

1 COREEN AVENUE, TERREY HILLS - Alterations and additions

Statement of Environmental Effects – October 2022



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INTRODUCTION

1. Overview

This Statement of Environmental Effects has been prepared by Mod Urban Pty Ltd to support a development application on behalf of the owners of 1 Coreen Avenue, Terrey Hills and relates to the proposed alterations and additions and provision of a new ground and first floor addition and new garage. The site is legally described as Lot 1 in DP 532201.

The proposed new alterations and additions are highly compatible with the existing development and use of the site as well as surrounding land uses. The proposal will ensure that the premises do not impact on the amenity of surrounding residential occupiers.

The provisions of the Warringah LEP 2011 apply to the site, and the proposal is considered to be consistent with its objectives. The site is also located within the Northern Beaches Council area.

This SEE provides an assessment of the proposal against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000 (as amended).

SITE ANALYSIS

2. The Subject Site

The site is located at 1 Coreen Avenue, Terrey Hills and is legally described as Lot 1 in DP 532201.

2.1 Site Details

- The site is located on the southern side of Coreen Avenue and consists of a single storey dwelling house with integrated garage and vehicle cross over.
- The site is irregular in shape with an area of 797.2m²;
- It has a primary street frontage to Coreen Avenue and the site slopes down to the street from the south;
- The building is not a locally listed heritage item and is not located within a conservation area.
- A large eucalyptus tree is located in the front garden.

The site is identified in **Figure 1** of this SEE.



Figure 1: The site (Source: Six Maps)



2.2 Site Surrounds

- Surrounding land uses are predominantly residential uses consisting of one and two storey detached dwelling houses.
- Multiple recreation play areas are located in close proximity to the site.



PROPOSED DEVELOPMENT

3. Overview

The proposal relates to the proposed provision of a new ground and first floor addition and new garage. The proposed plan and elevations are included at **Appendix B** of this report.

3.1 Built Form

Garage Level

- Provision of a new garage under the dwelling and partially below ground level.

Ground Level

- Provision of a new rumpus room and deck at the front of the dwelling and new ground floor extension to the east of the dwelling to create an extension to the lounge room;
- New ground floor internal alterations;
- New ground floor entry and façade alterations and new front staircase to deck;

First Floor

- New first floor addition to create three bedrooms at first floor level and a new first floor covered deck to the northern elevation.

LEGISLATIVE FRAMEWORK

4. Overview

This Part of the SEE assesses and responds to the legislative and policy requirements for the project in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act).

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

State Planning Context

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Local Planning Context

- Warringah Local Environmental Plan 2011 (WLEP)
- Warringah Development Control Plan 2011 (WDCP)

This planning framework is considered in detail in the following sections.

4.1 Environmental Planning and Assessment Act 1979

Section 4.15 of the Environmental Planning and Assessment Act 1979, requires that in determining a development application, a consent authority is to take into consideration the following matters as are of relevance to the development:

Section 4.15 Matters for Consideration	Comment
(a) <i>the provisions of:</i> (i) <i>any environmental planning instrument, and</i>	See relevant sections of this report.
(ii) <i>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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	Nil
(iii) <i>any development control plan, and</i>	The proposal generally satisfies the objectives and controls of the Warringah DCP 2011. See table below and where necessary key issues section of this report.
(iia) <i>any planning agreement that has been entered into</i>	Not applicable

Section 4.15 Matters for Consideration	Comment
<i>under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i>	
<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</i>	The relevant clauses of the Regulations have been satisfied.
<i>(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,</i>	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report. The proposal will not result in detrimental social or economic impacts on the locality.
<i>(c) the suitability of the site for the development,</i>	The proposed development is suitable for the site.
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	No submissions have been raised at this stage, and the applicant has not notified each adjoining neighbor of this proposal.
<i>(e) the public interest.</i>	The proposal is in the public interest as it improves the appearance of the building within the streetscape, and will not impact upon the streetscape character and not result in detrimental amenity impacts to neighbours. The proposal also adds to the variety of residential accommodation in the locality.

4.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The aim of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 is to ensure consistency in the implementation of the BASIX scheme through the State.

In accordance with this SEPP, the application is accompanied by a BASIX certificate that confirms the proposal's compliance with key sustainability targets (refer **Appendix C**).

4.3 Warringah Local Environmental Plan 2011

Use and Zoning

The Warringah Local Environmental Plan 2011 was prepared to meet new State Government guidelines for local planning documents.



The subject site is located in Zone R2 Low Density Residential under Warringah LEP, 2011 and the works and continued use as a residential accommodation is permissible within the zone. The proposal also satisfies the objectives of the zone.

CI 4.3 Height of Buildings

The Warringah LEP gives provision of a maximum building height on the site of 8.5m. The proposed development results in a maximum building height of 7.3m.

Subsequently the proposal is compliant with Clause 4.3 of the WLEP.

CI 4.4 FSR

The Warringah LEP does not give provision of FSR for the site.

CI 5.10 Heritage

The site is not a heritage item and is not located within a heritage conservation area.

CI 6.1 Acid Sulfate Works

The site is not classified as acid sulfate soils.

Clause 6.4 Development on Sloping Land

The site is located within Area B - Flanking Slopes 5° to 25°.

4.4 Warringah Development Control Plan

The Warringah Development Control Plan (the DCP) applies to the site.

The Environmental Planning and Assessment Amendment Act 2012, which commenced on 1 March 2013, has clarified the purpose and status of development control plans, being to '*provide guidance*' to proponents and Councils in achieving land use zone objectives and facilitating permissible development under an environmental planning instrument.

Furthermore, to assist in the assessment of development applications, the amended legislation states that where a proposal does not comply with DCP controls, the consent authority is to be '*flexible in applying those provisions*' and allow for '*reasonable alternative solutions*' that achieve the objectives of those standards for dealing with that aspect of the development.

It is important to recall these revisions to the status and application of DCPs in development assessment.

Section 4.15, subsection (3A) of the EP&A Act provides the following:

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application.

The review of the Warringah Development Control Plan is applicable to the proposed alterations and additions. In light of this we have addressed the following controls in the table below.

Part B Built Form Controls

Warringah DCP Control	Compliance Y/N	Comment
B1 – Wall heights Max. wall height 7.2m existing ground to upper ceiling.	Y	The proposal complies and does not exceed the maximum wall height on site.
B2 - Number of Storeys	Y	The DCP map does not show a maximum number of storeys for the site. Two storeys is the prevalent character of the area.
B5 – Side Boundary Setbacks As per DCP Side Boundary Setbacks map: - 0.9m.	Y	The proposal provides a 900mm side setback to the east and the proposed side setback to the west is as currently exists. The dwelling to the west is not affected by the proposal.
B7 – Front Boundary Setbacks As per DCP Front Boundary Setbacks map: - 6.5m. Corner allotments in R2 and R3 Zones: Where the min. front setback is 6.5m on both frontages the secondary street setback can be reduced to 3.5m	Y	The proposal maintains the 6.5m front setback area.
B9 - Rear Boundary Setbacks	Y	The rear setback is not altered by the proposal.

Warringah DCP Control	Compliance Y/N	Comment
As per DCP Rear Boundary Setbacks map: - 6m. Corner lots on R2/R3 Zones with 6m rear boundary requirements not applicable.		

Part C Siting Factors

Warringah DCP Control	Compliance Y/N	Comment
C2 – Traffic, Access and Safety Suitable vehicular access from a public road.	Y	The proposal maintains existing vehicular access from Coreen Avenue.
C4 – Stormwater Suitable stormwater system for each site.	Y	Stormwater plans are not provided as the applicant is not increasing the overall hard surface area by 50m ² . The proposal will tap into the existing site stormwater arrangements.
C5 – Erosion and Sedimentation Erosion and Sedimentation controls to be in place.	Y	The proposal will not impact upon erosion or sedimentation.
C9 Waste Management Waste Management Plan to be provided. Bin storage area to be allocated.	Y	Existing waste storage and collection will be maintained on site.

Part D Design

Warringah DCP Control	Compliance Y/N	Comment
D1 – Landscape Open Space and Bushland Setting Landscaped open space as per map soft landscape with min 2m width. Subject site = 40%	Y	40% of site = 318.88m2 Proposed = 371.25m2
D2 – Private Open Space POS area = 3+ bedrooms – 60m2 min 5m width. Direct access from living area. POS located behind building line. Maximise solar access & privacy.	Y	The proposal gives significant provision of private open space.
D6 – Access to Sunlight Consider solar access & ventilation in siting of dwelling. 3hrs sunlight to 50%POS and glazed areas to living rooms between 9am & 3pm.	Y	No additional overshadowing occurs to adjoining habitable rooms. The new additions to the site will receive good levels of solar access and ventilation.
D7 – Views View sharing to be considered.	Y	The proposal will not result in any significant impacts on views of neighbouring dwellings. The view impacts as a result of the proposal be negligible. Senior Commissioner Roseth in Tenacity Consulting v Warringah (2004) NSWLEC 140, points out that view sharing as a notion is invoked when a property enjoys existing views and a proposed development would share a view by taking some of it away for its own enjoyment. Tenacity Consulting v Warringah [2004] NSWLEC 140 states that “where an impact on views arises as a result of non compliance with one or more planning controls, even a moderate impact may be considered unreasonable”.

Warringah DCP Control	Compliance Y/N	Comment
		In relation to the proposed first floor addition, no significant loss of views will occur to surrounding dwellings.
D8 – Privacy Maintain privacy to adjoining properties.	Y	No increased overlooking or loss of privacy will occur to neighbours habitable rooms.
D9 – Building Bulk Avoid large areas of continuous wall planes. Max. fill 1m and to remain within building footprint. Minimise excavation. Orientate dwelling to street. Use articulation and materials to reduce building mass.	Y	The building bulk is appropriate to the site and similar to the other dwellings within the streetscape.
D10 – Building Colours and Materials Colours finishes to blend with natural setting.	Y	The provision of a mix of façade treatments, colour and articulation contribute to minimising the visual perception of bulk and scale of the buildings.
D11 – Roofs Pitch to compliment streetscape. Varied roof forms to be provided. Eaves required.	Y	The proposed roof pitches compliment the street and existing dwelling.
D12 – Glare and Reflection Materials to minimise glare.	Y	No materials will reflect any significant glare.



LIKELY IMPACTS OF DEVELOPMENT

5. Overview

The likely environmental impacts of the proposed development that have been assessed include:

- Context and Setting;
- Amenity;
- Bushfire
- Social, Environmental and Economic Impacts; and
- Suitability of the Site

5.1 Context and Setting

- The proposed alterations and additions are appropriate setting and this is achieved through high quality design of the proposed alterations. The proposed works will upgrade and revitalise the appearance of the site and provide a good quality addition to the site.
- The proposed alterations to the site are located in an area where minimal impact to surrounding land uses will occur, or to the surrounding streetscape.
- The proposal will provide an appropriate urban form and orientation and creates a natural addition to the site.
- The proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity of any adjoining sites. Therefore, the proposed works are considered compatible with the site context.
- The development as a whole is intended to fit comfortably within the existing streetscape and the character of the surrounding residential area in terms of scale, bulk and function. The proposed design will positively complement the existing character of the area and is appropriate to the site, and is not dissimilar to the adjoining dwelling.
- The proposed design of the development achieves an appropriate built form in that it enhances the public domain, maintains the character of the streetscape, enhances the visual appearance of the building.
- The building footprint will not be significantly increased as a result of the proposal.
- The provision of a mix of façade treatments, colour and articulation contribute to minimising the visual perception of bulk and scale of the buildings.

5.2 Amenity

- The proposed additions to the site will receive good provision of solar access to all habitable living areas.
- The shadow diagrams provided at **Appendix B** demonstrate no additional shadow from the proposed works to neighbouring dwellings. The proposed shadow impacts are considered negligible.
- The proposal will not impact privacy or have a visual impact and will maintain the environmental amenity of adjacent development.

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- No sense of enclosure will result from the proposed alterations which are very minimal in scale and are separated by large separation distances to adjoining properties.
 - No loss of views will occur.

5.3 Bushfire

A Bushfire Assessment is provided at **Appendix D** and concludes that the proposed development along with recommended bushfire protection measures will provide a reasonable and satisfactory level of bushfire protection to the proposal.

5.4 Social, Environmental and Economic

The proposal will enable the continued use of the site as a residential use, consistent with its current use as a dwelling house whilst preserving the visual character of the site.

The proposal will not have any adverse economic or environmental impacts.

5.5 The Suitability of the Site for Development

Located within the R2 Low Density Zone, the continued use of the premises and the new additions are consistent with the zone objectives, the provisions of relevant statutory and strategic documents and the surrounding context.

The proposal is of a nature in keeping with the overall function of the site. The premises are in a predominantly residential surrounding and amongst similar uses to that on site.

The proposed development is also compatible with surrounding land uses and will achieve a good level of amenity for adjoining land owners and operators.

Accordingly, the site is considered to be suitable for the development.

5.6 Any Submissions Made in Accordance with the Act

No submissions are apparent at the time of writing.

5.7 The Public Interest

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



CONCLUSION

This SEE provides an assessment of the proposal against the relevant environmental planning framework.

The assessment finds that the proposal is consistent with the objectives and controls of the relevant statutory and policy framework. No adverse environmental, economic or social impacts have been identified as resulting from the proposed development.

No additional significant adverse impacts have been identified as likely to arise from the proposed development which has been favourably assessed against the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

It is therefore considered that the proposal responds to site constraints and provides a suitable outcome. Accordingly, it is requested that Council grant consent to the proposal.



Appendix A – Survey



Appendix B – Plans



Appendix C – BASIX