



**STATEMENT OF ENVIRONMENTAL EFFECTS
RELATING TO A DEVELOPMENT APPLICATION FOR ALTERATIONS AND ADDITIONS TO THE
EXISTING DWELLING HOUSE AT 6 GUWARA ROAD DUFFYS FOREST**



**Prepared for Cadence & Co Design Pty Ltd
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Urban and Regional Planning, Environmental Planning and Statutory Planning
PO Box 251 Artarmon NSW 1570
Telephone: (02) 9416 9111 Email: admin@inghamplanning.com.au
A.C.N 106 713 768
www.inghamplanning.com.au

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1. INTRODUCTION

This is a Statement of Environmental Effects (SEE) relating to a development application (DA) for alterations and additions to the existing dwelling house at 6 Guwara Road Duffys Forest.

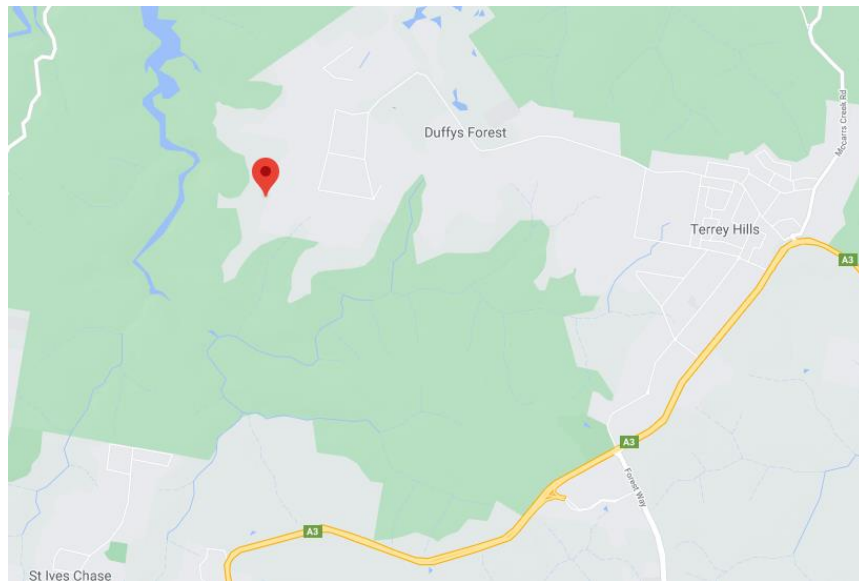
The report will address the characteristics of the subject property, the nature of the surrounding locality, details of the proposed development and Council's zoning and development control provisions. The report will provide an assessment of the proposal in terms of the matters for consideration under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979.



Figure 1 – view of existing dwelling from Guwara Road side

2. THE SITE

The subject site is known as 6 Guwara Road Duffys Forest (Lot 3 DP1196894). It is located on the western side of Guwara Road at the western extremity of the suburb of Duffys Forest (see **Figures 2 and 3**). The area to the west is National Park and is highly vegetated with natural bushland.



Source – Google maps

Figure 2 – Site location within Duffys Forest



Source – Six maps

Figure 3 – Site

The existing dwelling house on the site (see **Figure 1**), is of two storey masonry construction. A semi-circular driveway/turning area provides vehicular access. A fire trail runs through the site about 16m from the dwelling. The area between the fire trail and the road falls gently from the SE to NW corner and predominantly cleared of trees with the exception of the NE corner near Guwara Road. The western part of the site beyond the fire trail is heavily vegetated.

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Surrounding Environment

3. SURROUNDING ENVIRONMENT



Source – Six maps

The subject site is at the western extremity of Duffys Forest where the area is characterised by large rural-residential development. The land to the west comprises National Park and is heavily vegetated (see **Figure 4**).

Figure 4 – site and surrounding development

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The Proposal

4. THE PROPOSAL

The proposal involves the following:

- Earthworks and tree removal to facilitate proposed building and landscape works (refer to submitted plans, Geotechnical Report and Arborist's Report)
- Tennis court with lighting and movable netting
- 6 car Garage with separate driveway and crossover
- Second crossover to existing driveway (to make semi-circular driveway)
- 2 x sets of new driveway gates to match existing
- Swimming pool
- Deck (linking house and pool) with pergola
- Wellness Pavilion
- In-ground trampoline
- Balcony addition to existing house (shown on site plan in yellow)
- Landscaping throughout property (refer to submitted landscape plans) including provision of required bushfire Asset Protection Zones (refer to submitted Bushfire Report)
- Necessary infrastructure including stormwater management (refer to submitted plans)

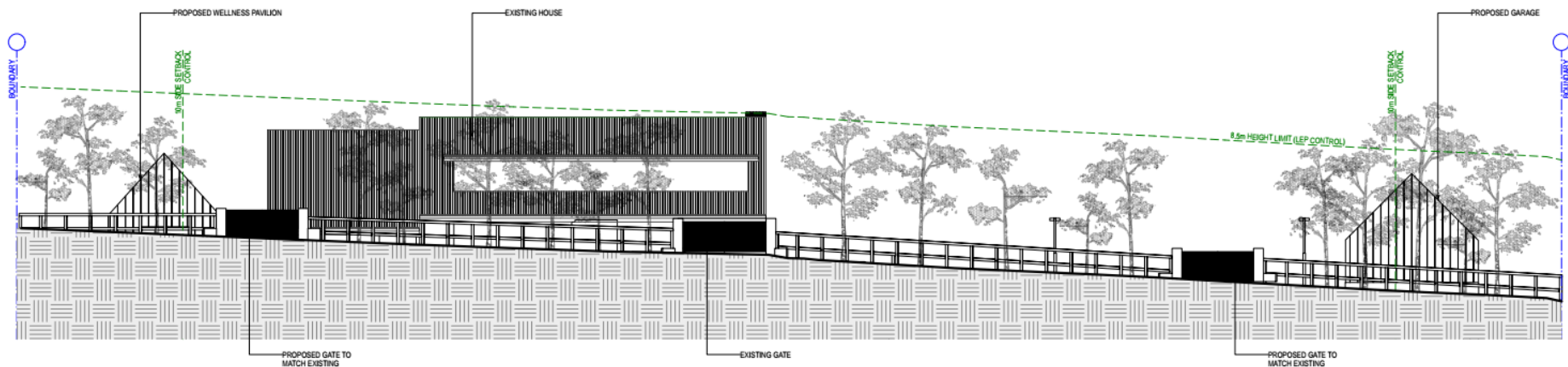


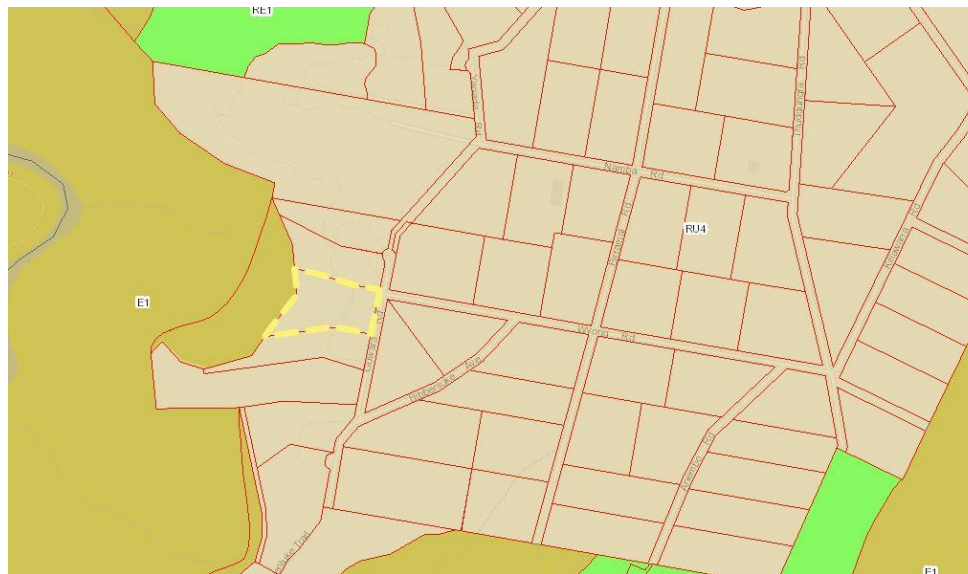
Figure 5 – Street elevation showing existing house, proposed garage and wellness area and driveway entries

5. ZONING AND DEVELOPMENT CONTROLS

5.1 Zoning

Pursuant to the provisions of Warringah Local Environmental Plan 2011 ('the LEP') the subject property is zoned RU4 Primary Production Small Lots (see **Figure 6**). The existing use can be categorised as a 'dwelling-house' and the proposed works are ancillary to this use. The proposed works are considered to be consistent with the objectives of the RU4 zone as it will:

- minimise conflict between land uses within this zone and land uses within adjoining zones.
- minimise the impact of development on long distance views of the area and on views to and from adjacent national parks and bushland.
- maintain and enhance the natural landscape including landform and vegetation.
- ensure low intensity of land use other than land uses that are primary industry enterprises.
- maintain the rural and scenic character of the land.



Source – NSW Planning Portal

Figure 6 – Zoning LEP 2011

5.2 Development Controls

The following planning documents are relevant to the assessment of the subject DA:

- State Environmental Planning Policy No 55—Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River;
- Warringah Local Environmental Plan 2011;
- Warringah Development Control Plan 2011.

6. EVALUATION UNDER SECTION 4.15(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1997

6.1 Environmental planning instruments

6.1.1 State Environmental Planning Policy No 55—Remediation of Land

The site has not been previously used for any purpose that would be likely to cause contamination and has already been approved for residential use.

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

A BASIX certificate has been provided with the DA demonstrating that the proposed swimming pool and wellness space are suitably sustainable.

6.1.2 Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River

The site is not near to or visible from the river and the proposed structures are modest in scale and will not reduce the scenic quality of the area. Subject to appropriate conditions of consent regarding construction, the impacts of the proposal on the environment can be suitably mitigated.

6.1.3 Warringah Local Environmental Plan 2011

In addition to the zoning discussed above, the following clauses of the LEP are relevant.

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 8.5m 	Yes	The proposal does not alter the existing max building height which is well below the permitted height.
Part 6 Additional local provisions		
6.2 Earthworks		<p>The details submitted with the DA, including a geotechnical report (or in accordance with appropriate conditions), indicate that the proposal will not:</p> <ul style="list-style-type: none"> result in the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, adversely effect of the likely future use or redevelopment of the land, have poor quality fill; result in any poor quality fill leaving the site; adversely affect the existing and likely amenity of adjoining properties, source fill material from inappropriate locations and will dispose excavated material to appropriate locations, be likely to disturb relics, have adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.
6.4 Development on sloping land	Yes	<p>The proposal will take place on Category A and B land and as indicated in the submitted geotech report, will ensure that:</p> <ul style="list-style-type: none"> there is minimal risk associated with landslides in relation to both property and life, the development will not cause significant detrimental impacts because of stormwater discharge from the development site, the development will not impact on or affect the existing subsurface flow conditions.

6.2 Draft environmental planning instruments

There are no draft environmental planning instruments of relevance to the proposal.

6.3 Development control plans

6.3.1 Warringah DCP 2011

The numerical provisions of this DCP are considered in the following table.

PART 2 Built form controls		
Development Control	Compliance	Comment
B1 Wall Heights – max 7.2m	Yes	The proposal will meet the objectives of these provisions by being generally well below the permitted wall height.
B5 Side Boundary Setbacks – min 10m	No	<p>The proposal is setback 5m from the southern and northern side boundary. This is considered to be acceptable given that there will be ample area for screen planting and that the adjoining development is set well back from this boundary. The structures are setback sufficiently from the front boundary to enable them to sit behind the existing trees at the streetfront and therefore not be highly visible from the public domain.</p> <p>This will ensure that the objectives of this control are met despite the non-compliance as the proposal will:</p> <ul style="list-style-type: none">• provide opportunities for deep soil landscape areas.• ensure that development does not become visually dominant.• ensure that the scale and bulk of buildings is minimised.• provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.• provide reasonable sharing of views to and from public and private properties.

PART 2 Built form controls		
Development Control	Compliance	Comment
B7 Front Boundary Setbacks – min 20m	Yes/No	<p>The majority of the proposed works are setback further than required and behind the setback of the existing dwelling. The proposed garage encroaches into the required setback by 2m in order to minimise cut and fill as the land slopes steeply away towards the western boundary. Complying with the setback would necessitate additional fill being required. Given that the garage will not be highly visible from the public domain as it is sited behind existing vegetation, the minor non-compliance is considered to represent a better planning outcome than enforcing compliance. It will also achieve the objectives of the standard as it will still:</p> <ul style="list-style-type: none"> • create a sense of openness. • maintain the visual continuity and pattern of buildings and landscape elements. • protect and enhance the visual quality of streetscapes and public spaces. • achieve reasonable view sharing. <p>It should also be noted that the main threat of bushfire is to the west and locating the building as far east as practicable is a sensible approach.</p>
B12 National Parks Setback - min 20m	Yes	The proposed works are setback well in excess of the requirement.

Part C Siting Factors		
Development Control	Compliance	Comment
C2 Traffic, Access and Safety	Yes	The proposed vehicular crossings are to a very low use road and therefore will not affect traffic safety.
C3 Parking Facilities	Yes	The proposed garage does not face the street and is sited so as not to be visible in the public domain. It will comply with the relevant technical standards.
C4 Stormwater	Yes	The DA is supported by information demonstrating that stormwater from the proposed works can be suitable managed.
C7 Excavation and Landfill	Yes	The proposed cut and/or fill are located away from neighbours and will not be visible from any public area. Appropriate conditions of consent can ensure that the other requirements and objectives of this section are met.

Part C Siting Factors		
Development Control	Compliance	Comment
C8 Demolition and Construction	Yes	Appropriate conditions of consent can ensure that requirements and objectives of this section are met.
C9 Waste Management	Yes	The DA is supported by a Waste Management Plan for Construction that will meet the requirements and objectives of this section.

Part D Design		
Development Control	Compliance	Comment
D1 Landscaped Open Space and Bushland Setting – min 30%	Yes	The landscaped open space provided is well in excess of the 30% min required.
D2-D16	Yes	The proposal will not be inconsistent with any of these matters and will not have any direct impacts on neighbours. Hours of the use of the tennis court and lighting can be limited to 7am-10pm to ensure that neighbours and wildlife are not unreasonably disturbed. The proposed lighting meets the relevant Australian Standards ensuring limited light spill.
D16 Swimming Pools and Spa Pools	Yes	The proposal is consistent with the requirements of this section.
D17 Tennis Courts	Yes	The proposal is consistent with the requirements of this section except that lighting is proposed . In this circumstance where neighbours are well away from the subject area, the proposed lighting (which will meet the relevant Australian Standards ensuring limited light spill) is considered appropriate.
C8 Demolition and Construction	Yes	Appropriate conditions of consent can ensure that requirements and objectives of this section are met.
C9 Waste Management	Yes	The DA is supported by a Waste Management Plan for Construction that will meet the requirements and objectives of this section.

Part E The Natural Environment		
Development Control	Compliance	Comment
E1 Preservation of Trees or Bushland Vegetation	Yes	The proposal will require the removal of a number of trees. This is addressed in the submitted Arborist's report. Given the constraints of the site in terms of slope and setbacks, the proposed location of the buildings is considered to represent the best overall outcome as although some trees will be removed, those retained (supplemented by additional planting) will screen the structures from the public domain. If relocated to retain trees, the buildings are likely to be more visible and more likely to detract from the scenic quality of the area.
E2 Prescribed vegetation	Yes	The proposal will not affect prescribed vegetation.
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	Yes	The proposal will not affect any of these species or habitats. The tennis courts use movable nets ensuring that they do not present a threat to wildlife. Lighting is to be time limited to ensure no unreasonable disturbance.
E4 Wildlife Corridors	Yes	The proposal will not affect any wildlife corridors.
E5 Native Vegetation	Yes	The proposal involves the removal of native vegetation however this is limited to individual trees and the area affected is not greater than 100sqm. The proposed replacement planting will significantly increase the amount of native vegetation on the site (refer to submitted landscape plans).
E6 Retaining unique environmental features	Yes	The proposal will not affect any unique environmental features.
E7 Development on land adjoining public open space	Yes	The site adjoins National Park which is not accessible to the public from or near the site. The proposal retains significant bushland in the rear of the site adjoining the National Park and as such will not compromise its values.
E10 Landslip Risk	Yes	A geotech report is submitted with the DA that indicates the proposal can appropriately mitigate against this risk.

6.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreements or draft planning agreements that are of relevance to the proposal.

6.5 Any matter prescribed by the regulations that apply to the land to which the development relates

There are no regulations of specific relevance to the proposal.

6.6 The likely impacts of that development

The potential impacts of the proposal have generally been discussed above and in the other submitted documentation. In relation to bushfire, the submitted report indicates that subject to recommendations relating to APZ's, construction materials, landscaping, gas provision, emergency management and the fire trail, the proposal will be acceptable.

6.7 The suitability of the site for the development

The site is large and able to accommodate a large dwelling and significant associated facilities such as those proposed, without affecting the environmental values of this locality.

6.8 Submission made in accordance with this Act or the regulations

This is a matter for Council to consider however the proposal has been designed to minimise impacts on surrounding development.

6.9 The public interest

The proposal is considered to be in the public interest as it will facilitate the use of the land in a manner which is sympathetic to both neighbours and the existing character of the area.

7. CONCLUSION

The proposal is considered to provide for a sensitive solution to provide for significant facilities associated with the residential use of the land. The structures are sited so that they will not dominate the views into the site from the public and will maintain the scenic values of the area.

We believe the development provides a quality planning outcome for the site and seek Council's support for the proposal.