



# Minto Planning Services

## Town Planning Consultants

**STATEMENT OF  
ENVIRONMENTAL EFFECTS**

**PROPOSED DWELLING ALTERATIONS &  
ADDITIONS AND NEW SWIMMING POOL**

**92 NARRABEEN PARK PARADE, WARRIEWOOD**

**On Behalf of  
Paul and Angela Simmons**

**19<sup>th</sup> January 2023**

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**STATEMENT OF ENVIRONMENTAL EFFECTS**

**Proposed Dwelling Alterations & Additions and New Swimming Pool**

**at**

**92 NARRABEEN PARK PARADE, WARRIEWOOD**

Prepared under instructions from

**ID Studios - Architecture + Interiors**

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## 1. INTRODUCTION

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Paul and Angela Simmons. The proposal seeks approval for the construction of dwelling alterations & additions together with a new swimming pool and ancillary works upon land identified as Lot 25 in DP 23008 and which is known as 92 Narrabeen Park Parade, Warriewood.

In consideration of this application reference has been made to:

- *Environmental Planning & Assessment Act 1979, as amended.*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater Development Control Plan*

Additional information to support this application includes:

- Boundary Identification & Detail Survey Plan prepared by DP Surveying, Ref. No. 803 and dated 09/02/2021.
- Architectural Plans, Shadow Diagrams, Finishes Schedule & 3D Views prepared by ID Studios Architecture and Interiors, Project No. 2210, Drawing No's A0000 to A1000, A9000 & A9101 (Issue A), A1104 to A9005 (Issue B) and A1100 to A1102 (Issue D) and dated 09/01/2023.
- Landscape Plans prepared by Jamie King Landscape Architect, Project No. 22057, Dwg No. Sht-101 to Sht-106, Issue E and dated 25/11/2022.
- Geotechnical Assessment prepared by JK Geotechnics P/L, Ref. No. 34538BrptRev1 and dated 01/11/2022.
- Stormwater Management Plans prepared by Sparks and Partners Consulting Engineers, Project No. 22370, Dwg No's. DA101 to DA405 Revision 1 and dated 21/12/2022.
- BASIX Certificate No. A476647 and dated 07/12/2022.
- Cost Summary Schedule prepared by ID Studios Architecture and Interiors, Project No. 2210, Dwg No. A9100, Issue A and dated 09/12/2022.
- Waste Management Plan.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

As a result of that assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## 2. THE SITE

The subject site is identified as Lot 25 in DP 23008 and is known as 92 Narrabeen Park Parade, Warriewood. The subject site is an irregular shaped allotment located on the south western side of Narrabeen Park Parade to the east of its intersection with Sydney Road.

The site has an area of 769m<sup>2</sup> with a street frontage of 27.43m and a maximum site depth of 35.355m.

The site location is depicted in the following street map extract:



Site Location Map

The property is a moderately sloping allotment having a fall from the site's front eastern corner (RL 31.20) to the rear south western portion (RL 27.42). The total fall over the length of the site is approximately 3.78m. Stormwater from the property is understood to currently be disposed of to the existing pit located within an inter-allotment drainage easement to the rear southern corner. The proposal seeks to maintain this arrangement.

The site currently supports a part two and three storey rendered dwelling house comprising of 3 levels with a metal roof and which is located centrally upon the front half of the allotment.

The existing dwelling is not heritage listed and is not considered to have any heritage significance which would prevent the proposed alterations and additions.

Other improvements located upon the property include brick and concrete block retaining walls to the rear of the existing dwelling to provide a level yard.

Vehicular access is provided by a concrete crossing and driveway which enters the site within the northern corner and adjoins the north western boundary.

The driveway provides access to the basement level garage. A concrete parking area adjoins the driveway.

Vegetation located upon the property comprises mainly of exotic tree/shrub species together with lawn areas. The proposal does not require the removal of any protected vegetation.



**View of the subject site from Narrabeen Park Parade**



**An aerial view of the subject site**



### **3. THE SURROUNDING LOCALITY**

The subject property is located in a low density residential locality comprising of a combination of traditional dwellings and recently constructed contemporary two and three storey dwellings.

Adjoining residential development comprises of single, two and three storey development comprising of predominantly original dwelling houses.

The subject site and adjoining properties enjoy views to the north over Warriewood Beach and Warriewood Beach Reserve and the Pacific Ocean to the east.

The sites relationship with its surrounding properties is depicted in the following aerial photograph.



**An aerial view of the subject and adjoining properties**

#### 4. THE PROPOSAL

The proposal seeks approval for the construction of alterations and additions to an existing dwelling together with the construction of a new swimming pool and ancillary works.

##### Alterations and Additions

The proposed dwelling alterations and additions are to comprise:

- Demolition of the western side of the dwelling including the existing garage, verandah and terrace.
- Demolition of the rear portion of the dwelling including the basement wall and patio, sunroom and balcony (ground floor).
- Provision of opening in existing subfloor for provision of new steps.
- Removal and replacement of existing fascia and gutters.
- Internal demolition and reconfiguration of the basement floor to provide for a bedroom, laundry, living/dining, bathroom, shed, extended double garage, storage areas, stairs and plant room.
- Internal demolition, reconfiguration and construction of extension to the rear of the ground and first floor.
- Construction of a new terrace to the rear of the dwelling on both the basement and ground floor levels.
- Construction of new wall on new footings to western side of dwelling.
- Close in rear eastern corner for provision of new bathroom to basement level.
- Extension of the roof over the additions to the rear is to comprise of a new colorbond roof whilst the existing metal roof will be retained over the existing dwelling structure.
- Construction of stone clad or rendered planter boxes to ground floor façade.
- Construction of new ground and first floor terraces with flat roof incorporating glass over first floor terrace.
- Provision of new pergola to proposed first floor western side terrace.
- Potential for new eaves/soffit addition to length of façade including aligned with new flat roof over terrace.
- Provision of operable louvre to rear terrace roof.
- Provision of pergola over entry stairs with glass over.
- Option of terrace forward of first floor living or frame to match an infill with pergola slats with glass over.
- Construction of gravel slab flat roof with landscape pots over membrane to adjoin first floor terrace.
- Provision of new roof over side entry stairs.
- Construction of new entry stairs with new pivot entry door and slatted screen with glass for windbreak to covered entrance.
- Provision of aluminium batten screening to western side ground floor terrace and rear outdoor BBQ area.



- Installation of retractable louvre blind over glass wall to proposed first floor terrace located to the western side.
- Installation of new retractable louvre blind over glass to western side of dwelling adjoining the proposed flat roof.
- The external finish will comprise of render and weatherboard cladding to upper level together with glazed balustrade to terraces.
- A new window schedule to replace or create new openings to suit the proposed internal reconfiguration.
- Construction of new blade walls to entry terrace.
- Provision of new panel lift garage door.

The proposed dwelling alterations and additions are to include rendered and painted walls, FC weatherboard cladding, aluminium windows and trim, timber privacy batten privacy screens and garage door and selected sandstone clad feature elements to blade walls.

It is considered that the rear setback proposed is responsive to the topography of the site, the location and form of existing development upon the site and the setbacks of surrounding development. It is my opinion that the proposal will not result in any unreasonable impacts upon the character of the area.

The proposed dwelling once completed will comprise the following:

<b>Basement Floor:</b>	One bedroom, bathroom, laundry, living/dining room, double garage, storage, store room, plant room, storage, shed and outdoor terrace.
<b>Ground Floor:</b>	Entry, two bedrooms (with ensuite), laundry, WC, dining, living, kitchen, front and rear terraces and new swimming pool.
<b>First Floor:</b>	Two bedrooms (Master with ensuite and walk in robe), WC, study, living, study nook and terrace.

### **Swimming Pool**

The proposal also provides for the construction of a new swimming pool to the rear of the existing dwelling to be located at the ground floor level. The swimming pool provides for a setback of at least 6.5m to the rear boundary.

Compliant side setbacks are provided to the east and west boundaries.

Swimming pool filtration equipment will be located within the proposed plant room to the basement floor.

### **Ancillary Works**

The proposed dwelling ancillary works are to comprise:

- Rebuild garden planter wall adjoining existing driveway.
- Construction of extension to the western side of the existing driveway.
- Construction of new rendered blade walls and new stairs to rear garden.
- Construction of new stairs from basement floor rear terrace to ground floor terrace adjoining swimming pool.
- Construction of new stairs to plant room beneath swimming pool.
- Construction of rear terrace (ground floor) planter boxes and optional planter box to western side boundary.
- The proposal also includes the landscaping of the property as detailed on the accompanying landscape plan. No vegetation is required for removal to facilitate the proposal.

### **Stormwater**

A detailed plan for the collection and disposal of all stormwater from the property has been prepared by Sparks and Partners Consulting Engineers and accompanies this application. The proposal provides for collected stormwater to be disposed to the existing drainage easement to the rear of the site via an existing retention/reuse tank having a capacity of 5,000L.

All new downpipes created as a result of the proposed alterations will be connected to the proposed system.

There are no other works proposed as part of this application.

The development indices for the proposal are as follows:

<b>Site Area:</b>	<b>769m<sup>2</sup></b>
<b>Proposed Landscaped Area:</b>	<b>374.2m<sup>2</sup> or 48.6%</b>
<b>Proposed Floor Space:</b>	<b>358m<sup>2</sup> or 0.466:1</b>

## 5. ZONING & DEVELOPMENT CONTROLS

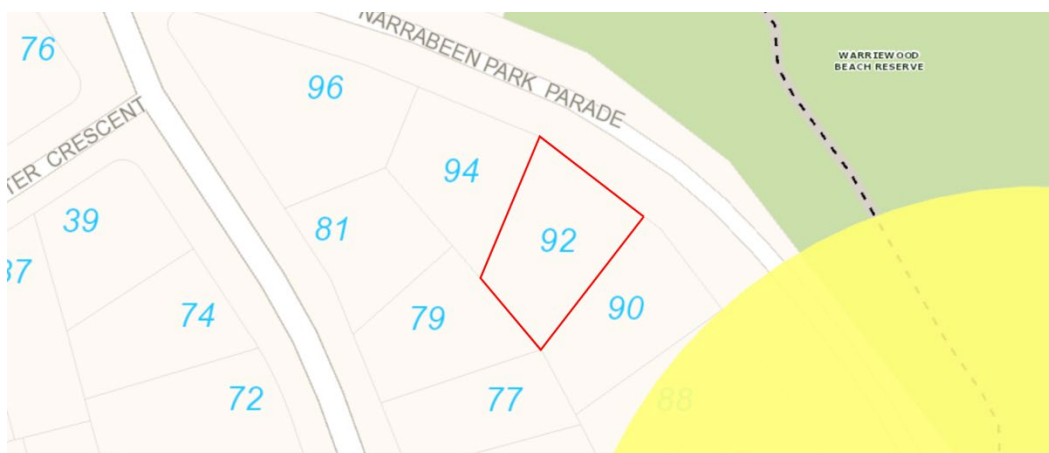
The proposed development is identified as development permissible with the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979 and the Pittwater Local Environmental Plan 2014.

The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

### 5.1 Planning for Bushfire Protection

The subject site is not identified as comprising bushfire prone land on Council's Bushfire Prone Lands Map.

Therefore, the provisions of Planning for Bushfire Protection do not apply to the subject application.



Extract of Council's Bushfire Prone Lands Map

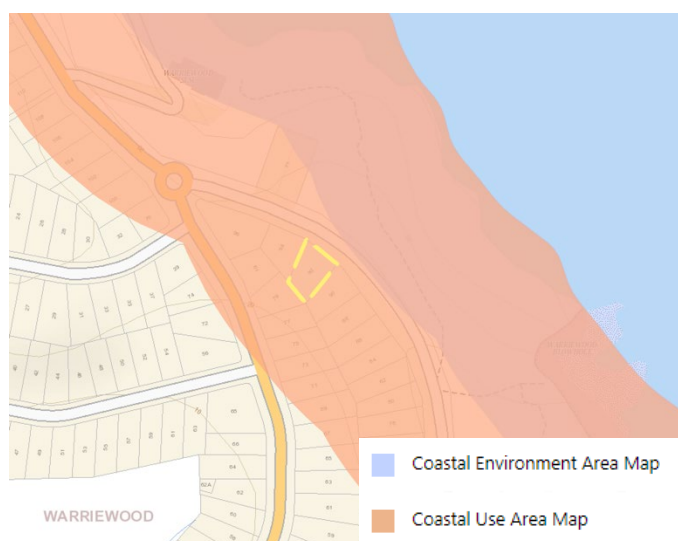
### 5.2 State Environmental Planning Policy (Resilience and Hazards) 2021

#### Chapter 2 - Coastal Management

The aim of this Chapter is to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.

The assessment against Part 2.2 - Division 3 and Division 4 of the SEPP below demonstrates compliance with the aims of this policy.



Extract of Coastal Environment & Coastal Area Mapping

### Division 3 - Coastal Environment Area

The land is not mapped as being located in the Coastal Environmental Area and therefore provisions of this Division do not apply to the proposal.

### Division 4 - Coastal Use Area

An assessment of the proposal against Section 2.11 is provided in the table below.

SEPP Requirement	Response
<p>1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:</p> <p>a) has considered whether the proposed development is likely to cause an adverse impact on the following:</p> <p>i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</p> <p>ii) overshadowing, wind funnelling and the loss of</p>	<p><i>With regard to Subsection (a)(i), the proposed development is entirely on private property and will not affect public foreshore, beach, headland or rock platform access.</i></p> <p><i>With regard to Subsection (a)(ii), the proposal will not overshadow or reduce the visual amenity of the surrounding area when viewed from the public domain.</i></p> <p><i>With regard to Subsection (a)(iii), the proposal is considered unlikely to result in adverse</i></p>

<p>views from public places to foreshores,</p> <p>iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</p> <p>iv) Aboriginal cultural heritage, practices and places,</p> <p>v) cultural and built environment heritage, and</p>	<p><i>impact to the visual amenity of the coast.</i></p> <p><i>With regard to (a)(iv), The site is not identified as containing land of Aboriginal Cultural Heritage.</i></p> <p><i>With regard to (a)(v), The subject site is not identified as comprising a heritage item and is not located within a Heritage Conservation Area and does not adjoin any identified heritage items. On this basis it is not considered to result in any adverse impacts on cultural and built environment heritage.</i></p>
<p>b) is satisfied that:</p> <p>i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</p> <p>ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</p>	<p><i>With regard to (b), the proposed development has been designed and sited to avoid any potential adverse impacts referred to in Section 2.11(1) for the matters considered herein.</i></p>
<p>c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</p>	<p><i>Subsection (c) is further address in the DCP assessment below.</i></p> <p><i>The proposal is considered to be consistent with the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</i></p>

(2) This section does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.	<i>The land is not located within the Foreshores and Waterways Area within the meaning of the SEPP (Biodiversity and Conservation) 2021, Chapter 6.</i>
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## **Division 5 - General**

### **Section 2.12**

It is considered that the proposal will not result in an increased risk of coastal hazards to the subject site or surrounding properties. The proposal is accompanied by a Geotechnical Assessment prepared by JK Geotechnics P/L which considers the development to be very low to low risk. It is considered that the design will not result in an increased risk of geotechnical hazards to the subject site, surrounding properties or foreshore area.

### **Section 2.15**

The subject site is not located within more than one coastal management area. An assessment of the development controls that apply to the 'coastal use area' is provided above.

### **Summary**

It is my opinion based upon this assessment that the proposal satisfies the requirements of State Environmental Planning Policy (Resilience & Hazards) 2021.



### 5.3 Pittwater Local Environmental Plan 2014

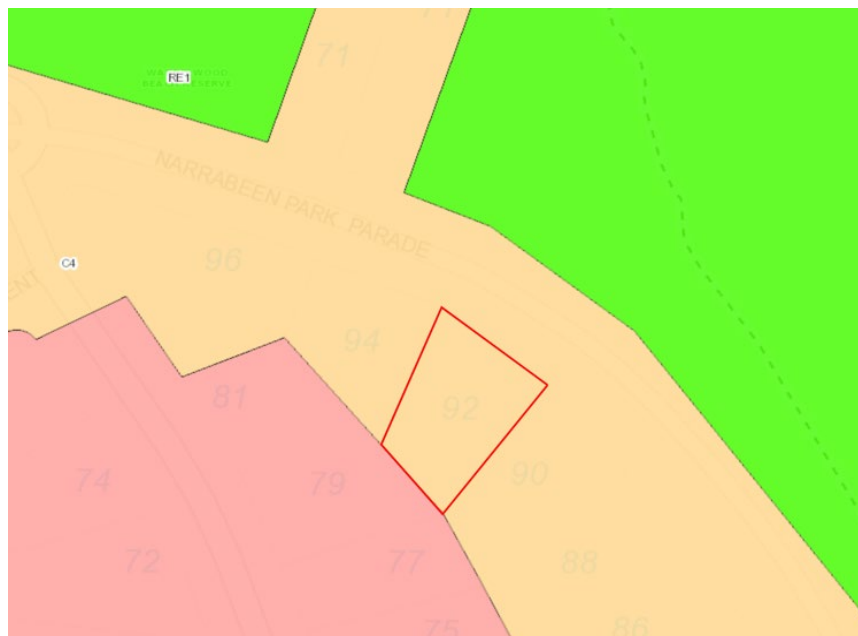
The subject land is zoned C4 - Environmental Living under the provisions of the Pittwater Local Environmental Plan 2014.

The objectives for development within the C4 zone are:

- *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.*

Under the C4 - Environmental Living zone a range of uses including that of a *dwelling house* are permissible with the consent of the Council.

The proposal which seeks to construct alterations and additions to an existing dwelling house together with a new swimming pool and ancillary works upon the site is considered to be consistent with the above objectives and is development permissible with the consent of the Council.



Extract from Council Zoning Map

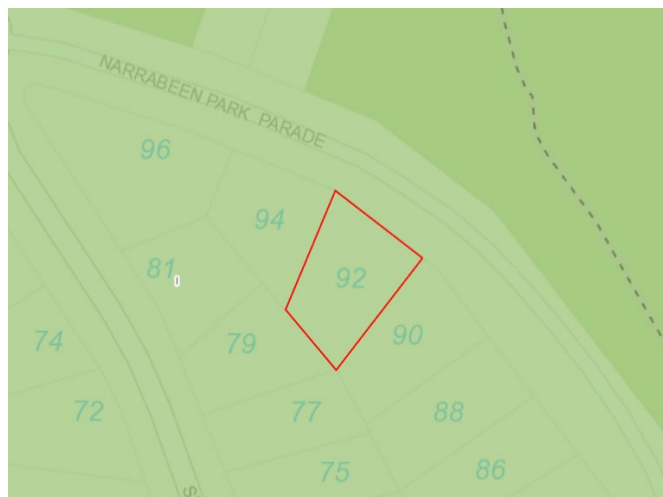
The following provisions of the Pittwater Local Environmental Plan 2014 are considered applicable to the subject site.

#### **Clause 4.3 - Height of Buildings**

The subject site is located within Building Height Area “I” and is therefore subject to a maximum building height control of 8.5m.

The proposal provides for a maximum height of 8.236m which complies with this clause.

It is therefore considered that the proposal satisfies the requirements of this clause of the LEP.



Extract of Council Height of Buildings Map

#### **Clause 4.4 - Floor Space Ratio**

There is no floor space ratio control applicable to the subject site.

#### **Clause 5.10 - Heritage Conservation**

The subject site is not identified as comprising a heritage item nor is it located within a heritage conservation area. It is not considered to have any heritage significance which would prevent the subject application from proceeding.

The proposal is therefore considered to satisfy the requirements of this Clause.



Extract from Council Heritage Map

### Clause 7.1 - Acid Sulfate Soils

The subject site is identified as containing Class 5 Acid Sulfate soils.

It is not considered that the proposal includes works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

On this basis the proposal is considered to satisfy the requirements of this Clause of the LEP.



Extract of Council Acid Sulfate Map

### Clause 7.6 - Biodiversity protection

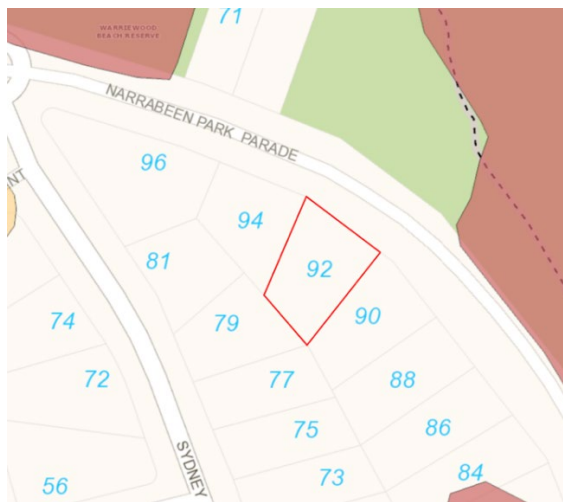
The site is not mapped as containing land of biodiversity significance and therefore the provisions of this clause do not apply.



Extract of Council Biodiversity Map

### Clause 7.7 - Geotechnical Hazards

The subject site is not identified as being subject to Geotechnical Hazard H1 or H2 on the Geotechnical Hazards Map. Therefore, the provisions of this clause do not apply.



Extract of Council Geotechnical Hazard Map

### Summary

There are no other provisions of the LEP which it is considered are relevant to the proposal.

It is my opinion based upon this assessment that the proposal is compliant with the aims, objectives and the applicable prescriptive requirements of the Pittwater LEP and is therefore permissible upon the subject site with the consent of the Council.

## 5.4 Pittwater 21 Development Control Plan 2014

Council's Development Control Plan applies to all forms of development with Sections B, C and D being specifically applicable to residential development.

An assessment of the proposal against the applicable provisions of the DCP has been undertaken and the following comments are made.

### **Section B - General Controls**

#### **Section B3 - Hazard Controls**

A Geotechnical Assessment has been prepared in support of the proposal by JK Geotechnics P/L and their report forms part of the information accompanying this application. That report within Section 5.2 - Risk Analysis states that:

*The attached Table A summarises our qualitative assessment of each potential landslide hazard and of the consequences to property should the landslide hazard occur. The terminology adopted for this qualitative assessment is in accordance with Table A1 given in Appendix A. Table A indicates that the assessed risk to property varies between 'Very Low' and 'Low', which would be considered 'acceptable' in accordance with the criteria given in Reference 1 and the Pittwater Risk Management Policy.*

*We have also used the indicative probabilities associated with the assessed likelihood of instability to calculate the risk to life. The temporal and vulnerability factors that have been adopted are given in the attached Table B together with the resulting risk calculation. Our assessed risk to life for the person most at risk is about  $9 \times 10^{-7}$ . This would be considered to be 'acceptable' in relation to the criteria given in Reference 1 and the Pittwater Risk Management Policy.*

#### **Section B5 - Water Management**

A detailed plan for the collection and disposal of all stormwater from the property has been prepared by Sparks and Partners Consulting Engineers and accompanies this application. The proposal provides for collected stormwater to be disposed to the existing drainage easement to the rear of the site via an existing retention/reuse tank having a capacity of 5,000L.

The proposal is therefore considered to provide for an outcome which is consistent with the requirements of this section of the DCP.

## **Section B6 - Access & Parking**

The following table provides for an assessment of the proposal against this section of the DCP.

<b>Off Street Parking Requirements</b>			
<b>Control</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
Spaces required for a 2+ bedroom dwelling	2	2 spaces proposed	Yes
Minimum dimension for each internal space	2.4m x 5.5m	Carparks satisfy Australian Standards.	Yes

The proposal is also considered to be provided with a driveway which satisfies the requirements of this section of Council's DCP.

## **Section B8 - Site Works Management**

An Erosion and Sediment Control Plan and Waste Management Plan form part of the accompanying DA documentation. It is considered that the plans are consistent with the outcomes and controls detailed in the DCP.

## **Section C - Development Type Controls**

### **Section C1 - Design Criteria for Residential Development**

#### **Section C1.1 - Landscaping**

It is considered that the proposal provides a landscape outcome in accordance with the requirements this section of Council's DCP. Reference is made to the accompanying Landscape Plans prepared by Jamie King Landscape Architect.

#### **Section C1.2 - Safety & Security**

The occupants of the development will be provided with a secure living environment.

#### **Section C1.3 - View Sharing**

The site is located along the ridgeline of a hill. Narrabeen Park Parade traverses along the ridgeline and therefore the properties opposite the site have a scenic view to the north and east. Nevertheless, the site will continue to have view corridors through the provision of compliant side setbacks and the proposed open terrace.



#### **Section C1.4 - Solar Access**

Shadow diagrams have been prepared in support of the proposal. Those diagrams indicate that the proposal will result in some overshadowing of the adjoining properties to the east and west.

Notwithstanding it is considered that each of the adjoining properties will continue to receive solar access in excess of the minimum requirements of the Council.

#### **Section C1.5 - Visual Privacy**

The development has generally been designed having regard to the visual and acoustic privacy of both the future residents of the development together with the adjoining property owners. This has primarily been achieved through the provision of appropriate setbacks to the side and rear property boundaries together with the considered location of windows and areas of open space. Screening is provided to the terraces (western elevation) to minimise any potential for loss of visual privacy.

In terms of internal visual privacy for future occupants of this development measures such as overall layout and vertical separation have all been incorporated into the design so as to ensure that there will be appropriate amenity provided to future residents of the development and the residents of neighbouring properties.

#### **Section C1.6 - Acoustic Privacy**

It is not considered that the proposal will result in any unreasonable acoustic impacts upon adjoining properties.

#### **Section C1.7 - Private Open Space**

The proposal is provided with an adequate area of private open space within the rear setback which comply with the minimum requirements of the DCP.

#### **Section C1.12 - Waste & Recycling Facilities**

A Waste Management Plan has been prepared in support of the proposal and forms part of the information accompanying this application.

The proposal includes an area for the storage of Council's waste storage containers following completion of the development. In this regard waste generated by the development will be collected from the kerb by Council's standard domestic waste collection service.

### **Section C1.13 - Pollution Control**

A sediment and erosion control plan forms part of the information accompanying this application.

### **Section C1.15 - Storage Facilities**

The proposal also includes the provision of dedicated storage areas in the ground floor of the proposed dwelling.

### **Section C1.17 - Swimming Pool Safety**

An isolation pool fence will be provided around the pool in accordance with the Swimming Pools Act 1992 and Regulations.

### **Section C1.23 - Eaves**

The proposal provides eaves in accordance with the minimum dimensions required to satisfy this section of Council's DCP.

## **Part D14 - Warriewood Locality**

### **Section D14.1 - Character as Viewed from a Public Place**

From the streetscape the proposed development will not be visually dominant. The proposal results in a minor increase in the overall building footprint and does not result in any increase in building height or the number of storeys.

The proposal sensitively relates to the spatial characteristics of the existing built and natural environment.

The proposal will not require the removal of any vegetation.

The proposal is considered to satisfy the requirements of this section of the DCP.

### **Section D14.2 - Scenic Protection**

The proposal will not unreasonably impact the visual amenity of surrounding bushland or waterway landscapes within the Warriewood locality.

### **Section D14.3 - Building Colours & Materials**

The proposed alterations and additions to the existing dwelling will be finished with a combination of painted render and FC weatherboard cladding, timber batten privacy screens and garage door and feature sandstone clad elements. The existing metal roof is to be retained, with the extension to the rear to comprise of colorbond roof sheeting. The proposed building colours and materials are considered to be compatible with the surrounding character.

### **Section D14.7 - Front Building Line**

All land zoned C4 - Environmental Living is subject to a 6.5m front setback or established building line, whichever is the greater.

The proposal results in no change to the front building line of the existing dwelling measured to the external wall of the existing basement level.

### **Section D14.8 - Side and Rear Building Line**

All land zoned C4 - Environmental Living is subject to a side setback of 2.5m to one side and 1m for the other side with a 6.5m rear setback.

The proposal is provided with an existing setback of 1m to the western side boundary and an existing setback which exceeds of 2.5m to the eastern side boundary.

The rear setback is 6.5m measured to the proposed swimming pool and plant room which is considered to satisfy this section of Council's DCP.

### **Section D14.11 Building Envelope**

The proposal provides for a highly articulated design which is considered to largely comply with the requirements of the DCP and will make a positive contribution to the character of the locality.

### **Section D14.13 - Landscaped Area - Environmentally Sensitive Land**

The minimum required landscaped area on C4 - Environmental Living land located in 'Area 1' is 60% as prescribed in the Pittwater DCP.

The existing landscaped area is 408.1m<sup>2</sup> or 53.1%. The proposal provides for 386.1m<sup>2</sup> or 50.3% of the total site area to be used as landscaped area resulting in a non-compliance with the numerical control.

A variation is sought in this instance for the following reasons:

- The proposal results in a minor reduction of total impervious area.

- The proposal will result in increased soft landscape area within the front setback with the majority of the proposed increased hard surface areas now located to the rear of the site.
- The proposal will result in increased soft landscape area within the side setback areas.
- A variation of up to 6% of total site area is provided for impervious areas used for outdoor recreational purposes. In this instance a variation of 46.14m<sup>2</sup> is provided which increases the proposed landscape area to 432m<sup>2</sup> or 56.21%.
- The proposal does not involve removal of any trees.
- The proposal provides for the provision of increased landscape planting upon the site and which will enhance the landscape character of the site and the locality.

In addition to the above, it is noted that Council is currently considering a change in the zoning of the subject site from C4 - Environmental Living to R2 - Low Density Residential. If made, this change would have the effect of reducing the landscape area requirement from 60% to 50% and which the proposal would comply with.

The proposal is therefore considered to satisfy the outcomes of this section of the DCP.

### **Summary**

There are no other provisions of the DCP which it is considered are relevant to the proposal.

On the basis of the above the proposal is considered to achieve appropriate compliance with the requirements of Council's DCP and where a variation is proposed it is considered to be consistent with the aims and objectives of the relevant provision.

The proposal is therefore considered to be worthy of the support of the Council.

## **6. SECTION 4.15(1) ASSESSMENT**

### **Environmental Planning Instruments - Section 4.15(1)(a)**

The subject site is zoned C4 - Environmental Living under the provisions of the Pittwater Local Environmental Plan 2014. The proposed dwelling alterations & additions, new swimming pool and ancillary works is permissible with the consent of Council. The proposal has been assessed against the objectives and provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021 and both the Pittwater LEP 2014 and the Pittwater Development Control Plan as detailed within this report.

The proposal was found to generally satisfy the requirements of both policy documents. Where a variation is proposed it is considered to be consistent with the aims and objectives of the relevant provision.

### **Impacts of the Development - Section 4.15(1)(b)**

It is not considered that the proposal will result in any unreasonable detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area.

The proposed dwelling is considered to be of a design, which is in keeping with the character of the surrounding area and the desired future characteristics identified for this locality.

### **Suitability of the Site - Section 4.15(1)(c)**

The subject site is zoned C4 - Environmental Living under the Pittwater Local Environmental Plan 2014. The construction dwelling alterations/addition, new swimming pool and ancillary works having a height of less than 8.5 metres is permissible with the consent of Council.

The subject site currently supports a dwelling house and in the absence of any unreasonable detrimental impact is thus considered suitable for the proposed development.

## 7. CONCLUSION

The proposed development is development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and the Pittwater Local Environmental Plan 2014 and has been assessed against the requirements of Section 4.15(1) of the Act, SEPP (Resilience and Hazards) 2021 and the Pittwater LEP & DCP. In this regard it is considered that this Statement of Environmental Effects has demonstrated that the proposal appropriately satisfies the aims and objectives and the applicable prescriptive requirements of the above controls.

Where a variation is proposed in relation to the requirements of Council's DCP it is considered that the proposal satisfies the aims and objectives of the relevant control.

It is considered that the proposal will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

It is therefore considered that the proposed construction of dwelling alterations & additions together with a new swimming pool and ancillary works upon land at 92 Narrabeen Park Parade, Warriewood is worthy of the support of Council.

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MINTO PLANNING SERVICES PTY LTD  
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