



## Statement of Environmental Effects

25 June 2024

Proposed Double Storey Dwelling  
at 24 Forsyth Place, Oatlands 2117  
As part of an Application for  
Review of Determination

The Hills Shire Council

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## 1. PROJECT OVERVIEW

This Statement of Environmental Effects report (SEE) is prepared in support of an 8.3 Review of DA determination for the construction of a Double Storey Dwelling and Inground Swimming Pool at 24 Forsyth Place, Oatlands 2117 (Lot 11 of DP 263267). The proposed development has been designed to comply with the controls of the relevant planning instruments and Council's development controls.

In preparation of this application, the following documents have been considered:

- Environmental Planning & Assessment Act 1979
- Parramatta Local Environmental Plan 2023
- Sydney Region Growth Centres SEPP 2006
- The Hills Development Control Plan 2012 (Residential – Part B Section 2)

The following plans and reports have been prepared by Dream Drafting Sydney to support this application:

- Demolition Plan
- Site & Site Analysis Plan
- Site Coverage Plan
- Gross Floor Area
- Sediment Control Plan and Waste Management Plan
- Standard Specifications
- BCA Compliance & Design Safety Report
- Floor Plans
- Pool Plan and Details
- Elevations & Materials/Finishes
- Sections
- Retaining Wall Elevations
- Door & Window Schedule & BASIX Commitments
- Roof Plan
- Shadow Diagrams
- Landscape Plan
- Notification Plan
- 3D Perspectives

The following plans and reports have been prepared by external consultants to support this application:

- Survey Plan by 'Geodesy Survey Group
- Stormwater Plans by 'Aussie Structural Engineers'
- BASIX Certificate by 'Frys Energywise'
- Cost Summary Report by Raihanul Islam Registered Quantity Surveyor
- Landscape Plan by 'Zenith Landscape Designs'

## 2. SITE DESCRIPTION

### 2.1 SITE LOCATION AND CONTEXT



Figure 1 Ariel Shot of Site at Lot 11 of DP 263267 (SIXmaps)

The Subject Site is an irregular block which fronts Forsyth Place. The site is 805.5m<sup>2</sup> according to the title. The subject site has the following dimensions:

Frontage (south) – 17.26 metres

Rear (north) – 17.37 metres

Side (east) – 43.6 metres

Side (west) – 49.7 metres

### 2.2 SITE TOPOGRAPHY AND ANALYSIS

A 'Survey Plan' and 'Stormwater Plan' accompanies this DA. The subject site falls to the rear from the Northern corner to the Southern corner of the subject site. There is a natural ground slope of 1.83m from the highest point of the site to the lowest point of the site.

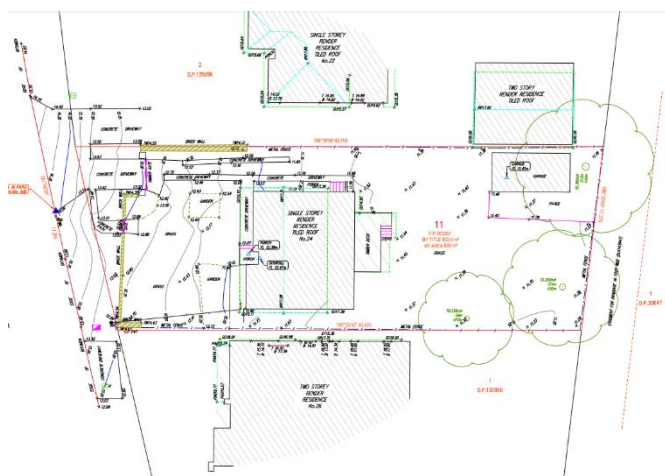


Figure 2 Detail Survey of Site at Lot 11 of DP 263267

A ‘Site Plan and Analysis’ accompanies this application. The Plan has been prepared to show existing features of the site and how the proposed dwelling is positioned within the site.

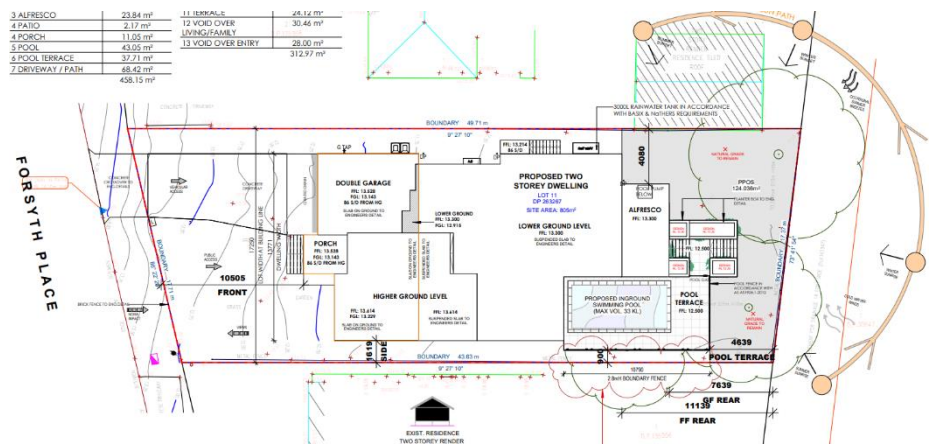


Figure 4 Proposed Site Plan of Site at Lot 11 of DP 263267

3. THE DESIGN PROPOSAL

3.1 DEVELOPMENT CONFIGURATION

The Development Application proposed the construction of a Double Storey dwelling with an Inground Swimming Pool. The proposal has been designed to be suitable to the site and streetscape, ensuring it does not impact the visual amenity of adjoining dwellings.

Level	Use
Ground Floor	Double Garage
	Family/ Living
	Dining
	Kitchen with Butler’s and WIP Pantry
	Media
	Study/Gym
	Guest Bed with BIR
	Powder
	Laundry
	Pooja
	Bar
	Patio
	Alfresco
	Inground Swimming Pool
First Floor	Rumpus
	Master Bedroom with His/hers WIR and Ensuite
	Bedroom 2, 3, with WIR and Ensuite
	Bedroom 4 with BIR and Ensuite
	Linen
	Balcony
	Roof Terrace

### 3.2 DEMOLITION PROPOSAL

In addition to the construction proposal of a Double Storey Dwelling, we are proposing the demolition of the following structures on the existing site

- Existing single storey Weatherboard and Brick Residence
- Concrete driveway and paths & pavements
- 1 Tree

On the basis that all requirements of the council have been complied with under the Parramatta LEP, we are requesting development consent for this demolition. A Waste Management Plan has been provided to indicate how excavation, demolition and building waste materials will be re-used or recycled and where residual wastes will be disposed. Please also refer to the Sediment Control Plan which details sorting and storage areas for demolition and construction waste, alongside the vehicle access to these areas.

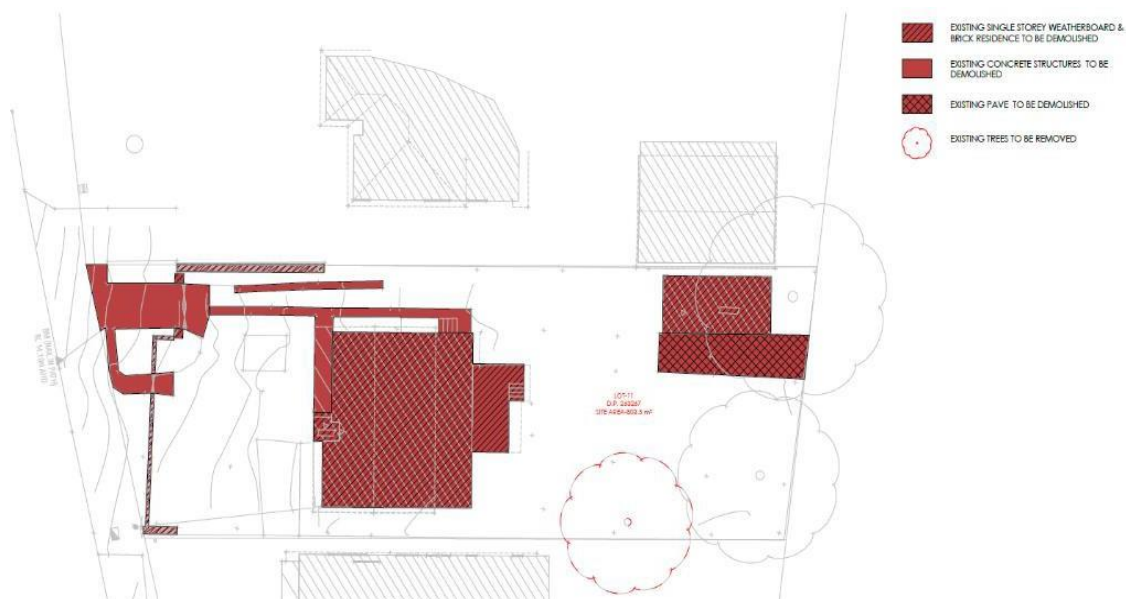


Figure 5 Demolition Plan of Site at Lot 11 of DP 263267

### 3.3 AREA CALCULATIONS

The following table includes the detailed numerical overview of the development parameters for the proposed dwelling. This is also located in the Site Plan which accompanies this application.

PROPERTY DESCRIPTION	
LOT:	11
D.P.:	263267
L.G.A	PARRAMATTA
SITE COVERAGE CALCULATIONS	
A. SITE AREA:	805.00 m <sup>2</sup>
B. GROUND FLOOR AREA:	231.77 m <sup>2</sup>
C. GARAGE AREA:	40.14 m <sup>2</sup>
D. PORCH / PATIO AREA:	13.22 m <sup>2</sup>
E. ALFRESCO AREA:	23.84 m <sup>2</sup>
F. POOL AREA:	43.05 m <sup>2</sup>
G. POOL TERRACE:	37.71 m <sup>2</sup>
H. DRIVEWAY / PATH AREA:	68.420 m <sup>2</sup>
<b>I. TOTAL GROUND FLOOR AREA:</b>	<b>465.050 m<sup>2</sup></b>
J. FIRST FLOOR AREA:	202.35 m <sup>2</sup>
K. BALCONY 1 AREA:	19.08 m <sup>2</sup>
L. BALCONY 2 AREA:	8.96 m <sup>2</sup>
M. TERRACE:	24.12 m <sup>2</sup>
<b>N. TOTAL FIRST FLOOR AREA:</b>	<b>254.510 m<sup>2</sup></b>
SITE COVERAGE GROUND FLOOR:	57.77%
SITE COVERAGE FIRST FLOOR: J / A	31.6%
LANDSCAPE AREA CALCULATIONS	
LANDSCAPE AREA REQUIRED: 40.0% =	322.00 m <sup>2</sup>
LANDSCAPED AREA PROPOSED:	339.05
LANDSCAPE AREA PROPOSED:	42.11
PRINCIPLE PRIVATE OPEN SPACE:	126.15 m <sup>2</sup>

Figure 6 Builders Calculations of Site at Lot 11 of DP 263267

## 4. PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2023

The development complies with the provisions of Parramatta Local Environmental Plan 2023.

### 4.1 ZONING AND PERMISSIBILITY

The subject site is zoned R2 – Low Density Residential as shown in the zoning map below:



Figure 7 Land Zoning Map of Site at Lot 11 of DP 263267 (NSW Planning Portal)

Dwelling houses are permissible with consent in the R2– Low Density zone. The objectives of R2 zone are:

- 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 maintain the low density residential character of the area.
- To ensure non-residential land uses are carried out in a way that minimises impacts on the amenity of a low density residential environment.
- To provide a range of community facilities that serve the needs of people who live in, work in and visit the area.
- To protect and enhance tree canopy, existing vegetation and other natural features.

The proposal is consistent with the objectives based on the following assessment:

- The proposed development has been designed to meet the housing needs of the area and the building form is compatible with the surrounding development.
- The development site is well connected to public transport and arterial.
- The proposal provides for a suitable level of density on the site within the catchment of public transport and commercial/retails services.
- The proposal provides for a good level of residential amenity with all dwellings designed to be naturally ventilated with courtyards and living spaces orientated to maximise exposure to winter sun and unobstructive rear views.

#### 4.2 HEIGHT OF BUILDINGS

The height of buildings: The height of buildings map allows for Maximum Building Height of 9m for the subject site.

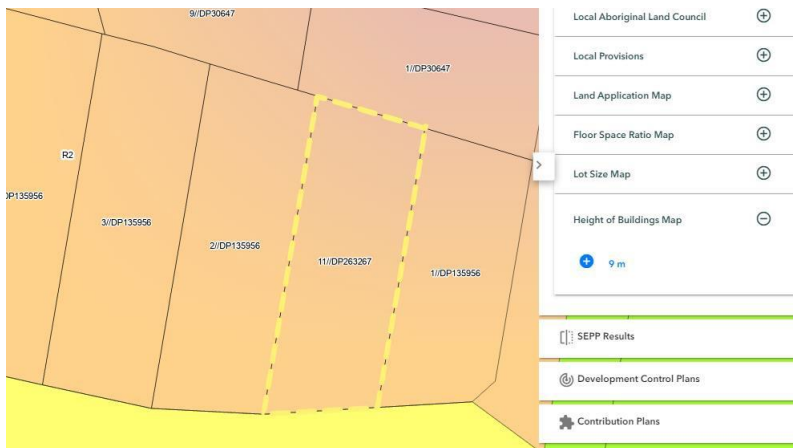


Figure 8 Height of Buildings Map of Site at Lot 11 of DP 263267 (NSW Planning Portal)

#### 4.3 HERITAGE CONSERVATION

The site is not identified as a heritage item, nor is it located within a Heritage Conservation Area (HCA). It is not considered to be located within the close vicinity of any item or HCA, or a contributory item.

#### 4.4 FLOOR SPACE RATIO

The maximum permissible FSR is 0.5:1

As defined by the LEP, "floor space ratio" The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

The gross floor area for the proposed development is 402.40m<sup>2</sup>, providing a maximum FSR of 0.4999:1. This development, hence, sees compliance for this control.

#### 4.5 LOCAL PROVISIONS

The site is not affected by any additional local provisions listed.

#### 4.6 WIND TURBINE BUFFER ZONE

This development falls under the Wind Turbine Buffer Zone Map, however, does not impact the proposal.

### 5. THE HILLS DEVELOPMENT CONTROL PLAN 2012 (PART B SECTION 2)

#### 5.1 SITE ANALYSIS

A site analysis has been attached as part of this development application. The proposed dwelling design compliments the site conditions. The development proposal is consistent with the provisions of the DCP based on the following assessment:

- The pedestrian and vehicle entry points to the development are clearly defined when viewed from Forsyth Place.
- The façade facing the side boundaries is articulated breaking the length of the built form when viewed from adjoining properties.
- The existing levels of land are included, alongside the proposed Finished Floor Levels and Step down provided to the Porch and Alfresco areas
- The location of existing street features adjacent to the property and existing vegetation on the site has been clearly identified



## 5.2 STREETScape AND CHARACTER

The proposed dwelling in this application has been designed to incorporate a modern style, and aesthetic streetscape when viewed from Cross Street.

The chosen materials and finishes consider aesthetics to suit a modern style which is consistent with new dwellings in this area, as shown in the 'Elevations and Materials/Finishes' Table. The use of proposed materials and finishes avoids a monoculture within the suburban street and positively creates place by reinforcing the identity of the area.

## 5.3 SUSTAINABLE DESIGN: STATE ENVIRONMENTAL PLANNING POLICY (SEPP) BUILDING SUSTAINABILITY INDEX (BASIX) 2004

State Environmental Planning Policy (SEPP) Building sustainability index (BASIX) 2004 applies to the proposed development. The development application is accompanied by a BASIX certificate committing to environmental sustainability measures. Accordingly, the proposal is satisfactory in relation to the SEPP BASIX 2004.

## 5.4 DWELLING DESIGN CONTROLS

We submit that the proposed residence complies with the requirements of The Hills Development Control Plan 2012. A table below confirms the compliance with dwelling design controls set out in the DCP for front accessed dwellings:

CONTROL	STANDARD	PROPOSED	COMPLIANCE
The Hills Development Control Plan 2012 (Clause 2.14 DWELLINGS)			
Front Setback	10m to building façade line	10.012m	YES
Dwelling width	Max. 80% at the building line (lot width at building line: 17.25m)	13.771m = 79%	YES
Side Setback	Wall to boundary line: 0.9m Eave to boundary line: 0.675m	>1.619m	YES
Rear Setback	GF: 4m FF: 6m	GF: 4.639m to pool terrace FF: 11.139m	YES
Site Coverage	60% (includes garage, deck, patio, driveway, swimming pool and paved areas)	455.3m <sup>2</sup> = 56.55%	YES
Building Height	9m	<9m (refer to elevations)	YES
Private Open Space	161.1m <sup>2</sup>  50% of the area of the required PPOS (of the proposed development and adjoining properties) to receive at least 3hrs of sunlight between 9am and 3pm at 21 <sup>st</sup> June.	113.97m <sup>2</sup> + 23.84 m <sup>2</sup> (alfresco) + 43.05m <sup>2</sup> (pool terrace) =  180.86m <sup>2</sup>	YES
Landscaping and Open Space	40%	42.11%	YES
Deep Soil Zone	30% = 241.5m <sup>2</sup>	239.8m <sup>2</sup>	Variation for consideration – The proposal complies with required Landscaping and Open Space. The minor shortfall in DSZ area does not affect the streetscape, whereby excess of landscape is sufficient to offset the minimal impacts of the proposed variation. Compliance to all other controls within the DCP shows strong abidance to the desired form of development in Parramatta Council.

Cut and Fill	Maximum Fill: within 1m height	Fill: 915mm  Subfloor proposed for remaining footprint	YES
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#### 5.5 VISUAL AND ACOUSTIC PRIVACY

The layout of the proposed dwelling ensures it will not overlook into main habitable areas and private open space of the neighboring dwellings. The existing 1.8m metal fence indicated around the subject dwelling, exposes only the front of the dwelling, protecting the resident's privacy within the side and rear boundary. The selection of windows which directly face the neighboring properties are appropriately designed to either have a sill height of 1.5m or to be obscured by fencing. Windows of private rooms such as bathrooms are provided obscured glazing. The first-floor balconies and roof terrace are designed to look out on to the front and back yard of the principal dwelling. Views to the yards of adjoining dwellings have been appropriately obstructed and screened with either a wall or privacy screen. It is ensured the balconies do not overlook living areas of adjacent dwellings living areas.

The minimum proposed FFL is subjected to The Hill's council's Flood Development Controls and Flood information; thereby proposing a minimum FFL of 13.300 for habitable floor levels. It should be noted that the adjacent dwelling presents excessive floor levels similar to the proposed design at 24 Forsyth Place. The recent development at 26 Forsyth Place and 20 Forsyth Place has adopted an elevated slab on piers. Resultantly, the proposed dwelling will not adversely impact the current situation with regard to privacy and amenity.



**Image 1:** Side Patio and height of boundary fence of adjacent dwelling at 26 Forsyth Place



**Image 2:** Elevated Slab of adjacent dwelling at 26 Forsyth Place



**Image 3:** Elevated Slab of adjacent dwelling at 20 Forsyth Place



**Image 4:** Rear level difference between FFL and NGL at 20 Forsyth Place

Privacy impacts to the pool area have been referred by council due to its FFL of 1.25m above NGL at its worst point. Potential overlooking is rectified by extending the height of the boundary fence by 1.0m for the exact length adjacent to the pool terrace. The extension would comprise of fixed louvre slat style screening for maximum privacy (Image 5). The reason to employ such measures contrary to relocating to the pool is due to the current patio FFL of the neighboring dwelling at 26 Forsyth Place. Their existing FFL is located above the boundary fence (Image 1), hence they are offered unobstructed sightlines into the subject property. To this end, no matter where the pool is located, privacy impacts will be adverse to the subject property. Please also note, screen planting has been proposed between the pool terrace and eastern boundary fence. This will ensure to the soften the appearance of the fence extension. Please refer to Pool Plan and Details Sheet 2.03.



**Image 5:** Louvre Slat style screen example

The rear balcony has been provided with 1.8m high privacy screens to all elevations which overlook the rear and side adjoining properties. Additionally, screen planting has been proposed adjacent to the outer face of the privacy screens.

Noise transmission within the dwelling has been considered to ensure the layout of communal spaces within the house remain at distance from the sleeping areas. The dwelling has been setback in compliance with the minimum requirements of The Hills DCP to limit the ability of noise reverberation to the neighbours' living areas. The setback, particularly on the Southern side has provided the opportunity to extensively landscape on the boundary for additional visual and acoustic privacy.

## 5.6 SOLAR ACCESS AND LIGHTING

Being a double storey dwelling, the design has been considered to minimise overshadowing on adjoining dwellings. As shown in shadow diagrams, 50% of the Private Open Space of the dwelling and the adjacent dwellings' private open spaces receive at least 3 hours of direct sun light between 9.00am and 3.00pm on 21 June and that the development does not adversely impact the overall amenity of the dwellings.

The northern aspect of the design has been considered by maximising windows on the Northern side of the dwelling, particularly positioned in relation to main living spaces. A sizable entry and entry + family void has also been included to maximise flow of sunlight to the southern side of the dwelling at the rear. This ensures all habitable spaces of the dwelling do not lack solar access on both the first and ground floor of the home. Whilst daylighting has been maximised through the orientation and openings of the dwelling, artificial lighting has been considered as energy efficient in accordance with the Building sustainability index (BASIX) 2004. The development application is accompanied by a BASIX certificate committing to environmental sustainability measures. Accordingly, the proposal is satisfactory in relation to the SEPP BASIX 2004.

## 5.7 CAR PARKING AND VEHICULAR ACCESS

The double garage provided has minimum internal dimensions of 5.5m x 6.0m as indicated in the Ground Floor plans. The positioning of the driveway ensures opportunity remains for landscape screening to protect privacy from passers-by on the street.

## 5.8 APPLICATION REVIEW AGAINST SECTION 4.15 ASSESSMENT REPORT

Please refer to the below table which indicates how all reasons for refusal of DA/423/2023 have been addressed to satisfy the requirements of Parramatta City council's LEP & DCP.

<b>Standards &amp; Provision</b>	<b>Compliance / Reason for refusal in reference to DA/423/2023</b>	<b>Rectification</b>
<b>Cl. 4.4 Floor space ratio</b> <b>Allowable: 0.5:1 (or 402.5m<sup>2</sup>)</b>	Proposed: 0.53:1 (or 428m <sup>2</sup> )  The proposal includes plans demonstrating the rear balcony to be enclosed and therefore this floor area is to be included in floor space ratio calculations. Had the application been recommended for approval, conditioning would have been included requiring the amendment of the plans prior to issue of a construction certificate indicating the removal of the north facing privacy screen and therefore avoiding the balcony as being considered an enclosed space.	The North facing Privacy Screen provided to the Roof Terrace has been deleted, hence is no longer considered an enclosed area for the purposes of calculating FSR.  The proposed FSR is a maximum of 402.4m <sup>2</sup> = 0.4999:1
<b>Cl. 5.21 Flood Planning</b>	The site will be heavily impacted by flooding with flood depths of more than 1m in both 5% and 1% AEP events. A major overland flow path has also been identified which passes through a significant area of the site.  Comments received by Council's Catchment Management Team dated 26 February 2024 have confirmed the proposed dwelling and pool area may result in significant impact to the identified overland flow path. Without a flood study demonstrating the relationship between the proposal and overland flow path as well as the resulting impacts to adjoining properties, Council is unable to confirm if the proposal will not result in an increase of hazards to adjoining sites in a flood event. On 6 March, a meeting was held between the assessing officer, Senior Catchment and Development Engineer and Catchment Referral Engineer. During this meeting the points of the proposal were discussed together with the site history and past DA approvals including DA/704/2019 for a dwelling house. It was considered that the proposed dwelling although similar to the approved, still maintained separate design features and included provisions for an inground pool to be located completely within the identified flow area. As a result, it was considered the proposal will result in undefined impacts to overland flow which are separate to the previously approved dwelling and remain a point which must be addressed. As the proposal was not supported by a flood study, Council cannot be satisfied the proposal appropriately responds and addresses flooding hazards.	Please refer to the Flood Impact Assessment prepared by Water Technology Pty Ltd on 18-06-2024.  It has been demonstrated that there is no impact of the existing situation to the adjacent properties. This is shown by afflux map based on the Base Case scenario and Developed Case scenario for 10%, 5%, 1% and PMF. Please also refer to the TUFLOW Model extent shown in Figure 2-2.
<b>Cl. 6.5 Stormwater management</b>	The proposed stormwater system proposes connection to an existing stormwater drainage pipe located within an easement on an adjoining property. As the proposal will require physical works to the pipe on the adjoining site, owners' consent from the owners of the adjoining site is required however has not been provided.	Please refer to the Letter of Approval granting consent to undertake physical works in relation to the creation of the Drainage Easement over 1 Bettington Road, Oatlands.  This Application is accompanied by the exchanged

	As an appropriate legal point of discharge has not been presented for the site and therefore Council cannot be satisfied the proposal will minimise impacts of urban stormwater on properties.	Deed Granting Easement between the registered proprietors at 24 Forsyth Place, Oatlands and 1 Bettington Road, Oatlands.  Hence, a legal point of Stormwater discharge has been created for adequate Stormwater Management.
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#### 5.9 PUBLIC INTEREST & CONCLUSION

This matter would generally relate to the submissions raised by the general public during Council's public exhibition of the development proposal. Any issues raised would have been generally dealt with in the body of this report and if not, the Applicant would welcome opportunity to respond to such issues. It is considered that this Statement of Environmental Effects has satisfactorily discussed that the proposal meets the necessary requirements for approval. Therefore, we kindly seek Council's consideration and approval of this application.