



Statement of Environmental Effects

Improve vehicular ingress and egress arrangements and ancillary works to a residential property located at 14 Cheryl Crescent,
Newport

Author:	Momcilo Romic
Date Issued:	24 June 2020
Revision:	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

1. Introduction	4
2. Site Details	5
2.1. Location.....	5
2.2. Zoning.....	7
3. Development Proposal	8
4. Permissibility	9
5. Matters of Consideration	9
5.1. Section 4.15(1)(A)(i) – any environmental planning instruments.....	9
Pittwater Local Environmental Plan 2014	11
5.2. Section 4.15(1)(A)(ii) – any draft environmental planning instrument(s).....	12
5.3. Section 4.15(1)(A)(iii) – any development control plan(s)	12
5.4. Section 4.15(1)(A)(iiia) – any planning agreement or draft planning agreement.....	14
5.5. Section 4.15(1)(A)(iv) – the regulations.....	14
5.6. Section 4.15(1)(B) – the likely impacts of the development	14
5.7. Section 4.15(1)(C) – the suitability of the site	15
5.8. Section 4.15(1)(D) – any submission made	15
5.9. Section 4.15(1)(e) – the public interest	15
6. Conclusion and Recommendation	16

1. Introduction

The Development Application proposes to improve vehicular ingress and egress arrangements at the residential property located at 14 Cheryl Crescent, Newport.

Currently, the existing vehicular ingress and egress arrangements from the site at Cheryl Crescent are unsafe and dangerous.

The proposed works entail expanding the existing driveway and ancillary minor works for the dwelling house and the purpose of the works are to improve safety and visibility for vehicles servicing the property.

The development proposal is permissible in the E4 Environmental Living 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.

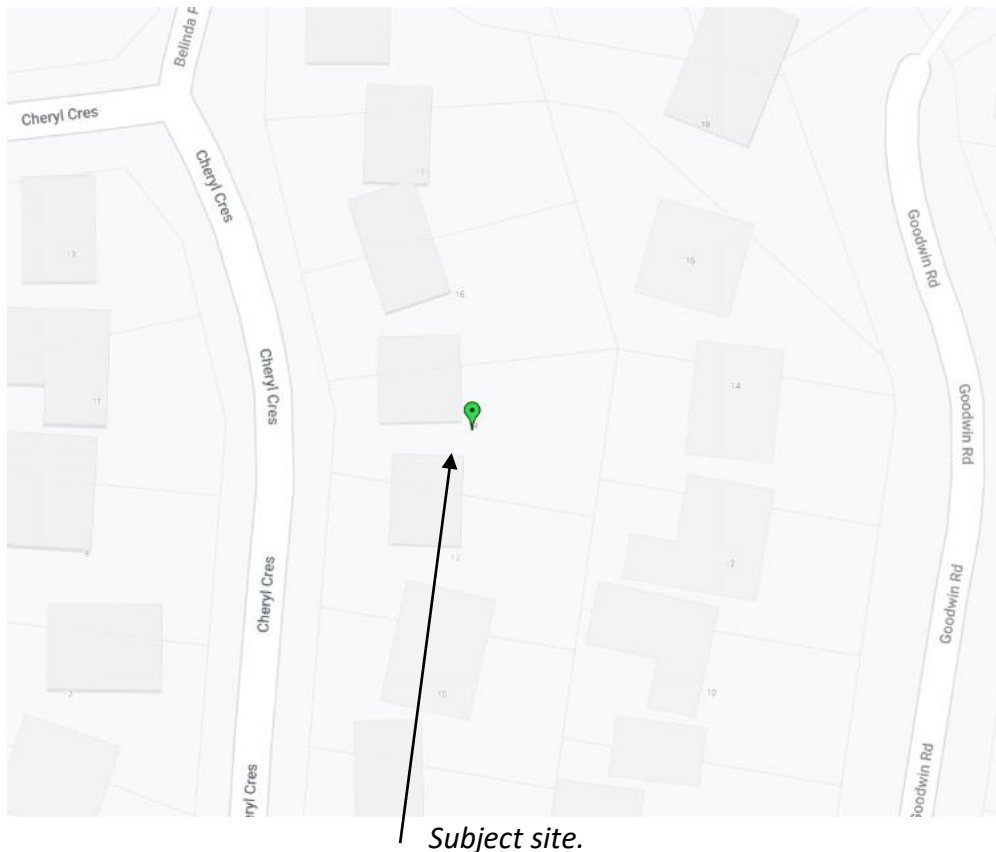
2. Site Details

2.1. Location

The subject site is a large irregular land holding on the eastern side of Cheryl Crescent and is legally identified as Lot 60 in DP 218250, known as 14 Cheryl Crescent, Newport.

Vehicular access into the property is provided with a vehicular crossing and driveway from the southern edge of the land holding at Cheryl Crescent.

A location plan of the site is provided below.





Subject site.

The site has a total surface area of 700sq.m and a road frontage of 12.875 metres.

At the site stands a 1 and 2 storey rendered and cladded dwelling house with a metal roof, car port, hard stand areas, retaining walls and scattered trees to the rear yard.

Surrounding development consists of detached residential dwellings of varying age, scale and design that have an outlook towards the ocean. Opposite the site is a large embankment with dwelling houses situated above.

The land falls south wards from the road intersection of Belinda Place and Cheryl Crescent. W-beam safety barriers are scattered alongside the eastern roadside to prevent vehicular collisions with private properties.

The current vehicular ingress and egress arrangements from the site are unsafe and the purpose of the works are to improve safety and visibility for vehicles servicing the property.

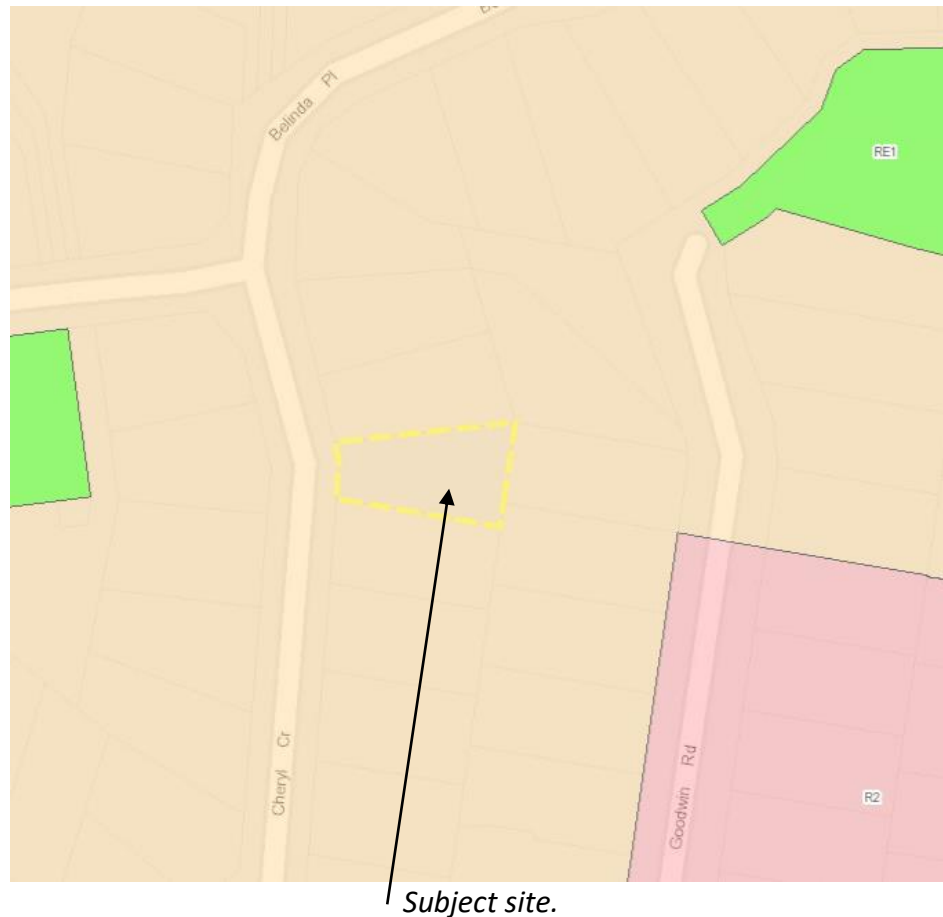
A photograph of the site's entry point is presented below.



2.2. Zoning

The site is located within the E4 Environmental Living zone pursuant to Pittwater Local Environmental Plan 2014.

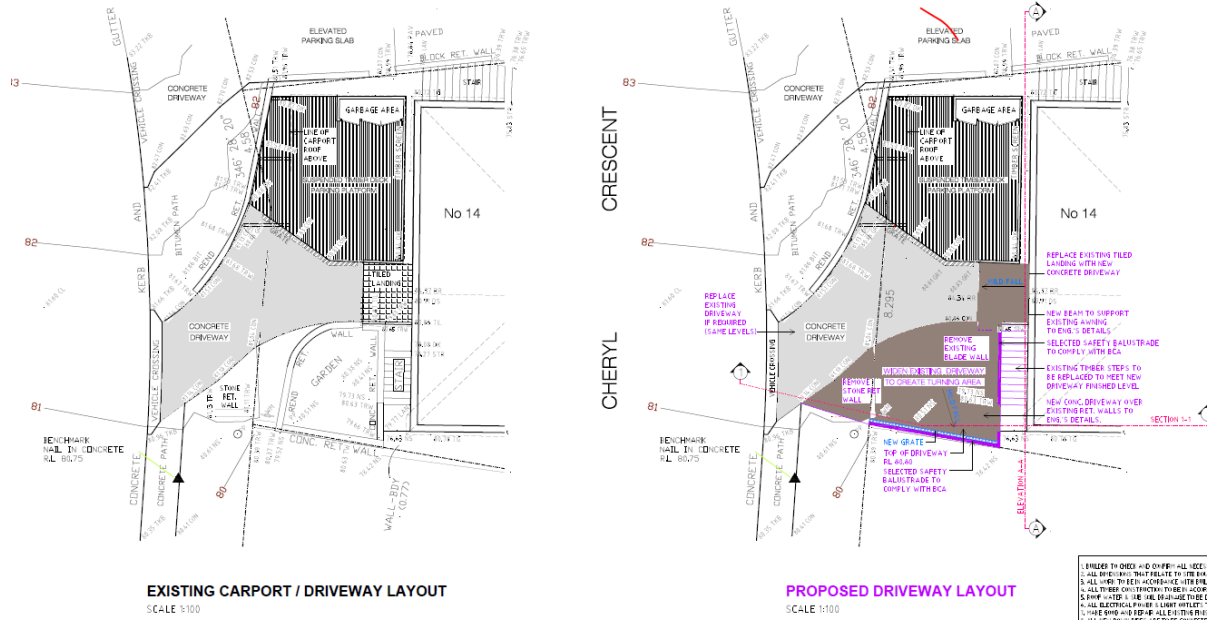
A zoning map is provided below.



3. Development Proposal

The Development Application proposes the following works:

- enlarge the existing driveway to improve safety and ingress/egress of vehicles from the site,
- minor demolition works,
- new stairs with balustrade,
- new support beam to awning, and
- ancillary works.



Proposed new driveway layout.

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

4. Permissibility

The proposed development is permissible in the E4 Environmental Living 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	No change.	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.

The location of the works is confined within the front setback area, there are no privacy and solar access constraints and amenity impacts to the adjoining property to the south are within acceptable limits.

Compliance Analysis

Built Form Control	Requirement	Proposed	Complies
Front building line	6.5m	No change.	Yes
Rear building line	6.5m	No change.	Yes
Side building line	1 m	No change.	N/A
Building envelope	3.5m	No change.	Yes
Landscaped area	60%	No change to rear building line of the dwelling. Increased hardstand to the front setback would not be antipathetic with other properties in the locality.	Yes

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	Yes	Yes
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)	Yes	Yes
D10.13 Landscaped Area - Environmentally Sensitive Land	No	Yes
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.

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

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.

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 proposed works entail expanding the existing driveway and ancillary minor works for the dwelling house these works are well below the sightline of the properties located to the west and as such no loss of views is to occur.

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.

In accordance with the Pittwater Local Environmental Plan 2014, improvement works to dwelling houses are permitted with consent in the E4 zone.

The proposed works entail expanding the existing driveway and ancillary minor works for the dwelling house and the purpose of the works are to improve safety and visibility for vehicles servicing the property.

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.

Currently, the existing vehicular ingress and egress arrangements from the site at Cheryl Crescent are unsafe and dangerous.

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

BTP (UNSW), MEM (UNSW)

NSW Builder Licence No. 252856C