

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions

23 Tasman Street, Dee
Why

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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.

The architect has provided a site-specific alterations and additions that facilitate the use of an existing attic storage space into a habitable space for the occupants. The works to increase the height of the dwelling to accommodate compliant ceiling heights at the upper level does not give rise to any adverse amenity impact with regard to overshadowing, privacy or view loss. The proposed balconies provide access to view corridors towards both Dee Why and Curl Curl beaches for the quiet enjoyment of the occupants.

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

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 not have an adverse 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 26 in DP 7435, 23 Tasman Street, Dee Why. An aerial location map is included as **Figure 1**.



Figure 1: Site Location (Source: Six Maps)

23 Tasman Street is a rectangular shaped allotment comprising a site area of 404.7m². The site has a frontage of 10.06m and a depth of 40.235m. The site is development with a 2 storey dwelling with attic roof storage with a detached shed at the rear of the property.

The topography of the site is generally level with a gentle slope down towards the rear boundary. No trees are identified on or adjacent to the site. Development in the immediate vicinity is characterised by one and two storey residential dwellings.

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



Image 1: Existing streetscape context

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application proposes alterations and additions to the existing attic level to create a new habitable space. The works are detailed on the plans prepared by Cad Draft Pty Ltd and specifically include:

- Raising the roof 600mm to achieve compliant ceiling heights for a habitable space
- New dormer windows off the sides of the pitched roof to achieve compliant ceiling heights
- New balconies to the front and rear elevations

The application is supported by a BASIX certificate which demonstrates compliance with the energy efficiency requirements.

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 R2 Low Density Residential 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 provide for the housing needs of the community within a low density residential environment*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

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.

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, Streets and community facilities.*

To achieve compliant ceiling heights the roof is required to be raised. This results in a non-compliance with the height standard with the proposed measured at 9.08m. A clause 4.6 request is provided in that regard.

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 subdivision 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 wall heights are compliant with the 7.2m control.	Yes
Side Boundary Envelope DCP Control B3	Buildings must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of 5 metres.	<p>The dwelling is compliant with the envelope control to the eastern elevation due to the increase side setback to accommodate the driveway. As such, the dwelling is situated closer to the western side boundary and a minor encroachment is present to the western elevation.</p> <p>The minor encroachment to the western elevation does not give rise to any adverse amenity impacts with regard to overshadowing, privacy or view loss. The bulk and scale</p>	No – minor encroachment to western side boundary envelope.

Control	Requirement	Proposed	Compliance
		<p>of the dwelling is not significantly altered by the works proposed with a modest dormer window proposed. The dormers are setback from the front façade, in particular on the western pitch of the roof, and will be readily discernible from the street.</p> <p>The design has endeavoured to preserve the existing built form of the dwelling and its context within the streetscape. The minor increase in height and encroachment to the western envelope would not be seen as jarring or offensive within the streetscape above that of the existing dwelling presentation.</p>	
<p>Side Boundary Setback DCP Control B5</p>	<p>Development is to maintain a 900mm minimum setback from side boundaries.</p>	<p>Complies</p>	<p>Yes</p>
<p>Front Boundary Setback DCP Control B7</p>	<p>Development is to maintain a front setback of 6.5 metres.</p>	<p>Complies</p>	<p>Yes</p>
<p>Rear Boundary Setback</p>	<p>Development is to maintain a minimum rear boundary setback of 6 metres.</p>	<p>Complies</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
DCP Control B9			
Parking Facilities DCP Control C3	2 off street parking spaces must be located behind the front building alignment.	Existing quantum of off-street parking is maintained.	Yes
Stormwater DCP Control C4	To protect and improve the ecological condition of Warringah's beaches, lagoons, waterways, wetlands and surrounding bushland; to minimise the risk to public health and safety;	New works can connect to the existing stormwater system. No increase in the footprint of the dwelling.	Yes
Excavation and Landfill DCP Control C7	Excavation and landfill works must not result in any adverse impact on adjoining land.	None required.	Yes
Demolition & Construction DCP Control C8	A demolition and waste management plan must be satisfactorily completed and submitted.	Some partial demolition will be required to the existing dwelling to facilitate the works. A waste management plan has been provided.	Yes

Control	Requirement	Proposed	Compliance
<p>Waste Management</p> <p>C9</p>	<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, surrounding neighbours, and pedestrian and vehicle movements.</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>	<p>Yes</p>
<p>Landscaped Open Space</p> <p>DCP Control D1</p>	<p>A minimum 40% landscaped open space is to be provided.</p>	<p>No change to existing. Works are within the existing footprint of the dwelling.</p>	<p>Yes</p>
<p>Private Open Space</p>	<p>Dwelling houses with 3 or more bedrooms are to provide a minimum</p>	<p>Well in excess of 60m² of private open space proposed</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
DCP Control D2	area of 60sqm of private open space.		
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 hours of sunlight between 9am and 3pm on June 21. 	<p>The works do not impact on the existing levels of solar access achieved to the private open spaces of adjoining dwelling.</p> <p>While this control only relates to impact to private open space areas elevational shadows have been provided which demonstrate that no additional overshadowing to windows will occur to adjoining dwellings.</p>	Yes
D7 Views	<p>Assessment of applications will refer to the Planning Principle established by the Land and Environment Court in Tenacity Consulting v Warringah Council (2004) NSWLEC 140.</p>	<p>The works do not give rise to any view corridors enjoyed by surrounding dwellings.</p>	Yes

Control	Requirement	Proposed	Compliance
<p>Privacy</p> <p>DCP Control D8</p>	<p>Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.</p>	<p>The application proposes small front and rear facing balconies. The balconies are intended to provide access to the views towards Dee Why Beach to the north and Curl Curl beach to the south. The scale of the balconies are not conducive as entertainment spaces and are for the quiet enjoyment of the views.</p> <p>The attic space currently has large front and rear facing windows. The balconies will not increase overlooking concerns above that caused by the windows. Furthermore, the balconies site below the 8.5m height limit and are within the building envelope. There are no non-compliances contributing to privacy impacts.</p>	<p>Yes</p>
<p>Building Bulk</p> <p>DCP Control D9</p>	<p>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.</p>	<p>The works seek to maintain the existing built form and streetscape presentation by maintaining the pitched roof albeit slightly higher to achieve compliant ceiling heights. In this regard, it is reflective of good design that minimising any perceived visual impacts or streetscape impacts.</p> <p>The dormer windows proposed are modest and will be setback from the front</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
		façade to reduce their visual impact which viewed from the street. The dwelling will maintain a 2 storey form with attic roof space.	
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
Roofs DCP Policy D11	Roofs are to be designed to complement the local skyline.	The pitched roof form is maintained.	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

4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

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.

(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

- *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 works 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.

- i. 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 Street 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 maintains the existing level of off-street parking.

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

N/A

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

No known hazards

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 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 clause 4.6 variation with regard to height has been well founded. The minor building envelope breach to the western elevation does not give rise to any unreasonable amenity impacts in relation to overshadowing, privacy or view loss. 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 the existing streetscape character.
- The proposed works will have no adverse impacts 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.