

STATEMENT OF ENVIRONMENTAL EFFECTS

In support of
Change of Use
At
Weemala Road Duffys Forest



Author: [Mitchell Drake](#)

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Contact: [0466 591 366](#)

Email: Mitchell@projectflow.net.au

STATEMENT OF ENVIRONMENT EFFECTS

1. PRE-AMBLE

The following documentation is provided in accordance with the outlined deliverables relating to the request for a Statement of Environmental Effects in support of the Dog Training Facility on elements of the site at 1 Weemala Road Duffys Forest. Advice has been provided with a focus on the existing planning controls and consideration for past, present, and future planning regimes.

1.1. Preliminaries

Request for Statement of Environmental Effects	Rebecca Simmons
Site Street Address	1 Weemala Road Duffys Forest
Legal Identifier	Lot 1 DP 394351
Total site area	2.19ha
Zone	RU4 Primary Production Small Lots
Local Government Area	Northern Beaches Council

1.2. Executive Summary

This advice has been prepared by Project Flow on behalf of Rebecca Simmons in relation to the potential change of use only, no works for a dog training centre at Weemala Road Duffys Forest. This advice addresses the relevant planning controls, planning proposals and other relevant planning data. The advice also reviews impacts and opportunities relating to State and Local EPI's and Draft EPI's in addition to the relevant DCP information and guidance.

Additionally, relevant strategic documents have been reviewed and their potential impacts and opportunities have been analysed. Finally, relevant recent planning approvals in a reasonable proximity to the site have also been reviewed and their impacts on the subject site have been identified. Project Flow has also made the following assumptions:

- This advice has been prepared without the benefit of viewing Council's physical DA files and property files as they relate to the site.

The bulk of this analysis has focused on the site controls and their relationships with the proposed land use. This statement does not seek to anticipate input from local or state authorities nor does it guarantee success of any application. The proposal is subject to Council assessment and referrals to other stakeholders, together with issues that may arise that are not anticipated by the review. Notwithstanding, it is the intent of this document to create a possible road map and way forward for the use of the subject site.

2. THE PROPOSAL IN DETAIL

The applicant seeks approval for the Use of the site as a dog training centre. No physical works are proposed:

- Hours of operation will be 9am to 5pm Monday to Friday
- There will be one staff member on site at any one time.
- It is stressed that there are no building works proposed as part of this use only application.
- There will be **NO** overnight or boarding animals on site

3. THE SUBJECT SITE

The subject site is legally known as Lot 1 DP 394351 and commonly referred to as Weemala Street Duffys Forest. The configuration of the allotment is irregular in shape with a northwest southeast orientation, featuring a frontage of 196.10m to Weemala Road, a north-westerly side boundary of 157.4m and a south eastern boundary of 94.7m equating to a site area of 2.19ha.

Current improvements to the allotment include dual occupancy, with separate shed, parking and extensive open space landscape areas. The site features a watercourse in the eastern corner which has no interplay with the area proposed for the dog training.

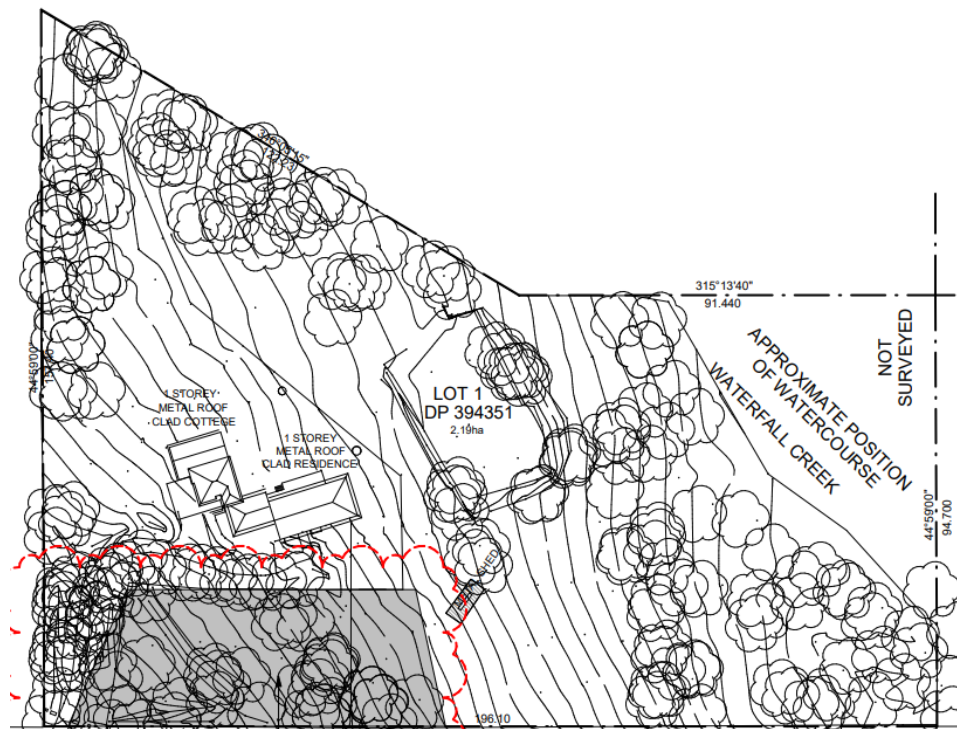


Figure 1: Subject site Plan (Subject area shaded)

SOURCE: Project Flow

4. SITE HISTORY

A review of Council records indicates that there are no past works or applications relevant to the subject proposal. No further investigation is required in this regard.

5. CLAUSE 4.15 THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

5.1. The Provisions of any Environmental Planning Instrument (EPI)

5.1.1. State Environmental Planning Policy No.55 - Remediation of Land

The aim of the policy is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 7(1) of State Environmental Planning Policy No. 55 – Remediation of Land, is relevant to the assessment of this Development Application.

Clause 7(1) requires that consent not be granted until Council has considered whether the land is contaminated. If the land is contaminated, the Council needs to be 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.

The subject site has historically been used as a residential allotment for a significant period. No evidence of contamination was observed during inspection of the site.

As there is no historical evidence of the site being previously used for a purpose which would result in the land being contaminated, further testing of the site in respect of contamination is not warranted in this instance.

5.1.2. State Environmental Planning Policy Infrastructure

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists)
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line
- includes installation of a swimming pool any part of which is in proximity of Infrastructure

This element of the assessment will be subject to referral to the relevant State bodies for comment. Any recommendations forthwith are requested to be included within any conditions of consent.

5.1.3. Warringah Local Environmental Plan 2011

The following elements of the LEP are applicable to the proposal:

PART 1 - PRELIMINARY

1.2 Aims of the Plan

The proposal is consistent with the relevant aims of the plan as follows:

In relation to non-residential development, to—

Ensure that non-residential development does not have an adverse effect on the amenity of residential properties and public places, and

Maintain a diversity of employment, services, cultural and recreational facilities,

The non-invasive, passive nature of this proposal ensures that this non-residential land use will not have an unreasonable impact upon any residential development within this sparsely populated locale. The dog training will add to the diversity of services within an appropriate location.

PART 2 PERMITTED OR PROHIBITED DEVELOPMENT

LAND USE TABLE

RU4 PRIMARY PRODUCTION SMALL LOTS

The proposal is defined as:

Animal Boarding or Training Establishments

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

The use is identified as permissible within the RU4 Primary Production Small Lots zone.

Objectives of zone

The relevant objective of the zone is responded to as follows:

Objectives

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To maintain and enhance the natural landscape including landform and vegetation.*
- *To ensure low intensity of land use other than land uses that are primary industry enterprises.*

The proposal responds appropriately to the low impact residential character of the locality and does not result in any impacts upon the values identified. The proposal also contributes to the maintaining of the objectives overall.

PART 4 – PRINCIPAL DEVELOPMENT STANDARDS

There are no building works proposed, thus no changes to the built form on site as existing.

6.3. The provisions of any Draft Environmental Planning Instrument (EPI)

There are no Draft Environmental Planning controls relevant to the proposal.

6.4. The provisions of any Development Control Plan (DCP)

The following development control plan is applicable to the development.

6.4.1. Warringah Development Control Plan

The Warringah Development Control Plan (DCP) applies to the land with the following sections of particular relevance to the proposal:

PART A - INTRODUCTION

Section A5 Objectives

The objectives of the DCP are responded to as follows:

OBJECTIVES	
To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood	The proposal has negligible impacts upon the surrounds by virtue of its passive nature
To ensure new development is a good neighbour, creates a unified landscape, contributes to the street,	Not applicable, no building works proposed
Reinforces the importance of pedestrian areas and creates an attractive design outcome	Not applicable
To inspire design innovation for residential, commercial and industrial development	Not applicable
To provide a high level of access to and within development.	Not applicable
To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained	No development is proposed, thus the physical environment is protected
To achieve environmentally, economically and socially sustainable development for the community of Warringah	Achieved

NOTE: As there are no building works proposed, any impacts upon Biodiversity, landslip and Bushfire considerations are negligible. The proposal is extremely passive with no works and one staff member part time. 9am – 1pm 5 days a week. This use will have a negligible impact in its operation on the locale and the various attributes of the site.

6.5. Planning agreements or draft planning agreements

There are no planning agreements or draft planning agreements submitted under Section 93F that are relevant to this proposal.

6.6. The Likely Impacts

Environmental

The assessment of the proposal has shown that any environmental impacts resulting from the proposal will be negligible. Regard is shown for the natural environment in terms of scenic protection and view maintenance, with appropriate measures incorporated into the overall design that operate in concert with the extensive areas of landscaping provided by the site layout.

The built environment will be enhanced by the upgrade and its more economical use of the available resource, without impacting the area in terms of built form. The proposal satisfies the requirements of both the natural and built environments.

Social

The proposal maintains a more diverse service typology within the appropriate RU4 Zone. This allows a more diverse population cross section to utilise specific services within the Northern beaches LGA.

Economic

The provision of the opportunity within this appropriately zoned locality, will allow a contribution to the availability of various services whilst showing regard for the requirements of this RU4 Zone.

6.7. Site Suitability

The site suitability is indicated by the appropriate land use being located within the appropriate RU4 Zone. The proposal has demonstrated compliance with the standards and controls together with a consistency of all underlying objectives of both State and Local policies.

The subject site is serviced by existing infrastructure, is easily accessible and is within a gentrified area. The dog training establishment is an appropriate fit to the naturally developed character of the locality and will add a further unique land use within this area. The application is considered acceptable with regards to suitability of the site.

6.8. Submissions

There have been no submissions received from any public person, private or Government Authorities at the time of the preparation of this report.

6.9. The Public Interest

The public interest is served by the provision of the appropriate land use that is consistent with Local and State planning objectives. The land use responds at a strategic level to desired planning outcomes together with increased service opportunities within the Sydney region and the Northern Beaches LGA specifically. The proposal is consistent with the underlying objectives of the EP&A Act in that it is an appropriate and economical use of the available resource.

7. CONCLUSIONS

This Statement of Environmental Effects has provided an assessment of the proposed dog training centre against the relevant provisions of the Warringah Local Environmental Plan (MLEP) 2013, the subject site is located within the RU4 zone thus the proposal is therefore considered to satisfy the zone objectives at a strategic level. The project, located within semi-rural Duffys Forest, offers a service which will provide for and contribute to the diversity in this precinct. The proposal has demonstrated consistency with the underlying objectives of the controls and general compliance with the numerical standards contained within both State and Local policies

Overall, it is considered that will not have any adverse impact on the subject site and surrounding locale. The proposal provides for a high degree of amenity with no unreasonable impacts. We submit that the proposal is consistent with Councils expectations upon the site and there is no planning reason why this proposal should not be approved.