

STATEMENT OF
ENVIRONMENTAL EFFECTS
TO ACCOMPANY DEVELOPMENT
APPLICATION
FOR THE USE OF
EXISTING STUDIO AND
ALTERATIONS AND ADDITIONS TO
RESIDENTIAL DWELLING
AT 75 ALAMEDA WAY WARRIEWOOD
LOT 7 DP233077

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APPENDIX A - COMPLIANCE TABLE

1.0 INTRODUCTION AND BACKGROUND

This Statement accompanies a Development Application for the use of an existing studio and alterations and additions (bathroom and laundry) carried out to the existing residential dwelling.

The subject works have been carried out without development consent. A Building Information Certificate application has been submitted to Council for the works.

The works are clearly illustrated in the accompanying architectural plans by The Virtual Studio.

The documentation provided Includes reports from qualified professionals to ensure that Council is able to carry out an informed assessment of the proposal.

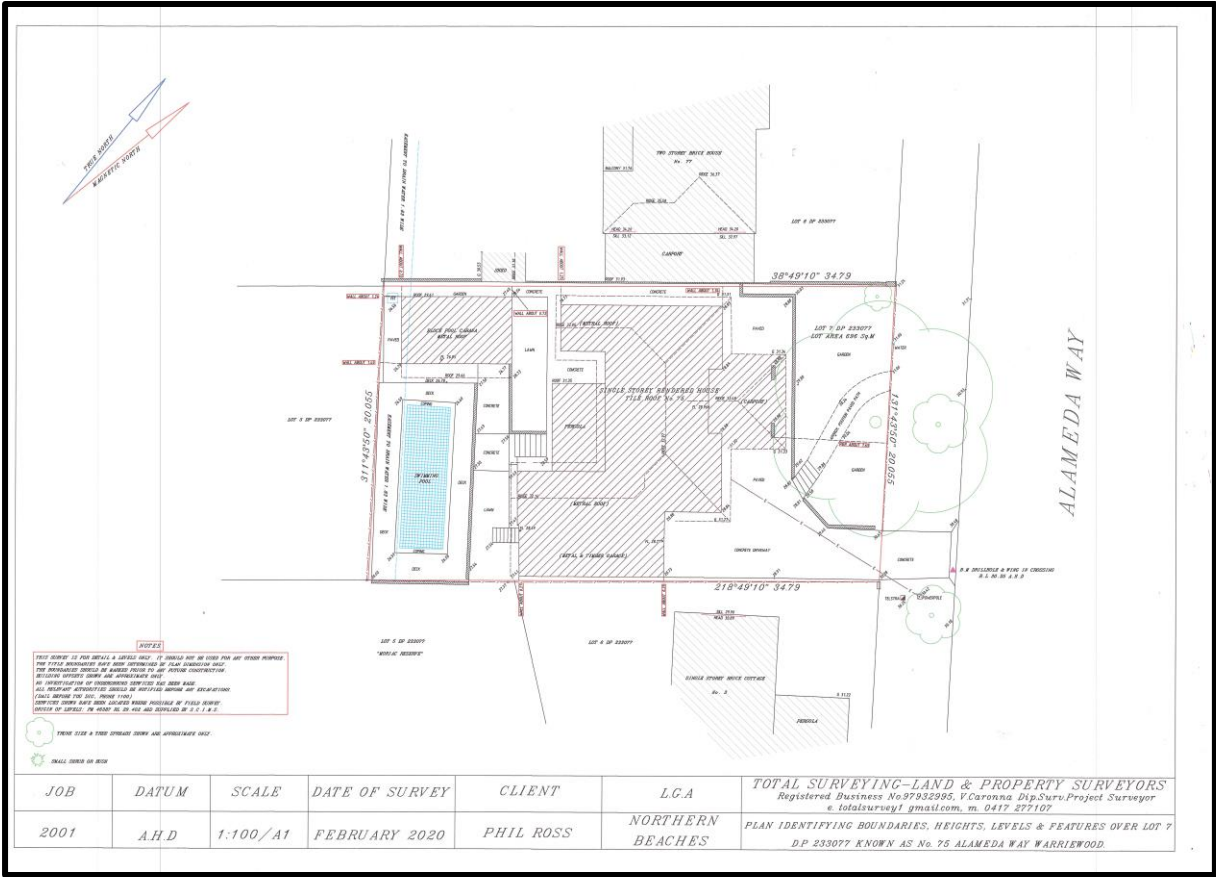
2.0 SUBJECT SITE

2.1 SITE DESCRIPTION AND CONTEXT



The subject site is known as 75 Alameda Way, Warriewood (Lot 7 DP233077) and is located on the southern side of Alameda Way approximately 40m north-west of the intersection with Moriac Street. The subject site is generally rectangular in shape and has an area of approximately 1114.9m².

The subject site is traversed at the rear (southern) boundary by a Drainage Easement 1.83 metres in width.



SURVEY OF SITE SHOWING SUBJECT WORKS

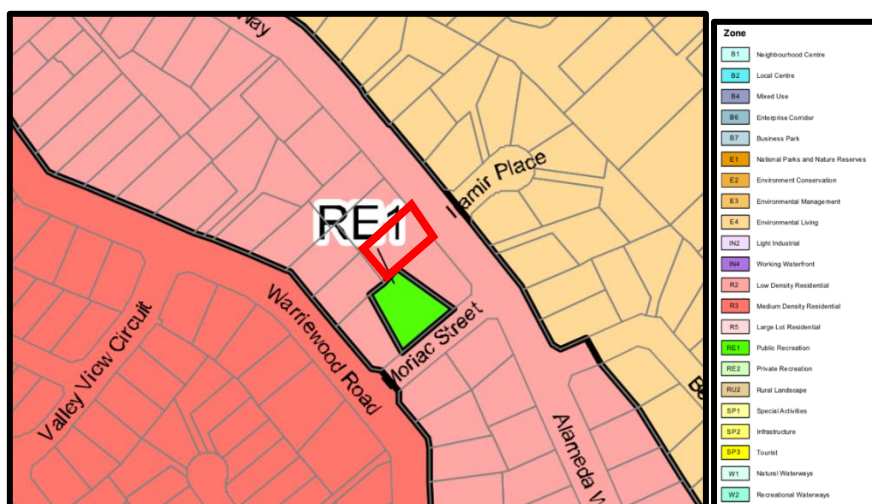
The site is currently occupied by a two-storey residential dwelling, studio and swimming pool.

The plans and survey report accompanying the application show the nature and extent of the unauthorised work.



POOL IN REAR YARD

2.2 ZONING



EXTRACT FROM PLEP 2014 MAPS WITH SUBJECT SITE OUTLINED

The subject site is zoned R2 Low Density Residential. An extract of the Land Use table from Pittwater Local Environmental Plan 2014 is provided below;

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

The residential dwelling and ancillary alterations and additions and studio are permissible forms of development within the R2 Low Density Residential zone.

Compliance issues are addressed in Part 4.1 and 4.2.

2.3 SITE CONTEXT

The context of the site is featured by a range of primarily single storey detached dwellings with a range of secondary dwellings and studios within the locality.

Swimming pools and detached garages are common features throughout this area of Warriewood.

2.4 DOCUMENTS RELIED UPON

This report serves as the Statement of Environmental Effects required for the application for a Building Information Certificate for unauthorised works

Documents relied upon include-

Structural Certificate from Ascent Consulting Engineers

Architectural plans by The Virtual Studio

Survey Report by Total Surveying

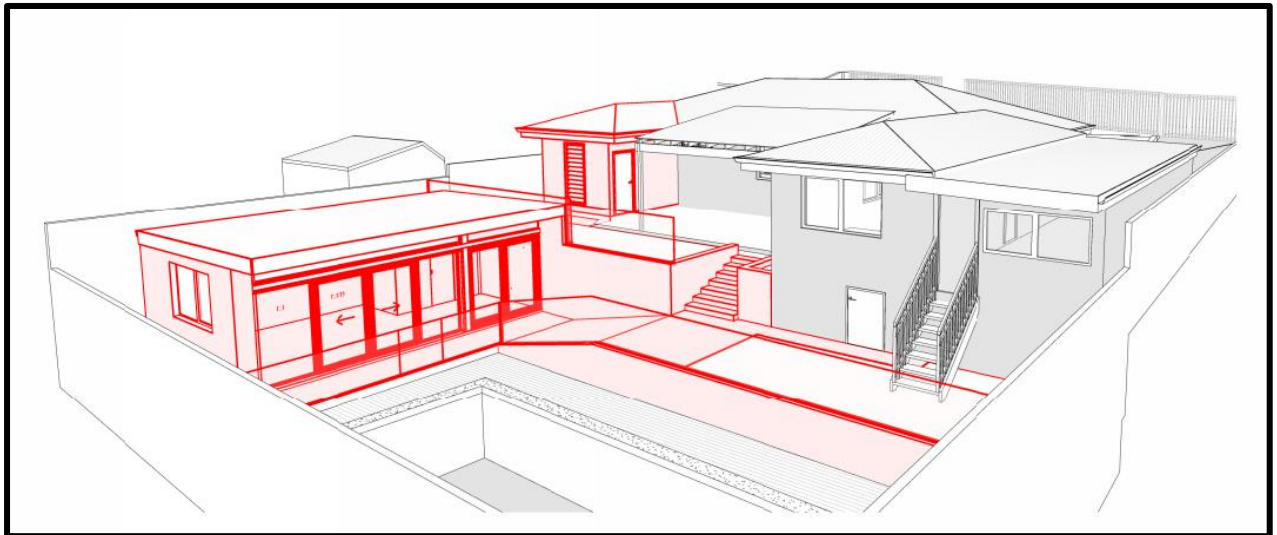
BCA Report by Hunter Building Certifications

Termite Management System Certificate by Forsyth Pest Services

Waterproofing Certificate from Allwaterproofing and Painting

3.0 DESCRIPTION OF PROPOSAL

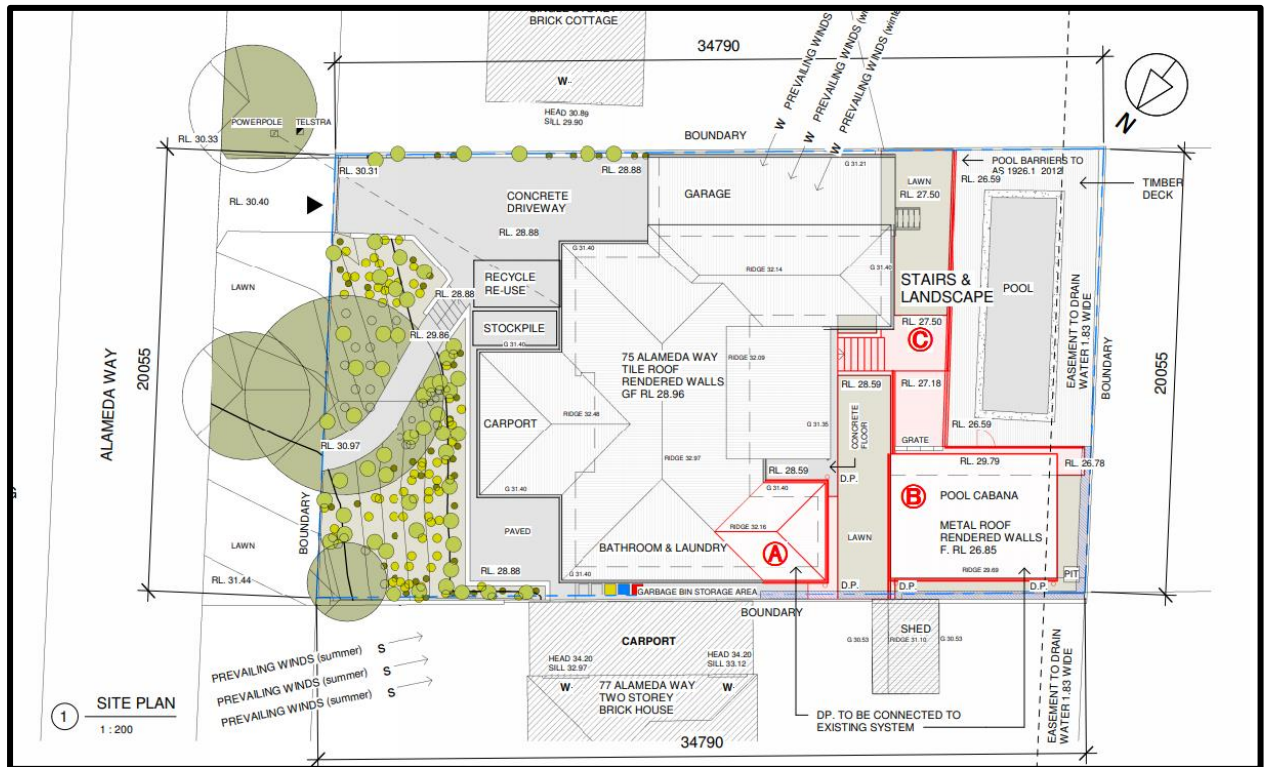
The proposal seeks consent for the use of the of a detached masonry studio and access ramp at the rear of the subject site and the addition of a bathroom/laundry at the rear of the existing dwelling.



3D VIEW OF REAR OF SITE WITH SUBJECT WORKS IN RED

The following extract from the submitted architectural Site Plan shows the subject works as A (bathroom and laundry), B (Pool cabana/Studio) and C (access ramp).

75 Alameda Way Warriewood
DEVELOPMENT APPLICATION



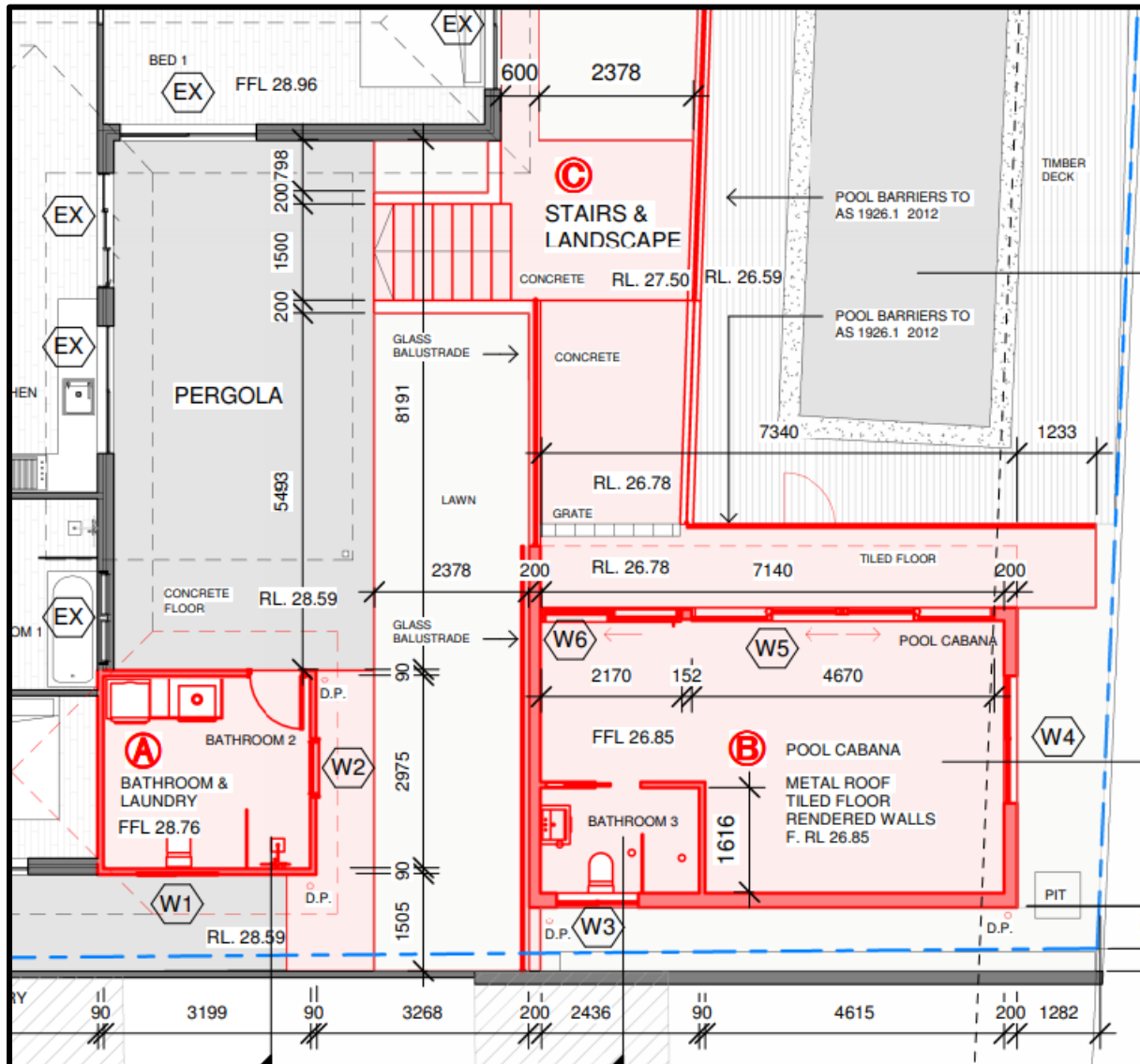
SITE PLAN SHOWING SUBJECT WORKS AS A, B AND C

The studio and ramp are illustrated in the following photograph.



SUBJECT STUDIO

The application is accompanied by a BCA report, structural engineers certification, survey report and pest and waterproofing certification.



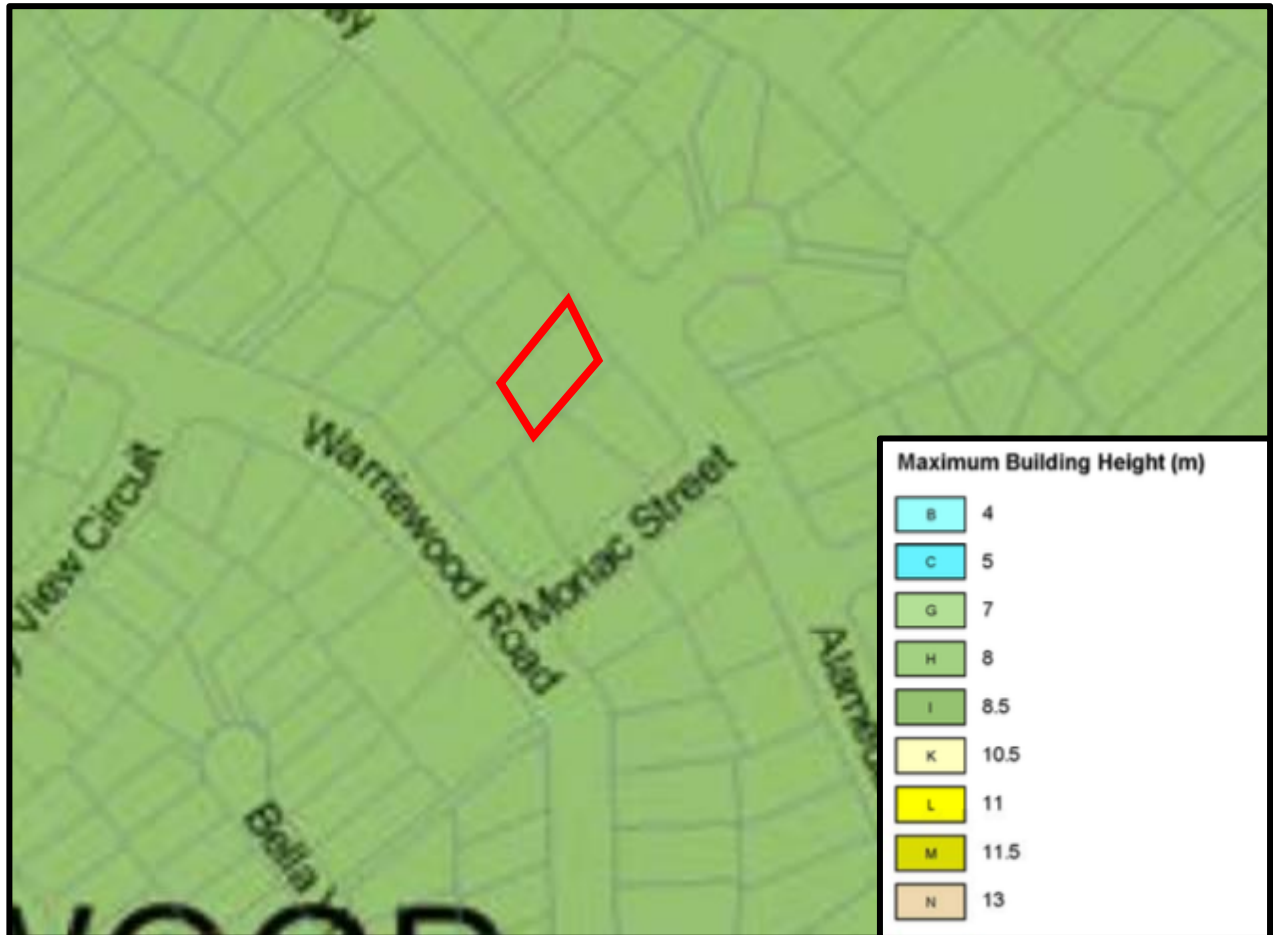
FLOORPLAN OF SUBJECT WORKS

4.0 KEY MATTERS FOR ASSESSMENT

4.1 COMPLIANCE

4.1.1 Pittwater Local Environmental Plan 2014

4.3 Height of buildings



(1) The objectives of this clause are as follows:

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,
- (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
- (c) to minimise any overshadowing of neighbouring properties,
- (d) to allow for the reasonable sharing of views,
- (e) to encourage buildings that are designed to respond sensitively to the natural topography,
- (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.

RESPONSE

The subject works are single storey only and are significantly below the 8.5m maximum building height development standard.

5.10 Heritage conservation

(1) Objectives

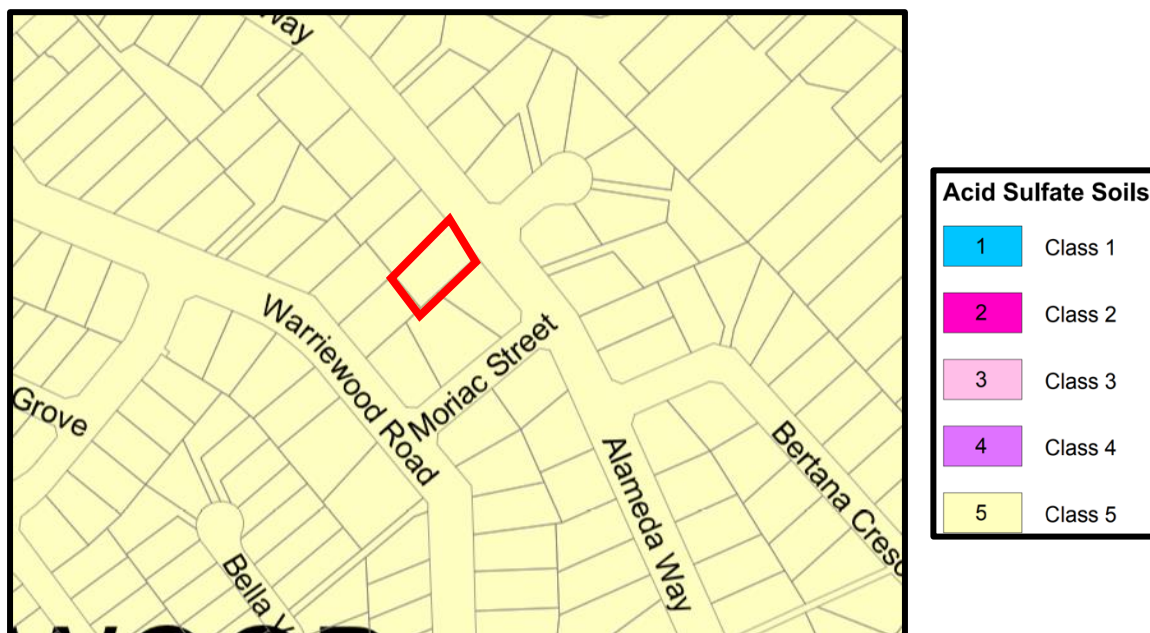
The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Pittwater,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

RESPONSE

No Heritage items are located on or nearby the subject site. The subject site is not located within a Heritage Conservation Area

7.1 Acid sulfate soils



(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

RESPONSE

The subject site is identified as Class 5 Acid Sulfate Soils, not requiring the preparation of an Acid Sulfate Soils Management Plan.

7.2 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

RESPONSE

All necessary earthworks have been completed.

7.3 Flood planning

(1) The objectives of this clause are as follows:

(a) to minimise the flood risk to life and property associated with the use of land,

(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,

(c) to avoid significant adverse impacts on flood behaviour and the environment.

RESPONSE

N/A

7.6 Biodiversity

(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:

(a) protecting native fauna and flora, and

(b) protecting the ecological processes necessary for their continued existence, and

(c) encouraging the conservation and recovery of native fauna and flora and their habitats.

RESPONSE

N/A

7.7 Geotechnical hazards

(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:

(a) matches the underlying geotechnical conditions of the land, and

(b) is restricted on unsuitable land, and

(c) does not endanger life or property.

RESPONSE

N/A

4.1.2 Pittwater 21 Development Control Plan

Section B General Controls

B1.3 Heritage Conservation - General

Outcomes

Conservation of the environmental heritage across Pittwater LGA in accordance with the principles contained in the Burra Charter.

Enhancement of the existing heritage values and encouragement of contemporary design that responds appropriately to their context.

Development respectful of environmental heritage undertaken in a manner that is sympathetic to, and does not detract from, any heritage significance.

RESPONSE

N/A

B3 Hazard Controls

B3.1 Landslip Hazard

Outcomes

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

RESPONSE

N/A

B3.2 Bushfire Hazard

Outcomes

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

RESPONSE

N/A

B3.4 Coastline (Bluff) Hazard

Outcomes

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

RESPONSE

N/A

B3.6 Contaminated Land and Potentially Contaminated Land

Outcomes

Protection of public health.

Protection of the natural environment.

Successful remediation of contaminated land.

RESPONSE

The subject site has historically been used for residential purposes and it is not considered that the proposal will be impacted upon by contaminated land.

B4 Controls Relating to the Natural Environment

B4.11 Land Adjoining Bushland

Outcomes

To protect bushland from impacts associated with development on adjoining land.

Biodiversity, ecological processes and other bushland values are conserved.

RESPONSE

The works are limited to existing built upon areas, whilst landscaping works have been carried out on site.

B5 Water Management

B5.1 Water Management Plan

Outcomes

Effective management of all water and wastewater resources.

Protection of receiving environments downstream of all water management systems.

RESPONSE

The subject works are connected to the sewer system of Sydney Water whilst the stormwater generated by the subject works is connected to the reticulated stormwater drainage system within the Drainage Easement at the rear of the subject site.

B5.3 Greywater Reuse

Outcomes

Effective management of grey water treatment systems which maintain disposal to Sydney Water central reticulation system (for disposal in cases of emergency breakdown/malfunction).

Effective management of on-site sewage and effluent systems to ensure environmental and public health protection.

Water Conservation

RESPONSE

N/A

B5.4 Stormwater Harvesting

Outcomes

Minimise quantity of stormwater runoff.

Minimise surcharge from the existing drainage systems.

Reduce water consumption and waste in new development.

Implement the principles of Water Sensitive Urban Design

RESPONSE

No stormwater harvesting device was observed on site however sufficient space is available on site if deemed necessary.

B5.11 Stormwater Discharge into Waterways and Coastal Areas

Outcomes

All new development to have no adverse environmental impact at the discharge location.

RESPONSE

N/A

B5.12 Stormwater Drainage Systems and Natural Watercourses

Outcomes

The integrity of stormwater drainage systems, easements and natural watercourses are maintained.

Stormwater flows including overland flow have continuity and are not impeded.

RESPONSE

The subject works, namely the rearmost wall of the studio/cabana encroaches by up to approximately 400mm within the Easement. This encroachment however allows sufficient space for access to the infrastructure within the easement for maintenance and/or replacement of the drainage line within.

B5.13 Development on Waterfront Land

Outcomes

Protection of waterways and improved riparian health

Stormwater and creek flows are safely managed.

Appropriate setback between waterways and development

RESPONSE

N/A

B6 Access and Parking

B6.1 Access driveways and Works on the Public Road Reserve

Outcomes

Safe and convenient access.

Adverse visual impact of driveways is reduced.

Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation in the road reserve.

RESPONSE

No change to the access driveway is proposed.

B6.2 Internal Driveways

Outcomes

Safe and convenient access.

Reduce visual impact of driveways.

Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation.

Reduce contaminate run-off from driveways.

RESPONSE

No change to the internal driveway is proposed.

B6.5 Off-Street Vehicle Parking Requirements - Low Density Residential

Outcomes

Safe and convenient parking.

RESPONSE

No change to the vehicle parking is proposed.

B8 Site Works Management

B8.1 Construction and Demolition - Excavation and Landfill

Outcomes

Site disturbance is minimised.

Excavation, landfill and construction not to have an adverse impact.

Excavation and landfill operations not to cause damage on the development or adjoining property.

RESPONSE

Construction has been completed.

B8.2 Construction and Demolition - Erosion and Sediment Management

Outcomes

Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites.

Reduction of waste throughout all phases of development.

Public safety is ensured.

Protection of the public domain.

RESPONSE

Construction has been completed.

B8.3 Construction and Demolition - Waste Minimisation

Outcomes

Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.

RESPONSE

Construction has been completed.

B8.4 Construction and Demolition - Site Fencing and Security

Outcomes

Ensuring public safety.

Protection of public domain.

RESPONSE

Construction has been completed.

B8.5 Construction and Demolition - Works in the Public Domain

Outcomes

Protection of Infrastructure.

Ensuring Public Safety.

Compliance with the Roads Act 1993.

RESPONSE

Construction has been completed.

B8.6 Construction and Demolition - Traffic Management Plan

Outcomes

Minimal disturbance to the residential community.

Protection of Roads.

RESPONSE

Construction has been completed.

Section C Development Type Controls

C1 Design Criteria for Residential Development

C1.1 Landscaping

Outcomes

A built form softened and complemented by landscaping.

Landscaping reflects the scale and form of development.

Retention of canopy trees by encouraging the use of pier and beam footings.

Development results in retention of existing native vegetation.

Landscaping results in the long-term retention of Pittwater's locally native tree canopy.

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species

Landscaping enhances habitat and amenity value.

Landscaping results in reduced risk of landslip.

Landscaping results in low watering requirement.

RESPONSE

The subject works have not impacted upon the visible landscaping to the Alameda Way frontage whilst the subject works allow for the provision of landscaping to the periphery of the site and will be supplemented by landscaping to the area between the existing garage and pool deck.

C1.2 Safety and Security

Outcomes

On-going safety and security of the Pittwater community.

Opportunities for vandalism are minimised.

Inform applicant's of Council's requirements for crime and safety management for new development.

Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements

Identify crime and safety priority areas in Pittwater LGA

Improve community safety and reduce the fear of crime in the Pittwater LGA

Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety.

RESPONSE

The principles of CPTED have been incorporated within the subject works.

C1.3 View Sharing

Outcomes

A reasonable sharing of views amongst dwellings.

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.

Canopy trees take priority over views.

RESPONSE

The subject works do not impact upon any public or private view corridors.

C1.4 Solar Access

Outcomes

Residential development is sited and designed to maximise solar access during mid-winter.

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

Reduce usage and/dependence for artificial lighting.

RESPONSE

The subject site provides for the requisite amount of solar access to the private open space pergola at the rear of the subject dwelling.

C1.5 Visual Privacy

Outcomes

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.

A sense of territory and safety is provided for residents.

RESPONSE

The subject works internalise the overlooking to maintain visual privacy to and from adjacent areas private open space.

C1.6 Acoustic Privacy

Outcomes

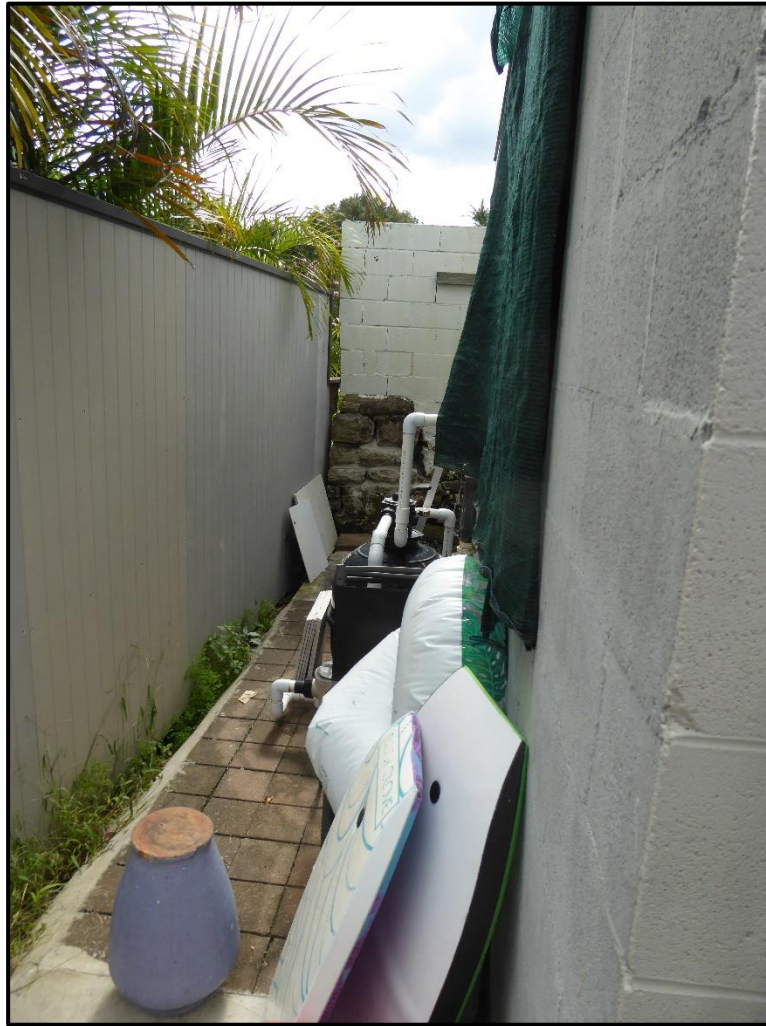
Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.

Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas

RESPONSE

The pool pump equipment is shielded from impacting upon the sensitive locations adjoining the subject site to maintain acoustic privacy.

See following photograph.



POOL PUMP AT REAR OF SUBJECT SITE

C1.7 Private Open Space

Outcomes

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.

Private open space is integrated with, and directly accessible from, the living areas of dwellings.

Private open space receives sufficient solar access and privacy.

RESPONSE

The rear yard area has generous areas of private open space, one area within the pergola at the rear of the subject dwelling and a further area surrounding the inground pool as shown in the following photograph.



PRIVATE OPEN SPACE AROUND POOL

C1.9 Adaptable Housing and Accessibility

Outcomes

The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.

All members of the community enjoy equitable access to buildings to which the general public have access.

Housing for Seniors or People with a Disability is accessible, adaptable and safe.

Equitable access in the public domain.

RESPONSE

The subject studio is not a separate dwelling as there are no cooking facilities within.

C1.12 Waste and Recycling Facilities

Outcomes

To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development.

To encourage environmentally protective waste management practices on construction and demolition sites which include:

- sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities;*
- adoption of design standards that complement waste collection and management services offered by Council and private service providers;*
- building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and*
- appropriately designed waste and recycling receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area.*

To encourage the ongoing minimisation and management of waste handling in the future use of premises.

To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.

To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.

To minimise any adverse environmental impacts associated with the storage and collection of waste.

To discourage illegal dumping.

RESPONSE

Waste and recycling facilities will remain unchanged on-site with the proposal not considered to increase waste generation or requirements for waste disposal and recycling.

C1.13 Pollution Control

Outcomes

Development that does not adversely impact on public health, the environment or other lands.

RESPONSE

It is not considered that the proposal will result in an increase of pollution generated upon the site. The subject site will retain its principle use as a residential dwelling and it is not foreseen that this will generate any adverse impact on public health or the environment.

C1.14 Separately Accessible Structures

Outcomes

Separately accessible structures that provide a recreational or office function for residents.

RESPONSE

The subject cabana/studio is for the use of the owner's family for recreational and office purposes.

C1.23 Eaves

Outcomes

Housing that reflects the coastal heritage and character of Pittwater.

Optimise roof forms.

Appropriate solar access and shading is achieved.

RESPONSE

The alterations and additions to the dwelling have incorporated eaves, consistent with the original structure.

C1.24 Public Road Reserve - Landscaping and Infrastructure

Outcomes

Desirable character of the Pittwater streetscape.

Consistency in the design and construction of landscape works in the road reserve.

RESPONSE

No works are proposed in the public road reserve.

C1.25 Plant, Equipment Boxes and Lift Over-Run

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To achieve reduction in visual clutter.

The appropriate location and design of noise generating equipment.

RESPONSE

See earlier comments re pool equipment location.

Section D Locality Specific Development Controls

D16 Warriewood Valley Locality

D14.1 Character as viewed from a public place

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

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.

High quality buildings designed and built for the natural context and any natural hazards.

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum.

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

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.

RESPONSE

The subject works are consistent with the above character statement in that the works are single storey, at a human scale and do not erode the character of the adjacent parkland.

D14.2 Scenic protection - General

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment.

Preservation of the visual significance of the Ingleside/Warriewood Escarpment.

RESPONSE

The works carried out do not offend these objectives.

D14.3 Building colours and materials

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment.

The visual prominence of the development is minimised.

Damage to existing native vegetation and habitat is minimised.

RESPONSE

The building colours and materials are consistent with the existing dwelling.

D14.7 Front building line

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places.

The amenity of residential development adjoining a main road is maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Vehicle manoeuvring in a forward direction is facilitated.

To preserve and enhance the rural and bushland character of the

escarpment and the locality.

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

RESPONSE

N/A

D14.8 Side and rear building line

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

Vegetation is retained and enhanced to visually reduce the built form.

To preserve and enhance the rural and bushland character of the locality.

To ensure a landscaped buffer between commercial and residential zones is established.

RESPONSE

The subject cabana/studio is non-compliant with the side setback control, being less than 1 metre on one side and non-compliant with the rear setback control being less than 6.5 metres from the rear boundary.

The non-compliant components for the subject works however are consistent with a significant number of nearby sites and exhibit no material impacts in terms of overshadowing, visual or acoustic privacy or view loss.



SURROUNDING LOCALITY WITH SUBJECT SITE FLAGGED (NEARMAP)

D14.11 Building envelope

To achieve the desired future character of the Locality.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Vegetation is retained and enhanced to visually reduce the built form.

RESPONSE

The subject works are compliant with the Building Envelope control.

D14.12 Landscaped Area - General

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

A reasonable level of amenity and solar access is provided and maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Conservation of natural vegetation and biodiversity.

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area.

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

RESPONSE

The subject works result in a landscaped area of 151.9 m² and a pervious area of 157.4 m², a total of 28% of the subject site.

This non compliance is in the rear of the subject site and does not reduce the appearance of the subject site from the Alameda Way frontage, a well landscaped frontage with mature vegetation to give effect to achieving the desired future character of the locality.

D14.15 Fences - General

To achieve the desired future character of the Locality.

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street.

Fences, where provided, are suitably screened from view from a public place.

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians.

To ensure heritage significance is protected and enhanced.

To ensure an open view to and from the waterway is maintained.

RESPONSE

No fencing is proposed apart from the internal pool safety fencing.

D14.17 Construction, Retaining walls, terracing and undercroft areas

To achieve the desired future character of the Locality.

To protect and minimise disturbance to natural landforms.

To encourage building design to respond sensitively to natural topography.

RESPONSE

The outdoor area contains a mix of retaining structures and timber decking.

5.0 SECTION 4.15(1) ASSESSMENT

The following is a summary assessment of the proposed use of development under the heads of consideration contained in Section 4.15(1) of the Environmental Planning and Assessment Act.

Section 4.15(1)(a)(i) - The provisions of any environmental planning instrument

The relevant provisions of the PLEP have been addressed in the body of this Statement.

Section 4.15(1)(a)(ii) - The provisions of any draft environmental planning instrument

N/A

Section 4.15(1)(a)(iii) - The provisions of any development control plans

The relevant provisions of the Pittwater DCP have been addressed in the body of this Statement.

Section 4.15(1)(a)(iiia) – The provisions of any planning agreement

N/A

Section 4.15(1)(a)(iv) - Matters prescribed by the Regulations

The relevant regulations have been given due regard in the construction of this Statement.

Section 4.15(1)(b) - Likely impacts of the development

The works have been assessed under the following parameters, where relevant:

- context and setting;
- access, transport and traffic;
- the public domain;
- utilities;
- heritage;
- other land resources;
- water;
- soils;
- air and microclimate;
- flora and fauna;
- waste;
- energy;
- noise and vibration;
- natural hazards;
- technological hazards;
- safety, security and crime prevention;
- site design and internal design;
- construction; or
- cumulative impacts.

Section 4.15(1)(c) - Suitability of the site for the development

The subject site, by virtue of its existing layout, topography and locality is suitable for the subject works.

Section 4.15(1)(d) - Submissions

Any submissions received in response to Councils notification of the proposal will be considered as part of Councils assessment of the proposal.

Section 4.15(1)(e) - Public interest

The subject works endorse the public interest by limiting the impact of the proposal to (generally) the existing disturbed footprint, with subsequent limited disturbance to the natural and built environment.

6.0 CONCLUSION

The works, the subject of a separate Building Information Certificate Application have been carried out without the requisite Development Consent being obtained prior to the commencement of works.

Although the works have been erected without consent, the works are nonetheless reasonable and do not materially impact upon the locality in terms of overshadowing, building bulk, privacy, view loss or loss of biodiversity and it is reasonably contemplated that should the matter have been submitted as a Development Application, the proposal would have been granted conditional consent.

Given the lack of material impacts I am of the view that the Development Application for the use of the works, although unauthorised, is worthy of consent.

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APPENDIX A - COMPLIANCE TABLE

PLEP 2014	Control	Proposal	Compliance	Comment
Zone	R2 Low Density Residential		Yes	
Minimum Subdivision Lot Size	530m ²	N/A		
Height of Buildings	8.5m	Approximately 3 m in height	Yes	
Floor Space Ratio	N/A	N/A	N/A	
Pittwater DCP 21				
Front Setback	6.5, or established building line, whichever is the greater.	No change to existing	Yes	
Side Setbacks	2.5 to at least one side; 1.0 for other side	Less than 1 m to one side	No	The works are marginally below the 1 m minimum however there is no material impact as a consequence of this breach.
Rear Setback	6.5 rear	Less than 6.5 m to the rear boundary	No	The works although non-compliant do not overshadow or result in the loss of any views.

Wall Height and incline plane	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		Yes	
Landscaped Areas	The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.		No	The subject works are restricted to the rear of the subject site only and the well landscaped front setback is retained.