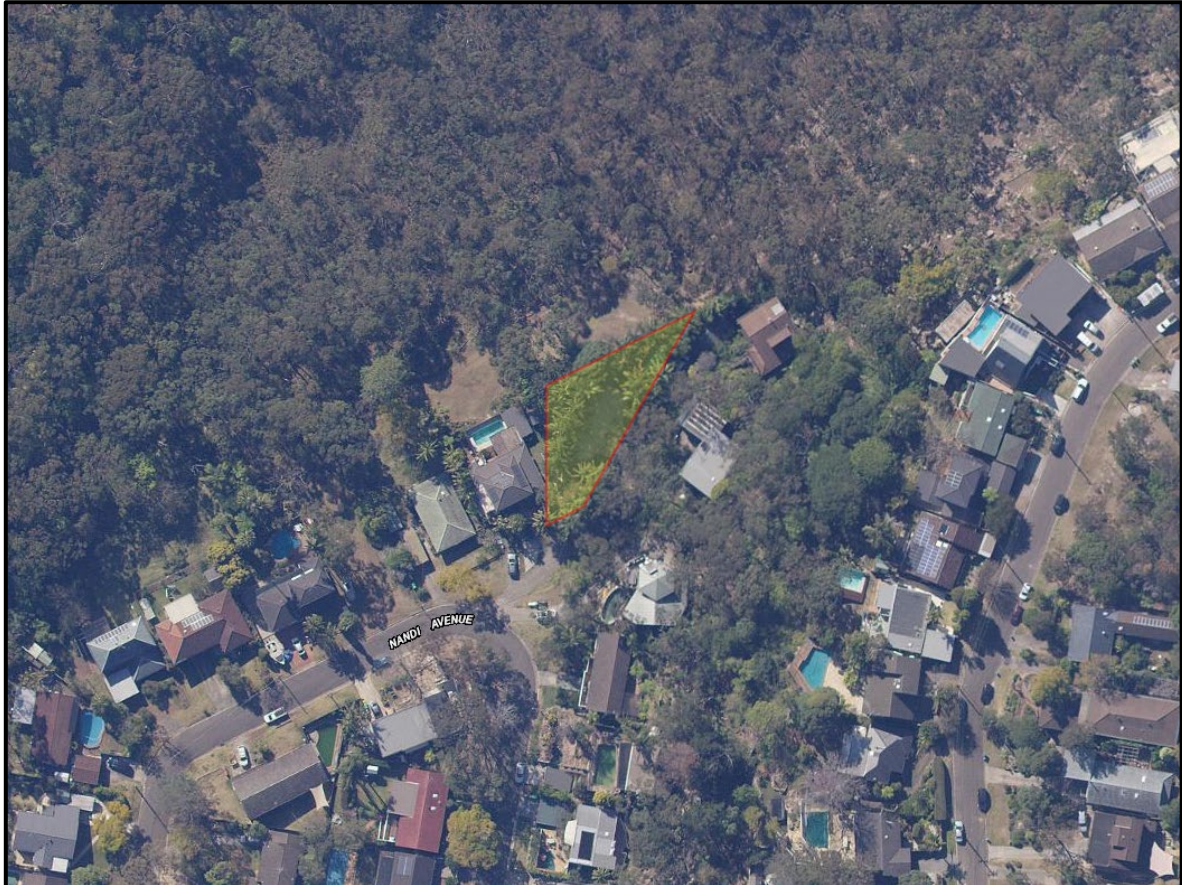


## STATEMENT OF ENVIRONMENTAL EFFECTS



**SITE:** Lot 20 DP 221359  
70 Nandi Avenue  
Frenchs Forest

**APPLICANT:** Drafting Help

**PROPOSAL:** Alterations and additions to an existing two storey dwelling.

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## INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for alterations and additions to an existing two storey dwelling containing four (4) bedrooms, study, living and dining rooms along with a carport and detached laundry.

The proposed works include:

- Ground floor:
  - o Removal of existing carport
  - o Extension to allow for increased size of living spaces, addition of a bathroom and attached garage
  - o Construction of external stairs to connect with first floor addition
- First floor
  - o Extension and internal reconfiguration to allow for large open planned living and dining space, large entertaining deck to the rear, three (3) additional bedrooms, additional living space and balcony as well as increased size of bathrooms
  - o Relocation of entry door and stairs

The subject site is a battle-axe allotment with access to Nandi Avenue and a total land area of 626m<sup>2</sup>. The lot currently contains a two storey dwelling, associated outbuilding and inground swimming pool that are to be retained as part of the proposed development.

No trees are required to be removed as part of the proposed development. Additional planting and landscape works are proposed following completion of the proposed works in order to maintain the landscape character of the area.

All necessary services are available on the site. The site has a moderate fall to the north-western corner with drainage to be directed to the existing drainage collection system for the property.

The neighbourhood generally consists of a mix of one and two storey dwellings as anticipated within an existing residential estate.

The following sections of this statement address the likely impact of the proposal on the environment.

## ENVIRONMENTAL EFFECTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

## **(a)(i) Relevant environmental planning instruments**

### **State Environmental Planning Policy (Building Sustainability Index) 2004**

The proposed development has been designed with a high degree of consideration toward energy efficiency and sustainability. A BASIX Certificate has been prepared with the requirements to be implemented during construction and prior to occupation. The development is considered to achieve the aims and objectives of this policy.

### **State Environmental Planning Policy (Resilience and Hazards) 2021**

#### **Chapter 4 – Remediation of Land**

##### **Clause 4.6 Contamination and remediation to be considered in determining development application**

- (1) *A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.

### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

#### **Division 17 Roads & Traffic**

##### **Subdivision 2 – Development in or adjacent to road corridors and road reservations**

###### **2.118 Development with frontage to classified road**

- (1) *The objectives of this section are—*
- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
  - (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
  - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*

- (i) *the design of the vehicular access to the land, or*
- (ii) *the emission of smoke or dust from the development, or*
- (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road, and does not frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

### **Warringah Local Environmental Plan 2011**

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of *Warringah Local Environmental Plan 2011*.

The proposed development is ancillary development to the existing dwelling on the allotment. A “dwelling house” is defined as “*a building containing only one dwelling*”.

The identified zone permits the construction of a ‘dwelling house’ therefore ancillary development is permitted subject to development consent from Council.

### **Clause 2.3 Zone objectives and land use table**

The objectives of the R2 Zone are as follows:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed development can satisfy the objectives of the zone as it compliments the existing residential setting. Residential amenity can be maintained by the proposed development as the site is within an existing residential area intended for this form of development.

The proposed development is compatible with the existing and future character of the locality. The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site.

The siting of the alterations and additions is in the most appropriate location, which minimises disturbance and follows a similar development density evident throughout the area.

The proposed dwelling is considered to meet the objectives of the R2 Zone.

#### Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m ridge height.	Ridge height in keeping with existing, <8.5m.	Yes

#### Clause 4.6 Exceptions to Development Standards

The proposed development does not contravene the development standards of the LEP.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to Local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within proximity to heritage items.

#### Clause 5.11 Bush fire hazard reduction

The subject site is identified to be bushfire prone land on Council's maps. Refer to attached Bushfire Assessment Report.

#### Clause 6.1 Acid Sulfate Soils

The subject property is not identified as being affected by Acid Sulphate Soils.

#### Clause 6.2 Earthworks

Ground disturbance is required to provide a level platform to site the proposed ground floor extension. The extent of earthworks is not considered excessive for the site and the proposal have been designed to reduce site disturbance outside of the dwelling footprint. All earthworks can be suitably battered and/or retained to ensure structural adequacy and minimal impact on the adjoining properties.

#### Clause 6.3 Flood planning

The subject site is not known to be located within a flood planning area.

\* \* \*

#### Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the objectives of all the relevant development standards relating to dwelling houses as contained within WLEP 2011.

## **(a)(ii) Relevant draft environmental planning instruments**

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

## **(a)(iii) Relevant development control plans**

### **Warringah Development Control Plan 2011**

#### **PART B BUILT FORM CONTROLS**

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>B1 – Wall heights</u> Max. wall height 7.2m existing ground to upper ceiling.	<7.2m max. wall height.	Yes
<u>B2 - Number of Storeys</u> Max. no. storeys shown on DCP No. Storeys map.	2 storeys in keeping with the existing dwelling.	N/A – subject site not mapped
<u>B3 - Side Boundary Envelope</u> Side boundary envelope 45° & 4m or 5m from existing ground (refer DCP Map) Encroachment of the fascia, gutters, eaves permitted.	Dwelling remains within building envelope with the exception of eaves which is understood to be acceptable.	Yes
<u>B4 - Site Coverage</u> Site coverage as per Site Coverage Map	N/A – site not mapped.	N/A
<u>B5 – Side Boundary Setbacks</u> As per DCP Side Boundary Setbacks map: - 0.9m.	Min. 1.146m	Yes
<u>B6 - Merit Assessment of Side Boundary Setbacks</u> for sites shown on map.	N/A	N/A
<u>B7 – Front Boundary Setbacks</u> 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	11.419m to garage from access handle.  N/A	Yes  N/A

frontages the secondary street setback can be reduced to 3.5m		
<u>B8 - Merit Assessment of Front Boundary Setback</u> for sites shown on map.	N/A	N/A
<u>B9 - Rear Boundary Setbacks</u> As per DCP Rear Boundary Setbacks map: - 6m.	0m to stair, 1m o first floor deck	No – See below
<u>B10 - Merit Assessment of Rear Boundary Setback</u> for sites shown on map.	N/A	N/A
<u>B11 - Foreshore Building Setback</u> As per the map – 15m	N/A	N/A
<u>B12 - National Parks Setback</u> As per the map - 20m	N/A	N/A
<u>B13 - Coastal Cliffs Setback</u> As per map.	N/A	N/A
<u>B14 - Main Roads Setback</u> As per map.	N/A	N/A

#### Variation requests

Rear Setbacks – Council's DCP requires a rear setback of 6m on the subject site. The proposed development has a setback of 1m provided to the rear deck of the development and requires a variation to the rear setback requirement for the encroachment.

It is understood that the setback controls are designed to ensure that the proposed development is compatible with the surrounding development whilst minimising the impact on the adjoining developments.

The proposed encroachment into the rear setback is the direct result of the irregular shape of the allotment. Further the allotment adjoins a large reserve in lieu of residential development and is not anticipated to result in any additional intrusion to the privacy of adjoining land owners. The encroachment is an open structure with the remaining section of the development provided with a compliant setback ensuring no additional bulk to the rear elevation. Furthermore, adequate area is available to the rear of the dwelling to allow for appropriate separation and usable private open space.

Despite the required variation it is anticipated that the proposal will have no greater impact than that of a compliant proposal and will be able to meet the objectives of the clause. Therefore a variation to the rear setback requirement is considered to be appropriate for the subject site and should be supported in this instance.



PART C SITING FACTORS

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>C2 – Traffic, Access and Safety</u> Suitable vehicular access from a public road.	Driveway unchanged by the proposed development.	Yes
<u>C3 – Parking Facilities</u> Garage/carport integrated into house design.  Laneways to provide rear access where possible.  Parking not to obscure views from dwelling to street.  Garage/carport opening max. 6m or 50% building width, whichever lesser. 2 spaces per dwelling.	Proposed garage design and materials appropriately integrated into overall dwelling design.  N/A  Views remain available of the access handle.  5.2m garage opening facing access handle.	Yes  N/A  Yes  Yes
<u>C4 – Stormwater</u> Suitable stormwater system for each site.	Stormwater to be directed to the existing drainage system for the property.	Yes
<u>C5 – Erosion and Sedimentation</u> Erosion and Sedimentation controls to be in place.	Erosion and sediment control plan provided with the subject DA	For Council's consideration
<u>C7 – Excavation and Landfill</u> Cut and fill not to impact neighbours.  Clean fill only.	Cut and fill appropriately minimised due to siting of proposed works at existing levelled areas, ensuring minimal impact on neighbours.  No imported fill proposed.	Yes  N/A
<u>C9 Waste Management</u> Waste Management Plan to be provided.  Bin storage area to be allocated.	Provided.  Adequate area available on site out of public view.	Yes  Yes

PART D DESIGN

Requirement	Provision	Compliance
<u>D1 – Landscape Open Space and Bushland Setting</u> Landscaped open space as per map soft landscape with min 2m width.  Subject site = 40%	Min. 2m width provided.  33% landscaped area retained.	Yes  No – see below.
<u>D2 – Private Open Space</u> POS area = 1-2 bedrooms – 35m <sup>2</sup> min 3m width.  3+ bedrooms – 60m <sup>2</sup> min 5m width.  Direct access from living area.  POS located behind building line.  Maximise solar access & privacy.	N/A  60m <sup>2</sup> POS area in rear yard retained with min 5m width.  Access from ground floor living area maintained.  Provided behind building line.  Appropriate level of solar access and privacy provided through the design. The orientation of the allotment and retaining existing building height ensures that solar access to the POS and living areas can be achieved.	N/A  Yes  Yes  Yes  Yes
<u>D6 – Access to Sunlight</u> Consider solar access & ventilation in siting of dwelling.  3hrs sunlight to 50%POS and glazed areas to living rooms between 9am & 3pm.	Existing dwelling retained. Proposed works considered to be sited appropriately for the orientation and shape of allotment.  POS and living areas of subject and adjoining lots to maintain appropriate level of solar access due	Yes  Yes

	to reasonable orientation, setbacks, height and articulation.	
<u>D7 – Views</u> View sharing to be considered.	No loss of views anticipated.	Yes
<u>D8 – Privacy</u> Maintain privacy to adjoining properties.	Living areas predominately orientated to front and rear of site. Suitable setbacks and landscaped area provided to maintain privacy. Bedroom windows appropriately orientated and setback to minimise privacy intrusion. Vacant adjoining lot to the north further prevents privacy issues.	Yes
<u>D9 – Building Bulk</u> Avoid large areas of continuous wall planes.	Extensive articulation has been provided throughout the existing dwelling design and proposed additions. Dwelling is not considered to have an excessive visual bulk.	Yes
Max. fill 1m and to remain within building footprint.	Fill contained within building footprint <1m.	Yes
Minimise excavation.	Excavation not considered excessive for a site. Appropriate cut and fill incorporated into the design to minimise earthworks as much as practical on the subject site.	Yes
Orientate dwelling to street.	Proposed additions complement existing front façade design and provides increased articulation to ensure dwelling is oriented to access handle and street.	Yes
	Suitable articulation and materials provided to	Yes

Use articulation and materials to reduce building mass.	ensure the building mass is suitable for the site and surrounding locality.	
<u>D10 – Building Colours and Materials</u> Colours finishes to blend with natural setting.	Materials and colour schedule provided for Council's consideration.	Yes
<u>D11 – Roofs</u> Pitch to compliment streetscape. Varied roof forms to be provided.  Eaves required.	Proposed roofing to match existing.  Provided in keeping with the existing eaves dimension.	Yes  Yes
<u>D12 – Glare and Reflection</u> Materials to minimise glare.	Non-reflective materials proposed.	Yes
<u>D13 – Front fences and Front walls</u> Front fences 1.2m. Solid fences to be articulated and setback for landscaping. Provide casual surveillance (unless excessive noise requires blocking).  Gates to remain in boundary when open.	Fencing does not form part of the proposed development.	N/A
<u>D14 – Site facilities</u> Site Facilities – bin storage, clothes drying etc to be provided	Rear yard continues to provide adequate area for site facilities.	Yes
<u>D15 – Side and Rear Fences</u> Side & Rear boundary fencing max. 1.8m measure from low side (can be averaged for sloping sites to allow regular steps).	Boundary fencing provided, if necessary, in accordance with the Dividing Fences Act and Council's requirements.	Yes
<u>D16 – Swimming Pools &amp; Spas</u> Not within primary setback (2ndry setback OK for corner sites). Appropriate setback from trees.	No changes to existing swimming pool proposed.	N/A

<u>D19 - Site Consolidation requirements for the R3 &amp; IN1 Zones</u>	N/A	N/A
<u>D20 Safety and Security</u> Casual surveillance of street & suitable lighting.	Casual surveillance of the access handle is enhanced by increased number of habitable rooms within front façade. No entrapment areas evident within the design.	Yes
<u>D22 - Conservation of Energy and Water</u> Design for water and energy conservation.	BASIX Certificate provided.	Yes

### Variation

Landscaped area - Council's controls require a minimum landscaped area of 40% of the allotment area. The development retains a landscaped area of 33%, requiring a variation to this control.

It is understood that the objectives of the landscape requirement is to ensure that the landscape character and natural vegetation of the area is retained and conserved where possible whilst achieving the desired future character of the area. Furthermore, a reasonable level of amenity and solar access should be provided, along with minimising run-off and bulk of built form through retaining vegetation.

Extensive consideration has been given to maintaining as much landscaped area as possible to the development with hard surface areas minimised as much as practical for the design. The existing and proposed development has been provided with high quality landscape area throughout the site. The reduced landscaped area is the direct result of increasing internal amenity catering for the needs of the occupants of the existing dwelling. Reasonable solar access will be retained on the subject and adjoining sites. Providing high quality landscaping and enhanced amenity is considered to outweigh the impact of the reduced landscape area and is considered to result in a suitable outcome for the site.

Majority of existing vegetation on site will be retained to ensure natural vegetation and landscape character of the area is preserved. Additional planting after construction is to be provided to further enhance landscape character, minimise run-off and reduce the bulk of built form on site.

In this instance the reduced landscaped area will not result in any impact beyond that of a compliant proposal and it is therefore considered reasonable and appropriate for the variation to be supported.

PART E THE NATURAL ENVIRONMENT

Requirement	Provision	Compliance
<p><u>E3 – Threatened species, population, ecological communities</u></p> <p>Minimise tree removal and protect remaining trees.</p> <p>Flora &amp; Fauna assessment if native veg &gt;100m<sup>2</sup> to be removed or veg removed from site in last 5 years.</p>	<p>No trees are required to be removed in order to site the proposed development. Additional planting to be provided upon completion of the construction in order to maintain landscape character of the area.</p> <p>&lt;100m<sup>2</sup> of vegetation proposed to be removed.</p>	<p>Yes</p> <p>N/A</p>
<p><u>E4 – Wildlife Corridors</u></p> <p>For modification of land containing native vegetation &gt;50sqm:</p> <ul style="list-style-type: none"> <li>- Provide a Flora and Fauna Assessment</li> <li>- Provide a Biodiversity Management Plan</li> </ul> <p>All other cases: objectives must be achieved.</p>	<p>A small rear portion of the subject site is located within a wildlife corridor area. No native vegetation removal is proposed in this area. A Flora and Fauna Assessment or Biodiversity Management Plan can be provided is deemed necessary by Council.</p>	<p>Yes</p>
<p><u>E7 – Development on land adj. public open space</u></p> <p>Development adj public reserve to compliment character of reserve.</p> <p>Casual surveillance of public reserve.</p> <p>Landscaping to screen development</p>	<p>Proposal considered to be in keeping with existing dwelling on the allotment which complements the character of the adjacent reserve and wider locality.</p> <p>Casual surveillance of open space enhanced by large rear entertainment deck proposed.</p> <p>Existing landscaping provides adequate screening of development, and additional planting can</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	occur if deemed necessary.	
<u>E8 - Waterways and Riparian Land</u> Waterway Impact Statement for works in waterway. Riparian Land Group A & Group B have specific requirements. APZ not to extend into such land.	N/A	N/A
<u>E9 - Coastline Hazard</u>	N/A	N/A
<u>E10 - Landslip Risk</u> As per the map.  Geotech required where indicated in DCP.	Landslip Risk identified as Area B. Geotech Report to be provided if deemed necessary by Council.	Yes
<u>E11 - Flood Prone Land</u> Flood Risk map indicates level. Requirements outlined in DCP.	N/A	N/A

\* \* \*

#### Conclusion with respect to DCP Requirements

The proposed alterations and additions to an existing dwelling is considered to be appropriately designed and sited to achieve the objectives of the design provisions with Warringah DCP 2011.

#### **(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.**

The following matters are considered relevant when considering onsite impacts:

##### **Siting and Design**

The proposed development will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the development provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

##### **Sedimentation Control**

Due to the topography of the site, minor excavation will be required to site the proposed developments, as shown on the plan. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay

bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

### **Waste Minimisation**

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

### **Noise and Vibration**

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

## **(c) The suitability of the site for the development**

The subject site is within an existing residential area and is close to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The alterations and additions to an existing two storey dwelling, the subject of this application, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding locality.

The residential use of the site is permissible with development consent under the provisions of Warringah LEP 2011 and generally satisfies the objectives of the relevant development control plans as discussed above.

## **(d) Any submissions made in accordance with this Act or the regulations**

Council will consider any submissions received during the relevant notification period for this development application.

## **(e) Public interest**

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.

## **CONCLUSION**

The residential use of the site is permissible with development consent under the provisions of Warringah Local Environmental Plan 2011, and can satisfy the objectives of the instrument. The proposal also generally satisfies the objectives of Council's Development Control Plan 2011.



It is considered that the construction of alterations and additions to an existing two storey dwelling will complement and blend with the existing, and likely future character of this section of Frenchs Forest, being an area containing a transitional blend of housing from differing eras of single and two storey construction. The proposal is not expected to have an adverse impact on the natural or built environment.

A handwritten signature in dark ink, appearing to read 'L Gibson', followed by a long horizontal flourish.

Lily Gibson  
Student Town Planner  
**Urban Planning & Building Consultants**  
March 2022