



54 SHEARWATER DRIVE WARRIEWOOD

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS TO AN ATTACHED DWELLING HOUSE



Report prepared for
Mr & Mrs Gee
June 2022

CONTENTS

1. INTRODUCTION
2. THE SITE AND ITS LOCALITY
3. SITE PHOTOS
4. PROPOSED DEVELOPMENT
5. STATUTORY FRAMEWORK
6. NUMERICAL CONTROL TABLE
7. SECTION 4.15
8. CONCLUSIONS

1. Introduction

- 1.1** This is a statement of environmental effects for the alterations to an attached dwelling house at 54 Shearwater Drive, Warriewood.
- 1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan 2014 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
 - DA Plans prepared by Alex Bryden Architecture
 - Bushfire Risk Assessment Report by Bushfire Planning Services
- 1.4** The proposed development is compliant with the objectives of all Council controls, compatible with surrounding dwellings and will result in an aesthetically pleasing new dwelling on the subject site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1** The subject site is located on the northern side of Shearwater Drive, and adjoining Shearwater Lane to the north, approximately 35 metres west of its intersection with Melaleuca Place. It is legally described as Lot 146 DP 270385.
- 2.2** It is a wedged shaped lot with boundaries of 23 metres (east – defined by a party wall) and 23 metres (west – Shearwater Lane frontage) 5.29 metres (North – Shearwater Lane frontage), 5.29 metres (South – Shearwater Drive frontage). The site is generally flat.
- 2.3** The site is generally level, sloping gently to the street frontage. It currently contains a double storey attached dwelling being part of a 6-dwelling attached development.
- 2.4** The property is generally surrounded by small lot detached residential dwellings. It is located in close proximity to shops and services in Warriewood to the south and on Pittwater Road.



Figure 1. The site and its immediate surrounds

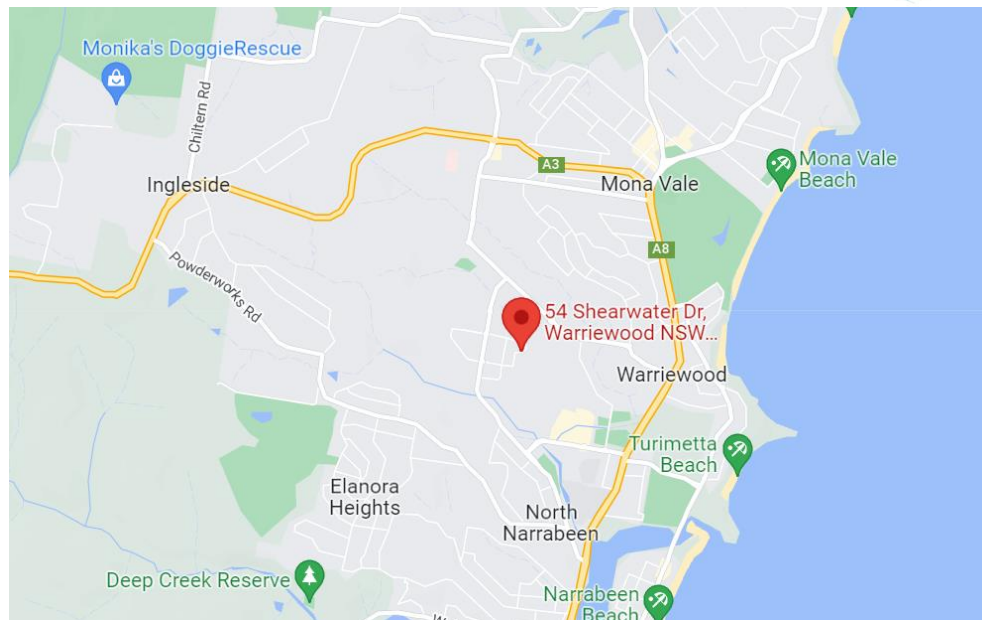


Figure 2. The site within the locality

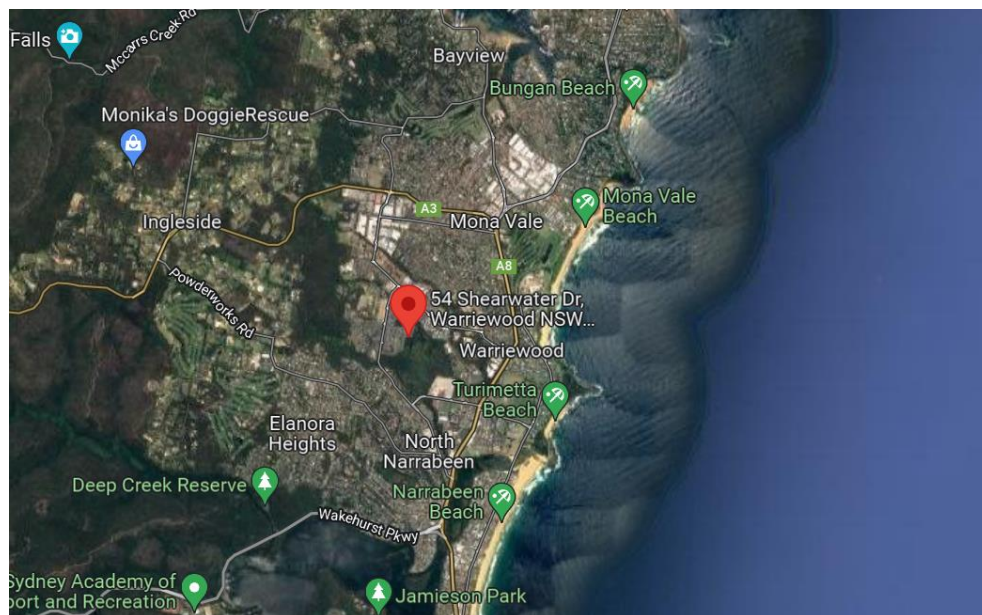


Figure 3. Aerial Image of the site within the locality

3. Site Photos



Figure 4: The subject site, looking north from Shearwater Drive including the adjoining dwelling to the east.



Figure 5: The subject site, looking north from Shearwater Drive.



Figure 6: The existing dwelling from Shearwater Lane.



Figure 7: The existing front of the dwelling and location of the balcony.



Figure 8: The existing balcony.



Figure 9: The dwellings adjoining the site, looking east.



Figure 10: existing view from the balcony to the south of the site.

4. Proposed Development

- 4.1** The proposed development is for the alteration to an existing 2 storey, 3 bedroom attached dwelling on the subject site.
- 4.2** The alterations have been designed to complement the site and minimise impacts on the surrounding environment. It will present as a complementary and aesthetically pleasing addition to Shearwater Drive.
- 4.3** The proposed alterations will be made up as follows:

First Floor

- Enclosure of the existing balcony
- Conversion of the existing lobby area and balcony space to a new Bedroom and rumpus room.

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant

State Environmental Planning Policy (Biodiversity & Conservation) 2021

Chapter 2 Vegetation in Non-Rural Areas

Chapter 2 of the SEPP aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The proposed development does not result in the removal of any significant vegetation and remains consistent with the SEPP.

State Environmental Planning Policy (Resilience & Hazards) 2021

Chapter 4 Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

5.2 Pittwater Local Environmental Plan 2014

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

Zoning

The site is zoned R3 Medium Density Residential pursuant to the provisions of the Pittwater Local Environmental Plan 2014. The proposed development is a permissible use in the R3 zone which permits attached dwellings with development consent.

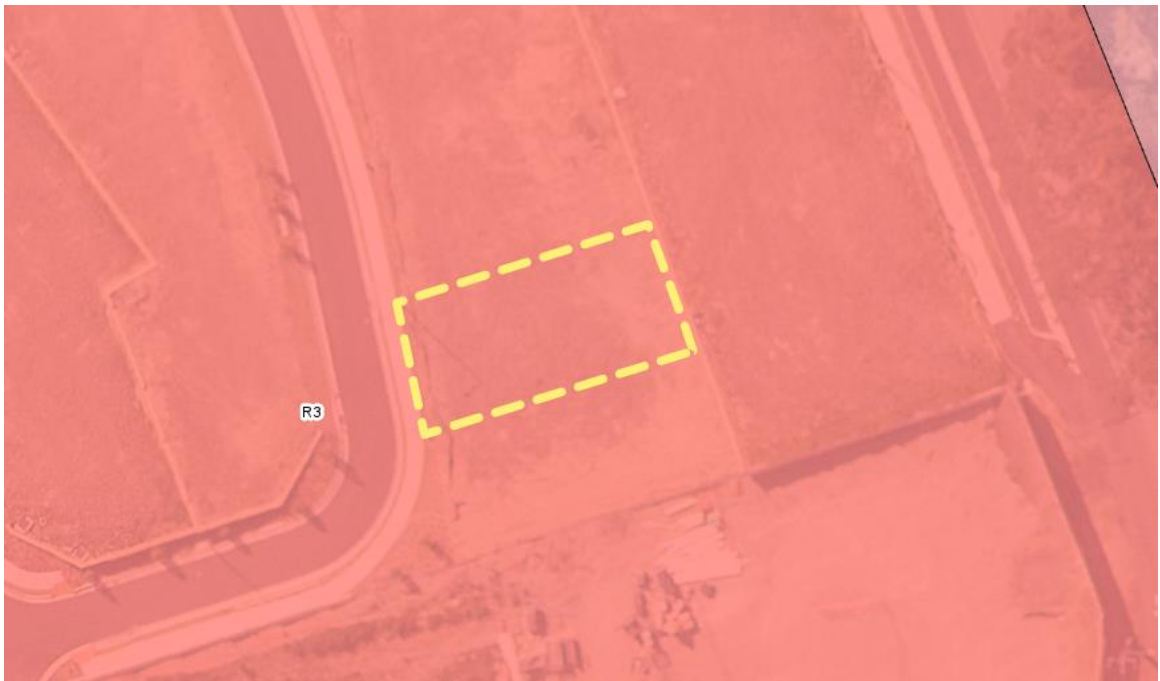


Figure 11: Extract from Pittwater LEP 2014 Zoning Map

Minimum Lot Size

The site is not mapped with a minimum lot size under this clause.

Height of Buildings

The subject site is mapped with a maximum building height of 8.5 metres. The development has an existing compliant maximum height of **7.724 metres**. The alterations do not change the existing building height.

Floor Space Ratio

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

Heritage Conservation

The site is not a heritage item and is not located within a heritage conservation area. The site is adjacent Warriewood Wetlands which are a Local Heritage Item.



Figure 12: Extract from Pittwater LEP 2014 Heritage Map

In accordance with Cl. 5.10(4) of LEP 2014 the consent authority must consider:

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
 - (b) on land that is within a heritage conservation area, or*
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

The development proposes alterations to an existing attached dwelling contained within the existing building footprint. The development will have no effect on the heritage item.

Flood Planning

The land is identified as being between the flood planning area and the probable maximum flood and subject to flood related development controls. The alterations are to be contained within the existing attached dwelling with no ground works proposed.

Warriewood Valley Release Area

The subject site is located within the Warriewood Valley urban release area (Sector 12). The development remains consistent with density controls for the locality as it proposes alteration to an existing attached dwelling on an existing lot.

In addition, before granting development consent, the consent authority must consider the following:

- (a) opportunities for rehabilitation of aquatic and riparian vegetation, habitats and ecosystems within creek line corridors,*
- (b) the water quality and flows within creek line corridors,*
- (c) the stability of the bed, shore, and banks of any watercourse within creek line corridors.*

Comment

The subject site will have no impact aquatic and riparian vegetation, habitats and ecosystems, water quality and flows or the stability of the bed, shore, and banks of any watercourse as it is not located within a creek line corridor.

Acid Sulfate Soils

The site is nominated as Class 2 and Class 3 Acid Sulfate soils. The proposed works are at upper level and contained within the existing building footprint. No ground works are proposed.

Essential services

All essential services are available to the subject site.

5.3 Pittwater 21 Development Control Plan

The relevant sections of the DCP are addressed below.

Section A Shaping Development in Pittwater

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.

A4 Localities

Warriewood Valley Locality

The subject site is located within the Warriewood Valley Locality.

Warriewood Valley is situated at the base of the escarpment, known as Ingleside Chase Reserve, between Mona Vale and Warriewood (see map). It comprises of land known as "Stage 1 Release" and land identified as the Warriewood Valley Release Area.

The Warriewood Valley Release Area, first identified in 1997 as a Release Area, comprises of 110 hectares including 32.68 hectares of industrial/commercial land and associated community facilities and infrastructure. Two recent reviews have been undertaken, firstly the Warriewood Valley Strategic Review 2012 and secondly the Warriewood Valley Strategic Review Addendum Report 2014. The Release Area now includes land within 400m of the Warriewood Sewerage Treatment Plant (known as Buffer Areas 1, 2 and 3) encompassing an area of approximately 190 hectares.

Warriewood Valley Release Area is primarily a residential area expected to provide a total of 2,451 new dwellings (this figure includes the dwellings approved under the former Part 3A legislation but does not include development in Stage 1 Release considered to be completed in 1997.). When completed, it is anticipated to accommodate 6,618 residents (based on an average household occupancy of 2.7 persons per household).

Warriewood Valley Release Area continues to be developed as a desirable urban community in accordance with the adopted planning strategy for the area and will include a mix of low to medium density housing, industrial/commercial development, open space and community services. The creekline corridors, roads and open space areas form the backbone of the new community, complemented with innovative water management systems, the natural environment, pedestrian/cycle path network, public transport, and recreation facilities.

Stage 1 Release, has a residential component and a business/industrial component. The residential area is characterised by two storey residential attached dwellings with the area fully developed. The industrial/business area is defined by up to three storey large complexes that generally contain

smaller units. The majority of the business/industrial zoned land has been developed with some smaller parcels still to be developed in the northern industrial area.

The Warriewood Valley locality is characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses.

Warriewood Valley is affected by various hazards and contains heavily vegetated areas, threatened species, or areas of natural environmental significance, which are identified on various maps within the Pittwater LEP 2014.

A number of identified heritage items are located in Warriewood Valley.

The proposed development has been designed taking into consideration the adopted planning strategy for the area and remains consistent with the characterised developed in the locality.

The development is located on an and within an approved residential lot and will not impact upon the surrounding natural environment. The alterations do not propose ground works. The adjacent heritage item will not be unduly affected.

Section B General Controls

The Warriewood Valley locality is excluded from a number of controls in this section.

Aboriginal heritage Significance

The site is not known or anticipated to be home to any aboriginal relics. The alterations are to be contained within the existing attached dwelling with no ground works proposed.

B3 Hazard Controls

Landslip Hazard

The subject site is not identified as a geotechnical hazard zone.

Bushfire Hazard

The subject site is mapped as bushfire prone land.

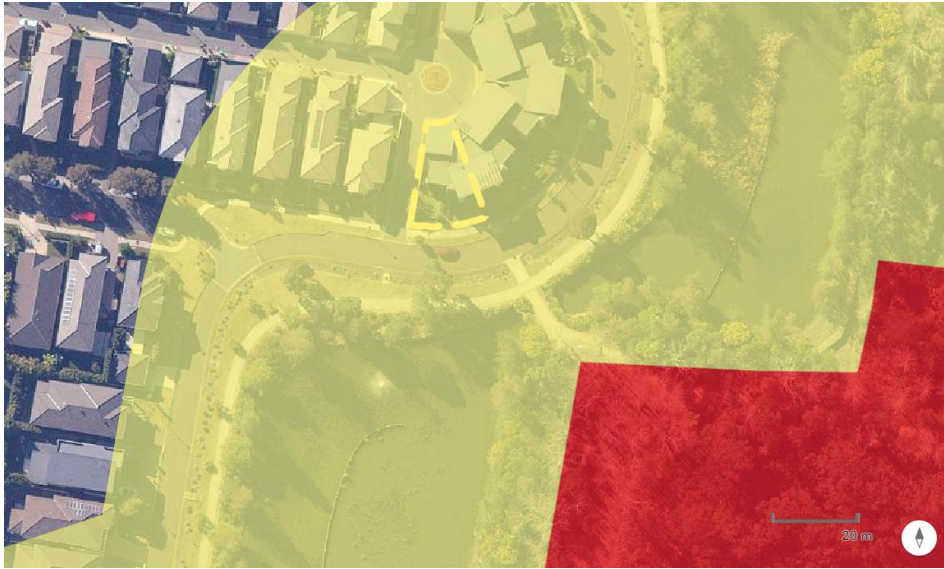


Figure 13: Extract from Non EPI Bushfire Hazard Map.

A Bushfire Assessment Report, provided with this application, concludes the site has a BAL of 12.5. Appropriate construction standards will be adhered to for compliance with relevant Australian Standards and Planning for Bushfire Protection Bushfire Attack Level BAL 12.5.

Coastline (Beach) Hazard

The site is not mapped as Coastline (Beach) Hazard

Contaminated and potentially contaminated lands

The site is not known to be contaminated and contains an existing attached dwelling. The alterations are to be contained within the existing attached dwelling with no ground works proposed.

Estuarine Hazard

The site is not mapped as Estuarine Hazard.

Flood prone land

The land is identified as being between the flood planning area and the probable maximum flood and subject to flood related development controls. The alterations are to be contained within the existing attached dwelling with no ground works proposed.

B4 Controls relating to the natural environment

The proposed development will have a minimal and appropriate impact on the natural environment, as it is contained within the existing attached dwelling building footprint with no ground works proposed.

B6 Access and parking

The DCP requires a carparking rate of 2 spaces for a dwelling with 2 bedrooms or more, with minimum dimensions of 5.7 metres by 6 metres. The development increases the number of bedrooms in the development to four (4). The number of parking spaces is maintained on the site.

B8 Site works and management

All site works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

Section C Development Type Controls

The Warriewood Valley locality is excluded from a number of controls in this section.

Design Criteria or Residential Development

View Sharing

A site visit has been undertaken and it is concluded that the proposed development will not result in any view loss impacts.

Waste and Recycling Facilities

Appropriate waste management will be undertaken during the construction process with details provided in the accompanying Waste Management Plan. The existing dwelling provides compliant waste storage areas, with waste collected by Council regular service.

Section D – Warriewood Valley Locality

The site is located in the Warriewood Valley locality.

Character as viewed from a public place

Presentation to a public place

The alterations will maintain an appropriate architectural design for the locality, presenting to Shearwater Drive. It maintains design elements including articulation, a curved upper level façade, windows and a combination of building materials to provide architectural interest. The setbacks and landscaping are maintained to the front and side of the site.

Building function is maintained by the inclusion of a pedestrian entry feature, including a path, and a front entry feature and the street frontage incorporates compliant articulation, resulting in an appropriate bulk and scale.

Concealment of building plant or communications equipment, services and servicing areas

All services and equipment are concealed from public view.

Parking structures presentation

The alterations are to be contained within the existing attached dwelling. The development maintains the location, design and number of parking spaces.

Water Management for Individual Allotments

The subject site is mapped as Sector 12 on the Pittwater LEP 2014 Urban Release Area Map.

The alterations are to be contained within the existing attached dwelling. The development maintains the stormwater provisions on the site. The existing tank overflow and surface stormwater are connected to the kerb and gutter drainage infrastructure in Shearwater Drive.

Landscaped Area for Newly Created Individual Allotments

The alterations are to be contained within the existing attached dwelling. The development maintains the landscaping on the site.

Front Building Lines

The DCP requires a minimum front setback of 3 metres to the dwelling and 4 metres to the garage. The alterations are to be contained within the existing attached dwelling. The development maintains the existing setbacks on the site.

Side and Rear Building Lines

The existing dwelling is at the end of a row of housing. The alterations are to be contained within the existing attached dwelling.

Solar Access

70% of the principal living area windows and the private open space of the dwellings within the development are required to receive a minimum of 2 hours of sunlight between 9am and 3pm on June 21 by the DCP. The alterations are to be contained within the existing attached dwelling and do not affect solar access to or from the site.

Private and Communal Open Space Areas

A minimum private open space area of 16m² (minimum dimensions of 3 metres) is required.

The alterations are to be contained within the existing attached dwelling and do not affect the private open space in the rear yard for the enjoyment of the residents.

Form of construction including retaining walls, terracing and undercroft areas

No existing or proposed retaining walls.

Fences

No change is proposed to the existing fences on the site.

Building colours and materials

The proposed building materials include a new glazed window opening, with details provided in the attached materials and finishes schedule.

All materials and finishes are complementary to the coastal and residential surrounds and are consistent with a modern finish.

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 development is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the zone.

6.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic 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 dwelling has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on 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?*

No conflict or issues will arise as a result of the proposed development.

Public domain

There will be no impact.

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 natural hazard of bushfire can be effectively mitigated.

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 development is highly appropriate to the site with regard to all of the above factors. The proposed development fits well within the context of the surrounds and is an appropriate scale.

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 and 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 proposed development.

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 use of the residential site.

Section 4.15(1) 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 for the alterations to an existing attached dwelling at 54 Shearwater Drive, 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.