

STATEMENT OF ENVIRONMENTAL EFFECTS 6 SUMMIT AVENUE DEE WHY

Proposal: Addition of a rooftop terrace to an approved dwelling

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Project Number: 168-2025

Client: MH Architects

Revision: B

1. Executive Summary

This Statement of Environmental Effects has been prepared for submission to Northern Beaches Council (NBC) for a development that is proposing the “*addition of a roof top terrace to an approved dwelling*”. The dwelling was approved under development assessment (DA2024/0267) in accordance with conditions of development consent. approved the “Demolition works and construction of a dwelling house including a swimming pool.” The development site is located at 6 Summit Avenue Dee Why, legally known as Lot 15 DP 12667.

DA2024/0267 was approved by the Council Consent Authority on the 24th of February 2025.

The subject site is zoned R2-Low Density Residential pursuant to the Warringah Local Environmental Plan (WLEP) 2011. This Statement of Environmental Effects provides a detailed assessment against the relevant development standards and the relevant development guidelines that are applicable to the site in accordance with the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act).

2. Site and Locality

The subject site is identified as 6 Summit Avenue Dee Why, legally known as Lot 15 DP 12667. The subject site is zoned R2-Low Density Residential pursuant to the Warringah Local Environmental Plan (WLEP) 2011.

The site is currently under construction. The site is a regular shaped allotment with a predominant north-south orientation and a site area of 588.1m². The site has a frontage of 17.375m to Summit Avenue, an eastern and western side boundary of 34.14m and a southern rear boundary of 17.375m. The subject site is relatively flat with a slight fall from the street edge down towards the rear, rear.

The surrounding locality is characterised by a predominately low rise residential built form typology. Summit Avenue is characterised by an eclectic mix of older and newer housing stock constructed at different stages of Sydney’s development including renovated Californian Bungalow and Inter-War cottages, ‘project home’ dwellings and architecturally designed contemporary homes.

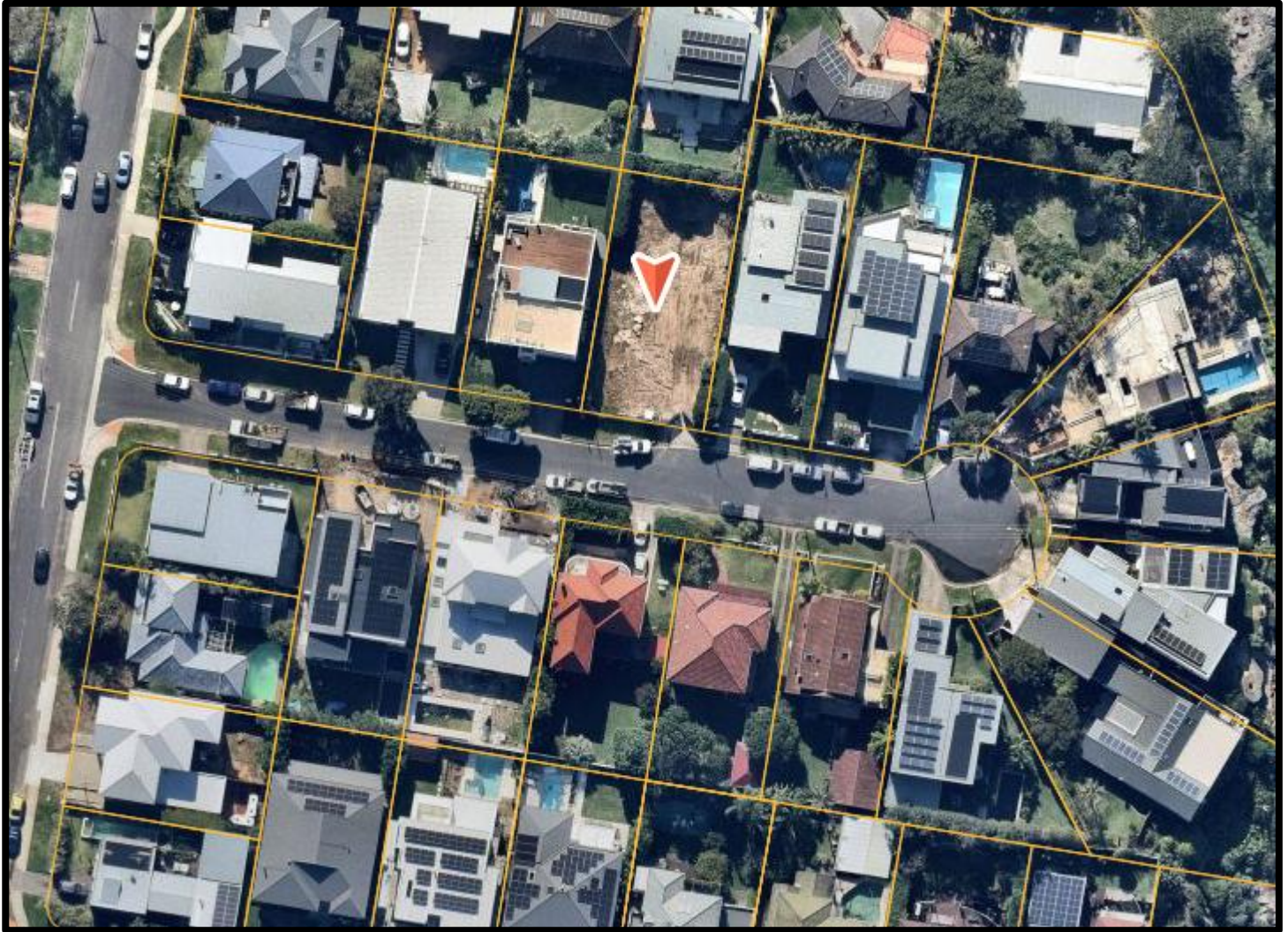


Figure 1: Aerial view of the site identified as 6 Summit (source *Nearmaps 2025*)



Figure 2: Zoning Map of the area - (source NSW Planning Mapping)

3. Proposed Development

The proposed development consists of;

“Addition of a roof top terrace to an approved dwelling”. A detailed description is provided below;

- The proposal involves minor amendments to the approved floor plan at the first floor, extension of first floor stairwell to enable access to the rooftop terrace with a new operable glass ‘sky door to stair access. Further to this, the proposed balustrades will not protrude past the height limit.
- The terrace is 48m² and is offset a minimum 1.2m from the roof edge at the side boundaries. The proposed terrace is located at the centre of the approved roof.
- The roof terrace remains within the height limit.

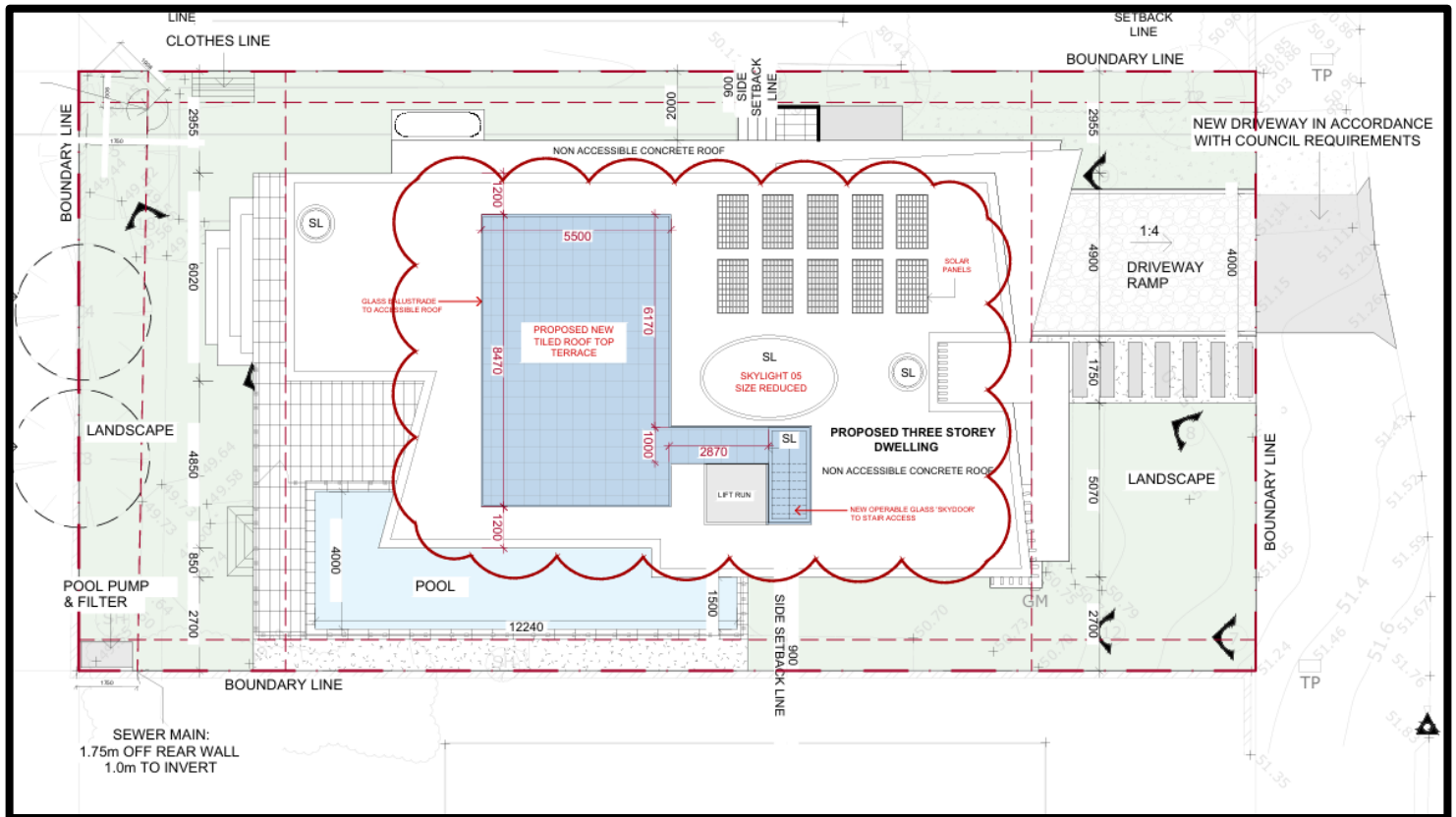


Figure 3: Proposed rooftop terrace

4. Site History

Date	Development
24 th of February 2025	DA2024/0267 was approved in accordance with conditions of development consent.

5. Quantitative and Qualitative Assessment

Comment: The development as approved included the construction of dwelling house at 6 Summit Dee Why Avenue. The proposed addition of a terrace does not detract from the overall compliance with previously approved development and remains within the height limit, setbacks and overall scale. The purpose of the amendment is primarily to provide an improved dwelling design and improved amenity for the future residents. The building has been updated to achieve positive design improvements in relation to accessibility, floor plan layouts, solar access, crime and prevention by design and car parking.

The proposed roof top terrace and access to the roof also enables the maintenance of the proposed solar panels on the roof, which ensures that the functionality of the solar panels remains at the optimum levels.

The development as modified is considered to improve the development as consented without resulting in changes to the extent of the built form nor result in adverse material impact to surrounding properties, streetscape or environment.

The changes are not considered to constitute a radical transformation of the originally approved development. The proposal is in essence the same development as approved and maintains use as a dwelling with elements of an approved and compliant floor plans.


The proposal does not result in any additional quantifiable or material impact, as the additional terrace retains solar access and privacy of adjoining properties. The principal and essential features of the original approval are maintained. For these reasons, the consent authority can be satisfied that the modified development is qualitative and quantitatively the same development as approved. Therefore, the modified development is considered to be substantially the same development.

A comparative analysis of what has been approved by the original modification, to what is proposed is detailed below;

To determine if the development is substantially the same as approved, weight is given to *Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187*. The findings in this matter are considered to be relevant in the circumstances of the case as it provides appropriate consideration to qualitative and quantitative measures for determining whether the development should be characterised as “additions and alterations” or for “a new building”. These considerations are outlined in the table below:

	Principal established in Coorey	Proposed modification
Qualitative issues	How is the appearance of the existing building to be changed when viewed from public places?	The additional terrace is well screened from the street and has utilised balustrades to ensure bulk is not a concern. The predominant rooftop structure remains within the height limit, with limited privacy or overshadowing impacts.
	To what extent, if any, will existing landscaping be removed and how will that affect the setting of the building when viewed from public places?	There will be no change to the landscaped setting.
	To what extent, if any, will the proposal impact on a heritage item, the curtilage of a heritage item or a heritage conservation area?	Not applicable. The site is not a heritage item or located within a heritage conservation area.
	What additional structures, if any, in the curtilage of the existing building will be demolished or altered if the proposal is approved?	There will be slight changes to the first-floor layout and an amendment to the roof to accommodate the terrace. This remains to be within the approved built form.
	What is the extent, if any, of any proposed change to the use of the building?	The modification does not result in a change of building use and the proposed use as a dwelling is retained.
	To what extent, if any, will the proposed development result in any change to the streetscape in which the building is located?	The additional terrace is well screened from the street, The predominant rooftop structure remains within the height limit, with limited privacy or overshadowing impacts. The additional terrace does not present an identifiable change to the streetscape presentation, as the proposed terrace is well offset behind the main roof form and maintains consistency with the future desired character of the area. The proposal of the terrace provides for a presentation that is consistent with the established streetscape and

		<p>follows a similar built form with regards to the rooftop established by the adjoining site to the west being No.4 Summit Avenue. The provision of a rooftop terrace is not uncommon within the vicinity of the subject allotment, and are often utilised to take advantage to the views east of the site. In particular an overview of surrounding streets indicated rooftop terraces at the following sites;</p> <p>23 and 30 Headland Street. 7 Ozone Parade, 6 Autin Avenue 8 Ian Avenue 9 Soniver Road</p> <p>All within walking distance of the subject allotment. A review of the surrounding sites seems to indicate several of the developments were approved in recent times, including 6 Austin Avenue, which appears to have finished construction around 2024. 23 Headland appears to have finished construction around 2018. It is also important to note Number 7 Ozone Parade, is located west of the site, with the secondary frontage to Summit Avenue, as such having a frontage to the same street as the subject allotment. An aerial snapshot is provided below of the sites within the vicinity of the subject allotment in which rooftop terraces are existing.</p>
	Figure of surrounding sites;	

									
	<table border="1"> <tr> <td data-bbox="392 1305 900 1435">To what extent, if any, are the existing access arrangements for the building proposed to be altered?</td><td data-bbox="900 1305 1414 1435">The entrance to the building from Summit Avenue is proposed to cater for adequate access to the building.</td></tr> <tr> <td data-bbox="392 1435 900 1574">To what extent, if any, will the outlook from within the existing building be altered as a consequence the proposed development?</td><td data-bbox="900 1435 1414 1574">The proposed modification provides a rooftop terrace that will provide an additional outlook from the roof.</td></tr> <tr> <td data-bbox="392 1574 900 1731">Is the proposed demolition so extensive to cause that which remains to lose the characteristics of the form of the existing structure?</td><td data-bbox="900 1574 1414 1731">N/A</td></tr> </table>	To what extent, if any, are the existing access arrangements for the building proposed to be altered?	The entrance to the building from Summit Avenue is proposed to cater for adequate access to the building.	To what extent, if any, will the outlook from within the existing building be altered as a consequence the proposed development?	The proposed modification provides a rooftop terrace that will provide an additional outlook from the roof.	Is the proposed demolition so extensive to cause that which remains to lose the characteristics of the form of the existing structure?	N/A		
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Quantitative issues	<table border="1"> <tr> <td data-bbox="392 1753 900 1809">To what extent is the site coverage proposed to be changed?</td><td data-bbox="900 1753 1414 1809">The site coverage does not change as initially approved.</td></tr> <tr> <td data-bbox="392 1809 900 1944">To what extent are any existing non-compliances with numerical controls either increased or diminished by the proposal?</td><td data-bbox="900 1809 1414 1944">The height is still well under the prescribed 8.5m maximum.</td></tr> <tr> <td data-bbox="392 1944 900 2011">To what extent is the building envelope proposed to be changed?</td><td data-bbox="900 1944 1414 2011">The building envelope does not notably change.</td></tr> <tr> <td data-bbox="392 2011 900 2067">To what extent are boundary setbacks proposed to be changed?</td><td data-bbox="900 2011 1414 2067">No change</td></tr> </table>	To what extent is the site coverage proposed to be changed?	The site coverage does not change as initially approved.	To what extent are any existing non-compliances with numerical controls either increased or diminished by the proposal?	The height is still well under the prescribed 8.5m maximum.	To what extent is the building envelope proposed to be changed?	The building envelope does not notably change.	To what extent are boundary setbacks proposed to be changed?	No change
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To what extent is the building envelope proposed to be changed?	The building envelope does not notably change.								
To what extent are boundary setbacks proposed to be changed?	No change								

	To what extent will the present numerical degree of landscaping on the site be changed?	No change to the numerical value of landscaping.
	To what extent will the existing floor space ratio be altered?	No change
	To what extent will there be changes in the roof form?	The predominant rooftop structure remains within the height limit, with limited privacy or overshadowing impacts. The additional terrace does not present an identifiable change to the streetscape presentation, as the proposed terrace is well offset behind the main roof form and maintains consistency with the future desired character of the area
	To what extent will there be alterations to car parking/garaging on the site and/or within the building?	The overall number of spaces remain as approved.
	To what extent is the existing landform proposed to be changed by cut and/or fill to give effect to the proposed development?	No changes to the alterations to the landform as approved.
	What relationship does the proportion of the retained building bear to the proposed new development?	The modification will retain the overall built form, with the exception of minor façade changes and building height increases

6. Section 4.15 Planning Assessment

The following planning instruments have been considered in the planning assessment of the subject Development Proposal

- (a) Warringah Local Environmental Plan (WLEP) 20211
- (b) Warringah Development Control Plan (WDCP) 2011

(a) Warringah Local Environmental Plan (WLEP) 2011

(i) Zoning

The subject site is zoned R2-Low Density Residential, pursuant to the WLEP 2011.



Figure 7: Zoning Map of the area - (source Liverpool Council Mapping)

(ii) Permissibility

The development proposes remains as a “dwelling house”, which is permissible with consent in the R2 zone.

3 Permitted with consent

*Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; **Dwelling houses**; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals*

(iii) Objectives of the Zone

The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Comment: The development maintains consistency with the applicable objectives of the R2 zone. The modification does not propose any significant modification that would generate inconsistency with the objectives.

(iv) Summary of the Development Standards Applicable under the WLEP 2011

Development Provision	Requirement	Proposed
4.3 Height of Buildings	Max Height 8.5m	Yes All works proposed as part of this development application are sited below the prescribed height. A maximum building height of 8.25m is proposed across the site. This will remain as established from previous DA.

(d) Warringah Development Control Plan (WDCP) 2011

An assessment against the applicable guidelines of the WDCP 2011, is detailed below:

Warringah Development Control Plan 2011		
Part B – Built Form Controls, Part C – Siting Factors, Part D – Design		
Control	Required	Complies
Part B – Built Form Controls	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)	Yes Despite the addition of the rooftop terrace the walls will not exceed 7.2m
B5- Side Boundary Setbacks	This control applies to land shown coloured on the DCP Map Side Boundary Setbacks, with the exception of land identified as 'Merit Assessment'.	Yes The dwelling has been sited within the prescribed building envelope
B7- Front Boundary Setbacks	This control applies to land shown coloured on the DCP Map Front Boundary Setback, with the exception of land identified as 'Merit Assessment'.	Yes The dwelling achieves a minimum 6.5m setback from the street edge along Summit Avenue.
B9- Rear Boundary Setbacks	This control applies to land shown coloured on the DCP Map Rear Boundary Setbacks, with the exception of land identified as 'Merit Assessment'.	Yes The rear setback will not be altered and will remain as previously approved.
Part C – Siting Factors C2 - Traffic, Access and Safety	<ul style="list-style-type: none"> Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. Vehicle access is to be obtained from minor streets and lanes where available and practical. 	Yes Vehicular access remains as proposed in previous DA.

	<ul style="list-style-type: none"> There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way. Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification. 	
C8/C9 - Demolition and Construction and Waste Management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	<p>Yes</p> <p>Demolition works do not form part of this application and construction is currently being undertaken at the subject site, thus waste management has already been accounted for and the minor addition of a rooftop will not drastically alter the waste management plan.</p>
Part D – Design D1 – Landscaped Open Space and Bushland Setting D2 – Private Open Space D6 – Access to Sunlight	This control applies to land shown on DCP Map Landscaped Open Space and Bushland Setting.	<p>Yes</p> <p>The development provides for 237.99m² of landscaping equating to 40.1% of the site. This has remained from previous DA.</p>
	<ul style="list-style-type: none"> Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development. Private open space shall not be located in the primary front building setback. Private open space is to be located to maximise solar access. 	<p>Yes</p> <p>Private open space located to the rear and achieving a space in excess of the requisite will remain.</p>
	<ul style="list-style-type: none"> Development should avoid unreasonable overshadowing any public open space. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours 	<p>Yes</p> <p>The proposal noting its site specific characteristics, will bear minimal impact on neighbouring properties with respect to overshadowing. In terms of solar access to the proposed development,</p>

D7 – Views	of sunlight between 9am and 3pm on June 21.	at least 50% of the private open space area will receive the requisite amount of solar access. The above statement has been extracted from the previous DA submission and will remain intact, given the positioning of the rooftop terrace.
	Development shall provide for the reasonable sharing of views.	The proposed dwelling will not unreasonably hinder the attainment of views from neighbouring properties. The dwelling observes a height that is sited notably below the prescribed allowable height alongside providing for a building envelope that is compliant with the prescribed controls. Furthermore, given the additional works being proposed, the DA will be accompanied by a view loss analysis.
D8 - Privacy	<ul style="list-style-type: none"> ○ Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties. ○ Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking. ○ The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass. ○ The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings. 	Yes Privacy is reciprocal for all residents within the vicinity of the subject site and will remain intact.
D9 - Building Bulk	<ul style="list-style-type: none"> ○ Side and rear setbacks are to be progressively increased as wall height increases. ○ Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief. 	Yes The minute addition of a rooftop terrace will not increase bulk and scale. This is further supported through consideration of 4 Dee Why Avenue having an existing

D11 - Roofs	<ul style="list-style-type: none"> ○ On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass. ○ Building height and scale needs to relate to topography and site conditions. ○ Orientate development to address the street. ○ Use colour, materials and surface treatment to reduce building bulk. ○ Landscape plantings are to be provided to reduce the visual bulk of new building and works. ○ Articulate walls to reduce building mass 	rooftop terrace, thus adhering to streetscape continuity. Additionally, the terrace is being proposed toward the rear end of the dwelling to eliminate visual dominance of the façade.
	<ul style="list-style-type: none"> ○ Roofs should complement the roof pitch and forms of the existing buildings in the streetscape. ○ Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas. ○ Roofs shall incorporate eaves for shading. ○ Roofing materials should not cause excessive glare and reflection. ○ Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building. 	<p>Yes</p> <p>The roof maintains its predominant form and shape as previously exemplified in the DA. The roof however will now support the addition of a terrace.</p>

(e) Section 4.15(1)(a)(iii) –Any Planning Agreement or Draft Planning Agreement

There is no planning agreement or draft planning agreement applying to the site.

(f) Section 4.15(1)(a)(iv) –The Regulations

The applicable provisions of the *Environmental Planning and Assessment Regulation 2021* has been considered in the assessment of this application and it is considered the proposal is consistent with the EP&A Regulation 2021.

(g) Section 4.15(1)(b) – The Likely Impacts of the Development

It is considered that the modified proposal will have limited impacts on the existing and future character of the locality. The proposal provides for a development that will easily cater for a suitable development that will not

compromise the amenity of the surrounding locality. The development site has an appropriate lot size for the locality that has accommodated a built form and design that is consistent with the objectives and intent of the development standards under the WLEP 2011 and relevant guidelines of the WDCP 2011.

The modified development has been designed giving due consideration to the amenity of adjoining properties, by limiting potential privacy, traffic and overshadowing impacts from the proposed development.

(h) Section 4.15(1)(c) – The Suitability of the Site for the Development

The subject development is permissible in the zone and the proposal satisfies the key planning controls for site as detailed above and is generally considered to be suitable for the site.

(i) Conclusion

The application has been assessed against the relevant current development standards under the WLEP 2011 and relevant guidelines of the BDCP 2021. It is considered the development proposing the “*addition of a roof top terrace to an approved dwelling*”, approved under development assessment (DA2024/0267) in accordance with conditions of development consent for the proposition of “Demolition works and construction of a dwelling house including a swimming pool.” The development site is located at 6 Summit Avenue Dee Why, legally known as Lot 15 DP 12667. The proposal remains a suitable form of development consistent with the development standards applicable to the site and is a development form that is consistent with the existing and future character of the area. The proposed modification is considered acceptable on merit and is worthy of support in this instance.