



statement of environmental effects



ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

5 ROOSEVELT AVENUE
ALLAMBIE HEIGHTS NSW 2100

December 2024

Prepared by Rebecca Englund
B Arch Studies | M Plan | MPIA

Director | Northern Beaches Planning

Phone: 0472 65 74 74

Web: www.northernbeachesplanning.com.au

Email: rebecca@northernbeachesplanning.com.au



Disclaimer

This report has been prepared on the basis of information available at the date of publication. Whilst attempts have been made to ensure the accuracy of the information in this document, Northern Beaches Planning accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance on information in this publication or referenced in this publication. Reproduction of this report (or part thereof) is not permitted without prior permission from Northern Beaches Planning.

introduction

This statement of environmental effects has been prepared by Northern Beaches Planning on behalf of Aaron & Rebecca Hawkins to accompany the lodgement of a development application for alterations and additions to the existing dwelling and the construction of a swimming pool at 5 Roosevelt Avenue, Allambie Heights (**site**).

This statement is informed and accompanied by the following documentation:

- Detail and Boundary Survey by CMS Surveyors
- Architectural Plans by Baikie Corr
- Landscape Plan by Baikie Corr
- Stormwater Management Plans by H&M Consultancy
- Geotechnical Report by Ascent Geo Geotechnical Consulting
- BASIX Certificate by Baikie Corr
- Waste Management Plan by Baikie Corr

site details

The site is legally identified as Lot 8 of Deposited Plan 244469, and is commonly referred to as 5 Roosevelt Avenue, Allambie Heights. The site is irregular in shape, with a curved 12.835m wide frontage to Roosevelt Avenue to the north, a maximum depth of 46.975m and a total area of 778.4m².

A one and two storey dwelling house is located generally centrally on the site, with vehicle and pedestrian access to Roosevelt Avenue. The site falls from the street down towards the rear, south-western corner, with a maximum fall of 6.23m. The site does not contain any significant vegetation, nor is there any in the immediate vicinity of the site.

The surrounding area comprises residential dwellings of varied architectural style, age and character.

Roosevelt Avenue is a two lane local road, with on-street parking along one side of the street (only). Overhead electricity wires traverse road reserve in front of the subject site.

Aerial images of the site and its surrounds is provided in Figures 1 and 2 on the following page. Images of the site, the existing dwelling and the streetscapes are also provided (Figure 3-6).



Figure 1 – Aerial image with site bordered in yellow
Source: Nearmap



Figure 2 – Aerial image (zoom) with site bordered in yellow
Source: Nearmap



Figure 3 – The existing dwelling as seen from Roosevelt Avenue
Source: NBP



Figure 4 – The existing dwelling (left) and the neighbouring dwelling under construction (right)
Source: NBP



Figure 5 – The rear of the existing dwelling (right) and the neighbouring dwelling under construction (centre)
Source: NBP



Figure 6 – Looking south-east from the rear yard
Source: NBP

proposed development

The application seeks consent for alterations and additions to the existing dwelling, as depicted in the Architectural Plans prepared by Baikie Corr, and as described as follows:

- Demolition works,
- Alterations and additions to the existing Lower Ground Level to comprise a single garage, rumpus, laundry, WC and internal stair access,
- Alterations and additions to the existing Ground Level to comprise an entry foyer, open plan living/kitchen/dining area, three bedrooms, two bathrooms, rear patio and internal stair access,
- Construction of a new First Level comprising two bedrooms (one with an ensuite and WIR), rear balcony and internal stair access,
- Construction of a single carport,
- Construction of a swimming pool,
- Landscaping, and
- Stormwater infrastructure.

legislation, plans and policies

The following relevant state and local policies are applicable to the proposed development:

- Environmental Planning and Assessment Act (**EP&A Act**)
- Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Warringah Local Environmental Plan 2014 (**WLEP 2011**):
 - Lot Size Map: 600m²
 - Land Zoning Map: R2 Low Density Residential
 - Height of Buildings Map: 8.5m
 - Landslip Risk Land Map: Areas A & B
- Warringah Development Control Plan 2011 (**WDCP 2011**)

environmental planning and assessment act

The matters prescribed by section 4.15(1) of the EP&A Act are considered, as follows:

Clause	Provision	Comment
(a)	<i>the provisions of—</i> <i>i. any environmental planning instrument, and</i> <i>ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i> <i>iii. any development control plan, and</i> <i>iv. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i> <i>v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i> <i>that apply to the land to which the development application relates,</i>	The relevant provisions of WLEP 2011, all relevant SEPPs, and WDCP 2011 have been considered and addressed in this statement.
(b)	<i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The likely impacts of the proposed development have been addressed with respect to relevant plans and policies in this statement. The proposed development will not result in any unacceptable impacts upon the natural or built environment, or any social or economic impacts in the locality.
(c)	<i>the suitability of the site for the development,</i>	The subject site is suitable for the proposed development.
(d)	<i>any submissions made in accordance with this Act or the regulations,</i>	The application will be notified to all potentially affected properties, with any submissions received to be considered by Council.
(e)	<i>the public interest.</i>	The proposed development is in the public interest, in so far as it is consistent with the objectives and outcomes of WLEP 2011 and WDCP 2011.

state environmental planning policy (resilience and hazards)

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land. Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. The site has been used for residential purposes for an extended period of time, with no known prior land uses. The site is not identified on the public register of contaminated sites and is not located in the vicinity of any. As such, Council can be reasonably satisfied that there is no contamination risk.

Overall, the proposed development is consistent with the relevant provisions of SEPP (Resilience and Hazards).

state environmental planning policy (sustainable buildings)

The proposed works constitute 'BASIX affected development', as defined by the EP&A Regulation. The application is accompanied by a BASIX Certificate demonstrating that the proposed development can meet relevant performance criteria.

state environmental planning policy (biodiversity and conservation)

The provisions of Chapter 2 of this policy are applicable to all non-rural land across the state and aim to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural areas through the preservation of trees and other vegetation.

The application does not propose the removal of any significant canopy trees or vegetation. As such, the proposed development is considered to be consistent with the requirements and objectives of SEPP (Biodiversity and Conservation).

The site is identified on the Land Application Map of WLEP 2011 and the provisions of this policy are applicable in relation to the site and the proposed development. The relevant provisions of WLEP 2011 are considered, as follows:

Clause	Standard	Proposal	Compliance
2.3 Zone objectives and Land Use Table			Yes See discussion
2.7 Demolition requires consent			Yes
Zone R2 Low Density Residential			Yes See discussion
4.3 Height of buildings	8.5m	8.35m	Yes
4.6 Exceptions to development standards			N/A
6.2 Earthworks			Yes
6.4 Development on sloping land	Areas A & B		Yes

Zone R2 Low Density Residential

The site is zoned R2 Low Density Residential under the provisions of WLEP 2011. Pursuant to the land use table in Part 2 of this instrument, dwelling houses (and alterations and additions thereto) are permissible with consent. In accordance with the provisions of clause 2.3 of WLEP 2011, the objectives of the zone are considered as follows:

- To provide for the housing needs of the community within a low density residential environment.*

Comment: The proposed new dwelling house provides for the housing needs of the landowners, within the existing low density environment.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: Not applicable – The application relates to a dwelling house.

- To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Comment: The site retains sufficient landscaped area, with an enhancement of landscaping proposed in the accompanying Landscape Plan by Baikie Corr. The landscaped character of the resultant development will be entirely commensurate with that of surrounding and nearby sites.

development control plan

WDCP 2011 is applicable to the site and the proposed development. The relevant provisions of WDCP 2011 are considered, as follows:

Clause	Control	Proposal	Compliance
B1 Wall Height	7.2m	NE: 3.6m – 7.0m SW: 4.7m - 7.7m	No See discussion
B2 Number of Storeys			N/A
B3 Side Boundary Envelope	45 degree plane from a point 4m above the side boundary	NE: Beyond envelope SW: Within Envelope	No See discussion
B5 Side Boundary Setbacks	0.9m	NE: 1.0m – 2.2m SW: 1.0m – 5.8m Note: Whilst there is an existing breach of the side setback at the front, western corner of the dwelling, all proposed works are sited to comply with the minimum setbacks prescribed.	Yes
B7 Front Boundary Setbacks	6.5m	8.5m – 11.9m	Yes
B9 Rear Boundary Setbacks	6.0m Swimming pools may encroach within the 6m rear building setback. However, they must not exceed 50% of the rear setback area.	11.4m – 17.8m to dwelling. The proposed swimming pool does not encroach on more than 50% of the rear setback area.	Yes
C2 Traffic, Access and Safety	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.	Consent is sought to upgrade the existing driveway crossing. The new internal driveway has been designed to comply with AS2890.1	Yes
C3 Parking Facilities	2 spaces	2 spaces	Yes
C4 Stormwater	The stormwater drainage systems for all developments are to be designed, installed	Stormwater Management Plans accompany the application.	Yes

Clause	Control	Proposal	Compliance
	and maintained in accordance with Council's Water Management for Development Policy.		
C7 Excavation and Landfill	Excavated and landfill areas shall be constructed to ensure the geological stability of the work.		Yes
C8 Demolition and Construction	All development must comply with the appropriate sections of the Waste Management Guidelines and be accompanied by a Waste Management Plan.	The application is supported by a Waste Management Plan.	Yes
C9 Waste Management	All development must comply with the appropriate sections of the Waste Management Guidelines and be accompanied by a Waste Management Plan.	The application is supported by a Waste Management Plan.	Yes
D1 Landscaped Open Space	40% of the total site area	Existing: 250.3m ² or 32.2% Proposed: 314.1m ² or 40.3%	Yes
D2 Private Open Space	60m ² with minimum dimension of 5m	>60m ²	Yes
D3 Noise	Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.	Pool pump to be located in acoustically sealed enclosure.	Yes
D6 Access to Sunlight	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 of sunlight between 9am and 3pm on June 21.	The application is supported by detailed Shadow Diagrams by Baikie Corr to confirm that the proposed development does not result in any adverse impacts upon adjoining properties with regard to solar access in midwinter.	Yes

Clause	Control	Proposal	Compliance
D7 Views	Development shall provide for the reasonable sharing of views.	The proposed development does not appear to impinge upon any existing view corridors.	Yes
D8 Privacy	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	The proposed development maintains acceptable levels of privacy for adjoining properties. The swimming pool has been designed in a manner that discourages overlooking of downslope properties, with nominal coping of decking within the rear setback. All elevated areas of private open space are sufficiently setback from boundaries, with screens and/or landscaping to mitigate overlooking, where necessary.	Yes
D9 Building Bulk	Orientate development to address the street. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.	The proposed development is well articulated, with varied setbacks and materiality to ensure that the bulk and scale of the development is appropriately minimised.	Yes
D10 Building Colours and Materials	The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.	The proposed development is to be finished in colours and materials that complement the locality, as demonstrated on the Schedule of Colours and Finishes prepared by Baikie Corr to accompany the application.	Yes
D12 Glare and Reflection	Sunlight reflectivity should be minimised.	The proposed development will not result in excessive or unreasonable glare.	Yes
D13 Front Fences and Walls	Fences, including side fences, located within the street setback area are to be		N/A

Clause	Control	Proposal	Compliance
	compatible with the existing streetscape character. Where a solid fence is required, it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence.		
D14 Site Facilities	Site facilities including garbage and recycling enclosures, mailboxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places.	Appropriate site facilities are proposed.	Yes
D15 Side and Rear Fences	Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.		N/A
D16 Swimming Pools and Spa Pools	Pools are not to be located in the front building setback.	The proposed swimming pool is not located within the front setback.	Yes
D20 Safety and Security	Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	The proposed development has appropriate regard for the CPTED principles.	Yes
D22 Conservation of Energy and Water	All development must comply with Council's Water Management Policy		Yes
E1 Preservation of Trees or Bushland Vegetation		No tree removal is proposed.	Yes
E6 Retaining Unique Environmental features			Yes
E10 Landslip Risk	Areas A & B	The application is accompanied by a Geotechnical Report by Ascent Geo.	Yes

Clause B1 Wall Height

Clause B1 of WDCP 2011 limits the height of external walls to 7.2m, measured to the under side of the upper ceiling. The southern rear corner of the south-western façade of the upper floor slightly exceeds the maximum wall height prescribed, with a maximum height of 7.7m.

Despite the marginal non-compliance, the proposal is supportable on merit as the objectives of the wall height control are nonetheless achieved:

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

Comment: The wall height non-compliance is limited to a minor portion of the proposed upper floor. The minor non-compliance is not readily perceptible from the public domain or neighbouring properties as it is located at the rear corner of the building and as it is setback from the level below. The proposal is highly articulated and does not comprise any continual wall planes in excess of 7.2m in height.

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

Comment: The proposed development will sit below the canopy of proposed trees.

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

Comment: There do not appear to be any view corridors obtained over the subject site, and as such, the proposal will not impinge on any known view corridors.

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

Comment: The minor non-compliance with the maximum wall height does not attribute to any adverse impacts upon the amenity of neighbouring properties. In particular, it is relevant to note that the non-compliance occurs at a part of the dwelling that is setback 5.8m from the closest property boundary.

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

Comment: The non-compliance occurs at a point where the existing dwelling is elevated above existing ground level. The proposed dwelling is appropriately characterised as alterations and additions and is responsive to existing floor levels. The proposal does not involve significant excavation and the built form is limited to two storeys in any one place, stepping down the slope of the land.

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

Comment: The application proposed to contemporise the existing dwelling, with a variation of the existing roof design.

Clause B3 Side Boundary Envelope

A minor portion of the north-east side elevation of the upper floor encroaches within the building envelope prescribed by clause B3 of WDCP 2011.

The non-compliance does not result in any adverse impacts upon the amenity of the adjoining dwelling to the north-east at 3 Roosevelt Avenue with regards to views, visual privacy, visual amenity or solar access. Further, the upper floor is set in from the level below, consistent with the intent of the building envelope control and the marginal non-compliance does not attribute to excessive bulk and scale.

As such, a variation to the prescribed side boundary envelope is reasonably warranted in relation to the north-east side elevation, as the objectives of the control are otherwise achieved.

conclusion

The proposal is a well resolved and considered design solution for the site, which has appropriate regard for the amenity of adjoining properties and the natural features of the site. The proposal will not result in any unreasonable impacts upon adjoining properties or the surrounding natural environment and appropriately reflects the desired character of the locality.

The proposal involves non-compliance with the wall height and envelope controls of WDCP 2011. We ask that Council apply flexibility in this regard, consistent with the provisions of 4.15(3A)(b) of the EP&A Act, noting that the extent of non-compliance is minor, as the proposal is appropriately characterised as alterations and additions and as the objectives of these controls are nonetheless achieved.

The resultant development will positively contribute to the Roosevelt Avenue streetscape, and the application warrants Council's support in this regard.



Rebecca Englund

B Arch Studies | M Plan | MPIA

Director | Northern Beaches Planning