

STATEMENT OF ENVIRONMENTAL EFFECTS

32 MARLBOROUGH AVENUE, FRESHWATER

CONSTRUCTION OF DWELLING ALTERATIONS/ADDITIONS

**PREPARED ON BEHALF OF
Ms Louise Shorter**

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1. INTRODUCTION

This application seeks approval for the construction of alterations/additions to an existing dwelling upon land at Lot 72 in DP 18880 which is known as **No. 32 Marlborough Avenue, Freshwater**.

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 Project Surveyors, Job No. B04792, dated 12/11/2020.
- Architectural Plans prepared by Faulda and dated 14/12/2020.
- Preliminary Geotechnical Assessment prepared by White Geotechnical Group, Job No. J3308 and dated 29 March 2021.

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 72 in DP 18880 which is known as 32 Marlborough Avenue, Freshwater. The site is located such that its western and southern boundaries front Marlborough Avenue with lengths of 17.97m and 21.27m, respectively. The site has an area of 559.6m². The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a two storey rendered brick dwelling with a pitched metal roof and attached garage. The main dwelling structure is orientated towards the west, with pedestrian access also from this frontage. The attached garage is orientated towards the south. There are a number of trees and/or large shrubs, generally located adjacent to the boundaries of the site.

The site is depicted in the following photographs:



View from Marlborough Avenue looking east



View from Marlborough Avenue towards location of proposed addition

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on generally 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 alterations and additions to an existing dwelling to provide for a new laundry.

The addition is to the southern side of the existing dwelling and also attached to the existing garage. The additions are in a similar location to an existing metal shed and paving. The addition provides for a setback of 930mm to the southern boundary fronting Marlborough Avenue which is consistent with the setback provided to the existing garage.

The additions are to be constructed of an external clad wall with low pitched metal roof.

As the proposed works are located over existing hard paving there is no decrease in the existing landscaped area. All collected stormwater will continue to discharge to the street gutter.

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 alterations/additions to an existing dwelling house 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	<3m	Yes

The following provisions are also relevant:

Clause 6.4 Development on Sloping Land

The site is classified as Class B on Council's Landslip Map. A Preliminary Geotechnical Report is submitted with the application which in summary provides:

The proposed development and site conditions were considered and applied to the Council Flow Chart.

Provided good engineering and building practice are followed, no further Geotechnical assessment is recommended for the proposed development.

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 Proposed wall height is approximately 2.4m
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	Yes
B4 – Site Coverage	Not Applicable	Not Applicable

Clause	Requirement	Compliance
B5 - Side Boundary setbacks	Minimum: 0.9m	Not Applicable
B7 – Front Boundary Setbacks	<p>Primary Frontage Minimum 6.5m</p> <p>Secondary frontage 3.5m</p>	<p>Yes</p> <p>The western boundary is the primary frontage and the proposal complies with this clause.</p> <p>The proposal provides for a setback of 930mm to the southern boundary which fronts Marlborough Avenue. Whilst not strictly complying with the numerical controls of this clause it is considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The addition replaces a shed in a similar location. • The setback is consistent with the setback currently provided from the garage to this frontage. • The addition is very minor, provides for a low pitched roof and does not result in unreasonable bulk. The addition will not be prominent in the streetscape. • The proposal does not reduce the existing landscaped area and does not require the removal of any vegetation.

Clause	Requirement	Compliance
		<ul style="list-style-type: none"> This portion of Marlborough Avenue (northern side) is characterised by reduced setbacks and high fencing.
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.5m	Not applicable
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
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes The proposal utilises the existing vehicular cross over.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes Existing parking facilities retained.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor	Yes The proposal will continue to discharge all collected stormwater to the street gutter in accordance with Council controls.

Clause	Requirement	Compliance
	Developments & Minor Works Specification.	
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Soil Erosion Management Plan will be implemented prior to commencement of any work on site.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes Minimal excavation proposed.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.
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	The proposed works are located over an existing paved area and as such there is no reduction in landscaped area.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes Proposed works retains ample private open space in the rear yard. This open space is directly accessible from the living areas and is relatively level.

Clause	Requirement	Compliance
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
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	Not Applicable BASIX does not apply to the proposed works. The proposal is for a new laundry.
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 Given the orientation of the allotment and the single storey proposal, shadow diagrams are not required. The proposal will not result in any additional overshadowing.
D7 - Views	View sharing to be maintained	Yes The subject site and surrounding properties do not enjoy any significant views. The proposed works are single storey and will not obstruct any views or outlooks.

Clause	Requirement	Compliance
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 proposed additions provide for a single storey laundry. This is a non-habitable area and does not provide for any overlooking to surrounding residential land. Only one highlight window is provided which fronts Marlborough Avenue.
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.	Yes The proposed additions are single storey with a low pitched roof. The proposal does not result in unreasonable bulk.
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to be compatible with the existing surrounding development and the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposal provides for a low pitched roof which is compatible with the existing locality.
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.

Clause	Requirement	Compliance
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 There is ample area on site for storage and site facilities.
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 The dwelling will continue to provide a good outlook of dwelling approach and street.
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 not required.	Not Applicable
D23 - Signs	Not Applicable	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
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

Clause	Requirement	Compliance
E10 – Landslip Risk	Identified on map as B	Yes A Preliminary Geotechnical report has been submitted.
E11 – Flood Prone Land	Not Applicable	Not Applicable

There are no other provisions of the DCP that apply to the proposed development.

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5. EP & A ACT - SECTION 4.15

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 alterations and additions to an existing dwelling house are 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 additions to an existing 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 dwelling alterations/additions 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.

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 for additions to an existing dwelling that are consistent 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 dwelling alterations and additions and a swimming pool. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed dwelling 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 dwelling alterations/additions at **No. 32 Marlborough Avenue, Freshwater** is worthy of the consent of Council.

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