



Statement of Environmental Effects

Alterations and additions to an existing residential property at
92 Warriewood Road, Warriewood NSW 2102

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1. Introduction

The Development Application proposes to alterations and additions to an existing residential property located at 92 Warriewood Road, Warriewood NSW 2102.

The proposed works entail expanding the existing dwelling at the rear building line at both the ground and first floor plates, new inground pool and spa and retaining walls to improve the amenity of the existing property.

The development proposal is permissible in the R2 Low Density Residential zone under the provisions of Pittwater Local Environmental Plan 2014.

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

2. Site Details

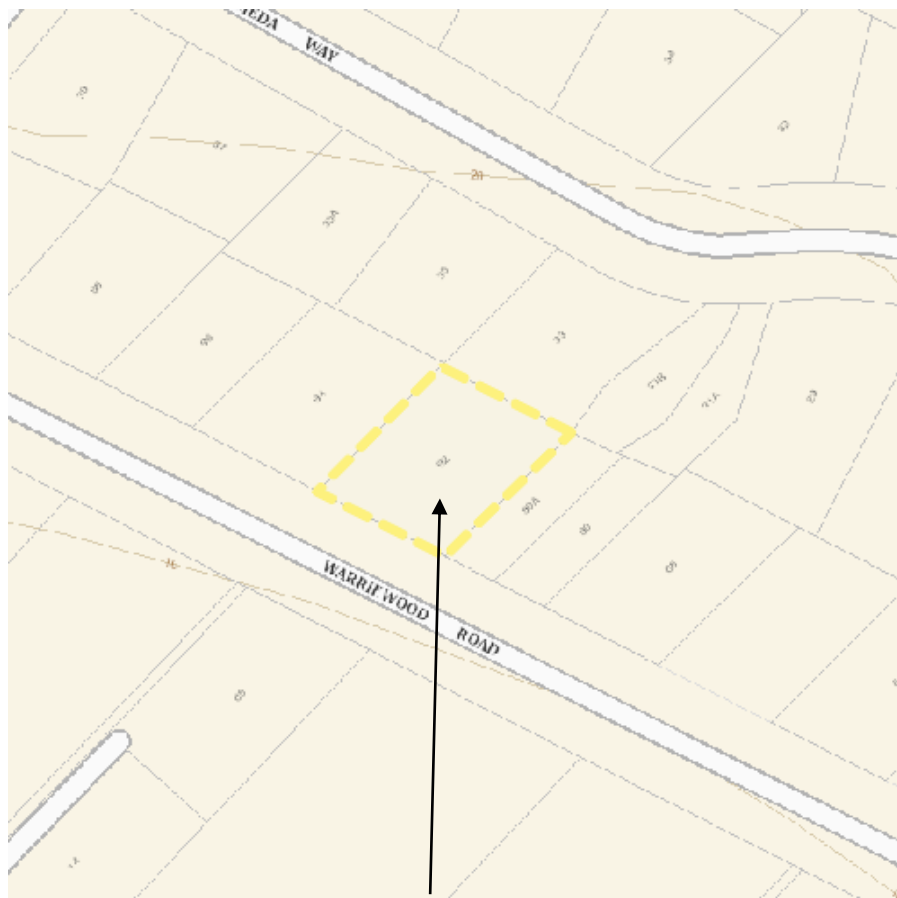
2.1. Location

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.

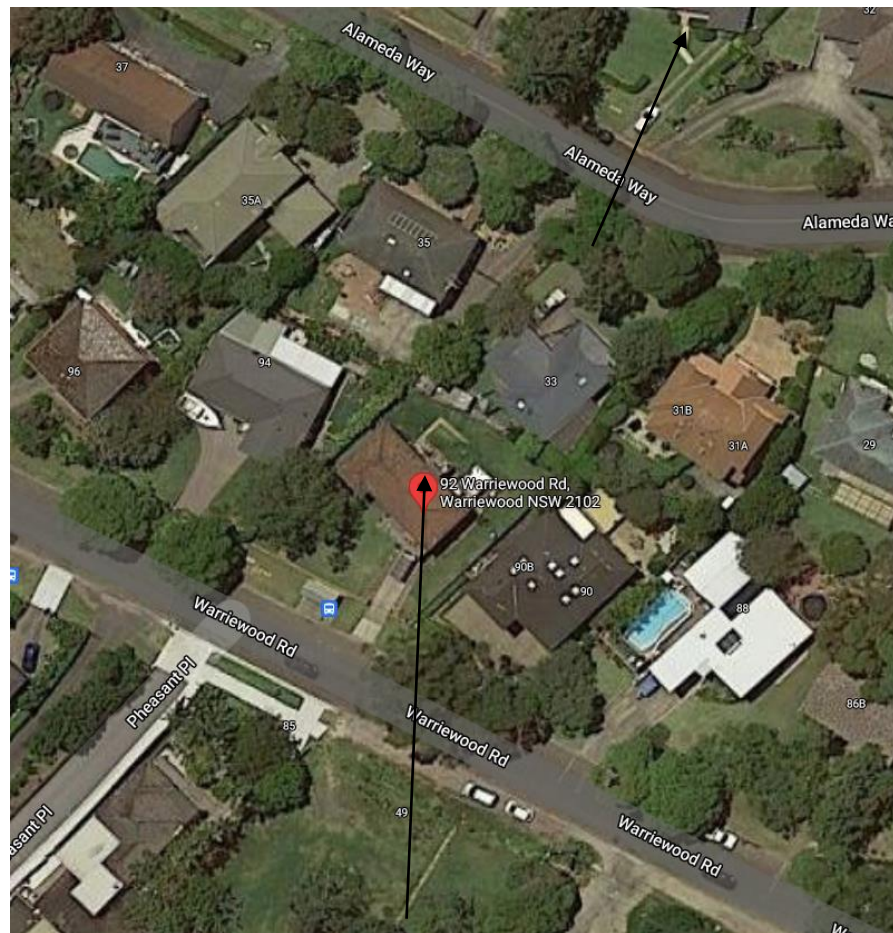
The site has a total surface area of 692sq.m and a road frontage of 24.215 metres.

At the site stands a 2-storey face brick and tile roof dwelling house, front brick fence and a battered retaining wall face to both sides of the single width driveway that leads to the single car garage.

A location plan of the site is provided below.



Subject site



Subject site

Surrounding development to the north, east and west consists of detached residential dwellings of varying age, scale, and design.

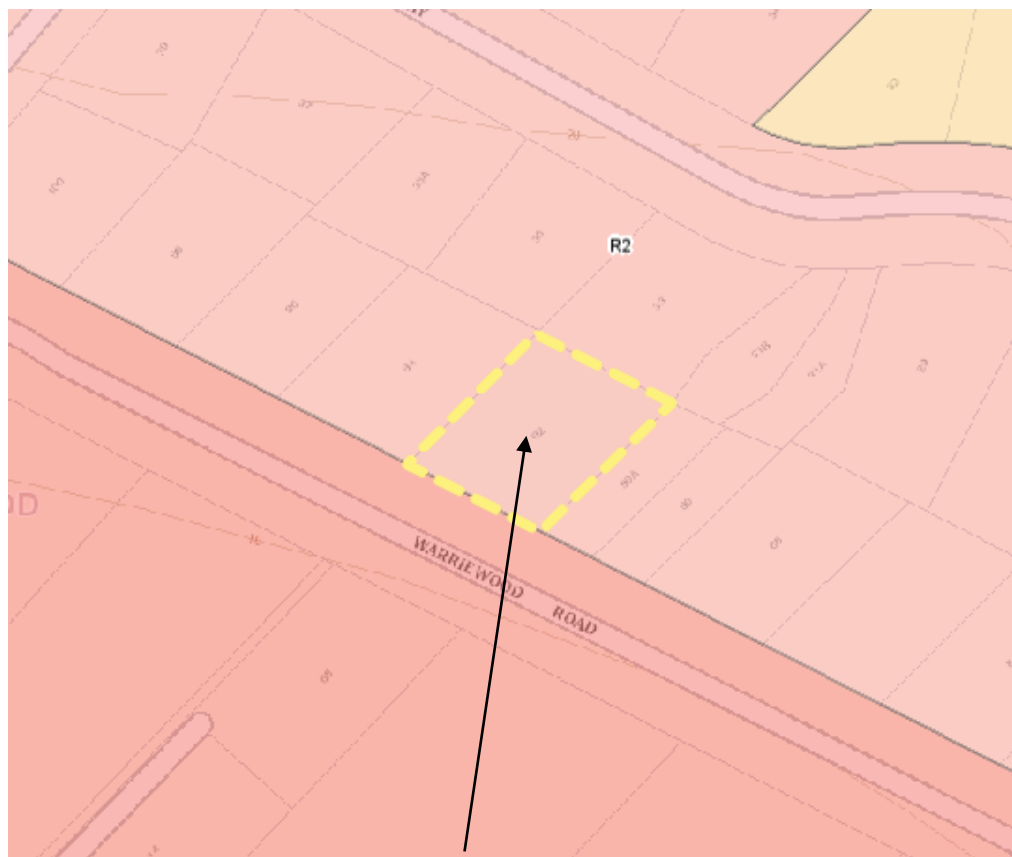
Opposite the site to the south are large residential land holdings used for market gardening purposes and the land to the south at Bubalo Street is earmarked for infill housing purposes.

The land falls south wards towards the public road and a bus shelter is located in front of the property at the nature strip.

2.2. Zoning

The site is located within the R2 Low Density Residential zone pursuant to Pittwater Local Environmental Plan 2014.

A zoning map is provided below.



Subject site

3. Development Proposal

The Development Application proposes the following works to the residential property:

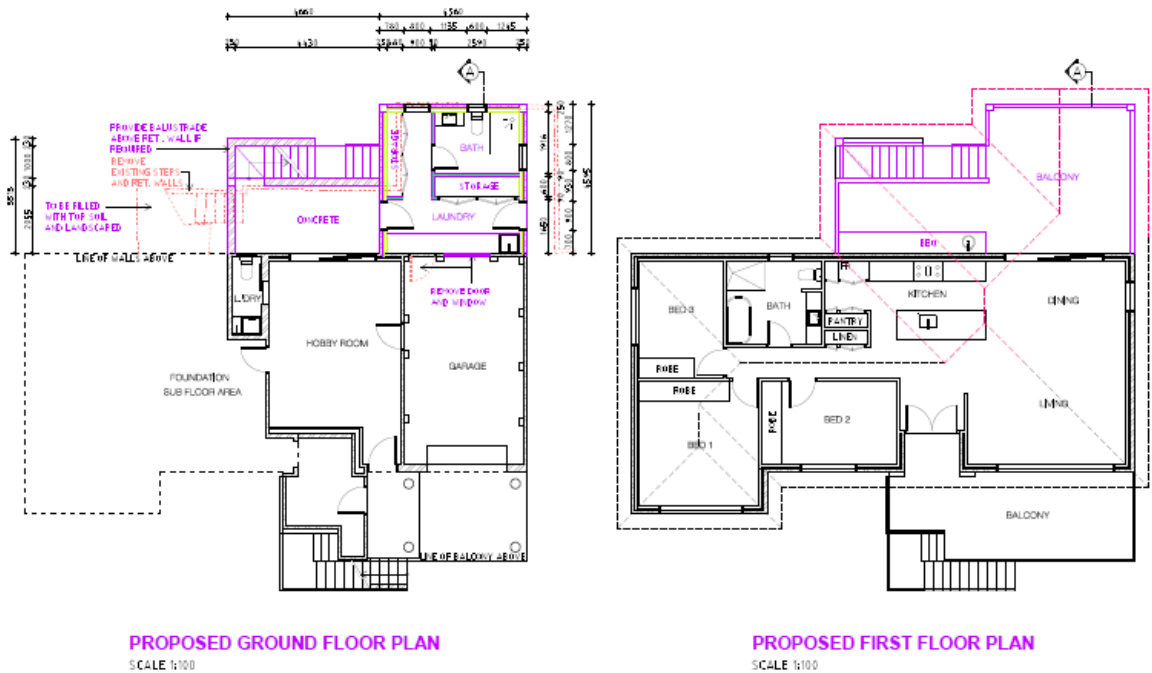
Rear building line alterations and additions

- Ground floor- new laundry, bath and storage and stairs.
- First floor- balcony and outdoor BBQ area.

Other works

- New inground pool and spa.

- Excavation and retaining walls for support.



Proposed additions

The relevant architectural plans, survey plan and other supporting documents accompany the Development Application.

4. Permissibility

The proposed development is permissible in the R2 Low Density Residential zone under the provisions of Pittwater Local Environmental Plan 2014.

5. Matters of Consideration

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

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires a Consent Authority to consider whether land is contaminated.

The subject site has been used continually for residential purposes with no prior other land uses.

In this regard, it is considered that the site poses no risk of contamination and therefore, no further consideration is needed under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

SEPP (Coastal Management) 2018

The site is subject to SEPP Coastal Management (2018). Accordingly, an assessment under the SEPP has been carried out as follows:

10 Development on certain land within coastal wetlands and littoral rainforests area

(1) The following may be carried out on land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map only with development consent:

- (a) the clearing of native vegetation within the meaning of Part 5A of the Local Land Services Act 2013,*
- (b) the harm of marine vegetation within the meaning of Division 4 of Part 7 of the Fisheries Management Act 1994,*
- (c) the carrying out of any of the following:*
 - (i) earthworks (including the depositing of material on land),*
 - (ii) constructing a levee,*
 - (iii) draining the land,*
 - (iv) environmental protection works,*
 - (d) any other development.*

Opinion:

The proposed development will not significantly impact on the biophysical, hydrological or ecological integrity of the locality given the works are considered minor and low scale in nature.

In this regard, adequate stormwater and sediment control plans are to be put in place during construction works as prescribed conditions of development consent.

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Opinion:

The development is not considered likely to cause increased risk of coastal hazards on the land or other land given the nature of the works.

Pittwater Local Environmental Plan 2014

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
The aims of the LEP?	Yes
The zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	Complies
Height of Buildings:	8.5m	7.58m	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes

5.4 Controls relating to miscellaneous permissible uses	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.3 Flood planning	Yes
7.6 Biodiversity protection	Yes
7.7 Geotechnical hazards	Yes
7.10 Essential services	Yes

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

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

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

The proposed changes do not compromise the core objectives of Pittwater Development Control Plan 2014.

The location of the works is confined to the rear building line, there are no privacy and solar access constraints, and amenity impacts to the adjoining property to the south and east are within acceptable limits.

Compliance Analysis

Built Form Control	Requirement	Proposed	Complies
Front building line	6.5m	No change.	Yes
Rear building line	6.5m	5.16m at the closest point when measured to the support post.	No Verandahs are permitted to encroach. Acceptable on merit since the site is irregular and the setback of 1.34m to the corner would not make a material difference.

Side building line	1 m and 2.5m	>1m and 5.31m dwelling.	Yes
	1m	Pool setback is 900mm.	No
			Satisfactory given the pool is set lower than the ground levels/ coping is within acceptable limits and garden to the side and rear proposed.
Landscaped area	60%	No change front yard/front setback.	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.14 Warriewood Locality	Yes	Yes
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
B1.3 Heritage Conservation - General	N/A	N/A
B3.1 Landslip Hazard	N/A	N/A
B3.2 Bushfire Hazard	N/A	N/A
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.11 Flood Prone Land	N/A	N/A
B3.13 Flood Hazard - Flood Emergency Response planning	N/A	N/A
B4.6 Wildlife Corridors	N/A	N/A
B5.7 Stormwater Management - On-Site Stormwater Detention	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B8.1 Construction and Demolition -	Yes	Yes

Excavation and Landfill		
B8.2 Construction and Demolition - Erosion and Sediment Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.11 Secondary Dwellings and Rural Worker's Dwellings	Yes	Yes
C1.17 Swimming Pool Safety	Yes	Yes
C1.23 Eaves	Yes	Yes
D10.1 Character as viewed from a public place	Yes	Yes
D10.3 Scenic protection - General	Yes	Yes
D10.4 Building colours and materials	Yes	Yes
D10.7 Front building line (excluding Newport Commercial Centre)	Yes	Yes
D10.8 Side and rear building line (excluding Newport Commercial Centre)	No	Yes
D10.11 Building envelope (excluding Newport Commercial Centre)	Yes	Yes
D10.13 Landscaped Area - Environmentally Sensitive Land	N/A	N/A
D10.16 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

5.4. **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 proposal.

5.5. Section 4.15(1)(A(iv)) – the regulations

The proposal is viewed sufficient to enable a proper evaluation to be carried out by Council under the planning regulations and under Section 4.55 of the EP & A Act 1979.

5.6. Section 4.15(1)(B) – the likely impacts of the development

The proposed development will not have a detrimental economic impact on the locality considering the nature of the works.

The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.

There would be no undue impact upon the natural and built environment within the vicinity of the subject site as a result of the proposed works to the rear of the building line. Adequate landscaping can be coordinated by the owners.

5.7. Section 4.15(1)(C) – the suitability of the site

There are no significant or iconic views affected by the development proposal and it is anticipated Council will impose relevant prescribed conditions of consent to control the development.

The proposed bulk and scale of the proposal remains of 2 storey-built form and is acceptable with its composition with the existing dwelling house.

The proposal meets the desired character for the Warriewood precinct to remain low density in nature.

The site is considered suitable for the proposed development and is not affected by .

5.8. Section 4.15(1)(D) – any submission made

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

5.9. Section 4.15(1)(e) – the public interest

The proposal is not contrary to the public interest and there are no matters to warrant refusal of development consent.

6. Conclusion and Recommendation

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

In accordance with the Pittwater Local Environmental Plan 2014, improvement works to dwelling houses are permitted with consent in the R2 zone.

The assessment of this application has found the proposal to be consistent with the zone objectives, including providing residential development of a low density and scale integrated with the landform and landscape.

It is considered that the development and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties.

On this basis, it is recommended that the development proposal be approved subject to conditions.

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BTP (UNSW), MEM (UNSW)

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