

STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of a
Garage

9 Coles Road,
Freshwater

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9 Coles Road, Freshwater

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1 Introduction

This Statement has been prepared as part of the documentation associated with a Development Application which proposes the change of use of the existing garage to a home office. This application is made in response to a development control order. A building information certificate has been lodged with regard to the unauthorised physical works. This application is seeking consent for the use of the converted garage as a habitable space.

In addition to the Statement of Environmental Effects and the architectural plans the application is also accompanied by the following:

- Survey Plan
- Architectural plans

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979;
- Warringah Local Environmental Plan 2011 and
- Warringah Development Control Plan 2011

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed garage conversion is compatible with the desired future character and zone objectives for the locality.
- The proposed use will not have an adverse impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirement

2 Site Analysis

2.1 Site Description and Location

The application relates to Lot 25, DP 7912, 9 Coles Road, Freshwater. An aerial location map is included as **Figure 1**.

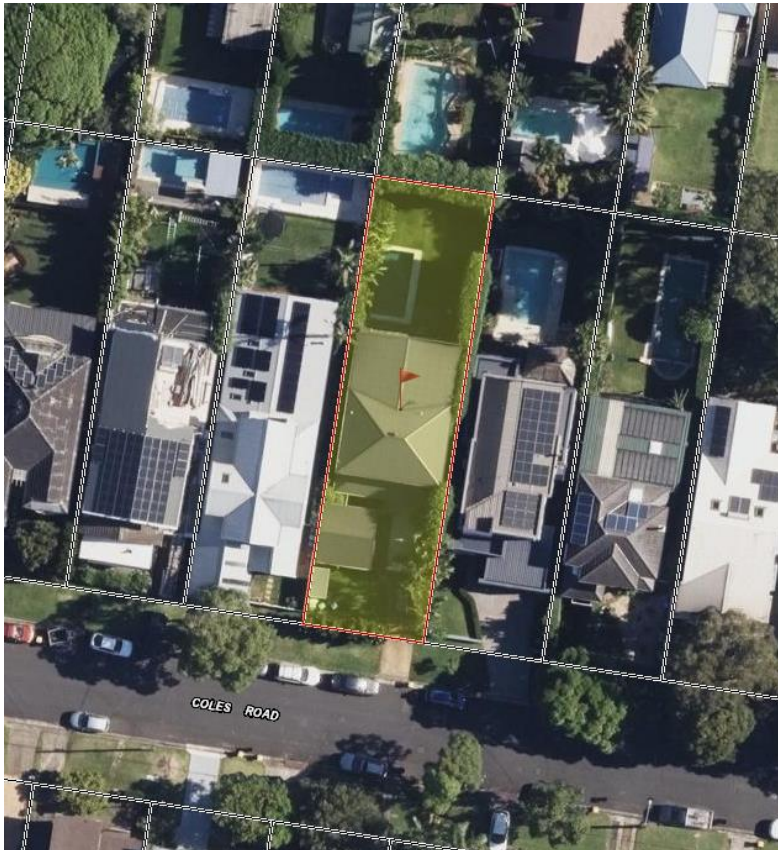


Figure 1: Site Location (Source: Six Maps)

The site is a rectangular shaped lot with a total site area of 551.8m². The site width is measured at 12.19m and site depth is measured at 45.265m. The topography of the site has a gentle slope from street level down to the rear.

Surrounding development comprises residential dwellings within informal landscape setting.

The site is not heritage listed or located within a heritage conservation area or within the vicinity of any heritage items

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application is seeking consent for the following:

- Conversion of the garage into a home office space
- Minor widening of the driveway to accommodate 2 hardstand parking spaces

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

As previously noted the site is zoned R2 Low Density Residential pursuant to the provisions of the Warringah Local Environmental Plan 2011.

Dwelling Houses are permissible with consent in the zone. The specific objectives of the zone are identified as follows:

- *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.*

The application relates to alterations and additions to an existing dwelling and is permissible in the zone.

4.1.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- (a) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) *to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) *to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

The works relate to a conversion of a single storey garage and is well below the 8.5m height limit.

4.2 Warringah Development Control Plan 2011

The proposal relates to alterations and additions and the following relevant DCP controls have been addressed with respect to consideration of the proposed subdivision application.

4.2.1 DCP Compliance Table

A table demonstrating compliance with the relevant provisions of the Warringah DCP 2011 is detailed as follows:

Control	Requirement	Proposed	Compliance
Wall Height DCP Control B1	7.2 metres from ground level (existing) to the underside of the ceiling to the uppermost floor of the building (excluding habitable areas wholly located within a roof space)	Complies	Yes
Side Boundary Envelope DCP Control B3	Buildings must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of 4 metres.	No change	Yes
Side Boundary Setback DCP Control B5	Development is to maintain a 900mm minimum setback from side boundaries.	No change to the existing location of the garage. The garage does sit close to the side boundary. No openings have been installed along the west elevation of the garage and will remain the same visually when viewed from the adjoining property.	Yes – no change to existing

Control	Requirement	Proposed	Compliance
<p>Front Boundary Setback</p> <p>DCP Control B7</p>	<p>Development is to maintain a front setback of 6.5 metres.</p> <p>Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.</p>	<p>The existing front setback to the garage is minorly non-compliant with the front setback control.</p>	<p>Yes – existing maintained.</p>
<p>Rear Boundary Setback</p> <p>DCP Control B9</p>	<p>Development is to maintain a minimum rear boundary setback of 6 metres.</p>	<p>Complies. No change</p>	<p>Yes</p>
<p>Traffic, Access and Safety</p> <p>C2</p>	<p>Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p>	<p>The existing crossover location will be maintained and slightly widened to facilitate the 2 hardstand spaces proposed.</p> <p>The driveway is proposed to be widened also to achieve the parking outcome proposed.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
<p>Parking Facilities</p> <p>DCP Control C3</p>	<p>2 off street parking spaces must be located behind the front building alignment.</p> <p>Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser.</p>	<p>2 off-street parking spaces can be achieved as shown on the plans provided.</p>	<p>Yes</p>
<p>Excavation and Landfill</p> <p>DCP Control C7</p>	<p>Excavation and landfill works must not result in any adverse impact on adjoining land.</p>	<p>None proposed</p>	<p>Yes</p>
<p>Demolition & Construction</p> <p>DCP Control C8</p>	<p>A demolition and waste management plan must be satisfactorily completed and submitted.</p>	<p>No demolition is required.</p>	<p>Yes</p>
<p>Waste Management</p> <p>C9</p>	<p>To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).</p> <p>To achieve waste avoidance, source separation and recycling of</p>	<p>No physical works are proposed with the exception of the driveway works.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	household and industrial/commercial waste.		
Landscaped Open Space DCP Control D1	A minimum 40% landscaped open space is to be provided.	Minor reduction in landscape area at the front of the dwelling to accommodate. Development still meets the 40% requirement.	Yes
Private Open Space DCP Control D2	Dwelling houses with 3 or more bedrooms are to provide a minimum area of 60sqm of private open space.	Well in excess of 60m ² of private open space proposed	Yes
Noise D3	To encourage innovative design solutions to improve the urban environment.	The garage conversion to a home office does not give rise to any unreasonable noise impacts.	Yes
Access to Sunlight DCP Control D6	Pursuant to these provisions development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing: <ul style="list-style-type: none"> At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of 	No change	Yes

Control	Requirement	Proposed	Compliance
	<p>private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.</p>		
<p>Views D7</p>	<p>Development shall provide for the reasonable sharing of views.</p>	<p>No impact to views.</p>	<p>Yes</p>
<p>Privacy DCP Control D8</p>	<p>Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.</p>	<p>The conversion of the garage does not give rise to any unreasonable visual privacy impact to neighbouring properties. No overlooking opportunities are available from the garage and its use as a home office does not present a high privacy risk.</p>	<p>Yes</p>
<p>Building Bulk DCP Control D9</p>	<p>Encourage good design and innovative architecture to improve the urban environment. Minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.</p>	<p>No change</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
Building Colours and Materials DCP Control D10	Ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.	No change	Yes
Roofs DCP Policy D11	Roofs are to be designed to complement the local skyline.	No change	Yes
Safety and Security D20	To ensure that development maintains and enhances the security and safety of the community.	As per existing	Yes

4.3 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the EP&A Act (as amended):

- (i) *any environmental planning instrument*

The proposed works are permissible and consistent with the objectives of LEP and DCP as they are reasonably applied to the proposed works given the constraints imposed by the site’s location, environmental and topographical characteristics.

- (ii) *Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

There are no draft instruments that are applicable in relation to the proposed development.

- (iii) *Any development control plan*

Warringah DCP applies and the relevant provisions have been considered in this statement.

(iiiia) *Any Planning Agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and*

N/A

(iv) *The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

N/A

(v) *Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)*

N/A

(b) *The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,*

[The assessment considers the Guidelines (in italics) prepared by the Department of Planning and Environment in this regard].

Context and Setting

i. *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 the body of this report.

ii. *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*

These matters have been discussed in detail earlier in this report.

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*

The development provides adequate carparking facilities in conformity with the objectives of DCP.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

This matter has been discussed in detail in the body of this report.

Flora and Fauna

The proposal will result not result in any unreasonable impacts upon flora and fauna.

Waste Collection

The existing development provides appropriate onsite waste storage, with waste to be collected from the street weekly by Council's contractors.

Natural hazards

N/A

Economic Impact in the locality

The proposed development will generate temporary employment during construction, which is appropriate given the residential nature of the site.

Site Design and Internal Design

i) *Is the development design sensitive to environmental considerations 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*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) *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. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *The environmental planning issues listed above*
- *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) *The suitability of the site for the development*

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development 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*
- *Are the site attributes conducive to development*

The adjacent development does not impose any unusual or impossible development constraints. The site is well located with regards to utility services. The development will not cause excessive or unmanageable levels of transport demand.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The proposed works are permissible and consistent with the intent of the LEP and DCP standards and controls as they are reasonably applied to the proposed development. The development would not be contrary to the public interest.

5 Conclusion

The proposed works are permissible with consent and consistent with the intent of the built form controls as they reasonably apply. The conversion of the garage to a habitable space does not give rise to any unreasonable amenity impacts and 2 off-street car spaces can be achieved on the site.

The application is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed works are compatible with the zone and desired future character of the locality.
- The proposed works will have a negligible impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is suitable for the proposal, having regard to the relevant land use and planning requirements.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

Boston Blyth Fleming Pty Limited

William Fleming

Director