



Statement of Environmental Effects

alterations and additions to
dwelling house

44 Arnott Crescent, Warriewood

Client

Project No.

Document Type

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Statement of Environmental Effects

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared to support an application for alterations and additions to dwelling house at 44 Arnott Crescent, Warriewood.

The objective of the development proposal is to deliver a contemporary dwelling in a manner encouraged by the applicable zone objectives and planning controls. The alterations and additions will enhance the liveability of the dwelling and will have no adverse impact on the amenity of adjoining development.

Key aspects of the proposal include an expansion of the garage level floor plate to provide additional parking and a point of entry to the building, reconfiguration of the ground level room layout, and the construction of a modest upper level and terrace. The application also proposes supplementary landscaping.

Our assessment finds that the development proposal is entirely consistent with relevant environmental planning instruments and closely aligns with the objectives and controls contained within relevant planning guidelines, with acceptable variations to garage siting, building envelope, and side setback controls.

We have provided commentary on core assessment matters including impact on neighbour amenity, contribution to streetscape quality, and setback and building envelope non-compliances. This report sets out the merits of the proposal in relation to these assessment matters.

Based on our evaluation of the proposal against relevant planning instruments and our detailed consideration of the environmental impacts, we conclude that the proposal is worthy of approval.

1. INTRODUCTION

This Statement of Environmental Effects has been prepared to support an application for alterations and additions to dwelling house at 44 Arnott Crescent, Warriewood.

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Key aspects of the proposal include an expansion of the garage level floor plate to provide additional parking and a point of entry to the building, reconfiguration of the ground level room layout, and the construction of a modest upper level and terrace. The application also proposes supplementary landscaping.

The purpose of this document is to evaluate the proposal against relevant planning instruments and to provide a planning assessment of its environmental impacts, as required by section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. SITE AND CONTEXT

This section describes the characteristics of the land which have informed and influenced the proposal. Here we also describe the characteristics of the locality which have been considered in developing the proposal.

2.1. SITE DESCRIPTION

The site is located at 44 Arnott Crescent, Warriewood and the land is legally described as Lot 43 in DP 30836. An aerial photograph identifying the site in yellow is provided at Figure 1.



Figure 1 | Aerial image
(Source: NSW Govt.)

2.1.1. Site Characteristics

The site is a wedge shaped with an 18.2m curvilinear frontage to Arnott Crescent, an average depth of ~41m, and a 12.5m rear boundary. The site area is 631.6sqm. The land falls ~7.8m from the rear to Arnott Crescent.

A Survey Plan illustrating site dimensions and contours is included at **Appendix A**.

Vegetation at the site is typical of a domestic garden and comprises trees and shrubbery. There is a large melaleuca and a palm in the front setback and a series of shrubs along the front property boundary. There are no trees on neighbouring properties likely to be impacted by proposed works.

The site contains a two-storey rendered masonry dwelling with a flat metal roof. The lower ground level consists of a garage and storage. The habitable rooms are at ground level. There is a covered terrace at the rear.

The site has vehicular access from Arnott Crescent. Stormwater runoff is collected and discharged to a drainage infrastructure in Arnott Crescent. There is a kerb inlet pit at the site frontage.

2.2. LOCALITY DESCRIPTION

The site is situated within Northern Beaches Local Government Area in the suburb of Warriewood.

2.2.1. Land Use

Land use in the immediate locality is almost exclusively low-density residential.

2.2.2. Building Form

Building form is characterised by multi-storey detached dwellings. Dwelling siting and arrangement in the immediate locality quite uniform which reflects the regular lot pattern in the street block.

Architectural styles are diverse. In-fill development has occurred sporadically over the decades with older housing stock making way to the occasional contemporary dwelling. Roof forms are equally diverse and include flat, skillion and traditional pitched roofs.

There is little consistency in the use of external materials. Contemporary dwellings incorporate rendered masonry finishes and F/C clad buildings. Older housing stock more typically comprises of face-brick walls and tiled roofs.

2.2.3. Adjacent Development

Adjacent development is described as follows:

- **42 Arnott Crescent**

Directly to the west is a similarly proportioned lot with a frontage to Arnott Crescent. The site contains a double-storey masonry dwelling house with pitched roof. The roof ridge is at RL 21.36.

Survey information indicates the dwelling is setback a variable distance (range 1.6m-2.3m) from its eastern side boundary. There is pedestrian access through the side passage. The eastern elevation of the dwelling has *no* habitable windows.

The principal private open space area consists of a covered entertaining deck to the rear (northern side) of the dwelling.

- **46 Arnott Crescent**

Directly to the east is a similarly proportioned lot with a frontage to Arnott Crescent. The site contains a two-storey brick dwelling house with a pitched roof. The roof ridge is at RL 19.98.

Survey information indicates the dwelling is setback a variable distance (range 1.1m-3.8m) from its western side boundary. There is a living room window on the western elevation the dwelling. There is a balcony on the street-facing side of the dwelling over which the front door is accessed.

The principal private open space area consists of a covered entertaining deck to the rear (northern side) of the dwelling.

- **29 Carpenter Crescent**

Directly to the north and *upslope* of the subject site is a lot with a frontage to Carpenter Crescent. The site contains a three-level residence with principal living room and entertaining deck at the upper-most level.

The site images available on real estate websites suggests outlook from the principal living room and entertaining deck is comfortably *over* the roofline of dwellings along Arnott Crescent.

The proposed building arrangement and orientation responds to the siting and location of neighbouring development and seeks to mitigate overshadowing and limit cross-viewing thereby preserving the amenity of neighbours.

3. PROPOSED DEVELOPMENT

This section provides a description of the proposal and should be read in conjunction with accompanying plans and documentation. Here we endeavour to explain how the proposal has been designed to work with site constraints and optimise site opportunities.

3.1. SITE PREPARATION

3.1.1. Demolition

Elements of the existing dwelling will be demolished. Demolition works primarily relate to the northern and southern elevation of the ground floor, internal partition walls and roof.

The extent of demolition works is detailed on the architectural plans.

3.1.2. Tree Removal

The application proposes the removal of three small, unimportant trees as outlined at Table 1.

Table 1 | Tree removal

Value / status	Count
Low retention value	3
Total	3

The high value melaleuca in the front yard will be retained.

Tree removal is detailed in the Arborist Report supplied at **Appendix E**.

3.1.3. Land Modification

Minimal land modification works are proposed including minor excavation in the front yard to facilitate the proposed garage and driveway works and in the rear yard to increase the terrace area.

Areas of site disturbance are illustrated on the architectural plans.

3.2. BUILDING WORKS

3.2.1. Dwelling

The application proposes alterations and additions to the dwelling including the expansion of the garage level floorplate to provide for additional covered parking, internal reconfiguration of spaces / rooms, and construction of a modest upper level.

Garage level

The garage level floorplate is to be expanded to provide for additional covered parking. The garage opening will be perpendicular to the front boundary, so it is not “read” as a garage from the perspective of the street.

A pedestrian entry is introduced at garage level and is oriented to the street. An internal stair is proposed for access to the living level. Storage space and a w/c also proposed at garage level.

Ground level

The floorplate of the ground level is ostensibly unchanged but for a minor expansion on the southern side of the building to “square off” a step in the elevation.

The ground level will contain an open plan living room, kitchen, and dining space and three bedrooms, one with ensuite. The ground level also contains a playroom, family bathroom, and laundry.

A trafficable terrace is proposed over the proposed garage and is accessible from the living space.

Upper level

The proposed upper level consists of a rumpus room, two additional bedrooms, one with ensuite, and a bar. A terrace accessed from a bedroom and the rumpus room is situated on the eastern side of the upper level. A deep planter is proposed to the edge of the terrace to obscure sightlines towards the eastern neighbour.

A ramp is proposed for direct access between the upper-level and rear lawn area.

Roof form

A flat roof form is proposed over the dwelling with a modest pitched clerestory section over the rumpus.

3.2.2. Garage and access

An integrated double-bay garage with opening oriented perpendicular to the front boundary is proposed. The garage is situated forward of the building line, however, is designed to “read” as an extension of the building rather than a parking structure.

The existing point of access from Arnott Crescent is to be retained. The driveway within the site will be modified to allow for vehicles to manoeuvre into and from the garage efficiently and safely.

3.2.3. Materials

Proposed external materials include a combination of timber cladding, light-coloured rendered masonry walls, and face-brick to match existing. Colours are intended to respond to coastal aesthetic and are compatible with development in the locality, including infill development.

A schedule of materials and finishes is supplied with the architectural plans (Sheet DA901).

3.3. ANCILLARY WORKS

3.3.1. Landscaping

New landscaping is proposed in the front and rear setback areas to supplement retained vegetation and to ameliorate the built form from the perspective of the street. Landscaping consists of a combination of trees, shrubs, and ground covers. Planters at the perimeter of the ground level and upper-level terraces will accommodate “cascading” vegetation to soften building appearance.

A landscape concept is supplied with the architectural plans (Sheet DA070).

3.4. OPERATION

3.4.1. Waste Management

Storage space within the garage level is sufficient to accommodate waste bins. Bins will be concealed from view and will not create a visual or odour nuisance to neighbours. Bins can conveniently be moved to the Arnott Street kerb for collection.

4. COMPLIANCE SUMMARY

This section provides an evaluation of the proposal against relevant planning instruments as required by section 4.15(1) of the EP&A Act.

4.1. ENVIRONMENTAL PLANNING INSTRUMENTS

4.1.1. State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 of *State Environmental Planning Policy (Sustainable Buildings) 2022* (SB SEPP) applies to BASIX development including development that involves the alteration of a BASIX building where the estimated construction cost of the development is \$50,000 or more.

The proposed alterations and additions to the dwelling has an estimated cost of construction exceeding \$50,000. A BASIX certificate accompanies the development application.

4.1.2. State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of land

Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP) states that a consent authority must not consent to development of land unless it has considered whether the land is contaminated and, if contaminated, can be made suitable for the proposed use.

The land has not been used for a purpose referred to in Table 1 of the DPE publication *Contaminated Land Planning Guidelines*. The site has a long history of residential use and is unlikely to contain contaminants that would preclude ongoing residential use.

No further consideration under the R&H SEPP is required.

4.1.3. Pittwater Local Environmental Plan 2014

Pittwater Local Environmental Plan 2014 (PLEP) applies to the site.

The site is within Zone R2 Low Density Residential and dwellings are permitted with development consent. The objectives for development in Zone R2 are outlined in Table 2. The proposed development aligns closely with relevant objectives.

Table 2 | Zone objectives

Objective	Comment
• To provide for the housing needs of the community within a low density residential environment.	The proposal is for alterations and additions to a single residence and provides for the housing needs of the community.
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	n/a

Objective	Comment
<ul style="list-style-type: none"> To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses. 	n/a

An extract of the Zoning Map is provided at Figure 4.

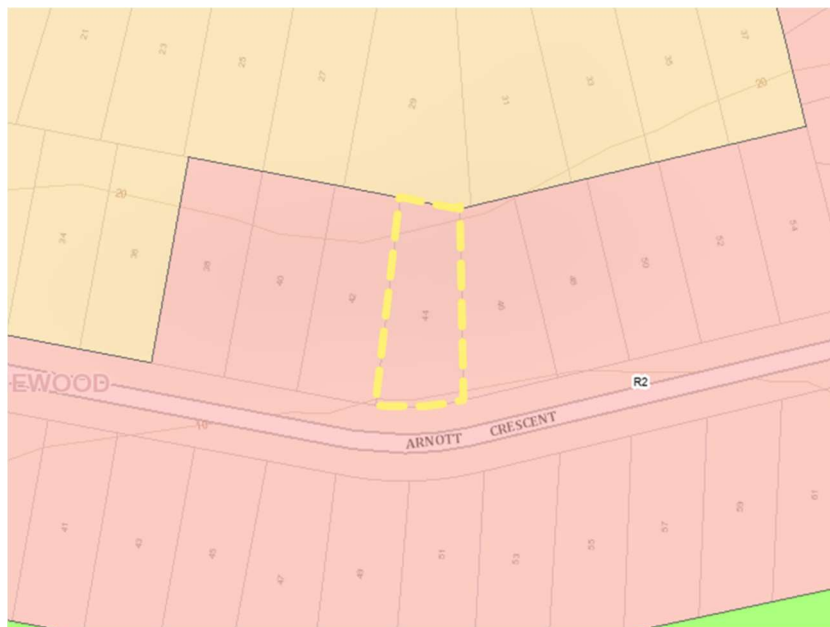


Figure 2 | Zoning Map extract (Source: NSW Govt.)

The proposal is entirely consistent with relevant development standards and provisions contained within PLEP.

A compliance summary is provided at Table 1.

Table 3 | PLEP compliance summary

Clause	Standard	Comment	Compliance
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	<p>The maximum permitted building height is 8.5m as indicated on the <i>Height of Buildings Map</i>.</p> <p>The proposed building height is a maximum of 8.5m when measured to the <i>excavated</i> level within the existing building footprint.</p> <p>The “interpolated” height plane and “excavated level” height plane is identified on sections.</p>	Yes
7.1 Acid sulfate soils	(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management	The site is identified as “Class 5” acid sulfate soil on the <i>Acid Sulfate Soils Map</i> .	n/a

Clause	Standard	Comment	Compliance
	plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	<p>The proposed development occurs ~130m from mapped Class 4 land however it is highly improbable that the works will have any impact on the water table on that land.</p> <p>The requirement for an acid sulfate soils management plan is not triggered in this scenario.</p>	
7.2 Earthworks	<p>(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to</p>	<p>There will be some land modification work northern side of the residence to expand the rear terrace and nominal excavation on the southern side of the residence associated with building footings for the proposed garage space.</p> <p>Because excavations contemplated are minor and offset from property boundaries, it is improbable that terrain in the locality will be destabilised, or drainage patterns adversely impacted.</p> <p>The proposed land modification works will optimise the future use of the land in the sense that it is necessary to allow for the construction of the proposed improvements and will not preclude or impinge on redevelopment potential.</p> <p>Excavated material will be reused on site where possible with excess disposed of at a waste management facility. A standard condition of consent is anticipated.</p> <p>Sediment and erosion controls will be installed prior to site works commencing to prevent</p>	Yes

Clause	Standard	Comment	Compliance
	avoid, minimise or mitigate the impacts of the development, (i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or heritage conservation area.	migration of sediment laden water from the site and mitigate impact on receiving waters. The site is not heritage listed or within a heritage conservation area (HCA). The site is not identified as having archaeological potential. We find that that proposal aligns with the objectives and provisions of clause 7.2.	
7.10 Essential services	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.	The site contains an existing dwelling and has connections to all necessary services including electricity supply, and reticulated water and sewer, and access from a public road.	Yes

4.2. PROPOSED INSTRUMENTS

There are no proposed planning instruments that are relevant to the site or the proposed development.

4.3. DEVELOPMENT CONTROL PLANS

4.3.1. Pittwater 21 Development Control Plan

Pittwater 21 Development Control Plan (PDCP) applies to the site.

The proposal is broadly consistent with relevant development controls contained within PDCP, except for acceptable variations to building envelope, side setback, and garage siting controls.

Discussion concerning these aspects of the non-compliance is set out at Section 5.1 of this report.

A compliance summary is provided at Table 2.

Table 4 | PDCP compliance summary

Clause	Control	Comment	Compliance
Section A Shaping development in Pittwater			
A4.14 Warriewood Locality	<p><u>Desired character</u></p> <p>The Warriewood locality will remain characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses. Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape,</p>	<p>The proposal is consistent with the desired future character statement as follows:</p> <ul style="list-style-type: none"> A small component of the dwelling will consist of three vertically aligned storeys. However, the development will not appear out of scale with neighbours nor will it overwhelm the streetscape as the proposed upper level is offset from the front edge of the ground level and therefore has a diminished streetscape presence, and the absolute height of the building is comparable to that of neighbouring dwelling. Offsetting the upper level in the manner proposed means that the building has a “tiered” floorplate arrangement which corresponds with the fall of the site. There is ample residual area at the perimeter of 	Yes

Clause	Control	Comment	Compliance
	and minimise site disturbance. Development will be designed to be safe from hazards	<p>the site for landscaping and retention of substantial trees.</p> <ul style="list-style-type: none"> The additions are incorporate an appropriate degree of physical articulation in the form of modulated elevations, offset floorplates, projecting architectural elements, window openings, and so on. External materials consist of timber cladding and rendered masonry which will harmonise with the local setting. <p>We submit that the proposal will improve the built form at the site and enhance the streetscape more broadly.</p>	

Section B General controls

B5.15 Stormwater	Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.	<p>Stormwater runoff will be directed to drainage infrastructure in Arnott Crescent as per the existing arrangement.</p> <p>It is improbable that that runoff quality will be significantly diminished or that runoff will cause flooding.</p>	Yes
	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.	<p>Stormwater runoff will be directed to drainage infrastructure in Arnott Crescent as per the existing arrangement.</p> <p>The arrangement is understood to satisfy Council's Water Management for Development Policy.</p>	-

Clause	Control	Comment	Compliance
B6.2 Internal Driveways	<p>An Internal Driveway must be provided for in:</p> <ul style="list-style-type: none"> development where additional car parking spaces and/or garages are required by Council's plans or policies; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and development where additional car parking spaces and/or garages are proposed. 	The existing driveway will be modified as indicated on the architectural plans to allow for access to the proposed garage.	Yes
	Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). Recommended maximum gradient of an Internal Driveway for a distance of 2m on the approach to a garage, parking area or carport is 1:20 (V:H). There must be a minimum 2 metre long transition between the driveway and the garage/parking area/carport in accordance with the standards.	Internal grades of the <i>proposed</i> expanded driveway surface are understood to be AS compliant.	Yes
	For Internal Driveways on steeply sloping or difficult sites, gradients may be increased up to 1:4 (V:H) over a maximum 20 metre length.	Internal grades of the <i>proposed</i> expanded driveway surface are understood to be AS compliant.	Yes
	Provision is to be made for vehicles to enter and leave the site in a forward direction, where:	The proposed driveway and garage arrangement will allow for forward entry and egress.	Yes

Clause	Control	Comment	Compliance
	<ul style="list-style-type: none"> the internal driveway grade exceeds 1:4 (V:H); the land abuts a roadway subject to high pedestrian use (e.g. School, Commercial Centre); driveways are more than 30m in length; and the driveway enters onto a classified road. 		
	Internal Driveway grades, cross falls and grated drains are to be designed to reduce discharge into the public drainage system and to maximise stormwater discharge into adjacent landscape areas by the use of grass swales and soakage pits.	Runoff from <i>proposed</i> driveway surfaces can be graded such that runoff discharges to adjacent garden beds. Some surface water runoff will continue to discharge directly to the public drainage system in Arnott Crescent. Proposed development provides adequate pervious area thereby optimising on-site absorption.	Yes
	Internal Driveways shall have a stable surface for all weather construction.	Concrete driveway proposed.	Yes
	Internal Driveways where visible from a public road or public place are to be constructed of materials that blend with the environment and of dark earthy tones or natural materials.	Concrete driveway proposed. The driveway colour will be neutral to blend with environment.	Yes
	<p>The design of all Internal Driveways and ramps shall be in accordance with the current edition of the following Australian Standards:</p> <ul style="list-style-type: none"> Australian Standard AS/NZS 2890.1-2004: 	Internal grades of the <i>proposed</i> expanded driveway surface are understood to be AS compliant.	Yes

Clause	Control	Comment	Compliance
	Parking Facilities - Off-Street Car Parking. <ul style="list-style-type: none"> Australian Standard AS/NZS 2890.2-2002: Parking Facilities - Off-Street Commercial Vehicle Facilities except as qualified in this control. 		
	The Internal Driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be as follows: <ul style="list-style-type: none"> Single Dwelling: 3.0 metres minimum. 	The width of the existing driveway at the property frontage and within the site is ~2.8m.	Yes
	Internal Driveways shall be designed and constructed to the minimum practical pavement width needed to facilitate access and turning movements.	The proposed expanded driveway pavement allows vehicles to swing into the proposed garage which has an opening perpendicular to the front boundary. The driveway pavement is no wider than is necessary.	Yes
	Internal Driveways shall be designed and constructed to minimise the area of impervious pavement within the land. Track style driveways are encouraged where practical.	The proposed expanded driveway pavement is no wider than is necessary to facilitate turning manoeuvres. There is ample residual pervious area in the front setback for retention of trees and additional landscaping.	Yes
	Turning movements are to be in accordance with the turning paths for a B85 vehicle (Australian Standard AS/NZS 2890.1- 2004: Parking Facilities -	The pavement width allows for adequate manoeuvring space for vehicles accessing and egressing the garage.	Yes

Clause	Control	Comment	Compliance
	Part 1: Off-Street Car Parking).		
B6.3 Off-street vehicle parking requirements	The minimum number of vehicle parking spaces to be provided for off-street parking is as follows: 2+ bedrooms = 2 spaces	Garaging for three vehicles is proposed.	Yes
	The maximum cross-fall in any direction for an open car parking space is 1:20 (V:H).	No open parking spaces proposed although the space forward of the garage is suitable for stacked parking.	n/a
Section C Development type controls			
C1.1 Landscaping	All canopy trees and more than 50% of other vegetation shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community.	Species selection is described in the landscape plan supplied with the Architectural Plans. A sufficient proportion of plants are natives.	Yes
	In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.	A combination of shrubs and trees are proposed to moderate building form. The large melaleuca in the front setback is to be retained.	Yes
	At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.	The landscape concept at Sheet D070 of the plans supplied indicate two new trees in the rear yard and one in the front yard. Existing canopy trees in the front yard are retained.	Yes

Clause	Control	Comment	Compliance
	Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m ³ within this area to ensure growth is not restricted.	Landscape zones proposed to accommodate new trees are understood to have sufficient dimensions and soil depth to sustain the growth of the proposed tree, albeit not strictly compliant with this control.	On merit
	<p>The following soil depths are required in order to be counted as landscaping:</p> <ul style="list-style-type: none"> • 300mm for lawn • 600mm for shrubs • 1metre for trees 	Areas accounted for in the landscaped area calculation are deep soil areas and satisfy the stipulated depth requirements.	Yes
	<p>The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</p> <p>[60% for a single dwelling house and secondary dwelling.]</p>	More than 60% of the area within the required front setback zone will be landscaped.	Yes
	Screening shall be of vegetation (not built items) and shall be calculated when viewed directly onto the site.	Front setback vegetation and integrated planting is proposed in the front setback to soften building appearance.	Yes
	Landscaping shall not unreasonably obstruct driver and pedestrian visibility.	Landscaping does not obscure sight lines.	Yes
	Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.	<p>The proposal retains the melaleuca and palm in the front setback.</p> <p>No visually significant trees are to be removed.</p>	Yes
	Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres	Proposed compensatory trees are positioned a suitable distance from structures to ensure growth and long-term	On merit

Clause	Control	Comment	Compliance
	where pier and beam footings are used.	viability, albeit within 3m of structures.	
C1.2 Safety and security	Building design should allow visitors who approach the front door to be seen without the need to open the door.	Street-facing windows and the terrace over the garage will allow for occupants to observe visitors on their approach to the dwelling.	Yes
	Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.	Street facing window openings and proposed trafficable area over the garage will allow for passive surveillance.	Yes
	Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners.	There are no structures proposed that will allow for concealment.	Yes
	Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.	The building entrance will be evident from the street.	Yes
	The street number of the property is to be clearly identifiable.	The street number is evident from the street.	Yes
	Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.	The low retaining wall on the front boundary delineates public and private realms. The route to the front entry will be legible.	Yes
C1.3 View sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	<p>The site is <i>downslope</i> of adjacent properties to the north on Carpenter Street which enjoy outlook to the south and south-east.</p> <p>It is improbable that the proposed upper-level addition, which will have a similar height/scale as dwellings @ 42 and 46, will impact on views through the site.</p>	Yes

Clause	Control	Comment	Compliance
C1.4 Solar access	The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.	Shadow diagrams are supplied. <u>Site</u> The main private open space is the rear terrace and lawn on the northern side of the dwelling and these spaces have 3 hours + of solar exposure on the winter solstice. <u>Neighbours</u> The main private open space areas of the property @ 46 and 42 Arnott Crescent are situated on the northern side of respective dwellings and are not impacted by shadow cast by the proposed development.	Yes
	Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).	Shadow diagrams are supplied. <u>Site</u> The proposed principal living area has northern aspect and will receive 3+ hours of direct sunlight on the winter solstice. <u>Neighbour</u> <i>42 Arnott</i> The main living room window south-facing and not impacted by shadow cast by the proposed development. <i>46 Arnott</i> The main living room has a north-facing window which is not impacted by the proposed development and will enjoy 3 hours + of direct solar access on the winter solstice.	Yes
	Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am	No solar collectors proposed.	-

Clause	Control	Comment	Compliance
	and 4.00pm during mid-winter.		
	Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.	Both the proposed dwelling and dwellings on neighbouring land have adequate space for clothes drying.	Yes
	The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.	Shadow diagrams demonstrate that neighbours @ 42 and 46 will continue to enjoy adequate solar access.	-
C1.5 Visual privacy	Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).	<p>The proposed alterations and additions are designed to mitigate potential for cross-viewing of neighbouring POS areas and living room windows.</p> <p>There are no new living room windows or private open space areas proposed with <i>direct outlook / sightlines</i> to windows on the opposing elevations of neighbouring dwellings or private open space areas.</p> <p>The proposed terrace on the eastern side of the upper-level addition is designed to mitigate overlooking by offsetting the edge ~4m from the side boundary and providing a raised planter at the eastern perimeter of the planter.</p> <p>Additionally, there is only one habitable room window on the opposing elevation of the dwelling @ 46 Arnott, and it has a head height of RL 17.27 which is below the FFL of the proposed terrace. The section at Sheet D303 illustrates that the level</p>	Yes

Clause	Control	Comment	Compliance
		<p>difference in conjunction with planters will preclude line of sight into this living room window.</p> <p>The proposal is designed to maintain occupant and neighbour privacy.</p>	
	Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.	<p>As described above, there will be no direct line of sight between the proposed terrace and the living room windows of neighbours.</p> <p>Privacy screening to the upper-level terrace is not necessary.</p>	Yes
C1.6 Acoustic privacy	Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.	<p>Noise sensitive rooms are a sufficient distance from noise generating spaces to limit acoustic impacts.</p> <p>The proposed development will achieve a satisfactory level of acoustic amenity.</p>	Yes
	Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.	No noise generating plant or equipment proposed.	n/a
C1.7 Private open space	Minimum 80m ² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.	The proposal incorporates >80sqm of private open space at ground level situated (entirely) in the rear yard.	Yes
	Within the private open space area, a minimum principal area of 16m ² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).	The ground level POS incorporates a level area of 16sqm with minimum dimension >4m.	Yes

Clause	Control	Comment	Compliance
	Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.	The main POS is directly accessible from the main living / kitchen area.	Yes
	Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).	The main POS area has northern aspect and receives adequate direct sunlight.	Yes
	Private open space should be located to the rear of the dwelling to maximise privacy for occupants.	The main POS is situated in the rear yard and has privacy.	Yes
	A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.	The above ground POS areas are not the principal areas of POS.	Yes
C1.12 Waste and recycling facilities	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	A Waste Management Plan addressing demolition and construction waste is supplied.	Yes

Clause	Control	Comment	Compliance
C1.15 Storage facilities	A lockable storage area of minimum 8 cubic metres per dwelling shall be provided. This may form part of a carport or garage.	The dwelling contains sufficient storage area at the garage level.	Yes
C1.23 Eaves	Dwellings shall incorporate eaves on all elevations.	The addition provides awnings and sun control devices to prevent heat load.	Yes
Section D Locality specific development controls			
D14.1 Character as viewed from a public place	Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.	The addition will have street presence and incorporates design elements and cladding materials encouraged by this control.	Yes
	Walls without articulation shall not have a length greater than 8 metres to any street frontage.	The street facing elevation incorporates sufficient modulation / articulation. There are no unarticulated wall lengths (i.e. without breaks / window openings) that exceed 8m.	Yes
	Any building facade to a public place must incorporate at least two of the following design features. <ul style="list-style-type: none"> • entry feature or portico; • awnings or other features over windows; • verandahs, balconies or window box treatment to any first floor element; • recessing or projecting architectural elements; • open, deep verandahs; or 	The street facing façade is articulated, incorporates the dwelling entry and window openings, and street-facing terrace / balcony spaces.	Yes

Clause	Control	Comment	Compliance
	<ul style="list-style-type: none"> verandahs, pergolas or similar features above garage doors. 		
	The bulk and scale of buildings must be minimised.	<p>The upper-level addition is modestly scaled and offset from the front edge of the ground level to moderate apparent visual bulk.</p> <p>Building design and integrated landscaping ameliorates the apparent scale of the building when viewed from Arnott Crescent.</p>	Yes
	Garages, carports, and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.	<p>The proposed garage is integrated with the dwelling with an opening running perpendicular to the front boundary. The garage is forward of the building line. This design solution is a response to site conditions, including terrain and existing dwelling location.</p> <p>The garage arrangement, external materials, and proposed perimeter planting will ensure the structure is an understated / recessive element of the building and does not present as a dominant site feature.</p> <p>Further discussion concerning streetscape appearance is set out at Part 5.1 of this report.</p>	Yes
	Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.	<p>The garage projects forward of the street-facing elevation of the dwelling however is designed and detailed to moderate perceived scale, as discussed above.</p> <p>The combined width of the proposed and existing garage structures is > 50% of the lot width. However, because the proposed</p>	On merit

Clause	Control	Comment	Compliance
		garage opening is perpendicular to the front boundary and the opening will not be evident from the street, the streetscape outcome will not be diminished, and a variation is warranted. Further discussion concerning garage location is set out at Part 5.1 of this report.	
	Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.	The residual front setback area will be densely landscaped to soften / disguise building appearance. A landscape concept is included at Sheet D070 of the architectural plans.	Yes
	Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.	None proposed.	n/a
	General service facilities must be located underground.	Services will be delivered in accordance with infrastructure provider requirements.	Yes
	Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.	All services will be concealed.	Yes
D14.3 Building colours and materials	External colours and materials shall be dark and earthy tones.	A schedule of colours and materials is provided with the Architectural Plans. Materials proposed include a combination of timber cladding, light rendered masonry, and existing face-brick walls.	Yes

Clause	Control	Comment	Compliance
	Finishes are to be of a low reflectivity.	Materials proposed are low reflectivity.	Yes
D14.7 Front building line	<p>The minimum front building line shall be in accordance with the following table.</p> <p>Land within Zone R2 = 6.5m or established building line.</p>	The proposed works comply with the 6.5m setback control.	Yes
	Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback	No structures proposed in the 6.5m front setback zone other than the driveway.	Yes
D14.8 Side and rear building line	<p>The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:</p> <p>Land within Zone R2 = 2.5m on one side and 1m for the other side; 9m to the rear.</p>	<p><u>Side</u></p> <p>The western side boundary is the narrow (1m) setback, and the eastern side boundary is the wide (2.5m) setback.</p> <p>The <i>proposed additions</i> are >1m from the western side boundary and >2.5m from the eastern side boundary.</p> <p>Minor building works will occur within the eastern side setback, however, these works relate to components of the <i>existing</i> ground level already within the setback area. Works include window openings in external walls, and the terrace planter over the ground level.</p> <p>Further discussion concerning side setback variation is set out at Part 5.1 of this report.</p> <p><u>Rear</u></p> <p>The proposed building works other than retaining structures and part of the terrace area are >9m from the rear boundary.</p>	On merit

Clause	Control	Comment	Compliance
D14.11 Building envelope	Buildings are to be sited within the following envelope: Diagram indicates a 45-degree height plane projected from a point 3.5m above the side property boundary.	A small component of the proposed upper-level addition (western edge) and nominal building elements on the eastern side of the ground level will project above the side boundary envelope. The encroachments are illustrated on the envelope diagrams at Sheet D051 of the architectural plans. The encroachments are modest and are partly driven by site topography. Further discussion concerning side envelope non-compliance is set out at Part 5.1.	On merit
D14.12 Landscaped Area - General	The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.	Landscape calculation plans are supplied at Sheet D050 of the architectural plans. Calculable landscaped area (including 6% of paved area used for recreational purposes) is 318sqm or 50.3%.	Yes
	The use of porous materials and finishes is encouraged where appropriate.	Noted.	-
	Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.	Landscape calculation plans are supplied at Sheet D050 of the architectural plans. Calculable landscaped area (including 6% of paved area used for recreational purposes) is 318sqm or 50.3%.	Yes
D14.17 Retaining walls, terracing and undercroft areas	Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.	The site does not contain environmentally sensitive areas.	n/a
	Where retaining walls and terracing are visible from a	No retaining walls are proposed that will be	n/a

Clause	Control	Comment	Compliance
	public place, preference is given to the use of sandstone or sandstone like materials.	readily apparent from a public space.	
	Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.	No under-croft areas proposed.	n/a

4.4. PLANNING AGREEMENTS

There are no planning agreements associated with this site.

4.5. THE REGULATIONS

Section 92 of the *Environmental Planning and Assessment Regulation 2000* prescribes additional matters that the consent authority must consider in determining a development application. Each matter for consideration and its relevance to the proposal is noted in Table 3.

Table 5 | Additional matters for consideration (Regs)

Clause	Matter	Relevance
92(1)(b)	In the case of a development application for the demolition of a building, the provisions of <i>AS 2601 The demolition of structures</i> .	Demolition works will be carried out as per the provisions of AS 2601.
92(1)(c)	In the case of a development application for development on land subject to a subdivision order, the provisions of that subdivision order.	The site is not subject to a subdivision order.
92(1)(d)	In the case of certain development on land within 200km of Siding Spring Observatory, the <i>Dark Sky Planning Guideline</i> .	The site is not within 200km of the Siding Spring Observatory.
92(1)(e)	In the case of a development application for a manor house or multi dwelling housing (terraces), the <i>Medium Density Design Guide for Development Applications</i> .	The development application does not propose a manor house or multi dwelling housing (terraces).
92(1)(f)	In the case of a development application for residential development within the Penrith City Centre, the <i>Development Assessment Guideline: An Adaptive Response to</i>	The site is not within the Penrith City Centre.

Clause	Matter	Relevance
	<i>Flood Risk Management for Residential Development in Penrith City Centre.</i>	

5. PLANNING ASSESSMENT

This section provides a planning assessment of the likely impacts of the proposed development, considers the suitability of the site, and evaluates whether the development is in the public interest, as required by section 4.15(1) of the EP&A Act.

5.1. IMPACTS ON THE NATURAL AND BUILT ENVIRONMENT

The proposed alterations and additions are designed to optimise occupant amenity and to mitigate adverse impact on neighbour amenity. The development will result in positive built environment outcomes and will have no significant adverse impact on the natural environment.

Below we outline aspects of the proposal that relate to built environment impacts.

5.1.1. Building Envelope

Part D14.11 of PDCP sets out a side boundary envelope control and requires that:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

The “variations” criteria set out in PDCP contemplate envelope variations on sloping sites, and in cases where the application proposes a second storey addition and the existing dwelling is retained.

The development will project marginally above the side boundary envelope at the south-east corner of the ground level and the south-west corner of the upper level. Diagrams illustrating incursions is supplied at Figure 3 and 4.

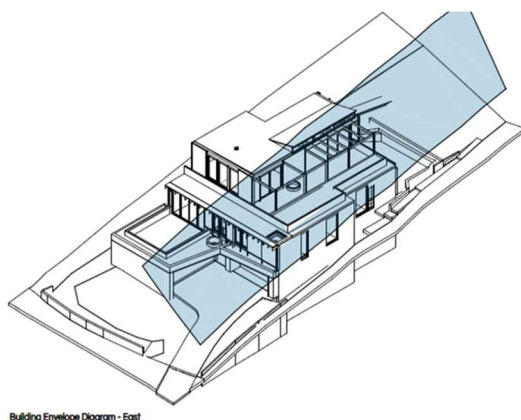


Figure 3 | Envelope incursion (east)

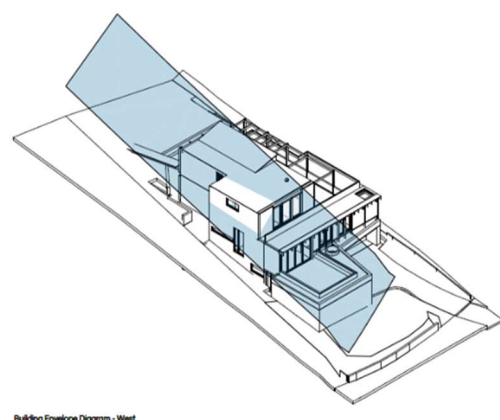


Figure 4 | Envelope incursion (west)

Section.4.15(3A)(b) of the EP&A Act states that:

“(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and”

The consent authority is compelled by the EP&A Act to be flexible in applying the building envelope controls and to allow the proposed alternative solution if it considers that the objectives of the control are achieved.

The “outcomes” of the building envelope controls are addressed in Table 6.

Table 6 | Building envelope outcomes

Objective	Comment
To achieve the desired future character of the Locality. (S)	<p>We have addressed the desired future character for the Warriewood Locality in Table 4.</p> <p>In our opinion, the outcome is consistent the desired future character of the locality despite the envelope breaches contemplated. The proposed development will enhance the visual quality of development at the site and contribute positively to streetscape appearance.</p> <p>Relevantly, the breach on the eastern side is nominal and therefore inconsequential. The breach on the western side relates to a small component of the upper level with an elevation length of ~6.8m.</p> <p>The breaching component will be at or about RL 20.44. By comparison, the ridge height of the dwelling @ 46 Arnott is at RL 21.36. The scale of the breaching component of the building is not dissimilar to that of the adjacent dwelling.</p> <p>The objective is achieved despite envelope breach.</p>
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.	<p>The proposed alterations and additions will, in our opinion, enhance the visual quality of development at the site and contribute positively to streetscape appearance.</p> <p>The tree cover in the street block is relatively sparse. However, the large melaleuca in the front setback, which is to be retained, has a height of ~12m and will sit above the proposed upper level. The retention of this tree, in combination with proposed supplementary planting, will ameliorate built form.</p> <p>The objective is achieved despite envelope breach.</p>

Objective	Comment
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.	<p>The proposed development responds to the natural features of the site in the sense that additions are positioned to allow for the retention of key landscape features.</p> <p>The envelope breach is of no consequence in this regard.</p>
The bulk and scale of the built form is minimised. (En, S)	<p>The bulk and scale of the development is minimised / moderated as follows:</p> <ul style="list-style-type: none"> • The upper-level floorplate is roughly half that of the ground level and the building mass is arranged so the short edge of the floorplate presents to the street. • The upper-level floorplate is offset from the southern edge of the ground level to promote a stepped appearance when viewed from the street. • The breaching component has a wall length of just ~6.8m. • The street-facing external walls of the ground level and upper level will be clad in timber for a light weight / softer appearance. • Integrated planning is proposed at the perimeter of the terrace spaces and will be planted out with cascading landscaping to soften built form appearance when viewed from the street and neighbouring properties. • The floor to ceiling clearance of the proposed upper level is 2.5m. The envelope breach is not a function of excessive internal clearances. <p>The envelope breaches will do not give rise to excessive visual scale or form. The objective is achieved despite envelope breach.</p>
Equitable preservation of views and vistas to and/or from public/private places. (S)	<p>The site is <i>downslope</i> of adjacent properties to the north on Carpenter Street which enjoy outlook to the south and south-east.</p> <p>It is improbable that the proposed upper-level addition, which will have a similar height/scale as dwellings @ 42 and 46, will impact on views through the site.</p>
To ensure a reasonable level of privacy, amenity and solar access is provided within	The components of the building that breach envelope have no shadow impact on the

Objective	Comment
the development site and maintained to residential properties. (En, S)	<p>living rooms or private open spaces of neighbouring dwellings as outlined in Table 4.</p> <p>Similarly, the breaching components of the building have no window openings, other than a high-level bathroom window on the western elevation, and therefore the breach does not give rise to privacy issues.</p> <p>The amenity of occupants and neighbouring residents will not be diminished. The objective is achieved despite envelope breach.</p>
Vegetation is retained and enhanced to visually reduce the built form. (En)	<p>As described, the large melaleuca in the site frontage is to be retained. The retention of this tree, in combination with proposed supplementary planting in the front setback and at the perimeter of terraces, will ameliorate built form.</p> <p>The objective is achieved despite envelope breach.</p>

The envelope non-compliance occurs because of site topography and the retention of the existing ground level of the dwelling which dictates the FFL of the upper level. The scale of the development is compatible with dwellings on adjoining lots and will have no adverse impact on neighbour amenity.

The discussion set out above demonstrates that the proposal satisfies the “outcomes” of the side boundary envelope control. A variation is therefore warranted.

5.1.2. Side setback

Part D14.8 of PDCP prescribes side setback controls and states that the required side setback for land in Zone R2 is 2.5m from one side and 1m for the other side.

The “variations” criteria set out in PDCP explain:

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

The western side boundary is nominated as the narrow (1m) setback, and the eastern side boundary is nominated as the wide (2.5m) setback.

All proposed additions are greater than 1m from the western side boundary and greater than 2.5m from the eastern side boundary. Minor building works will occur *within* the eastern side setback. However, these works relate to components of the existing ground level already within the setback area. Works include window openings in external walls, and the terrace planter over the ground level.

In line with the variation criteria, maintenance of existing setbacks may be considered where the “outcomes” of the control are achieved. The “outcomes” of the setback controls are addressed in Table 7.

Table 7 | Setback control outcomes

Objective	Comment
To achieve the desired future character of the Locality. (S)	<p>We have addressed the desired future character for the Warriewood Locality in Table 4.</p> <p>In our opinion, the outcome is consistent the desired future character of the locality despite the side setback incursions proposed. Ultimately, the proposed development will enhance the visual quality of development at the site and contribute positively to streetscape appearance.</p> <p>Relevantly, the encroaching elements are limited to new window openings within the existing eastern elevation and will not be readily discernible from the street. The encroachments are inconsequential in terms of built form character.</p> <p>The objective is achieved despite setback breach.</p>
The bulk and scale of the built form is minimised. (En, S)	<p>The components of the proposal that contribute to perceived building volume comply with side setback controls.</p> <p>The elements encroaching the eastern setback zone are limited to new window openings within the existing eastern elevation and do not contribute to bulk and scale.</p> <p>The objective is achieved despite setback breach.</p>
Equitable preservation of views and vistas to and/or from public/private places. (S)	<p>The site is <i>downslope</i> of adjacent properties to the north on Carpenter Street which enjoy outlook to the south and south-east.</p> <p>It is improbable that the development, which will have a similar height/scale as dwellings @ 42 and 46, will impact on views through the site.</p> <p>The elements encroaching the setback are limited to new window openings within the existing eastern elevation meaning there is no risk of obscuring sightlines.</p>
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.	As above.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)	The elements encroaching the setback are limited to new window openings within the existing eastern elevation.

Objective	Comment
	<p>The windows are positioned so as not to directly oppose the living room window on the western elevation of the dwelling @ 46 Arnott Crescent.</p> <p>There is an existing living room window on the eastern elevation which opposes the neighbours living room windows. This space will be converted to a bedroom – a space used less frequently and generally only in the evenings when curtains are drawn. The potential for cross-viewing is therefore reduced.</p> <p>The amenity of occupants and neighbouring residents will not be diminished. The objective is achieved despite side setback encroachments.</p>
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)	<p>The setback encroachment is inconsequential in terms of landscape outcome because the wall alignment is existing, and landscape potential is not diminished.</p> <p>The large melaleuca in the front setback is to be retained and supplementary planting will be delivered.</p>
Flexibility in the siting of buildings and access. (En, S)	<p>It is appropriate that the side setback control be flexibly applied in this scenario.</p>
Vegetation is retained and enhanced to visually reduce the built form. (En)	<p>As described, the large melaleuca in the site frontage is to be retained. The retention of this tree, in combination with proposed supplementary planting in the front setback and at the perimeter of terraces, will ameliorate built form.</p> <p>The objective is achieved despite side setback breach.</p>
To preserve and enhance the rural and bushland character of the locality. (En, S)	<p>The site locality does not have a rural or bushland character.</p> <p>Notwithstanding, the side setback encroachment does not diminish landscape opportunity to require tree removal. Landscape setting will be maintained and enhanced.</p>
To ensure a landscaped buffer between commercial and residential zones is established.	n/a

The side setback non-compliance is limited to a few new openings in the retained eastern wall of the residence. The encroaching elements introduced by this application will not be evident from the street and will have no impact on neighbour amenity.

The discussion set out above demonstrates that the proposal satisfies the “outcomes” of the side setback control. A variation is therefore warranted.

5.1.3. Garage location

Part D14.1 of PDCP contains character controls which require that:

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

The proposed garage projects forward of the street-facing elevation of the dwelling, however, is designed and detailed such that it does not “read” as a garage and to moderate perceived scale.

Per section.4.15(3A)(b) of the EP&A Act, the consent authority is compelled to be flexible in applying the garage siting controls and to allow the proposed alternative solution if it considers that the objectives of the control are achieved.

The “outcomes” of the building envelope controls are addressed in Table 8.

Table 8 | Garage siting outcomes

Objective	Comment
To achieve the desired future character of the Locality. (S)	<p>We have addressed the desired future character for the Warriewood Locality in Table 4.</p> <p>In our opinion, the outcome is consistent the desired future character of the locality despite the garage being situated forward of the building line. The proposed development will enhance the visual quality of development at the site and contribute positively to streetscape appearance.</p> <p>Despite being situated forward of the building line, the building complies the 6.5m front setback control and allows for a substantial portion of the front setback zone to be retained as landscaped area.</p> <p>The large melaleuca in the front setback will be retained which will ameliorate building appearance and the garage façade will be disguised by supplementary landscaping.</p> <p>The garage opening is oriented perpendicular to the front boundary such that the structure does not “read” as a garage and does not overwhelm or offend the streetscape.</p> <p>The objective is achieved despite garage location.</p>

Objective	Comment
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)	<p>Despite being situated forward of the building line, the building complies the 6.5m front setback control and allows for a substantial portion of the front setback zone to be retained as landscaped area.</p> <p>The garage and associated driveway are positioned to allow for the retention of the large melaleuca in the front setback.</p> <p>The objective is achieved despite garage location.</p>
To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.	<p>The tree cover in the street block is relatively sparse. However, the large melaleuca in the front setback, which is to be retained, has a height of ~12m and will sit well above the proposed garage extension.</p> <p>The retention of this tree, in combination with proposed supplementary planting, will ameliorate built form.</p>
The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)	<p>The garage opening is oriented perpendicular to the front boundary such that it does not “read” as a garage from the street thereby reducing visual impact on streetscape.</p> <p>As described above, the building complies the 6.5m front setback control and allows for a substantial portion of the front setback zone to be retained as landscaped area.</p> <p>Supplementary planting is proposed along the façade of the garage structure and integrated roof planters with cascading landscaping will be installed over the garage. Proposed landscaping in conjunction with the retained melaleuca, will ensure the garage form is ameliorated.</p> <p>The garage is secondary to landscaping and vegetation and achieves this outcome.</p>
High quality buildings designed and built for the natural context and any natural hazards. (En, S)	<p>The proposed alternations will enhance the architectural quality of the building through the introduction of a sensitively positioned upper level, enhanced façade treatments, high quality external building materials, and integrated landscaping.</p> <p>The proposed landscape works will enhance landscape setting.</p>
Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)	<p>The arrangement of floorplates responds to site terrain and ensures the three levels of the building are generally <i>not</i> vertically aligned. The staggered floorplate alignment moderates perceived scale.</p>

Objective	Comment
	<p>We note the maximum height of the building is at or about RL 20.44. By comparison, the ridge height of the dwelling @ 46 Arnott is at RL 21.36. The scale of the development is not dissimilar to that of the adjacent dwelling.</p> <p>In our opinion, the garage component does not dominate the streetscape because it has a simple elevation with understated / neutral external finishes, the garage opening is perpendicular to the front boundary and not readily apparent from the street, planting in the front setback will disguise the garage structure.</p> <p>The objective is achieved despite garage location.</p>
To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.	The garage structure is downslope of and below the existing residence meaning there is no risk of obscuring public or private sightlines.
To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.	<p>As described, the large melaleuca in the site frontage is to be retained. The retention of this tree, in combination with proposed supplementary planting in the front setback and at the perimeter of the terrace over the garage, will adequately ameliorate built form and ensure enhanced landscape setting.</p> <p>The objective is achieved despite garage location.</p>
To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)	The site is not adjacent to a waterway, park, or bushland reserves. The siting of the garage does not offend or diminish the public use of Arnott Crescent.

The garage is designed and oriented such that the structure does not “read” as a garage and contributes positively to streetscape character. The large melaleuca in the front setback will be retained, and supplementary landscaping, including cascading landscaping in integrated rooftop planters, will ameliorate built form appearance.

The discussion set out above demonstrates that the proposal satisfies the “outcomes” of the garage siting control. A variation is therefore warranted.

5.2. SOCIAL IMPACTS

The proposal will have positive social impacts from the perspective of the occupants of the dwelling who will enjoy high amenity spaces conducive to contemporary living. There will be short term disturbance associated with demolition and construction

works however mitigation measures such as prescribed hours of work will minimise impact.

Social impacts are generally positive and adverse social impacts can be mitigated and are short term.

5.3. ECONOMIC IMPACTS

The proposal will have short term economic impact through job creation associated with demolition and construction works. The proposed development will improve housing stock in Warriewood and there will be resultant uplift in property value and economic benefit for the landowner.

Economic impacts associated with the proposal are positive.

5.4. SITE SUITABILITY

The site presently accommodates residential development which is permissible within Zone R2 and compatible with surrounding land use. The development involves alterations and additions to existing housing stock in a manner encouraged by applicable zone objectives and planning controls.

The development is designed to integrate with streetscape character, align with the desired future character statement for the Warriewood Locality, and preserve the amenity of neighbouring dwellings. The site does not present any constraints that would preclude reasonable development of the land for residential purposes.

The site is suitable for the proposed development.

5.5. PUBLIC INTEREST

The development will improve housing stock in a manner encouraged by the applicable zone objectives. The development responds to site conditions, minimises impacts on neighbour amenity and integrates with landscape setting. The alterations and additions align with the desired future character statement for the Warriewood Locality.

The proposal aligns with the public interest

6. CONCLUSION

This Statement of Environmental Effects has been prepared to support an application for alterations and additions to dwelling house at 44 Arnott Crescent, Warriewood.

The objective of the development proposal is to deliver a contemporary dwelling in a manner encouraged by the applicable zone objectives and planning controls. The alterations and additions will enhance the liveability of the dwelling and will have no adverse impact on the amenity of adjoining development.

Our report describes the key aspects of the proposal which include an expansion of the garage level floor plate to provide additional parking and a point of entry to the building, reconfiguration of the ground level room layout, and the construction of a modest upper level and terrace. The application also proposes supplementary landscaping.

Our evaluation of the proposal against the relevant planning instruments has found that the proposal is broadly consistent with instrument objectives, development standards, provisions, and controls, with justifiable exceptions to side building envelope, side setback, and garage siting controls.

We have assessed the environmental impacts of the proposal and have determined that there are no apparent adverse impacts. We have assessed building siting and arrangement and impacts on streetscape character and neighbour amenity and consider that development outcomes are site responsive, and no design modification is warranted.

Our report explains that the site is suitable for the development as it is zoned for residential purposes and is compatible with surrounding land use. We establish that the development is in the public interest given the absence of adverse impact and the resultant improvement to housing stock.

We conclude that the proposal is worthy of approval.



APPENDIX A | SURVEY



APPENDIX B | ARCHITECTURAL PLANS



APPENDIX C | ARBORIST REPORT



APPENDIX D | WASTE MANAGEMENT PLAN