

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**2 SPICER ROAD NORTH, OXFORD FALLS**

**CONSTRUCTION OF A NEW DWELLING**

**PREPARED ON BEHALF OF  
Mr & Mrs Davey**

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## 1. INTRODUCTION

This application seeks approval for the construction of a new dwelling upon land identified as Lot 2 in DP 504480 which is known as **No. 2 Spicer Road North, Oxford Falls**.

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

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2000.
- Warringah Development Control Plan 2000.

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

- Architectural Plans prepared by Tullipan Homes, DWG No. 7240-wd1 and dated 25/03/19.
- BASIX Certificate #1010686S and issued 18 April 2019.
- Bushfire Threat Assessment prepared by Firebird ecoSultants Pty Ltd and dated December 2018.
- Stormwater Plan prepared by Ibrahim Stormwater Consultants, Job No. T9007-7240, Issue 1 and dated 29-5-19.

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 2 in DP 504480 which is known as 2 Spicer Road North, Oxford Falls. The site is located at the western side of Spicer Road. The site has an area of 4.5ha. The locality is depicted in the following map:



The site is currently occupied by a single storey dwelling with a metal roof, outbuildings and a swimming pool. The existing structures are located towards the north-western corner of the site. Vehicular access to the site is provided via a driveway located towards the southern boundary. The site has been previously cleared and generally slopes from west to east.

The site is depicted in the following photographs:



View of Subject Site from Spicer Road

The existing surrounding development comprises large rural residential allotments on similar sized allotments which comprise large dwellings and rural structures.

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



**Aerial Photograph of Locality**

### 3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a new single storey dwelling. The dwelling is to be constructed of external cladding and masonry walls with a pitched metal roof. The existing pool and associated outbuilding will be retained.

The dwelling is proposed to be located towards the north-western corner of the site, in a similar location of that to the existing dwelling. The proposed dwelling provides for a minimum setback of 4.015m to the northern boundary and 3.368m to the western boundary.

The proposed dwelling provides for the following:

Entry, media room, kitchen, living/dining room, laundry, 5 bedrooms (bed 1 and 2 with ensuite), bathroom, WC and study.

Parking for the dwelling will be provided at grade, with no formal covered area proposed.

The proposal will result in the following numerical indices:

**Site Area:** 4.5ha

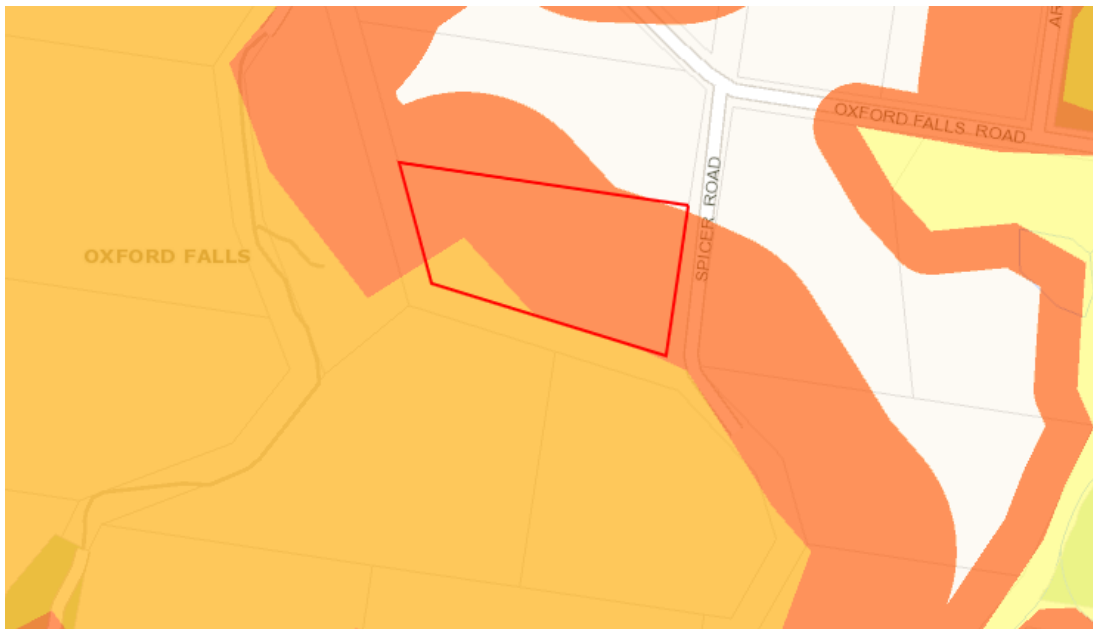
**Approx Proposed Landscaped Area:** 4.4ha or 97%



#### 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 Warringah Council.

##### 4.1 Planning for Bushfire Protection 2006



**Extract of Bushfire Map**

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 apply. A Bushfire Threat Assessment has been prepared by Firebird Ecosultants Pty Ltd which in summary provides:

*In summary, the following is recommended to enable the proposal to meet the relevant legislative requirements for the proposed subdivision:*

- *The proposed dwelling has been assessed as BAL-29.*
- *APZ are required in accordance with Table 4-1 of this report between the surrounding Forest vegetation and the proposed dwelling.*
- *The proposed access internal road is to meet either the performance criteria or acceptable solutions as detailed in Section 6 of this report and Section 4.1.3 (1) of PBP.*

- A 20,000L water supply with 65mm metal Storz outlet with a gate or ball valve is provided for fire-fighting purposes on the lot (the gate or ball valve, pipes and tank penetrations are to be designed to allow for a full 50mm inner diameter water flow through the Storz fitting and must be of a metal construction) is to be provided.

The proposal addresses the requirements of this legislation.

#### 4.2 Warringah Local Environmental 2011

The land is noted as a “Deferred matter” under the provisions of the WLEP 2011.

In accordance with Clause 1.3 (1A) of WLEP 2011, the LEP does not apply to land noted as “Deferred matter”.

In this instance, the relevant planning instrument is Warringah Local Environmental Plan 2000.



Fig 3: Extract of Warringah Local Environmental Plan 2011



### 4.3 Warringah Local Environmental Plan 2000

#### Desired Future Character

The subject site is located in the B2 Oxford Falls Valley locality under Warringah Local Environmental Plan, 2000. The Desired Future Character Statement for this locality is as follows:

*The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.*

*Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.*

*The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.*

*A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.*

*Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.*

The construction of a new single storey dwelling used for housing is identified as Category 2 development in this locality.

As the works are seeking to provide for new detached style housing that conforms with the housing density standards and minimises disturbance to the existing vegetation and landform is considered to be an appropriate form of development in the locality.

It is considered that the proposal is consistent with the Desired Future Character Statement for this locality, in that the proposed dwelling will largely maintain the existing character of the site and continue the existing mix of low density residential and rural uses.

Further, the proposal will maintain the visual pattern and predominant scale of existing detached style housing in the locality.

The proposal is not prominently visible from the street or the public domain and therefore will have no detrimental impact on the streetscape or character of the locality.

The setbacks are compatible with the existing surrounding development.

### Built Form Controls

The following table outlines compliance with the Built Form Controls of the above locality statement;

<b>Built Form Controls</b>			
<b>Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
Housing Density	1 dwelling per 20ha (excepts as per (a) where this control would prevent erection of a dwelling on an existing parcel of land	1 dwelling per 4.5ha (existing allotment)	Yes Complies with clause (b) of the housing density requirements.
Building Height	Not to exceed 8.5m overall height 7.2m ceiling height	Proposal provides for a maximum height of approximately 5.12m and a maximum ceiling height of 2.74m	Yes
Front Setback	Minimum 20.0m/10.0m side setback	New dwelling located at rear of site.	Yes
Rear Setback	Minimum 10m	3.638m to 7.299m	See discussion at end of table **
Landscaped Open Space	Minimum area 30% of site	97%	Yes

### Rear Setback

The built form controls of the LEP specify a minimum setback of 10m to the rear boundary. The proposal provides for setback ranging from 3.638m to 7.299m to the rear western boundary. However, the setback proposed is considered appropriate in this instance for the following reasons:

- The proposal replaces an existing dwelling in the same location. The proposed dwelling does not reduce the setback currently provided by the existing dwelling to the rear boundary.

- Increasing the rear boundary setback would require demolition of the swimming pool and outbuildings without any benefit.
- The dwelling is single storey and does not result in any overlooking.
- The proposal is well separated from the surrounding dwellings and the principal area of private open space.
- The proposed dwelling location does not require the removal of any significant vegetation nor require excessive cut or fill.
- The rear boundary does not adjoin private owned land, rather it adjoins an unformed road.

## **Clause 22 – Site Analysis**

The site plans and architectural plans prepared and submitted with the application are in accordance with this clause. It is considered that the information submitted on the site plan is appropriate, in conjunction with the following information.

The immediate locality comprises predominately rural residential development with limited local services provided. The properties in the locality enjoy district views to the north and north-west.

Sites experience winds from all directions, with the cooling breezes from the east and the warmer winds from the west, together with the southerly breezes.

The area is well located in terms of local shops, schools and public reserves. The adjoining properties share a similar topography and fall to the south east as the subject site.

## **Clause 50 – Safety and Security**

This clause aims to enhance the safety and security of the locality. The proposed works will provide for a new family dwelling with views of the immediate locality and dwelling approach which will enhance security and safety in the area.

## **Clause 54 – Provision and location of utility services.**

The subject site is currently provided with electricity and telecommunication services. The waste water from the dwelling will be treated via a conventional septic tank in accordance with the 'On-Site Wastewater Management Report' prepared by EnviroTech Environmental & Engineering Consultants.

### **Clause 56 – Retaining unique environmental features on site**

The proposal provides for a new dwelling to be provided in the same location of the existing dwelling on site. This minimises disruption to the land form and ensures that any unique environmental features of the site are retained.

### **Clause 58 – Protection of existing flora**

The proposed dwelling is located in the same position of the existing dwelling on site and does not require the removal of any protected vegetation.

### **Clause 63 – Landscaped Open Space**

The area provided is suitable for a range of activities including active and passive recreation, provision of service facilities and the provision of landscaping. The proposal complies with the numerical requirements of the locality statement in this regard.

### **Clause 65 - Privacy**

The proposed works will not introduce any significant increased opportunity to over view the neighbours. The proposal provides for a single storey dwelling only and is located in the same position as the existing dwelling on site. The dwelling is well separated from the adjoining dwellings and their principal private open space.

The proposal will not have a significant impact on the amenity currently enjoyed by the neighbouring properties.

### **Clause 66 – Building bulk**

The design of the new dwelling successfully manages the bulk and scale of the building. The proposal provides for a single level dwelling that is provided with appropriate setbacks to the boundaries of the site. Sufficient articulation is provided along all facades.

The proposed dwelling retain substantial separation from the street and the neighbouring dwellings and as a result, the proposal is considered to present an acceptable bulk and scale when viewed from either the street or the neighbouring properties.

### **Clause 68 - Conservation of Energy and Water**

The proposal meets water, thermal and energy standards required by BASIX. A BASIX certificate has been submitted with the development application.

### **Clause 71 – Parking facilities**

The proposal will retain the existing driveway access and provides for ample area on site for at grade parking. There is also sufficient area for manoeuvring to enable vehicles to enter and leave the site in a forward direction.

### **Clause 74 – Provision of car parking**

The proposal provides for ample off street parking at grade to satisfy the minimum required for detached housing.

### **Clause 76 – Management of Stormwater**

The proposal will provide for the collection of roofwater and re-use within the site. Excess stormwater will be dispersed on site.

There are no other clauses of the WLEP that are considered to be relevant to the proposed development.

It is considered that the proposal achieves the requirements of the WLEP.

## **5. EP & A ACT - SECTION 41.5**

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

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2000. Construction of a new dwelling house is permissible with the consent of Council in this Oxford Falls Valley Locality as Category 2 Development. 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 a new single storey dwelling without any detrimental impact on the environment, social and economic status of the locality.

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

The construction of a new single storey dwelling house on this site is permissible with the consent of Council. The resultant dwelling 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 a new replacement dwelling 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 new dwelling and associated works. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2000. The proposed dwelling 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 new single storey dwelling at **No. 2 Spicer Road North, Oxford Falls** is worthy of the consent of Council.

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