

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE DEMOLITION OF THE EXISTING STRUCTURES AND THE PROPOSED TORRENS TITLE
SUBDIVISION OF ONE LOT INTO TWO LOTS**

LOCATED AT

11B HILL STREET, WARRIEWOOD

FOR

THE BARDWELL FAMILY



**Prepared
May 2021**

Table of Contents

1.0	Introduction.....	3
2.0	Property Description	3
3.0	Site Description	4
4.0	The Surrounding Environment	8
5.0	Proposed Development.....	9
6.0	Zoning and Development Controls.....	11
6.1	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	11
6.2	Pittwater Local Environmental Plan 2014	11
6.3	Pittwater 21 Development Control Plan	13
6.3.1	Section A Introduction	13
6.3.2	Section B General Controls	14
6.3.3	Section C Design Criteria for Residential Development.....	15
6.3.3	Section D Locality Specific Development Controls	18
7.0	Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979	19
7.1	The provisions of any environmental planning instrument	19
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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	19
7.3	Any development control plan.....	19
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, and.....	19
7.5	The regulations (to the extent that they prescribe matters for the purposes of this paragraph),	19
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.	19
7.7	The suitability of the site for the development.....	20
7.8	Any submissions made in accordance with this Act or the regulations	20
7.9	The public interest.....	20
8.0	Conclusion	20

1.0 Introduction

This Statement of Environmental Effects accompanies details prepared on behalf of the Bardwell family by Adam Clerke Surveyors Pty Ltd, to detail the demolition of the proposed Torrens Title subdivision of one lot into two at **11B Hill Street, Warriewood**.

The works detailed within this application were discussed with Council under PLM2020/0225 dated 29 September 2020.

The issues raised in the discussions with Council have been considered in the preparation of this application and will be discussed in further detail within this Statement.

The application for the proposed subdivision of land is also accompanied by Draft Design Concepts prepared by JJ Drafting, Job No. 854/20, Sheets No's. DA.01 – DA.14, dated 23 February 2021 which detail to potential dwellings to be constructed within the future site, which are intended to meet Council's built form controls and confirm that the sites are capable of new development which meets the Outcomes of Council's controls and compatible with the surrounding relevant..

The proposal includes the demolition of existing structures, while separate detailed Development Applications will be prepared for the construction of each dwelling on Lots1 and 2 in accordance with the Design Concepts prepared by JJ Drafting.

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 (Building Sustainability Index: BASIX) 2004*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan 2014*

2.0 Property Description

The subject allotment is described as 11B Hill Street, Warriewood, being Lot B within Deposited Plan 419338 and is zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site is identified as being within the Class 5 Acid Sulfate Soils Area. This matter will be discussed further within this statement.

There are no other hazards affecting this site.

3.0 Site Description

The battle-axe shaped allotment is site is located on the southern side of Hill Street, with access to the site via an access handle and concrete driveway from Hill Street.

The site is a battle-axe shaped allotment with a frontage to Hill Street of 4.595m and a northern front boundary behind 11A Hill Street of 28.86m. The eastern and western side boundaries measure 79.195m and 33.475m respectively. The rear boundary measures 42.67m. The total site area is 1333m².

The land is currently developed with a two-storey dwelling with tile and metal roof and an in-ground swimming pool and shed west of the dwelling. The central portion of the site where the existing primary dwelling is located is the highest point of the land with the site falling from east to west with a crossfall of approximately 5m.

The existing dwelling includes an attached double garage, with access to the garage via the current driveway from Hill Street.

Stormwater from the roof areas is to be directed to a proposed stormwater easement to be created over the adjoining property to the south of the dwelling, at 16B Lakeview Parade. A Stormwater Management Design has been prepared by Waterdesign Civil Engineers, Job No 2021-018, Sheets SW1-SW-3 dated 11 March 2021, which details the provision of the inter-allotment drainage line to the street drainage system in Lakeview Parade and which will be provided with a legal instrument to benefit the subject site.

A letter of intent to provide a formal inter-allotment easement which will benefit the site and allow for stormwater to be directed to the street gutter in Lakeview Parade to the south has been provided by the owners of the property to the rear at No 16B Lakeview Parade.

The details of the lots which comprise the parcel are contained within the survey report prepared by Adam Clerke Surveyors Pty Ltd, dated 3 August 2020, which accompanies the DA submission.

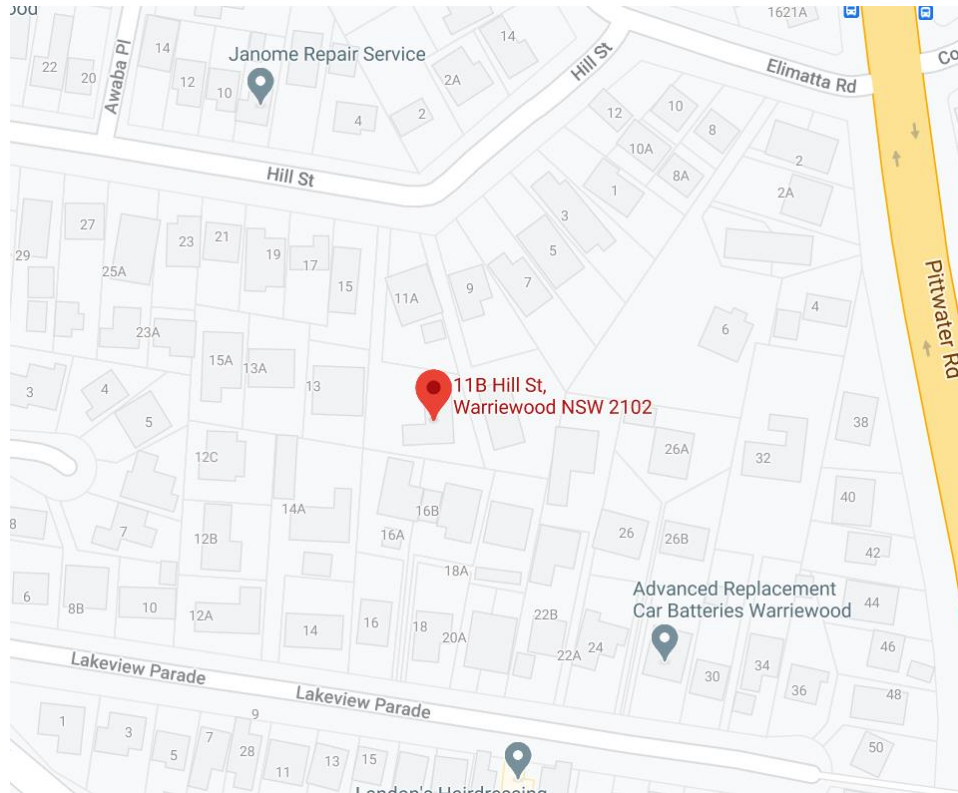


Fig 1: Location of Subject Site
(Source: Google Maps)



Fig 2: View of the driveway entry to the subject site from Hill Street looking south



Fig 3: View looking south along the entry driveway to the site



Fig 4: View looking south-east from the entry driveway



Fig 5: View looking south towards the existing dwelling



Fig 6: View looking south-east towards the of the existing dwelling and current garage

4.0 The Surrounding Environment

The general vicinity of the site is characterised by varied allotments within a natural setting, with a mix of low density residential developments within landscaped settings, the design of which reflects the sloping terrain and local views and retains a dominance of natural features and vegetation.

Battle-axe shaped allotments with individual or shared driveway access to the street network are common in the immediate locality.

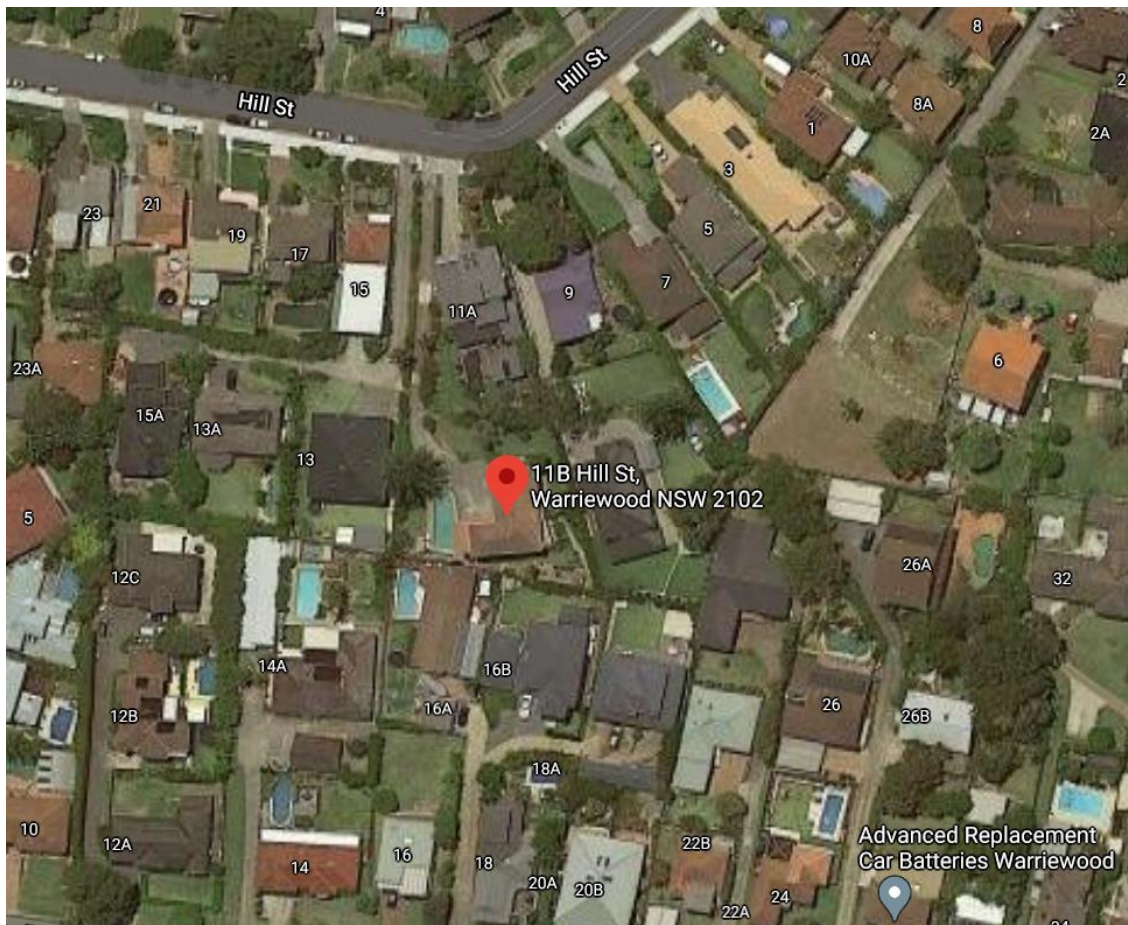


Fig 7: Aerial Photograph
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans, that the proposal intends to demolish the existing structures and to subdivide the existing allotment into two lots.

The details of the proposed subdivision layout are indicated on the plans prepared by Adam Clerke Surveyors, dated 10 August 2020.

The new boundary alignment will bisect the existing allotment in a generally north to south direction.

The subdivision of the lot will create an additional allotment which will be developed for residential purposes at a later date. Design Concept to detail the construction of potential future dwellings have been prepared by JJ Drafting and future Development Applications will be lodged for the prospective dwellings.

The existing driveway will be continued along the northern portion of the site and will allow for vehicle access to both sites.

As detailed in the architectural concepts, separate garages will be provided for each site and it is expected that turning and passing vehicles will occur in the right of way area at the northern end of proposed Lot 1.

The existing layback and crossing the current concrete driveway within the access handle from Hill Street will be retained in its current location.

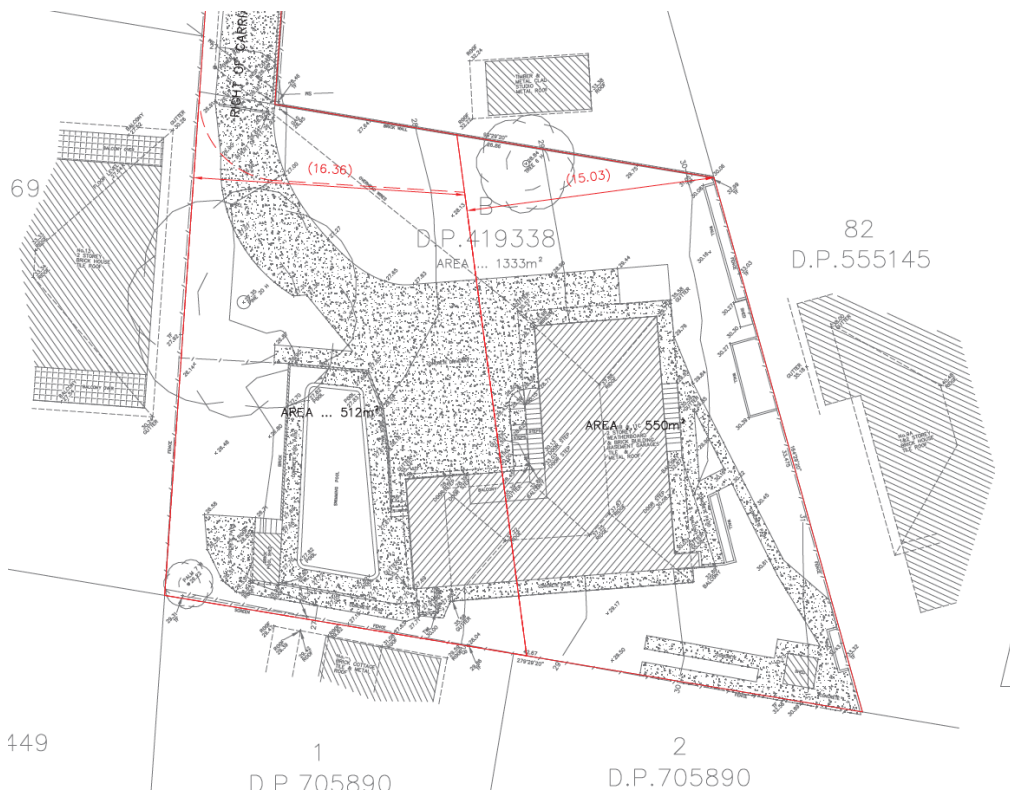


Fig 8: Plan of Subdivision
(Source: Adam Clerke Surveyors)

The existing primary dwelling is to be demolished as part of the subject application. A separate development application will be lodged for the construction of two new dwellings to be located on each individual lot.

The proposal will proposed construction of a stormwater line in the vicinity of an existing Norfolk Island Pine and consequently a Arboricultural Impact Assessment has been prepared by Michael Shaw, dated 30 April 2021.

The Assessment confirms that subject to the provision of the stormwater line being through under boring with a depth of at least 600 mm beneath the existing soil levels, the Norfolk Island Pine should be able to be retained.

The future development of the proposed allotment is to be carried out in accordance with the requirements of Pittwater 21 DCP, in particular the Warriewood Locality. The design of new development on the site will respect the Section B General Controls, Section C Development Type Controls and Section D14 Warriewood Locality Controls.

Stormwater from the newly created lots will be directed via an inter-allotment drainage system to be channelled via a drainage easement to drain over 16B Lakeview Parade, Warriewood located to the south of the subject site. Stormwater management is to be in accordance with the Stormwater Management Plan prepared by Waterdesign Civil Engineers, Job No: 2021-018, dated 11 March 2021. The collected roofwater will be directed to an on-site/rainwater reuse tank.

The development indices for each allotment are summarised as:

Proposed Lot 1

Site Area	512m ²
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Proposed Lot 2:

Site Area	550m ²
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6.0 Zoning and Development Controls

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

The proposed subdivision works are not subject to SEPP BASIX. The future dwellings to be provided under separate applications will be designed in accordance with the requirements of SEPP BASIX.

6.2 Pittwater Local Environmental Plan 2014

Clause 2.2 Zone objectives and Land Use Table

The site is zoned E4 Environmental Living under the provisions of the PLEP 2014.

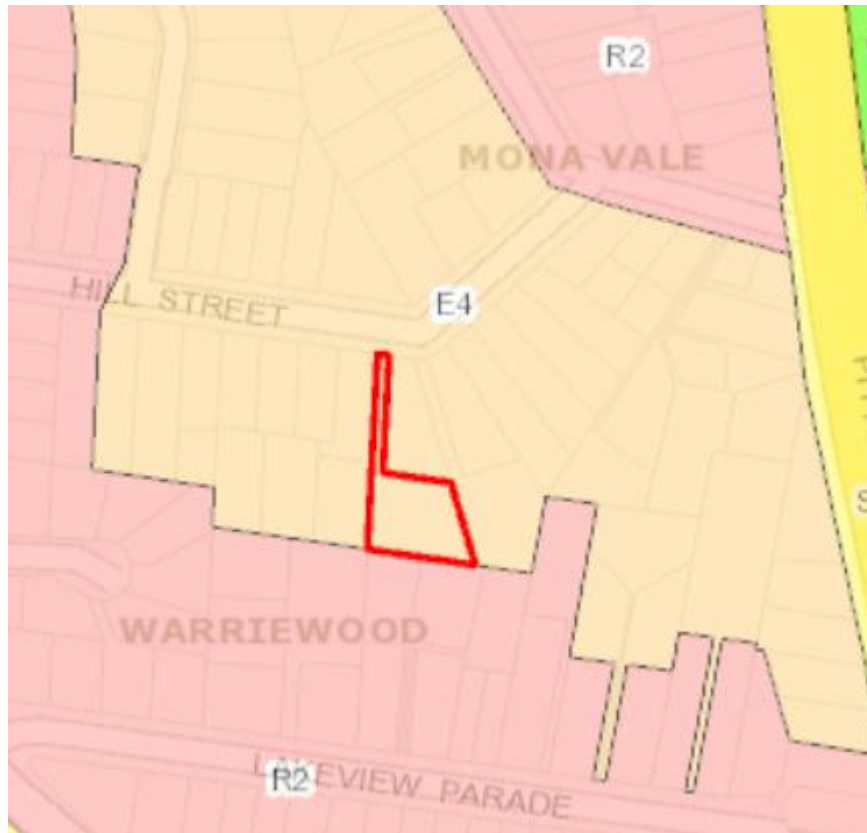


Fig 9: Extract of Pittwater Local Environmental Plan 2014 zoning map

The proposed subdivision is considered to be permissible with the consent of Council.

The development of and use of the land for residential purposes within the E4 Environmental Living Zone is consistent with the zone objectives, which are noted as:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*

- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

It is suggested that the proposed subdivision of the land in the manner proposed will be consistent with the LEP provisions as the resulting allotments will provide for the future residential development within the proposed building platforms.

Clause 2.6 – Subdivision

Clause 2.6 of PLEP 2014 requires the prior consent of Council for any subdivision of land. This application seeks consent in accordance with the Clause.

Clause 4.1 – Minimum subdivision lot size

In accordance with the Lot Size Map, the minimum allotment size in this locality is 550m². The proposed Lots 1 and 2 are 512m² and 550m² respectively and therefore only one lot complies with the minimum lot size control.

A Written Submission under Clause 4.6 of the PLEP has been prepared to request a variation to the Minimum Lot Size development standard for and is provided as an annexure to this submission.

Clause 7.10 – Essential Services

The proposal will see the existing essential services to the site being maintained.

There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

6.3 Pittwater 21 Development Control Plan

Council's Pittwater 21 DCP and Section D14 Warriewood Locality Statement provide a range of outcomes and controls which form the primary criteria control for development within the subject locality.

6.3.1 Section A Introduction

The desired outcomes for the Warriewood Locality, in which this site falls, are as follows:

D14 Warriewood Locality

The Warriewood locality will remain characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses.

Existing residential areas will remain primarily low-density 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 (detached) will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities.

Warriewood Square will meet the retail needs of the local and regional community as well as some smaller neighbourhood centres.

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 the development. 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.

The residential subdivision will not present any significant noise or traffic issues associated with the normal vehicle movements to and from the site, with the additional traffic generated by the development not being discernible in the existing traffic flows of Hill Street and this area of Warriewood.

6.3.2 Section B General Controls

The General Controls applicable to the proposed demolition of existing structures and the subdivision of land are summarised as:

B2.2 Land Subdivision – Low Density Residential Areas

The controls seek to achieve the outcomes:

Achieve the desired future character of the locality.

Maintenance of the existing environment. (En)

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

The built form does not dominate the natural setting. (En)

Population density does not exceed the capacity of local and regional services. (En, S, Ec)

Population density does not exceed the capacity of local and regional transport facilities. (En, S, Ec)

The proposal seeks to provide for the Torrens Title subdivision of the existing lot into two.

Proposed Lots 1 and 2 will have a total area of 512m² and 550m² respectively, which complies with the required minimum lot size of 550m².

The following table summarises the controls of Clause B2.2:

Requirement	Proposal	Compliance
Minimum Allotment Size – 550m ²	Lot 1: 512m ² Lot 2: 550m ²	No – refer to supporting Clause 4.6 statement Yes
Minimum Allotment Width – 16m	Lot 1: 16.36m Lot 2: 15.726m – 20.535m	Yes No – acceptable on merit. See below.
Minimum Allotment Depth – 27m	Lot 1: 31.743m Lot 2: 31.743m	Yes Yes

The proposed lots therefore largely comply with the minimum lot size, width and depth requirements.

Lot 2 presents a minor lot width variation with a minimal width of 15.726m. Notwithstanding, the proposal is able to ultimately provide for a residential development commensurate with the character of the existing environment and residential setting. This is demonstrated by the

supporting plans, prepared by JJ Drafting, which show two dwelling houses capable of being sited on each respective lot that achieve satisfactory amenity for each lot and adjacent dwellings.

Furthermore, the lot width varies from north to south with a wider lot width to the south due to the splayed east and west boundaries. As a result, the proposal is largely compliant and generally consistent with the minimum lot width requirement under Clause B2.2 with a minor variation to the north.

The proposed lots are capable of accommodating a development which provides good amenity for the occupants and surrounding properties.

6.3.3 Section C Development Type Controls for Residential Development

The Development Controls applicable to the proposed demolition and subdivision works are summarised as:

C4.1 Subdivision - Protection from Hazards

The controls seek to achieve the outcomes:

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

The site is not identified as being affected as any hazards.

C4.2 Subdivision – Access Driveways and Off-Street Parking Facilities

The controls seek to achieve the outcomes:

Safe and functional access for vehicles, cyclists and pedestrians. (S)

Safe and convenient access and parking is provided on each lot.

This clause requires that the design of each individual lot created is to provide for off street parking facilities compatible with the proposed development uses for that lot. Residential dwellings require two parking spaces. It is considered that each allotment is of sufficient area and dimension to allow for 2 parking spaces on site.

C4.3 Subdivision – Transport and Traffic Management

The controls seek to achieve the outcomes:

Safe and orderly traffic and pedestrian access to and from all development via the surrounding road network and transport infrastructure. (En, S)

The cost of upgrading the surrounding road, traffic and transport infrastructure to meet the needs generated by the development is met by the developer. (S, Ec)

The existing driveway, to be extended, will adequately cater for the proposed lots. Accordingly,

it is suggested that the proposal will achieve the outcomes of Clause 4.3.

C4.4 Subdivision – Public Roads, Footpath and Streetscape

Safe and orderly pedestrian and traffic access to and from all subdivision development. (S)
Design and construction of works is funded by the developer. (Ec)

The proposed subdivision will be serviced via an existing access driveway from Hill Street with suitable infrastructure, including kerb and guttering being provided for with no further works required.

C4.5 Subdivision – Utility Services

The controls seek to achieve the outcomes:

Adequate utility services capacity to meet the demands of subdivision development. (En, S)
Safety of building occupants being maintained and enhanced. (S)
Security of utility services is improved. (S)
Opportunities for street tree planting enhanced. (En)
Visual pollution by aerial cables is reduced. (En, S)
Improved safety by removal of visual clutter. (En, S)

The existing services available to the site will be provided for each of the proposed allotments in accordance with the provisions of this clause.

C4.7 Subdivision – Amenity and Design

The controls seek to achieve the outcomes:

Desired character of the locality
Protection of the natural environment. (En)
Ecologically sustainable development. (En)
Minimal design constraints. (S)
Adequate access and services. (En, S)
Access driveways to public roads are minimised.

In regard to the identified controls, the following matters are noted:

- a) *all properties, both existing and proposed, achieve/retain a level of amenity commensurate with the locality and the desired character of the area*

It is considered that the proposed allotments are of a suitable size and configuration. The existing buildings will be demolished to make way for two future dwellings, which will be the subject of separate detailed DAs. These dwelling designs are indicated in supporting plans, prepared by JJ Drafting. The bulk and sale of which is consistent with the existing development pattern of the adjoining development in the locality. As demonstrated by the supporting plans, both allotments will maintain suitable levels of residential amenity for the residents of the subject and neighbouring sites.

(b) the impact on the environment of the completed development (including buildings to be constructed on the proposed lots) has an acceptable impact on the environment.

Notwithstanding the minor lot size variation, each lot is considered appropriate with regard to size, and it is not anticipated that the development will have a significant impact on the local environment.

The proposal will not require the removal of any significant vegetation.

6.2.3 Section D Locality Specific Development Controls

The **D14 Warriewood Locality Statement** contains a number of outcomes for development. The future Development Application for the development of the new allotment will consider the Section D requirements and maintain consistency with the desired character of the Warriewood Locality.

Clause D14.1 relates to Character as viewed from a public space.

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

As discussed, it is considered that the proposed allotments are of a suitable size and configuration which suitably accommodates future development, which is consistent with the pattern of development in the surrounding locality.

Future development on the new allotments will provide for good levels of residential amenity for the residents of the subject and neighbouring sites.

The streetscape view of the site will be unchanged.

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 Pittwater Local Environmental Plan 2014 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument 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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan 2014.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

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, and

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 Torrens Title subdivision of one lot into two, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 and Council's Codes and Policies, in particular the Pittwater 21 DCP 2014 and the Warriewood Locality Statement.

7.7 The suitability of the site for the development

The subject land is currently zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

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

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

7.9 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the demolition of the existing structures and the proposed Torrens Title subdivision of one lot into two.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls and reinforce the residential character of the area.

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.

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Annexure: Written Request – Clause 4.6 – Minimum Lot Size