

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions Including
New Carport

308 McCarrs Creek
Road, Terrey Hills

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Statement of Environmental Effects

Alterations and Additions

308 McCarrs Creek Road, Terrey Hills

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April 2024

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1 Introduction

This Statement has been prepared as part of the documentation associated with a Development Application proposing alterations and additions to the existing dwelling at 308 McCarrs Creek Road, Terrey Hills.

The architect has provided a site specific design to create a carport connected to the dwelling and new entryway with portico. The works are consistent with the intent of the built form controls as they reasonably apply with the identified non-compliances with the front setback reasonable in this instance.

In addition to the Statement of Environmental Effects and Architectural Plans the application is also accompanied by the following:

- Survey Plan
- Architectural plans
- Basix Certificate
- Bushfire report
- Geotechnical report

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979;
- Warringah Local Environmental Plan 2011 and
- Warringah Development Control Plan 2011

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed alterations and additions are compatible with the desired future character and zone objectives for the locality.
- The proposed alterations and additions will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirement

2 Site Analysis

2.1 Site Description and Location

The application relates to Lot 221 in DP 752017, 308 McCarrs Creek Road, Terrey Hills. An aerial location map is included as **Figure 1**.

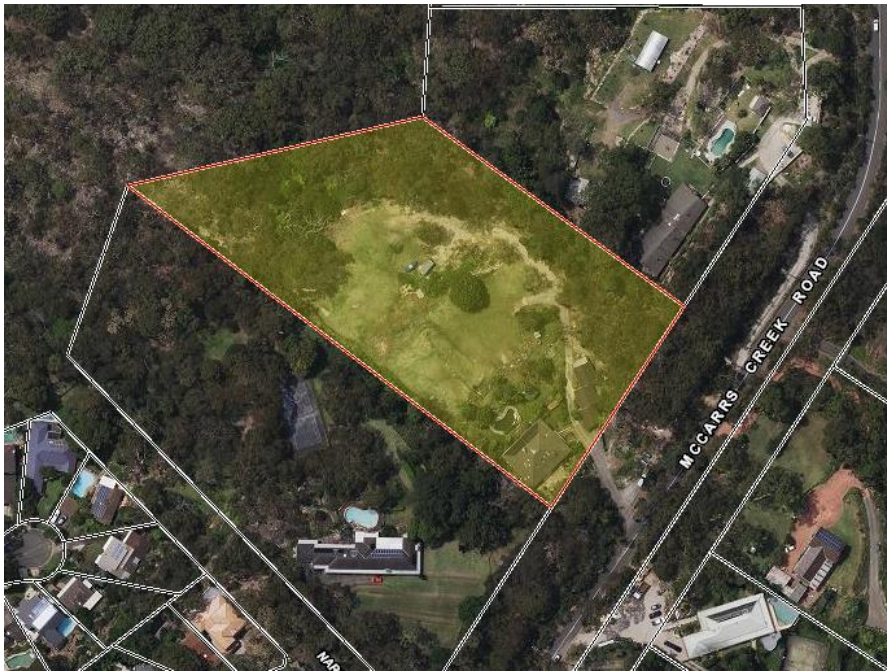


Figure 1: Site Location (Source: Six Maps)

308 McCarrs Creek Road is a predominately rectangular shaped allotment comprising a site area of 1.473 hectares. The front boundary is setback significantly from McCarrs Creek Road due to the large width of the road reserve.

Existing development on the site consists of a two storey residential dwelling with a detached part 1 and 2 storey garage/storage area. The rear of the site is largely undeveloped. The site includes a number of trees however no trees are located within proximity to the works proposed with this application.

The topography towards the front of the site where the existing dwelling is located has a slight fall towards the rear boundary with the land falling away more steeply as you continue to the rear of the property.

Existing development within the vicinity is characterised by residential dwellings on large lots with many including tennis courts, swimming pools, horse stables and larger outbuildings.

The site is not heritage listed or located within a heritage conservation area or within the vicinity of any heritage items.



Image 2: Existing view from the street



Image 3: View from the street

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application proposes alterations and additions to the existing dwelling. Minor demolition of external stairs and pathway as well as a window and small portion of the wall to facilitate the works. Specifically, the works include:

- New carport for 2 spaces
- New covered entryway into the dwelling

The application is supported by a bushfire risk assessment and geotechnical report.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

As previously noted the site is zoned RU4 primary production small lots pursuant to the provisions of the Warringah Local Environmental Plan 2011.

Dwelling Houses are permissible with consent in the zone. The specific objectives of the zone are identified as follows:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To minimise the impact of development on long distance views of the area and on views to and from adjacent national parks and bushland.*
- *To maintain and enhance the natural landscape including landform and vegetation.*
- *To ensure low intensity of land use other than land uses that are primary industry enterprises.*
- *To maintain the rural and scenic character of the land.*

The application relates to alterations and additions to an existing dwelling and is permissible in the zone. Accordingly there is no statutory impediment to the granting of consent. The carport and entryway works will be open structures and will have a negligible impact on the bushland scenic character of the area.

4.1.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- (a) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*

- (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) *to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) *to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

The works are confined to the ground floor and are consistent with the 8.5m height development standard.

4.1.3 Development on Sloping Land

The site is identified as falling within Land Slip Risk Area B. The objectives of Clause 6.4 seek to:

- *Avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land;*
- *Ensure the impacts of storm water runoff from development or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land;*
- *To ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.*

A geotechnical report accompanies this application. The report concludes that the proposed works can maintain an 'acceptable' risk criterion for the design life of the development provided proper engineering design and construction methods are implemented. It is envisaged that the recommendations of the report will be included with any approved consent.

4.1.4 Bushfire Prone Land

The subject site is mapped within the Warringah LEP as being bushfire prone land. A bushfire risk assessment has been undertaken and is provided with this application. The recommendations with regard to BAL ratings has been considered in the design. The proposal is acceptable with regard to planning for bushfire guidelines.

4.2 Warringah Development Control Plan 2011

The proposal relates to alterations and additions to the existing dwelling and the following relevant DCP controls have been addressed with respect to consideration of the proposed development application.

4.2.1 DCP Compliance Table

A table demonstrating compliance with the relevant provisions of the Warringah DCP 2011 is detailed as follows:

Control	Requirement	Proposed	Compliance
Wall Height DCP Control B1	7.2 metres from ground level (existing) to the underside of the ceiling to the uppermost floor of the building (excluding habitable areas wholly located within a roof space)	The works relate to a carport and new entryway works at ground level. Existing wall heights will be maintained.	Yes
Side Boundary Setback DCP Control B5	10m	The new works are compliant with the side setback control, notwithstanding that the existing dwelling is situated within the 10m side setback.	Yes – to the new works
Front Boundary Setback DCP Control B7	20m	<p>The existing dwelling sits entirely within the 20m front setback control resulting in any alterations and additions being non-compliant.</p> <p>The proposed carport will be 2.58m from the front boundary with the roof of the covered entryway having a 100mm setback.</p> <p>McCarrs Creek Road includes a large road reserve which effectively acts a buffer</p>	No - worthy on merit due to the existing location of the dwelling and the negligible amenity and streetscape impacts

Control	Requirement	Proposed	Compliance
		<p>between the road and the dwelling, as demonstrated in the images 2 & 3 provided in part 2.1 of this statement.</p> <p>The front setback as proposed will not impact on the sense of openness nor will it have any impact on the quality of the streetscape. The topography drops down from street level resulting the ground level not be readily discernible from the street. The additions are open structures and will not add any unreasonable bulk to the existing dwelling. Existing and proposed trees and vegetation will continue to provide additional screening of the dwelling.</p> <p>No amenity impacts with regard to views, solar access or privacy will occur.</p> <p>Pursuant to clause 4.15(3A)b) of the Act the consent authority is to flexible in applying their DCP provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development. The front setback variation meets the objectives of the front setback control and is worthy of support in this instance.</p>	

Control	Requirement	Proposed	Compliance
Rear Boundary Setback DCP Control B9	Development is to maintain a minimum rear boundary setback of 6 metres.	No change to existing	Yes
Parking Facilities DCP Control C3	2 off street parking spaces must be located behind the front building alignment.	<p>The carport provides for 2 car parking spaces that is directly connected to the dwelling.</p> <p>It is acknowledged that the site includes a detached garage and storage space however this provision only provides for a minimum parking requirement in this location.</p> <p>The existing storage and garage no longer has the capacity to accommodate two car spaces and the occupants wish to have a more convenient parking location close to the dwelling for their cars which are most in use.</p>	Yes
Stormwater DCP Control C4	<p>To protect and improve the ecological condition of Warringah's beaches, lagoons, waterways, wetlands and surrounding bushland;</p> <p>to minimise the risk to public health and safety;</p>	The works will be able to connect to the existing drainage system on site.	Yes

Control	Requirement	Proposed	Compliance
Excavation and Landfill DCP Control C7	Excavation and landfill works must not result in any adverse impact on adjoining land.	No significant levels of excavation are required	Yes
Demolition & Construction DCP Control C8	A demolition and waste management plan must be satisfactorily completed and submitted.	Some minor demolition will be required to the existing dwelling to facilitate the works. A waste management plan has been provided.	Yes
Waste Management C9	<p>To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).</p> <p>To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.</p> <p>To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents,</p>	<p>Materials will be reused or recycled where appropriate. Contract waste collectors will be engaged during the construction when required.</p> <p>A waste management plan is provided.</p>	Yes

Control	Requirement	Proposed	Compliance
	surrounding neighbours, and pedestrian and vehicle movements.		
Landscaped Open Space DCP Control D1	30%	The site will continue to be well in excess of the landscaping requirements with the works proposed.	Yes
Private Open Space DCP Control D2	Dwelling houses with 3 or more bedrooms are to provide a minimum area of 60sqm of private open space.	Well in excess of 60m ² of private open space proposed	Yes
Access to Sunlight DCP Control D6	<p>Pursuant to these provisions development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing:</p> <ul style="list-style-type: none"> 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 	The works proposed at ground level and the dwelling is approximately 50m away from the closest adjoining dwelling and their private open space area. There is no overshadowing risk as a result of the works.	Yes

Control	Requirement	Proposed	Compliance
	hours of sunlight between 9am and 3pm on June 21.		
Privacy DCP Control D8	Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.	No visual or acoustic privacy impacts will occur with the works proposed.	Yes
Building Bulk DCP Control D9	Encourage good design and innovative architecture to improve the urban environment. Minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.	The works will have a negligible impact on the existing bulk and scale of the dwelling. The open nature of the structures, the spatial separation from the street to the dwelling and the existing and proposed landscaping will mitigate any bulk and scale concerns. The site slopes down from street level which obscures the ground floor level when viewed from the public domain.	Yes
Building Colours and Materials DCP Control D10	Ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.	The materials and finishes are sympathetic with the existing character of the dwelling. The materials and finishes to be used are identified on the architectural plans.	Yes

Control	Requirement	Proposed	Compliance
Roofs DCP Policy D11	Roofs are to be designed to complement the local skyline.	The carport and entryway roof will complement the existing dwelling.	Yes
Glare and Reflection DCP Policy D12	Ensure that development will not result in overspill or glare from artificial illumination or sun reflection.	The proposed window glazing and roof finishes will not give rise to any unacceptable glare or reflection.	Yes
Wildlife Corridor E4	To preserve and enhance the area's amenity, whilst protecting human life and property.	The minor nature of the works proposed in previously disturbed areas on site does not raise any concerns with impact to wildlife corridors. No trees or vegetation will be removed and will have no impact on habitat for local wildlife.	Yes
Landslip Risk DCP Policy E10	<p>The site is identified as falling within Landslip Risk Area A.</p> <p>The applicant must demonstrate that:</p> <ul style="list-style-type: none"> • The proposed development is justified in terms of geotechnical stability; and • The proposed development will be carried out in accordance with 	The site falls in Area B for landslip risk. A geotechnical report has been prepared.	Yes

Control	Requirement	Proposed	Compliance
	good engineering practice.		
Preservation of trees and Bushland Vegetation E1	To protect and enhance the urban forest of the Northern Beaches. To effectively manage the risks that come with an established urban forest through professional management of trees.	No trees are proposed to be removed with the development and no trees are within the vicinity of the works proposed.	Yes

4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

The bulk of the proposed works relate to a carport and portico entry which is considered to be BASIX excluded development. BASIX excluded development relates to development for the purposes of a garage, storeroom, carport, gazebo, verandah or awning,

While it is acknowledged that minor works are proposed to the dwelling with regard to entry lobby which will replace a window with a door, the cost of the those works would be less than the \$50,000 threshold with the vast majority of the cost of works relating to BASIX excluded development.

4.4 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any Planning Instrument

The proposed alterations and additions are permissible and consistent with the intent of the Warringah Councils Local Environmental Plan and Development Control Plan as they are reasonably applied to the proposed works given the constraints imposed by the sites location, environmental and topographical constraints.

(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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

N/A

(iii) Any development control plan

Warringah DCP applies

(iiia) 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

N/A

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,

Context and Setting

i. *What is the relationship to the region and local context in terms of:*

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

The proposed alterations and additions are entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. *What are the potential impacts on adjacent properties in terms of:*

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

The proposal provides for 2 off street parking spaces

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will connect to service the dwelling.

Flora and Fauna

No trees are proposed to be removed. The works will have a negligible impact on the flora and fauna of the area.

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

Geotechnical and bushfire reports have been provided.

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

i) *Is the development design sensitive to environmental considerations and site attributes including:*

- *size, shape and design of allotments*
- *The proportion of site covered by buildings*
- *the position of buildings*
- *the size (bulk, height, mass), form, appearance and design of buildings*
- *the amount, location, design, use and management of private and communal open space*
- *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *The environmental planning issues listed above*

- *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The site is located in an established residential and rural urban area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The proposed works are permissible and consistent with the intent of the LEP and DCP controls as they are reasonably applied to the proposed alterations and additions. The development would not be contrary to the public interest.

5 Conclusion

The proposed works are permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposed works. It is considered that the proposal is appropriate on merit with only the variation to the front setback control not giving rise to any unreasonable amenity, streetscape or visual impacts. The application is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed works are compatible with the zone and desired future character of the locality.
- The proposed works will have a positive impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is suitable for the proposal, having regard to the relevant land use and planning requirements.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.