



Outlook Planning & Development

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and Additions to an existing dwelling

Lot 1 DP 883656
19 BRENTWOOD PLACE
FRENCHS FOREST

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19 Brentwood Place Frenchs Forest

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1 Introduction

This Statement of Environmental Effects accompanies a development application for the alterations to an existing dwelling on land identified as Lot 1 DP 883656, 19 Brentwood Place Frenchs Forest.

The primary topics addressed in this report are:

- Site description
- Details of the proposal;
- Summary and assessment against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 (as amended).

This Statement of Environmental Effects confirms that the proposed development is suitable and appropriate in the context of the area and all relevant statutory and non statutory planning policies. As such it is considered that the proposal can be supported and approved by Council.

1.1 Site Description

The subject land is identified as Lot 1 DP 883656, 19 Brentwood Place Frenchs Forest. Located on site is an existing dwelling and swimming pool.

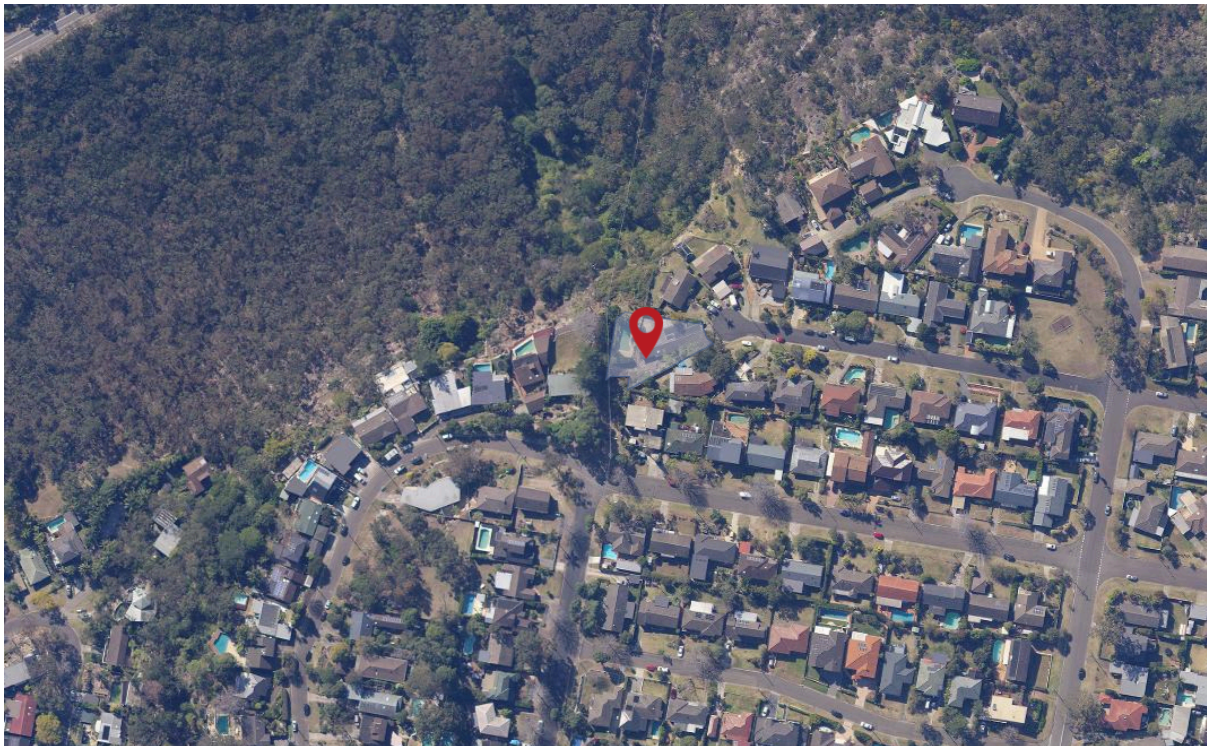


Figure 1: Aerial Image of Site & Surrounding Area



Figure 2: Zoning map of the subject site

1.2 Proposed Development

The proposed development involves the **alterations and additions to an existing dwelling** comprising of the following:

- Demolition of existing patio
- Extension of the ground floor lounge and dining area over existing patio space
- Addition of new tiled terrace area

1.3 Approvals Sought

The application, which this Statement of Environmental Effects supports, seeks consent under section 4.15 of the Environmental Planning and Assessment Act, 1979 for the proposed development.

2 Planning Assessment

2.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

The relevant objects of the Act are:

(a) to encourage:

(ii) the promotion and co-ordination of the orderly and economic use and development of land.

This application is consistent with the objects of the Act as the proposed development enables the orderly and economic use of the land.

2.1.1 Integrated Development

Section 4.46 of the EP&A Act defines integrated development as development that requires development consent by one or more approvals under another Act. **The subject proposal does not trigger integrated development as detailed under S.4.46 of the EP&A Act.**

2.1.2 Designated Development – Section 4.10

Schedule 3 of the Environmental Planning and Assessment Regulations 2000 prescribes development, which, if of the relevant type and size, may be considered to be Designated Development.

In this case it is our opinion that the development would not trigger any of the designated development provisions.

2.2 Section 4.15 Assessment

Section 4.15 of the EP&A Act outlines the matter for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.

2.2.1 Environmental Planning Instruments - Section 4.15 (1)(a)(i)

2.2.1.1 State Environmental Planning Policies

State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 is a NSW-wide planning approach to the remediation of contaminated land. When considering a Development Application, the consent authority must observe the requirements of SEPP 55. The significant clause of SEPP 55 is clause 7, which is outlined below.

Clause 7 - Contamination and remediation to be considered in determining development application

Under Clause 7, a consent authority must not consent to the carrying out of any development on land unless:

(a) It has considered whether the land is contaminated, and

(b) 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 for which the development is proposed to be carried out, and

(c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

In accordance with Clause 7 of SEPP 55, Council must consider whether the land is potentially contaminated. The land where the proposed development is located is in an existing residential area and shows no sign of previous contamination.

SEPP Infrastructure 2007

This policy sets out certain requirements to smooth the path of mainly large infrastructure projects. In this case the policy requires the consent authority to ensure infrastructure is adequate to accommodate the development proposal, which is held to be of the traffic-generating variety. As the development is for a residential development, 104 (2) of the SEPP is not triggered in this instance.

2.2.1.2 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) is the applicable local planning instrument for the site.

Site Zoning

The property is zoned R2 Low Density Residential under the LEP 2011.

Zone R2 Low Density Residential

1 Objectives of zone

- *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.*

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Clause 4.3 Height of buildings

The subject site is located within the I area of the Height of Buildings Map. The maximum height of a building allowed within that area is 8.5m. The proposed development complies with the standard.

Clause 4.4 Floor Space Ratio

Not adopted

Clause 5.10 Heritage conservation

Subclause (5) allows Council to require a heritage management plan to be prepared where a development is proposed on a site that is not *within the vicinity of a heritage item*. The site is not listed as being a heritage item or in the vicinity of a heritage item.

Clause 6.4 Development on sloping land

The site is located in Area B of the Landslip Risk Map. It is considered due to the minor nature of the development being built over an existing built upon area that the risk to life is minimal and is therefore acceptable.

2.2.2 Proposed Instruments - Section 4.15 (1)(a)(ii)

There are no proposed instruments that are or have been the subject of public consultation under the Act and that have been notified to Council that would have implications for this development application.

2.2.3 Warringah Development Control Plan 2011 - Section 4.15 (1)(a)(iii)

Warringah Development Control Plan 2011 (DCP) applies to the site and outlines specific development requirements for residential development. The provisions of the DCP must be considered in the assessment of the proposed development.

B4 Site Coverage

The proposed development is located over an existing hard surface area and therefore there is no increase in the site coverage of the site.

B5 Side Setbacks

Minimum side setback of 0.9m

The proposed development provides a side setback to the northern side boundary of 0.9m and therefore complies with the control.

B9 Rear Boundary Setbacks

The proposed development will not impact on the rear setbacks of the dwelling

D2 Private Open Space

The existing house provides ample private open space for the dwelling.

D3 Noise

The new additions to the house will not cause any undue noise impacts on the adjoining neighbours.

D6 Access to Sunlight

The proposed alterations and additions will not result in any overshadowing impacts on adjoining properties.

D7 Views

The proposed alterations and additions will not obstruct any views from neighbouring properties.

D8 Privacy

The proposed alterations and additions have been designed to maintain privacy for the neighbouring properties and the occupants of the site.

D9 Building Bulk

The bulk and scale of the development is not affected as a result of the development due to the small scale nature of the proposed works.

D10 Building Colours and Materials

The building colours and materials have been chosen to integrate with the existing dwelling.

D11 Roofs

The roof of the new additions to the house has been designed to blend with the existing roof and it is not considered to be of a detrimental impact when viewed from neighbouring properties.

2.2.4 The likely impacts of that development – Section 4.16(b)

2.2.4.1 Aboriginal Archaeology

The requirement for an Aboriginal Heritage Impact Assessment (AHIA) is based on Part 2 of the NPWS Guidelines for Aboriginal Heritage Impact Assessments. Part 2 states that an AHIA is generally not required where:

- a) The proposed development is on land previously subject to intensive ground disturbance and the development will impact only on the area subject to the previous disturbance;*
- b) The impact of the proposed activity is unlikely to cause any additional damage to Aboriginal objects than that which has already occurred; and*
- c) The proposed development is in an area that has been identified in strategic planning, rezoning or other assessment studies as having low Aboriginal heritage potential.*

Based on the abovementioned points it is noted that the proposed development is not likely to cause any damage to Aboriginal objects as the development is located within an existing residential area with existing site disturbances.

2.2.4.2 European Heritage

The site is not within a heritage area or close to any existing heritage items.

2.2.4.3 Landslip

The site is mapped as being within the Area B of the Landslip Risk Land map. It is considered that due to the minor nature of the works that there will be no risk of landslip as a result of the development.

2.2.4.4 Flooding

The site is not located within a flood prone area.

2.2.4.5 Bushfire

The site is located within a bushfire area and is mapped as being located within the vegetation buffer area as shown in the map below.



Due to the infill nature of the development, there is limited space within the site to provide an asset protection zone. A 10m asset protection zone (APZ) is required (and achieved) between the face of the sunroom enclosure and the shrubland to the north. A 39m APZ is required between the building and the forest to the north. A 39m separation is achieved. The cliff to the north ensures the forest will not encroach closer to the subject site over time. The site is to be managed as an inner APZ for perpetuity.

The proposed development is assessed as BAL-40 and as specified in AS3959- 2009, the Australian Standard for the Construction of Buildings in a Bushfire Prone Area. The general requirements of Section 3 in AS3959 (2009) and the additional construction requirements of Planning for Bushfire Protection Appendix 3 (2010) also apply.

2.2.4.6 Social and Economic Impact

The proposed development is for the alterations and additions to an existing dwelling and should have no social or economic impact on the area.

2.2.5 Suitability of the Site – Section 4.16(c)

The subject site is considered suitable for the proposed use as the area is surrounded by similar buildings of a similar size. As such it is considered that the development is suitable for the site and the surrounding area.

2.2.6 The Public Interest – Section 4.16(e)

The proposed development is considered to be in the public interest.

3 Conclusion

This Statement of Environmental Effects comprehensively demonstrates that the proposed *alterations and additions* is an appropriate and suitable development when tested against the relevant heads of consideration detailed within the section 4.16(C) of the *Environmental Planning & Assessment Act, 1979*.

This report has identified all key issues associated with the proposal and demonstrated that the proposal can be developed appropriately with respect to these issues. The proposal is consistent with the zone objectives and other planning provisions and will make a positive contribution to the area.

The proposal is considered acceptable and should be approved because:

- The site is suitable for the proposal;
- The SoEE has identified all constraints associated with the land and demonstrated that the proposal can be undertaken whilst effectively minimising these constraints;
- The proposal will generate positive social and economic impacts;
- The proposal will generate only negligible environmental impacts; and
- The proposal is within the public interest.

The proposal has been assessed in accordance with S.4.16 of the EP&A Act 1979. This assessment has concluded under the current R2 Residential zone is a permissible land use.

Warringah Council's Development Control Plan has also been considered and proposal complies with the DCP in all respects of the controls.

This report has assessed environmental considerations of the proposal, including heritage, flooding, access, ecological considerations, waste management, stormwater runoff, Aboriginal archaeology and servicing, and has concluded that there are no likely adverse environmental impacts associated with the proposal and that infrastructure either is, or can be developed to support the proposal.