

# **STATEMENT OF ENVIRONMENTAL EFFECT**

## **ALTERATIONS AND ADDITIONS TO EXISTING DWELLING HOUSE**

ADDRESS - 16 Mulawa Pl Frenchs Forest NSW 2086

(Lot 18 DP 224872)

DATE – 19 Oct 2019

**Owner: Michael North**

## **TABLE OF CONTENTS**

1. PURPOSE OF THIS REPORT
2. THE SITE AND ITS CONTEXT
3. PROPOSED DEVELOPMENT IN DETAIL
4. ASSESSMENT UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
  - 4.1 (a) the provision of: (i) any Environmental Planning Instruments
  - 4.2 (a)(ii) any Draft Environmental Planning Instruments
  - 4.3 (a)(iii) any Development Control Plan
  - 4.4 (a)(iv) any matter prescribed by the regulations that apply to the land to which the development relates
  - 4.5 (b) likely Impacts of the Development
  - 4.6 (c) suitability of the site for the development
  - 4.7 (d) any submissions made in accordance with the Act or the regulations
  - 4.8 (e) the public interest
5. CONCLUSION

## **1. PURPOSE OF THIS REPORT**

This statement provides an opinion, in addition to relevant information for the consent authority to assess and determine the subject development application including the following:

- A site analysis of the site and surrounding lands;
- Description of the proposed development;
- Evaluation of the proposed development against legislative and policy framework;
- Conclusion.

The Statement of Environmental Effects ('SEE') is prepared in accordance with Schedule 1 of the Environmental Planning and Assessment Regulation 2000 ('EPA Reg. 2000') for the purposes of demonstrating that the environmental impact of development has been considered against the relevant controls and to outline steps to be undertaken to protect the environment or to mitigate any potential harm, if necessary.

The development proposal is local development as defined by the Environmental Planning and Assessment Act 1979 ('EPAA') and as such Northern Beaches Council is the consent authority.

The application does not constitute integrated or designated development under the EPAA.

## **2. THE SITE AND ITS CONTEXT**

The site, legally defined as Lot 18 in DP 224872 is situated within zone R2 'Low Density Residential', pursuant to the Warringah Local Environmental Plan 2011.

The site is located near the junction of Mulawa Pl and Pound Ave. The site is pentagon in shape with street frontage of 27.91m, 4.65m (east), 4.73m (west), and rear boundary of 1.66m, a total site area of 1.663m<sup>2</sup>. Situated on the site is a single storey face brick dwelling house with tiled roof. The site is devoid of any significant vegetation, comprising predominantly lawn and small shrubs.

Surrounding development provides a mix of detached single and two storey dwelling houses of varied designs and finishes. The site is located within close proximity to areas of public open space and educational establishments.



Figure 1 - Subject Site (source: SIX Maps)

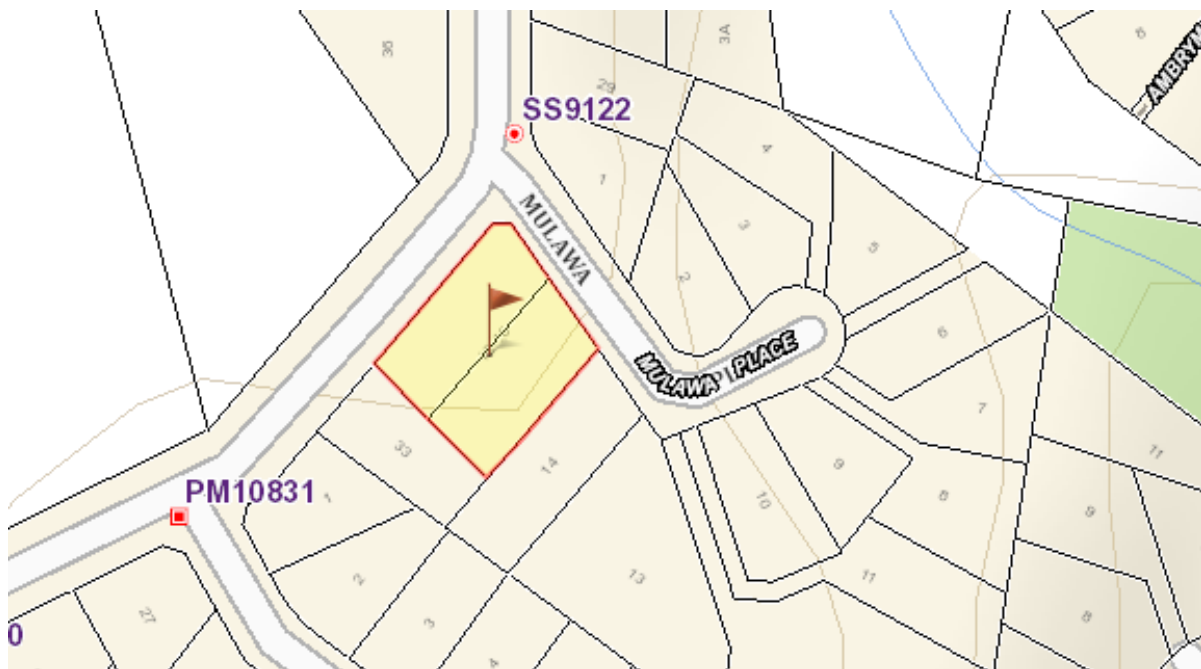


Figure 2 - Subject Site and Context (source: SIX Maps)

### **3. PROPOSED DEVELOPMENT IN DETAIL**

The proposal seeks Council's consent for the following works:

- Internal additions to the ground floor of the existing dwelling to provide new internal and external stairs;
- First floor addition comprising two (2) bedrooms (one with ensuite and WIR), a separate bathroom, a lounge, balcony and study room.
- The existing tiled roof will be replaced by colorbond.

### **4. ASSESSMENT UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

#### **4.1 (a) the provision of: (i) any Environmental Planning Instruments**

##### **4.1.1 State Environmental Planning Policies**

State Environmental Planning Policy No. 55 (SEPP No. 55) Remediation of Land

According to the provisions of clause 7 of SEPP No. 55 Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose that development consent is sought.

The proposed development involves alterations and additions to an existing dwelling house. In so far as the site has an extended history of residential use, Council may be satisfied that the land is not contaminated and is suitable for the use proposed.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") applies to the proposed development, and accordingly BASIX Certificates accompany the submission.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Clause 20 states that this Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land:

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone R5 Large Lot Residential.

Comment - The subject site is located within zone R2 'Low Density Residential' under the provisions of the Warringah Local Environmental Plan 2011 which permits 'dwelling houses'

Clause 22 'Development may be carried out with consent' provides the following:

(1) Development to which this Division applies may be carried out with consent.

(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land, any dwelling other than the principal dwelling and the secondary dwelling.

Comment - Proposal results in only the existing dwelling.

Subclause (4) provides that a consent authority must not refuse consent to development to which this Division applies on either of the following grounds: (a) site area if (i) the secondary dwelling is located within, or is attached to, the principal dwelling, or (ii) the site area is at least 600 square metres, (b) parking if no additional parking is to be provided on the site.

(5) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (4).

Comment - Noted. Site area is 1.663m<sup>2</sup>.

#### 4.1.2 Local Environmental Planning Instruments

Warringah Local Environmental Plan 2011

The site is zoned R2 'Low Density Residential' under the Warringah Local Environmental Plan 2011(WLEP). The proposed alterations and additions to the existing 'dwelling house' are permissible under the land use table subject to consent.

The objectives of the R2 Low Density Residential zone are:

- 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.

Comment - The proposed development is not considered to prevent zone objectives being achieved.

Following is a summary table indicating performance of the proposal against relevant statutory standards:

<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Building Height</b>		
Site located in Area 'I' of the Building Height Map which prescribes a maximum building height of 8.5m.	7,680m	✓
<b>Landscaped Open Space and Bushland Setting</b>		
1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting. To measure the area of landscaped open space: a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open	Site is devoid of any significant vegetation.	✓

space is 1 metre. 2. Where land is shown on DCP Map Landscaped Open Space and Bushland Setting as "Bushland Setting", a minimum of 50% of the site area must remain undisturbed by development and is to be kept as natural bushland or landscaped with locally indigenous species. 3. In Cottage Point the relationship of the locality with the surrounding National Park and Cowan Creek waterway will be given top priority by enhancing the spread of indigenous tree canopy and protecting the natural landscape including rock outcrops and remnant bushland.		
<b>Heritage Conservation</b>		
Development consent is required for any of the following: (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	Subject site not listed as a heritage item nor is it located within a conservation area.	✓

#### 4.2 (a)(ii) any Draft Environmental Planning Instruments

There are currently no drafts planning instruments / amendments of relevance to the proposal.

#### 4.3 (a)(iii) any Development Control Plan

##### Warringah Development Control Plan 2011

The proposed development is affected by provisions of the Warringah Development Control Plan 2011 (WDCP). Compliance of the proposal with prescriptive standards is outlined below:

<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Low Density Residential Development</b>		
<b>Desired future character for low density residential neighbourhoods</b>		
<ul style="list-style-type: none"> <li>• To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.</li> <li>• To ensure development is generally beneath the existing tree canopy level.</li> <li>• To provide a reasonable sharing of views to and from public and private properties.</li> <li>• To minimise the impact of development on adjoining or nearby properties.</li> <li>• To ensure that development responds to site topography and to discourage excavation of the natural landform.</li> <li>• To provide sufficient scope for innovative roof pitch and variation in roof design.</li> </ul>	The proposed development has been assessed against the desired future character considerations outlined and is considered to remain acceptable, making a positive contribution to the area.	✓

<b>General requirements for all types of residential development</b>		
<b>Building form and Streetscape Design Requirements</b> a) Building design (including façade treatment, massing, roof design and entrance features), setbacks and landscaping shall complement scale of development, and desired future character of residential neighbourhoods.		In respect to the streetscape, the first-floor addition to the dwelling is apparent and does provide appropriate design.
		✓

#### **4.4 (a)(iv) any matter prescribed by the regulations that apply to the land to which the development relates**

The application has been considered in terms of the regulations and there are no matters that are applicable to this application.

#### **4.5 (b) likely Impacts of the Development**

##### *(i) Impact on the natural environment:*

The proposed development will not have any adverse impact on the natural environment. The site has been previously developed for residential use and is in an established residential area.

##### *(ii) Impact on the built environment:*

The proposed alterations and additions to the existing dwelling have been assessed against the detailed design provisions contained in the Warringah LEP and DCP and provide an appropriate level of compliance. The bulk, scale and design of the proposed built form is considered to complement the existing dwelling and this in turn allows for effective integration with surrounding built form.

Furthermore, the proposal is not considered to result in any unreasonable amenity impacts in the form of overshadowing, privacy or views loss towards surrounding properties.

##### *(iii) Social and Economic impacts in the locality:*

The proposal will not have any adverse social / economic impacts noting the location of the site within an established residential area.

#### **4.6 (c) suitability of the site for the development**

The proposed development has been assessed against applicable planning provisions. Having regard to the assessment contained in this report, the site is considered to remain suitable.

#### **4.7 (d) any submissions made in accordance with the Act or the regulations**

It is anticipated that the development application would be notified to surrounding properties. Should any submissions be received these will be considered by Council within any assessment and if so required a response can also be provided by the applicant.

#### **4.8 (e) the public interest**

The proposed development is considered consistent with the objectives of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. As a result, it is deemed consistent with the public interest.

### **5. CONCLUSION**

The proposed development has been assessed in accordance with Section 79C (1) of the EP & A Act 1979 and Council's planning instruments. The proposed land uses are permissible under State Environmental Planning Policy (Affordable Rental Housing) 2009 and Warringah Local Environmental Plan 2011 and in our opinion, are consistent with relevant objectives.

Further, the development performs adequately in terms of its relationship to surrounding built and natural environment, particularly in relation to likely impacts upon surrounding properties.

Consequently, the proposal is considered acceptable from an environmental planning perspective and should be supported by Council, subject to appropriate conditions of consent.