

NORTHERN BEACHES COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS

**DEVELOPMENT APPLICATION FOR DWELLING HOUSE AND ASSOCIATED
WORKS**

45 WARRIEWOOD ROAD WARRIEWOOD NSW 2102

Prepared by Platinum Planning Solutions

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SITE DETAILS

Address	45 Warriewood Road Warriewood 2102
Lot/Section/Plan	7/-/DP1206507
Local Authority	Northern Beaches Council
Local Environmental Plan	Pittwater Local Environmental Plan 2014
Development Control Plan	Pittwater 21 Development Control Plan 2004
Zone	R3 - Medium Density Residential
Overlays	Local Aboriginal Land Council (Metropolitan), Height of Building (10.5m), Urban Release Area and Acid Sulfate Soils (Class 5)

DEVELOPMENT PROPOSAL DETAILS

Proposal Summary	Dwelling house and associated works
Assessment Controls	Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan 2004
Applicant	Metricon Homes Pty Ltd

REVISION DETAILS

Version	1.0
Prepared by	Will Thompson (BUrbanEnvPlan)
Signed	
Date	28/07/2021
Reviewed by	James Connolly (BUrbanEnvPlan, GCHM, MPIA)
Signed	
Date	28/07/2021

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of Metricon Homes Pty Ltd (the applicant) to accompany a development application to Northern Beaches Council over land located at 45 Warriewood Road Warriewood (the subject site).

The development application seeks development consent for a dwelling house and associated works as per the attached plans package. This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of planning considerations related to the proposed development.

The proposal is seen to be a desirable outcome for the subject site and will not impact on the amenity of the surrounding area. This Statement of Environmental Effects is to be read in conjunction with the attached plans and supporting documents.

2.0 SITE DESCRIPTION AND CONTEXT

2.1 Subject Site

The subject site is located at 45 Warriewood Road Warriewood and is formally described as Lot 7 on DP1206507. The subject site is currently vacant with an overall site area of 404.4m². The site has a primary frontage to Warriewood Road of approximately 16.99m, with the vehicular access proposed to the site via a cross and driveway to Warriewood Road. The site is part of a new residential area with an array of residential premises yet to be established in the surrounding vicinity with no vegetation within the boundaries of the site. The location of the subject site is indicated below in Figures 1 and 2.

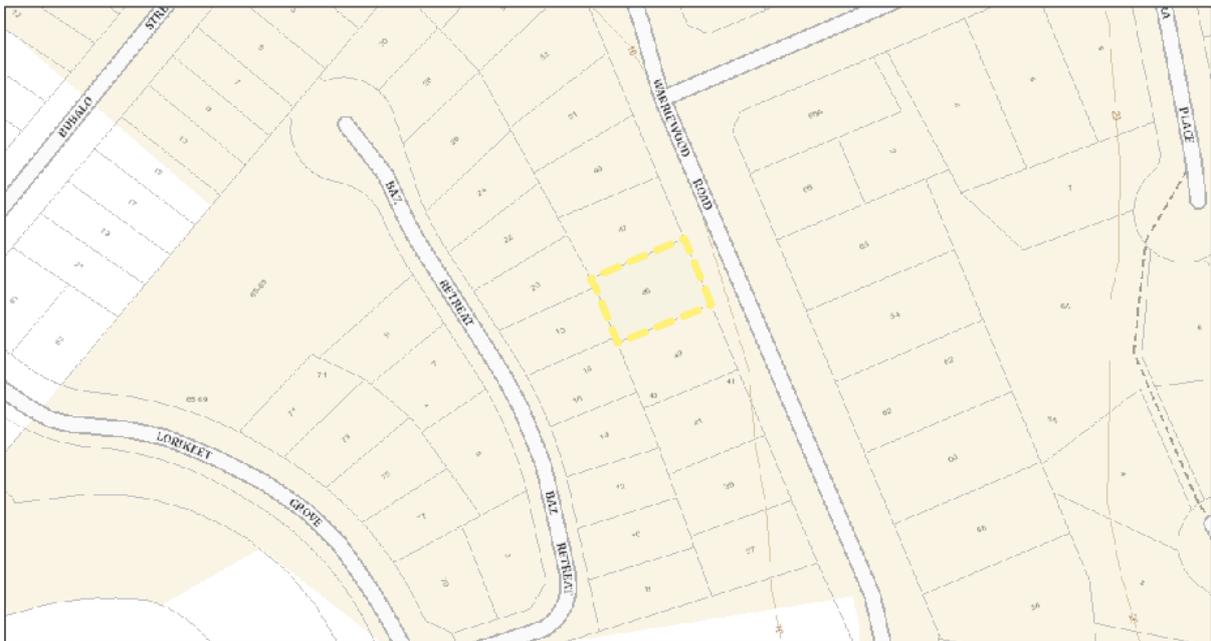


Figure 1: Subject Site Location



Figure 2: Subject Site Location

3.0 PROPOSED DEVELOPMENT

The proposed development is for a highly articulated double storey dwelling house and associated ancillary works as per the attached plans package. The proposed dwelling was designed aiming to avoid extra impacts to the environment and to the amenity of adjoining neighbours' and the streetscape. Please refer to the material attached to this application for further details.



Figure 3: Illustration of front elevation of proposed dwelling house

4.0 TOWN PLANNING ASSESSMENT

4.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- a. *the provisions of:*
 - i. *any environmental planning instrument, and*
 - ii. *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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - iii. *any development control plan, and*
 - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- b. *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. *the suitability of the site for the development,*
- d. *any submissions made in accordance with this Act or the regulations,*
- e. *the public interest.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan 2014

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.4 of this report.

4.2 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 (LEP) is the principle local planning instrument that applies to the site.

4.2.1 Zoning & permissibility

The subject site is zoned as R3 Medium Density Residential under the LEP. The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

The proposed dwelling house is permissible with consent in the zone. The site is located within a residential area which is designed for proposals of this nature. The site has access to the appropriate services required and is accessible from the existing road network. The proposed dwelling house is seen to be in line with the existing streetscape and surrounding built form and to meet the prescribed intent of the zone. Therefore, the proposal it is seen as a desirable outcome for the subject site and will not adversely affect the amenity of the surrounding area.

4.2.2 Height of buildings (Clause 4.3)

The proposed dwelling house has a proposed building height of 8.640m and therefore complies with the allowable maximum building height of 10.5m for the subject site under Clause 4.3 of the LEP.

4.2.3 Floor space ratio (Clause 4.4)

No floor space ratio is prescribed for the subject site, therefore Clause 4.4 is not applicable.

4.2.4 Architectural roof features (Clause 5.6)

Architectural roof features requirements were not adopted under the LEP, therefore Clause 5.6 is not applicable.

4.2.5 Heritage conservation (Clause 5.10)

The site is not identified as a heritage item, and is not located within a heritage conservation area, therefore Clause 5.10 of the LEP is not applicable.

4.2.6 Acid sulfate soils (Clause 7.1)

The subject site is affected by Class 5 acid sulfate soils and is within 500m of Class 3 and 4 acid sulfate soil areas, however the proposed development is not considered to lower the water table by 1m and only requires excavation predominantly within the building footprint area only, therefore complies with Clause 7.1 of the LEP.

4.2.7 Earthworks (Clause 7.2)

. There is a small amount of cut and fill proposed to suit the proposed dwelling house, with the proposed earthworks not having a detrimental impact on the surrounding land. Appropriate measures will be put in place to ensure there will be no negative impacts. The proposed earthworks therefore comply with Clause 7.2 of the LEP.

4.2.8 Flood planning (Clause 7.3)

The subject site is not identified as a flood planning area or subject to flood related development controls of the LEP (and Pittwater Flood Risk Planning Map), therefore Clause 7.3 of this LEP is not applicable.

4.2.9 Coastal risk planning (Clause 7.5)

The subject site is not identified as coastal risk planning area, therefore Clause 7.5 of the LEP is not applicable.

4.2.10 Biodiversity (Clause 7.6)

Native fauna and flora will not be affected by the proposed development, therefore Clause 7.6 of the LEP is not applicable.

4.2.11 Geotechnical hazards (Clause 7.7)

The subject site is not identified as being part of a geotechnical hazard area, therefore Clause 7.7 of the LEP is not applicable.

4.2.12 Essential services (Clause 7.10)

The site has access to public utility infrastructure, therefore complies with Clause 7.10 of the LEP.

4.3 Pittwater 21 Development Control Plan 2004

The Pittwater 21 Development Control Plan 2004 (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

4.3.1 General Controls (Part B)

Control / Objective	Compliance	Comments
<i>General Controls</i>		
B1 Heritage Controls	Complies	The site is not identified as a heritage item, and is not located within a heritage conservation area, therefore complies with Section B1 of the DCP.
B2 Density Controls	Complies	Medium density housing is not proposed.
B3 Hazard Controls	Complies	The subject site is not identified on the Pittwater Local Environmental Plan 2014 Geotechnical Hazard Map, therefore Section B3 is not applicable.
B4 Controls Relating to the Natural Environment	Complies	Native fauna and flora will not be affected by the proposed development. In addition, no impact on the natural environment, wildlife corridors, habitats and other environmental features will be caused by the proposed dwelling house. Therefore, Section B4 of the DCP is not applicable.
B5 Water Management	Complies	The subject site is included within the Warriewood Valley Locality, therefore Section B5 is not applicable.
B6 Access and Parking	Complies with intent	The subject site is included within the Warriewood Valley Locality, therefore Section B6.1, B6.2, B6.5, B6.6, B6.7, B6.8 and B6.11 are not applicable. The proposed dwelling house will be able to accommodate 2 cars to be parked off street, therefore complies with Section B6.3 of the DCP. Please note that the applicant will be seeking to provide a crossover to the lot on the right hand side of the allotment to access the proposed dwelling house.
B8 Site Works Management	Complies	Major earthworks were already completed with the subdivision of the land. There is a small amount of cut and fill proposed to suit the proposed dwelling

Control / Objective	Compliance	Comments
		house (approximate 0.2m cut and fill of 0.756m) with the proposed earthworks not having a detrimental impact on the surrounding land. Appropriate measures will be put in place to ensure there will be no negative impacts. Appropriate erosion and sedimentation controls will be in place which can be conditioned on the DA as considered appropriate. Additionally, waste will be managed appropriately as per the Waste Management Plan provided with the application, and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate.

4.3.2 Development Type Controls (Section C)

4.3.2.1 Design Criteria for Residential Development (Section C1)

Control / Objective	Compliance	Comments
C1.1 Landscaping	Complies	Deep soil permeable surfaces retained as areas of natural ground, free of artificial structures and with a relatively unmodified soil profile represents approximately 46.85% of the site area and therefore complies with the required 35% of the total site area, as per DCP requirements.
C1.2 Safety and Security	Complies	The proposed dwelling house and associated works addresses the required and applicable CPTED principles (surveillance, access control, territorial reinforcement and space management).
C1.3 View Sharing	Complies	The proposed dwelling house is considered appropriate noting the size of the allotment and intended character of the area, with the appropriate views able to be maintained. In addition, it is asserted that view sharing will not be impacted by the proposed dwelling house.
C1.4 Solar Access	Complies	The proposed dwelling house is designed in such a way that allows solar access to habitable areas, recreational space and private open spaces on the site and on neighbouring sites. In addition, the proposal will not unnecessarily negatively impact on solar access to the adjoining dwelling due to distance from the adjoining dwelling and site orientation. The proposal will not impact on minimum hours of direct solar access to adjoining properties living areas presented by the DCP. Please refer to the material attached to this DA for further details.
C1.5 Visual Privacy	Complies	The proposal will not have any adverse visual impacts dwelling has been designed to achieve great visual privacy in regards to adjoining

Control / Objective	Compliance	Comments
		dwelling. Direct views from the upper level of the dwelling are minimised to prevent overlooking to the common areas or private open space of any adjoining dwelling houses by adopting a small number of windows with increased still height, oppositely alternating proposed window locations in relation to adjoining dwellings windows and open spaces. Additionally, obscure glazing, screening and other architectural solutions will be in place to ensure visual privacy, which can be conditioned to the DA as considered appropriate. Moreover, a dense vegetation screen exists and is to be kept on both sides and rear boundaries of the allotment, which will increase visual privacy in regards to the adjoining neighbours.
C1.6 Acoustic Privacy	Complies	The proposed dwelling house will not have any adverse acoustic impacts and the dwelling has been designed to minimise acoustic impacts on adjoining dwellings.
C1.7 Private Open Space	Complies	A minimum of 24m ² of private open space is to be provided at ground level, with no dimension less than 4 metres. The proposed private open space is considered to be appropriate for the subject site and complies with the minimum requirements specified within the DCP.
C1.8 Dual Occupancy Specific Controls	N/A	Not a dual occupancy.
C1.9 Adaptable Housing and Accessibility	N/A	Not applicable for the proposed private dwelling house.
C1.10 Building Facades	N/A	Not applicable for the proposed dwelling house.
C1.11 Secondary Dwellings and Rural Worker's Dwellings	N/A	The proposal does not involve any secondary dwellings or rural workers' accommodation.
C1.12 Waste and Recycling Facilities	Complies	Waste will be managed appropriately and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate.
C1.13 Pollution Control	Complies	The proposed dwelling house will not adversely impact on public health, the environment or other lands.
C1.14 Separately Accessible Structures	N/A	No separately accessible structures are proposed as part of this DA.
C1.15 Storage Facilities	N/A	Not applicable for the proposed dwelling house.
C1.16 Development ancillary to residential accommodation - Tennis Courts	N/A	Not applicable for the proposed dwelling house.
C1.17 Swimming Pool Safety	N/A	Not applicable for the proposed dwelling house.

Control / Objective	Compliance	Comments
C1.18 Car/Vehicle/Boat Wash Bays	N/A	Not applicable for the proposed dwelling house.
C1.19 Incline Passenger Lifts and Stairways	N/A	Not applicable for the proposed dwelling house.
C1.20 Undergrounding of Utility Services	N/A	Not applicable for the proposed dwelling house.
C1.21 Seniors Housing	N/A	Not applicable for the proposed dwelling house.
C1.23 Eaves	Complies	Proposed dwelling eaves are to be 600mm wide which complies with the minimum of 450mm in width specified by the DCP.
C1.24 Public Road Reserve - Landscaping and Infrastructure	Complies	The proposal will impact on the existing public road reserve and the driveway location aims to minimise disturbance of the existing street trees along Warriewood Road.
C1.25 Plant, Equipment Boxes and Lift Over-Run	Complies	Plant and equipment boxes, air conditioning units and other equipment units are integrated into the design of the dwelling house. The location of air conditioning unit is indicated on the set of architectural plans.

4.3.3 Locality Specific Development Controls (Section D)

4.3.3.1 Warriewood Valley Locality (Section D16)

Control / Objective	Compliance	Comments
D16.1 Character as viewed from a public place	Complies	The surrounding streetscape is deemed to consist of narrow and straight roads, responding to the natural terrain of this recently established area. This new residential area comprises a variety of contemporary architectural styles interspersed on a range of rectangular allotments. Roofs vary from flat to pitched, with no consistency throughout. The small scale of front fences in many streets contributes to the almost semi-rural sense of houses sited in a semi-dense residential setting. The residential character of the area is of generally one-two storey residential buildings, which use predominantly masonry or natural stone materials, with a balanced composition between vegetation and greenspaces and the built form. The proposal will not have any negative visual impacts on the surrounding area or adjoining dwellings as the proposed siting and design of the dwelling house and associated works is seen to be compatible with the built form of the surrounding area in terms of height, bulk and scale. In addition, the proposed dwelling responds to, reinforce and sensitively relates to the spatial characteristics of the existing built and natural environment. Moreover, no vegetation is proposed to be cleared in order to

Control / Objective	Compliance	Comments
		establish the proposed dwelling house, and complementary landscape is to be provided on the site, which is seen to contribute with biodiversity regrowth and possible future fauna corridors. The proposed dwelling house is considered appropriate noting the size of the allotment and intended character of the area, with the appropriate amenity able to be maintained.
D16.2 Dual Occupancy Specific Controls	N/A	Not a dual occupancy.
D16.3 Secondary Dwellings	N/A	The proposal does not involve a secondary dwelling.
D16.4 Water Management for individual allotments	N/A	The subject land is not labelled as Sectors 1, 2, 8, 10, 11, 12, 20 and Buffer Area 1a as per Urban Release Area Map under the Pittwater Local Environmental Plan 2014.
D16.5 Landscaped Area for Newly Created Individual Allotments	Complies	Deep soil permeable surfaces retained as areas of natural ground, free of artificial structures and with a relatively unmodified soil profile represents approximately 46.85% of the site area and therefore complies with the required 35% of the total site area, as per DCP requirements.
D16.6 Front building lines	Complies	The proposed dwelling is sited at 6500mm and garage is setback 6500mm from the front boundary, therefore complies with Section D16.6. The portico projects approximately 1.5m forward into the articulation zone which provides visual relief on the streetscape and helps create a visually interesting façade.
D16.7 Side and rear building lines	Complies	The proposed side setbacks comply with the DCP provisions. it is asserted that the proposed dwelling size and siting are appropriate outcomes for the subject site, where the proposal will sit well within the locality and provide a built form, scale and bulk that is compatible with existing dwellings in the surrounding vicinity. No impacts to the privacy and amenity of adjoining dwelling houses will be caused by the proposal. The proposed dwelling is setback at approx. 6.016m from the rear boundary, and therefore complies with Clause D16.7 of the DCP.
D16.8 Spatial Separation	N/A	Not applicable for the proposed dwelling house.
D16.9 Solar access	Complies	The proposed dwelling house is designed in such a way that allows solar access to habitable areas, recreational space and private open spaces on the site and on neighbouring sites. In addition, the proposal will not unnecessarily negatively impact on solar access to the adjoining dwelling due to

Control / Objective	Compliance	Comments
		distance from the adjoining dwelling and orientation. Please refer to the material attached to this DA for further details.
D16.10 Private and Communal Open Space Areas	Complies	Private open space is provided at the rear of the allotment as an outdoor room and garden with the minimum areas provided, therefore the proposal complies with Clause D16.10 of the DCP.
D16.11 Form of construction including retaining walls, terracing and undercroft areas	Complies	The subject site is not identified on the Biodiversity Map in the Pittwater Local Environmental Plan 2014 and no retaining walls and terracing are to be seen from public places. In addition, no under croft areas are proposed as part of this DA.
D16.12 Fences	Complies	Side and rear boundary fencing will not exceed 1.8 metres in height and will be located on the ground level (existing) of the property boundary, and will not be raised by retaining walls or the like. The fencing will allow for casual surveillance and incorporate the applicable CPTED principles, with the fencing being compatible with the surrounding area.
D16.13 Building colours and materials	Complies	External colours and materials are to be in neutral tones which harmonise with the natural environment and minimises the visual prominence of the development while enhancing the visual quality and identity of the streetscape.
D16.14 Pets and companion animals	Complies	The balance between human needs for pets/companion animals and environmental considerations is taken into consideration on the site layout, and therefore complies with Clause D16.14 of the DCP.

4.4 Section 4.15 Assessment

In determining a development application, the consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
<p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p> <p>a) the provisions of:</p> <p>(i) any environmental planning instrument, and</p> <p>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to</p>	<p>a) The proposal aligns with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposal is seen to generally satisfy the objectives of the</p>

Evaluation	Assessment
<p>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</p> <p>(iii) any development control plan, and</p> <p>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</p> <p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</p> <p>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,</p> <p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p> <p>c) the suitability of the site for the development,</p> <p>d) any submissions made in accordance with this Act or the regulations,</p>	<p>relative planning controls and is seen as a desirable outcome for the subject site.</p> <p>b) The proposal will not have any negative impacts on any surrounding dwellings as the proposed siting and design of the dwelling house and associated works is seen to be a desirable outcome. Appropriate sedimentation, waste management and noise controls will be in place which can be conditioned on the DA as considered appropriate. The proposal will not adversely impact any significant environmental aspects of the surrounding area and is seen as a desirable outcome from an economic and social perspective as part of on-going investment and development.</p> <p>c) The site is located within a residential area which is designed for proposals of this nature. The site has access to the appropriate services required and is accessible from the existing road network. The proposal has been designed to suite the site constraints and is seen to meet the objectives of the relevant planning controls.</p> <p>d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly.</p>

Evaluation	Assessment
e) the public interest.	e) The proposal is in the public interest as it satisfies the objectives of the relevant planning controls.

4.5 Other Considerations

4.5.1 Amenity

The proposal will not have any negative amenity impacts on the surrounding area or adjoining dwellings as the proposed siting and design of the dwelling house and associated works is seen to be compatible with the built form of the surrounding area in terms of height, bulk and scale.

4.5.2 Sedimentation Control

Appropriate sedimentation controls will be in place which can be conditioned on the DA as considered appropriate.

4.5.3 Noise and Vibration

The proposal is not expected to cause any adverse acoustic impacts and compliance with the acoustic requirements of the DCP and any other relevant acoustic requirements and construction hours can be conditioned on the DA as considered appropriate.

4.5.4 Landscaping

The proposal incorporates landscaping to the subject site and is seen as a desirable outcome.

4.5.5 Social and Environmental Impact

The proposal will not adversely impact any significant environmental aspects of the surrounding area and is seen to be a desirable outcome from an economic and social perspective as part of on-going investment and development.

4.5.6 Waste Management

Waste will be managed appropriately as per the Waste Management Plan provided with the application, and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate.

4.5.7 BCA Compliance

The proposed works will be capable of complying with the BCA which will be part of a detailed assessment prior to the issue of a Construction Certificate and can be conditioned on the DA as considered appropriate.

5.0 CONCLUSION

This Statement of Environmental Effects has reviewed the proposed dwelling house and associated works to the subject site. It is considered that the proposed works, which are permissible with consent, are appropriate for the subject site. The proposal is not expected to have any adverse impacts on the surrounding natural or built environment. Ultimately the proposal complies with the intent and design objectives of the relevant planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.