

# STATEMENT OF ENVIRONMENTAL EFFECTS

*PROPOSED A NEW CARPORT*

AT

51 SURFERS PDE, FRESHWATER

LOT 12 SECTION 2DP 5466

Prepared By *JJ Drafting Australia P/L*

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## 1) Introduction

This Statement of Environmental Effects accompanies documents prepared by JJ Drafting Australia P/L, job number 1075/22, drawing numbers DA.01 to DA.13 dated September/21 to detail proposed new carport at 51 Surfers Parade, freshwater.

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. As a result of this assessment, it is concluded that the development of the site in the manner proposed is acceptable and is worthy of support by Council.

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

# *The Environmental Planning and Assessment Act 1979 as amended*

# *The Environmental Planning and Assessment regulation 2000*

# *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*

# *Warringah Local Environmental Plan 2011*

# *Warringah Development Control Plan 2011*

# *Warringah development Control Plan Map 2011*

## 2) Site Characteristics and Description

The subject allotment is described as 51 Surfers Parade, freshwater with a site area of 404.7sqm.

- The site is in R2 Low-Density Residential.
- The site is not listed as heritage or in a conservation area.
- The site is not located in bushfire-prone land, nor in a flood zone.
- The site is in area A of the landslip zone.
- The site is not located in acid-sulfate soils.
- The property address Surfers Parade to the south.
- The site is currently developed with two-story brick and weatherboard dwelling with a metal deck roof. Parking space is located in front of the dwelling on an existing concrete slab
- Vehicle access is provided via driveway from Surfers Parade.
- The site slightly falls from the front South boundary towards the North rear boundary by approx. 540mm.
- Vegetation consists of mixed endemic and introduced species that surround the property with areas of lawn to the front and rear of the property.
- Front, side, and rear setbacks slightly vary throughout the streetscape and that of adjoining dwellings.



Figure 1: Aerial view of the site.



Figure 2: Existing driveway.

### 3) The Proposal

#### Description

As detailed within the accompanying plans, the proposal seeks consent for a double carport to an existing dwelling. It provides compliance with the Warringah Development Control Plan 2011 and Warringah Local Environment Plan 2011.

Bulk and form have been carefully considered to ensure there will be no adverse effect on neighboring properties, streetscape character and water catchment

The proposed development is as follows:

- # A carport is proposed above an existing concrete parking pad to the front of the existing dwelling. There will be no changes to the existing driveway.
- # A partially open garage door is proposed to provide for security within the front boundary. The partially garage door to be similar style and design to match the front fence. The door to be 1.6m high and open at the top. This will provide a seamless and a unified visual appearance from the streetscape.
- # Existing low front boundary fence to be removed and replaced with a new metal 1.6m high front boundary fence.
- # Proposed Colorbond roof with planter box over new carport.



Figure 3: View looking at no.47

Above are examples of other adjoining carports in the streetscape



Figure 4: View looking at no.49



Figure 5: View of the proposed works from the street. (artists interpretation only)

#### **4) Zoning & Development Controls**

##### **4.1 Warringah Local Environmental Plan 2011**

The site is zoned R2 Low-Density Residential under the provisions of the WLEP 2014. The proposed carport is permissible with the consent of the council.

##### **4.2 Height of Building (LEP 4.3)**

The control for this parcel of land is a maximum of 8.5m. There will be no changes to the existing building height. The proposed carport will have a height of 3.3m - COMPLIES

##### **4.3 General Principals of Warringah Development Control Plan 2011**

The proposed development responds to the characteristics of the site and the qualities of the surrounding neighborhood in a sympathetic and positive manner.

##### **4.4) State Environmental Planning Policy (Building Sustainable Index: BASIX) 2004**

The proposal will not require a BASIX certificate with this application.

#### **BUILT FORM CONTROLS**

##### **Wall Heights (DCP B1)**

The max. wall height is 7.2m

There will be no changes to the existing wall height. The proposed wall height is 2.8m - COMPLIES

##### **Side Boundary Envelope (DCP B3)**

The side building envelope control is a height plane of 4 meters along the side boundary and with a projection inward of 45 degrees.

The proposed carport COMPLIES with this control as shown on the drawings.

##### **Side Boundary Setbacks (DCP B5)**

Warringah DCP control is a min. of 0.9m side setback.

East side setback to existing dwelling ----- 0.980m NO CHANGES

West side setback to existing dwelling-----0.989m NO CHANGES

East side setback to proposed carport -----0.170m

West side setback to proposed carport ----- 4.49m

It is requested that this non compliance be supported as it will not affect adjoining properties in view loss, privacy loss or overshadow. The proposed carport has been built over an existing parking pad and therefore side setback is difficult to adhere to. Other adjoining carports in the streetscape have been built closer than the 900mm from the side boundaries.

##### **Front Boundary Setbacks (DCP B7)**

Warringah DCP control is a min. of 6.5m or an average of the adjoining properties.

Front setback to existing dwelling -----5.9m ----- NO CHANGES

Front setback to proposed carport -----100mm

Due to pre existing structures it is difficult to strictly adhere to the front setback. The proposed carport front setback follows other established and new carports in the streetscape. The carport has been designed so that it does not dominate the front by including roof planting and a gate that is similar to the new front boundary fence

The carport will not affect the streetscape or adjoining properties in view loss, privacy loss, and or solar loss.



Figure 6: Above is a screenshot of the 2 adjoining properties with carports within the 6.5 front setback.

#### **Rear Boundary Setbacks (DCP B9)**

Warringah DCP control is a min. of 6m.

There will be no changes to the rear setback all works are located to the front of the dwelling

#### **DESIGN**

##### **Landscaped Open Space (DCP D1)**

The minimum landscaped open space required is 40% of the site area.

Site area of this allotment is 404.7m<sup>2</sup> \_\_\_\_\_ 40% control \_\_\_\_\_ 161.88m<sup>2</sup>

Existing landscaped open space area \_\_\_\_\_ 25.4% \_\_\_\_\_ 102.8m<sup>2</sup>  
(areas more than 2.0m in any direction)

**There will be no changes to the existing landscaped open area**

**Access to Sunlight (DCP D6)**

No loss of daylight to main living areas in adjacent dwellings will be experienced as a consequence of this proposal. Adjoining properties will receive a minimum of 3 hours of solar access COMPLIES.

**Views (DCP D7)**

Neighbour views will not be affected by the proposed carport addition.

**Privacy (DCP D8)**

There will be no loss of privacy, due to the proposed carport addition.

**Stormwater – C4**

To be provided in accordance with councils stormwater drainage design guidelines

**5) Matters for Consideration Under Section 79c of The Environmental Planning and Assessment Act, 1979****5.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Warringah Development Control Plan 2011 and the relevant supporting Council Local plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

**5.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

It is not considered that there are any draft environmental planning instruments applying to the site.

**5.3 Any development control plans**

The development has been designed to comply with the requirements of the locality and the general principles of the Warringah Development Control 2011.

It is considered that the proposal respects the aims and objectives of the DCP, however it is noted that the Environmental Planning and Assessments Amendment Act 2012 No. 93 (amendment Act) which received assent on 21 November 2012 commenced on 1<sup>st</sup> March 2013.

Key amongst the amendments are requirement to interpret DCP's flexibly and to allow reasonable alternative solutions to achieve the objectives of the DCP standards .

The new section 74BA provides that the principal purpose of the DCP's is to provide guidance on:

- \* giving effect to the aims of any applicable environmental planning instrument
- \* facilitating permissible development
- \* achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 79C(3A) which:

- \* prevents the consent authority requiring more onerous standards than a DCP provides
- \* Requires the consent authority to be flexible and allow reasonable alternative solutions in applying DCP provisions with which a development application does not comply.
- \* limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the front and side setbacks to the proposed carport is a reasonable solution to compliance as the proposal effectively responds to the site constraints. There are numerous other carports in the streetscape that are within the front and side setbacks.

It is considered that the proposed design respects the desired character objectives of the WDCP 2011 and WLEP 2011 in that it reinforces the existing and new residential character of the area and is compatible with the existing uses in the vicinity.

#### **5.4 Any matter prescribed by the regulations that apply to the land to which the development relates**

No matters of relevance area raised regarding the proposed development.

#### **5.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposal, which seeks consent for a new carport to an existing dwelling a will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is well designed having regard to the relevant provisions of the Warringah Development Control Plan 2011

#### **5.6 The suitability of the site for the development**

The subject land is in the low density residential R2 and the proposed development is permissible as category 10 development. The site is considered suitable for the proposed development. The proposal will provide for alterations and additions to an existing dwelling without having a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

#### **5.7 Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

#### **5.8 The public interest**

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

### **6) Conclusion**

The proposal which provides for a new carport will not have any detrimental impact on the adjoining properties or the locality. The proposal is in keeping with Council's aims and objectives for this locality. There will be no effect on local fauna and flora.

In scale, form, and finishes, the proposal will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours.



*Figure 7: View of the existing fence.*



*Figure 8: View of the existing concrete parking space, where the carport is proposed.*



*Figure 9: View of the neighboring property at the east side*



*Figure 10: View of the east side boundary*

## *Schedule of Exterior Finishes*

51 Surfers Parade, Freshwater

New roof\_\_\_\_\_Colorbond, light to medium colour range to match existing.

New walls/post\_\_\_\_\_light to medium to match existing.