

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 321 DP 848146
16 Noorong Avenue
Frenchs Forest

PROPOSED DEVELOPMENT: 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 dwelling. This report is based on plans prepared by Sydney Extensions and Designs, Job reference 9316, Revision A, dated 20.01.2025.

The proposed works include:

- Internal alterations to the ground floor including reconfiguration of the laundry and WC and the conversion of the garage to a games room
- First floor addition to provide additional bedroom, stairs, ensuite and balcony
- Reconfiguration of the first-floor bathroom, WC and ensuite

The subject site is located northeast of Noorong Avenue and is irregular in shape. The allotment has a curved frontage of 9.955m, a depth of 37.59m and total site area of 501.6m². The site currently consists of a two-storey dwelling which is to be retained as part of the proposed development.

The subject site has not been identified to be a heritage item or in proximity to any heritage items or conservation areas. No trees or vegetation is proposed to be removed to allow the proposed development to occur.

The surrounding environment consists of a mix of one and two storey dwellings, varying in architectural style. All essential services can be provided to the proposed development including water, telecommunications, electricity and sewer.

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



LEGISLATIVE REQUIREMENTS

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 (Sustainable Buildings) 2022

Chapter 2 – Standards for Residential Development - BASIX

State Environmental Planning Policy (Sustainable Buildings) 2022 requires all residential development in New South Wales to achieve a minimum target for energy efficiency, water efficiency and thermal comfort. The proposed development has been assessed in accordance with the relevant provisions of the Sustainable Buildings SEPP. It is demonstrated on the BASIX Certificate submitted with this application that the proposal achieves the required rating for energy efficiency, water efficiency and thermal comfort.

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

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

Section 2.98 Development adjacent to rail corridors

- (1) *This section applies to development on land that is in or adjacent to a rail corridor, if the development—*
- (a) is likely to have an adverse effect on rail safety, or*
 - (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
 - (c) involves the use of a crane in air space above any rail corridor, or*
 - (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

Section 2.119 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 have a frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

The aims of this chapter of the policy are understood to relate to the protection of the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural area through preservation of trees and other vegetation.

The proposed development does not require the removal of any existing trees or vegetation to allow the proposed development to occur.

Additional planting can be provided post construction to ensure amenity of the allotment is maintained as a result of the development.

Warringah Local Environmental Plan 2011

The LEP is divided into several Part and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

Part 2 Permitted and prohibited development

Clause 2.2. Zoning of land to which this plan applies

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.2 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 complements 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 dwelling house 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.

Part 4 Principal development standards

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m ridge height.	7.85m	Yes



Clause 4.4 Floor space ratio

The proposed development is not subject to maximum floor space ratio controls.

Clause 4.6 Exceptions to Development Standards

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

Part 5 Miscellaneous provisions

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 close proximity to heritage items.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified as bushfire prone land on Council's maps.

Clause 5.21 Flood planning

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

Part 6 Additional local provisions

Clause 6.1 Acid Sulfate Soils

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

Clause 6.2 Earthworks

The proposed development does not require any earthworks as part of this application.



Clause 6.4 Development on sloping land

The subject site is identified as Area B on the Landslip Risk Map. A structural adequacy certificate has been provided as part of this development application.

* * *

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.	5.83m wall height	Yes
<u>B2 - Number of Storeys</u> Max. no. storeys shown on DCP No. Storeys map.	No change to existing number of storeys.	Yes
<u>B3 - Side Boundary Envelope</u> Side boundary envelope 45° & 4m from existing ground as per the DCP Map Encroachment of the fascia, gutters, eaves permitted.	Minor encroachment into side boundary envelope	No – see below



<p><u>B4 - Site Coverage</u> Site coverage as per Site Coverage Map</p>	<p>N/A – site not mapped.</p>	<p>N/A</p>
<p><u>B5 – Side Boundary Setbacks</u> As per DCP Side Boundary Setbacks map: - 0.9m. Land Zoned R2: All development – Ancillary to a dwelling house – consent may be granted to allow a single storey outbuilding, carport, pergola or the like that to a minor extent does not comply with this side setback.</p>	<p>No proposed change to existing dwelling setbacks</p> <p>No proposed development separate to the dwelling house</p>	<p>Yes</p> <p>Yes</p>
<p><u>B6 - Merit Assessment of Side Boundary Setbacks</u> For sites shown on map.</p>	<p>N/A</p>	<p>N/A</p>
<p><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 frontages the secondary street setback can be reduced to 3.5m</p>	<p>4.45m front setback to the existing garage</p> <p>N/A</p>	<p>No – see below</p> <p>N/A</p>
<p><u>B8 - Merit Assessment of Front Boundary Setback</u> For sites shown on map.</p>	<p>N/A</p>	<p>N/A</p>
<p><u>B9 - Rear Boundary Setbacks</u> As per DCP Rear Boundary Setbacks map: - 6m. On land zoned R2 Low Density Residential, and land zoned RU4 Rural Small Holdings that has frontage to "The Greenway", Duffy's Forest, where the minimum rear building setback is 6 metres, exempt development, swimming pools and outbuildings that,</p>	<p>No change to existing dwelling setback Existing dwelling setback 14.43m</p>	<p>N/A</p>



in total, do not exceed 50% of the rear setback area, provided that the objectives of this provision are met.		
On corner allotments for land zoned R2 Low Density Residential or R3 Medium Density Residential, where the minimum rear building setback is 6 metres, the rear building setback does not apply.	N/A	N/A
<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 Request

Front Setback – Council’s DCP requires a 6.5m front boundary setback area. The proposed addition to the first floor will result in a front setback of 4.45m therefore requiring a variation to this control.

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 front setback consists of an addition above the existing garage. The proposed room will not protrude further than the footprint of the existing garage, and it is not anticipated to result in any detrimental impact on the area by way of landscape or streetscape character. Additionally, the Council nature strip has an approximate depth of 6m forward of the property which is landscaped and creates the visual effect of a larger setback. This large separation



from the street will result in a reduced effect on the visual bulk and scale of the proposed development.

Despite the required numerical non-compliance, it is anticipated that the proposed addition 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 front boundary setback requirement is considered to be appropriate for the subject site and should be supported in this instance.

Side boundary envelope – The Warringah DCP requires residential buildings to be constructed within a building envelope determined by projecting planes at 45 degrees from a height above ground level at the side boundaries of 4m as identified on the DCP Side Boundary Envelope Map. The proposed extension to the first floor will result in encroachment to this envelope, resulting in the need for a variation to this control.

It is understood that this control is implemented to ensure development does not become visually dominant by virtue of its height and bulk as well as ensuring adequate light, solar access and privacy through the provision of spatial separation between buildings.

The proposed encroachment into the side boundary envelope consists of an addition to an existing first floor component of a building and is minor in scope, resulting in minimal impact on the height and bulk of the development. The proposed addition will provide improved amenity for the residents at the allotment and this minor non-compliance is not considered to be of detriment to the streetscape character.

Despite the required variation, it is anticipated that the proposed first floor addition 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 side boundary envelope control 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>C1 Subdivision</u>	N/A – no subdivision proposed	N/A
<u>C2 – Traffic, Access and Safety</u>		



Suitable vehicular access from a public road.	N/A – no changes to existing driveway proposed	N/A
Vehicle crossing construction and design is to be in accordance with Council's Minor works specification	N/A – no changes to existing driveway proposed	N/A
<u>C3 – Parking Facilities</u> Garage/carport integrated into house design.	Garage is to be removed as part of this development. Two car parking spaces to be retained within existing hardstand driveway.	N/A
Laneways to provide rear access where possible.	N/A – no laneway access to subject site	N/A
Where garages and carports face the street, to be <6 metres or 50% of the building width, whichever is the lesser.	N/A – no changes to garage size	N/A
<u>C4 – Stormwater</u> Suitable stormwater system for each site.	Stormwater to be directed to the existing approved drainage collection system in accordance with the stormwater drainage plans attached to this application.	Yes
<u>C7 – Excavation and Landfill</u> Cut and fill not to impact neighbours.	N/A no cut or fill proposed	N/A
Clean fill only.	N/A	N/A
<u>C8 Demolition and Construction</u> All development that is, or includes, demolition and/or construction must be accompanied by a Waste Management Plan.	Waste management plan has been provided	Yes
<u>C9 Waste Management</u> Waste Management Plan to be provided.	Provided.	Yes



Bin storage area to be allocated.	Main adequate area available on site out of public view.	Yes
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Part D Design

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>D1 – Landscape Open Space and Bushland Setting</u> Landscaped open space as per map soft landscape with min 2m width. Subject site = 40%	34% / 172.02m ²	No – see below
<u>D2 – Private Open Space</u> POS area = 1-2 bedrooms – 35m ² min 3m width. 3+ bedrooms – 60m² min 5m width. Direct access from living area. POS located behind building line. Maximise solar access & privacy.	N/A >60m ² provided at the rear Provided POS area provided in rear yard. Suitable solar access and privacy provided due to setbacks, landscaping, orientation of site and sun movement throughout the day.	N/A Yes Yes Yes
<u>D3 Noise</u>	All works will be carried out during hours specified within the development consent. Proposed pool filter to be located within soundproof enclosure under existing deck.	Yes
<u>D6 – Access to Sunlight</u> Consider solar access & ventilation in siting of dwelling.	No change to existing dwelling, Generous side and rear setbacks retained provided ensure that solar	Yes



3hrs sunlight to 50%POS and glazed areas to living rooms between 9am & 3pm.	access and ventilation will not be impacted by the proposed development. Existing POS and living areas to maintain appropriate level of solar access due to orientation of site.	Yes
<u>D7 – Views</u> View sharing to be considered.	No loss of views is anticipated.	Yes
<u>D8 – Privacy</u> Maintain privacy to adjoining properties.	Proposed development includes fencing to provide privacy for residents to use private open space.	Yes
<u>D9 – Building Bulk</u> Avoid large areas of continuous wall planes.	Proposed extension to feature windows and balcony to break up visual bulk.	Yes
<u>D10 – Building Colours and Materials</u> Colours finishes to blend with natural setting.	No change to existing dwelling building colours and materials.	N/A
<u>D11 – Roofs</u> Pitch to complement streetscape. Varied roof forms to be provided.	N/A – no change to existing dwellings roof	N/A
<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.	No fencing proposed as part of this application. Proposed gate to remain wholly within boundary	N/A Yes
<u>D14 – Site facilities</u> Site Facilities – bin storage, clothes drying etc to be provided	Rear yard provides adequate area for site facilities.	Yes



<p><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).</p>	<p>No fencing proposed as part of this application.</p>	<p>N/A</p>
<p><u>D16 - Swimming Pools & Spas</u> Not to be located in front setback. Where are 2 frontages, swimming pools and spas are not to be located in primary frontage. To be setback from any trees.</p>	<p>No swimming pool proposed as part of this application.</p>	<p>N/A</p>
<p><u>D20 Safety and Security</u> Casual surveillance of street & suitable lighting.</p>	<p>No change to street front casual surveillance of the street continues to be available through habitable rooms to the frontage of the dwelling. No entrapment areas created.</p>	<p>Yes</p>

Variation Request

Landscaped Area - Council's DCP requires a landscape area of 40% of the subject site, however the proposed development provides 34% thus requiring a 6% variation to this control. The landscaped area is existing and there is no change to the total landscaped area proposed.

It is understood that the objectives of the landscape requirement are to ensure that the landscape character and natural vegetation of the area is retained and conserved, and is 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 providing as much landscaped area as possible to the development with hard surface areas minimised as much as practical for the design. The proposed development has been provided with high quality landscaped area throughout the site and no trees are proposed to be removed to allow the proposed development to occur.

The proposed ancillary development will not result in significant bulk and scale of development, consisting of mainly open structures. Existing significant vegetation will be retained to preserve the



landscape character of the area, minimise run-off and further soften the bulk of built form on site. Thus, it is considered to be consistent with the desired character of the area to integrate built form with the natural landscape of the area and visually reduce the built form.

The proposed development will provide high quality landscaping and amenity with reasonable solar access. It is considered that providing high quality landscaping and enhanced amenity outweighs the impact of the reduced landscape area and is considered to result in a suitable outcome for the site.

In this instance the reduced landscape 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

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>E1 Preservation of Trees or Bushland vegetation</u>	No trees proposed to be removed.	Yes
<u>E3 – Threatened species, population, ecological communities</u> Applies to land identified on the DCP Map - Threatened and high conservation habitat.	N/A - The subject site is not identified on the DCP map.	N/A
<u>E4 – Wildlife corridors</u> Applies to land identified on the DCP Wildlife Corridors Map.	The subject site is not identified as being in or within close proximity to any wildlife corridors	N/A
<u>E5 Native Vegetation</u> Applies to land identified on DCP Map Native Vegetation	Subject site is not identified as an area of native vegetation	N/A
<u>E6 Retaining unique environmental features</u>	No unique environmental features identified on or near the subject site.	N/A
<u>E7 – Development on land adj. public open space</u> applies to all land shown on DCP Map Land Adjoining Public Open Space. Objectives	N/A – Not identified in or within close proximity to land adjoining public open space	N/A



<u>E8 - Waterways and Riparian Land</u> Applies to land identified as waterway or riparian land as shown on DCP Map Waterways and Riparian Lands.	N/A – subject site is not identified as waterway or riparian lands	N/A
<u>E9 - Coastline Hazard</u> Applies to land identified on the Warringah LEP Coastline Hazard Map.	N/A- subject site not identified on coastline hazard map.	N/A
<u>E10 - Landslip Risk</u> Applies to land identified on the Warringah Local Environmental Plan 2011 - Landslip Risk Map as Area A, Area B, Area C, Area D or Area E. Geotech required where indicated in DCP.	Landslip Risk identified as Area B. Structural adequacy certificate provided for proposed building addition. Please refer to Geotech Report provided.	Yes Council's consideration
<u>E11 – Flood Prone Land</u> Flood Risk map indicates level. Requirements outlined in DCP in accordance with matrix.	The subject site is not identified to be located on the Councils Flood Risk map to be flood prone land	N/A

* * *

Conclusion with respect to DCP Requirements

The proposal is considered to generally satisfy the objectives of the relevant development controls relating to dwellings, as contained within Warringah DCP 2011.

(iii) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.



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

The following matters are understood to be relevant when considering on site impacts.

Siting and Design

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

The siting of the proposed developments provides suitable boundary setbacks, contributing to spatial separation and openness between dwellings. The articulated design of the structure 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.

Utilities

The site is connected to all necessary services and utilities including electricity, water, reticulated sewerage and telecommunications.

Sedimentation Control

Due to the proposed demolition, sediment control will be required for the site. All disturbed areas will be provided with sedimentation controls in accordance with Council's policy with compliance required as a condition of consent.

Noise and vibration

All construction work will be undertaken during hours specified within the development consent and/or normal construction hours. No vibration during construction is expected. Noise generated from the dwellings after occupation will be of residential scale only.

Waste Minimisation

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



(c) The suitability of the site for the development

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

The proposed alterations and additions can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding residential setting.

The proposed works are permissible with development consent under the provisions of Warringah Local Environmental Plan 2011, and generally satisfies the objectives of the Warringah Development Control Plan 2011 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 proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

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 relevant development control plan for the area.



It is considered that the conversion of the garage to a games room, and the provision of an ensuite, stairs and bedroom will complement and blend with the existing and likely future character of Frenchs Forest. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed development appropriately identifies and relates to the sites use as a residential development.

Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

Given the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed development is on balance worthy of approval.

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14 March 2025

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