



47 ARTHUR STREET FORESTVILLE

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR DEMOLITION OF A DWELLING AND
CONSTRUCTION OF A NEW TWO STOREY DWELLING**



Report prepared for
Icon Homes
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1. Introduction

- 1.1** This is a statement of environmental effects for demolition of the existing dwelling and construction of a new two storey dwelling at 47 Arthur Street, Forestville.
- 1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011, and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3** This statement of environmental effects has been prepared with reference to the following:
- Site visit
 - Site Survey prepared by Donovan Associates
 - DA Plans prepared by Accurate Design & Draft for Icon Homes
 - BASIX Certificate Accurate Design & Draft
 - Arborist report prepared by Malcolm Bruce
- 1.4** The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and the coastal setting and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1** The subject site is located on the southern side of Arthur Street. It is legally described as Lot 3 DP 27927 and is known as 47 Arthur Street, Forestville.
- 2.2** It is an irregular shaped lot with front boundary of 19.81 metres and rear boundary of 16.675 metres and side boundaries of 29.94 metres (west) and 31.865 metres (east). It has a frontage to and vehicular access from Arthur Street and comprises an area of 563.70m².
- 2.3** The site is currently occupied by a single storey brick dwelling with a metal roof. It is set within a residential lot, which has little slope of note to the street.
- 2.4** The property is surrounded by detached residential dwellings in all directions. The site is located in close proximity to Angophora Reserve and a small retail development to the west.



Figure 1. Aerial image of the subject site

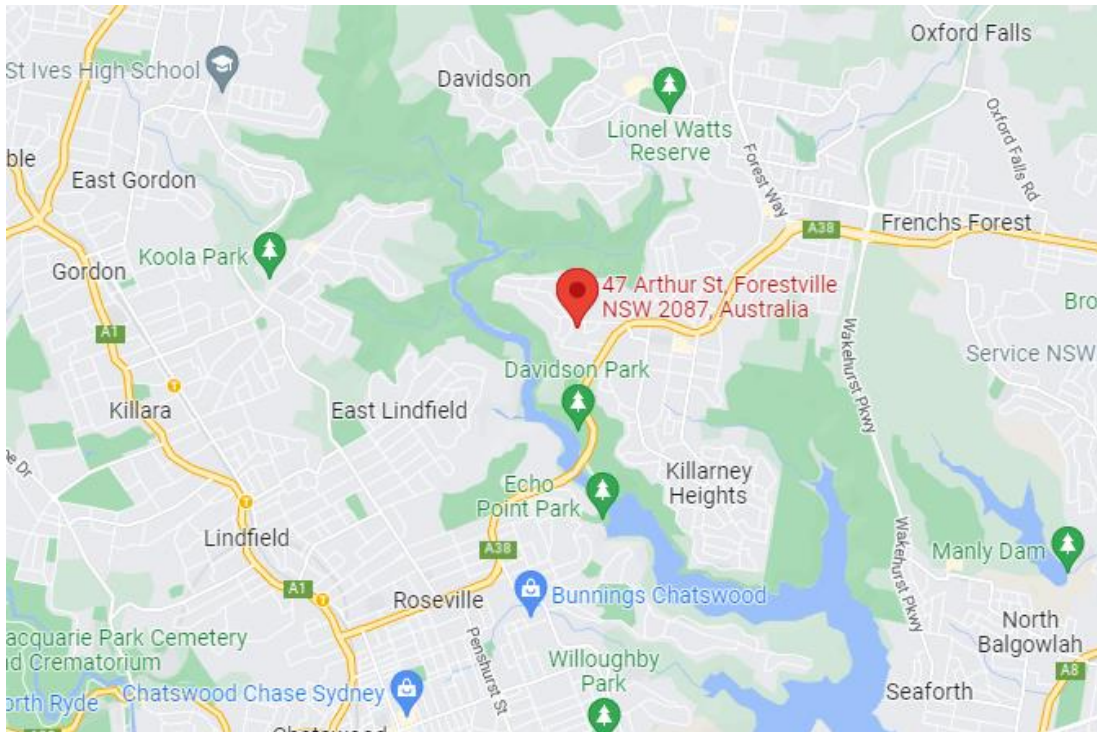


Figure 2. The site within the locality

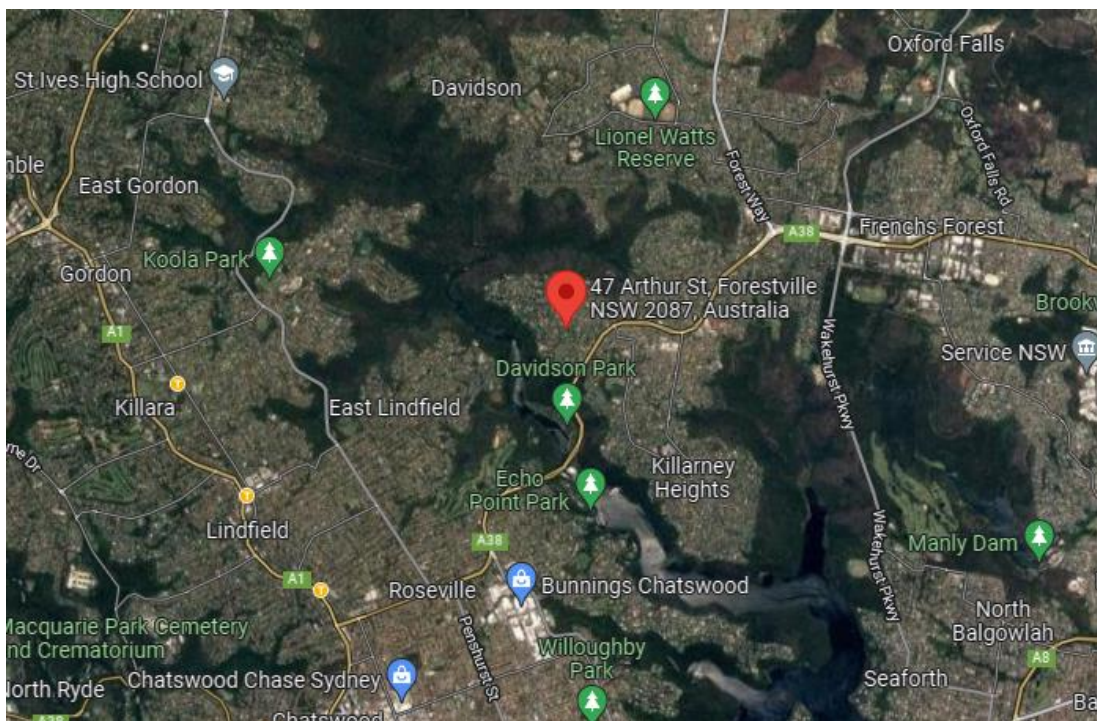


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4: The existing dwelling on the site from across Arthur Street



Figure 5: The existing dwelling and adjoining dwelling to the east from across Arthur Street



Figure 6: The adjoining dwelling and retail premises to the west from across Arthur Street



Figure 7: The existing dwelling on the site



Figure 8: The existing driveway on the site



Figure 9: The rear yard of the existing dwelling



Figure 10: The rear of the existing dwelling



Figure 11: The rear yard of the existing dwelling



Figure 12: The rear yard of the existing dwelling



Figure 13: The side of the existing dwelling adjoining to the west

4. Proposed Development

- 4.1 The proposed development is for the demolition of the existing dwelling, and the construction of a new two storey dwelling, with double garage.
- 4.2 The proposed dwelling has been designed to ensure that it compliments and improves the existing streetscape maintaining a scale consistent with new dwellings in the locality and on Arthur Street.
- 4.3 The proposed will be made up as follows:

New dwelling

Ground floor

- Porch
- Media
- Study
- Laundry
- Powder
- Family
- Meals
- Kitchen
- Alfresco
- Garage

First floor

- Bedroom with ensuite, WIR and balcony
- Bedroom 2
- Bedroom 3
- Bedroom 4
- Bathroom
- Sitting

- 4.4 The proposed design has taken into consideration the location of neighbouring sites, existing windows and private open space areas.
- 4.5 Material choices have been made to complement the bushland location.

5. Statutory Framework

5.1 State Environmental Planning Policies

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Biodiversity & Conservation) 2021

Chapter 2 Vegetation in Non-Rural Areas

Chapter 2 of the SEPP aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The proposed development does not result in the removal of any significant vegetation and remains consistent with the SEPP. An arborist's report is provided in support of the existing tree to be removed adjacent the driveway.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

5.2 Warringah Local Environmental Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed development is for a new dwelling, which is permissible with development consent in the R2 zone.



Figure 14: Extract from Warringah LEP 2011 Zoning Map

Demolition

Demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the new dwelling.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site comprises a compliant area of 563.70m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum height of 7.989 metres to the existing land level. See section extracted from DA below.

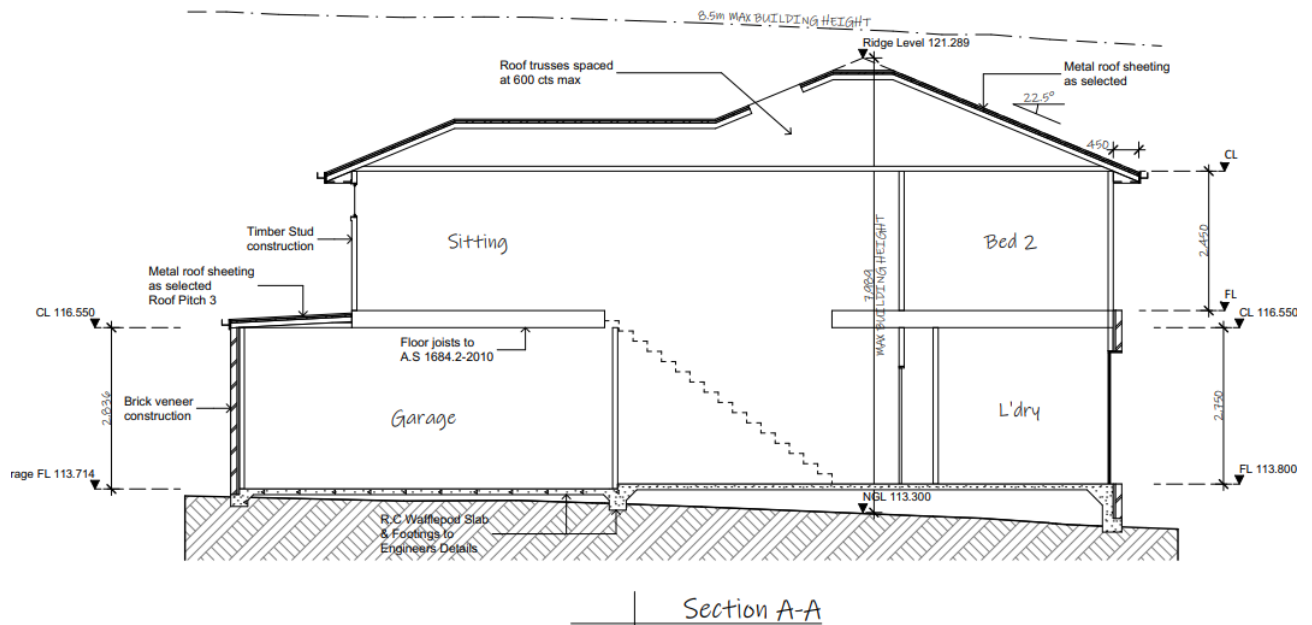


Figure 15: Extract from DA Plans showing max height

Heritage Conservation

The subject site is not mapped as a heritage item and is not located within a heritage conservation area.

Acid Sulfate Soils

The site is not nominated as Acid Sulfate soils.

Earthworks

Minimal earthworks are proposed for footings, with dwelling sitting with minimal cut and fill required for the fairly level site.

Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area A – Slope <5. As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

Due to the low-level risk within Area A, no additional details are required at DA stage.

5.4 Warringah Development Control Plan

The relevant sections of the DCP are addressed below.

Part A Introduction

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social, and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part B General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP and the development proposes a compliant maximum wall height of 6.1 metres to the underside of the ceiling on the western elevation and 5.6 metres on the eastern elevation.

Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The development proposes a built form within the side boundary envelope with the exception of a small portion of the upper floor on the western elevation.

A variation to the boundary envelope is considered appropriate in this case as the development will not result in any unreasonable amenity issues for neighbouring dwellings, including solar access, and remains consistent with the objectives of the control, despite the variation, as addressed below:

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

The proposed encroachment is minor in nature. The partial encroachment provides significant internal amenity while remaining consistent with surrounding dwellings. Being minor, there is no major impact on height or bulk due to this proposed encroachment, particularly given the works are well below the building height and well within the side setbacks.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*

The shadow diagrams included with this application, demonstrate that the proposed development maintains equitable solar access to neighbouring properties. Privacy is mitigated through the use of privacy screens and strategic window placement. A site visit has been undertaken and it is considered the proposal will not result in any view loss impacts.

- *To ensure that development responds to the topography of the site.*

The proposed development does not significantly change the ground level which is relatively flat.

Side Boundary Setbacks

Side setbacks of 900mm are permitted on the subject site by the DCP.

The new dwelling proposes compliant side setbacks as follows:

North (Ground) – >1.7m
South (Ground) – >0.959m

North (First) – >1.850m
South (First) – >3.093m

Front Setback

A front setback of 6.5 metres is required by the DCP. A setback of 6.5 metres is provided to the front balcony (ground floor) and 8.834 metres to the garage.

Rear Setback

A rear setback of 6 metres is required by the DCP. A rear setback of 5.319 metres is proposed to the ground floor and 10.69m to the upper floor.

A variation to the rear setback is considered appropriate in this case as the development will not result in any unreasonable amenity issues for neighbouring dwellings, including solar access, and remains consistent with the objectives of the control, despite the variation, as addressed below:

- *To ensure opportunities for deep soil landscape areas are maintained.*

Comment

Sufficient area is provided within the rear yard behind the building line for deep soil and landscaped area.

- *To create a sense of openness in rear yards.*

Comment

Sufficient space is provided within the rear yard behind the building line to create a sense of openness.

- *To preserve the amenity of adjacent land, particularly relating to privacy between buildings*

Comment

- *To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*

Comment

The rear setback provides visual continuity and pattern of buildings to the rear along the streetscape. Sufficient area is provided within the rear yard behind the building line for deep soil and landscaped area.

- *To provide opportunities to maintain privacy between dwellings.*

Comment

The rear setback poses no privacy issues being at ground level. Existing boundary fencing and landscaping to the peripheries will further mitigate privacy.

Part C Siting Factors

Traffic, access and safety

The subject site currently has vehicular access from Arthur Street. This will remain in place and be upgraded to allow for access to the new double garage.

Parking facilities

A double garage is proposed for the new dwelling. The garage door has a width of 4.81 metres, with a compliant internal garage space.

Stormwater

The subject lot drains to the street and is proposed to connect to Council's existing stormwater system. A concept stormwater plan is provided with the development application.

Excavation and Landfill

Minor earthworks are proposed as a part of the application to provide the new dwelling footings and new driveway access.

Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Demolition and Construction

The proposed development includes demolition of the existing dwelling and structures on the site. All demolition and construction works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible, which is detailed in the accompanying Waste Management Plan.

The design includes appropriate waste storage areas on the external southern wall of the garage, with waste to be collected by Council's regular service.

Part D Design

Landscaped open space and bushland setting

The DCP requires 40% landscaped area on the site. The development proposes a landscape area of 253.39m² being a compliant landscape area of 44.9%.

Private open space

Private open space area in excess of 60m² will be retained in the rear yard.

Access to sunlight

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 by this clause DCP.

The following observations are made of the shadow diagrams included with this application:

9am – The development will result in a minor shadow over the rear POS of 49 Arthur Street.

12pm – The development will result in shadowing of the POS of the subject site.

3pm – The development will result in a minor shadow over the rear POS of 45 Arthur Street.

It is concluded that the private open space of the subject site and the adjoining properties maintain compliant solar access, with direct sunlight available to more than 50% of the rear yard at 9am, 12pm and 3pm.

Views

A site visit has been undertaken and it is not apparent that any views will be impacted by the proposed development.

Privacy

Privacy will be retained for neighbours with the design being considerate of window placement and use of upper-level rooms. The development is appropriate and will not result in noise levels inappropriate to a residential area. Key living areas are provided on

the ground floor and windows have been appropriately located. The upper level is mostly bedrooms and bathrooms.

Building Bulk

The proposed development incorporates varied materials to alleviate bulk. The design is also of a scale consistent with surrounding properties in Forestville, and the works will result in a contemporary and complementary addition to the site and Arthur Street.

Building Colours and Materials

The proposed building materials include brickwork, cladding and Colourbond. All materials and finishes are complementary to the residential surrounds and are consistent with a modern finish.

Colours are detailed in the colours and materials schedule.

Roofs

The new works propose a 22.5° pitched Colourbond roof which is consistent with existing and new dwellings in the area.

Glare & Reflection

Materials have been chosen to ensure no glare or reflection issues.

Side and Rear Fences

The existing timber side and rear fencing is proposed to be retained.

Site Facilities

Appropriate waste, recycling areas and drying facilities are proposed as part of the proposed application.

Safety and Security

The proposed new dwelling will improve safety and security features of the site, allowing for casual surveillance of the street and safer access to the site and dwelling.

Conservation of Energy and Water

The design has achieved a BASIX Certificate, which accompanies the application.

Part E: The Natural Environment

Preservation of Trees or Bushland Vegetation

No significant trees are to be removed or detrimentally impacted as a result of the proposed development. One poor specimen near the driveway is to be removed with the support of an arborist.

Prescribed Vegetation

The subject site is not mapped as native vegetation, High Conservation Habitat or Wildlife Corridor.

Retaining unique Environmental Features

No unique environmental features will be impacted by the proposal.

Development on land adjoining public open space

The subject site is not mapped as land adjoining public open space.

Landslip Risk

The site is located in the area nominated the LEP maps as Area A – Slope <5

Due to the low-level risk within Area A, no additional details are required at DA stage.

7. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	600m ²	563.7m ²	Yes – no change
Building Height	8.5 metres	7.989m	Yes
Floor Space Ratio	Not identified	-	-
Landslide		Yes	<5 degrees
Bushfire		N/A	-
Warringah DCP 2011			
Wall Height	7.2 metres	6.023m (west) 5.507m (east)	Yes
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	East – Yes West – minor encroachment	Yes No – acceptable on merit
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	North (Ground) – >1.7m South (Ground) – >0.959m North (First) – >1.850m South (First) – >3.093m	Yes Yes
Front Boundary Setback	6.5 metres	6.5m (dwelling) 8.834m (garage)	Yes
Rear Boundary Setbacks	6 metres	5.319m	No – acceptable on merit
Parking	2 spaces	2 spaces	Yes
Landscaped Open Space and Bushland Setting	40%	44.9%	Yes
Private Open Space	60m ²	>60m ²	Yes

	Standard	Proposed	Compliance
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliant	Yes

8. Section 4.15 Considerations

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 to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

8.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the R2 zone.

8.2 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?*

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

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?*

The proposed new dwelling has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

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?*

No conflict or issues will arise as a result of the proposed development.

Public domain

The proposed development will not impact the public domain.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

No significant trees are to be removed or detrimentally impacted as a result of the proposed development. One older poor species near the driveway was to be removed with the support of an arborist.

Waste

There will be no impact.

Natural hazards

The site is impacted by slip and a geotechnical report is provided in support under separate cover.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions 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?*

The proposed development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the coastal and residential surrounds.

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 will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

8.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments 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?*

The adjacent development does not impose any unusual development constraints and is highly conducive to the proposed dwelling.

Are the site attributes conducive to development?

The site is appropriate for the proposed dwelling.

8.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

8.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

8. Conclusions

- 8.1** The proposed development for a demolition of an existing dwelling and a new dwelling at 47 Arthur Street, Forestville is appropriate considering all State and Council controls.
- 8.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3** Considering all the issues, the development is considered worthy of Council's consent.