

Statement of Environmental Effects

Alterations and additions to an existing residential dwelling at
H/N 18 Baroona Road, Church Point NSW 2105

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Momcilo Romic
Town Planning Consultant

Postal Address: PO Box W85, Fairfield West NSW 2165

Mob: 0404 841 933

Email: momcilo@romicplanning.com

Web: www.romicplanning.com

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1. Introduction

The development proposal entails alterations and additions to an existing dwelling house at 18 Baroona Road, Church Point 2105.

The development proposal is permissible in the R5 Large Lot Residential zone under the provisions of Pittwater Local Environmental Plan 2014.

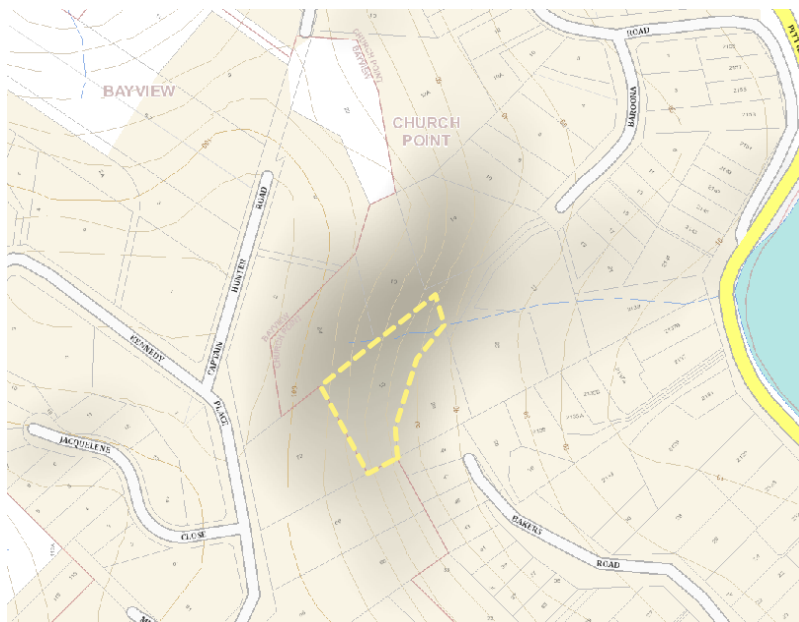
The main body of this report will review the key planning considerations for a consent authority under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979 and recommends approval.

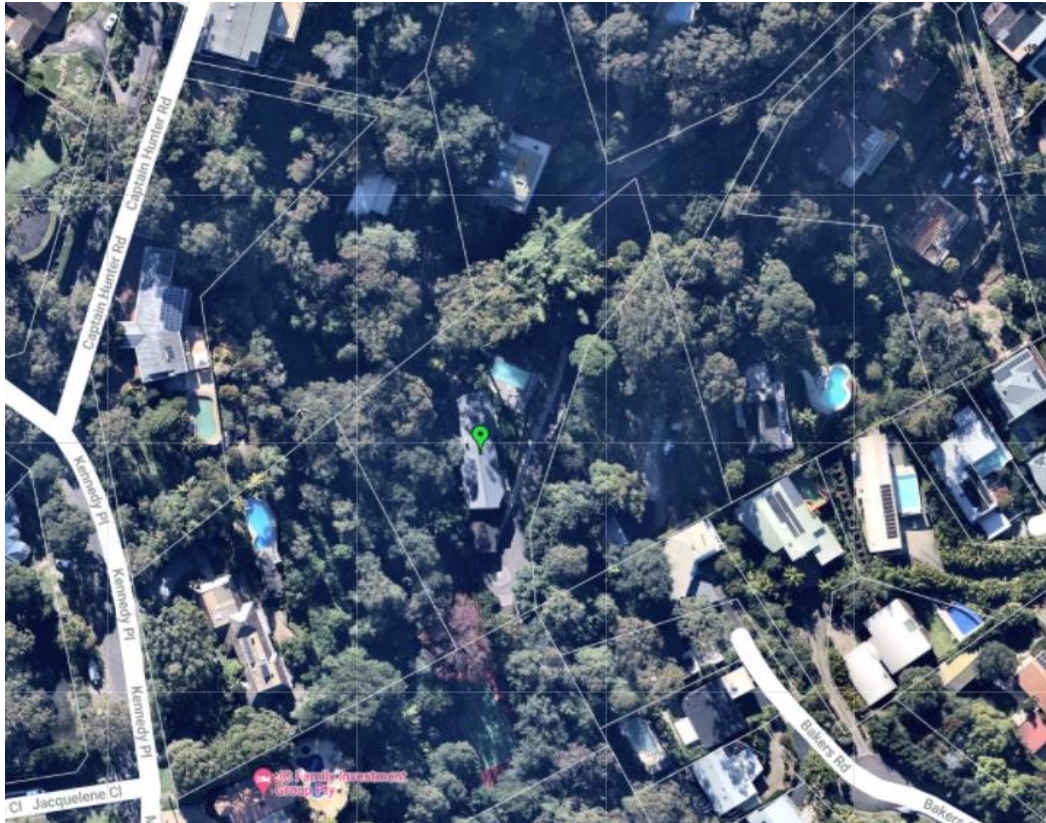
2. Site Details

2.1. Location

The subject site is a large irregular shaped battle axe land holding that is located on the south western side of Baroona Road and is legally identified as Lot 21 in DP 827793, known as H/N 18 Baroona Road, Church Point.

A location plan of the site is provided below.





Location and Aerial Plans

The site has a total surface area of 4158sq.m and site improvements consist of a part 1 and 2 storey dwelling house, swimming pool, retaining walls, fencing, access driveway and turning bay, sheds, retaining walls, landscaping, scattered trees and hard stand areas.

Vehicular access into the site is provided from an access handle located at the end of the cul-de-sac bulb of Baroona Road.

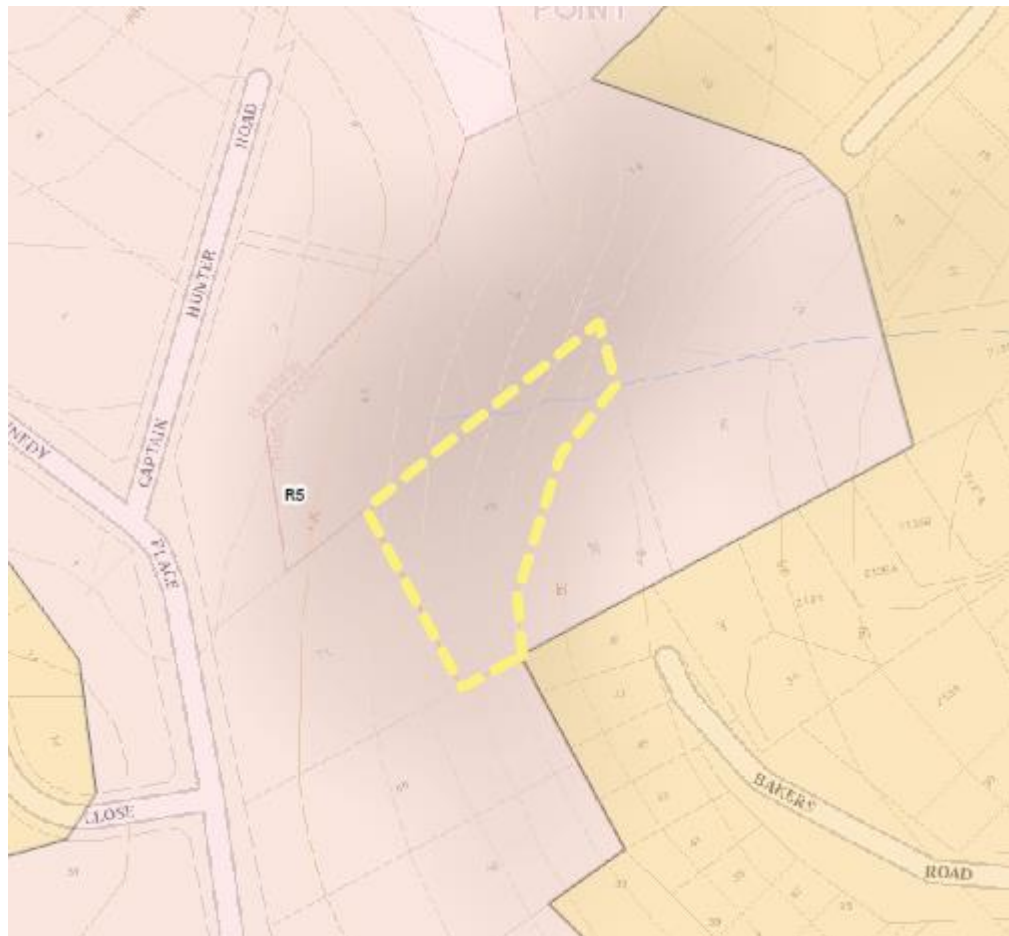
Surrounding development consists of detached residential dwellings of varying age, scale and design on large land holdings that are positioned within a landscaped setting.

To the east and south, the zone transitions into the E4 Environmental Living zone.

2.2. Zoning

The site is located within the R5 Large Lot Residential zone pursuant to Pittwater Local Environmental Plan 2014.

A zoning map is provided below.

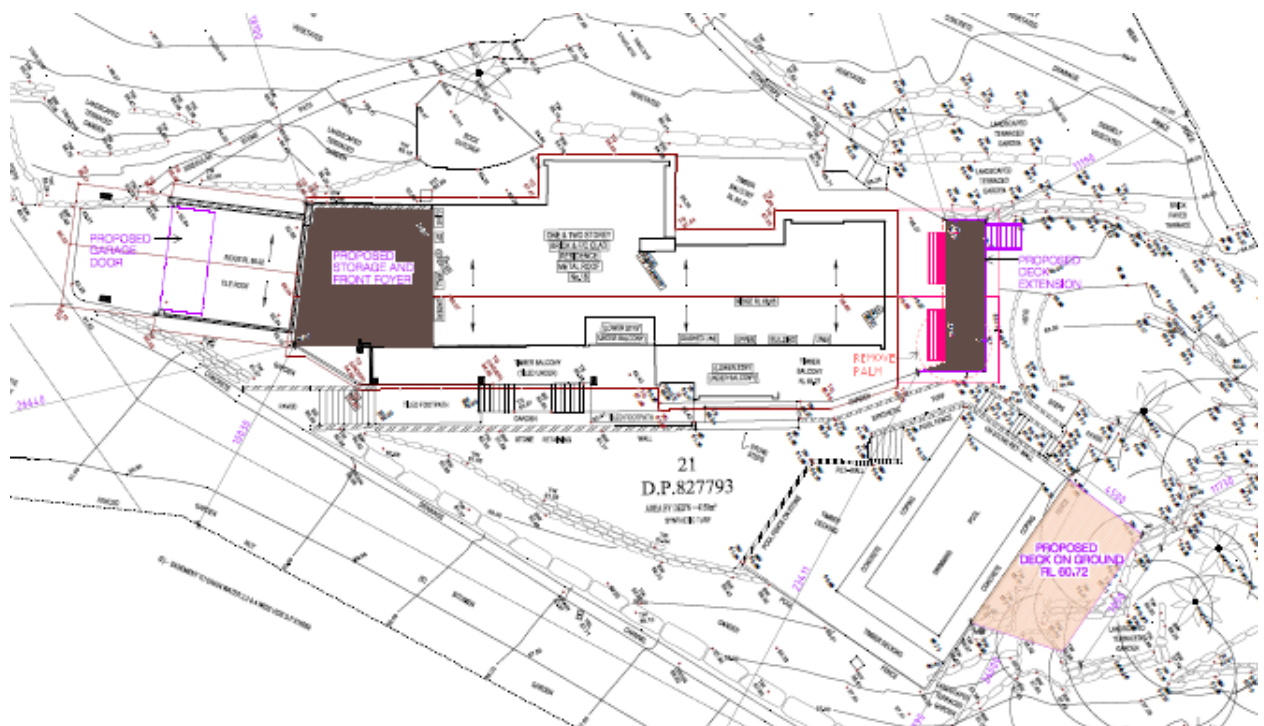


Zoning Map

3. Development Proposal

The Development Application proposes the following works:

- New ensuite and robes to guest room.
- Removal of door and windows as shown.
- New windows, walls, and doors as shown.
- Proposed storage and front foyer.
- New deck extensions and pool deck.
- New access stairs.
- Removal of an existing palm tree.
- New garage door and support beam.



Proposed changes to the residential land holding.

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

4. Permissibility

The proposed development is permissible in the R5 Large Lot Residential zone under the provisions of Pittwater Local Environmental Plan 2014.

The development is classified as Local Development and of low environmental impact.

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:

All works are located within the existing disturbed portions of the landholding that is used for human habitation purposes

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	No change- 7m (maximum)	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- see advice further below.
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.

Compliance Analysis

Built Form Control	Requirement	Proposed	Complies
Front building line	20m	> 20m	Yes
Rear building line	20m	>20m	Yes
Side building line	6.5 m	>6.5m	Yes
Building envelope	3.5m	Existing and as shown on architectural drawings.	Yes
Landscaped area	80% (3326.4 sq.m) or 800sq.m maximum of residential development footprint.	<p>Total landscaping on site is 3095sq.m which is slightly less than 80% (74%).</p> <p>Note, the existing driveway is 500sq.m in surface area.</p> <p>The proposed maximum development is 563sq.m and is less than the 800sq.m permitted and a dispensation from the landscape area is permitted.</p>	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.4 Church Point	Yes	Yes
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B3.1 Landslip Hazard	Yes	Yes
B3.2 Bushfire Hazard	N/A	N/A
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.11 Flood Prone Land	Yes	<p>Yes</p> <p>The site is affected by flooding.</p> <p>The proposal would have no adverse impact on the adjoining properties in the floodplain as the dwelling house is an existing structure.</p> <p>We believe there is a neutral outcome on the flood behavior or flood affectation over the property and there would be no impediment to the flow of flood waters.</p> <p>All materials to be used are considered flood proof and</p>

		acceptable for construction on flood affected land.
B3.13 Flood Hazard - Flood Emergency Response planning	Yes	<p>Yes</p> <p>The evacuation from the site remains unchanged and horizontally along higher street locations.</p> <p>Neutral outcome.</p>
B4.6 Wildlife Corridors	Yes	Yes
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 - Excavation and Landfill	Yes	Yes
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	<p>Yes</p> <p>An existing palm is to be removed and is to be replaced by a replacement species that is endemic to the area.</p>
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	N/A	N/A

Clause	Compliance with Requirements	Consistency Aims/Objectives
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)	Yes	Yes
D10.11 Building envelope (excluding Newport Commercial Centre)	Yes	Yes
D10.13 Landscaped Area - Environmentally Sensitive Land	Yes	Yes
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.

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.

The proposed development will not have a detrimental social impact in the locality considering the character of the proposal which is of a minor nature and are proposed over existing cleared and disturbed portions of the land.

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 site is considered suitable for the proposed development.

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.

The assessment of this application has found the proposal to be consistent with the zone objectives, where the site will remain of a low-density residential use and suitably positioned in a natural landscaped setting.

We view the proposed works are suitably integrated with the landform and landscape found onsite and adequate offsets from neighbouring properties have been nominated.

On balance, 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.

Momcilo (Momo) Romic

Town Planning & Development Consultant

BTP (UNSW), MEM (UNSW)
NSW Builder Licence No. 252856C