

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**6 MOIRA PLACE, FRENCHS FOREST**

**CONSTRUCTION OF A CARPORT & NEW FRONT FENCE  
ANCILLARY TO EXISTING DWELLING**

**PREPARED ON BEHALF OF  
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**APRIL 2025**

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## 1. INTRODUCTION

This application seeks approval for the construction of a new detached carport and front fence ancillary to an existing dwelling house upon and front fence land at Lot 13 in DP 1071450 which is known as **No. 6 Moira Place, Frenchs Forest**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

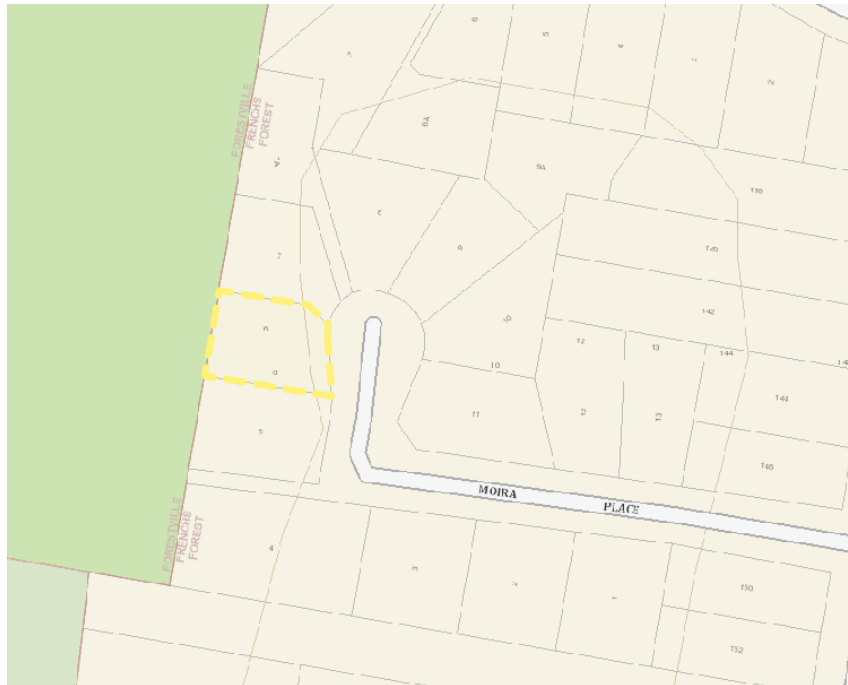
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Urban Surveying, Ref No. 24177, Revision 00 and dated 08/11/2024.
- Architectural Plans prepared by Design House + Drafting Studio, Revision A and dated 05/09/2024.
- Bushfire Assessment Statement prepared by Bushfire Hazard Solutions, Ref No. 250669 and dated 19/02/2025.
- Waste Management Plan.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## 2. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot 13 in DP 1071450 which is known as 6 Moira Place, Frenchs Forest. The site is an irregular shaped allotment located on the western side of Moira Place. The site has a frontage of 17.55m to Moira Place and a depth of 31.37. The site has an area of 600.1m<sup>2</sup>. The sites rear boundary adjoins Forestville Park. The locality is depicted in the following map:



**Site Location Map**

The site is currently occupied by a single storey rendered dwelling with a pitched metal roof. A low timber picket fence is erected along the street frontage.

The site is relatively level with a light slope from the street frontage (approximately RL128.72) towards the rear boundary (approximately RL127.87), with a total fall of less than 1m.

The only parking on site is at grade forward of the dwelling over the existing driveway located adjacent to the northern side boundary. There is no ability for parking behind the front wall of the dwelling.

The site is depicted in the following photographs:



**View of Site from Moira Place**

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on varied sized allotments. The site is located towards the end of a cul de sac with a number of properties having splayed boundaries and varied setbacks to the street frontage.

The subject site and existing surrounding development are depicted in the following aerial photograph:



**Aerial Photograph of Locality**

### **3. THE DEVELOPMENT PROPOSAL**

This proposal seeks approval for the construction of a new carport with store room and new front fence.

#### **Carport/Storeroom**

The carport is to be constructed of steel posts with metal pitched roof. The store room is to be constructed of brickwork.

The proposed carport/storeroom structure is to be located forward of the dwelling towards the northern boundary and in a similar location to the existing driveway. The carport will provide parking for two cars with an enclosed storeroom located towards the rear northwest corner.

The carport provides for a setback ranging from 1.0m to 1.05m to the street frontage. A setback of at least 1.0m is provided to the northern side boundary.

#### **Fence**

The existing front fence is to be demolished as part of this application. A new front fence is proposed with electric sliding gate and separate pedestrian gate. The fence will have a height of 1.2m and is to be constructed of metal/aluminium pickets.

#### **Stormwater**

All collected stormwater will continue to discharge to the street gutter in Moira Place.

#### **Landscaping**

The proposal does not require the removal of any protected vegetation. There is an existing Jacaranda within the front yard which will require some pruning. Jacaranda trees are listed as an 'exempt species' under the Council's Tree Preservation Order and therefore no approval is required for its pruning or removal.

The proposal will result in the following numerical indices:

<b>Site Area:</b>	600.1m <sup>2</sup>
<b>Proposed Landscaped Area:</b>	253.6m <sup>2</sup> or 42.3%



#### **4. ZONING & DEVELOPMENT CONTROLS**

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

##### **4.1 Planning for Bushfire Protection 2006**

The subject site is identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006. A Bushfire Assessment Statement has been prepared by Bushfire Hazard Solutions, which in summary provides:

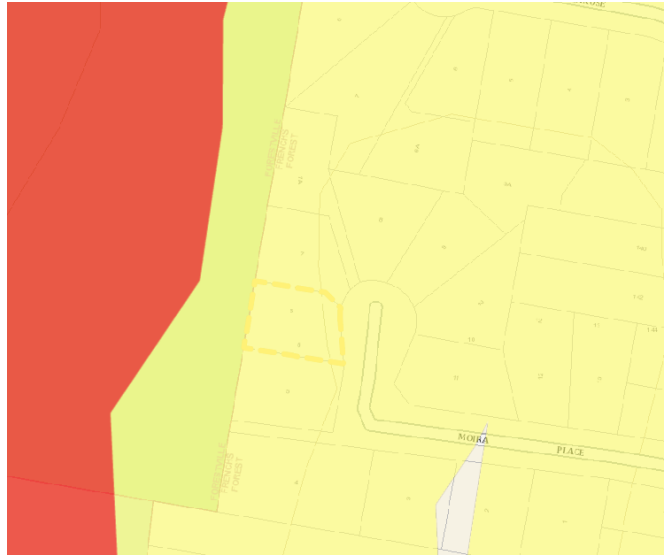
*The highest Bushfire Attack Level at the proposed new carport and storeroom was determined from bushfire design modelling (report attached) consistent with Method 2 of AS3959-2018 to be BAL 40. The proposed new carport and storeroom is required to comply with sections 3 & 8 (BAL 40) under AS3959-2018 and the additional construction requirements under section 7.5 of PBPB.*

*The existing access and proposed water provisions are considered satisfactory for attending fire services.*

*In accordance with the bushfire safety measures contained in this report, and consideration of the site specific bushfire risk assessment it is my opinion that the recommendations made herein will provide a reasonable level of bushfire protection to the subject development.*

*We are therefore in support of the proposed Development Application.*





Extract of Bushfire Map

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

Chapter 2 (Coastal Management) of the SEPP aims to manage development in the coastal zone and protect the environmental assets. The subject site is identified as 'coastal use area' and 'coastal environment area' on the Coastal Management Map and therefore the provisions of this SEPP apply. The following Clauses are relevant to the proposed development:

### Clause 2.10 Coastal Environment Area

This clause provides:

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—*
  - (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
  - (b) *coastal environmental values and natural coastal processes,*
  - (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
  - (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
  - (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
  - (f) *Aboriginal cultural heritage, practices and places,*
  - (g) *the use of the surf zone.*

*Comment:* The site is well separated from the foreshore and the proposal does not affect the integrity or resilience of the biophysical, hydrological or ecological environment. There is no impact on fauna or flora of the headlands or rock platforms. The proposal does not impact on existing public open space or access to the beach or the foreshore.

### **Clause 2.11 Coastal Use Area**

This clause provides:

- (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—*
- (a) has considered whether the proposed development is likely to cause an adverse impact on the following—*
  - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
  - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
  - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
  - (iv) Aboriginal cultural heritage, practices and places,*
  - (v) cultural and built environment heritage, and*
- (b) is satisfied that—*
  - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
  - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

*Comment:* The subject site is well separated from the foreshore and therefore the carport will not have any impact on the access to the foreshore, overshadowing or loss of views to the foreshore. Further there is no impact on the visual and scenic qualities of the coast or heritage items.

### **Clause 2.12 Development in Coastal Zone Generally – Development not to increase risk of coastal hazards**

The proposal is well setback from the foreshore and public open space. The proposal will not increase risk of Coastal Hazards. No further information is required in this regard.

There are no other provisions of the SEPP that apply to the proposed development.

### 4.3 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



**Extract of Zoning Map**

The site is zoned R2 Low Density Residential. Development for the construction of a carport and front fence ancillary to an existing dwelling is permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	Refer to plans	Yes

The following provisions are also relevant:

#### **Clause 6.4 Development on Sloping Land**

The site is classified as Area A on Council's Landslip Map. No further information is required in this regard.

There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

#### 4.4 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) has been prepared by Council and was due to come into effect upon the gazettal of the LEP 2011. The new DCP contains detailed planning controls that support LEP 2011.

The following table provides a summary of the relevant controls of the DCP:

Clause	Requirement	Compliance
B1 – Wall heights	7.2m	Yes Wall height approximately 2.1m.
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	Yes Proposed works comply with the building envelope.
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes The proposed carport is setback at least 1.0m to the northern side boundary.
B7 – Front Boundary Setbacks	Minimum 6.5m	See comments at end of table.
	Secondary frontage 3.5m	Not Applicable
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.5m	Yes Existing rear boundary setback retained.
B11 – Foreshore Building Setback	Not applicable	Not Applicable
B12 – National Parks Setback	Not applicable	Not Applicable
B13 – Coastal Cliffs Setback	Not applicable	Not Applicable
B14 – Main Roads Setback	Not applicable	Not Applicable

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
B15 – Minimum Floor to Ceiling Height	Not applicable	Not Applicable
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes The proposal retains the existing layback from Moira Place with a new vehicular crossing to be provided in similar location. The vehicular crossing will be slightly widened to enable vehicles to access the new carport.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes The proposal provides for an open carport to be located over the current hardstand parking area. The location of the carport is discussed further in response to Clause B7 – Front Boundary Setbacks.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater will continue discharge to the street gutter.
C5 – Erosion and Sedimentation	Soil and Water Management required	Not Applicable
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable. There are no easements on site.
C7 - Excavation and Landfill	Site stability to be maintained	Yes The proposal requires only minimal excavation.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.

Clause	Requirement	Compliance
C9 – Waste Management	Waste storage area to be provided	Yes A waste storage area is incorporated into the carport design.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	Yes The proposal provides for a landscaped area of 253.6m <sup>2</sup> or 42.3% which complies with this clause.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	Yes There is ample private open space in the rear yard which is unaffected by the proposal.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun and ensure appropriate ventilation/natural cooling. Compliance with SEPP (BASIX) requirements.	Yes A BASIX certificate has been issued and forms part of the submission to Council.
D6 – Access to sunlight	Sunlight to at least 50% of the private open space of both the subject & adjoining properties' receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	Yes The carport is single storey and will not result in additional overshadowing to the adjoining residential properties. The proposal complies with this clause.

Clause	Requirement	Compliance
D7 - Views	View sharing to be maintained	Yes The subject and surrounding properties do not enjoy any significant views.
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Yes The carport is a non-habitable structure which is located in the front yard and will not impact on the privacy of the adjoining properties.  The proposal complies with this clause.
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	Yes The proposed carport has designed to minimise bulk and scale. This has been achieved by providing for an open carport with a low pitched roof form. The site is located towards the end of the cul de sac and the carport will not be prominent in the streetscape. The proposal also complies with the side boundary building envelope which aims to reduce bulk and scale.
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to complement the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposed additions provide for a low pitched roof form to complement the locality and minimise bulk and scale.



Clause	Requirement	Compliance
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	Yes The proposal provides for a new front fence with a maximum height of 1.2m and is constructed of vertical slats.
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	Yes There is ample area on site for storage and site facilities.
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Not Applicable
D17 – Tennis Courts	N/A	Not Applicable
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable

<b>Clause</b>	<b>Requirement</b>	<b>Compliance</b>
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The existing dwelling will continue to provide good views of Moira Place and the dwelling approach.
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.
D22 – Conservation of Energy and Water	A BASIX Certificate is not required.	Not Applicable – the proposal relates to a non-habitable structure and therefore a BASIX Certificate is not required.
D23 - Signs	Not Applicable	Not Applicable
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Not – Applicable. The proposal does not require the removal of any protected vegetation.
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable
E7 – Development on land adjoining public open space	1. Development on land adjoining public open space is to complement the landscape character	Yes The sites rear boundary adjoins Forestville Park, which is public open space.

Clause	Requirement	Compliance
	and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces. 2. Public access to public open space is to be maximised. 3. Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.	The proposed carport does not front the public open space. The existing dwelling will continue to provide views towards the open space and the work does not reduce public access to the park. The proposal complies with this clause.
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map Area A.	Yes No further information is required.
E11 – Flood Prone Land	Not Applicable	Not Applicable

### B7 Front Boundary Setbacks

This clause requires a setback of 6.5m to the street frontage. The proposed carport provides for a setback to Moira Place that ranges from 1.0m to 1.955m.

The stated objectives of this clause are:

- *To create a sense of openness.*
- *To maintain the visual continuity and pattern of buildings and landscape elements.*
- *To protect and enhance the visual quality of streetscapes and public spaces.*
- *To achieve reasonable view sharing.*

The setback proposed to the carport is considered justified in this instance and achieves the objectives of this clause for the following reasons:

- The site currently comprises a single storey dwelling. There is no garage or carport currently on site. On site parking is currently provided on the existing driveway forward of the dwelling. This application merely seeks to formalise this parking by providing for a carport over the current hardstand area (with the driveway upgraded and slightly widened to support the carport).
- There is no opportunity for parking behind the existing building line. There is insufficient area within the side setbacks of the dwelling and therefore any parking is required to be provided forward of the dwelling.
- The site is located towards the end of Moira Place and there is a variety of front setbacks. Further given the sites location on the cul de sac, the carport will not be highly visible in the streetscape with minimal through traffic.
- The proposal does not require the removal of any protected vegetation and there is ample area of landscaping forward of the dwelling being retained.
- The carport is a non-habitable structure and will not impact on the amenity of the adjoining properties. The carport is located adjacent to the front yard and driveway of the adjoining property (No. 7 Moira) and is well separated from private open space and habitable areas.

There are no other provisions of the DCP that apply to the proposed development.

## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned R2 Low Density Residential under the provisions of the LEP. Construction of a carport ancillary to an existing dwelling is permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

There are no other environmental planning instruments applying to the site.

### **The Likely Impacts of the Development**

It is considered that the development will provide for the construction of a carport ancillary to an existing dwelling without any detrimental impact on the environment, social and economic status of the locality. The proposal does not require the removal of any protected vegetation and there is no detrimental impact on the adjoining properties.

### **The Suitability of the Site for the Development**

The subject site is zoned R2 Low Density Residential and the construction of a carport ancillary to an existing dwelling in this zone is permissible with the consent of Council. The resultant building is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will provide for additional on site parking to reduce the demand for street parking and that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the construction of a carport ancillary to an existing dwelling and new front fence. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction of a carport ancillary to an existing dwelling house and new front fence at **No. 6 Moira Place, Frenchs Forest** is worthy of the consent of Council.

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