



46A KELDIE STREET FORESTVILLE

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS AND ADDITIONS TO A DWELLING



Report prepared for
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1. Introduction

- 1.1** This is a statement of environmental effects for alterations and additions to an existing dwelling house, including ground floor alterations and a first-floor addition, to create a 6 bedroom dwelling on the site.
- 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 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 Action Plans
 - BASIX Certificate prepared by Action Plans
 - Geotechnical report prepared by Ascent Geotechnical Consulting
 - Cl. 4.6 variation request (height) prepared by Watermark Planning
 - Cost Summary Report
 - Waste Management Plan prepared by Action Plans
- 1.4** The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and will result in improved amenity for the residents of the site.

2. The site and its locality

- 2.1** The subject site is located on the eastern side of Keldie Street, in Forestville, at its intersection with Altona Avenue. The site is legally described as Lot A DP 406676 and is known as 46A Keldie Street.
- 2.2** It is a corner lot with boundaries of 27.66 metres (west – Keldie Street frontage), 8.615 metres (north-west – corner splay), 14.935 metres (north – Altona Avenue frontage), 33.755 metres (east side boundary) and 21.025 metres (south – side boundary). The site has an area of 691.2m² and slopes to the north-west, towards the Keldie Street frontage.
- 2.3** The site is currently occupied by a one storey clad house, with a tile roof, decking and a garden shed. It has vehicular access from Keldie Street and is set within residential landscaped grounds.
- 2.4** The property is surrounded by detached and semi-detached residential dwellings in all directions. It is located in close proximity to shops and public transport services on Warringah Road in Forestville to the south.



Figure 1. Aerial Image of the subject site

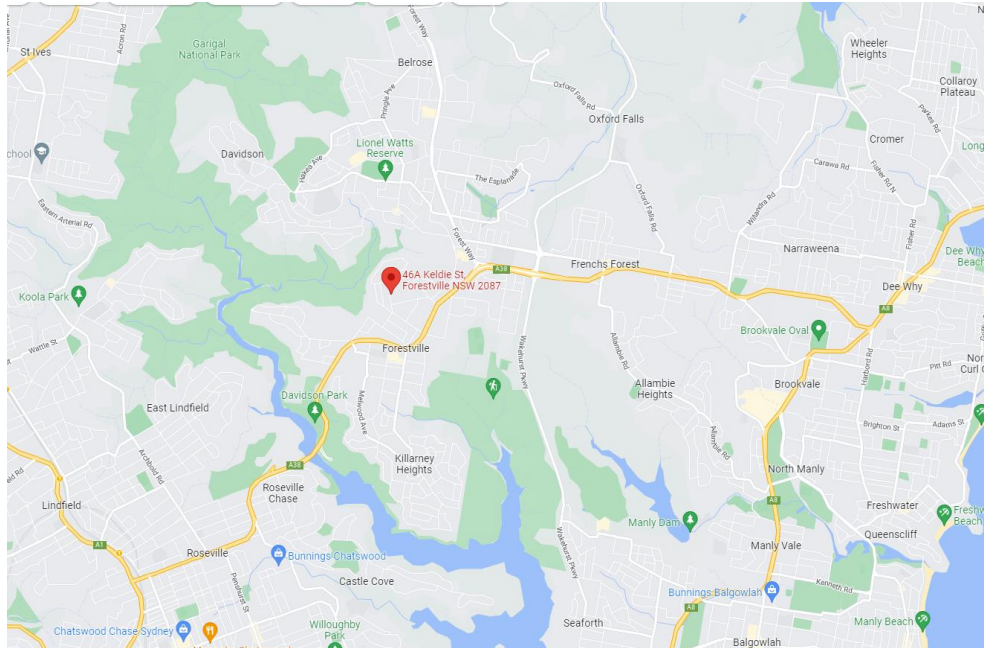


Figure 2. The site within the locality

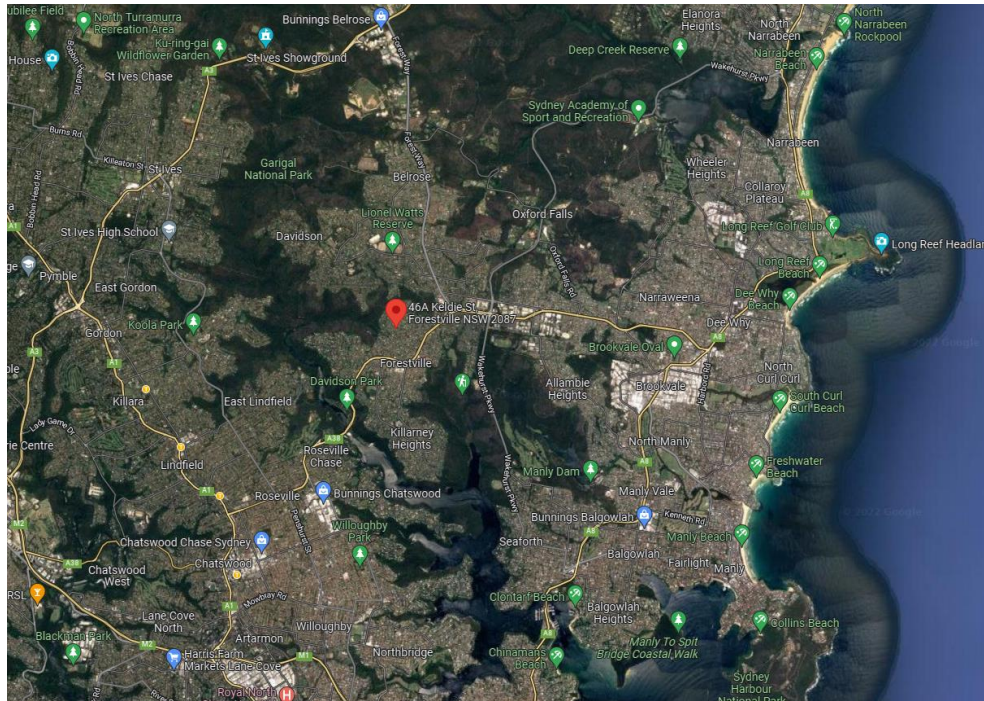


Figure 3. Aerial Image of the site within the locality

3. Site Photos



Figure 4: The subject site, looking east from Keldie Street.



Figure 5: The garage and front yard, looking south.



Figure 6: The subject site, looking south-east from Keldie Street.



Figure 7: The garden shed and side yard, looking east.



Figure 8: The rear deck and neighbouring dwelling, looking south-east.



Figure 9: Rock outcrop and neighbouring dwelling, looking north-east.



Figure 10: The front yard, looking north-west.



Figure 11: The side yard, looking north-west toward Keldie Street.

4. Proposed Development

4.1 The proposed development is for alterations and additions to an existing dwelling house, including ground floor alterations and a first-floor addition, to create a 6 bedroom dwelling on the subject site.

4.2 Specifically, the development will be made up as follows:

Garage Level

- A new garage door,
- Retain the existing garage, driveway and subfloor area.

Ground Floor

- A new balustrade to the front balcony,
- Replace the external living room door with a window,
- Replace the existing fireplace and existing windows throughout,
- Replace the rear dining room window and door with a larger sliding door,
- Convert bedroom 2 to a laundry, linen cupboards and staircase to access the first floor, including a new external door,
- Replace the deck roof,
- Retain the open plan kitchen, dining and living room, 2 bedrooms and bathroom.

New First Floor

- Master bedroom with WIR and ensuite,
- Staircase to access the ground floor,
- Bedrooms 3, 4 & 5,
- Bathroom,
- Hallway.

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 and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any significant native trees.

Chapter 6 – Water Catchments

The site is located within the Sydney Harbour Catchment and Council is the Consent Authority for land-based development, as is proposed by this application.

The proposed development is consistent with the aims of the SEPP having nil impact on the catchment. It is not visible from critical and valuable areas and the Sydney Harbour Catchment will retain its environmental and cultural significance. No Heritage Items nominated in the SEPP are in the immediate vicinity of the site.

The development proposed is appropriate for the residential lot and will have no impact on the retention of significant environmental and cultural aspects of the Sydney Harbour Catchment.

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 2013. The proposed development is for alterations and additions to a dwelling house and dwelling houses are permitted with development consent in the R2 zone.



Figure 12: Extract from Warringah LEP 2011 Zoning Map

Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site comprises a compliant area of 691.2m² 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 maximum height of 9.627 metres, when measured in accordance with *Merman Investments Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 1582*. This results in a variation of 1.127 metres or 12.43%.

The proposed maximum building height is 9.2 metres when measured in accordance with the previously applied *Bettar judgement*, a variation of only 0.7 metres or 7.9%, however the vast majority of the dwelling complies with the 8.5 metre height control.

A clause 4.6 variation request is provided with this application.

Floor Space Ratio

The site is not identified on the floor space ratio map.

Heritage Conservation

The site is not a heritage item, is not located within a heritage conservation area and is not located in proximity to any heritage items.

Flood Planning

The site is not identified on the flood planning map.

Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

Earthworks

No earthworks are proposed as a part of the development, as all works are located within the existing building footprint.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25. 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.*

The attached geotechnical preliminary assessment demonstrates the proposal complies with Council controls.

5.3 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 Built Form Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP and the development proposes a maximum wall height of 8.058 metres (west elevation – garage area).

A variation to the maximum wall height control is considered appropriate, as the development remains consistent with the objectives of the control, as addressed below.

Objectives of the control:

- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

Comment

The proposed development presents with a consistent scale to surrounding dwellings and will not present with excessive bulk when viewed from the adjoining properties or public places. The proposed variation is the result of the slope of the site and the excavated garage area.

The proposed variation to the wall height control is considered appropriate, as the resulting dwelling sits comfortably within the locality and will not result in any negative amenity issues for neighbouring properties. It will present in context with the street and has a reasonable bulk and scale. It is broken up by architectural elements and will be a positive addition to Keldie Street.

- *To ensure development is generally beneath the existing tree canopy level.*

Comment

The development remains at a height which is beneath the existing tree canopy level in the locality and presents with an appropriate bulk and scale.

- *To provide a reasonable sharing of views to and from public and private properties.*

Comment

A site visit has been undertaken and it is concluded the development will not result in any view loss impacts.

- *To minimise the impact of development on adjoining or nearby properties.*

Comment

The development has been designed to ensure there will be no significant impacts on adjoining properties, by retaining a scale consistent with the locality and a quality built form.

The design incorporates elements to ensure privacy is maintained between dwellings, including compliant setbacks and no direct overlooking between key living areas. The variation proposed will not result in any unreasonable impacts on adjoining or nearby properties.

- *To ensure that development responds to site topography and to discourage excavation of the natural landform.*

Comment

The development proposes a new first floor to the existing dwelling and does not require any earthworks or alterations to the existing natural landform.

- *To provide sufficient scope for innovative roof pitch and variation in roof design.*

Comment

The new works propose a compliant 20° and 29° roof.

It is concluded that the proposal, with a minor variation to the wall height control, will have no impacts on neighbouring properties and remains consistent with the objectives of this clause, despite the non-compliance.

Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The development is located within the permitted building envelope, as illustrated on the DA plans.

Side Boundary Setbacks

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

The development proposes compliant minimum side setbacks of 6.164 metres (dwelling - east), 1.2 metres (deck – east) and 8.519 metres (south). The new first floor proposes compliant side setbacks of 6.179 metres (east) and 8.535 metres (south).

Front Boundary Setback

A minimum primary front setback of 6.5 metres and secondary front setback of 3.5 metres is required on the site.

The development proposes to retain the existing, primary ground floor setback of 5.554 metres to Keldie Street and secondary ground floor front setback of 7.525 metres to Altona Avenue. The new first floor proposes a front setback of 6.125 metres to Keldie Street and 8.387 metres to Altona Avenue.

A variation to the front setback control is considered appropriate, in this case, as the development proposes to retain the existing ground floor front setback and proposes an appropriate first floor front setback to the new works. In addition, the development remains consistent with the objectives of the control, despite the variation, as addressed below:

Objectives of the control:

- *To create a sense of openness.*

Comment

The proposed first floor front setback of 6.125 metres is consistent with the existing 5.554m ground floor setback on the site and the adjoining dwelling to the south.

The site has a dual street frontage and exceeds the primary front setback control on the Altona Avenue frontage, ensuring an articulated and open presentation to the street.

In addition, the site adjoins an open space walkway to the north which contains a number of trees and landscaping, meaning the site is not readily visible by pedestrians. These unique site factors ensure that a sense of openness will be retained and the works will result in an aesthetically pleasing architectural contribution to Keldie Street.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment

As described above the development proposes a front setback consistent with the ground floor of the existing dwelling and a number of other dwellings along Keldie Street, ensuring visual continuity of the building pattern. Landscaping on the property frontage will remain unchanged.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment

The architecturally designed alterations and additions will result in a high-quality, aesthetically pleasing built form when viewed from the street. The dwelling proposes an articulated building façade and the maintenance of landscaping to the street, will result in a dwelling with high visual quality when viewed from public spaces.

- *To achieve reasonable view sharing.*

Comment

A site visit has been undertaken and it is concluded the development will not result in any view loss impacts.

Rear Boundary Setback

The DCP requires a minimum rear setback of 6 metres.

As the subject site is a corner lot, it does not have a rear setback.

Part C Siting Factors

Traffic Access and Safety

The subject site has an existing concrete driveway and single lock up garage, which will be retained.

Parking Facilities

The DCP requires a minimum 2 car parking spaces and a maximum width of garage openings of 6 metres or 50% of the building width (whichever is lesser).

The development proposes to retain the existing single lock up garage, with a garage door width of 2.3 metres. A second stack parking space is available in the driveway, providing a compliant 2 onsite car parking spaces.

Stormwater

Stormwater runoff resulting from the proposed development will be connected to the existing drainage infrastructure on the site which drains to Keldie Street.

Excavation and Landfill

No earthworks are proposed as a part of the development, as all works are located within the existing building footprint.

Demolition and Construction

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Waste Management

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

The existing dwelling has compliant bin storage areas, with waste to be collected by Councils regular service.

Part D Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaping on the site which is equivalent to 276.48m² for the site area of 691.2m².

No change is proposed to the existing, compliant landscaped area of 401.9m² or 58.15%.

Private open space

The DCP requires a minimum 60m² private open space (with minimum dimensions of 5 metres) and the development provides a compliant private open space area of 104.93m² for the enjoyment of residents.

Noise

The development will not result in noise levels inappropriate to the residential area. The site is not located in close proximity to a noise generating activity.

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 increase in shadowing to the front and yard of the subject site and a small section of the Keldie Avenue road reserve.

12pm – The development will result in a minor increase in shadowing to the front and side yard of the subject site.

3pm – The development will result in a minor increase in shadowing to the front and side yard of the subject site.

It is concluded that the development allows for the retention of compliant solar access to be retained at 9am and 12pm. There will be no increase in shadowing to neighbouring properties due to the higher elevation of neighbouring properties.

Views

A site visit has been undertaken and it is concluded the development will not result in any view loss impacts.

Privacy

Privacy will be retained for neighbours with compliant setbacks and no direct overlooking into any key living areas.

The existing dwelling sits significantly lower than neighbouring dwellings and experiences some overlooking into the yard. Overlooking is screened by existing vegetation on the site, which will be retained.

The alterations and additions incorporate a number of privacy measures including offset windows, privacy glazing, high sill heights and the use of skylights.

Building Bulk

The proposed alterations and additions do not create inappropriate building bulk, with the resulting dwelling providing an attractive and appropriate addition to the street. The development is considered appropriate for the residential setting.

Building Colours and Materials

The proposed building materials include metal roofing, weatherboard cladding and Velux skylights which are consistent with the residential surrounds.

Roofs

The development proposes a compliant roof pitch of 20° & 29°. The roof design is consistent with the existing character of the area.

Glare & Reflection

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

Site Facilities

All site facilities including a bin storage area, mailbox and clothes drying facility are provided on the site.

Fences

No changes are proposed to the existing boundary fencing.

Safety and Security

An ability to view the street frontage is retained which is to the benefit of safety and security of residents.

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

The development does not propose to remove any trees.

Wildlife Corridors

The site is not identified on the DCP wildlife corridor map.

Native Vegetation

The site is not identified on the DCP native vegetation map.

Retaining unique Environmental Features

The site contains existing rock outcrops which will be retained.

Waterways and Riparian Lands

The site is not identified on the DCP waterways and riparian lands map.

Landslip Risk

The site is located in the area nominated in the LEP maps as Area B – Flanking Slopes 5 to 25, and a Geotechnical Report is provided in support of the application.

6. 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			
Zoning and permissibility	Zone R2 – Low density residential.	Alterations and additions to a dwelling	Yes
Lot Size	600m ²	691.2m ²	Yes
Building Height	8.5 metres	9.627 metres (+1.127m or 12.43%)	No – clause 4.6 variation provided
Floor Space Ratio	Not identified		
Landslide	Landslide Risk Area B - 5 to 25.		Yes
Warringah DCP 2011			
Wall Height	7.2 metres	8.058 metres	Merit assessment
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	All works within envelope	Yes
Side Boundary Setbacks	0.9 metres	<u>East</u> 6.164m (ground floor) 6.179m (first floor) 1.2m (deck) <u>South</u> 8.519m (ground floor) 8.535m (first floor)	No change to existing Yes Yes No change to existing Yes
Front Boundary Setback	6.5 metres (primary) 3.5m (secondary)	<u>Ground floor</u> 5.554m (primary) 7.525m (secondary) <u>First floor</u> 6.125m (primary) 8.387m (secondary)	No change to existing Yes - no change to existing Merit assessment Yes
Rear Boundary Setbacks	6 metres	N/A – corner lot	
Parking	2 spaces	2 spaces (stack) 2.3m	Yes Yes

	Max. garage opening width 6m or 50% lot width (whichever is lesser)		
Landscaped Open Space and Bushland Setting	40% = 276.48m ² for the site area of 691.2m ² .	58.15% or 401.9m ²	Yes
Private Open Space	60m ² (min. dimension 5m)	104.93m ²	Yes
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliant at 9am and 12pm.	Yes

7. 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:

7.1 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 development is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the zone.

7.2 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.

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 development 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

There will be no impact.

Utilities

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

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

The natural hazard of landslide risk has been assessed and it is concluded it can be effectively mitigated to allow the development to proceed.

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 highly appropriate to the site with regard to all of the above factors. The proposal fits well within the context of the surrounds and is an appropriate scale.

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 and 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.

7.3 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.

Are the site attributes conducive to development?

The site is appropriate for the proposed development.

7.4 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.

7.5 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 alterations and additions to the existing dwelling at 46A Keldie 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.

Planner Declaration

This report was prepared by:

Senior Planner: Naomi Lyons

Report Version: Final

Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
12/12/2022	Naomi Lyons Senior Planner	Anna Williams Senior Planner

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