

STATEMENT OF ENVIRONMENTAL EFFECTS

150 QUEENSCLIFF ROAD, QUEENSCLIFF

**DWELLING ALTERATIONS AND ADDITIONS AND
DETACHED SECONDARY DWELLING**

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

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling and construction of a new detached secondary dwelling with garage under upon land identified as Lot 6 in DP 8260 which is known as **No. 150 Queenscliff Road, Queenscliff**.

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

- Environmental Planning & Assessment Act, 1979.
- 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:

- Detailed Survey Plan prepared by Kevin Brown Surveys, Ref No. S-30654, dated 20/03/2022.
- Architectural Plans prepared by Scope Architects, Project Number 02201, Rev. 1 and dated 21/09/2022.
- BASIX Certificate #1311187S_03 and issued 23 September 2022.
- Geotechnical Investigation Report prepared by White Geotechnical Group, Ref No. J4286 and dated 14 July 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 6 in DP 8260 which is known as 150 Queenscliff Road, Queenscliff. The site is located on the southern side of Queenscliff Road with the northern boundary having a frontage of 15.9m to Queenscliff Road. The sites southern boundary has a frontage of 18.035m to Aitken Avenue. The site has an area of 534.8m² with a maximum depth of 38.365m. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a two storey dwelling with subfloor storage. The dwelling is constructed of external brick walls and a pitched tiled roof. The dwelling is located centrally on site. A rendered brick garage with flat metal roof is located towards the southwest corner of the dwelling. The garage provides parking for two cars and is accessed from Aitken Avenue. A wire mesh fence is erected along the street frontage to Queenscliff Road. Pedestrian access is provided from both Queenscliff Road and Aitken Avenue.

The site is depicted in the following photographs:



View of Subject Site from Queenscliff Road



View Site from Aitken Avenue

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on generally similar sized allotments to the subject site, interspersed with multistorey residential flat buildings. More recent development comprises larger two storey dwellings of modern appearance.

The subject site and existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling. The existing detached garage is to be demolished followed by the construction of a new double garage with storage and a secondary dwelling above.

Dwelling Alterations/Additions

Basement

The existing subfloor area is to be converted into a laundry, sauna, gym and storage. The works are contained within the existing footprint with new windows provided on the eastern (side) and southern (rear) elevations

Lower Ground Floor

Internal alterations to create four bedrooms with bathroom and ensuites. An addition is proposed to the rear elevation which is setback 3.36m to the western boundary. A new balcony is proposed along a portion of the rear southern elevation. The balcony is setback 1.1m to the eastern boundary.

Ground Floor

Demolish existing roofed terrace on front (north) elevation and replace with addition to the existing dwelling. Additions are setback between 0.92m to 1.45m to the eastern elevation. Enclose large portion of rear southeast balcony to provide additional floor area and provide new balcony on rear (south) elevation. New balcony setback at least 1.265m to the eastern boundary.

Hardstand Parking Area

The proposal provides for a new hardstand parking area with in the front setback to Queenscliff Road. The hardstand area provides parking for two cars. A new pedestrian stair will provide access from Queenscliff Road and the carspaces to the dwelling house.

Fence

The proposal provides for a new masonry fence along the boundary fronting Queenscliff Road. This fence provides for a maximum height of 1.8m. A sliding gate will be provided to enable access to the proposed carport.

Secondary Dwelling

A new detached secondary dwelling will be constructed towards the southwest corner of the site and is orientated toward Aitken Avenue. The secondary dwelling is setback 2.67m to the Aitken Avenue frontage as measured from the external wall. The secondary dwelling is setback between 0.935m and 2.04m to the western boundary.

The secondary dwelling provides for two bedrooms, bathroom and combined kitchen, dining/living room.

A double garage is provided below the secondary dwelling for use by residents.

The proposal requires the removal of only one small tree on Council's road reserve. A replacement tree will be provided.

Pedestrian access is provided from Aitken Avenue with separate access for the secondary dwelling and principal dwelling.

The proposal will result in the following numerical indices:

Site Area:	534.9m ²
Proposed Landscaped Area:	222.7m ² or 41.6%

5. 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 Northern Beaches Council.

5.1 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.

5.2 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.

The site is zoned R2 Low Density Residential. Development for the purposes of alterations and additions to an existing dwelling house and new secondary dwelling is 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	9.34m	Existing overall height has been reduced. However, Clause 4.6 Variation provided.

The following provision is also relevant:

Clause 5.4 Controls Relating to Miscellaneous Permissible Uses

Subclause (9) provides:

(9) Secondary dwellings on land other than land in a rural zone

If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

- (a) 60 square metres,
- (b) 11% of the total floor area of the principal dwelling.

The proposed secondary dwelling provides for a floor area of 59.6m² which complies with this clause.

Clause 6.4 Development on Sloping Land

The site is classified as part Class A and B on Council's Landslip Map. A Preliminary Geotechnical Report has been prepared in this regard and forms part of the submission to Council.

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

5.3 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	The proposed wall height exceeds this requirement. Refer to Clause 4.6 variation for justification.
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 5m. Eaves up to 675mm are an allowable encroachment	The proposal encroaches the building envelope at the rear (south). This non-compliance is a direct result of the slope of the site. It is noted that the existing dwelling encroaches the building envelope and the proposed additions retain the existing side setback.

Clause	Requirement	Compliance
		The proposed additions result a better planning outcome with a reduction in the existing overall building height. The additions provide for a more articulated built form with the introduction of balconies and considered external finishes. As noted elsewhere in this report the non-compliance does not result in a loss of privacy, solar access or views from the adjoining properties. The result dwelling is of a bulk and scale that is compatible with the existing surrounding development and the non-compliance should be supported in this instance.
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Proposed additions to the dwelling are setback at least 0.92m to the eastern boundary with setbacks retained to the western boundary. The proposed secondary dwelling is setback 0.935m to the western boundary.
B7 – Front Boundary Setbacks	Minimum 6.5m	See discussion at end of table.

Clause	Requirement	Compliance
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.0m Swimming pools and outbuildings that do not exceed 50% of the rear setback area are permissible within the rear setback.	See discussion at end of table.
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
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes Vehicular access will comply.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes The proposed garage fronting Aitken Avenue replaces an existing double garage. The new garage provides for increased setback to the Aitken Street frontage to improve the presentation to the streetscape. The new parking fronting Queenscliff Road is an at grade hardstand area and will not impact on the streetscape.

Clause	Requirement	Compliance
		The site is located on the southern side of Queenscliff Road and is compatible with the established building line within this portion of Queenscliff with particular reference to the adjoining eastern property and parking structure at No. 154 Queenscliff Road to the west.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater will continue to discharge to the existing stormwater system in Aitken Avenue.
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Soil Erosion Management Plan has been prepared and forms part of the submission to Council.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Comply with Council's Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes The proposal provides for excavation for the new garage. This excavation is setback from the boundaries of the site and will not impact on the adjoining properties.

Clause	Requirement	Compliance
		The excavation will allow for a greater setback to be provided to Aitken Avenue. A Geotechnical Report has been submitted in support of the application.
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.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	Yes The proposal provides for a landscaped open space of 222.7m ² or 41.6% which complies with this clause.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes Proposal maintains reasonable private open space to service both the existing dwelling and proposed secondary dwelling. Each dwelling is also provided with terraces orientated towards the lagoon and Queenscliff Beach.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Yes

Clause	Requirement	Compliance
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 The proposal complies with BASIX.
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 on 21 June winter solstice.	Yes Shadow diagrams have been submitted. Given the north south orientation of the allotment, the proposal provides for appropriate solar access to the adjoining properties in compliance with the controls of this clause.
D7 - Views	View sharing to be maintained	The proposal has been designed to maintain views to the adjoining properties. The development on the northern side of Queenscliff Road are well elevated above street level and the proposed works given the change in levels will not obstruct existing views from these properties.

Clause	Requirement	Compliance
		The development to the east of the site, No. 146-148 Queenscliff Road is a residential apartment building which is well elevated and separated from the proposed development. Views from these apartments are towards the east and southeast over Manly Lagoon and Queenscliff Beach. The views from these apartments will not be affected by the proposed development. The property to the west, No. 152 Queenscliff Road is an elevated multi level dwelling with views to the south and southeast. Of particular notes is the large floor to ceiling windows and terrace to the upper level. The proposed additions to the existing principal dwelling do not extend beyond the existing footprint, with the exception of an open balcony. This element does not extend to within the existing view lines of No. 152 and will not impact. The proposed secondary dwelling is provided with a low profile roof and located towards the rear southwest corner.

Clause	Requirement	Compliance
		The secondary dwelling has a maximum height of RL 9.15 which is well below the balcony and living areas of the adjoining property at No. 152 Queenscliff Road (lower balcony RL11.98; upper balcony RL14.86).
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 additions have been designed to improve privacy of the adjoining properties. This has been achieved by orientating both the existing dwelling and proposed secondary dwelling to be orientated to provide views of the lagoon and Queenscliff Road and away from the adjoining properties The proposed additions to the existing dwelling retain the existing boundary setbacks and provide for minimal windows on the side elevations. The proposed dwelling additions are provided with ample separation to the adjoining eastern property and is separated by a parking area. This will ensure that the privacy of the adjoining residential flat building at No. 146-148 Queenscliff Road.

Clause	Requirement	Compliance
		The proposed secondary dwelling is located towards the south of the site and below the living areas of the adjoining western property.
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 results in alterations/additions to the existing dwelling. The additions are relatively minor and generally continued within the existing footprint. The new roof comprising a low pitch metal roof will reduce the overall bulk of the dwelling. The secondary dwelling is well articulated and compatible with the existing development fronting Aitken Avenue.
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.	Yes Low pitched roof form provided to reduce existing height and bulk and is compatible with the variety of roof forms in the locality.
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised.	Yes The proposal will not result in unreasonable glare or reflection.

Clause	Requirement	Compliance
	Reflective building materials to be minimized.	
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.	The proposal provides for a new masonry fence with a height of 1.8m on the Queenscliff Road frontage. This fence is compatible with the existing fencing fronting Queenscliff Road. The existing fencing fronting Aitken Avenue will be retained and extended to match the existing fence on the adjoining property to the west.
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 Existing facilities retained.
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

Clause	Requirement	Compliance
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 development will continue to provide a good outlook of the dwelling approach and public street (both Queenscliff Road and Aitken Avenue).
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 required.	Yes
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
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable

Clause	Requirement	Compliance
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	N/A – not identified on map	Not Applicable
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as A & B	Yes Preliminary Geotechnical Report has been provided.
E11 – Flood Prone Land	Low Risk Precinct	Yes The very rear portion of the site is identified as Low Flow Risk. There are no requirements for residential use.

B7 Front Setback and B9 Rear Setback

The subject site has frontages to both Queenscliff Road and Aitken Avenue. Queenscliff Road is considered to be the front setback and Aitken Avenue is a secondary or rear setback. The variations in B7 provide:

On corner allotments or sites with a double street frontage, where the minimum front building setback is 6.5 metres to both frontages, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street variations must consider the character of the secondary street and the predominant setbacks existing to that street.

The proposal provides for a hardstand car space provided with a nominal setback to the Queenscliff Road frontage.

The proposal provides for a detached secondary dwelling with garage under, with the garage setback between 0.96m to 3.0m to Aitken Avenue and the secondary dwelling setback between 2.67m to 4.7m to Aitken Avenue.

It is considered that the setbacks as provided appropriate for the reasons discussed below:

Queenscliff Road

The proposed parking is for a hardstand area only and does not comprise any roof. This structure is will be located behind the proposed fence and will not be visible in the streetscape. The site is on the low side of Queenscliff Road and the only option for providing vehicular access from Queenscliff Road is in the location proposed. The hardstand area is considered compatible with the established building line in this portion of Queenscliff Road. It is noted that there are a number of parking structures within front setbacks to Queenscliff Road including 134, 146, 140, 144 and 160 Queenscliff Road. The proposed works will not detract from the Queenscliff Road streetscape.

Aitken Avenue

The Aitken Avenue streetscape comprises a variety of structures including a number of detached garages, high fencing, retaining walls with a number of dwellings also located within proximity of the street frontage. The proposed development incorporates the demolition of the existing double garage and provides for a new structure with an increased setback. The new secondary dwelling and garage will complement the existing streetscape by providing for a well articulated elevation with low profile roof and nestled into the existing landform. The proposal provides for an improvement by activating the streetscape and orientating the secondary dwelling towards Aitken Avenue.

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

5. EP & A ACT - SECTION 41.5

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 and additions to an existing dwelling and new secondary dwelling 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 alterations and additions to an existing dwelling and construction of a new secondary 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 alterations and additions to an existing dwelling and a new secondary dwelling in this zone is permissible with the consent of Council as an existing use right. The resultant development 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 alterations and additions to an existing dwelling and provide for a new alternative form of housing 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 alterations and additions to an existing dwelling, new secondary 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 development 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 construction of alterations and additions to an existing dwelling and new secondary dwelling upon land at **No. 150 Queenscliff Road, Queenscliff** is worthy of the consent of Council.

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