

STATEMENT OF ENVIRONMENTAL EFFECTS REPORT

Garage conversion and relocation of driveway

No.5 Lalchere Street, Curl Curl

July 2024

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1.0 INTRODUCTION

This Statement of Environmental Effects Report (SEE) in support of a proposed Garage and driveway relocation at No. 5 Lalchere Street, Curl Curl.

The site is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011 (WLEP 2011) and the dwelling is permissible with consent. The dwelling is also generally consistent with the relevant controls of Warringah Development Control Plan 2011.

The report is intended to assist Northern Beaches Council in its assessment of the Development Application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations;
- Consideration of relevant environmental effects; and
- S4.15-Matters for Consideration under EP & A Act

The report should be read in conjunction with the following supporting material:

- Architectural Plans prepared by Taylor Consulting
- Driveway crossing application

2.0 SITE DETAILS

The following details of the site's locational and physical characteristics are provided to assist Council in the assessment of the development application.

2.1 Site Location

The subject land is located at 5 Lalchere Street, Curl Curl as identified in Figure 1.

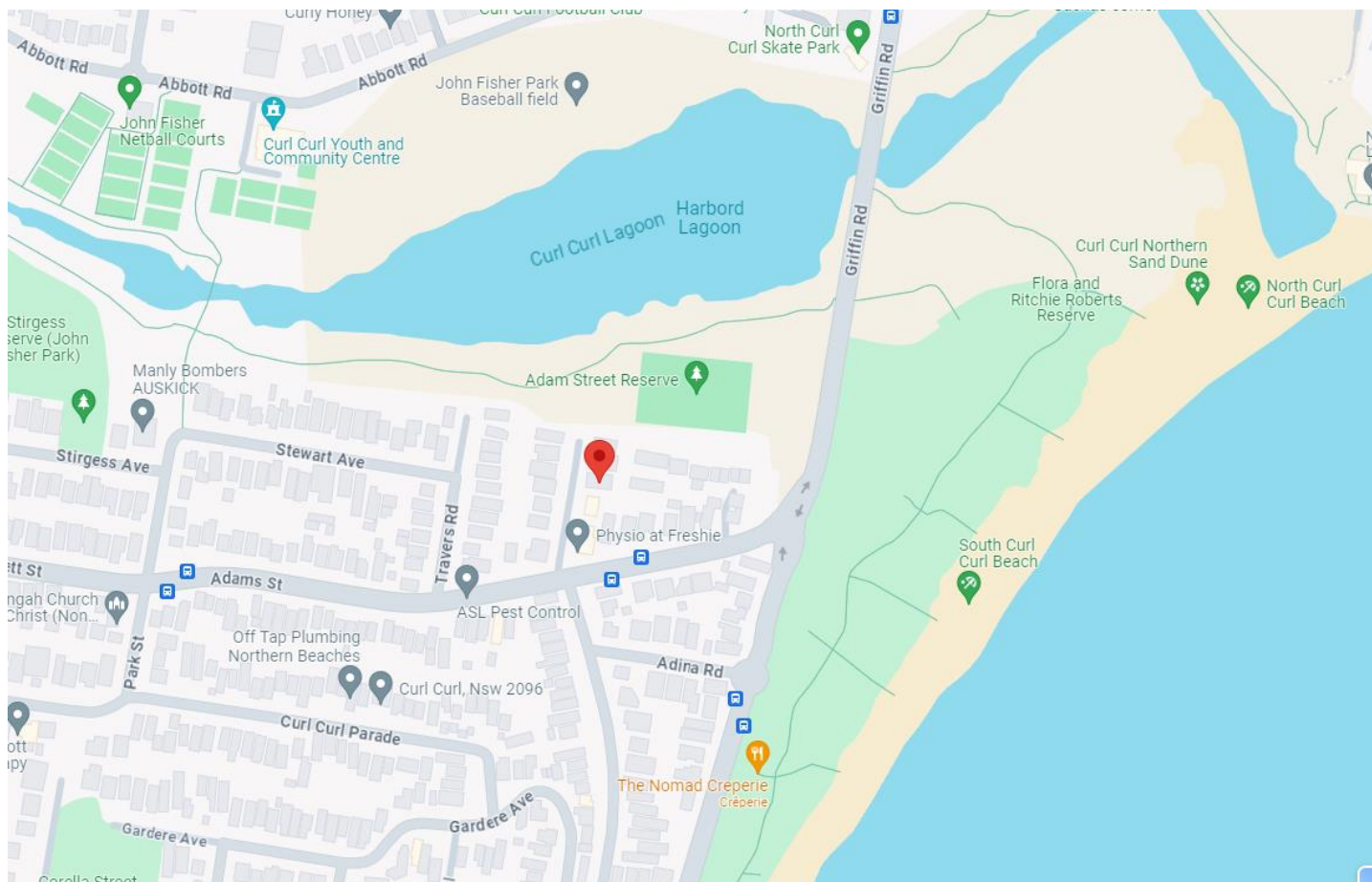


Figure 1-Site Locality Plan

2.2 Site Description

The subject land is described as lot 11/-/DP25959.

The site is a rectangular shaped lot site with an area of 580m² that is located at the eastern side of Lalchere Street. The site has a frontage of 15.24m to Lalchere Street and depth of 38.1m.

The site currently contains a double story brick dwelling with a metal roof and pool area.

The site comprises grass coverage with no change to the amount covered.

Figure 2 provides an aerial depiction of the site.



Figure 2-Aerial view of site

2.3 Site Context

This site is located within a low density residential area of Curl Curl comprising a mixture of single and two story detached dwellings on similar sized lots to the subject site. More recent developments in the general vicinity of the site comprise larger two story dwellings of contemporary appearance.

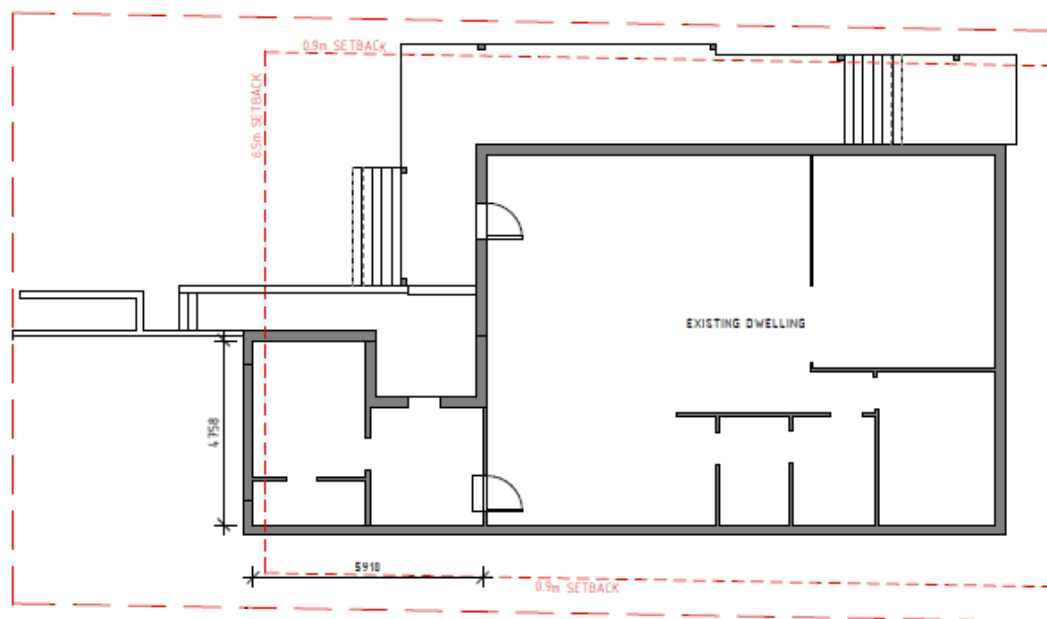
3.0 PROPOSED DEVELOPMENT

The Development Application seeks consent for the construction of a garage and relocation of the driveway.

There is no change to the current structure as it was previously a garage that was converted into a study and family room. There is also no change to the current roof coverage.

The proposal does not require the removal of any vegetation.

The drainage will connect to the existing system, with the current water flow from the roofed area of the garage draining onto Lalchere street.

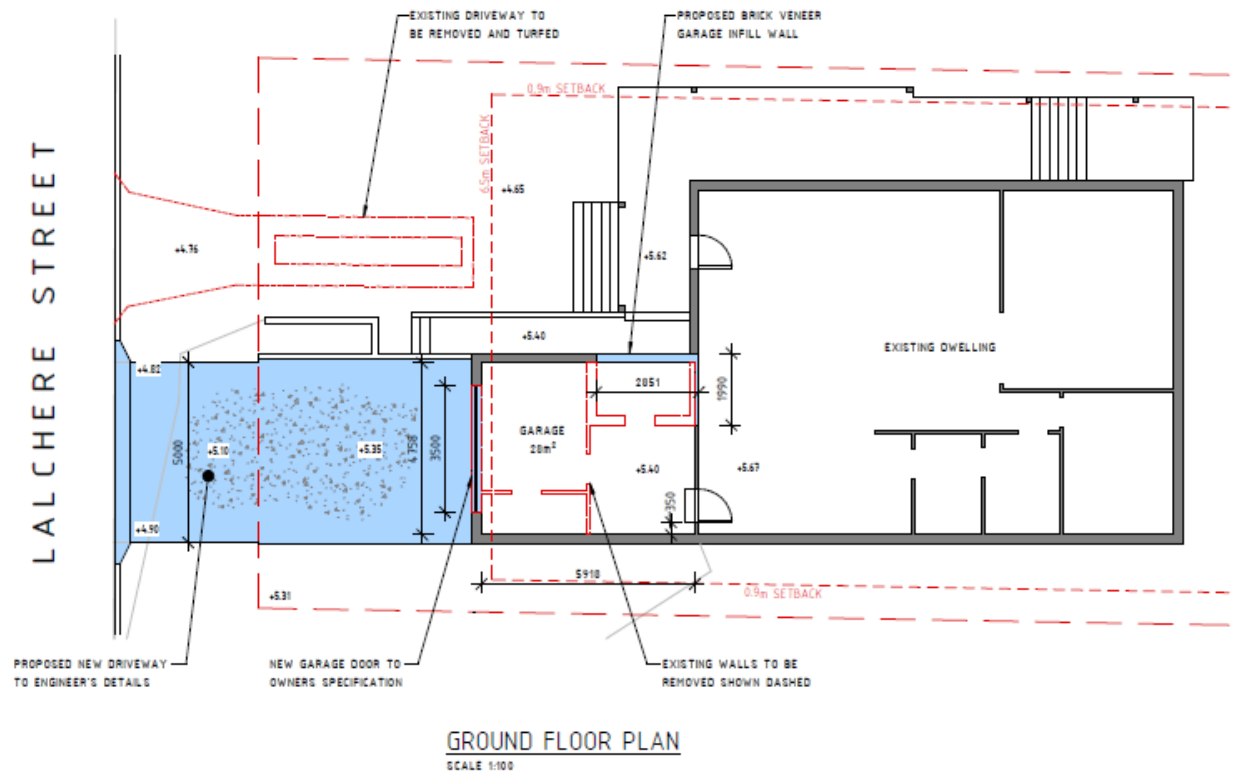


EXISTING GROUND FLOOR PLAN

SCALE 1:100

TITLE				TAYLOR CONSULTING CIVIL & STRUCTURAL ENGINEERS	DRAWING NO SHEET - 2
DEVELOPMENT APPLICATION 5 LALCHERE STREET, CURL CURL					
DRAWN	DATE	CHECKED	SCALE @ A3		
JORDAN PEPPER	JULY 2024	JORDAN PEPPER	1:100		

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TITLE				DRAWING NO SHEET - 3
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Figure 3-Site Plan

4.0 PLANNING CONSIDERATIONS

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

The site displays no evidence of contamination and is suitable for its continued residential use. On this basis, the proposal is consistent with relevant objectives and matters for consideration under SEPP 55 and suitable for its proposed residential use.

4.2 State Environmental Planning Policy (Building Sustainability Index – BASIX)

A BASIX Certificate is not required as the value of the work is less than the threshold.

4.3 State Environmental Planning Policy- (Coastal Management) 2018

The site is located within the coastal zone and thus the proposal requires assessment under the provisions of State Environmental Planning Policy- (Coastal Management) 2018. The proposed development is not inconsistent with any of the Coastal Management SEPP provisions and will not have an adverse impact upon the coastal qualities or processes of the area.

4.4 Warringah Local Environmental Plan 2011 (WLEP 2011)

The subject land is zoned R2 Low Density Residential under the provisions of Warringah LEP 2011 and the proposal is permissible with the consent of Council. An assessment of the proposal with relevant clauses of WLEP 2011 is addressed below in Table 1.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011		
Clause	Comment	Compliance
1.0-PRELIMINARY		
1.2 Aims of Plan	Proposal consistent with aims of the plan.	Yes
2.0-PERMITTED OR PROHIBITED DEVELOPMENT		
2.1 Land use Zones	The site is zoned R2 Low Density Residential.	Yes
2.3 Zone Objectives R2 Low Density Residential zone	The proposal represents a single detached dwelling which is a permissible use that is consistent with the objectives of the R2 Low Density Residential zone. It is considered that the proposed development achieves these objectives by: -Ensuring the proposal compliments the existing streetscape and the existing surrounding properties. -Retaining the existing amenity to the surrounding residences. -Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.	Yes
4.0-PRINCIPAL DEVELOPMENT STANDARDS		
4.3 Height of Building 8.5m	<8.5m	Yes

4.4 Floor Space Ratio	Not mapped with an FSR requirement.	Yes
5.0-MISCELLANEOUS PROVISIONS		
5.9 Preservation of trees and vegetation	Repealed.	Yes
5.10 Heritage Conservation	The site does not contain any European heritage items and nor is it in the vicinity of surrounding heritage items or in a heritage conservation area.	Yes
6.0-ADDITIONAL LOCAL PROVISIONS		
6.1 Acid Sulfate Soils	The site is not mapped with high acid sulphate soils.	Yes
6.2 Earthworks	The proposal involves limited earthworks given stepped design.	Yes
6.3 Flood Planning	The site is mapped as flood prone land. The finished floor level of the proposed dwelling has been designed in accordance with the flood information produced by Northern Beaches Council.	Yes

Table 1-Warringah LEP 2011

4.5 Warringah Development Control Plan 2011 (WDCP 2011)

The subdivision has been designed in accordance with Warringah Development Control Plan 2011. A compliance table of relevant controls under Warringah DCP 2011 is contained in Table 1 below.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROLS	REQUIRED	PROVIDED	COMPLIANCE
PART B –BUILT FORM CONTROLS			
B1 Wall Heights	7.2m	3.03m	Yes
B2 No of Stories	Not applicable	Not applicable	Not applicable
B3 Side Boundary envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment.	Complies	Yes
B4 Site Coverage	33.3% - the total building footprint(s) must not cover	N/A	N/A

	more than 33.3% of the site area		
B5 Side Boundary setbacks	0.9m	South 1.45m	Yes
B6 Merit assessment of side boundary setbacks	N/A	N/A	N/A
B7 Front Boundary setbacks	Primary-6.5m	Setback unchanged at 5.922	Yes
B8 Merit assessment of front boundary setbacks	N/A	N/A	N/A
B9 Rear boundary setback	6.0m	Yes	Yes

B10 Merit assessment of rear setbacks	N/A	N/A	N/A
B11 Foreshore Building Setback	N/A	N/A	N/A
B12 National Parks Setback	N/A	N/A	N/A
B13 Coastal Cliffs setback	N/A	N/A	N/A
B14 Main Roads Setback	N/A	N/A	N/A
B15 Minimum floor to ceiling height	N/A	N/A	N/A

PART C-SITING FACTORS

C2 Traffic, access & safety	Vehicle crossing to be provided in accordance with Council's vehicle crossing policy.	New driveway crossing to be provided in accordance with Council controls. Application pending.	Yes
C3 Parking Facilities	Garages not to visually dominate façade. Parking to be in accordance with AS/NZS 2890.1.	The garage is well integrated into the dwelling front façade.	Yes
C4 Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	The proposal is supported by the previous CDC submitted in 2021 stormwater design plan. As no change to existing roof coverage will connect to existing system. Plan also designed by Taylor consulting who have prepared the site plans.	Yes

C5 Erosion & Sedimentation	Soil & water management plan required	N/A	N/A
C6 Building over or adjacent to constructed Council drainage easements	N/A	N/A	N/A

C7 Excavation & landfill	Site stability to be maintained.	The dwelling has been designed to minimise excavation works and maintain site stability.	Yes
C8 Demolition & construction	Waste Management Plan required.	NA	NA
C9 Waste Management	Waste storage area to be provided.	There is sufficient area on site for waste and recycling bins behind the building line.	Yes
PART D-DESIGN			
D1 Landscaped open space & bushland	Minimum 40% landscaped area required.	Proposal provides for a landscaped area in excess of 40%.	Yes
D2-Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Proposed dwelling provides for greater than 60m ² of private open space.	Yes
D3 Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements.	N/A	N/A
D4 Electromagnetic radiation	N/A	N/A	N/A
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.	N/A	Yes
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	The proposal has been suitably designed with regard to the site orientation and adjoining properties	Yes
	private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.		

D7 Views	View Sharing to be maintained	The proposed dwelling will not result in any obstruction of views that surrounding properties benefit from.	Yes
D8 Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	The proposal has been designed to limit visual privacy impacts via minimising overlooking opportunities towards adjoining properties.	Yes
D9 Building Bulk	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.	The proposal provides for a Garage that is compatible with the existing surrounding development. The dwelling is well articulated through the use of varied setbacks. The proposal provides for appropriate setbacks to the side boundaries to ensure appropriate visual separation.	Yes
D10 Building Colours and materials	External finishes and colours sympathetic to the natural and built environment.	External finishes selected to be compatible with the existing surrounding development and the natural environment.	Yes
D11 Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposal provides for a conventional pitch roof form which is compatible with the variety of roof forms in the locality.	Yes
D12 Glare & Reflection	Glare impacts from artificial illumination minimised. Reflective	The proposal will not result in unreasonable glare or reflection.	Yes
	building materials to be minimized.		

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.	N/A	N/A
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.	No adverse visual impacts.	Yes
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Fencing will comply with 1.8 maximum height requirements.	Yes
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.	N/A	N/A
D17 Tennis Courts	N/A	N/A	N/A
D18 Accessibility	Safe and secure access for persons with a disability to be provided where required.	Safe and secure access for persons with a disability to be provided where required.	Yes
D19 – Site Consolidation in the R3 and IN1 Zone	N/A	N/A	N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The dwelling will provide a good outlook of dwelling approach and street.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided.	Existing facilities on site.	Yes
D22 – Conservation of Energy and Water	A BASIX Certificate is not required	N/A.	Yes
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs	N/A	N/A

	not to obscure views or potentially hazardous road features or traffic control devices.		
E1 Private Property Tree Management	No	Proposal does not require the removal of any significant vegetation	Yes
E3 Threatened species, populations, ecological communities	Not identified on map.	N/A	N/A
E4 – Wildlife Corridors	Not identified on map.	N/A	N/A
E5 – Native Vegetation	Not identified on map.	N/A	N/A
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	There are no distinctive environmental features on site.	Yes
E7 Development on land adjoining public open space	N/A	The development will not adversely impact the natural qualities of the environment.	Yes
E8 Waterways and Riparian Lands	N/A	N/A	N/A
E9 – Coastline Hazard	Not identified on map.	N/A	N/A
E10 Landslip Risk	Identified as landslip risk A.	No landslip risk.	Yes
E11 Flood Prone Land	N/A	N/A	N/A

Table 2-Warringah DCP 2011

5.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.

(a)(i) – The Provisions of any Environmental Planning Instrument

Statutory assessment of the proposal has been previously addressed in Section 4.0. The site is zoned R2 Low Density Residential under Manly Local Environmental Plan 2013 and the proposal is permissible with development consent.

(a)(ii) Any proposed Draft Environmental Planning Instrument subject of public consultation

There are no applicable Draft Planning instruments subject to public consultation.

(a)(iii) – The Provisions of any Development Control Plan

Also as discussed earlier in the report, the site is subject to assessment under Warringah Development Control Plan 2011. The proposal complies with relevant objectives and controls which are detailed in Section 4.5 of this report.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The proposal is consistent with relevant Regulations.

(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

The proposal is not inconsistent with any coastal zone management plan.

(b) – The likely impacts of that Development

It is considered that the development will provide for a garage without any detrimental impacts on the environment, social and economic status of the locality.

(c) – Suitability of the Site for Development

The site is of a suitable size and configuration to accommodate the proposed dwelling. The subject site is zoned R2 Low Density Residential and the construction of a new dwelling house in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development.

On this basis the site is considered suitable for the proposed development.

(d) – Any submissions made in accordance with this Act or Regulations.

Any submissions received will be considered by Council.

(e) – Public Interest

The proposal will provide for housing needs of the community within a low density residential environment and is in the public interest.

6.0 CONCLUSION

The subject land is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposed dwelling is permissible with the consent of Council and the proposal is also consistent with the zone objectives.

The proposal is also generally consistent with relevant matters for consideration under Warringah Development Control Plan 2011.

The application before the Council provides no unreasonable impacts to adjoining and adjacent residential properties. The subdivision is also in keeping with the envisaged low density residential character of the locality and no adverse amenity or environmental impacts are foreseen.

The proposal is assessed as being satisfactory, having regard to the matters for consideration contained within Section 4.15 of the EP&A Act 1979.

Accordingly, it is recommended that Council support the proposal and grant development consent subject to conditions of consent.