



57 HARBORD ROAD FRESHWATER

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 a new double garage at 57 Harbord Road, Freshwater.
- 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 C.M.S Surveyors Pty Limited
 - DA Plans prepared by Action Plans
 - BASIX Certificate prepared by Action Plans
- 1.4** The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and results 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 Harbord Road in Freshwater, on the corner of its intersection with Wilson Street. The site is legally described as Lot 1 DP1191064 and is known as 57 Harbord Road.
- 2.2** It is an irregular shaped, corner lot with boundaries of 16.37 metres (Harbord Road frontage - west), 41.3 metres (Wilson Street frontage - north), 12.19 metres (eastern boundary) and 30.365 metres (southern boundary). The lot has an area of 437.2m² and presents as mainly flat.
- 2.3** The site is currently occupied by a two-storey rendered and clad house with a metal roof, a carport, storage room and a pool. It also has frontage to, and driveway access from, Wilson Street and is set within residential landscaped grounds.
- 2.4** The property is surrounded by detached and attached residential dwellings, and residential flat buildings in all directions. It is located in close proximity to shops and public transport services on Harbord Road and Warringah Mall to the north-west. Freshwater Beach lies to the east.



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 Harbord Road dwelling façade, looking east.



Figure 5. The Wilson Street façade, looking south-east.



Figure 6. The main entrance to the existing dwelling, off Wilson Street



Figure 7. The existing carport and driveway off Wilson Street, proposed location for the new garage



Figure 8. The existing deck adjacent to the Wilson Street elevation



Figure 9. The southern side boundary and neighbouring dwelling, looking west



Figure 10. The storage room and portion of deck to be demolished to accommodate new garage and entry to living room from garage



Figure 11. Western side of dwelling, garden and swimming pool adjacent to Harbord Road.

4. Proposed Development

- 4.1 The proposed development is for alterations and additions to an existing dwelling house, including a new double attached garage with mud room and storage. The development proposes an extension to the existing crossover and driveway off Wilson Street.

Specifically, the development will be made up as follows:

Ground Floor/Garage

- Demolish the existing carport, storage room and adjacent deck (including doors to living room),
 - Small eastward extension to the existing north facing deck to include a barbeque area,
 - Construct a new attached garage in the area of the existing carport, with joinery, a small mud room and new entry door and stairs to the living room,
 - Extension of the existing crossover and driveway providing access to the new garage,
 - New bin area to the rear of the new garage,
 - A new garage door and 2 x external doors to eastern and southern sides of garage, and
 - Privacy screen along eastern side of driveway
- 4.2 The proposed design compliments the existing streetscape of Wilson Street and is considerate of neighbouring dwellings.

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 trees.

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 2011. 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

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.

The demolition of the carport, storage room and decking, is required to accommodate the new double garage. Compliant parking will be provided largely in the existing carport location.

Minimum Lot Size

The site is mapped with a minimum lot size of 450m². The subject site is an existing undersized parcel, comprising an area of 437.2m² 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 compliant maximum height of 4.846 metres.

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 or located in close proximity to any heritage items.

Flood Planning

The subject site is not identified on the NBC flood hazard map.

Acid Sulfate Soils

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

Earthworks

Minimal earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed and all works will be undertaken in accordance with engineering details.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area A – Slope <5. 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.

Due to the low level risk within Area A, no additional details are required at DA stage.

5.3 Warringah Development Control Plan 2011

The relevant sections of the Warringah DCP 2011 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 compliant maximum wall height of 3.1 metres.

Side Building Envelope

The site requires a side boundary envelope of 5m/45° and the proposed development easily complies with this requirement.

Side Boundary Setbacks

The DCP states that on corner allotments, to measure the side setback the side boundaries are taken to be the boundaries that do not have frontage to a public street. This would apply to the eastern and southern property boundaries of the subject site. Side setbacks of 900mm are permitted on the subject site.

The development proposes compliant minimum side setbacks of 900mm (eastern side) and 900mm (southern side). The garage wall on the southern side being eastern and western projecting walls supporting the roof to the garage on the southern side, to match the existing setback of the dwelling house (see Figure 13 below). It is noted that the roof over

the existing carport on the site has a nil setback to the southern and eastern property boundaries.

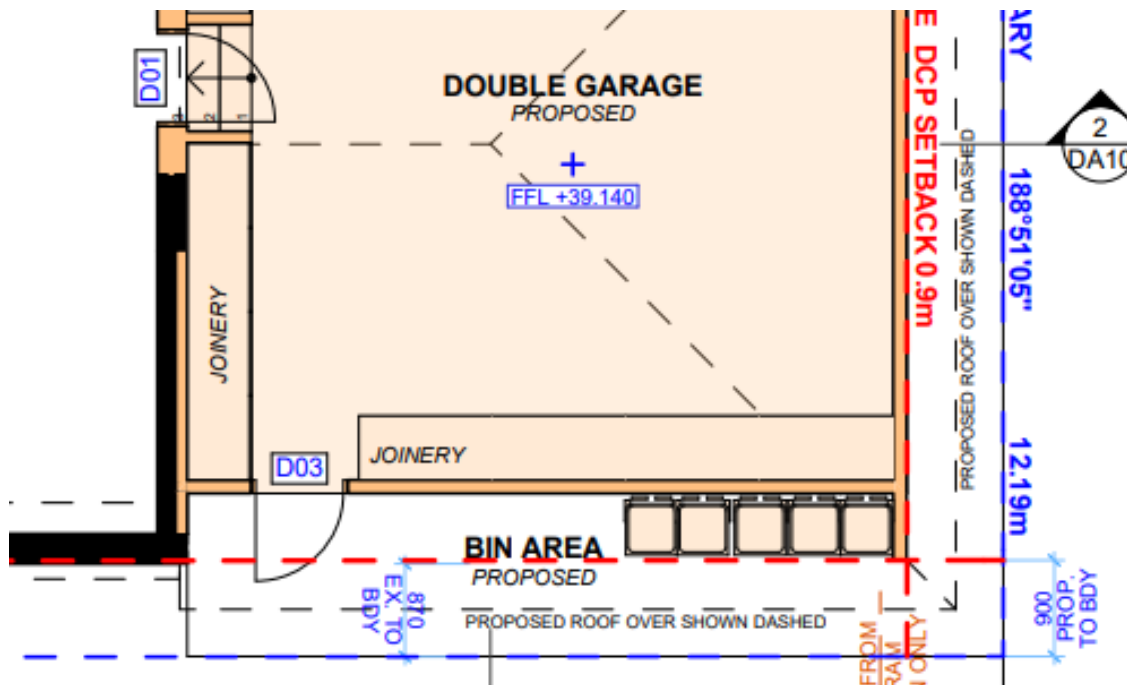


Figure 13. Excerpt from Architectural Drawing DA07 Proposed Ground Floor Plan showing the southern side setback

The minor variation of 300mm is considered appropriate in this case as the setback aligns with the existing setback of the dwelling on the southern side and will not be seen from the streetscape. In addition, the development remains consistent with the objectives of the control, despite the variation, as addressed below:

Objectives of the control:

- *To provide opportunities for deep soil landscape areas.*

The proposed development is almost entirely located over the building footprint of the existing carport. The reduced setback does not result in any change to deep soil planting in this location, which is currently paved.

- *To ensure that development does not become visually dominant.*

The proposed development is almost entirely located within the existing footprint of the carport. It also results in increased side setbacks on the eastern and southern sides of the garage, with the existing carport having nil side setbacks. The reduced setback is only the

result of the projecting walls at the rear of the garage, with a compliant 900mm provided to the garage wall itself (see Figure 13 above).

- *To ensure that the scale and bulk of buildings is minimised.*

As discussed above, there is only a moderate increase to the built form on the site and the variation applies to a very small component of the garage structure. As such, the bulk and scale of the building remains consistent with neighbouring developments.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

The variation to the southern side setback will not result in an unreasonable level of privacy, amenity or solar access to neighbouring properties. Further, the southern wall of the garage is setback a compliant 900mm from the southern boundary.

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

The non-compliance to this control will not result in any unreasonable impacts on views currently enjoyed by adjoining properties.

Front Boundary Setback

The DCP states that on corner allotments or sites with a double street frontage, where the minimum front building setback is 6.5 metres to both frontages, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage. In this instance Harbord Road is considered to be the primary frontage and Wilson Street to be the secondary frontage.

The proposed development does not alter the existing front setback to the dwelling to Harbord Road of 6.44 metres. The proposed garage will be setback a compliant 3.5 metres from the secondary road frontage (Wilson Street).

Rear Boundary Setback

The DCP states that on corner allotments for land zoned R2 Low Density Residential where the minimum rear building setback is 6 metres, the rear building setback does not apply.

Part C Siting Factors

Traffic Access and Safety

The subject site has existing vehicular access from Wilson Street and onsite parking for one to two vehicles within an open carport.

The proposed development incorporates an enclosed compliant double garage for the parking of two vehicles. Access to the garage is provided via the existing crossover from Wilson Street, which is to be widened to allow compliant access to the new garage (as shown on Architectural Drawing DA07 Proposed Ground Floor Plan).

Parking Facilities

The DCP requires a minimum 2 car parking spaces and a maximum garage width opening of 6 metres or 50% of the building width (whichever is lesser). The proposal easily complies with this requirement.

Stormwater

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

Excavation and Landfill

Minimal earthworks are proposed to prepare the site for construction. Erosion and sediment control measures will be implemented to ensure best practice procedures are followed and all works will be undertaken in accordance with engineering details.

Demolition and Construction

The proposed alterations and additions will involve demolition works as detailed above and in the attached plan set. All demolition and construction works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

Waste Management

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

The development proposes a compliant bin storage areas at the rear (southern side) of the new garage, with waste to be collected by Councils regular service.

Part D Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaped open space on the site which is equivalent to 174.88m² for the site area of 437.2m².

The existing site has a non-compliant landscaped open space area of 102.61m² or 23.5% and the development will result in a non-compliant landscaped area of 90.36m² or 20.7%. This represents a reduction of 12.25m² to the existing landscaped open space on the site.

A variation of 84.52m² to the numerical landscaped area control is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as addressed below.

Objectives of the control:

- *To enable planting to maintain and enhance the streetscape.*

Comment

Consistent. The development retains a majority of the existing landscaping and planting on the site, with the minor reduction of 12.25m² being the result of the extension of the existing crossover and driveway to provide compliant vehicular access to the new garage. It is noted that the proposed garage is entirely located within the building footprint of the existing carport. The proposed garage, as well as new planting on the Wilson Street frontage adjacent to the driveway, will result in a positive addition to the streetscape.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment

Consistent. The variation proposed will not impact on any substantial indigenous vegetation, topographical features or habitat.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment

Consistent. As described above the development predominantly retains the existing landscaping and planting on the site, including low and medium shrubs. New planting on the Wilson Street frontage will also be a positive addition to the site. The works propose a compliant building height, wall height and side boundary setbacks and represent an appropriate bulk and scale for the residential locality.

- *To enhance privacy between buildings.*

Comment

Consistent. The variation proposed will not impact on privacy between buildings. It is likely that the proposal will improve privacy between the subject site and the neighbouring dwellings as it results in an enclosed garage with privacy screening, thereby reducing opportunities for overlooking.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment

Consistent. A compliant area of private open space is provided within the site of 91.22m², which includes the lawn area and swimming pool on the western side of the dwelling, providing ample recreational opportunities for the enjoyment of the residents.

- *To provide space for service functions, including clothes drying.*

Comment

Consistent. All services are provided on the site, including compliant clothes drying areas.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment

Consistent. Stormwater from the alterations and additions will be connected to the existing drainage infrastructure on the site, which drains to the adjacent streets.

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 well in excess of 60m² in the rear yard, 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 the DCP.

The following observations are made of the shadow diagrams included with this application:

9am – The development will result in a negligible change in shadowing within the south eastern corner of the site.

12pm – The development will result in a negligible change in shadowing within the south eastern corner of the site. The development will result in a minor increase in shadowing across the rear south eastern corner of the neighbouring property at 55 Harbord Road and a negligible increase to the rear of the dwelling at 46 Wilson Street.

3pm – The development will result in a negligible increase in shadowing to the eastern setback of the subject site.

It is concluded the development allows for the retention of compliant solar access to the private open space of the subject site at 9am, 12pm and 3pm. The adjoining neighbours at No. 46 Wilson Street and 55 Harbord Road will also retain compliant solar access at 12pm and 3pm.

Views

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

Privacy

As stated above, privacy will be retained, if not improved, for neighbours with compliant side setbacks and no direct overlooking into any key living areas.

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 weatherboard cladding (to match existing), a sheet metal roof and a batten screen fence, which are all consistent with the residential surrounds.

Roofs

The development proposes a timber framed roof, with a compliant pitch of 20°. The roof design is consistent with the existing dwelling and the residential 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

The proposed development will not result in any change to the safety and security of the community.

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 significant vegetation.

Wildlife Corridors

There will be no impact on any valued wildlife as a result of the proposed development.

Retaining unique Environmental Features

There are no significant environmental features on the site.

Waterways and Riparian Lands

There will be no impact on waterways or riparian lands in the locality.

Landslip Risk

The site is located in the area nominated in the LEP maps as Area A – Slope <5 and it is considered a geotechnical report is not required due to the minimal risk.

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			
Lot Size	450m ²	Existing – 437.2m ²	Yes – no change
Building Height	8.5 metres	Proposed garage 4.846m	Yes
Floor Space Ratio	Not identified	-	-
Landslip	Area A Slopes less than 5°	-	-
Bushfire	N/A	-	-
Warringah DCP 2011			
Wall Height	7.2 metres	3.1m	Yes
Number of Stories	Not identified	-	
Side Boundary Envelope	5 metres / 45 degrees	Complies	Yes
Site Coverage	Not identified	-	
Side Boundary Setbacks	0.9 metres (applicable to eastern and southern boundaries due to corner allotment)	<u>Eastern side</u> 900 to side of garage <u>Southern side</u> 870mm to garage	Yes Achieves compliance with objectives
Front Boundary Setback	6.5 metres to Harbord Road 3.5 metres to Wilson Street	Harbord Road – no change to existing Wilson Street – 3.5 metres	Yes – no change Yes
Rear Boundary Setbacks	6 metres No rear setback applies due to corner allotment	-	-
Parking	2 spaces	Double compliant garage	Yes
Landscaped Open Space and Bushland Setting	40% (174.88m ²)	<u>Existing</u> 23.5% (102.61m ²) <u>Proposed</u> 20.7% (90.36m ²)	Achieves compliance with objectives
Private Open Space	60m ²	91.22m ²	Yes

	Standard	Proposed	Compliance
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliant	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

There are no natural hazards affecting the site.

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 57 Harbord Road, Freshwater, including a new double enclosed garage, 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: Susan May-Roberts

Report Version: Final

Document Control Table

Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
22/06/2023	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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