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KEEPPLAN

PLANNING & DEVELOPMENT SERVICES

STATEMENT OF ENVIRONMENTAL EFFECTS REPORT**CONSTRUCTION OF NEW DOUBLE STOREY DWELLING**

Proposed Lot 23 in approved subdivision of Lot 32 Section C DP5464,
Warriewood Road, Warriewood

KEEPLAN

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1.0 INTRODUCTION

KEEPLAN, Planning and Development Services has been engaged by G J Gardner Homes (Brookvale) to prepare a Statement of Environmental Effects Report (SEE) in support of a proposed double storey dwelling on a site described as proposed lot 23 in an approved subdivision of Lot 32 Section C DP5464, Warriewood Road, Warriewood.

The site is zoned R3 Medium Density Residential under the provisions of Pittwater Local Environmental Plan 2014 (PLEP 2014) and the dwelling is permissible with consent. The proposal is also consistent with relevant clauses for consideration under PLEP 2014.

The dwelling is also generally consistent with the relevant controls of Pittwater 21 Development Control Plan, including Part B (General Controls), Part C (Design Criteria) and Part D16 Warriewood Valley locality statement which provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

The report is intended to assist Northern Beaches Council in its assessment of the Development Application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations;
- Consideration of relevant environmental effects;
- S4.15 (79C)-Matters for Consideration under EP & A Act

The report should be read in conjunction with the following supporting material:

- Architectural Plans prepared by KJR Drafting;
- BASIX Certificate prepared by KJR Drafting;
- Concept Stormwater Drainage Plan prepared by Nastasi & Associates

2.0 SITE DETAILS

The following details of the site's locational and physical characteristics are provided to assist Council in the assessment of the Development Application.

2.1 Site Location

The subject land is a proposed lot 23 Bubalo Street in a plan of subdivision of Lot 32 Section C DP5464, No 41 Warriewood Road, Warriewood. The subdivision that the site has been being created within was awaiting registration with the Land and Property Information Office at the time of preparing this report. See site locality plan below in Figure 1.

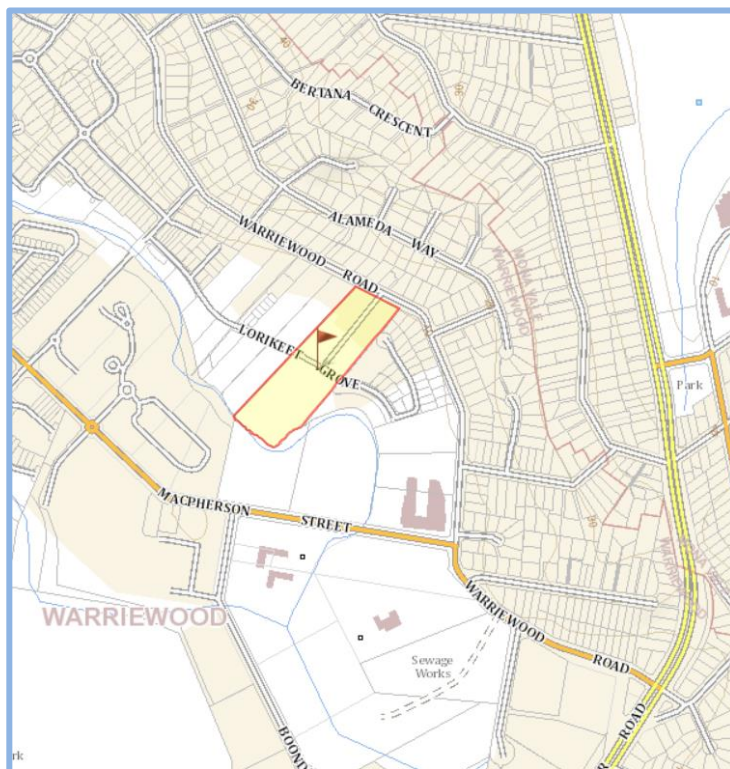


Figure 1 Site Locality Plan-Motherhood lot 32 DP 5464

2.2 Site Description

The real property description of the subject land is proposed lot 23 in an approved subdivision of Lot 32 Section C DP5464. The subject lot fronts Bubalo Street which is a constructed road approved in a Torrens Title subdivision approved under Development Consent 491/16. The plan of subdivision is currently awaiting registration with the Land & Property Information Office and a copy of the Draft registered plan is contained in Figure 3 below. We are advised that the subdivision was approved under LEC Decision, case Number 2017/00053907, dated 29/11/2017. Appeal No 53907 of 2017. An aerial view of the motherhood lot is contained in Figure 2.

The site is an irregular shaped lot with an area of 459.5m² which has a frontage of 14.25m to the future Bubalo Street and rear boundary width of 10m. The site has an average depth of 35m. The northern side of the site is constrained by a 5.0m wide sewer easement as identified on the survey plan.

The site has a gently cross slope from the rear boundary to the front of the property as illustrated on the survey plan. The site comprises grass coverage and no significant trees are located on the property requiring removal.



Figure 2 Aerial view of site-Motherhood lot 32 DP 5464

2.3 Site Context

This site is located within a new residential release area known as the Warriewood Valley which is predominantly zoned R3 Medium Density Residential land to facilitate low and medium density development. The area comprises a mixture of medium density development and single free standing dwellings.



Figure 3 Draft Final Plan of subdivision for registration

Construction of new two (2) storey dwelling-Proposed Lot 23 Bubalo Street
In subdivision of 41 Warriewood Road, Warriewood



3.0 PROPOSED DEVELOPMENT

Development Consent is sought for the construction of a new double storey dwelling on a property described as proposed lot 23 fronting unregistered future public road Bubalo Street in a plan of subdivision of Lot 32 Section C DP5464. A copy of the proposed site plan prepared by KJR Drafting is contained in Figure 4.

The proposal comprises the following:

Ground floor: Double garage, open lounge, dining and kitchen room, laundry, bathroom and entry.

First floor: Four (4) bedrooms, including Master bedroom with ensuite and WIR, lounge room and bathroom.

The dwelling is proposed to have a primary front setback of 6.5 metres to the street frontage of Bubalo Street as measured from the garage of the dwelling. The northern side boundary setback ranges from 5.45m to 5.65m and the southern boundary setback ranges from a zero setback to the garage & 1.0m to dwelling. The rear boundary setback is 7.13m.

The new dwelling is proposed to be constructed of face brick on the ground level, timber clad wall materials on the first floor with a metal colorbond roof.

The proposal is supported by a Stormwater Concept Plan prepared by Nastasi & Associates which provides for all collected stormwater being discharged to Council's stormwater collection system in Bubalo Street.

The proposal does not require the removal of any significant vegetation of ecological or aesthetic value.



4.0 PLANNING CONSIDERATIONS

4.1 State Environmental Planning Policy No.55-Remediation of Land (SEPP 55)

Pursuant to Clause 7 of SEPP 55, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state, or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

We understand that the site has been subject to recent contamination assessment at the subdivision stage which confirmed that the site displays no evidence of contamination and is suitable for residential use.

On this basis, the proposal is consistent with relevant objectives and matters for consideration under SEPP 55.

4.2 State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004

A BASIX Certificate is submitted with the development application. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal.

4.3 Pittwater Local Environmental Plan 2014 (PLEP 2014)

The subject land is zoned R3 Medium Density Residential under the provisions of Pittwater LEP 2014 and the proposal is permissible with the consent of Council. An assessment of the proposal with relevant clauses of PLEP 2014 is addressed below in Table 1.

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014		
Clause	Comment	Compliance
1.0-PRELIMINARY		
1.2 Aims of Plan	Proposal consistent with aims of the plan.	Yes
2.0-PERMITTED OR PROHIBITED DEVELOPMENT		
2.1 Land use Zones	The site is zoned R3 Medium Density Residential and the use of 'dwelling house' is permissible in the zone with consent.	Yes
2.3 Zone Objectives R3 Medium Density Residential zone	The proposal represents a single detached dwelling which is a permissible use in the zone and is not inconsistent with the objectives of the R3 Medium Density Residential zone.	Yes

4.0-PRINCIPAL DEVELOPMENT STANDARDS		
4.3 Height of Building 8.5m	<8.5m	Yes
4.4 Floor Space Ratio (FSR)	The site is not mapped with an FSR development standard.	Yes
5.0-MISCELLANEOUS PROVISIONS		
5.9 Preservation of trees and vegetation	The proposal does not necessitate removal of any significant trees or vegetation.	Yes
5.10 Heritage Conservation	The site does not contain any European heritage items and not it in the vicinity of surrounding heritage items or in a heritage conservation area.	Yes
7.0-ADDITIONAL LOCAL PROVISIONS		
6.1 Acid Sulfate Soils	The site is not mapped with high level acid sulphate soils.	Yes
6.2 Earthworks	The proposal involves limited earthworks.	Yes
7.3 Flood Planning	The site is not mapped as flood prone land.	Yes
7.7 Geotechnical Hazards	The site is not mapped with a geotechnical hazard.	Yes

Table 1-Pittwater LEP 2014

4.4 Pittwater 21 Development Control Plan

The dwelling has been designed in accordance with Pittwater 21 Development Control Plan. Council's Pittwater 21 DCP Part B (General Controls), Part C (Design Criteria) and Part D16 Warriewood Valley locality, provides a range of outcomes and controls which form the primary criteria for the control of development within the subject locality. A compliance table of relevant controls under Pittwater 21 DCP is contained in Table 2 below.

PITTWATER 21 DEVELOPMENT CONTROL PLAN			
CONTROLS	REQUIRED	PROVIDED	COMPLIANCE
PART B –GENERAL CONTROL			
B3.16 Flood Risk Hazard Category 1	Controls for High Category 1 Hazard in Low Density Residential area.	Site not subject to flood risk.	Yes
B5.2 Wastewater Disposal	Satisfy Sydney Water requirements	The subject site is connected to reticulated sewer and the dwelling will be serviced in accordance with Sydney Water	Yes

		requirements.	
B5.7 On Site Stormwater Detention	Concept Stormwater Plan required.	A concept stormwater management plan is submitted in support of the proposal.	Yes
B6.1 Access Driveways and Works on the Public Road Reserve – Dwelling House & Dual Occupancy	The controls seek to achieve the outcomes: <i>Safe and convenient access.</i> <i>Adverse visual impact of driveways is reduced.</i> <i>Pedestrian safety.</i> <i>An effective road drainage system.</i> <i>Maximise the retention of trees and native vegetation.</i>	Proposed driveway satisfies relevant design controls.	Yes
B6.3 Internal Driveways – Dwelling Houses and Dual Occupancy	The controls seek to achieve the outcomes: <i>Safe and convenient access.</i> <i>Adverse visual impact of driveways is reduced.</i> <i>Pedestrian safety.</i> <i>An effective road drainage system.</i> <i>Maximise the retention of trees and native vegetation.</i> <i>Reduce contaminate run-off from driveways.</i>	The proposed driveway complies with the gradients and design requirements of this clause.	Yes
B6.5 Off-street Car Parking Requirements	<i>This clause requires 2 off street parking spaces for large dwellings (2 bedrooms or more).</i>	The proposal provides for a double garage which ensures compliance with this clause.	Yes
B8.1 Construction & demolition – excavation and landfill	The controls seek to achieve the outcomes: <i>Site disturbance is minimised.</i> <i>Excavation and construction not to have an adverse impact.</i> <i>Excavation operations not</i>	The site has a gently fall from the front NE corner to rear SW corner as depicted on survey plan The dwelling involves limited excavation and filling does not	Yes

	<i>to cause damage on the development or adjoining property.</i>	have any detrimental impact on adjoining properties or vegetation.	
B8.2 Construction & Demolition – Erosion and Sediment Management	<p>The controls seek to achieve the outcomes:</p> <p><i>Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)</i></p> <p><i>Reduction of waste throughout all phases of development. (En)</i></p> <p><i>Public safety is ensured. (S)</i></p> <p><i>Protection of the public domain. (S, En)</i></p>	Appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment to adjoining properties. The site will be landscaped to prevent ongoing erosion.	Yes
PART C DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT			
C1.1 Landscaping	Landscape Plan shall be submitted.	Concept landscape provided.	Yes
C1.2 Safety and Security	<p>The controls seek to achieve the outcomes:</p> <p><i>On-going safety and security of the Pittwater community.</i></p> <p><i>Opportunities for vandalism are minimised.</i></p>	The proposed dwelling has been designed to provide good visual surveillance of the site and the public domain. The proposal is considered to comply with the requirements of this clause.	Yes
C1.3 View Sharing	<p>The controls seek to achieve the outcomes:</p> <p><i>A reasonable sharing of views amongst dwellings.</i></p> <p><i>Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.</i></p> <p><i>Canopy trees take priority</i></p>	Proposal does not restrict views of surrounding properties.	Yes

	<i>over views.</i>		
C1.5 Visual Privacy	<p>The controls seek to achieve the outcomes: <i>Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.</i> <i>A sense of territory and safety is provided for residents.</i></p>	Living rooms located on ground level to limit overlooking opportunities towards adjoining dwellings and private open space areas.	Yes
C1.6 Acoustic Privacy	<p>The controls seek to achieve the outcomes: <i>Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.</i></p>	Given the residential nature of the works, there will not be any significant impact on the surrounding locality in terms of acoustic privacy. The development is provided with appropriate side boundary setbacks with ample separation to living areas of surrounding properties thereby maintaining existing levels of acoustic privacy.	Yes
C1.7 Open Space	<p>The controls seek to achieve the outcomes: <i>Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.</i> <i>Private open space is integrated with, and directly accessible from, the living areas of dwellings.</i> <i>Private open space receives sufficient solar access and privacy.</i></p>	The proposal provides for private open space at the rear of the dwelling which is directly accessible from the living room.	Yes

C1.9 Accessibility	Disabled access	Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.	Yes
C1.12 Waste and Recycling Facilities	Waste bin storage	There is sufficient area on site, within the garage and behind the proposed building line, for the storage of waste and recycling receptacles so that they are not visible from the public domain. The proposal complies with the requirements of this clause.	Yes
C1.23 Eaves	This clause requires dwellings to be provided with eaves having a minimum width of 450mm	The dwelling has been provided with eaves that comply with this requirement.	Yes
PART D LOCALITY SPECIFIC DESIGN CRITERIA			
A summary of the DCP controls for the D16 Warriewood Valley Locality is provided below:			
D16.1 Character as Viewed from a Public Place	Achieve desired character and public domain controls	The dwelling is designed with appropriate facade treatments to the street frontage and provides for a landscape plan to enhance the landscaped character of the locality. It is considered that the proposed dwelling is compatible with the requirements and objectives of this clause.	Yes
D16.4 Water Management for Individual Homes	Stormwater management	Concept stormwater plan submitted with application.	Yes

D16.5- Landscaping Area for newly created lots	Total Landscaped area shall be 35% and minimum dimension 4m.	>35% & Min 4m dimension	Yes
D16.6 Front Building Lines	This clause requires a minimum front setback of 4.0m and 1.5m to articulation zone.	6.5m.	Yes
D16.7 Side and Rear Building Lines	<u>Side</u> -Building width 9.0-14m requires 0.9m Ground & 1.5m upper level. <u>Rear</u> -Depth greater than 20m-4m ground and 6m first floor	-North-5.45m-5.65m -South-zero to garage & 1.0m to dwelling Ground-7.13m, First-7.13m.	Yes Yes Yes Yes
D16.9 Solar access	2hrs to living rooms & POS	Achieves in excess of 2hrs	Yes
D16.10 Private Open Space	20m ² & 4m minimum width	In excess of 20m ² and 4m dimension.	Yes
D16.11 Form of Construction including retaining walls		Complies with relevant requirements	Yes
D16.12-Fence- General	-1.0m Front fence -Side & rear fences not exceeding 1.8m	-No front fencing -1.8m side and rear fencing	Yes
D16.13 Building Colours and Materials	Selection of materials and colours to be provided	The proposal incorporates natural tones which are recessive and will harmonise with the natural environment.	Yes

Table 2-Pittwater 21 DCP

5.0 SECTION 4.15 (S79C) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.**(a)(i) – The Provisions of any Environmental Planning Instrument**

Statutory assessment of the proposal has been previously addressed in Section 4.0. The site is zoned R3 Medium Density Residential under Pittwater Local Environmental Plan 2014 and the proposal is permissible with development consent.

(a)(ii) Any proposed Draft Environmental Planning Instrument subject of public consultation

There are no Draft Environmental Planning Instruments applicable to the site.

(a)(iii) – The Provisions of any Development Control Plan

Also as discussed earlier in the report, the site is subject to assessment under Pittwater 21 Development Control Plan 2011. The proposal is consistent with Pittwater 21 DCP as detailed in Section 4.4 of this report.

(a)(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

No planning agreement entered into.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The proposal is consistent with all relevant provisions of the Regulations.

(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

There is no applicable coastal zone management plan.

(b) – The likely impacts of that Development

It is considered that the development will provide for a new dwelling without any detrimental impact on the environment, social and economic status of the locality.

(c) – Suitability of the Site for Development

The site is of a suitable size and configuration to accommodate the proposed dwelling. The subject site is zoned R3 Medium Density Residential and the construction of a new dwelling house in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the envisaged character of the area.

On this basis the site is considered suitable for the proposed development.

(d) – Any submissions made in accordance with this Act or Regulations.

Any submissions received will be considered by Council.

(e) – Public Interest

The proposal will provide for housing needs of the community within a low to medium density residential environment and is in the public interest.

6.0 CONCLUSION

The subject land is zoned R3 Medium Density Residential under Pittwater Local Environmental Plan 2014 and the proposed dwelling is permissible with the consent of Council. The proposal is also consistent with the zone objectives and other relevant clauses for consideration as previously addressed.

The proposal is also generally consistent with relevant matters for consideration under Pittwater 21 Development Control Plan as previously addressed in this report.

The application before the Council provides no unreasonable impacts to adjoining and adjacent residential properties. The dwelling is also in keeping with the envisaged low density residential character of the locality and no adverse amenity or environmental impacts are foreseen.

The proposal is assessed as being satisfactory, having regard to the matters for consideration contained within Section 4.15 of the EP&A Act 1979.

Accordingly it is recommended that Council support the proposal and grant development consent subject to conditions of consent.