

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**PROPOSED CONSTRUCTION OF A NEW DWELLING INCLUDING ATTACHED  
DOUBLE GARAGE, DRIVEWAY, SWIMMING POOL AND ASSOCIATED  
LANDSCAPING**

**AT**

**8 COOKSEY AVENUE, FRESHWATER**

**FOR**

**WESLEY DOSE**



**Prepared  
February 2020**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of the Wesley Dose by Freshwater Blue Pty Ltd, detailing the demolition of the existing structures and the construction of a new two storey dwelling, including an attached double garage, new driveway, swimming pool and associated landscaping at **8 Cooksey Avenue, Freshwater**.

The architectural plans which comprise the Development Application submission comprise:

SHEET NUMBER	TITLE	ISSUE
• 2019-SA01	SITE ANALYSIS PLAN	ISSUE A DATED OCTOBER 2019
• 2019-00	DRAWING SCHEDULE	ISSUE A DATED OCTOBER 2019
• 2019-01	SITE PLAN	ISSUE A DATED OCTOBER 2019
• 2019-02	DEMOLITION PLAN	ISSUE A DATED OCTOBER 2019
• 2019-03	GROUND FLOOR PLAN	ISSUE A DATED OCTOBER 2019
• 2019-04	UPPER FLOOR PLAN	ISSUE A DATED OCTOBER 2019
• 2019-05	PROPOSED ROOF PLAN	ISSUE A DATED OCTOBER 2019
• 2019-06	NORTH & SOUTH ELEVATIONS	ISSUE A DATED OCTOBER 2019
• 2019-07	EAST & WEST ELEVATIONS	ISSUE A DATED OCTOBER 2019
• 2019-08	SECTIONS	ISSUE A DATED OCTOBER 2019
• 2019-09	FRONT BOUNDARY FENCE ELEVATOIN	ISSUE A DATED DECEMBER 2019
• 2019-SC01	SEDIMENTATION & EROSION	ISSUE A DATED OCTOBER 2019
• 2019-SD01	SHADOW DIAGRAMS	ISSUE A DATED OCTOBER 2019
• 2019-SD02	SHADOW DIAGRAMS	ISSUE A DATED OCTOBER 2019
• 2019-SD03	SHADOW DIAGRAMS	ISSUE A DATED OCTOBER 2019
• 2019-WM01	WASTE MANAGEMENT PLAN	ISSUE A DATED OCTOBER 2019
• DRAWING 1	LANDSCAPE PLAN	DATED 10 FEBRUARY 2020
• C1.00 05	STORMWATER PLAN	DATED 20 NOVEMBER 2019

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. As a result of this 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.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

## 2.0 Property Description

The subject allotment is described as 8 Cooksey Avenue, Freshwater, being Lot 25 within Deposited Plan 13915 and is zoned R2 Low Density Residential within the provisions of the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

The land is noted as being Landslip Area A and B, however as noted in the extract below from Councils landslip hazard map for the site, the area of Area B effects only front boundary area, with no site disturbance or dwelling constriction in any area of the site other than Landslip Area A. On this basis, it is assumed that no further investigation is required.



Fig 1: Extract - Warringah DCP Landslip Hazard

There are no other known hazards.

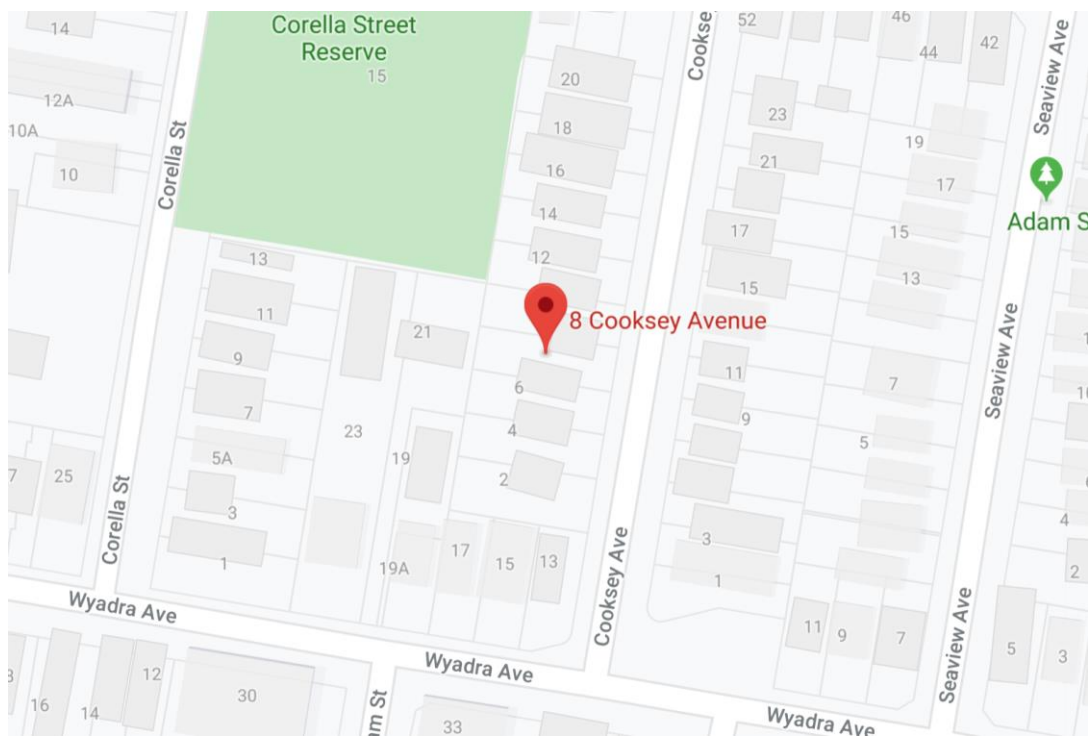
### 3.0 Site Description

The property is located on the western side of Cooksey Avenue. The site falls gently towards the western rear, with a fall of approximately 2.2m over the site's length. The site is rectangular in shape, with a width of 12.495m and a depth of 40.235m. The land has a total site area of 502.8m<sup>2</sup>.

The site is currently developed with a single storey brick residence with a tile roof, with a detached brick garage located in the rear yard.

Roofwater from the development is to be connected to an on-site dispersal area in the rear yard via 2 x 2500 litre rainwater tanks in accordance with the Stormwater Drainage Plan prepared by N. Koloff & Associates, August 2018.

The details of the site are as indicated on the survey plan prepared by Bee & Lethbridge Pty Ltd, Reference No. 20986, dated 30 April 2018, which accompanies the DA submission.



**Fig 2: Location of Subject Site**  
(Source: Google Maps)





**Fig 3: View of subject dwelling, looking west from Cooksey Avenue**



**Fig 4: View of streetscape to the south of the site, looking south-west from Cooksey Avenue**



**Fig 5: View of neighbouring development to the north of the site, looking west from Cooksey Avenue**

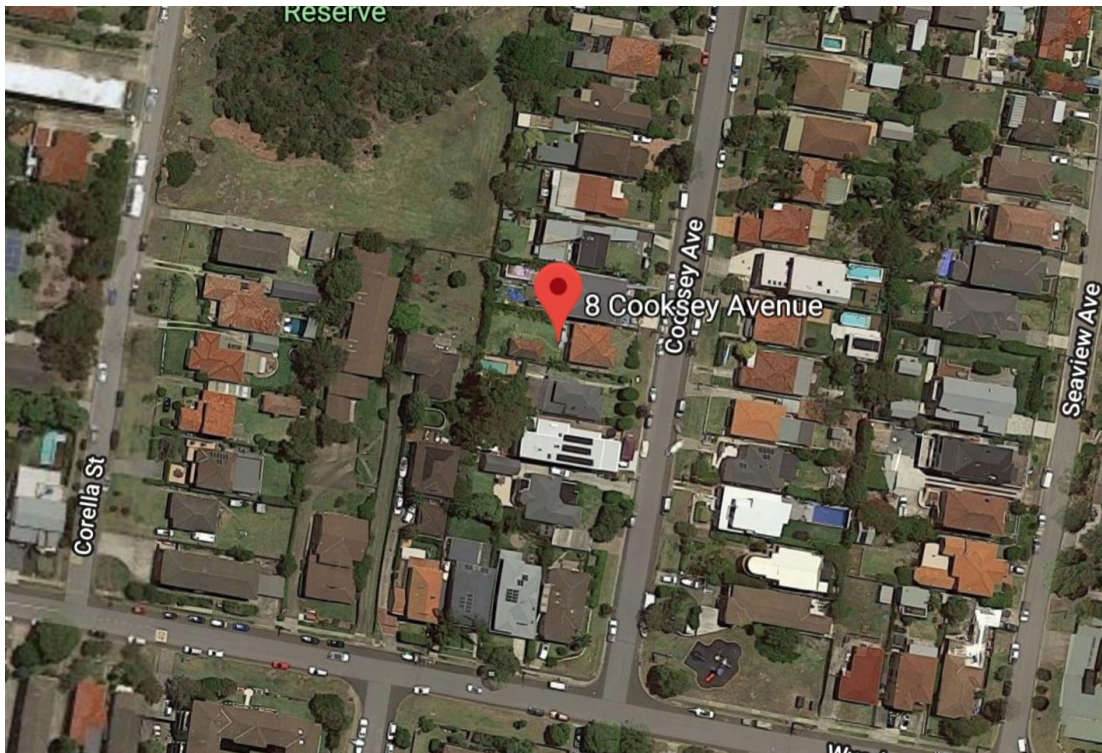


#### 4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of single detached dwellings and associated ancillary structures such as garages, storage sheds and swimming pools.

The sites immediately to the north and south comprise similar two storey dwellings and attached garages.

The site and its surrounds are depicted in the following aerial photograph:



**Fig 5: Aerial view of locality**  
(Source: Google Maps)



## 5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for the demolition of existing structures and construction of a new two storey dwelling, including an attached double garage, new driveway, swimming pool and associated landscaping.

The proposed works comprise:

### Ground Floor

- Proposed new ground floor level to provide for patio, entry, study, laundry, bathroom, open plan living, dining and kitchen, covered deck with day bed, BBQ and steps to rear yard
- Internal access stairs to upper level
- Attached double garage

### Upper Floor

- Proposed new upper floor level to provide for four bedrooms including master with walk-in robe, ensuite and balcony, rear balcony and bathroom

### External Works

- New inground swimming pool and fencing
- New driveway
- New landscaping

The external finishes of the proposed new dwelling include a mix of cement render, FC weatherboard cladding and face sandstone with metal roof sheeting.

The dwelling will see a modest two storey appearance to Cooksey Avenue, with a more contemporary & articulated façade which enhances the visual impact of the development to the streetscape.

Roofwater from the development is to be connected to an on-site dispersal area in the rear yard via 2 x 2500 litre rainwater tanks in accordance with the Stormwater Drainage Plan prepared by N. Koloff & Associates, August 2018.

The proposal results in the following development indices:

Site Area:	502.8m <sup>2</sup>
Required Landscaped Area:	40% or 201.12m <sup>2</sup>
Proposed Landscaped Area:	40% or 201m <sup>2</sup>

## 6.0 Zoning and Development Controls

### 6.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

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

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

### 6.3 Warringah Local Environmental Plan 2011

The land is zoned R2 Low Density Residential under the provisions of the WLEP 2011. The proposed works to the dwelling are permissible in the R2 zone with consent.

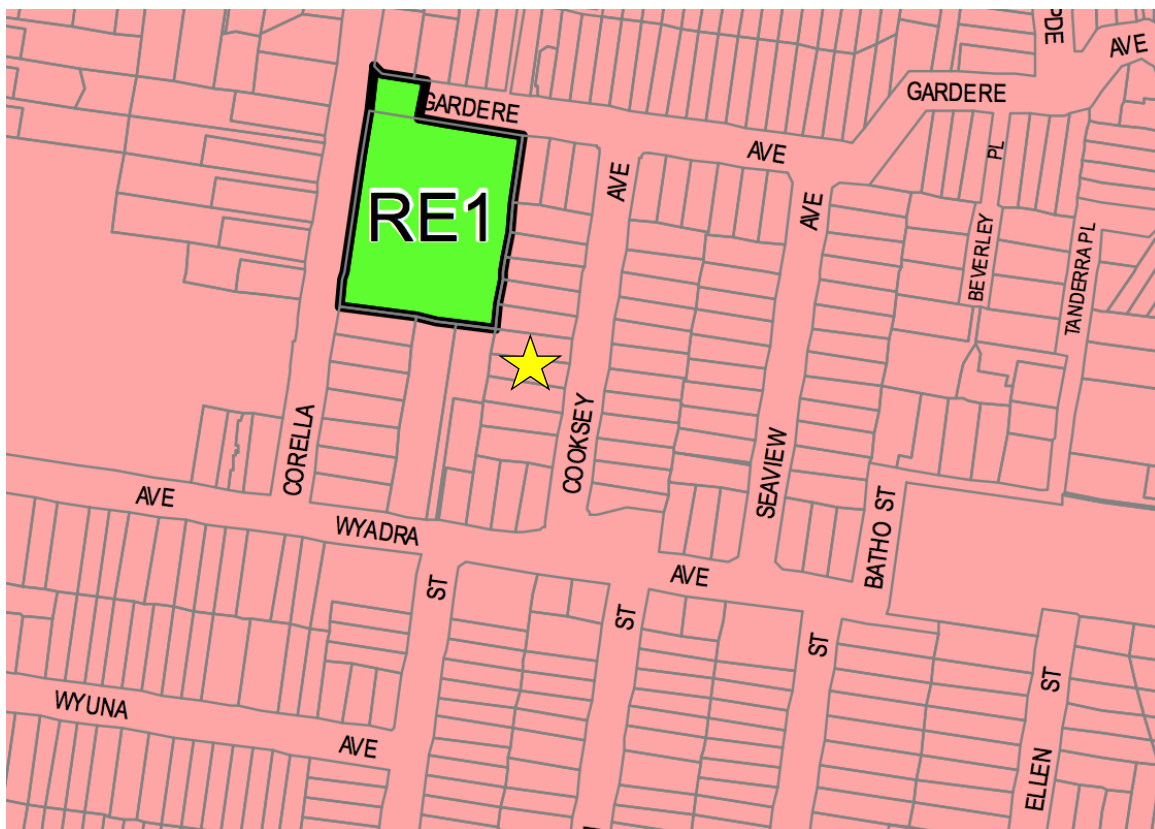


Fig 6: Extract of Warringah Local Environmental Plan 2011

The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- *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.*

It is considered that the proposed new dwelling, including an attached garage, driveway, swimming pool and associated landscaping will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any significant impact on the existing landscaped area or long distance views.

**Clause 4.3** provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

***building height (or height of building)*** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The building height limit for development in this portion of Freshwater is 8.5m. The proposed dwelling will result in a maximum height of approximately 8.16m and therefore complies with Council's maximum building height.

**Clause 6.2** relates to earthworks.

The proposal will not require any significant excavation or site disturbance. The works will be carried out in accordance with the recommendations of a qualified Structural Engineer, and therefore satisfy the provisions of this clause.

**Clause 6.4** relates to development on sloping land. The site is noted on Council's Landslip Risk Map as being within Area A and B.

The land is noted as being Landslip Area A and B, however as noted in the extract below from Councils landslip hazard map for the site, the area of Area B effects only front boundary area, with no site disturbance or dwelling constriction in any area of the site other than Landslip Area A. On this basis, it is assumed that no further investigation is required.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

#### 6.4 Warringah Development Control Plan

The relevant numerical and performance based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	The works will comfortably comply with the maximum wall height control (max 6.6m).	Yes
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	As noted on the submitted East & West Elevations (Drawing No. 2019-07) the proposal will comply with the side boundary envelope control.	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	The proposal will stand 0.935m and 0.9m from the northern and southern side boundaries respectively and therefore complies with this control.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	Minimum proposed front setback 6.5m and complies with Council's setback control.	Yes
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A



B9 – Rear Boundary Setbacks	Min 6m rear setback  R2 Zoned land swimming pool not to exceed 50% of rear setback area.	Minimum proposed rear setback 11.69m and therefore readily complies with Council's rear setback control.  Less than 50%	Yes  Yes
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A
<b>Part C – Siting Factors</b>			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	The proposal will see the construction of a new vehicle crossing and driveway. The works will be constructed in accordance with council's vehicle crossing policy.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal will see the construction of a new double garage, which is effectively integrated into the design of the new dwelling.  The garage is modest in scale and will not visually dominate the	Yes

		dwelling's façade. The supplementary trees and plantings will complement the new works. The parking and access design will meet the relevant standards.	
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	Roofwater from the development is to be connected to an on-site dispersal area in the rear yard via 2 x 2500 litre rainwater tanks in accordance with the Stormwater Drainage Plan prepared by N. Koloff & Associates, August 2018.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	Sediment and erosion control measures will be carried out as required.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained	Some excavation is required to accommodate the proposed dwelling and swimming pool.  All works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and will therefore satisfy the provisions of this clause.	Yes
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes

C9 – Waste Management	Waste storage area to be provided	Bins storage available within the southern side setback	Yes
<b>Part D – Design</b>			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The proposal will maintain a landscaped area of 201m<sup>2</sup> or 40% and therefore complies with this control.</p> <p>The development within the site will continue to achieve the Objectives of the controls, which are noted as:</p> <p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To enable planting to maintain and enhance the streetscape.</li> <li>• To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.</li> <li>• To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.</li> <li>• To enhance privacy between buildings.</li> <li>• To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.</li> </ul>	Yes

		<ul style="list-style-type: none"> <li>• To provide space for service functions, including clothes drying.</li> <li>• To facilitate water management, including on-site detention and infiltration of stormwater.</li> </ul> <p>The proposal will provide for sufficient area for the private open space and recreational requirements of the owners, whilst maintaining good areas of deep soil planting within rear yard area.</p>	
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	The private open space is directly accessible from the dwelling. The private open space is located within the rear yard, with good access to the northern sun.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	The works are residential in nature and there will be no further acoustic impacts.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling	The site enjoys good access to northern sun to the front and rear yards.	Yes



	Compliance with SEPP (BASIX) requirements		
D6 – Access to sunlight	This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.	Whilst the proposal will see some additional overshadowing to the southern neighbour, the internal and external living areas will continue to receive suitable solar access.	Yes
D7 – Views	View sharing to be maintained	<p>The controls require that development should enable the reasonable sharing of views. The works see the construction of a new dwelling on the site.</p> <p>The subject site and neighbouring properties receive limited views to the east towards Freshwater Beach.</p> <p>The proposal will provide for a modest two storey dwelling which is in keeping with the bulk and scale of development in the locality and readily complies with the statutory height limit.</p> <p>The form of the new works, along with the generous setbacks, will ensure that the primary outlook for the surrounding properties is not</p>	Yes

		unreasonably diminished.	
D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties	<p>The proposed dwelling has been designed to preserve the privacy of neighbouring properties. The proposed new rear balcony incorporates privacy screening along its northern and southern elevations and will not unreasonably reduce the privacy enjoyed by the neighbours.</p> <p>Furthermore, louvered windows and highlight windows have been provided to side elevations to minimise overlooking.</p> <p>Perimeter screen planting is provided to the rear yard, including the perimeter of the swimming pool, to further assist in maintaining privacy for the neighbours.</p>	Yes
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces	The existing surrounding development comprises a mix of dwellings between one and three storeys in height. The form of the proposed development is modest in height and scale, with an articulated façade, and an overall height that readily complies with Council’s statutory height limit, and will	Yes

		therefore not visually dominate Cooksey Avenue.	
D10 – Building Colours and materials		<p>The proposed new works will be finished in colours which complement the existing development on site and the locality.</p> <p>The proposed colours and finishes are detailed in plans prepared by Freshwater Blue Pty Ltd.</p>	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposed new dwelling provides for a complementary roof form to the locality that does not dominate the skyline.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	<p>The existing external finishes and colours will be retained and the proposed new finishes will complement the existing dwelling.</p> <p>The proposed external finishes have been detailed in plans prepared by Freshwater Blue Pty Ltd.</p> <p>No significant glare impacts will result from proposed new works.</p>	Yes
D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the	A new low level front fence with sliding driveway gate and pedestrian access gate will be provided.	N/A

	streetscape and not to encroach onto street		
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	Bin storage area is available along the southern side elevation of the dwelling.	Yes
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	New boundary fencing to be provided in accordance with the Dividing Fences Act 1991.	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Proposed pool is located in the rear yard.  The siting of the proposed pool will not affect any existing vegetation.	Yes
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community.  Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from the dwelling to the street over and through the front landscaped area.	Yes



D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	A BASIX Certificate is provided to support the development	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	N/A
<b>Part E – The Natural Environment</b>			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	The proposed works will not require the removal of any significant trees or vegetation.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area A and B.	The land is noted as being Landslip Area A and B, however as	Yes

		noted in the extract below from Councils landslip hazard map for the site, the area of Area B effects only front boundary area, with no site disturbance or dwelling constriction in any area of the site other than Landslip Area A. On this basis, it is assumed that no further investigation is required.	
E11 – Flood Prone Land	Not identified on map		N/A

**7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979**

**7.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. It is considered that the provisions of these environmental planning instruments have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

**7.2 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and**

It is not considered that there are any draft environmental planning instruments applying to the site.

**7.3 Any development control plan**

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site which will make a positive contribution to the area.

**7.4 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**

No matters of relevance are raised in regard to the proposed development.

**7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),**

No matters of relevance are raised in regard to the proposed development.

**7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposal, which seeks consent for the demolition of existing structures and construction of a new two storey dwelling, including an attached double garage, new driveway, swimming pool and associated landscaping, which has been located and designed to appropriately minimise impacts on the amenity of adjoining properties and are compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard for the relevant provisions of the SEPP, Council's LEP and DCP.

## **7.7 The suitability of the site for the development**

The site is considered suitable for the proposed development.

The proposal will provide for the demolition of existing structures and construction of a new two storey dwelling, including an attached double garage, new driveway, swimming pool and associated landscaping.

It is suggested that the proposal will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

## **7.8 Any submissions made in accordance with this Act or the regulations**

This is matter for Council in the consideration of this proposal.

## **7.9 The public interest**

The proposal will not impact upon the environment or the character of the locality and the considered location of habitable room windows and decks will mitigate any unreasonable visual impacts on the amenity of adjoining properties and is therefore considered to be within the public interest.

## **8.0 Conclusion**

The proposal provides for the demolition of existing structures and construction of a new two storey dwelling, including an attached double garage, new driveway, swimming pool and associated landscaping, which will not have a detrimental impact on the adjoining properties or the locality.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

## **VAUGHAN MILLIGAN**

Town Planner

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