



**90 ALAMEDA WAY  
WARRIEWOOD**

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR  
RETAINING WALLS IN REAR YARD**



Report prepared for  
**Shae Knights**  
September 2020

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## **1.0 Introduction**

1.1 This is a statement of environmental effects for the construction of retaining walls in the rear yard of an existing two storey dwelling known as 90 Alameda Way, Warriewood.

1.2 The report describes how the application addresses and satisfies the objectives and standards of Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

1.3 This statement of environmental effects has been prepared with reference to the following:

- Site visit
- Landscape Plans prepared by Jamie King Landscape Architect
- Survey prepared by CMS Surveyors Pty Ltd
- Geotechnical assessment prepared by Ascent Geotechnical Consulting
- Engineering Plans prepared by Taylor Consulting

1.4 The proposed development fulfils the objectives of Council controls, is considerate of neighbouring properties and results in improved amenity for the residents of the site. It is an appropriate development and is worthy of Council consent.

## 2.0 The site and its locality

- 2.1 The site is located on the northern side of Alameda Way, approximately 200 metres northeast of its intersection with Warriewood Road in Warriewood.
- 2.2 It is a rectangular shaped lot with front and rear boundaries of 19.21 metres, and side boundaries of 38.095 metres (south-eastern) and 37.77 metres (north-western). The site has a total area of 728.7m<sup>2</sup> and slopes towards Alameda Way (rear to the front of the property).
- 2.3 The site is currently occupied by a one and two storey brick dwelling with a tiled roof. An attached double garage is provided within the front of the site and the dwelling is set within landscaped gardens with a pool in the rear yard.
- 2.4 The site is surrounded by detached residential dwellings in all directions set within landscaped gardens. It is midway between the retail/commercial precincts of Ponderosa Parade and the junction of Mona Vale Road and Pittwater Road.



Figure 1. The site and its immediate surrounds





Figure 2. Aerial photograph of the subject site and surrounds.



Figure 3. The existing dwelling viewed from Alameda Way





Figure 4. Rear yard including pool renovation and terracing (exempt works)



Figure 5. Existing rear boundary behind pool area



## 4. Zoning

- 4.1 The zoning under the provisions of the Pittwater LEP 2014 is E4 Environmental Living.



Figure 8 Extract from PLEP2014 zoning map

- 4.2 Retaining walls are a permissible use with Development Consent.



## **5. Statutory Framework**

### **5.1 Pittwater Local Environmental Plan 2014**

The relevant clauses of the Pittwater Local Environmental Plan 2014 are addressed below.

#### **Zoning**

The site is zoned E4 pursuant to the provisions of the Pittwater Local Environmental Plan 2014. The proposed retaining walls are a permissible use in the E4 zone which permits residential dwellings and ancillary uses with development consent.

#### **Minimum Lot Size**

A minimum lot size of 550m<sup>2</sup> applies to the site. No subdivision is proposed as a part of this development.

#### **Height**

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development complies being retaining walls with a maximum height above existing ground level of 1.6 metres (maximum).

#### **Development within the coastal zone**

The site is not nominated on the coastal risk map.

#### **Floor Space Ratio**

The floor space ratio development standard has not been adopted for the subject site.

#### **Acid Sulphate soils**

The site is located in an area nominated as Acid Sulphate soils Class 5. No additional information is required for the proposed development. The proposal will comply with all relevant conditions of consent in this regard.

#### **Earthworks**

Earthworks, typical of landscaping construction are required and will be undertaken according to relevant standards and conditions of consent. The earthworks are designed in conjunction with a structural and geotechnical engineer and are of appropriate impact for the site and surrounds.

**Flood Planning**

The site is not located in an area impacted by flooding.

**Geotechnical Hazard**

The site is located within the geotechnical hazard zone mapped by Council's LEP and accordingly a Geotechnical Assessment Report is attached to this application.

**Biodiversity**

The site is not nominated on the biodiversity maps within the Pittwater LEP.

**Essential services**

The site is already developed with an existing dwelling and, accordingly, appropriately serviced. The proposed development will have no impact in this regard.

**5.2 Pittwater Development Control Plan**

The relevant sections of the DCP are addressed below.

**Objectives**

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposed development is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

**Part A Localities****Warriewood Locality**

The site is located within the Warriewood Locality. The proposed development has been designed taking into consideration the desired character of the location. The addition of the retaining walls is typical of the area and well designed to ensure retention of the character sought by Council and enhance amenity for the site.

**Part B General Controls****Heritage Conservation**

The site is not located in a heritage conservation area or immediately adjacent any heritage items.

**Aboriginal heritage Significance**

The site is not known or anticipated to be home to any aboriginal relics. Should any objects be discovered during excavation and construction, appropriate measures will be taken according to NSW Office of Environment and Heritage.

**Landslip Hazard**

The subject site is located in a geotechnical hazard zone. A Geotechnical Assessment Report is attached in support of this application.

**Acid Sulphate Soils**

The site is affected by Class 5 acid sulphate soils. This will have no impact for the proposed development.

**Contaminated and potentially contaminated lands**

The site is not known to be contaminated and to our best knowledge has only ever been developed for low density residential uses.

**Flood Hazard**

The site is not located within a flood prone zone.

**Water management**

The site is connected to the sewer system.  
Drainage will be compliant and will continue to comply with Council's controls.

**Access and parking**

No change to the existing compliant parking on the site will result as a part of the proposed development.

**Site works and management**

All Council controls and conditions of consent will be complied with in the construction works. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

**Part C Design Criteria for Other development****Landscaping**

The landscaped area in the front setback will remain unchanged.

**Safety and Security**

The existing site provides a safe secure environment and the proposed retaining walls will be appropriate within the existing well-designed site



**View Sharing**

No views will be impacted by the proposed development.

**Visual Privacy**

The proposal will have a negligible impact for neighbour's visual privacy with the walls to occupy an existing area of yard already used by the occupants as recreational space.

The levelling of land will increase privacy closer to neighbouring sites with the level changes ensuring that the more usable area is closer to the pool level.

**Acoustic Privacy**

The proposal will have an appropriate impact for neighbour's acoustic privacy, with impacts typical of what can be anticipated in a residential environment.

**Private Open Space**

Private open space will remain and be improved, with the 80m<sup>2</sup> required by the DCP existing and retained.

**Swimming Pool Safety**

Signage and fencing will be provided as is required according to the Swimming Pools Act 1992, regulations and according to Council conditions of consent.

**Part D – Warriewood Locality**

The site is located in the Warriewood Locality and will be appropriate within the desired character, built form and natural environment criteria as specified in the DCP. The addition of the retaining walls will be appropriate within the grounds of the dwelling and will be an asset to this space and the site.

**Character**

The proposed retaining walls will not be visible from the street frontage and are appropriate when considered with regard to the character of the locality.

**Building colours, materials and construction**

The walls will be part of a landscaped area and be an appropriate addition to the area.

**Front Building Line**

A front setback is unaffected by the proposal.

**Side and Rear setbacks**

Side setback of 2.5 m on one side and 1 m for the other side are provided in the DCP. The landscape structures are appropriate to site within the rear yard and form part of the garden area. They have varying setbacks as detailed on the plans. All setbacks are ample to satisfy the requirements for privacy, separation from neighbours and landscaping.

**Building envelope**

The building envelope is unaffected by the proposed development.

**Landscaped Area – Environmentally Sensitive Land**

A landscaped area of 60% is required for development in this E4 area. The proposed landscape area will be minimally decreased as a result of the proposed landscape works with an area of 57.77% when the 6 % variation is included as is permitted by the DCP for landscape treatments. See DA landscape plan.

This minimal departure is appropriate for the site as the development will retain ample landscaped setting and adequate drainage. The pool area is retained and is also an asset to the site and is not be to the detriment of amenity, conservation and natural vegetation or drainage and runoff.

**Construction, retaining walls, terracing and undercroft areas**

The retaining walls will be constructed in appropriate material, and set within the existing garden area of the dwelling as required by the DCP.

## 6. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

### 6.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the E4 zone.

### 6.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality

#### Context and Setting

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?
- the character and amenity of the locality and streetscape?
- the scale, bulk, height, mass, form, character, density and design of development in the locality?
- the previous and existing land uses and activities in the locality?

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- relationship and compatibility of adjacent land uses?
- sunlight access (overshadowing)?
- visual and acoustic privacy?
- views and vistas?
- edge conditions such as boundary treatments and fencing?



The proposed development has been designed to complement the site and its surrounds. The alterations are appropriate and will have appropriate and complementary impacts for adjacent properties.

### **Access, transport and traffic**

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- travel demand?
- dependency on motor vehicles?
- traffic generation and the capacity of the local and arterial road network?
- public transport availability and use (including freight rail where relevant)?
- conflicts within and between transport modes?
- traffic management schemes?
- vehicular parking spaces?

Traffic will be unaffected by the proposed development. Existing parking will be retained.

### **Public domain**

The proposed development will have positive impacts on the public domain (i.e. roads, parks etc.), with appropriate and attractive development proposed.

### **Utilities**

There will be no impact on the site, which is already serviced.

### **Flora and fauna**

There will be no impact.

### **Waste**

There will be no impact.

### **Natural hazards**

The site is not impacted by any natural hazards.

### **Economic impact in the locality**

There will be no impact, other than the possibility of a small amount of employment during construction.

### **Site design and internal design**

Is the development design sensitive to environmental conditions and site attributes including:

- size, shape and design of allotments?
- the proportion of site covered by buildings?
- the position of buildings?
- the size (bulk, height, mass), form, appearance and design of buildings?
- the amount, location, design, use and management of private and communal open space?
- landscaping?

The proposed retaining wall development is highly appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and the building on the site will remain of minimal scale and well suited to its residential surrounds.

How would the development affect the health and safety of the occupants in terms of:

- lighting, ventilation and insulation?
- building fire risk – prevention and suppression/
- building materials and finishes?
- a common wall structure and design?
- access and facilities for the disabled?
- likely compliance with the Building Code of Australia?

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

### **Construction**

What would be the impacts of construction activities in terms of:

- the environmental planning issues listed above?
- site safety?

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

### **6.3 The suitability of the site for the development**

Does the proposal fit in the locality?

- are the constraints posed by adjacent developments prohibitive?
- would development lead to unmanageable transport demands and are there adequate transport facilities in the area?
- are utilities and services available to the site adequate for the development?

The adjacent development does not impose any unusual development constraints.

#### **Are the site attributes conducive to development?**

The site is appropriate for the retaining wall development proposed.

### **6.4 Any submissions received in accordance with this Act or the regulations**

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

### **6.5 The public interest**

It is considered that the proposal is in the public interest as it allows for appropriate and positive additions to an existing residential site.

Section 4.15 of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.



## **7. Conclusions**

- 7.1 The proposed development application for the construction of retaining walls in the rear yard of an existing two storey dwelling known as 90 Alameda Way, Warriewood is appropriate considering all State and Council controls.
- 7.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3 Considering all the issues, the development is considered worthy of Council's consent achieving the objectives of all controls and resulting in a site with positive amenity and aesthetics.