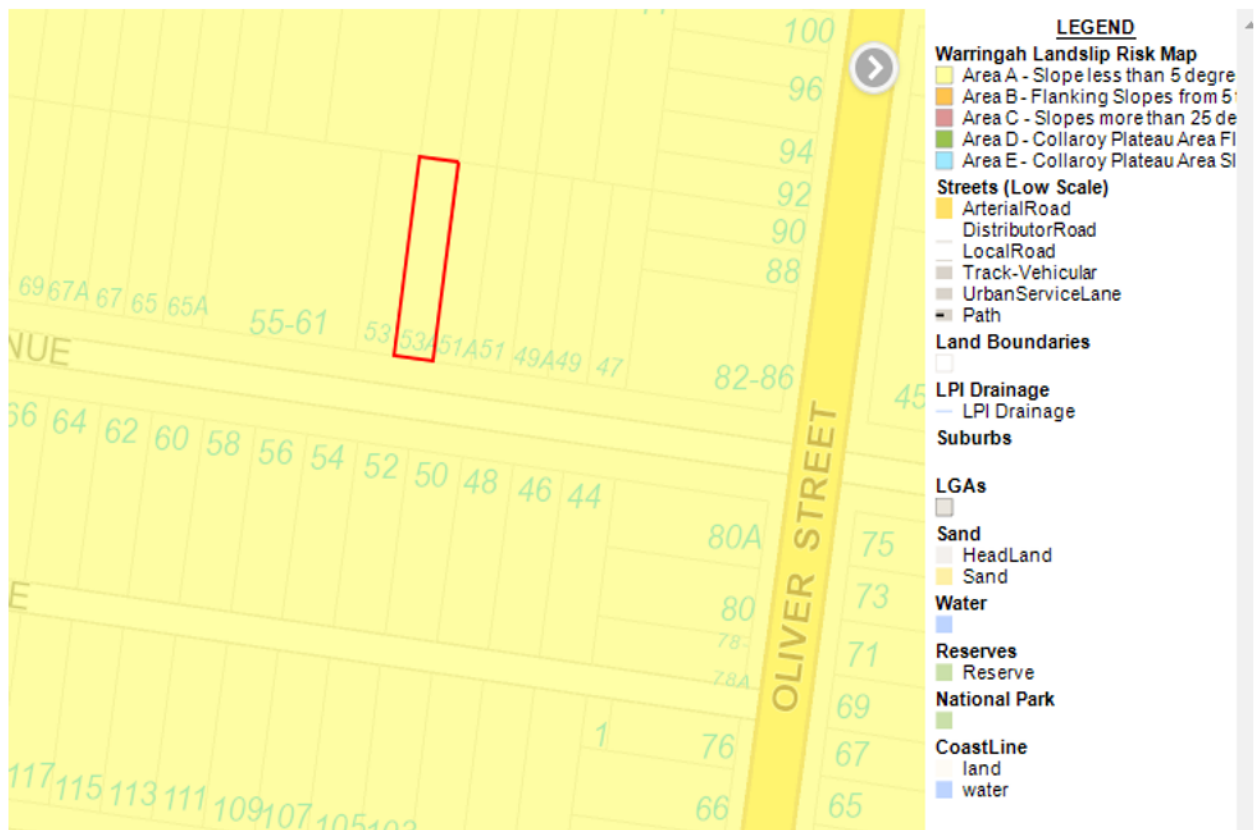
6.1.1 Clause 4.3 Height of Buildings

In accordance with Clause 4.3(2) the height of any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The Height of Buildings Map nominates a maximum building height of 8.5m.

The proposed addition to the house sits below the 8.5 m mark. Thus, comply with the maximum height limit.

6.1.2 Clause 6.4 Development on Sloping land

The subject land is in Area A- Slope $<5^{\circ}$. By virtue of clause 6.4(3) of WLEP. The development does not propose any earthwork; thus, development would not result in adverse impacts on developments on properties in the vicinity .



Extract from Warringah Landslip Risk Map

6.2 Warringah Development Control Plan 2011 (WDCP)

6.2.1 Control B1 Wall Heights

Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space). Maximum wall height of the proposed development is 8.48m. The development will exceed the minimum requirement by 1.28m and does not comply with Council's numerical controls. The variation from the Council controls is acceptable having regard to the objectives for Wall Heights as per the DCP:

- *To minimize the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreational purposes.*

The proposed dwelling remains within the building height limit of 8.5m. Hence will not have detrimental impact on existing views.

- *- To ensure development is generally beneath the existing tree canopy.*

The subject site is not located within an existing tree canopy. Not applicable.

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

The subject premises and immediate adjoining neighbours do not enjoy water views, iconic views nor any significant views. There are existing residential flat buildings around Northwestern & Southwestern sides limiting views, hence proposed development would not have a significant impact on view sharing. Neighbour on Eastern side enjoys Northern views undisturbed.

- - *To minimise the impact of development on adjoining or nearby properties.*

The neighbouring properties will not be unreasonably impacted by the proposed development. The adjoining neighbours will retain the required three hours of direct solar access; the development will not contribute to any adverse overlooking or privacy impacts to the neighbouring dwellings and the visual bulk and scale has been minimized through appropriately articulated building elements including recessed wall planes which reduces the continuous wall planes. The development does not give rise to any view loss impacts.

- - *To ensure that development responds to site topography and to discourage excavation of the natural landform.*

The proposed building envelope has been modelled to step in response to the sloping topography of the land. There is no excavation proposed, and the dwelling will appear two storeys in scale from the street and is an acceptable streetscape outcome.

- - *To provide sufficient scope for innovative roof pitch and variation in roof design.*

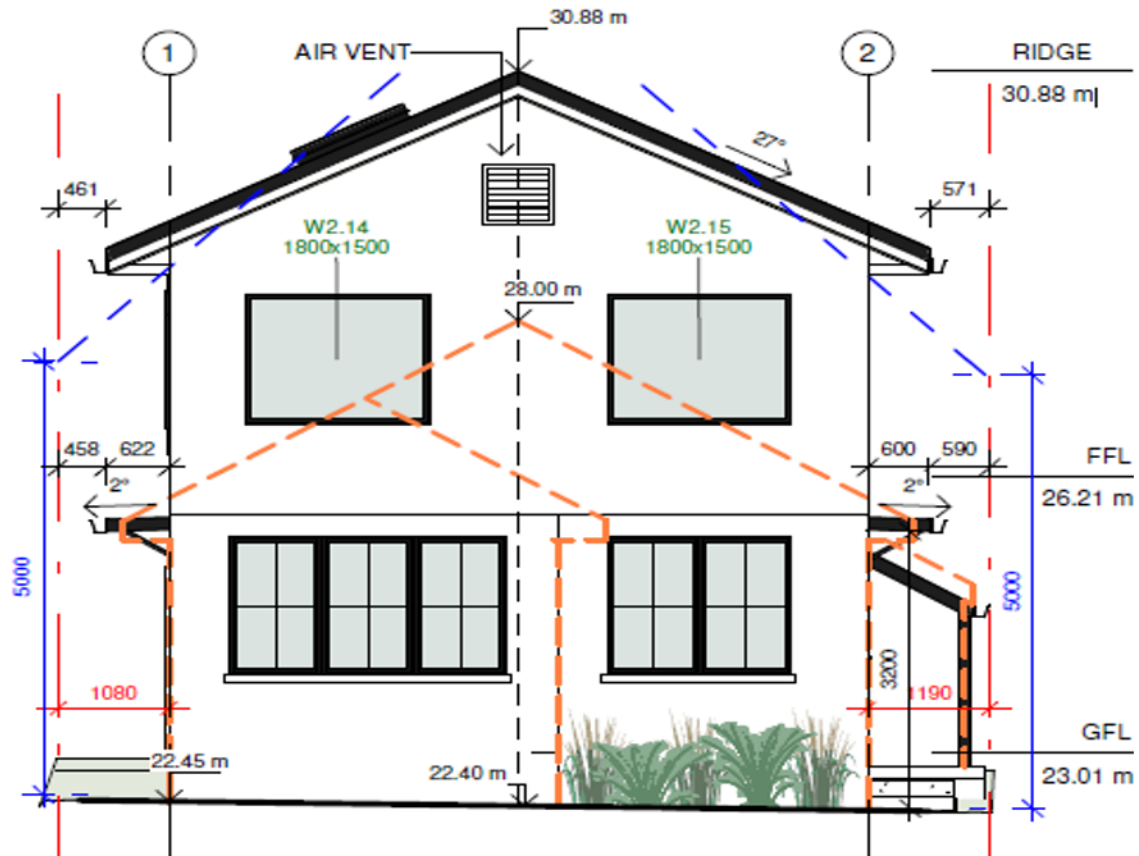
The proposal incorporates a gable roof form and is commensurate with the roof nature of the neighbours' dwellings. The gable roof element has been designed to reduce the perceivable visual impacts from the existing streetscape. In considering the above, the variation to the wall height requirements is acceptable given it is consistent with the objectives of the relevant development control.

6.2.2 Control B3 Side Boundary Envelope

The side boundary envelope map prescribes that the building envelope must be determined by projecting the wall planes 45 degrees from a height above ground level (existing) at the side boundaries of 5 metres. The existing dwelling house and the proposed two storey dwelling do not comply with Council's controls for side boundary envelope; in that the dwelling does not return 45 degrees after 5 metres.

Proposed development has been carefully designed to avoid the visual dominance by virtue of its bulk and height.

Notwithstanding this, the development will provide adequate light, solar access and privacy by providing spatial separation between buildings. The proposed addition is well set back from side boundaries and responds to the site's topography. The development meets the objectives of the control; thus, noncompliance is considered acceptable and worthy of Council support.



Side Boundary Envelope

6.2.3 Control B5 Side Boundary Setbacks

The Council controls prescribe a minimum setback of 0.9m from the side boundary in accordance with the DCP Side Boundary Setback map. The proposed dwelling house is setback as follows:

Eastern Setback	Setback	Complies (Yes/No)
Ground Floor	1.21m	Yes
First Floor	1.21m	Yes
Western Setback	Setback	Complies (Yes/No)

Ground Floor	1.13m	Yes
First Floor	1.13m	Yes

Hence, the proposed development complies with the site boundary set back controls.

6.2.4 Control B7 Front Boundary Setbacks

The minimum front boundary set back is 6.5m to road frontages. The existing garage sits within the front boundary setback area. However, the actual dwelling is set back 12.78m from the front building line. The development complies with the control.



Existing Streetscape

6.2.5 Control B9 Rear Boundary Setbacks

The development is to maintain a minimum 6.0m setback to rear boundary. The proposed alteration and additions is setback 12.7m from the rear boundary. Thus, the proposed development complies with the control.

6.2.6 Control C2 Traffic, Access and Safety and Control C3 Parking Facilities

The development maintains the existing location of vehicular and pedestrian access. A dwelling house require 2 car parking spaces. The proposed dwelling house includes a single garage and a paved area which can accommodate another car parking space. Thus, complies with these controls.

6.2.7 Control C4 Stormwater

The development reduces the hard existing surface area. The development will maintain existing stormwater runoff system. Please refer to provided Stormwater plans and reports.

6.2.8 Control C7 Excavation and Landfill

The proposed alteration and addition work would not include any excavation work. Provided good engineering and building practice are followed no further geotechnical assessment is recommended. Hence, the development complies with this control.

6.2.9 Control C8 Demolition and Construction and C9 Waste Management

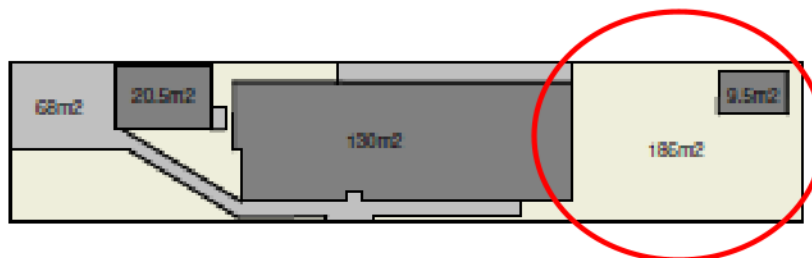
The proposal includes demolition. The demotion and construction will be managed to ensure there is no unreasonable impact on the surrounding amenity, pedestrian or road safety, or the natural environment. Waste generated as a result of construction, demolition and excavation works will be minimised and will be reused on site to the maximum extent possible. Please refer to the waste management plan for further information.

6.2.10 Control D1 Landscaped Open Space and Bushland Setting

The required minimum area of landscaped open space is 40% of the site. The proposed development maintains 45% of landscaped open space area without a change; thus, comply with this control.

6.2.11 Control D2 Private Open Space

The development provides private open space area at the rear. The rear of the site is directly accessible from the living area. The private open space at the rear includes more than total 60sqm with dimensions more than 5m. The private open space receives sufficient solar access and privacy. Thus, the development complies with the control.



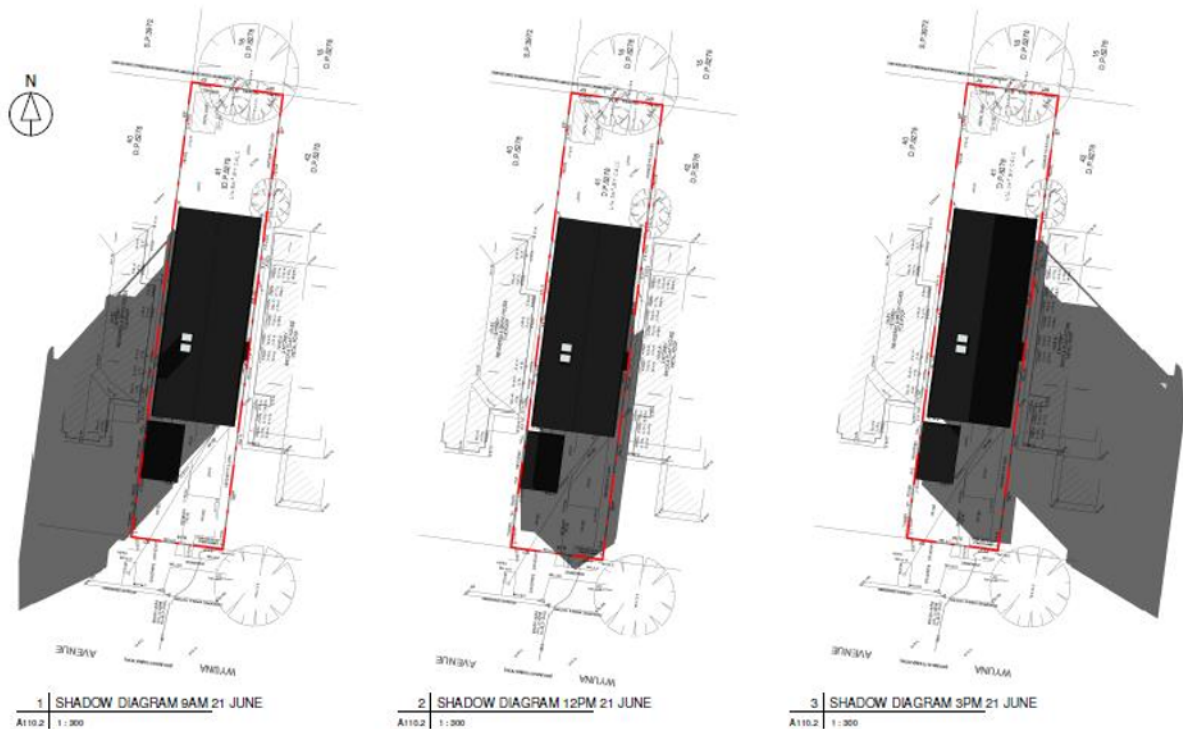
Private Open Space Area at The Rear

6.2.12 Control D3 Noise

Proposed bedrooms are located on a separated level away from noise sources: kitchen and living. The first floor is setback sufficiently from road frontages. The development complies with the control.

6.2.13 Control D6 Access to Sunlight

At least 50% of the required area of private open space of the 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. The provided shadow diagrams confirm that the private open spaces of the proposed development and the adjoining dwellings receive a minimum of 3 hours of sunlight between 9 am and 3 pm on June 21.



Shadow Diagram of The Proposed Development

6.2.14 Control D7 Views

One of the principles for view sharing prescribes that '*views across side boundaries is more difficult than the protection of views from front and rear boundaries.*' Development has been designed to accommodate and to preserve views at the Northern side (rear). Views across side boundaries at the Western and Northwestern sides are already being disturbed by existing residential flat buildings. Neighbours in the Eastern side would still enjoy undisturbed views at the Northern end. Further the development ensure existing canopy trees have priority over views. thus, comply with the control.



View from Southern (Front) boundary

6.2.15 Control D8 Privacy

The building layout is designed to optimise privacy for occupants of the development and occupants of adjoining properties. The adjoining dwelling house to the East is a double-storey dwelling and there is a timber fence and an existing vegetation that work as a privacy screen in the ground floor level and prevent direct or close views into the windows. First floor level window is a high window and would not create any privacy issues. Whereas First floor level windows are designed to avoid direct views and the only standard set of windows is a frosted and would avoid direct views with the neighbours.

The adjoining house to the West is a single storey dwelling house. The existing timber fence and vegetation work as a privacy screen. There is fixed panel window which will be a frosted glass to avoid any privacy issues.

Further there is a natural vegetation providing a green screen and improve the privacy. Outdoor entertainment area is covered with a privacy screen from both sides. No balconies are proposed along the side boundaries to increase the visual privacy of the neighbours. Therefore, development will not create any adverse privacy impacts.

6.2.16 Control D9 Building Bulk

The development complies with side setback controls. In addition to this, the length of the external walls are not continuous in length and incorporate varying building setbacks to alleviate the visual mass and scale of the building. The proposal does not seek to increase the amount of fill on the site.

Maximum building height is under 8.5m, the height and scale of the dwelling has been proportionately planned to match with neighbouring dwellings.

The proposed dwelling is orientated to the street frontage. The colours, materials and finishes will articulate the streetscape and the neighbouring dwellings. By integration of windows, walls are articulated to reduce building mass. Based on above, it can be concluded that the proposed development does not unreasonably increase bulk and scale.

6.2.17 Control D10 Building Colours and Materials

The colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment. Proposed colours and materials complement existing dwelling and the surrounding dwellings.

6.2.18 Control D11 Roofs and D12 Glare and Reflection

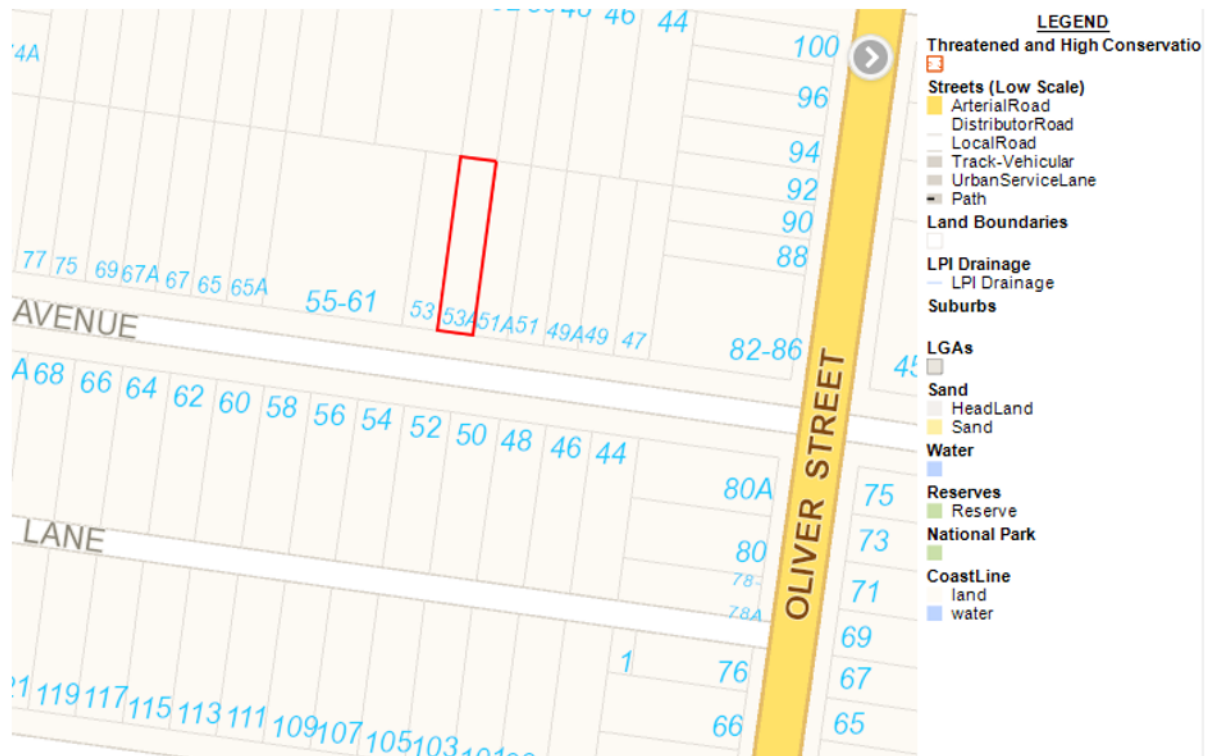
The development includes a metal roof. The roof form incorporates eaves for shading. Roofing materials do not cause excessive glare and reflection. Night Sky is a deep dark colour which would avoid glare and reflection as well.

6.2.19 Control D20 Safety and Security

The alterations and additions do not change the main entrance to the dwelling house; thus, maintains existing security and safety levels.

6.2.20 Control E1 Preservation of Trees or Bushland Vegetation and E2 Prescribed Vegetation

The site is not identified on DCP Maps Threatened and High Conservation Habitat, Wildlife Corridors and Native Vegetation. The existing trees and vegetation to remain the same. Thus, the proposed development complies with control.

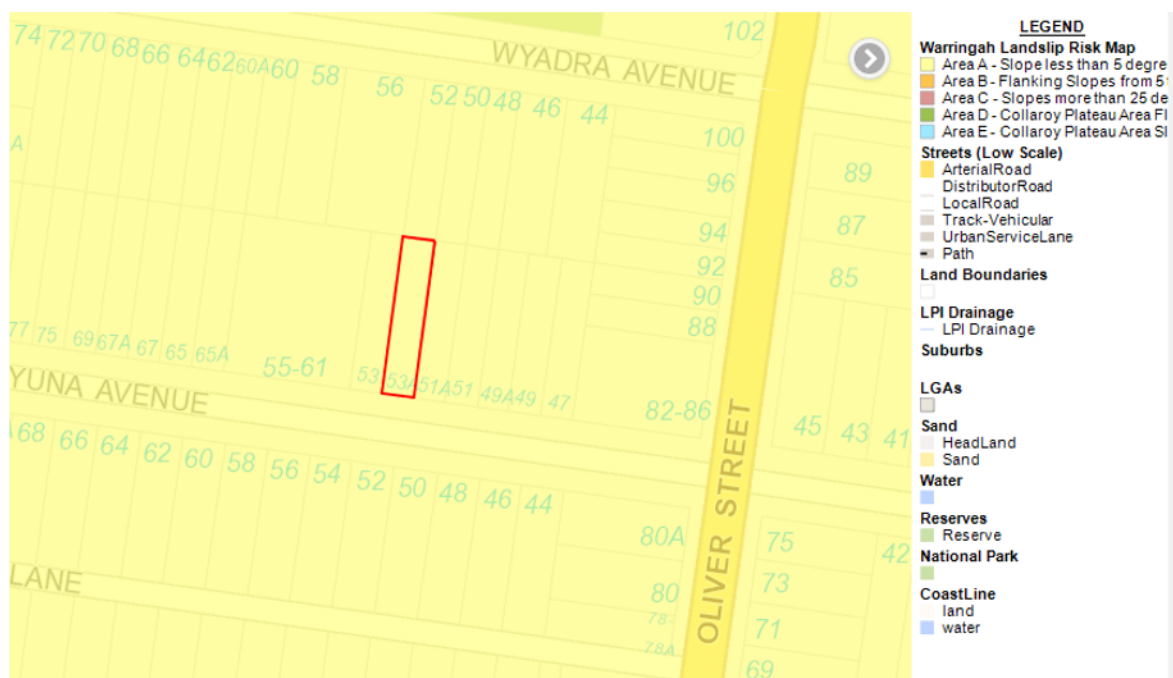


Extract from Threatened and High conservation habitat map

6.2.21 Control E10 Landslip Risk

The subject site is identified in an area nominated as predominately Area A – Slope $<5^\circ$.

Provided good engineering and building practice are followed no further Geotechnical assessment is recommended.



Extract from Warringah Landslip risk map

6.3 SEPP (Building Sustainability Index: BASIX) 2004

SEPP Building Sustainability Index (BASIX) 2004 is applicable to the subject site. Clause 6 of the SEPP Provisions prescribe that the proposal is deemed to be a 'BASIX affected development' under the Environmental Planning and Assessment Act 1979 and a BASIX certificate is required to accompany any prospective development application for the proposed works. A BASIX certificate has been submitted with the application (see Certificate No. A460952_2 dated 12/08/2022) which indicates that the proposed dwelling will satisfy the relevant water and energy reducing targets and comply with the BASIX requirements.

7 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP No. 55 is applicable to all land within NSW and aims to promote the remediation of contaminated land and to reduce risk of harm to human health and environment. Clause 7 of the SEPP provisions prescribe that the consent authority must have consideration as to whether the land is contaminated, if the land is contaminated it is satisfied that the land is suitable in its contaminated state and/or if suitable remediation processes are required before the land is used for any proposed uses.

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Although contaminated sites may occur anywhere, they are typically clustered in areas which have been used for heavy industry, mining, chemically intensive agriculture and the storage of chemicals, petroleum-based products or waste products. Subject site has been used for residential purposes for a significant period of time with no known prior land uses. In this regard it is considered that the site poses no risk of contamination; therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

8 Conclusion

This Statement of Environmental Effects has taken into consideration the submitted plans and all other documentation supporting the application and assessed against all relevantly applicable to planning provisions. The proposal does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be consistent with the objectives of the DCP, zone objectives and aims of the LEP, objectives of the relevant EPIs and objects of the Environmental Planning and Assessment Act 1979.

In our opinion, the proposed development satisfies the appropriate controls. The proposed alterations and additions will integrate with the landform and landscape and be consistent with surrounding developments. In summary, the proposal should be approved as the design is reasonable for the site by virtue of the level of non-compliance that does not create unreasonable amenity impacts.

We have attempted the provided information in this SEE to be as accurate as possible, relying on the information provided to us to date. However, we make no claims, guarantees or promises about the accuracy, currency, or completeness of the information provided and are not responsible for any errors or omissions, or for results obtained from the use of the information. Every possible effort is made to keep the content of this document accurate and current, but that may not always be the case.