

STATEMENT OF ENVIRONMENTAL EFFECTS

7 LOOKOUT AVENUE, DEE WHY

DWELLING ALTERATIONS AND ADDITIONS

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

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1. INTRODUCTION

This application seeks approval for the construction of dwelling alterations and additions on Lot 1 in DP 23144 which is known as **No. 7 Lookout Avenue, Dee Why**.

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

- Environmental Planning & Assessment Act, 1979.
- State Environmental Planning Policy (Resilience & Hazards) 2021.
- 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 Surveys Pty Ltd, Ref No. 2012, Issue 1 and dated and dated 14/01/2022.
- Architectural Plans prepared by Alex Bryden Architecture, Project No. 22006, Issue A and dated 03/03/22.
- Preliminary Geotechnical Assessment prepared by White Geotechnical Group, Job No. J4113 and dated 14 March 2022.

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 1 in DP 23144 which is known as 7 Lookout Avenue, Dee Why. The site is located towards the northeastern end of Lookout Avenue. The site is a triangular shaped allotment that has an area of 598.3m². The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a multi storey rendered dwelling with a pitched metal roof. An attached garage is located towards the front southwest corner of the site and is accessed via a paved driveway. An inground pool is located to the north of the dwelling in the rear yard. The dwelling is orientated towards the north to maximise ocean views. The sites northeast boundary adjoins land zoned RE1 Public Recreation.

The existing surrounding development generally comprises a mix of one, two and three storey detached dwellings on varied sized allotments. Dwellings are generally orientated to the north and northeast to maximise views. The existing surrounding development is 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 proposed works are located over the existing building footprint and do not reduce the existing landscaped area.

The proposed additions are to the existing second floor and provide for a new balcony to an existing bedroom. The balcony is proposed on the northern elevation and provides for new glazed doors and openings. The balcony is provided with setbacks ranging from 1.535m to 1.725m to the western boundary, consistent with the setbacks provided to the existing dwelling. A portion of the existing roof form of the level below will be demolished to accommodate the new balcony.

All collected stormwater will be discharged to the existing stormwater system.

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 Warringah 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.

4.2 State Environmental Planning Policy (Resilience & Hazards) 2021.

Chapter 2 of the SEPP relates to Coastal Management. This Chapter of the SEPP aims to manage development in the coastal zone and protect the environmental assets. The subject site is identified as '*coastal environment area*' and '*coastal use area*' on the Coastal Management Map and therefore the provisions of this SEPP apply.



Extract of SEPP Map

The following Clauses are relevant to the proposed development:

Clause 2.10 Development on land within the Coastal Environment Area

This clause provides:

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) *coastal environmental values and natural coastal processes,*
 - (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
 - (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (f) *Aboriginal cultural heritage, practices and places,*
 - (g) *the use of the surf zone.*

Comment: The proposal will not have any detrimental impact on the integrity or resilience of the environment. A Geotechnical Report has been prepared and submitted with this application.

The proposed works are located over the existing footprint and is provided with ample setback to the native vegetation, fauna headlands and rock platforms. The works do not impact on the adjoining public open space.

Further the works do not obstruct any public access to the foreshore. There are no known aboriginal or cultural heritage items, places or relics within the vicinity.

- (2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
 - (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment: The proposed works are located over the existing footprint and are provided with ample setbacks to the boundaries of the site and the foreshore. Soil erosion and sedimentation controls will be implemented prior to the commencement of any work on site, if required.

Clause 2.11 Development on land within the Coastal Use Area

This clause provides:

Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

- (a) has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) Aboriginal cultural heritage, practices and places,*
 - (v) cultural and built environment heritage, and*
- (b) is satisfied that:*
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

Comment: The proposal does not affect any existing public access to the foreshore or beach. The proposal is for a balcony over the existing building footprint and will not result in any overshadowing or wind funnelling to the foreshores. The proposed balcony is over the existing footprint and reduces existing bulk. This element is located at the rear of the existing dwelling and will not obstruct any views from the public domain or the adjoining properties. There are no known aboriginal or cultural heritage items, places or relics within the vicinity. The proposed balcony will not be prominent when viewed from the foreshore or adjoining public open space.

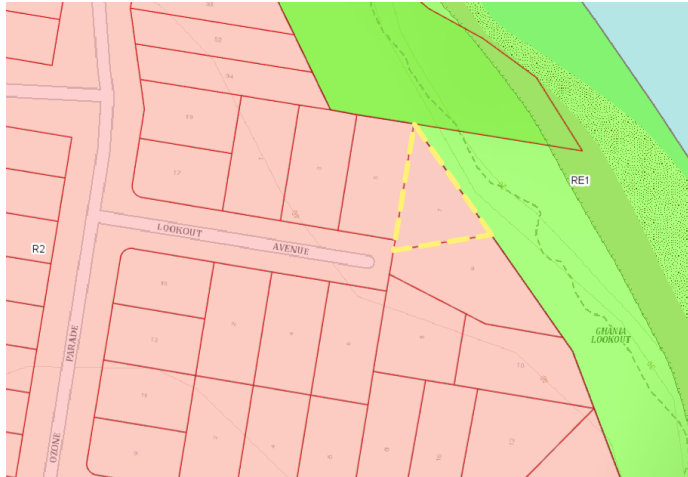
Clause 2.12 Development in Coastal Zone Generally – Development not to increase risk of coastal hazards

A geotechnical report has been submitted and it is considered that the proposal complies with this clause.

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

4.3 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. Development for the purposes of alterations/additions to an existing dwelling house 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	6.68m	Yes

The following clause also applies:

Clause 6.4 Development on Sloping Land



Extract of Landslip Map

The site is identified as Category B on Council's landslip map. A Preliminary Geotechnical Investigation is submitted as part of this application.

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

4.4 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 The proposal provides for a new balcony only and does not extend the existing wall height. Notwithstanding, the proposed balcony has a maximum height of 6.68m.
B2 – Number of storeys	Not Applicable	Not Applicable

Clause	Requirement	Compliance
B3 - Side Boundary Envelope	Building envelope 45 degrees from 5m. Eaves up to 675mm are an allowable encroachment	The proposed works do not encroach the existing approved building envelope. The proposal provides for an open balcony with a portion of the existing roof form removed to accommodate the works.
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes The proposed additions provide for setbacks range from 1.535m to 1.725m to the western boundary which complies with this clause.
B7 – Front Boundary Setbacks	Minimum 6.5m	Yes All new works are located behind the existing front building line.
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.0m	Yes Ample setbacks provided to the rear boundary. The proposed additions do not encroach the existing rear boundary setbacks.
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

Clause	Requirement	Compliance
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes Existing vehicular access being retained.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes Existing parking on site being retained.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes The proposal provides for all collected stormwater continuing to drain to the existing stormwater system. It is noted that the works are located over the existing building footprint.
C5 – Erosion and Sedimentation	Soil and Water Management required	Not Applicable.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Not Applicable – no excavation or fill required.
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.

Clause	Requirement	Compliance
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposed works are located over the existing building footprint. There is no change to the existing landscaped area.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes Existing open space in the rear yard is to be retained.
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 Balcony orientated towards the north and provides better amenity for the bedroom. BASIX does not apply.
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	Yes The proposed works do not increase the existing building height, rather the works include demolition of part of the existing roof form. The proposed works do not result in any additional overshadowing

Clause	Requirement	Compliance
	on 21 June winter solstice.	and shadow diagrams are not required.
D7 - Views	View sharing to be maintained	Yes The subject site and surrounding properties enjoy significant views towards the north and northeast. The proposed additions do not provide for any additional bulk nor increase height. The proposal provides for an open balcony with a glass balustrade. A portion of the existing roof form of the level below will be demolished to accommodate the balcony. The proposed works will not obstruct any views.
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Yes The proposed balcony is located on the northern elevation and is orientated to maximise views to the north and northeast. The balcony will not direct views into the adjoining western property. The balcony serves a bedroom which is not a high use living area, with all living areas on the lower levels.

Clause	Requirement	Compliance
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.	Yes The proposal provides for an open balcony which will not increase building bulk.
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to be compatible with the existing surrounding development and the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Not Applicable
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.
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

Clause	Requirement	Compliance
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
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The dwelling will continue to provide a good outlook of dwelling approach and 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 not required.	Not Applicable

Clause	Requirement	Compliance
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.	Not Applicable
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Not Applicable 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 on land adjoining open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.	Yes The subject site adjoins land zoned public recreation to the east. The proposed works are provided with ample separation. The balcony is open and provides an outlook to the open space and ocean beyond. The works will not obstruct existing views to or from the adjoining open space.

Clause	Requirement	Compliance
E8 – Waterways and Riparian Lands	N/A – not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as Class B	A preliminary geotechnical has been submitted.
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 to an existing dwelling house is 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 additions to an existing dwelling without any detrimental impact on the environment, social and economic status of the locality.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of additions to an existing dwelling house in this zone is permissible with the consent of Council. The resultant dwelling 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 alterations/additions to an existing dwelling 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 a new dwelling and associated works. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed dwelling 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 alterations and additions to an existing dwelling house at **No. 7 Lookout Avenue, Dee Why** is worthy of the consent of Council.

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