

STATEMENT OF ENVIRONMENTAL EFFECTS

**6 DAKARA PLACE, FRENCHS FOREST
(ALT 14 DAKARA DRIVE)**

PROPOSED DETACHED SECONDARY DWLELING

**PREPARED ON BEHALF OF
Mr & Mrs Nercessian**

APRIL 2021

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	SITE DESCRIPTION AND LOCALITY	5
3.	THE DEVELOPMENT PROPOSAL	6
4.	ZONING & DEVELOPMENT CONTROLS	7
5.	EP&A ACT – SECTION 4.15	20
6.	CONCLUSION	21

1. INTRODUCTION

This application seeks approval for the construction of a new detached secondary dwelling upon land at Lot 29 in DP 230246 which is known as **No. 6 Dakara Place, Frenchs Forest**.

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 Bee & Lethbridge Pty Ltd, Ref No. 12125 and dated 6/10/202.
- Architectural Plans prepared by Nercess Nercessian, Drawing No. 2021-1 to 9, dated 03/03/2021.
- BASIX Certificate #1184266S, dated 9 March 2021.
- Geotechnical Investigation Report.

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 site is identified as Lot 29 in DP 230246 which is known as 6 Dakara Place, Frenchs Forest. The property is located on the southeast of Dakara Place and Dakara Drive. The site has an area of 703.4m² with the northern boundary having a frontage of 8.535m to Dakara Place and the western boundary having a frontage of 20.485m to Dakara Drive. The site is depicted in the following locality map:



Site Location Map

The site has a gradual slope from the northeast corner (RL 151.44) towards the southwest corner (RL147.23). The site is currently occupied by a two storey rendered dwelling with pitched tiled roof. A detached carport is located adjacent to the eastern boundary and accessed via concrete driveway from Dakara Place. A separate pedestrian access is provided from Dakara Drive on the western boundary of the site.

A swimming pool is located at the rear southeast corner of the site. A rendered masonry fence/boundary wall/ extends along both street frontages.

The site is depicted in the following photographs:



View of Subject Site from Dakara Place



View of Site from Dakara Drive

The existing surrounding development comprises mainly two storey detached residential dwellings, erected on similar sized allotments, with no consistent architectural style or character.

The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a new detached secondary dwelling. The secondary dwelling is to be constructed external clad walls and pitched metal roof.

The secondary dwelling is proposed to be located towards the north of the existing dwelling and orientated to Dakara Place to the north. The secondary dwelling is proposed to be setback at least 6.795m to the boundary fronting Dakara Place and at least 3.738m to the western boundary fronting Dakara Drive (secondary frontage). A separation of 4.53m is provided between the proposed secondary dwelling and the existing dwelling on site.

The secondary dwelling provides for a two bedrooms, bathroom/laundry, kitchen and lounge room.

All stormwater from the roof of the proposed secondary dwelling will be collected by the rainwater reuse tank with any overflow being discharged to the street gutter.

The proposal will result in the following numerical indices:

Site Area: **703.4m²**

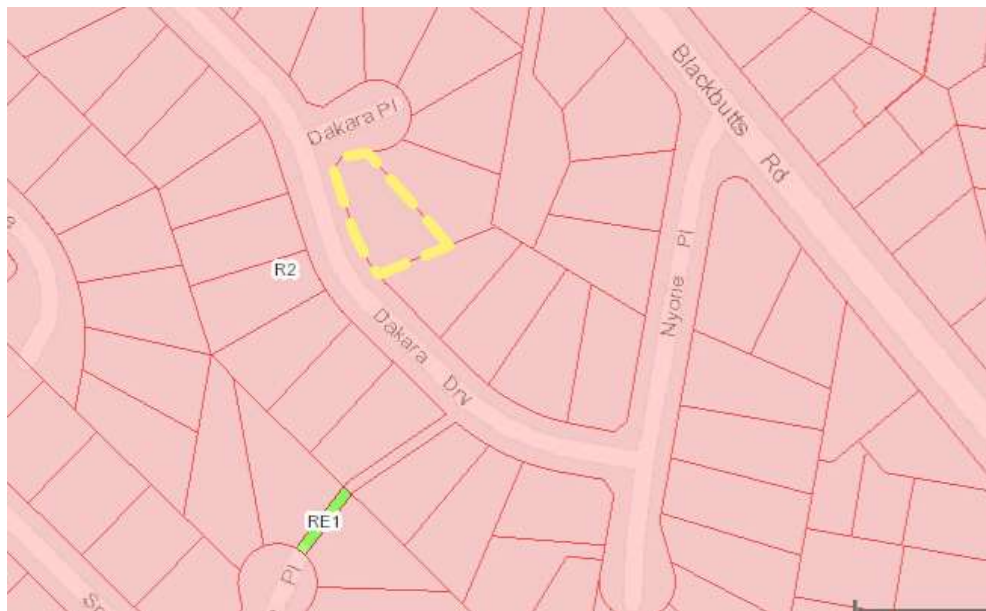
Landscaped Area: **303m² or 43%**
(as defined)

5. 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.

5.1 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 a secondary dwelling is permissible in this zone with the consent of Council. The following provisions of the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	Refer to plans – approximately 3.m	Yes

The following controls also apply:

Clause 5.4 Controls Relating to Miscellaneous Permissible Uses

This clause provides:

- (9) *Secondary dwellings on land other than land in a rural zone. If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—*
- (a) 60 square metres,
 - (b) 11% of the total floor area of the principal dwelling.

The proposal provides for a detached secondary dwelling upon R2 Low Density Residential zoned land. The secondary dwelling has an area of 54m² which complies with this clause.

Clause 6.4 Development on Sloping Land

The subject site is identified as Area B on Council's Landslip Risk Map. A Preliminary Geotechnical Report has been prepared and submitted with the application in accordance with this clause.

No further information is required in this regard.

There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

5.2 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 Single storey, wall height less than 5m.
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m.	Yes The secondary dwelling complies with this control.

Clause	Requirement	Compliance
	Eaves up to 675mm are an allowable encroachment	
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Proposal provides for a setback of 3.8m to the eastern side boundary.
B7 – Front Boundary Setbacks	Minimum 6.5m Secondary frontage setback: 3.5m	Yes The proposal provides for a setback of 6.795m to the primary street frontage (Dakara Place). Yes Proposal is setback 3.738m to Dakara Drive. This is consistent with the existing dwelling on site and other corner allotments.
B9- Rear Boundary Setbacks& B10 Merit Assessment of Rear Setbacks	6m rear setback required The rear boundary setback may be encroached by swimming pools and outbuildings which, in total, do not exceed 50% of the rear setback area	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

Clause	Requirement	Compliance
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 Existing vehicular crossing and driveway are retained.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes Existing parking area is retained.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater will be diverted to a proposed rainwater tanks with any overflow being discharged to the street gutter.
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Site Management Plan has been prepared and forms part of the submission to Council.
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

Clause	Requirement	Compliance
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	Yes Proposal provides for a landscaped area of 303m ² or 43%.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes The site currently provides for more than 100m ² of private open space. This open space is directly from the main living areas of both the principal and secondary dwellings and receives good solar access.
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	Yes A BASIX certificate has been issued and forms part of the submission to Council.

Clause	Requirement	Compliance
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 The proposal is single storey with a pitched roof. Shadow diagrams are not required. Notwithstanding the structure is well separated from habitable areas and principle private open space of the surrounding properties.
D7 - Views	View sharing to be maintained	Yes The subject and adjoining properties do not enjoy any significant views. The proposed single storey structure will not obstruct any existing views.
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 proposal has been designed to ensure an appropriate level of privacy is maintained to the adjoining properties. The secondary dwelling is orientated towards the public roads and is well separated from the surrounding built form.
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 proposal provides for a single storey detached building. The secondary dwelling is lightweight and provide with a pitched roof. The setbacks provided ensure appropriate visual separation.

Clause	Requirement	Compliance
		As such the proposal does not result in unreasonable bulk or scale when viewed from the surrounding properties.
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 pitched roof which is appropriate in this instance and does not detract from the existing surrounding development.
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.
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 Existing site facilities retained.

Clause	Requirement	Compliance
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
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The secondary dwelling provide for views of the approach to the dwelling. Occupants can view people approaching without the need to open the front door.
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 required.	Yes BASIX Certificate is submitted.

Clause	Requirement	Compliance
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.	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	N/A – not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as part B	Yes A preliminary geotechnical report has been provided.
E11 – Flood Prone Land	Not identified on map	Not Applicable

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

6. 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 a detached secondary dwelling ancillary to an existing dwelling house is 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 dwelling alterations/additions will not have 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 a detached secondary dwelling 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. The proposal does not result in the removal of any significant vegetation.

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 an alternative form of housing that is compatible with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of a secondary dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed secondary 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 detached secondary dwelling upon land at **No. 6 Dakara Place, Frenchs Forest** is worthy of the consent of Council.

Natalie Nolan
Grad Dip (Urban & Regional Planning) Ba App Sci (Env Health)
Nolan Planning Consultants
April 2021