



5 BERRINDA PLACE FRENCHS FOREST

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR
ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING
AND THE CONVERSION OF AN EXISTING RUMPUS ROOM
TO A SECONDARY 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, including enclosing an upper level balcony and the conversion of the ground floor to a secondary dwelling, at 5 Berrinda Place, Frenchs Forest.

The report describes how the application addresses and satisfies the objectives and standards of the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Survey prepared by Dale and Smith PTY LTD
- ◆ Site visit
- ◆ DA Plans prepared by Action Plans
- ◆ BASIX Certificate
- ◆ Geotechnical Report prepared by Ascent Geotechnical
- ◆ Stormwater Certificate prepared by NB Consulting Engineers

- 1.3 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and the streetscape and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1 The subject site is located at the northern end of the cul-de-sac bulb of Berrinda Place, approximately 40m from its intersection with Sorlie Road in Frenchs Forest. The site is legally described as Lot 15 DP 230828.
- 2.2 It is an irregular shape with boundaries of 5.22 m (front – south western), 38.10 metres (rear – north western) and side boundaries of 46.77 metres (south eastern) and 34.645 metres (west). The lot has an area of 916.9 m².
- 2.3 The site is currently occupied by a split level two storey, timber dwelling with a metal roof. A concrete garage sits on the street frontage and an inground pool sits in the rear yard. The site has a significant slope falling from the rear to the front with informal landscaped grounds. The site benefits from a right of carriageway over neighbouring sites to provide access to the dwelling.
- 2.4 The property is surrounded by detached residential dwellings to the north, south, east and west. It is in close proximity to the Sorlie Road and Glenrose shops.

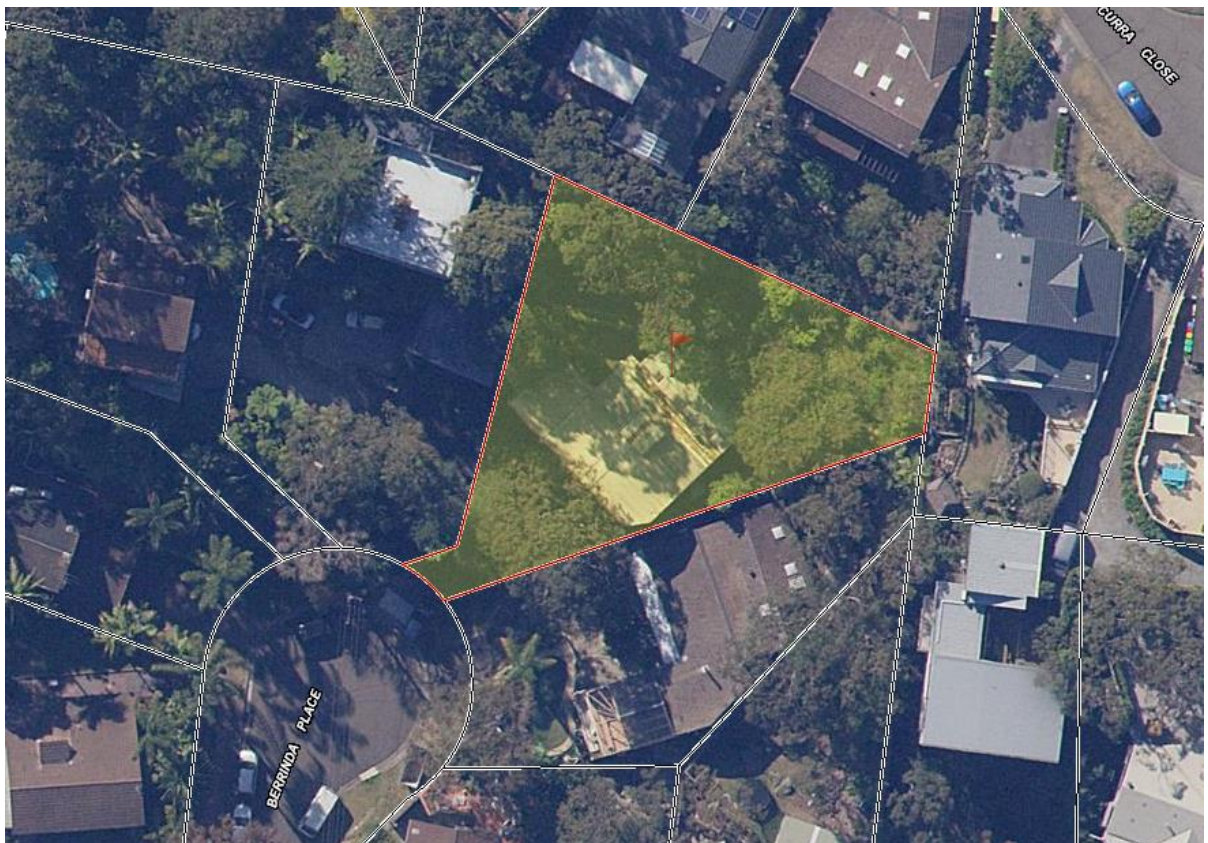


Figure 1. The site and it's immediate surrounds

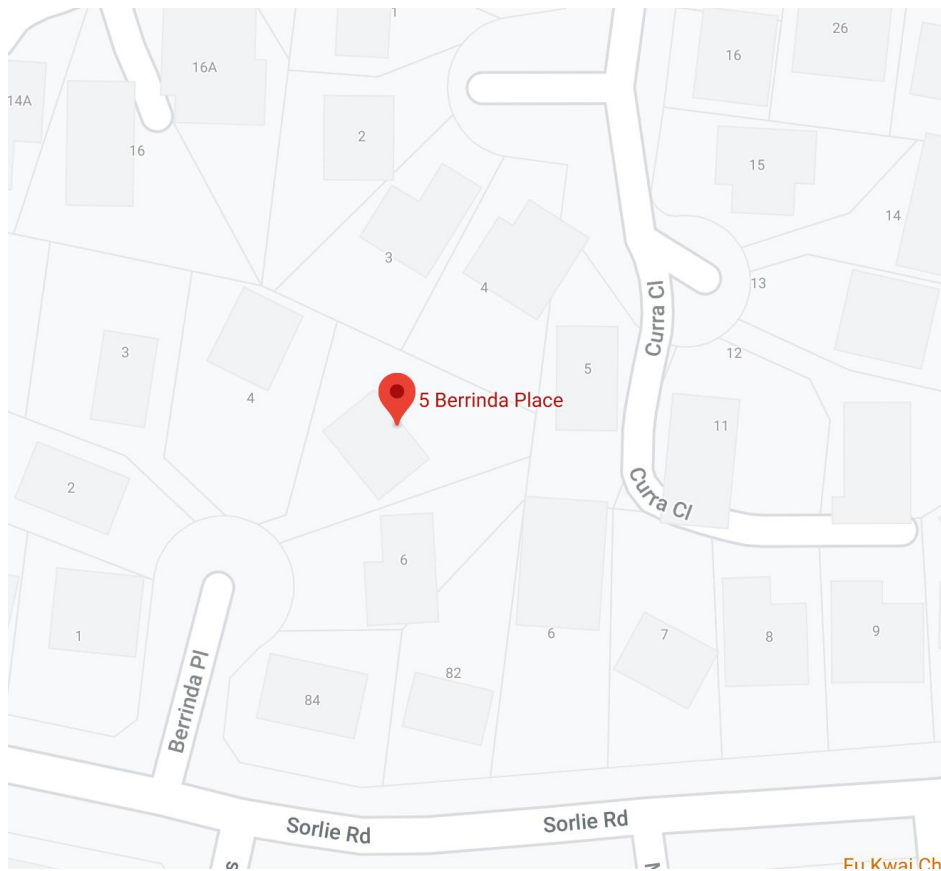


Figure 2. The site within the locality

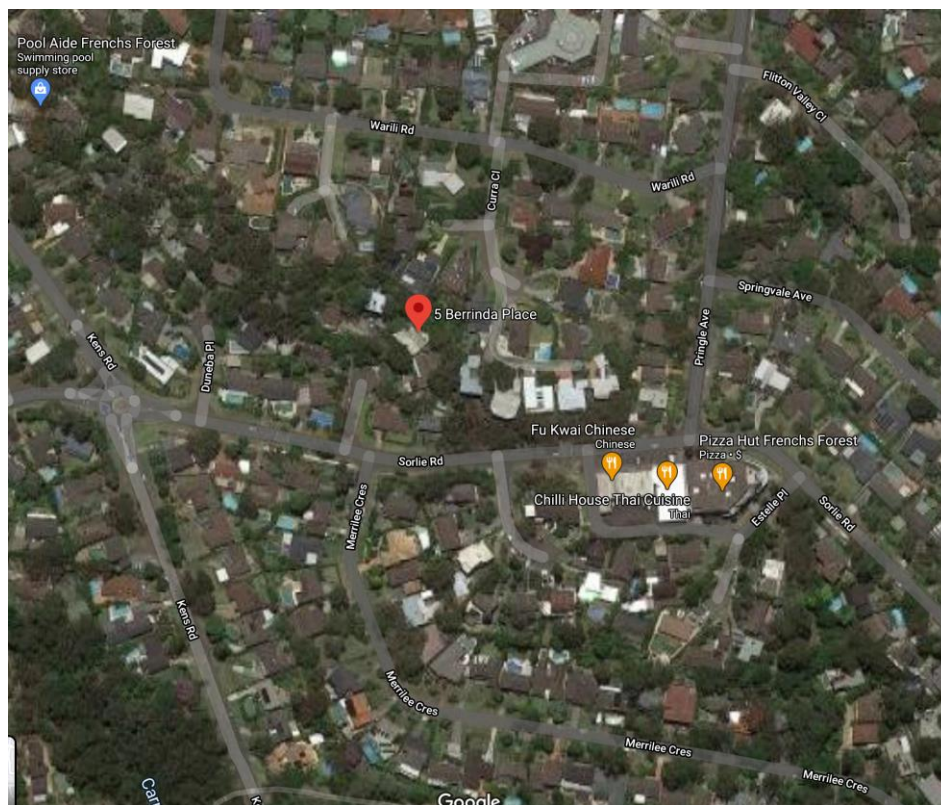


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4. The dwelling viewed from Berrinda Place



Figure 5. The existing driveway (ROW) providing access to the dwelling



Figure 6. The dwelling viewed from the east



Figure 7. The ground floor (area proposed to be secondary dwelling)

4. Proposed Development

- 4.1 The proposed development is alterations and additions to an existing dwelling, including enclosing an upper level balcony and the conversion of the ground floor to a secondary dwelling.

The proposed alterations and additions remain consistent with the streetscape and the locality. The proposal is consistent with the objectives of Council controls and remains in keeping with neighbouring development.

- 4.2 The alterations and additions to the dwelling will be made up as follows:

Lower Ground Floor

Convert the existing rumpus and bedroom into a secondary dwelling including:

- Construct 2 bedrooms include robes;
- Construct a Kitchen, Living area and laundry;
- Addition of new windows;
- Use of northern setback area as private open space.

Ground Floor

- Enclose the existing balcony to create an office and extend the existing dining room.
- Three (3) set of new windows on south-west side.

- 4.3 The additions have been designed to ensure that the dwelling remains complementary to the streetscape and the character of the existing site.

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development is considered consistent with this policy as it does not propose the removal of any trees.

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 compliant BASIX certificates are provided with this application.

SEPP (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) aims to provide new affordable rental housing and mitigate and loss of existing affordable rental housing by providing a consistent state wide planning regime. Specifically, SEPP ARH provides for new affordable rental housing by offering incentives such as expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.

Division 2: Secondary dwellings

Clause 19: definition

Development for the purposes of a secondary dwelling includes the following:

- a. The erection of, or alterations to, a secondary dwelling,*
- b. Alterations or additions to a principal dwelling for the purposes of a secondary dwelling.*

Note: The SEPP and the standard instrument defines secondary dwelling as:

“secondary dwelling means a self-contained dwelling that:

is established in conjunction with another dwelling (the principal dwelling), and

*is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
is located within, or is attached to, or is separate from, the principal dwelling.”*

The proposed use is defined under the WLEP 2011 as a Secondary Dwelling, subject to meeting the relevant standards.

Clause 20: land to which this division applies:

Requirement	Comment
This division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land:	
Zone R1 General Residential, or Zone R2 Low Density Residential, or Zone R3 Medium Density Development, or Zone R4 High Density Residential, or Zone R5 Large Lot Residential	Yes The site is located in the R2 Low Density Residential zone and accordingly a secondary dwelling is a permissible use with consistent under the WLEP 2011.

Clause 21: Development to which this Division applies:

Requirement	Comment
This division applies to development on land to which this division applies for the purposes of a secondary dwelling.	Yes

Clause 22: Development may be carried out with consent:

Requirement	Comment
(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land any dwelling other than the principal dwelling and the secondary dwelling.	Yes The site is currently occupied by only the principal dwelling.
(3) A consent authority must not consent to development	Yes

to which this division applies unless: (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land another environmental planning instrument ; and (b) the total floor area of the secondary dwelling is no more than 60m² or, if a greater floor area is permitted in respect of a secondary dwelling in the land under another environmental planning instrument, that greater floor area.	(a) As there is no adopted FSR under the provisions of the WLEP2011, the maximum total floor area is calculated using a combination of the landscaped open space requirement and the building envelope controls. The floor area as proposed would be no more than the maximum floor area allowed for a dwelling house. (b) The total gross floor area is 67m² and compliant as 75m² is permitted pursuant to clause 6.10 of the WLEP.
(4) A consent authority must not refuse to development to which this Division applies on either of the following grounds: (a) site area if: (i) the secondary dwelling is located within, or is attached to, the principal dwelling, or (ii) the site area is at least 450 square metres. Parking if no additional parking is to be provided on the site.	Yes (a)(i)The secondary dwelling is attached to the principal dwelling (a)(ii) The site area is 916.93m² (b)A garage is existing on the site.

Note: A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in sub-clause (4)

Clause 24: No subdivision:

Requirement	Comment
A consent authority must not consent to a development	Yes

application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out under this Division.	The site does not propose any subdivision of the existing allotment.
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Conclusion

The above assessment finds that the development of the secondary dwelling is consistent with the controls of Division 2 in the SEPP (ARH), and accordingly the proposal is supported and worthy of development consent.

5.2 Warringah Local Environment Plan 2011

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environment Plan 2011.

The proposed development is for alterations and additions to an existing dwelling and secondary dwellings are a permissible land use in the R2 Zone.

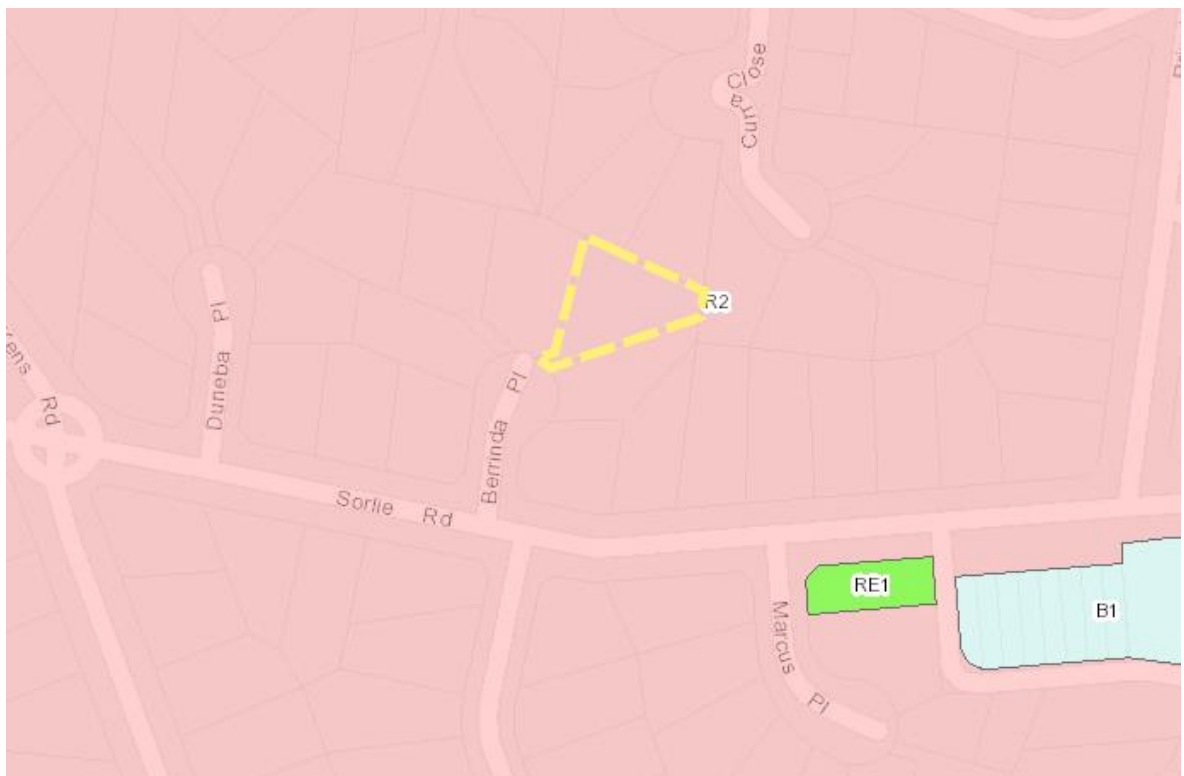


Figure 8. Extract from Warringah LEP zoning map

The proposed development for alterations and additions to the existing dwelling house and a secondary dwelling is permissible with development consent in the R2 zone.

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.

Lot Size

The subject site is mapped with a minimum subdivision lot size 600m². No subdivision is proposed as a part of the proposed development.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The existing height of the dwelling is 7.720 metres and will remain unchanged and easily complies with the LEP development standard.

Heritage

The property is not a heritage item or located within a heritage conservation area.

Acid Sulfate Soils

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

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25 and Area C – Slopes>25. A geotechnical report in support of the proposal is provided. The proposal will not impact the stability of the site and therefore a geotechnical report is not required.

Development for the purposes of secondary dwellings in Zones R2 and R3

The conversion for the lower ground floor to a secondary dwelling is compliant with clause 6.10 of the WLEP which permits an area of up to 75m² for a secondary dwelling within an existing dwelling in the R2 zone.

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 General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP.

The alterations and additions propose a compliant maximum wall height of 6.4 metres. The proposed development does not present with excessive bulk when viewed from the street, rather it represents an attractive addition to the streetscape. This is particularly the case as the existing balcony to be enclosed is already roofed so no additional height is proposed. Additionally, the area below is open, resulting in a reduced apparent bulk.

Side Building Envelope

The DCP requires a side boundary envelope of 4m/45°.

The development has an existing minor variation to the building envelope control where the roofed balcony adjoins the south-eastern boundary. The variation will not be altered, but the balcony will be enclosed, so there is a small change to what sits in this existing space. The point of variation is extremely minor due to the shape of the site and the impact on neighbours is nil.

The specific objectives of the control are met with the appropriate nature of the design.

Side Boundary Setbacks

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

The development proposes to retain the existing side setbacks of 1.084 metres (south-east). All new works are fully compliant.

Front Setback

A front setback of 6.5 metres is required on the site.

The development proposed an unchanged front setback to the house of 17.651 metres. The garage is existing and has a 0m setback which is not impacted by the proposed works.

Rear Setback

The DCP requires a rear building setback of 6 metres on the site. The existing dwelling has a rear setback of 8.473m which will remain unchanged.

Part C Siting Factors

Traffic Access and safety

No changes are proposed to the existing driveway and access.

Parking

No changes to parking are proposed. The site has an existing garage and ample parking is also available in the street. The site is well located close to public transport on Forest Way and the development as proposed is considered appropriate.

Stormwater

The proposed alterations and additions will be connected to the existing Council infrastructure existing on the site, and constructed in accordance with a Stormwater Certificate provided by NB Consulting Engineers accompanying this application.

Erosion and Sedimentation

All Council controls and conditions of consent will be complied with in the construction works. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

Demolition and Construction

The proposed alterations and additions will involve minor 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 demolition and construction process. All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

The dwelling has existing bin storage areas and waste will be collected by Councils regular service.

Part D Design

Landscaping and Open space and bushland setting

The DCP requires 40% landscaping on the site which is equivalent to 366.76m² for the site area of 916.90m². The existing landscaped area of the site is compliant at 65% or 622.64m² and will remain unchanged.

Private open space

The DCP requires a minimum private open space area of 60m² (with minimum dimensions of 5 metres).

The development nominates a compliant area of 66.67m² of private open space for the primary dwelling which comprises of two existing balconies. One adjoins bedroom four and one is at the rear of the dwelling. For the secondary dwelling, an additional separate area of 36.8m² of private open space is provided by the existing balcony which will adjoin and be accessed from the living area.

There is also a large garden area available in the rear yard for the enjoyment of the residents. Refer to the attached plan to demonstrate to locations of the private open space.

Noise

The development is appropriate and will not result in noise levels inappropriate to a 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 proposal does not result in any additional shadowing of adjoining properties.

Views

A site visit has been undertaken and it is concluded that no views will be impacted as a result of the proposed development.

Privacy

Privacy will be improved through the enclosure of the existing balcony. The secondary dwelling is within an existing space and no additional overlooking will result through the conversion of this space.

Building Bulk

The proposed alterations and additions are complimentary in nature. The development remains of a consistent scale to surrounding dwellings and will be consistent with the streetscape. The overall impact being an aesthetically pleasing and complimentary addition to Berrinda Place and the site.

Building Colours and Materials

The proposed building materials include metal roofing to match the existing, weatherboard cladding, windows to match or be complementary to the existing dwelling.

All materials and finishes are complementary to the residential surrounds and consistent with a modern finish.

Roofs

The existing roof is retained.

Glare & Reflection

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

Site Facilities

The existing dwelling has appropriate waste, recycling areas and drying facilities.

Swimming Pools and Spa Pools

The existing pool on the site will be retained and unchanged.

Safety and Security

There will be no changes to the existing safety and security on the site.

Conservation of Energy and Water

The design has achieved BASIX Certificates which accompany the application.

Part E - The Natural Environment

Preservation of Trees or Bushland Vegetation

The proposal is consistent with this cause as it does not propose the removal of any trees.

Prescribed Vegetation

There will be no impact on any vegetation due to the proposed development.

Native Vegetation

There will be no impact on native vegetation in the locality.

Retaining unique Environmental Factors

The development will have no impact on any unique environmental factors in the area.

Landslip Risk

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25 and Area C – Slopes >25. The attached geotechnical report supports the application in its current form.

6. 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:

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 land use 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.

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

6.1. *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 alterations and additions and secondary dwelling have been designed to complement the site and its surrounds. The development is appropriate and will have negligible impact on adjacent properties.

6.2. 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.

6.3. Public domain

The proposed development will have a positive impact on the public domain as the proposal is consistent with the character and streetscape of the residential area.

6.4. Utilities

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

6.5. Flora and fauna

There will be no impact.

6.6. Waste

There will be no impact.

6.7. Natural hazards

The site is affected by slip. A report has been provided by an expert with regard to the geotechnical aspects of the site and is supportive of the proposal subject to recommendations. This report accompanies the development application.

6.8. Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

6.9. 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 development fits well within the context of the surrounds and is an appropriate scale, well-suited to its residential locality.

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. Additionally, finishes, building materials and all facilities will be compliant with all relevant Council controls.

6.10. 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.

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 alterations and additions proposed.

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.

The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of an existing 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.

7. Conclusions

- 7.1 The proposed development for alterations and additions to the existing dwelling and a secondary dwelling at 5 Berrinda Place, Frenchs Forest is appropriate considering all State and Council controls.
- 7.2 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.
- 7.3 Considering all of the circumstances, the development is considered worthy of Council's consent.