

STATEMENT OF ENVIRONMENTAL EFFECTS

54 YARRABIN STREET, BELROSE

**CONSTRUCTION OF A NEW DWELLING AND ATTACHED
SECONDARY DWELLING**

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

MARCH 2021

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1. INTRODUCTION

This application seeks approval for the construction of a new storey dwelling with attached secondary dwelling upon land identified as Lot 3 in DP 224801 which is known as **No. 54 Yarrabin Street, Belrose**.

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.

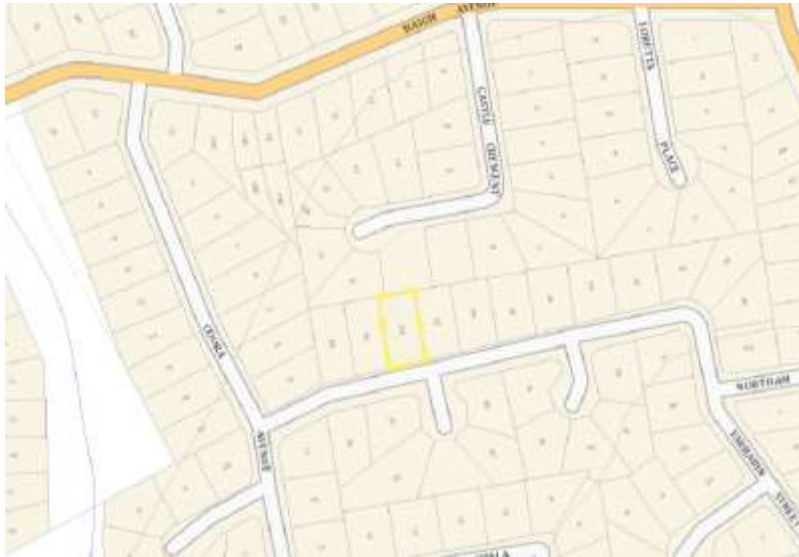
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Jack Hughes & Associates Consulting Surveyors, CAD No. 15877CONT, Issue C and dated 25/02/21.
- Architectural Plans prepared by Residential Logistics P/L for Masterton Homes, Job No. RL5493, Revision B and dated 16.11.20.
- BASIX Certificate #1154874M_04 and issued 25 March 2021.
- Landscape Plan prepared by Bluegum Design Services, Sheet L/01-02 and dated 27/11/2020.
- Stormwater Management Plan prepared by StormCivil Consulting Engineers, Job No. 305255, Issue A and dated 22.03.2021.
- Arboricultural Report prepared by Malcolm Bruce and dated 8/10/2020.

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 3 in DP 224801 which is known as 54 Yarrabin Street, Belrose. The site is located at the northern side of Yarrabin Street with a street frontage of 18.933m. The site has an area of 701.8m² with a maximum depth of 37.802m. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a single storey brick dwelling with a pitched tiled roof with attached garage. An attached carport is located adjacent to the garage. A concrete driveway with the cross over located adjacent to the western boundary provides vehicular access to the site. The site is relatively level with a slight fall towards the rear boundary, with levels of RL146.32 adjacent to the front southeast corner and RL143.8 adjacent to the rear boundary.

The site is depicted in the following photographs:



View of Subject Site from Yarrabin

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on similar sized allotments to the subject site. 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

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a new two storey dwelling and attached secondary dwelling. The proposed additions are to be constructed of bagged/rendered brick walls and a tiled pitched roof.

The proposal provides for a setback of 7.5m from the wall of the main dwelling with the garage and secondary dwelling provided with increased setbacks. Setbacks of at least 0.93m and 1.029m are provided to the sites eastern and western boundaries, respectively. A setback of at least 6.379m is provided from the rear alfresco area to the rear boundary.

The proposal provides for a double garage located centrally and integrated into the dwelling design.

The proposal provides for the following layout:

Ground Floor:

Primary Dwelling: Entry, home theatre, study, laundry, powder room, kitchen, living/dining room, bedroom with ensuite.

Secondary Dwelling: Entry, living room, kitchen, two bedrooms, bathroom and laundry.

First Floor:

Primary Dwelling: Three bedrooms (master with ensuite), study and lounge room.

All collected stormwater is proposed to be discharged to a proposed easement over the downstream property via combined stormwater detention/rainwater tanks.

The proposal will result in the following numerical indices:

Site Area: 701.8m²

Proposed Landscaped Area: 260.47m² or 37.1%

4. 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 Warringah Council.

4.1 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.

4.2 Warringah Local Environmental 2011

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



Extract of Zoning Map

The site is zoned R2 Low Density Residential. Development for the purposes of a new dwelling house and secondary dwelling are 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	Maximum approximately 8m	Yes

The following provision is also relevant:

Clause 5.4 Controls Relating to Miscellaneous Permissible Uses

This clause 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 proposal provides for a detached secondary dwelling upon R2 Low Density Residential zoned land. The secondary dwelling has an area of 59.8m² which complies with this clause.

Clause 6.4 Development on Sloping Land

The site is classified as Class A on Council's Landslip Map. No further information is required in this regard

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

4.3 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 Maximum wall height is 6.85m.
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m.	Yes

Clause	Requirement	Compliance
	Eaves up to 675mm are an allowable encroachment	Refer to plans (eaves are an allowable encroachment).
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes The proposal setback at 0.93m to the eastern boundary and 1.024m to the western boundary.
B7 – Front Boundary Setbacks	Minimum 6.5m	Yes The proposed development provides for a setback of 7.5m to the wall of the primary dwelling with the garage and secondary dwelling provided with an increased setback.
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.0m	Yes The proposal provides for a setback of at least 6.379m.
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

Clause	Requirement	Compliance
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes A new vehicular cross is provided centrally on the frontage and well setback from the existing street trees.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes The proposal provides for a new double garage. The garage is located centrally on site and is well integrated in the dwelling design. The garage is located behind the front building line and does not dominate the streetscape.
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 be discharged to the proposed easement over the downstream property via on-site detention/rainwater tanks.
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	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes The proposal does not provide for any significant excavation.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan is submitted.

Clause	Requirement	Compliance
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	<p>The proposal provides for a landscaped open space of 260.47m² or 37.1%. Whilst this does not strictly comply with the numerical requirements it is considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The non-compliance is very minor being only 20m². • If including areas within the side setback and with a width of at least 1.53m, the landscaped area is 281.8m² or 40.1% which would comply with this control. It is noted that the Landscape Plan submitted provides for landscaping including Lilly Pilly with a height of 2.5m within this setback area. • All collected stormwater will be discharged to an easement and the proposal will not result in additional runoff to the adjoining properties.

Clause	Requirement	Compliance
		<ul style="list-style-type: none"> The development is well articulated which when combined with the proposed landscaping provides for an appropriate bulk and scale. The design in addition to the landscaping will ensure an appropriate level of privacy to the adjoining properties, as discussed in more detail later in this report. The rear yard provides ample area (in excess of 190m²) in the rear yard of sufficient dimension (at least 6.379m) to accommodate a range of both active and passive recreation.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes Proposal maintains sufficient private open space in the rear yard which complies with this clause.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
D4 – Electromagnetic Radiation	Not Applicable	Not Applicable

Clause	Requirement	Compliance
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 Both the proposed primary and secondary dwellings will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.
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 The proposed development and will not result unreasonable overshadowing. Shadow diagrams have however been provided. Given the north south orientation and single storey element on the western side, the proposal does not result in any unreasonable overshadowing.
D7 - Views	View sharing to be maintained	Yes The subject site does not currently enjoy any significant views.
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 dwellings have been designed to ensure privacy of the adjoining properties is maintained. The secondary dwelling is single level and will not result in a loss of privacy. The primary dwelling provides for the majority of high use living areas on the ground floor.

Clause	Requirement	Compliance
		<p>Whilst the first floor level provides for a lounge with balcony, this element is orientated towards the street with only a high light window on the side elevation. There is no opportunity for overlooking into private open space or habitable areas of the surrounding properties.</p>
D9 – Building Bulk	<p>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.</p>	<p>Yes The proposal provides for the primary and secondary dwelling to be well integrated. The development provides for good articulation with varied front setbacks and architectural relief. It is considered that the resultant development complements the streetscape and is compatible with the surrounding dwellings.</p>
D10 – Building Colours and materials	<p>External finishes and colours sympathetic to the natural and built environment</p>	<p>Yes External finishes are selected to be compatible with the existing surrounding development and the natural environment.</p>
D11 - Roofs	<p>The LEP requires that roofs should not dominate the local skyline.</p>	<p>Yes The proposal provides a pitched roof form which is compatible with the locality.</p>
D12 – Glare and Reflection	<p>Glare impacts from artificial illumination minimised.</p>	<p>Yes</p>

Clause	Requirement	Compliance
	Reflective building materials to be minimized.	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
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable

Clause	Requirement	Compliance
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes Both the primary and secondary dwellings will provide views of the street and dwelling approach from internal habitable areas. The entry is easily identifiable.
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
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable

Clause	Requirement	Compliance
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	No further information is required.
E11 – Flood Prone Land	Not Applicable	Not Applicable

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 dwelling house and attached secondary 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 a new dwelling and attached 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 a new dwelling house and attached secondary dwelling in this zone is permissible with the consent of Council. 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 an alternative form of housing that is compatible 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 dwelling and attached secondary dwelling. 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 a new dwelling and attached secondary dwelling at **No. 54 Yarrabin Street, Belrose** is worthy of the consent of Council.

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March 2021