



29 EPPING DRIVE FRENCHS FOREST

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR DEMOLITION OF A DWELLING AND
CONSTRUCTION OF A NEW TWO STOREY DWELLING**



Report prepared for
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1. Introduction

- 1.1** This is a statement of environmental effects for demolition of the existing dwelling and construction of a new two storey dwelling at 29 Epping Drive, Frenchs Forest.
- 1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011, and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3** This statement of environmental effects has been prepared with reference to the following:
- Site visit
 - Site Survey prepared by Donovan Associates
 - DA Plans prepared by Accurate Design & Draft for Icon Homes
 - BASIX Certificate by Accurate Design & Draft
 - Preliminary Geotechnical Assessment Report prepared by AW Geotechnics
- 1.4** The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and the coastal setting 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 on the southern side of Epping Drive. It is legally described as Lot 77 DP 216410 and is known as 29 Epping Drive, Frenchs Forest.
- 2.2** It is a rectangular shaped lot with front and rear boundaries of 19.89 metres (north and south) and side boundaries of 35.05 metres (east and west). It has a frontage to, and vehicular access from, Epping Drive and comprises an area of 697.1m².
- 2.3** The site is currently occupied by a single storey brick dwelling with a tile roof. It is set within a residential lot, which gently slopes from east to west.
- 2.4** The property is surrounded by detached residential dwellings in all directions. The site is located in close proximity to Jindabyne Reserve and transport services on Carnarvon Drive to the north and Wakehurst Parkway to the east.



Figure 1. Aerial image of the subject site



Figure 2. The site within the locality

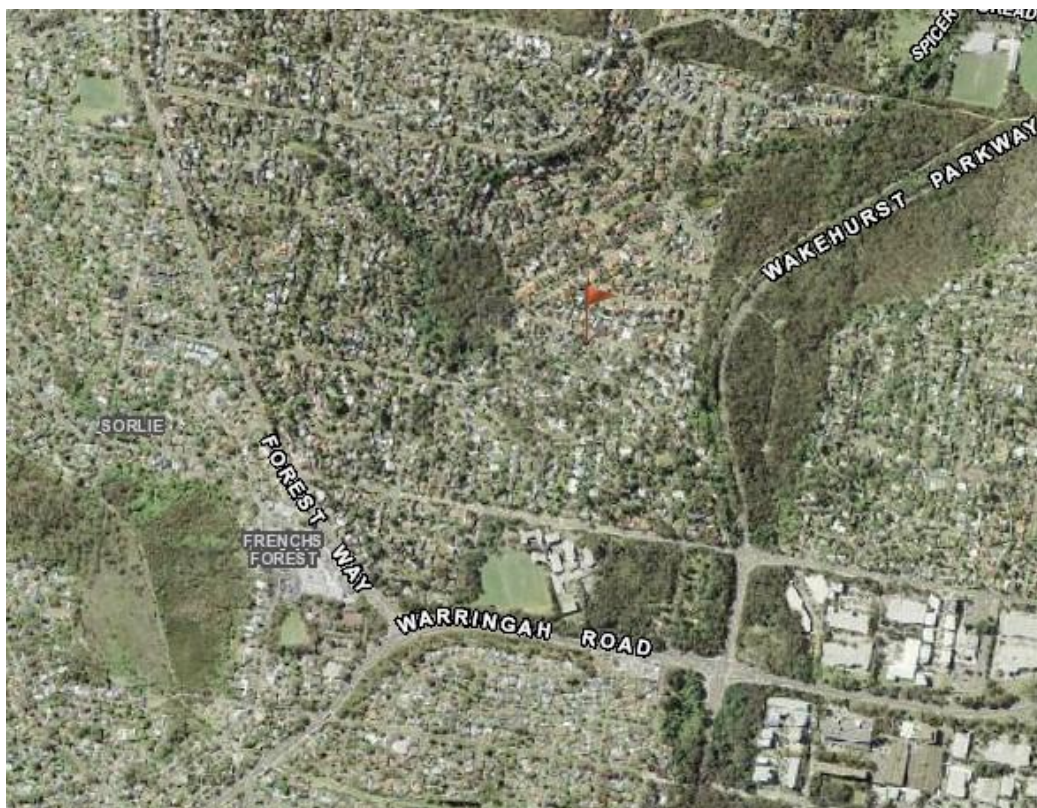


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4: Looking south from Epping Drive, the existing dwelling on the site



Figure 5: Looking south, the immediate neighbour to the east at 31 Epping Drive



Figure 6: The existing dwelling and the immediate neighbour to the west at 27 Epping Drive (also showing the existing driveway access)



Figure 7: Looking south east, the existing rear yard



Figure 8: Looking west, the rear yard of the existing dwelling



Figure 9: Looking north west the rear of the existing dwelling



Figure 10: Looking south west, the rear yard of the existing dwelling



Figure 11: Looking north, the eastern side boundary of the existing dwelling



Figure 12: Looking north, the western side of the existing dwelling

4. Proposed Development

- 4.1 The proposed development is for the demolition of the existing dwelling, and the construction of a new two storey dwelling, with a double garage.
- 4.2 The proposed dwelling has been designed to ensure that it compliments and improves the existing streetscape and maintains a scale consistent with residential dwellings in the locality.
- 4.3 The proposed will be made up as follows:

Existing dwelling

- To be demolished

New dwelling

Ground floor:

- Porch, internal entry hall with storage
- Media room
- Study nook
- Laundry and Mud rooms, with WC
- Family and Dining rooms
- Kitchen with butler's pantry
- Rear Alfresco Area (covered)
- Double car garage
- Stair access to first floor

First floor:

- Bedroom 1 with ensuite, WIR
- Bedroom 2 and 3 with walk-in robes
- Bedroom 4 with robe
- Bathroom
- Sitting Room
- Stair access to lower level
- Storage/linen closet

External works:

- Two 7,000 litre rainwater tanks
- 800 metre high retaining wall (eastern side)

4.4 Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (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 trees 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.

5.2 Warringah Local Environmental Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed development is for a new dwelling, which is permissible with development consent in the R2 zone.

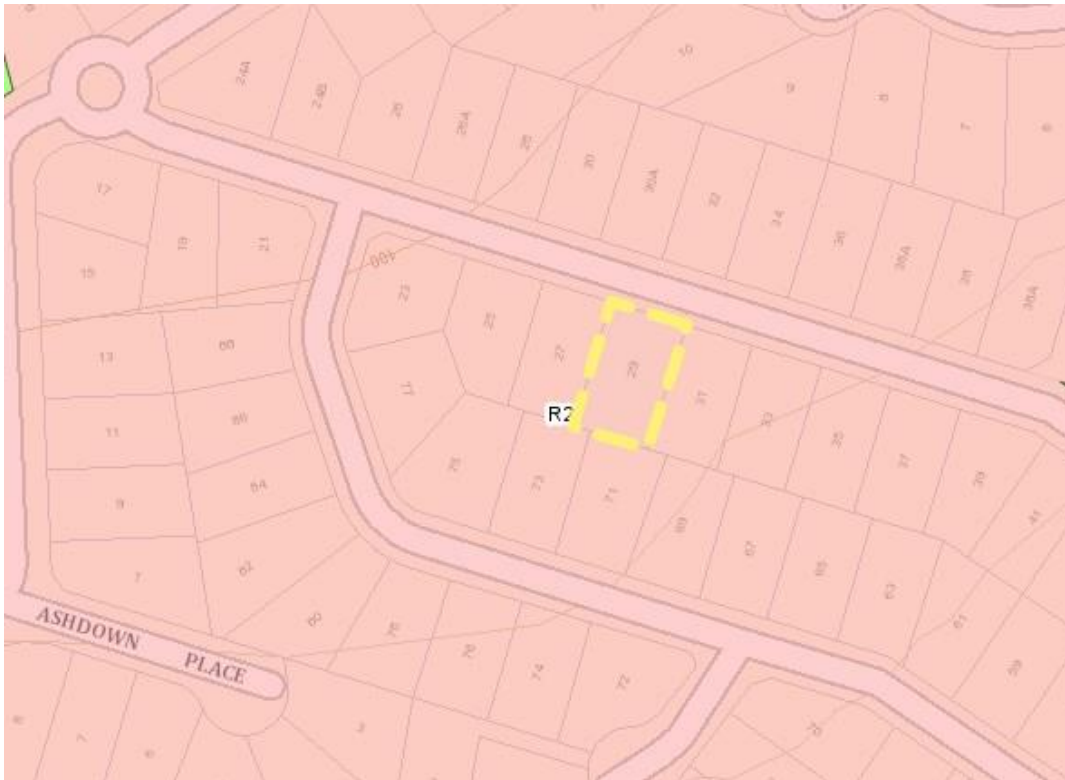


Figure 13: Extract from Warringah LEP 2011 Zoning Map

Demolition

Demolition works are proposed, as described above, and illustrated in the attached DA plan set, to allow for the construction of the new dwelling.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site comprises a compliant area of 697.1m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum height of 8.373 metres (see Figure 14 below).

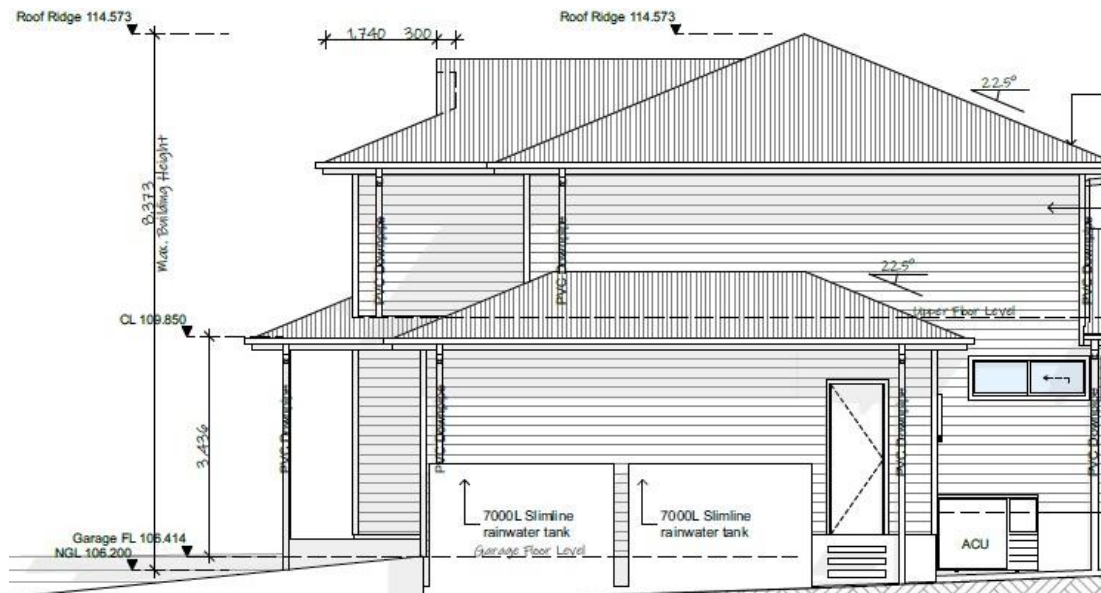


Figure 14: Extract from DA Plans showing maximum building height

Heritage Conservation

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

Acid Sulfate Soils

The site is not nominated as Acid Sulfate soils.

Earthworks

Some earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Development on Sloping Land

The site is located in the area nominated the LEP maps 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 Assessment of Site Conditions prepared by AW Geotechnics demonstrates that the proposal complies with Council controls.

5.4 Warringah Development Control Plan

The relevant sections of the DCP 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 and the development proposes a compliant maximum wall height of 5.5 metres.

Side Building Envelope

The site requires a side boundary envelope of 4m/45⁰. The development proposes a built form within the side boundary envelope, with the exception of a small portion of the dwelling on the eastern side (bedroom 2 on the upper floor level).

A variation to the boundary envelope is considered appropriate in this case as the development will not result in any unreasonable amenity issues for neighbouring dwellings, including solar access, and remains consistent with the objectives of the control, despite the variation, as addressed below:

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

The proposed encroachment is minor in nature and provides significant internal amenity for the occupants. It will not significantly add to the bulk or scale of the dwelling, particularly given that the development proposes compliant building height and setbacks. Further, the development proposes a design which is consistent with surrounding dwellings.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*

The shadow diagrams included with this application, demonstrate that the proposed development maintains equitable solar access to neighbouring properties.

The first floor level incorporates a number of privacy measures including compliant setbacks, off set windows, high sill heights and privacy glazing.

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

- *To ensure that development responds to the topography of the site.*

The proposed development does not significantly change the ground level which is relatively flat.

Side Boundary Setbacks

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

The new dwelling proposes compliant side setbacks, including a minimum eastern setback of 1.5 metres and a western side setback of 4.978 metres.

Front Setback

A front setback of 6.5 metres is required by the DCP. A compliant setback of 6.5 metres is provided to the front porch at ground floor level and 8.69 metres to the garage.

Rear Setback

A rear setback of 6 metres is required by the DCP. A rear setback of 9.852 metres is proposed to the Alfresco Area and a generous 16.032 metres to the upper floor.

Part C Siting Factors

Traffic, access and safety

The subject site currently has vehicular access from Epping Drive. A new driveway will be constructed to provide vehicular access to the double garage.

Parking facilities

A double garage is proposed for the new dwelling, with a compliant width of 4.81 metres and depth of 2.4 metres.

Stormwater

The subject lot drains to the street and is proposed to connect to Council's existing stormwater system. A concept stormwater plan is provided with the development application.

Excavation and Landfill

Minimal earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

The site is located in the area nominated in the LEP Maps as Area B - Flanking Slopes 5 to 25. As such, a Preliminary Assessment of Site Conditions is attached to this development application package.

Demolition and Construction

The proposed development includes demolition of the existing dwelling and associated structures on the site. 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 design includes appropriate waste storage areas, with waste to be collected by Councils regular service.

Part D Design

Landscaped open space and bushland setting

The DCP requires 40% landscaped area on the site. The development proposes an easily compliant landscape area of 57.4% or 400.45m².

Private open space

Private open space area in excess of 60m² will be retained in the rear yard.

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 development will result in moderate overshadowing to the rear yard and western side of the subject site

12pm – The development will result minor overshadowing to the rear yard and eastern side of the subject site. Minor shadowing will occur to the western setback of the adjoining property at 21 Epping Drive.

3pm – The development will result in minor overshadowing to the rear yard and eastern side of the subject property. Overshadowing will occur across the dwelling at 31 Epping Drive.

It is concluded that the private open space of the subject site and the adjoining properties will maintain compliant solar access, with direct sunlight available to more than 50% of the rear yard at 9am, 12pm and 3pm.

Views

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

Privacy

Privacy will be retained for neighbours with the design being considerate of window placement and use of upper-level rooms. The development is appropriate and will not result in noise levels inappropriate to a residential area. Key living areas are provided on the ground floor and windows have been appropriately located. The upper level is mostly bedrooms and bathrooms. Further, compliant building setbacks are provided to ensure that overlooking is minimised.

Building Bulk

The proposed development incorporates varied materials to alleviate bulk. The design is also of a scale consistent with surrounding properties in Frenchs Forest, and the works will result in a contemporary and complementary addition to the site and Epping Drive.

Building Colours and Materials

The proposed building materials include cladding and metal roof sheeting. All materials and finishes are complementary to the residential surrounds and are consistent with a modern finish.

Colours are detailed in the colours and materials schedule.

Roofs

The new works propose a 22.5° roof pitch which is consistent with existing and new dwellings in the area.

Glare & Reflection

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

Side and Rear Fences

The existing timber side and rear fencing is proposed to be retained.

Site Facilities

Appropriate waste, recycling areas and drying facilities are proposed as part of the proposed application.

Safety and Security

The proposed new dwelling will improve safety and security features of the site, allowing for casual surveillance of the street and safer access to the site and dwelling.

Conservation of Energy and Water

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

Part E: The Natural Environment

Preservation of Trees or Bushland Vegetation

No significant trees are to be removed or detrimentally impacted as a result of the proposed development.

Prescribed Vegetation

The subject site is not mapped as native vegetation, threatened and high conservation habitat or wildlife corridor.

Retaining unique Environmental Features

No unique environmental features will be impacted by the proposal.

Development on land adjoining public open space

The subject site is not mapped as land adjoining public open space.

Landslip Risk

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25

As such, a Preliminary Assessment of Site Conditions is attached to this development application package.

7. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	600m ²	697.1m ²	Yes – no change
Building Height	8.5 metres	8.373m	Yes
Floor Space Ratio	Not identified	-	-
Warringah DCP 2011			
Wall Height	7.2 metres	5.5m	Yes
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	Minor encroachment on eastern side	Yes – compliance with objectives achieved
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	East – 1.5m West – 4.978m	Yes
Front Boundary Setback	6.5 metres	6.5m (dwelling) 8.69m (garage)	Yes
Rear Boundary Setbacks	6 metres	9.852m	Yes
Parking	2 spaces	2 spaces	Yes
Landscaped Open Space and Bushland Setting	40%	57.4% or 400.45m ²	Yes
Private Open Space	60m ²	>60m ²	Yes
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliant	Yes

8. 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:

8.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed 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 R2 zone.

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

Context and Setting

What is the relationship to the region and local context in terms of:

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

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 new dwelling has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

Public domain

The proposed development will not impact the public domain.

Utilities

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

Flora and fauna

No significant trees are to be removed or detrimentally impacted as a result of the proposed development.

Waste

There will be no impact.

Natural hazards

The site is impacted by slip and a preliminary geotechnical assessment is provided in support under separate cover.

Economic impact in the locality

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

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the coastal and 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.

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.

8.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints and is highly conducive to the proposed dwelling.

Are the site attributes conducive to development?

The site is appropriate for the proposed dwelling.

8.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

8.5 The public interest

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

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

8. Conclusions

- 8.1** The proposed development for a demolition of an existing dwelling and construction of a new dwelling at 29 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
31/05/2022	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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