

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 09/08/2023.
- BASIX Certificate #1403989S and issued 9 August 2023.
- Geotechnical Investigation Report prepared by White Geotechnical Group, Ref No. J4286 and dated 14 July 2022.
- Flood Risk Report prepared by Approved Consulting Engineers, Job No. 2023025.

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.

Development Consent has recently been issued for the construction of alterations and additions to an existing dwelling including the construction of a new detached garage on the southern portion of the site and accessed from Aitken Avenue. This application seeks approval for the construction of a secondary dwelling above the approved garage.

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.

Aitken Avenue is characterised by a variety of residential built form with many displaying reduced setbacks to the street frontage and buildings at levels which front both Aitken Avenue and Queenscliff Road. This has resulted in predominantly reduced setbacks to Aitken Avenue with higher dwellings/buildings located behind. A detailed assessment of Aitken Avenue streetscape is included in **Appendix A**.

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 a new secondary dwelling to be located above the approved garage. The secondary dwelling will be constructed of rendered walls with flat roof.

The secondary dwelling, which is to be constructed above the approved garage, is proposed to be setback at least 3.6m to the Aitken Avenue frontage as measured from the external wall. The front terrace is to be setback 2.2m from this frontage. The secondary dwelling is setback between 0.93m and 2.655m to the western boundary. The secondary dwelling provides for two bedrooms, bathroom and combined kitchen, dining/living room.

The approved double garage below the secondary dwelling will be for use by residents.

The proposal will result in the following numerical indices:

Site Area:	534.9m ²
Proposed Landscaped Area:	215.3m ² or 40.3%

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	6.0m	Yes

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 58.1m² which complies with this clause.

Clause 5.21 Flood Planning

The southern most part of the site is identified as a low/medium flood risk. A Flood Risk Report has been prepared by Approved Consulting Engineers which supports the proposal. This report addresses the requirements of 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	Yes. Wall height is 4.8m.
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	Yes Refer to plans
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Proposed secondary dwelling is setback at least 0.93m to the western side boundary.

Clause	Requirement	Compliance
		Ample setback is provided to the eastern side boundary.
B7 – Front Boundary Setbacks	Minimum 6.5m	Not Applicable
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	Not Applicable
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Not Applicable

Clause	Requirement	Compliance
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 does not require any excavation.
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 215.3m ² or 40.3% which complies with this clause.

Clause	Requirement	Compliance
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 for the existing dwelling. The proposed secondary dwelling is provided with a terrace that overlooks Manly Lagoon and is directly accessible from the internal living areas. Additional area is provided to the east of the secondary dwelling. The site is well located in terms of public open space including the foreshore of Manly Lagoon and Lagoon Reserve as well as several beaches.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Yes
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	Yes The proposal complies with BASIX.

Clause	Requirement	Compliance
	Compliance with SEPP (BASIX) requirements	
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. The proposed secondary dwelling does not result in any additional overshadowing.
D7 - Views	View sharing to be maintained	The proposal has been designed to maintain views to the adjoining properties. 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 secondary dwelling is provided with a low profile roof and located towards the rear southwest corner. The secondary dwelling has a maximum height of RL 9.25 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).

Clause	Requirement	Compliance
		The proposed secondary dwelling will not obstruct views of the adjoining property.
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 secondary dwelling is located towards the south of the site and below the living areas of the adjoining western property. The secondary dwelling is designed to have an outlook to the south over Manly Lagoon and does not provide views into the habitable areas or private open space of the adjoining properties.
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 secondary dwelling is well articulated and compatible with the existing development fronting Aitken Avenue. An analysis of the Aitken Avenue streetscape is included in Appendix A.
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 Flat roof form provided to reduce existing height and bulk and is compatible with the variety of roof forms in the locality.

Clause	Requirement	Compliance
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 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
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable

Clause	Requirement	Compliance
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 (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
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable

Clause	Requirement	Compliance
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 A separate Flood Risk Report has been submitted with the application.

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 detached secondary dwelling to be constructed over the approved garage. The secondary dwelling is setback 3.6m to Aitken Avenue with the terrace setback 2.2m to this frontage.

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

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. A detailed analysis of the Aitken Avenue streetscape is included in Appendix A.

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 a new secondary dwelling over the approved garage 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 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 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 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 a 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 new secondary dwelling upon land at **No. 150 Queenscliff Road, Queenscliff** is worthy of the consent of Council.

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APPENDIX 1 – AITKEN AVENUE STREETSCAPE ANALYSIS

Aitken Avenue is characterised by a variety of residential built form with many displaying reduced setbacks to the street frontage and buildings at levels which front both Aitken Avenue and Queenscliff Road. This has resulted in predominantly reduced setbacks to Aitken Avenue with higher dwellings/buildings located behind. A detailed assessment of Aitken Avenue is provided below:

No. 1 Aitken Avenue



This property comprises a three level residential flat building comprising 6 units. The front setback is hard paved and utilised for on site parking. A fence with a height of approximately 1.6m-1.8m is erected on the street frontage. It is noted that this site does not have frontage to Queenscliff Avenue. The property behind with frontage to Queenscliff Road (No. 162 Queenscliff Road) comprises a multi level dwelling which is visible above the unit when viewed from the entrance of Aitken Avenue.

No. 1A Aitken Avenue



This property comprises a two storey attached dual occupancy with the front setback area predominantly hard paved for on site parking. Visible from Aitken Avenue is the property behind which has frontage to Queenscliff Road (No. 160 Queenscliff Road) and comprises a large multi storey building.

It is further noted that Aitken Avenue is a no through road and serves to access only those properties with frontage to it.

158 Queenscliff Road



This property has dual frontage to Queenscliff Road and Aitken Avenue. The dwelling fronting Aitken Avenue is a large three level dwelling on the northern portion of the site and clearly visible from Aitken Avenue. A detached secondary dwelling is located to front Aitken Avenue with a setback of ranging from approximately 2.0m.

154 Queenscliff Road



This property comprises a large multi storey dwelling on the northern portion of the site and clearly visible from Aitken Avenue. A detached garage is located with a reduced setback to Aitken Avenue.

152 Queenscliff Road



This property comprises a large 4 storey dwelling that is dominant in the streetscape. A detached single car garage is located with a reduced setback to Aitken Avenue. A high fence is erected along the street frontage to Aitken Avenue.

146-148 Queenscliff Road



This property comprises a large four storey residential apartment building with detached garage structure with rooftop above. A large masonry wall is erected along the street frontage. This property has frontages to both Queenscliff Road and Aitken Avenue.

2 Aitken Avenue



This property comprises a two storey dwelling setback approximately 3m from the street frontage. The property behind with frontage to Queenscliff Road (No. 144 Queenscliff Road) comprises a two storey dwelling with its ridge line sitting well above the dwelling at No. 2 Aitken Avenue.

4 Aitken Avenue



This property comprises a large two storey dwelling with carport located forward of the dwelling and with a nominal setback to Aitken Avenue.

6 and 8 Aitken Avenue



Both of these properties comprise two storey dwellings with parking below. The dwellings are provided with reduced setbacks to the street frontage ranging from a nil setback at the southeast corner. Both of these properties have dwellings behind them fronting Queenscliff Road and visible from Aitken Avenue and the adjoining reserve.

8, 10, 12 and 14 Aitken Avenue



This picture clearly depicts the character of the eastern portion of Aitken Avenue which is dominated by large 3 to 4 storey residential structures all with minimal setbacks to the Aitken Avenue frontage. This includes garages with nil setbacks with rooms above. Beyond these developments are large dwellings and residential flat buildings which front Queenscliff Road and are visible from Aitken Avenue.

The following aerial photograph clearly depicts the subdivision pattern and form of development in the locality. Of note is the reduced established building line to Aitken Avenue, many with nominal setbacks. The majority of properties either do not extend to both Queenscliff Road and Aitken Avenue or have buildings addressing both street frontages. When viewed from the public domain, Aitken Avenue is characterised by reduced setbacks of single, two and three storey developments with large building beyond. The proposed development will not detract from this existing streetscape, but rather it is complementary.

