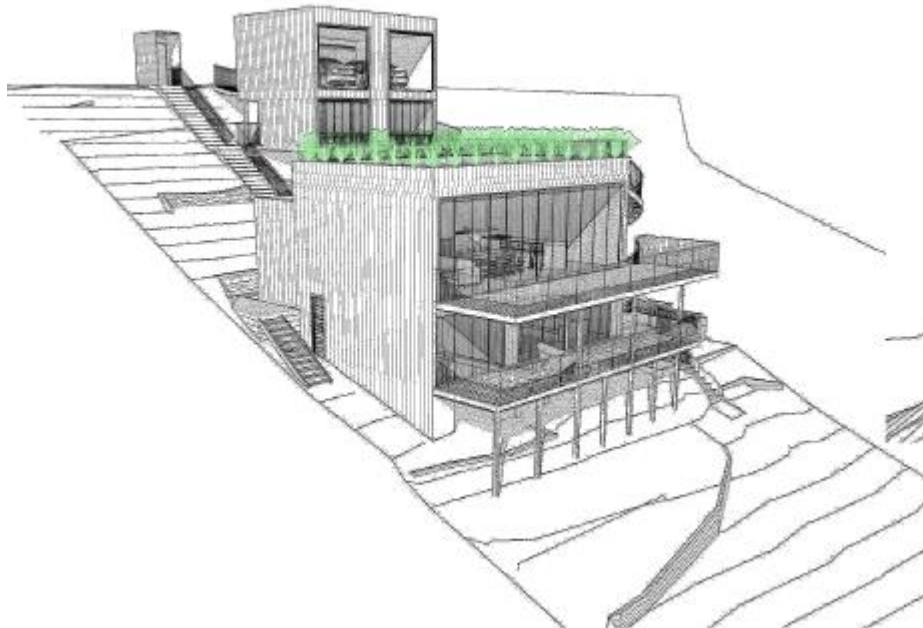




44 WANDEEN ROAD CLAREVILLE

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS
TO AN EXISTING DWELLING, INCLUDING A DOUBLE GARAGE**



Report prepared for
Nirav Madhok
June 2025

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View Loss Assessment attached.

1.0 Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to an existing dwelling house at 44 Wandeen Road, Clareville.
- 1.2 The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan 2014 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3 This statement of environmental effects has been prepared with reference to the following:
- ◆ Site visit
 - ◆ Site survey prepared by Waterview Surveying Services
 - ◆ Architectural Plans prepared by Northern Beaches Drafting
 - ◆ Concept Landscape Plan prepared by Northern Beaches Drafting
 - ◆ Materials and Finishes Schedule prepared by Northern Beaches Drafting
 - ◆ BASIX Certificate prepared by Bodill Ventures Pty Ltd
 - ◆ Geotechnical Report prepared by White Geotechnical Group
 - ◆ Site Analysis, Stormwater and Waste Management Plan prepared by Northern Beaches Drafting
 - ◆ Building Information Certificate BC2023/0313.
- 1.4 A BIC Application was lodged with Council on 9 November 2024 (BC2023/0313) for unauthorised works that were undertaken to replace structures compromised by dry/wet rot and termite attack. The BIC was approved by Council and is dated 30 August 2024.
- 1.5 The development is compliant with the objectives of Council controls, considerate of neighbouring residents and the natural setting of the site and results in improved amenity for the residents. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1 The subject site is located on the northern side of Wandeen Road in Clareville, approximately 380 metres east of its intersection with Hudson Parade. It is legally described as Lot 16 DP 219977.
- 2.2 It is a generally rectangular shaped lot, with boundaries of 18.315 metres (south – Wandeen Road frontage), 44.375 metres (east), 47.425 metres (west) and 18.415 metres (north - rear boundary). The lot has an area of 839.5m² and slopes to the north, towards the rear of the lot.
- 2.3 The site is currently occupied by a timber framed partial dwelling, with a newly installed roof. The site has a carport on the street frontage and significant vegetation in the rear yard.
- 2.4 The property is surrounded by detached residential dwellings in all directions. It is located in close proximity to Clareville Beach Reserve to the north and Bilgola Plateau Public School to the south. Transport services are available on Wandeen Road, Plateau Road and Barrenjoey Road.



Figure 1. Aerial Image of the subject site



Figure 2. The site within the locality

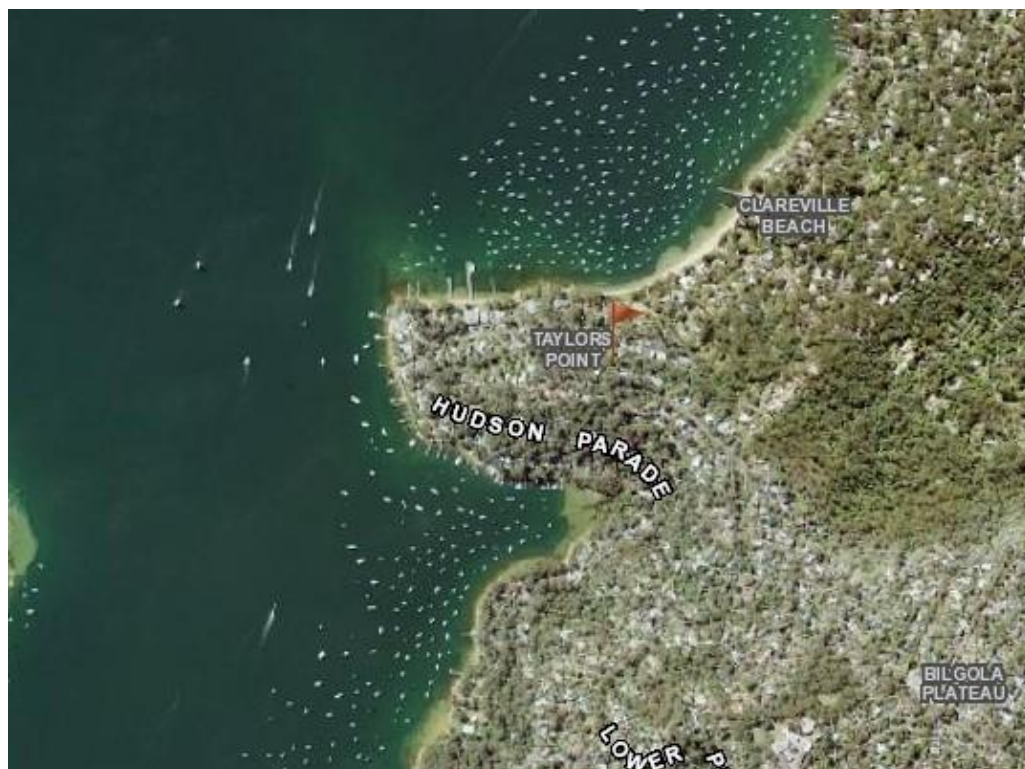


Figure 3. Aerial Image of the site within the locality

3.0 Site Photos



Figure 4. Looking north-east towards the front of the property and the existing carport



Figure 5. Looking north-east towards the underneath decking of the carport above (to be converted to a store room)

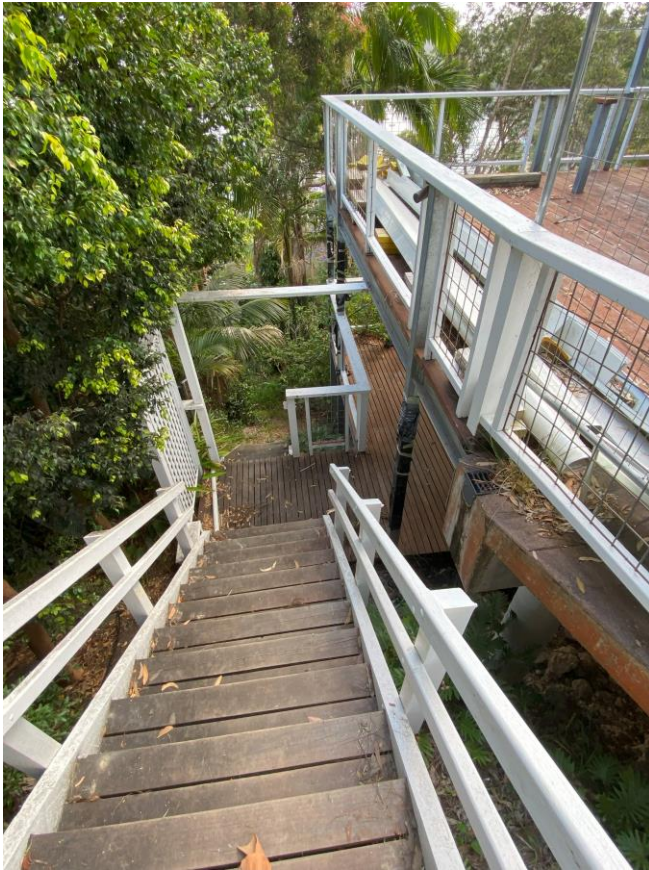


Figure 6. The existing stair entry to the dwelling from the street frontage (to be demolished)



Figure 7. Looking east, the existing roof above the front lower floor level



Figure 8. Looking north, the existing built structure on the site



Figure 9. Looking south-east towards the existing entry level



Figure 10. Looking west, the existing front entry level balcony (showing section of balcony to be squared off on right of photo)



Figure 11. Looking north-east, the front entry floor level



Figure 12. Looking north, the existing lower floor level



Figure 13. Looking west, the existing balcony at rear lower floor level to be extended on the eastern and western sides

4.0 SITE HISTORY

- 4.1 On 6 April 2023 a Stop Works Order was issued by Northern Beaches Council relating to unauthorised works having been carried out at the subject site.
- 4.2 On the 9 November 2023 a Building Information Certificate (BIC) application was lodged (BC2023/0313) for the unauthorised works at the subject site. The works were undertaken to rectify unsafe original framing arising from dry/wet rot and termite attack.
- 4.3 On 30 August 2024 Council issued an approval for the BIC Application (see below extract from the BIC).



BUILDING INFORMATION CERTIFICATE

This certificate is issued by Northern Beaches Council to the owner of a building, the owner's agent or someone who is going to purchase the building, to certify that the Council will not make certain orders or take certain action in relation to the building as set out below.

| | |
|---|---|
| Applicant/s Name: | Watermark Planning |
| Applicant/s Address: | PO Box 445 FORESTVILLE NSW 2087 |
| Owner/s of Property: | NML Corp Pty Ltd |
| Address of Property: | Lot 16 DP 219977: 44 Wandeen Road CLAREVILLE NSW 2107 |
| Building Information Certificate No: | BC2023/0313 |
| Description of the Building: | Timber framework for dwelling |
| Classification of Building: | 1a |
| Date of Inspection: | 21 August 2024 |
| Date of this Building Information Certificate: | 30 August 2024 |

5.0 Proposed Development

- 5.1 The proposed development is for alterations and additions to the existing dwelling house, including a new double garage with storage area below, a small addition at the front of the dwelling and to the rear deck at the entry floor level, on the subject site.
- 5.2 The alterations and additions have been designed to ensure that the overall appearance of the dwelling is improved and remains consistent with the existing streetscape. The proposed additions maintain a scale consistent with the existing dwelling and compatible with the streetscape.
- 5.3 The proposed alterations and additions will be made up as follows:

Garage Floor Plan

- Carport to be replaced with enclosed double garage with flat roof
- Enclose existing deck under carport to create a storage area below new garage, with openable north facing doors

Lower Floor Level

- Stair from entry floor level to Hall, Master bedroom (with ensuite and robe), Bedroom 2 (with ensuite) & Bedroom 3
- Laundry and bathroom
- Existing north facing balcony off Bedroom 2 and Master bedroom to be extended to align with the eastern and western elevations
- New external spiral staircase and stairs to rear garden

Entry Floor Plan

- Demolition of existing stairs from street level and construction of new central staircase to the dwelling (with covered portico entry at street level)
- Removal of stairs from the area below the existing carport to the dwelling
- New central entry foyer to dwelling and stair to lower floor level
- Enclosure of front of dwelling to create a powder room and study (with new window and door openings)
- Open plan lounge, dining and kitchen area, bi-fold door to rear deck
- Small addition to square off existing deck at the north-eastern corner
- New roof over deck
- New spiral staircase and external stairs to rear garden

Roof Level

- Roof terrace above entry floor level with garden bed and railing around full perimeter of roof terrace
- Spiral staircase on western side providing access down to lower levels.

6.0 Statutory Framework

6.1 State Environmental Planning Policies

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any significant vegetation on the site to facilitate the proposed works.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

6.2 Pittwater Local Environmental Plan 2014

The relevant clauses of the Pittwater Local Environmental Plan 2014 are addressed below.

Zoning

The site is zoned C4 Environmental Living, pursuant to the provisions of the Pittwater Local Environmental Plan 2014.

The development is for alterations and additions to the existing dwelling house and dwelling houses are permitted with consent in the zone.

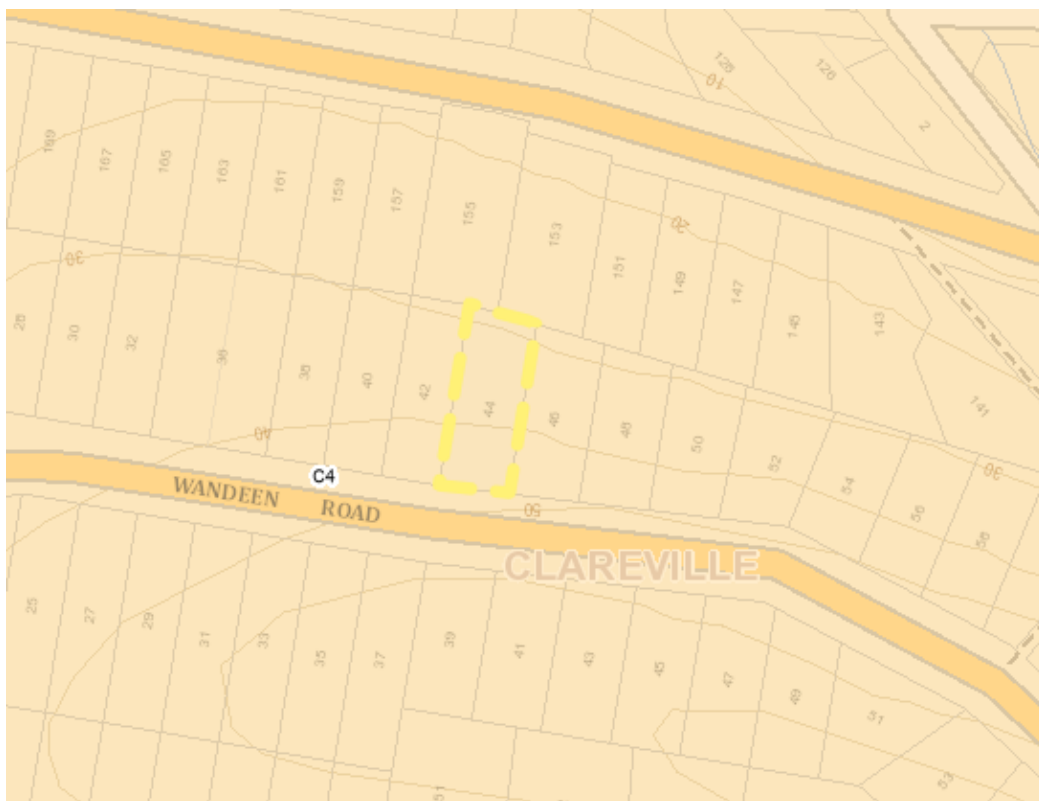


Figure 14. Extract from Pittwater LEP 2014 Zoning Map

Demolition

Minor demolition works are proposed, as described above and illustrated within the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum subdivision lot size of 700m². The subject site has a compliant area of 839.5m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum building height of 8.26 metres for the garage (and storage) structure and dwelling and 8.39 metres to the top of the railing at the roof terrace), as illustrated on the plans.

Heritage Conservation

The site is not a heritage item, located within a heritage conservation area or within close proximity to any heritage items.

Acid Sulfate soils

The site is mapped with class 5 acid sulfate soils. The works are minor and are not likely to lower the watertable below 1 metre AHD on adjacent class 1,2,3 or 4 land.

Earthworks

Minimal earthworks are required, as all works are predominantly located within the existing building footprint on the site.

Biodiversity

The subject sites are mapped as Terrestrial Biodiversity (see Figure 10 below), as such the consent authority must consider:

(a) whether the development is likely to have:

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

The proposed development will have a minimal and appropriate impact on the existing environment, as it is generally located within the disturbed portion of the site. **No trees are proposed for removal.**

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

As described above the development does not involve the removal of any trees to make way for the proposed development, with all existing trees on the site being protected and retained.

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function, and composition of the land, and

Biodiversity will be unaffected by the proposed development as the works will occur in the areas of the site that are already disturbed.

(iv) any adverse impact on the habitat elements providing connectivity on the land, and

No adverse impact on habitat will result from the minor development proposed.

(b) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.

The development is appropriate as proposed.

Council must also consider and be satisfied of the following:

(a) the development is designed, sited, and will be managed to avoid any significant adverse environmental impact, or

The design of the proposal is appropriate for the already disturbed site. It will not be to the detriment of the environmental qualities of the location.

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited, and will be managed to minimise that impact, or

There are no detrimental impacts as a result of the proposed development.

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

There are no detrimental impacts.



Figure 15. Extract from Pittwater LEP 2014 – Terrestrial Biodiversity Map

Geotechnical Hazards

The subject site is located within the geotechnical hazard zone H1 mapped by Council's LEP. Accordingly, clause 7.7 of Council's LEP must be considered regarding the site:

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether the development takes into account all geotechnical risks:

- (a) site layout, including access,*
- (b) the development's design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) wastewater management, stormwater, and drainage across the land,*
- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.*

(4) Development consent must not be granted to development on land to which this clause applies unless:

- (a) the consent authority is satisfied that the development will appropriately manage wastewater, stormwater, and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and*
- (b) the consent authority is satisfied that:*
 - (i) the development is designed, sited, and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*
 - (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited, and will be managed to minimise that risk or impact, or*
 - (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.*

A Geotechnical Report provided with this application, demonstrates compliance with this clause.

Essential services

All services are existing on the site.

6.3 Pittwater 21 Development Control Plan

The relevant sections of the DCP are addressed below.

Objectives

The development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part A Localities

Avalon Beach Locality

The site is located within the Avalon Beach Locality.

The desired character statement for the Avalon Beach locality is:

The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses.

Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

Most houses are set back from the street with low or no fencing and vegetation is used extensively to delineate boundary lines. Special front building line setbacks have been implemented along Avalon Parade to maintain the unique character of this street. This, coupled with the extensive street

planting of canopy trees, gives the locality a leafy character that should be maintained and enhanced.

The design, scale and treatment of future development within the Avalon Beach Village will reflect the 'seaside-village' character of older buildings within the centre, and reflect principles of good urban design. External materials and finishes shall be natural with smooth shiny surfaces avoided. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors. The natural landscape of Careel Bay, including seagrasses and mangroves, will be conserved. Heritage items and conservation areas indicative of early settlement in the locality will be conserved, including the early subdivision pattern of Ruskin Rowe.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

The proposed development has been designed taking into consideration the desired character of the location. The works are located within the existing building footprint ensuring the character sought by Council is retained. The works allow for the modernisation of the existing dwelling whilst being mindful of the surrounding environment.

Part B General Controls

Heritage Conservation

As described above the site is not a heritage item, located within a heritage conservation area, or within close proximity to any heritage items.

Aboriginal heritage Significance

The site is not known or anticipated to be home to any aboriginal relics.

Hazard Controls

Landslip Hazard

The subject site is identified as Geotechnical Hazard H1. A Geotechnical Report is provided with this application, demonstrates compliance with this clause.

Bushfire Hazard

The site is not mapped as Bushfire Prone Land.

Contaminated and potentially contaminated lands

The site is not known to be contaminated and to our best knowledge has only ever been developed for low density residential uses.

Flood Hazard

The site is not mapped as flood prone.

Control Relating to the Natural Environment

As described above the subject site is identified on biodiversity maps, however the development does not necessitates any tree removal.

All trees within the site will be retained and protected, with the proposed works located on the already disturbed portion of the lot, ensuring minimal impact on the natural environment.

Water management

The site is already connected to the reticulated sewer system.

As described above the works are located within the footprint of the existing dwelling and will not result in any notable increase to impervious surface area, as such no onsite detention tank is required by the Pittwater 21 DCP.

Stormwater management from the site will be unchanged, with water to be directed to existing drainage infrastructure on the site, which drains to Pittwater.

Access and parking

The works do not propose any changes to the existing crossover, or access to parking from Wandeen Road.

The DCP requires 2 carparking spaces per dwelling (2 or more bedrooms) and the development proposes to replace the existing double carport with a double garage to Australian Standards.

Site works and management

All site works will be undertaken as required by Council controls and compliant with any relevant conditions of consent. Appropriate devices will be used during the construction process to ensure no issues arise in regard to erosion and sedimentation.

Section C Design Criteria for Residential

Landscaping

The DCP requires 60% landscaping on the site which is equivalent to 503.7m² for the site area of 839.5m² (of which 6% can be impervious area).

The development proposes a compliant landscaped area of 622.59m², plus 27.61m² of impervious area, resulting in a total landscaped area of 650.2m². The landscaped areas are illustrated on the attached Landscape Plan, prepared by Northern Beaches Drafting.

Safety and Security

The dwelling maintains clear property boundaries and retains the existing levels of visual surveillance of the street.

View Sharing

The subject site and surrounding properties enjoy district and water views towards Long Beach and Clareville Beach to the north and north-east.

A site visit has been undertaken and it is considered that no views are impacted by the proposed works.

A View Loss Assessment has been prepared and is attached to this report.

Solar Access

The DCP requires 3 hours of solar access is maintained for the windows of principal living areas, solar collectors and private open space of the site and adjoining properties on 21 June.

The following observations are made of the shadow diagrams included with this application:

9am – The development will result in minor shadowing to the western side and front of the subject site and a negligible increase to the south eastern corner of No. 42 Wandeen Road.

12pm – The development will result in a negligible increase in shadowing at the front of the subject site.

3pm – The development will result in some additional shadowing at the front of the subject site and a negligible change on the western side of the neighbouring property at 46 Wandeen Road.

It is concluded that the development allows for the retention of compliant solar access to the subject site and the adjoining properties between 9am and 3pm on 21 June.

Visual Privacy

The works will have no impact for neighbour's visual privacy with no direct overlooking to private open space or any key living areas.

No windows are proposed at the entry level or upper floor level on the eastern and western elevations of the garage or dwelling, with all windows and the majority of door openings oriented to the rear of the lot (north facing), ensuring privacy is maintained between dwellings. Additionally, the proposed roof terrace incorporates a planter bed, approximately 700mm in width, on all sides to prevent overlooking onto neighbouring properties (refer DA Plan Number DA8 – Roof Plan). The spiral staircase providing external access to the roof terrace and floor levels is setback 4.8 metres from the western boundary to minimise opportunities for overlooking onto the western neighbour.

The north facing deck at entry floor level and lower floor level balcony are existing. The development proposes an extension to the deck at the lower floor level on its eastern and western sides, however side boundary fencing and site topography will provide screening to the balcony. At the entry level a small portion of the deck is to be squared off on the eastern side however this small addition is not expected to significantly alter privacy levels for neighbouring properties. Mature vegetation within the site and neighbouring properties also provides natural screening to these areas of private open space on the site.

Acoustic Privacy

The development will not result in noise levels inappropriate to a residential area and the site is not located in close proximity to a noise generating activity.

Private Open Space

The DCP requires a minimum private open space requirement of 80m² with minimum dimensions of 3 metres.

An existing balcony at lower ground floor level and a deck at entry floor level are retained as existing. Private open space within the curtilage of the dwelling and site is available at reasonable gradients noting the overall steep terrain of the site.

Waste and Recycling Facilities

The dwelling has an existing bin storage area behind the building line, with waste to be collected by Councils regular service.

Eaves

A minimum 450mm eaves are required by the DCP. The eaves will comply with this requirement.

Part D – Avalon Beach Locality

The site is located in the Avalon Beach Locality and is consistent with the desired character, built form and natural environment criteria as specified in the DCP. The works are appropriate within residential and natural setting.

Character

The development retains an appropriate architectural design for the locality. Existing and proposed materials and colours will complement the area, while sitting comfortably in the locality.

Scenic Protection

The works are consistent with this clause, in that there will be no negative visual impacts from a waterway, road or public reserve, as a result of the development.

Building colours, materials and construction

The materials include a timber framed roof with metal cladding, weatherboard cladding and aluminium windows, in colours consistent with the surrounding residential environment. A schedule of materials is provided in the DA plan set.

Front Building Line

The DCP requires a front building line setback of 6.5 metres or the established building line on the site.

The existing minimum front setback to the carport from Wandeen Road is 491mm and the development proposes a minimum front setback of 491mm to 920mm to the new double garage. The existing compliant setback of 10.73 metres to the dwelling is to be retained.

The development proposes to retain the existing established front building line, with on-site parking located within the front setback due to the steeply sloping topography of the site. The new garage is consistent with the existing carport, with front opening doors, prior to the unauthorised works occurring on the site. See Figure 16 below.



Figure 16. The existing carport with garage doors at the subject site prior to the BIC Application

Side and Rear setbacks

Side setbacks of 2.5 metres on 1 side setback and 1 metre for the other side setback are required.

The development proposes the following compliant side setbacks:

Garage floor level

2.24 metres to the garage (west)

8.67 metres to the garage (east)

Lower floor level

3.09 metres to the new stairs (western side)

5.09 metres to new portion of deck (west)

1.91 metres to the dwelling and new portion of deck (east)

Entry floor level

5.09 metres to existing deck (west)

1.91 metres to the new (squared off) portion of deck (east)

4.8 metres to new spiral staircase (west)

A **rear** setback of 6.5 metres is required by the DCP. The development proposes a compliant setback of 22.61 metres to the balcony at lower floor plan level and 22.12 metres to the new portion of deck at entry floor level.

Building envelope

A building envelope of 45° measured at a height of 3.5 metres applies to the site. The DCP states that a variation will be considered on a merit basis where the building footprint is situated on a slope over 16.7 degrees (ie 30%).

The existing dwelling has a non-compliant building envelope and the proposed alterations and additions result in a minor increase to the building envelope encroachment as a result of the parapet to the new garden bed at the roof level. Figure 17 below shows that the existing building footprint of the dwelling is situated on a slope that exceeds 16.7°, and is situated on a slope of 26°.

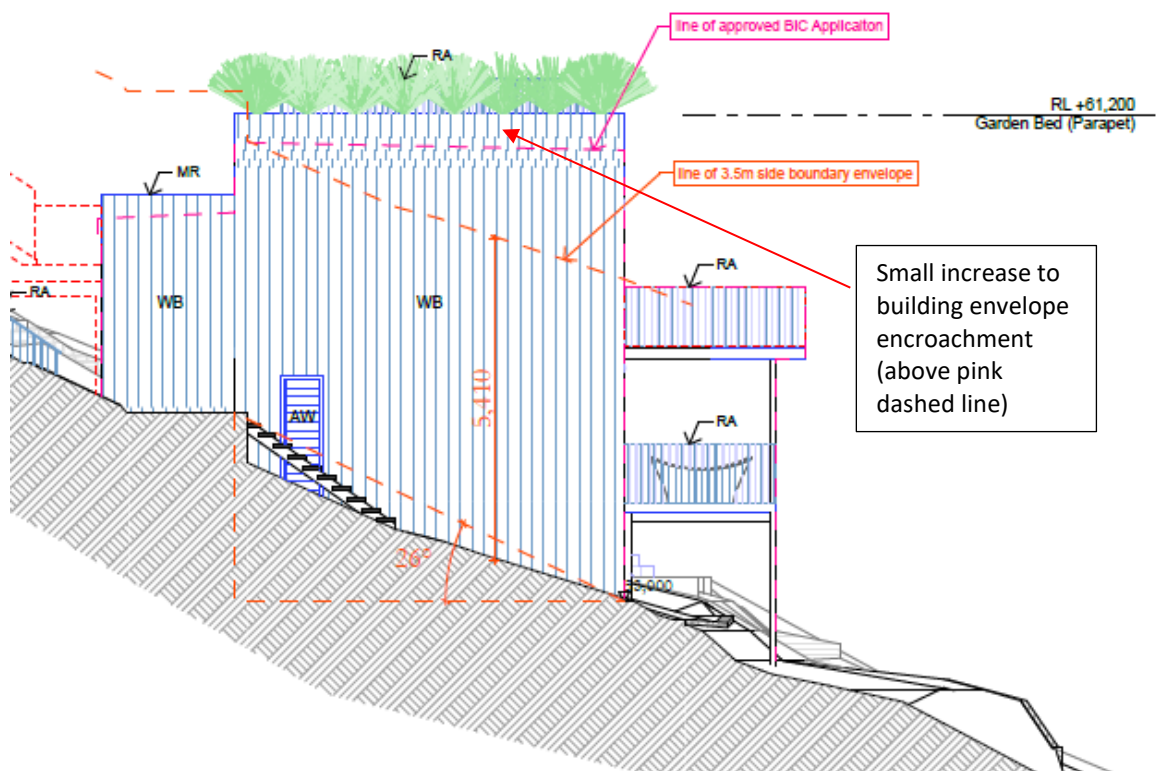


Figure 17. Extract from plans (East Elevation DA10) showing the building envelope encroachment

A variation to the building envelope control is appropriate, as the development remains consistent with the objectives of the control, despite the variation, as assessed below:

To achieve the desired future character of the Locality.

Comment

Consistent. The proposed development has been designed taking into consideration the desired character of the location. The development incorporates a roof terrace, with a garden bed for privacy, resulting in a small increase to the already non-compliant building envelope of the dwelling. However, the development will retain the 'Village'

character and an appropriate scale for the site. The additional height as a result of the garden bed will be barely discernible from the street or neighbouring properties.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

Comment

Consistent. Due to the steeply sloping topography, falling away from the street, the dwelling will present with an appropriate building envelope to Wandeen Road. It will also sit well below tree height in the locality. The scale and density of the dwelling remains largely unchanged by the addition of the garden bed at the roof level.

Additionally, no trees are to be removed to facilitate the proposed development.

To ensure new development responds to, reinforces, and sensitively relates to spatial characteristics of the existing natural environment.

Comment

Consistent. The development remains consistent with the spatial characteristics of the surrounding natural environment, with works well below the tree canopy level in this location.

The bulk and scale of the built form is minimised.

Comment

Consistent. The development remains consistent with the bulk and scale of other dwellings in the locality and presents as a 2-storey dwelling.

Equitable preservation of views and vistas to and/or from public/private places.

Comment

Consistent. The subject site and surrounding properties enjoy water views to the north. A site visit has been undertaken and it is concluded that the proposed development will not result in any unreasonable view loss impacts, as properties to the southwest are located upslope and will retain views over the proposed roof. A View Loss assessment is attached.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Comment

Consistent. Privacy and amenity will be retained for neighbours with compliant setbacks to new work and no direct overlooking into any key living areas due to no windows within the eastern and western elevations (only limited door access at lower floor level). The location the rear deck and balcony remain unchanged. The garden bed at the roof level prevents overlooking from the terrace onto neighbouring properties.

Compliant solar access is achieved, with the shadow diagrams illustrating that the development will not result in unreasonable shadowing to the subject site or adjoining properties.

Vegetation is retained and enhanced to visually reduce the built form

Comment

Consistent. No vegetation removal is proposed and additional planting is proposed within the site.

Landscaped Area – General

The subject site is mapped as landscaped area 1 and the DCP requires a minimum landscaped area of 60% which equates to 503.7m² for the site area of 839.5m².

The development proposes a compliant landscaped area of 622.59m² (74.2%) or 650.2m², including 27.61m² (being 3.2%) of impervious area.

Fences – General

The works do not alter the existing fencing on the site, with the exception of a covered entry portico to the new central staircase.

7.0 Numerical Control Table

| | Standard | Proposed | Compliance |
|---------------------------|--|--|-----------------------------|
| Pittwater LEP 2014 | | | |
| Lot Size | 700m ² | 839.5m ² | Yes – no change to existing |
| Building Height | 8.5 metres | 8.26m (garage + storage) 8.26m (dwelling) 8.39m (top of railing at roof terrace) | Yes |
| Pittwater DCP 2014 | | | |
| Solar Access | 3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21. | Achieves compliance | Yes |
| Private Open Space | 80m ² | >80m ² | Yes |
| Front setback | 6.5 metres, or established building line, whichever is the greater | 520mm to the garage (existing established building line) | Yes |
| | | 10.73m to the dwelling | Yes |

[illegible]

8.0 Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

8.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the C4 zone.

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

Context and Setting

What is the relationship to the region and local context in terms of:

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The works complement the site and its surrounds, are appropriate and will have negligible impact on adjacent properties.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise.

Public domain

There will be no impact.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

The site is not mapped as bushfire prone land but is mapped as geotechnical hazard. Although all works are within the existing footprint and do not comprise any site disturbance, a Geotechnical Report has been provided.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The works are appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and the development is well suited to the residential surrounds.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The development will comply with the provisions of the Building Code of Australia and all relevant Council controls.

Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

8.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*

- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the development.

8.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the development.

8.5 The public interest

It is considered that the development is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

9.0 Conclusions

- 9.1 This development application for alterations and additions to the existing dwelling at 44 Wandeen Road, Clareville, including a new double garage, is appropriate considering all State and Council controls.
- 9.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the development is meritorious and should be granted consent.
- 9.3 Considering all the issues, the development is considered worthy of Council's consent.

Planner Declaration

This report was prepared by:

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Report Version: Final

Document Control Table

| Document Purpose: | Statement of Environmental Effects | |
|-------------------|-------------------------------------|----------------------------|
| Date | Prepared by | Approved by |
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