



**14 Epping Drive
FRENCHS FOREST**

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS
TO AN EXISTING DWELLING**



Report prepared for
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1.0 Introduction

1.1 This is a statement of environmental effects for alterations and additions including works at lower ground and ground floor level to the rear of the existing dwelling at 14 Epping Drive, 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 2000 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:

- ◆ Site Visit
- ◆ Survey prepared by C.M.S. Surveyors
- ◆ DA Plans prepared by Action Plans
- ◆ BASIX Certificate prepared by Action Plans
- ◆ Preliminary Geotechnical Assessment prepared by AscentGeo
- ◆ Stormwater Concept Plan prepared by Action Plans
- ◆ Stormwater Drainage Plan prepared by Taylor Consulting Engineers
- ◆ Asset Location Plan prepared by mgp pty ltd
- ◆ Bushfire Report prepared by Bushfire Planning & Design
- ◆ Waste Management Plan

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.

2.0 The site and its locality

- 2.1 The site is located on the northern side of Epping Drive, approximately 140 metres east of Rabbett Street. The site is legally described as Lot 7 in DP 216410.
- 2.2 It is an irregular shaped lot with the following dimensions:
 Northern boundary to Jindabyne Reserve – 41.15 metres
 Eastern boundary – 15.24 metres
 Southern boundary (eastern side of driveway/battle-axe) – 22.86 metres
 Southern boundary (western side of driveway/battle-axe) – 34.345 metres
 Western boundary – 25.65 metres
 Battle-axe driveway (eastern and western sides) – 30.48 metres, (southern end and Epping Drive frontage) – 4.57 metres
- 2.3 The site has an area of 923.8m². The site steeply slopes from the street frontage towards the dwelling house entry, by approximately 9 metres. The remainder of the site slopes downwards by approximately 5 metres towards the rear of the lot and National Parkland known as Jindabyne Reserve.
- 2.4 A stormwater asset buffer zone traverses the site in a north-south direction on its eastern side.
- 2.5 The site is currently occupied by a two storey rendered dwelling with a tile roof, with a double car port and swimming pool.
- 2.6 The site is surrounded by other two storey dwelling houses of similar styles and size.



Figure 1. The site and its immediate surrounds



Figure 2. The site within the locality



Figure 3. Aerial Image of the site within the locality

3.0 Site Photos



Figure 4. Looking north, the driveway access to the existing dwelling from Epping Drive



Figure 5. Looking north, the front entrance to the existing dwelling and the carport



Figure 6. Looking north west, the existing swimming pool and alfresco area with sunshade above

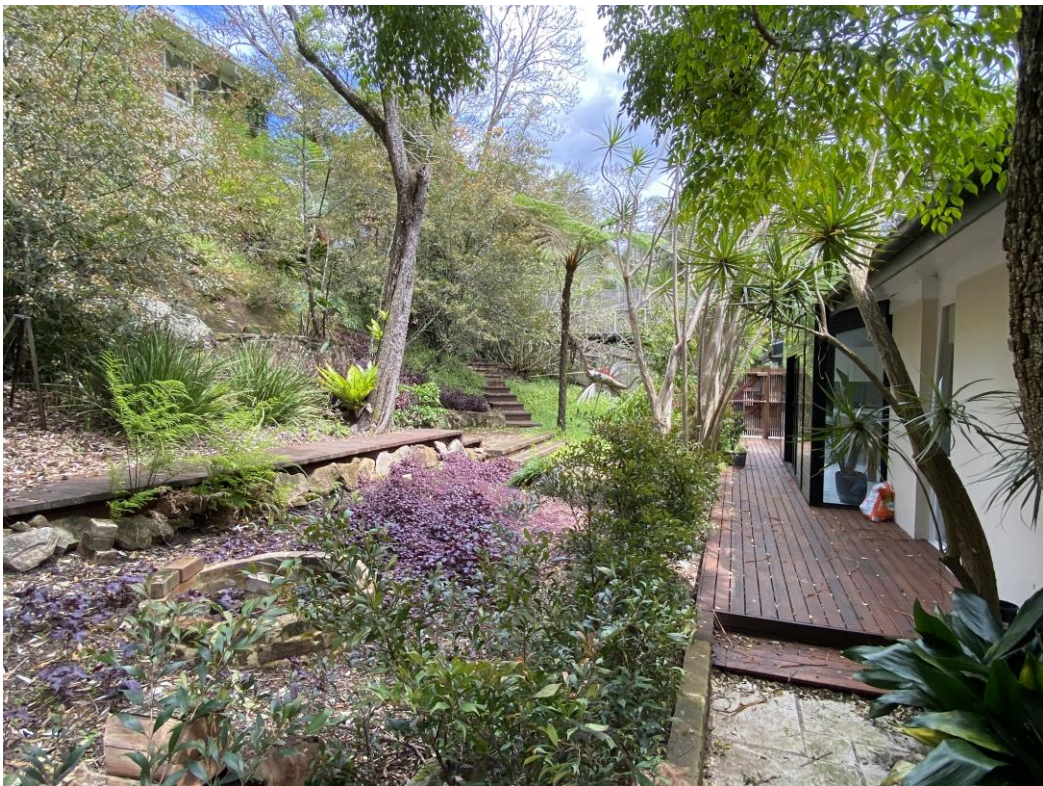


Figure 7. Looking west, the front yard of the property to the south (16 Epping Drive), adjacent to the timber deck at the front of the subject dwelling



Figure 8. Looking north, the eastern side setback to the dwelling



Figure 9. Looking south west, the rear of the existing dwelling



Figure 10. Looking east, the rear of the existing dwelling and location of proposed lower ground floor level deck and ground floor level balcony



Figure 11. Looking west towards Jindabyne Reserve from the alfresco area at ground floor level



Figure 12. Looking north west from the alfresco area towards Jindabyne Reserve (in front of existing swimming pool on the subject site)

4.0 Proposed Development

4.1 The proposed development is for alterations and additions to the existing dwelling including a new tiled deck at lower ground floor level, an extension to an existing balcony at ground floor level and increase in ceiling height to the roof over the balcony.

4.2 The proposed alterations and additions remain consistent with the streetscape and the locality. The proposal is consistent with Council controls, ensures privacy, solar access and views are maintained for both neighbours and the subject site.

4.3 The development will be made up as follows:

Lower Ground Floor

Update and reconfigure existing lower ground floor as follows:

- Demolish internal walls to create new:
 - family/rumpus room
 - bedrooms 4 & 5
 - laundry
 - bathroom
 - store
- New internal staircase and internal masonry wall
- Extension to part of existing deck to make wider
- Installation of sediment erosion fence

Ground Floor

Update and reconfigure existing ground floor as follows:

- Demolish internal walls to create new:
 - kitchen, dining and living areas
 - office
 - master bed with WIR and ensuite
 - bedrooms 3 & 4
 - bathroom
- 2 x skylights above master bedroom WIR
- new roof, including increase to ceiling height, above dining, and kitchen areas
- new partial roof to southern end of bedroom 3
- extension to existing balcony in front of carport to provide access to alfresco area and pool
- wc for pool
- removal of existing shade structure above alfresco area and replacement with tiled roof with solar shade devices and 2 x skylights

5.0 Statutory Framework

5.1 State Environmental Planning Policies

Rural Fires Act 1997

The *Rural Fires Act 1997* aims to protect the community from injury or death, property from damage and to protect infrastructure and environmental, economic, cultural, agricultural and community assets from damage, arising from fires.

Clause 100B of the RF Act requires applicants to obtain a bush fire safety authority (BFSA) for subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose. If a proposal requires a BFSA it is considered integrated development under Clause 4.46 of the EPA Act.

Section 4.14 of the EPA Act requires that a council does not approve any development on bush fire prone land unless the development application complies with *Planning for Bush Fire Protection 2019*. All developments on land that is designated as bush fire prone has a legal obligation to consider bush fire and meet the requirements of *Planning for Bush Fire Protection 2019*.

Comment: The subject site is mapped as bushfire prone land (vegetation buffer). The proposal is not for subdivision or a special fire protection purpose and therefore is not integrated development and does not require a BFSA from RFS. The site is however bush fire prone land, and therefore the proposal must comply with *Planning for Bush Fire Protection 2019*.

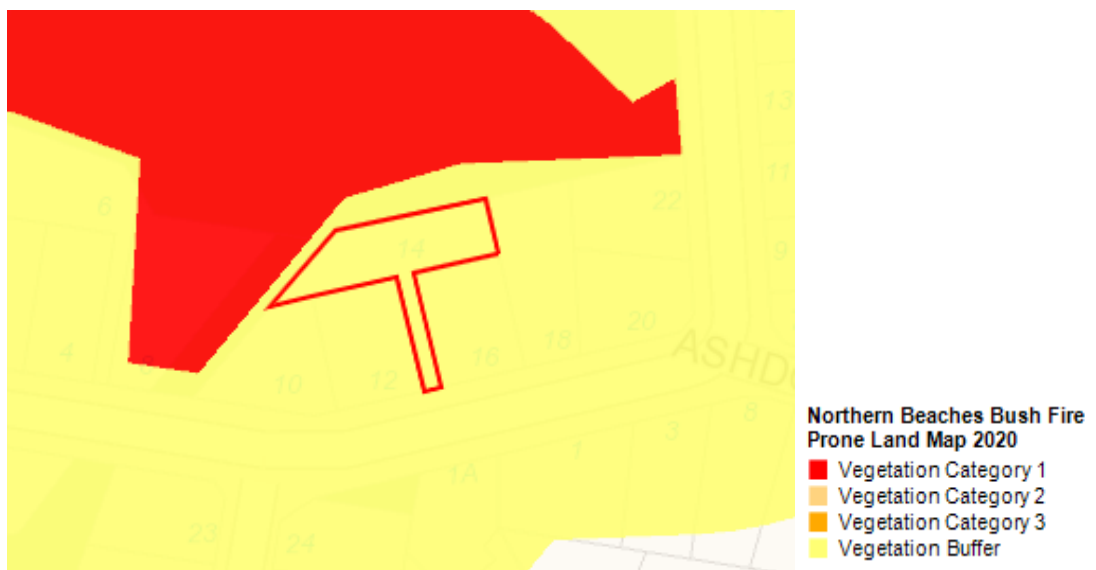


Figure 13. Excerpt from Northern Beaches Bush Fire Prone Map 2020

A Bushfire Assessment Report, prepared by Bushfire Planning & Design, dated 14 November 2022, is provided with this application, in support of the proposed development.

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 (formerly SEPP Vegetation in Non-Rural Areas 2017)

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 proposal does not include the removal of any significant trees or vegetation and remains consistent with the provisions of the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly SEPP No. 55 – 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.

5.3 Warringah Local Environment Plan 2011

Zoning

The site is zoned R2 pursuant to the provisions of the Warringah Local Environment Plan 2011. The proposed development is a permissible use in the R2 zone, which permits dwelling houses with development consent.

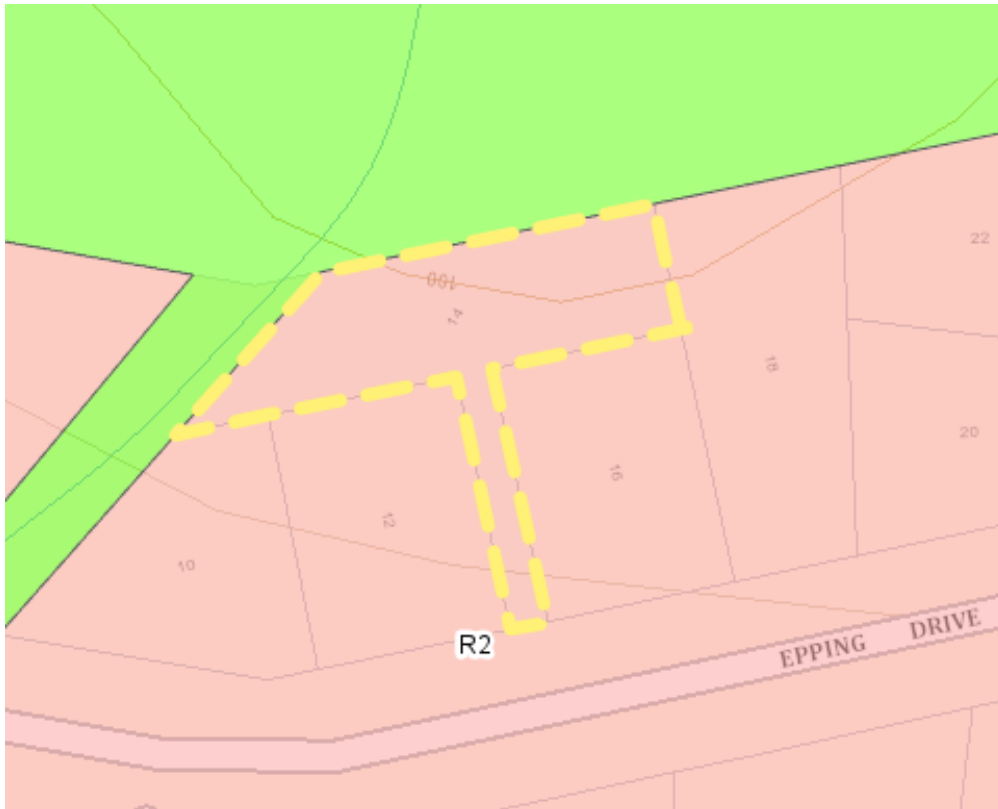


Figure 14. Extract from Warringah LEP zoning map

Demolition

Minor demolition works are proposed, as described above, and illustrated in the attached DA plan set, to allow the construction of the proposed alterations and additions.

Lot Size

The subject site is mapped with a minimum subdivision lot size of 600m². The site comprises of a compliant area of an area of 923.8m² and no subdivision is proposed.

Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum building height of 8.185m.

Heritage

The site is not a heritage item, located within a heritage conservation area or located in proximity to a heritage item.

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 as Area B– flanking slopes 5 to 25. 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.*

The attached Preliminary Geotechnical Assessment demonstrates the proposal complies with Council controls.

5.4 Warringah Development Control Plan 2011

The relevant sections of the Warringah DCP 2011 are addressed below.

5.4.1 Part B - Built Form Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted on the site by the DCP. The development proposes a compliant maximum wall height of 6.910 metres to the roof over the rear balcony.

Side Boundary Envelope

The site requires a side boundary envelope of 4m/45°. Due to the scope of works, the proposed development easily complies with this requirement.

Side Setbacks

Side setbacks of 900mm are permitted on the subject site. The existing development has compliant side setbacks of 2.76 metres (east) and 9.365 metres (west). No change is proposed.

Front Setback

A front setback of 6.5 metres is required on the site by the DCP. The subject site is a battle-axe allotment, and a front setback does not apply.

Rear Setback

A rear building setback of 6 metres is required on the site. The existing rear setback is 1.655 metres, and the development proposes a nil setback for the portion of the existing deck which is to be widened at lower ground floor level (approximately 7 metres in length).

A variation to the rear setback control for the new portion of deck is considered appropriate as the development remains consistent with the objectives of the control, despite the variation, as addressed below:

Objectives of the control:

- *To ensure opportunities for deep soil landscape areas are maintained.*

Comment

Consistent. The proposed new deck area at lower ground floor level will sit above natural ground level (existing grassed area) and will not significantly affect the ability to provide deep soil landscaping on the site (see Figure 15 below). Further, the proposed development does alter the existing landscaped area provision on the site. It is considered that the proposed deck at lower ground floor level will provide improved residential amenity for its occupants and allow a more usable deck off the family/rumpus room.



Figure 15. Proposed location of new portion of deck at rear lower ground floor level

- *To create a sense of openness in rear yards.*

Comment

Consistent. The proposed nil setback to the deck will not affect the sense of openness in the rear yard due to the bushland setting at the rear of the site and outlook onto the adjacent Jindabyne Reserve to the north (see Figure 16 below).



Figure 16. Looking north east, the existing view towards Jindabyne Reserve from the rear of the dwelling

5.4.2 Part C - Siting Factors

Traffic Access and safety

The existing driveway crossover and driveway from Epping Drive is retained.

Parking

A minimum 2 car parking spaces per dwelling applies to the site. The existing double carport is to be retained.

Stormwater

The Stormwater Drainage Plan attached to this development application package shows the collected flows from the roofed, hardstand and landscaped areas being discharged via the existing drainage system connected to the Council stormwater network SPI12672.

Erosion and Sedimentation

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

Excavation and Landfill

Minor earthworks are proposed to allow for the proposed construction works, including the construction of the lower ground floor level deck, to take place.

Demolition and Construction

The proposed alterations and additions will involve minimal demolition works as detailed in the attached plans.

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.

5.4.3

Part D - Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaping on the site, which is equivalent to 314.18m² for the site area of 785.47m² (the site area of 923.8m² - 138.47m² of battle-axe driveway). The existing landscaped area on the site is 271.39m² or 34.55% and no change is proposed.

Private open space

The DCP requires a minimum 60m² private open space. The existing site includes 127.93m² of private open space and no change is proposed.

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

9am – The proposed roof over the alfresco area will result in minor shadowing across the swimming pool and to a small portion of the southern setback to the swimming pool.

12pm – The development will result in minor increase in shadowing to the western side of the covered alfresco area and to the southern setback. Minor shadowing will also occur to a very small portion of the northern end of the rear yard at No. 12A Epping Drive.

3pm – The development will result in a negligible increase in shadowing to the southern side of the dwelling at the subject site and minor shadowing to the north eastern corner of the rear yard at No. 12A Epping Drive.

It is concluded that the private open space of both the subject site and the adjoining properties maintain compliant solar access between 9 am and 3pm as required by the DCP. 12 noon.

Views

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

Privacy

Privacy will be retained for neighbours with ample setbacks and no direct overlooking into any key living areas.

The proposed extension to the existing deck at lower ground floor level is centrally located to ensure that there will be no direct overlooking onto neighbouring living spaces. Due to the site configuration, orientation of the dwelling onto Jindabyne Reserve, compliant side setbacks and site topography it is considered that privacy will be retained for neighbours.

Building Bulk

The proposed alterations and additions do not create inappropriate building bulk and are not visible from the street. The development is considered appropriate for the

residential and bushland setting. The proposed development does not involve any changes to the compliant side boundary setbacks and side building envelope control.

Building Colours and Materials

The proposed building materials complement the existing dwelling. All materials and finishes are complementary to the residential surrounds and are consistent with a modern finish.

Roofs

The proposed new roof over the balcony to be extended at ground floor level will be Colourbond metal roof sheeting and be a 5° pitch and the new tiled roof above the alfresco area will be 16.8° pitch. These new works are complimentary to the roof form, materials and finishes of the existing dwelling.

Glare & Reflection

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

Front Fences and Front Walls

No change is proposed to the existing front fence.

Site Facilities

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

Side and rear fences

No change is proposed to the existing side or rear fencing

Safety and Security

Due to the battle-axe allotment, there is currently no ability to view the street frontage.

Conservation of Energy and Water

The design has achieved a BASIX Certificate, which accompanies the application.

5.4.4 Part E - The Natural Environment

Preservation of Trees or Bushland Vegetation

The development does not propose the removal of any significant vegetation. All existing vegetation will be suitably protected during the building works and unaffected by the proposed development.

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 as Area B– flanking slopes 5 to 25.

The attached Preliminary Geotechnical Assessment demonstrates the proposal complies with Council controls.

6.0 Compliance Table

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	600m ²	Existing – 923.8m ²	Yes – no change
Building Height	8.5 metres	8.185m	Yes
Floor Space Ratio	Not identified	-	-
Warringah DCP 2011			
Wall Height	7.2 metres	6.910 metres	Yes
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	Compliance achieved	Yes
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	3.76m (east) 9.365m (west)	Yes – no change to existing
Front Boundary Setback	6.5 metres	N/A as battle-axe allotment (Existing - 1.71m)	Yes – no change to existing
Rear Boundary Setbacks	6 metres	Existing – 1.655m to rear deck at lower ground floor level and balcony at ground floor level Proposed - Nil setback for new deck off family/rumpus at lower ground floor level 1.655m to new balcony at ground floor level	Compliance with objectives achieved
Parking	2 spaces	Existing - double carport	Yes – no change to existing
Landscaped Open Space and Bushland Setting	40% of lot area (314.18m ² for a site area of 785.47m ² - being site area 923.8m ² - 138.47m ² of battle axe driveway)	Existing 34.55% (271.39m ²)	Yes – no change to existing
Private Open Space	60m ²	127.93m 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.	Compliance achieved	Yes

7.0 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

7.1. *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 have been designed to complement the site and its surrounds. The alterations and additions are appropriate and will have negligible impact on adjacent properties.

7.2 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 because of the proposed development.

7.3 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.

7.4 Utilities

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

7.5 Flora and fauna

There will be no impact.

7.6 Waste

There will be no impact.

7.7 Natural hazards

A Preliminary Geotechnical Assessment is attached to this development application.

7.8 Economic impact in the locality

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

7.9 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 alterations and additions are 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 surrounds.

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.

7.10 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.

8.0 Conclusions

- 8.1 The proposed development for alterations and additions, including an extension to an existing rear lower ground floor level deck, extension to an existing rear ground floor level balcony, increase in ceiling height at rear ground floor level and a new tiled roof above an existing alfresco area at 14 Epping Drive, Frenchs Forest 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
25/01/2023	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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