

# Statement of Environmental Effects

---

Alterations and additions to an existing dwelling house at  
4 Peita Crescent, Mona Vale NSW 2103

<b>Author:</b>	Momcilo Romic
<b>Date Issued:</b>	7 October 2020
<b>Revision:</b>	Final

***COPYRIGHT***

*Romic Planning reserves all copyright of intellectual property in any or all of the documents issued by Romic Planning. No consent, permission, licence or authority is granted by Romic Planning to any person(s) or organisation(s) to apply any of Romic Planning documents for any purpose(s) without the prior written and formal consent of Romic Planning.*

***REPORT and accompanying detail(s) DISCLAIMER***

*The content and findings in this report and accompanying detail(s) has been prepared for the client(s) acknowledged and cannot be relied upon or used by any third party.*

*Any formal representation, statement, opinion or advice, expressed or implied in the content and findings in this report and accompanying detail(s) is made in good faith only but on the basis that Romic Planning is not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss at all which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in any respect of any formal representation, statement, opinion or advice referred to above.*

***Momcilo Romic***  
***Town Planning Consultant***

***Postal Address: PO Box W85, Fairfield West NSW 2165***

***Mob: 0404 841 933***

***Email: momcilo@romicplanning.com***

***Web: www.romicplanning.com***

## Table of Contents

<b>1. Introduction .....</b>	<b>4</b>
<b>2. Site Details .....</b>	<b>4</b>
2.1. Location .....	4
2.2. Zoning .....	6
<b>3. Development Proposal .....</b>	<b>6</b>
<b>4. Permissibility .....</b>	<b>7</b>
<b>5. Matters of Consideration .....</b>	<b>7</b>
5.1. Section 4.15(1)(A)(i) – any environmental planning instruments .....	7
Pittwater Local Environmental Plan 2014 .....	8
5.2. Section 4.15(1)(A)(ii) – any draft environmental planning instrument(s) .....	9
5.3. Section 4.15(1)(A)(iii) – any development control plan(s) .....	9
5.4. Section 4.15(1)(A)(iiia) – any planning agreement or draft planning agreement .....	11
5.5. Section 4.15(1)(A)(iv) – the regulations .....	11
5.6. Section 4.15(1)(B) – the likely impacts of the development .....	11
5.7. Section 4.15(1)(C) – the suitability of the site .....	12
5.8. Section 4.15(1)(D) – any submission made .....	12
5.9. Section 4.15(1)(e) – the public interest .....	12
<b>6. Conclusion and Recommendation .....</b>	<b>13</b>

## 1. Introduction

The development proposal entails alterations and additions to an existing dwelling house at 4 Peita Crescent, Mona Vale NSW 2103.

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

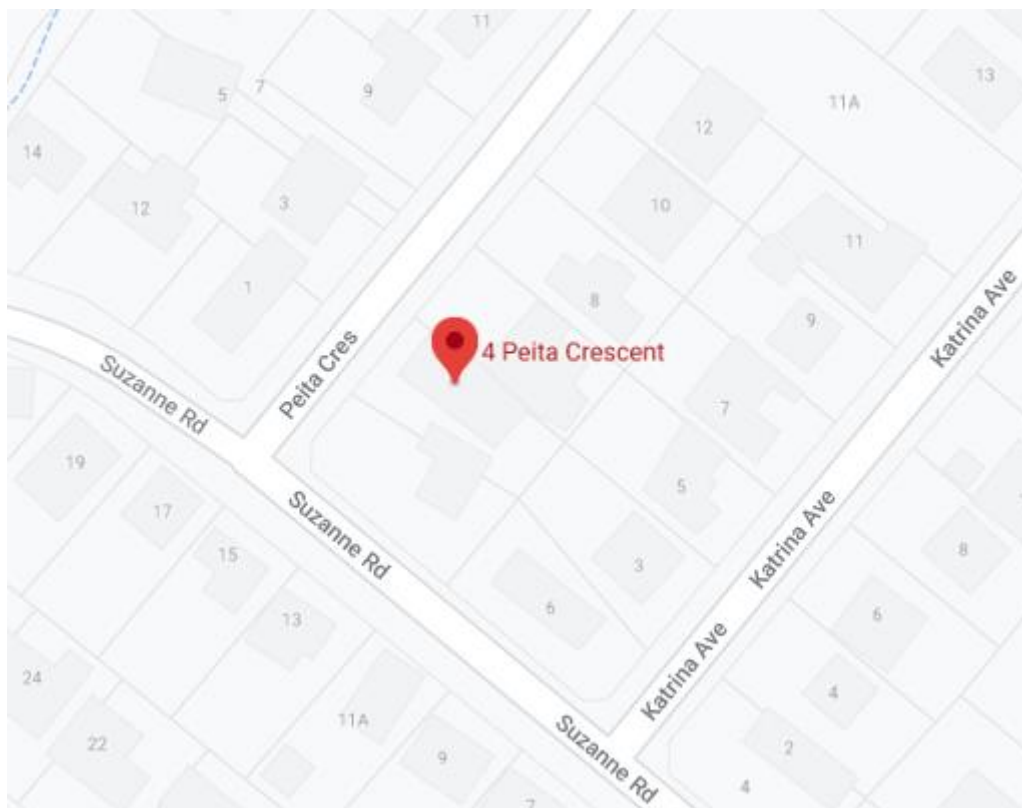
The main body of this report will review the key planning considerations for a consent authority under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979 and recommends approval.

## 2. Site Details

### 2.1. Location

The subject site is a regular sized rectangular land holding consisting of a Torrens title lot located on the eastern side of Peita Crescent and is legally identified as Lot 39 in DP237394, known as 4 Peita Crescent, Mona Vale NSW.

A location plan of the site is provided below.



*Location Plan.*



*Aerial Photograph.*

The site has a total surface area of 696.7 sq.m and a road frontage of 21 metres.

At the site stands a part 1 and 2 storey rendered brick and tile residence, decorative front fence, pool, paved areas and outbuilding which is proposed to be demolished.



*Subject site*

Surrounding development consists of detached residential dwellings of varying age, scale and design within a landscaped setting.

## 2.2. Zoning

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

A zoning map is provided below.



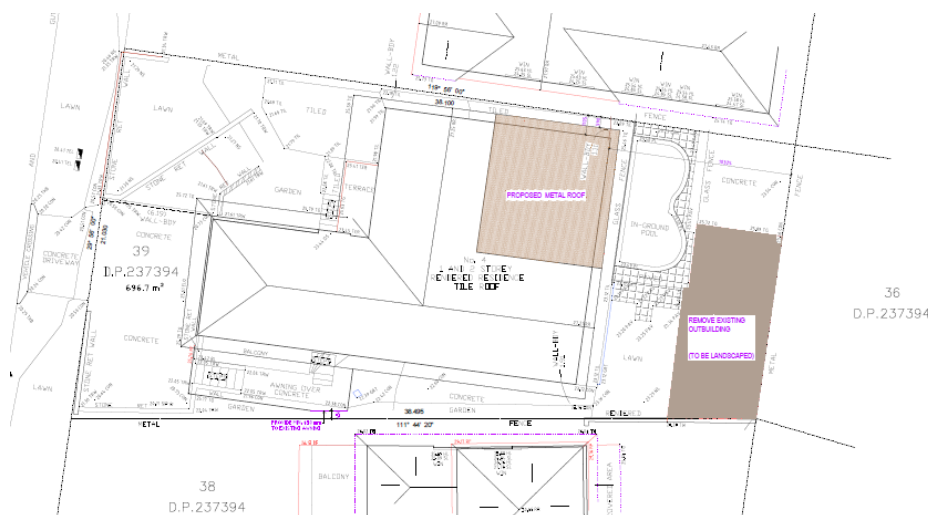
*Zoning map of the site.*

## 3. Development Proposal

The Development Application proposes the following works:

- Demolition of an existing outbuilding.
- New landscaping to the rear private open space area.
- Modification to an existing awning to the side boundary.
- New roof line and external wall changes to the rumpus room and removal of cooking appliances.
- Ancillary works.





*Proposed changes highlighted.*

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

#### 4. Permissibility

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

#### 5. Matters of Consideration

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

###### SEPP 55 - Remediation of Land

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

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

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

###### SEPP (Coastal Management) 2018

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

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

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

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

Opinion:

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

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

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

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

Opinion:

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

**Pittwater Local Environmental Plan 2014**

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

**Principal Development Standards**

Standard	Requirement	Proposed	Complies
----------	-------------	----------	----------



Height of Buildings:	8.5m	3.15m	Yes
----------------------	------	-------	-----

### Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes
5.4 Controls relating to miscellaneous permissible uses	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.3 Flood planning	Yes
7.6 Biodiversity protection	Yes
7.7 Geotechnical hazards	Yes
7.10 Essential services	Yes

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

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

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

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

### Compliance Analysis

Built Form Control	Requirement	Proposed
Front building line	6.5m	Existing/no change
Rear building line	6.5m	Existing/main line 10.3m
Side building line	1 m	1.1m side boundary (north). Existing awning (south boundary) to be modified to comply with NCC.
Building envelope	3.5m	Existing and below 3.5m.
Landscaped area	60%	Increased onsite.

## Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.10 Newport Locality	Yes	Yes
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B3.1 Landslip Hazard	Yes	Yes
B3.2 Bushfire Hazard	N/A	N/A
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.11 Flood Prone Land	Yes	Yes
B3.13 Flood Hazard - Flood Emergency Response planning	Yes	Yes
B4.6 Wildlife Corridors	Yes	Yes
B5.7 Stormwater Management - On-Site Stormwater Detention	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.2 Construction and Demolition - Erosion and Sediment Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.11 Secondary Dwellings and Rural Worker's Dwellings	N/A	N/A

Clause	Compliance with Requirements	Consistency Aims/Objectives
C1.23 Eaves	Yes	Yes
D10.1 Character as viewed from a public place	Yes	Yes
D10.3 Scenic protection - General	Yes	Yes
D10.4 Building colours and materials	Yes	Yes
D10.7 Front building line (excluding Newport Commercial Centre)	Yes	Yes
D10.8 Side and rear building line (excluding Newport Commercial Centre)	No	Yes
D10.11 Building envelope (excluding Newport Commercial Centre)	N/A	N/A
D10.13 Landscaped Area - Environmentally Sensitive Land	N/A	N/A
D10.16 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

#### **5.4. Section 4.15(1)(A)(iiia) – any planning agreement or draft planning agreement**

There are no related matters for consideration in terms of a planning agreement or draft planning agreement which affects the proposal.

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

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

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

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

There would be no undue impact upon the natural and built environment within the vicinity of the subject site as a result of the proposed works.

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

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

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

The site is considered suitable for the proposed development.

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

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

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

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

## **6. Conclusion and Recommendation**

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

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

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

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

**Momcilo (Momo) Romic**

Town Planning & Development Consultant

*BTP (UNSW), MEM (UNSW)*

*NSW Builder Licence No. 252856C*