

Statement of Environmental Effects

Section 4.55 (2) Modification to incorporate design amendments
to the approved swimming pool and retaining walls
at 92 Warriewood Road, Warriewood NSW 2102

REV 1- 6 December 2021

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1. Introduction

The purpose of this Modification Application is to amend the following approved building elements of a recent development consent that permits alterations and additions to a dwelling house at 92 Warriewood Road, Warriewood NSW 2102, and includes:

- Amending the position of the inground pool (increase clearance to sewer line).
- Amend the material finishes of the approved retaining walls (concrete block to timber sleepers).

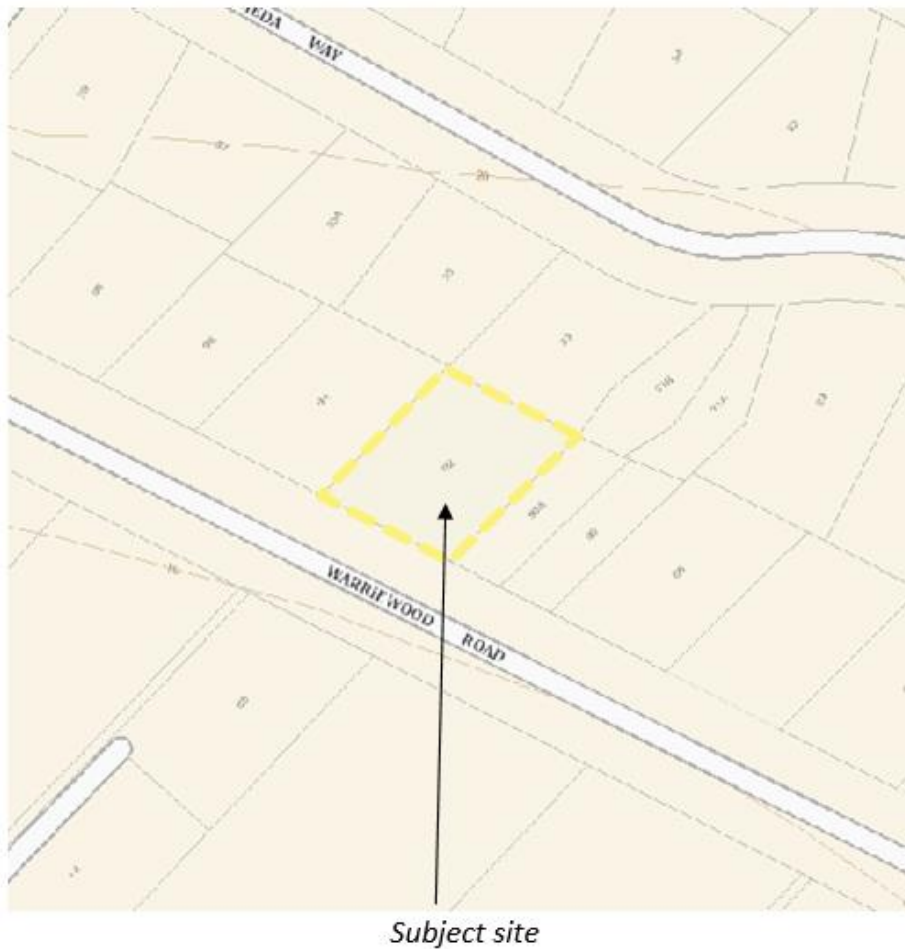
The main body of this report reviews key planning considerations for Council as a consent authority under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979.

2. Site Details

2.1. Location

The subject site is a large irregular residential land holding on the north-eastern side of Warriewood Road and is legally identified as Lot 4 in DP 228171, known as 92 Warriewood Road, Warriewood.

A location plan of the site is provided below.

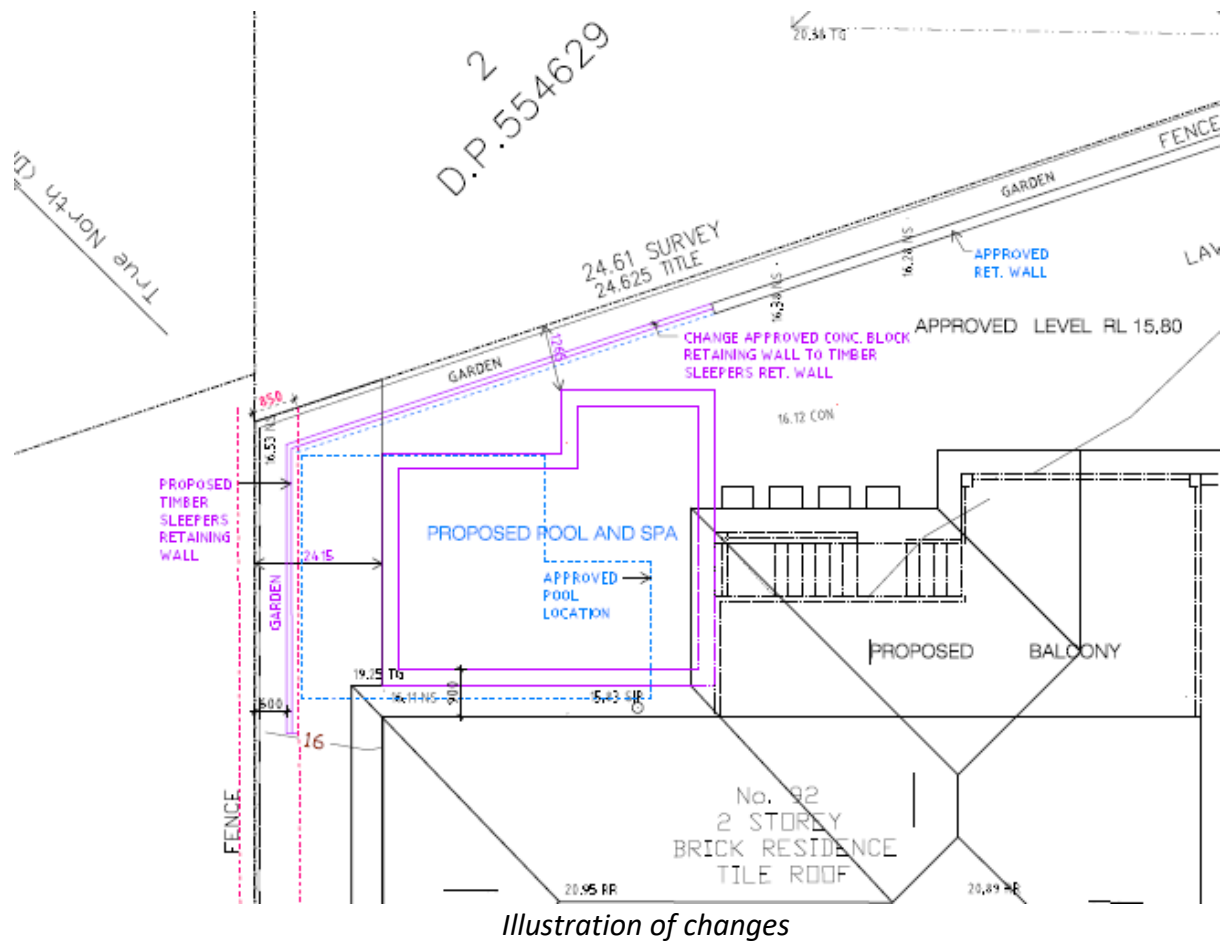


3. Modification proposal

The Section 4.55 (2) Modification application submitted to Council seeks the following amendments to the approved building design concept and is unpacked as follows:

- Amend the position of the inground pool (increase clearance to sewer line that crosses the site).
- Amend the material finishes of the approved retaining walls (concrete block to timber sleepers).
- No other changes are proposed from the earlier approval.

The changes are illustrated below:-



4. Threshold Test

The development as proposed to be modified is considered to be substantially the same as that originally approved as the changes are categorised as supplementary amendments.

5. Merits Assessment

The Modification has merit for the following reasons:

Explanation for changes

- To provide sufficient clearances to Sydney Water assets (sewer line that traverses the property).
- Respond to economic factors.

6. Matters of Consideration

6.1. Section 4.15(1)(A)(I) – any environmental planning instruments

Pittwater Local Environmental Plan 2014

The proposal does not change the approved land use as a dwelling house.

There are no changes to the approved height of building control or other development standards.

The proposed amendment does not result in an unacceptable intensification of the approved use.

6.2. Section 4.15(1)(A)(ii) – any draft environmental planning instrument(s)

There are no known draft environmental planning instruments which affect the site.

6.3. Section 4.15(1)(A)(iii) – any development control plan(s)

The proposal does not warrant a change to the:

- drainage considerations,
- height of the overall building,
- wall heights,
- front setback,
- side setbacks,
- rear setbacks,
- landscape areas, or
- privacy/amenity considerations for adjoining owners.

There are no known non-compliances with the development control plan.

6.4. Section 4.15(1)(A)(iiia) – any planning agreement or draft planning agreement

There are no related matters for consideration in terms of a planning agreement or draft planning agreement which affects the modification.

6.5. Section 4.15(1)(B) - the likely impacts of the development

The proposal remains compatible with other residential properties.

6.6. Section 4.15(1)(C) - the suitability of the site

The proposal will not increase the demand for public services or facilities and the modification is consistent with the surrounding low-density residential character.

6.7. Section 4.15(1)(D) - any submission made

Council will review any submissions made during the exhibition process and we welcome the opportunity to review and respond to any submissions.

6.8. Section 4.15(1)(e) - the public interest

The proposal is not contrary to the public interest.

7. Conclusion and Recommendation

The main body of this report reviewed key planning considerations for a consent authority under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979.

The proposed amendment is not viewed to have any adverse impacts on the surrounding area or impact on the amenity of neighbours.

The development as proposed to be modified is substantially the same as that originally approved.

Having regard to all of the above matters, it is considered that the modification generally, satisfies the relevant strategy, objectives and provisions of the LEP and DCP and is acceptable and should be approved by Council.

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