

STATEMENT OF ENVIRONMENTAL EFFECTS

Construction of a Two-Storey Dwelling

At

**No.46 Lane Cove Road (Lot 1 DP1044346)
Ingleside, NSW 2101.**

November 2022

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1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared for the applicant seeking an approval for the Construction of a two-storey dwelling No. 46 Lane Cove Road, Ingleside NSW 2101. The site is legally described as lot 1 DP 1044346 and has an area of 2.005 Ha.

The proposed dwelling will comprise of a Porte Cochere, foyer, sitting, media, four bedrooms with ensuite, powder room, storage, prayer room, rumpus, office, games room, laundry, mud room, stairs, an open type plan containing kitchen with walk in pantry, dining and family area that opens on to Alfresco area. The first floor has 3 bedrooms with WIR and ensuite to all rooms. Balconies are proposed to bedroom 2 and bedroom 3 towards rear of the site. A triple garage is proposed for parking to the dwelling. Vehicular access is provided from Land Cove Road.

The site is within zone RU2 – Rural Landscape pursuant to the provisions of the Pittwater Local Environmental Plan 2014.

This Statement accompanies architectural plans prepared by Dream Homes Job No. D1433 (16 sheets) Issue E dated 22/11/2022, and supporting documentation as required by Council. This report assesses the proposed development against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and includes mainly the following planning controls:-

- The Environmental Planning and Assessment Act Regulation 2000
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Pittwater Local Environmental Plan 2014 (PLEP 2014)
- Pittwater 21 Development Control Plan 2014 (P21DCP 2014)

This Statement is divided into five sections. The remaining sections include a locality and site analysis, a description of the proposal, an environmental planning assessment and conclusion.

The SEE concludes that the proposed development, being a dwelling house, is a permissible land use pursuant to the Pittwater Local Environmental Plan 2014 and the proposal will have no adverse impacts on the primary character and presentation of the building or its scale, siting, setbacks and amenity of the future adjoining buildings.

As a result of the assessment, it is concluded that the application addresses the controls satisfactorily and that the granting of consent to the application is justified and is worthy of support.

2.0 PROPERTY DESCRIPTION

The subject allotment is known as No. 46 Lane Cove Road, Ingleside and is legally described as lot 1 DP 1044346. The site has an area of 2.005 Ha. The site is zoned RU2 – Rural Landscape under the Pittwater Local Environmental Plan 2014 (PLEP 2014). The property is neither in a heritage conservation area or heritage listed nor is it located within close proximity to any such items.

The locality plan is provided below.



Figure 1 Location Map

3.0 SITE DESCRIPTION

The site is located on the Lane Cove Road, Ingleside. The site is triangular in shape. The site slopes from south corner to north corner with a fall of 2.27m (approximately). The site has a frontage of 139.71m to Lane Cove Road with a total area of 2.005 Ha. The site is currently vacant.

Vehicular access to the site is achieved from the Lane Cove Road. No significant vegetation or significant site feature exists on site that may inhibit the proposed driveway. The site has been identified on Council's Bushfire Prone Land Map and a Bushfire Risk Assessment has been prepared and submitted with this application to Council.

The site is also identified as being Class 5 Acid Sulphate Soils Area. There are no other identified constraints affecting the land.

The aerial photo is provided below.



Figure 2 Aerial Photograph of the Site & Surrounding

4.0 SURROUNDING ENVIRONMENT

The general vicinity of the site is characterised by low scale, rural/residential developments between one and two storeys in height within landscaped settings. The subject site is a vacant lot and adjoins a two-storey dwelling to its immediate west. As indicated on the aerial photograph, the area is characterised by low scale residential developments

5.0 PROPOSED DEVELOPMENT

As detailed within the accompanying plans, it is proposed to construct a two-storey detached dwelling.

Specifically, the proposal seeks approval for the following works:-

Ground Floor Plan

As detailed in the attached architectural plans the proposed dwelling will comprise of the following at ground level.

Porte Cochere, foyer, sitting, media, four bedrooms with ensuite, powder room, storage, prayer room, rumpus, office, games room, laundry, mud room, stairs, an open type plan containing kitchen with walk in pantry, dining and family area that opens on to Alfresco area. A triple garage accessible from Land Cove Road is proposed to provide car parking for the proposed development.

First Floor Plan

The first floor has 3 bedrooms with WIR and ensuite to all rooms. Balconies are proposed to bedroom 2 and bedroom 3 towards rear of the site.

6.0 RELEVANT STATUTORY & LOCAL PLANNING CONTROLS

In accordance with the Environmental Planning and Assessment Act 1979, the following assessment considers the proposal against the relevant planning instruments.

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

The development is required to demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX). All commitments listed on a BASIX certificate are marked on all relevant plans and specifications. An energy assessment and BASIX certificate for each dwelling are provided with the application.

6.2 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 provides controls and guidelines for the remediation of contaminated land. In particular, the policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of environment. The Site is not identified as contaminated land on S10.7 Planning Certificate.

Further investigation and reporting under SEPP 55 is not warranted.

6.3 Pittwater Local Environmental Plan 2014 (PLEP 2014)

Permissibility

The subject site is zoned RU2 – Rural Landscape pursuant to the provisions of the Pittwater Local Environmental Plan 2014. Under the provisions of PLEP 2014 a dwelling is defined as:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

Note - Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

The proposal comprises one dwelling located on one lot of land. Accordingly, the proposed development of a two-storey dwelling is a permissible land use within RU2 – Rural Landscape zone.

Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

2 Permitted without consent

Extensive agriculture; Home businesses; Home occupations

3 Permitted with consent

Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Forestry; Function centres; Home-based child care; Home industries; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Places of public worship; Plant nurseries; Recreation areas; Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

The development of and use of land for low scale residential purposes as a dwelling house within RU2 Rural landscape is consistent with the zone objectives in that the proposed development will be consistent with the desired future character of the surrounding residential development within the locality for the following reasons:

- The proposal will be consistent with the intent of the zoning and compliment the existing development within the locality,
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality;
- The proposal provides for the construction of a dwelling house which will not have any substantial impact to the neighbouring properties,
- The setbacks are compatible with the existing surrounding development,

- The proposal does not have any unreasonable impact on long distance views and does not unreasonably increase the demand for public services or public facilities, and
- The proposal is not in conflict with land uses within the locality or within adjoining zones.

The following table summarises the relevant controls under the Pittwater Local Environmental Plan 2014 applicable to the subject site.

Clause	Proposal	Compliance
Part 4 Principal Development Standards		
Clause 1.2 – Aims of the Plan are: (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to promote development in Pittwater that is economically, environmentally and socially sustainable, (b) to ensure development is consistent with the desired character of Pittwater’s localities, (c) to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community, (d) to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future, (e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling, (f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future, (g) to protect and enhance Pittwater’s natural environment and recreation areas, (h) to conserve Pittwater’s European and Aboriginal heritage, (i) to minimise risks to the community in areas subject to environmental hazards including climate change, (j) to protect and promote the health and well-being of current and future residents of Pittwater.	The main aim of this application is to facilitate the balanced growth and to meet the needs of the community while preserving the natural and built environment of the area. The proposal meets these aims by providing a liveable, safe and environmentally sensitive designed dwelling to meet housing availability by constructing a new two-storey dwelling.	Yes
Clause 1.3 – Land to which Precinct Plan applies	The subject site is a land governed by the plan.	Yes
Clause 2.1 – Land Use Table Zone RU2 – Rural Landscape	As discussed above, the proposed development	Yes

Objectives of the zone; & Permitted with consent.	satisfies the zone objectives and is a permissible land use i.e., dwelling houses with the development consent from the Council on the site.	
Clause 4.3 – Height of buildings – 8.5m	8.42m to the highest point on the building	Yes
4.4 Floor Space Ratio – The subject site is not identified with a maximum FSR	1056.46 m ²	Yes; FSR is not applicable to this site.
Clause 5.10 – Heritage conservation	The subject site is not within heritage conservation or have local/state heritage item that is listed.	N/A
Clause 5.11 – Bushfire Hazard Reduction	The site is identified as Bushfire Prone land. A bushfire assessment report is submitted.	Yes
Clause 7.1 – Acid Sulphate Soils	The site is identified as Class 5 - Acid Sulphate Soils	
Clause 7.2 – Earthworks	The extent of excavation related is not inconsistent with in immediate vicinity and Ingleside in general.	Yes
Clause 7.6 – Biodiversity Protection This clause applies to land identified as “Biodiversity” on the Biodiversity Map.	The subject site is identified on the Biodiversity map. The development is designed, sited and will be managed to avoid any significant adverse environmental impact.	Yes; for Council's consideration
Clause 7.7 – Geotechnical Hazards	The site is not identified as being Geotechnical Hazard H1 or H2 on Council's Geotechnical Hazard Map.	Yes
Clause 7.11 – Essential Services	All essential services required for this development exists on the site and across the road.	Yes

Accordingly, the application is considered consistent with the relevant provisions of Pittwater Local Environmental Plan 2014.

6.4 **Pittwater 21 Development Control Plan 2014**

Pittwater 21 Development Control Plan 2014 (P21DCP 2014) Section C (Development Type Controls) and Section D6 Ingleside Locality statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality applies to the subject site.

The following table summarises the relevant controls under the Pittwater 21 Development Control Plan 2014 applicable to the subject site.

Pittwater 21 DCP 2014 -Compliance Table		
Clause/Requirements	Proposal	Compliance
Section C – Development Type Controls C5 – Design Criteria for Other Development <i>Clause C5.1 – Landscaping</i> - A range of low-lying shrubs, medium-high shrubs and canopy trees shall be provided to soften the built form. - Landscaping shall reflect the scale and form of development, and shall be incorporated into the building design through setback and modulation. - In bushfire prone areas, species shall be appropriate to the bushfire hazard. <i>Clause C5.2 Safety and Security</i> - 4 CPTED principles that need to be used in the assessment of development applications to minimise the opportunity for crime include: i) Surveillance, ii) Access, iii) Territorial reinforcement, iv) Space management. <i>Clause 5.4 – View Sharing</i> All new development is to be designed to achieve a reasonable sharing of views available from the surrounding and nearby properties. <i>Clause 5.16 Building Facades</i> Building façade to any public place must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.	Apart from existing plants on site, additional low-lying shrubs will be planted to partly screen and soften the built form. The subject land is located in area identified as “a bushfire buffer zone’ so the planting is minimized and limited to species appropriate to bushfire hazard. All necessary measures considered in designing the proposed development. The proposed development is not anticipated to have any unreasonable impact on surrounding properties due to complying setback, bulk & scale and topography of the site. Satisfactory complies	Yes Yes Yes Yes Yes

Section D – Locality Specific Development Controls (Section D6 – Ingleside Locality) <i>Clause D6.1 Character as viewed from a Public Place</i> <i>Walls without articulation shall not have a length greater than 8m to any street frontage.</i> <i>Any building façade to a public place must incorporate at least two of the following design features:</i> i. entry feature or portico; ii. awnings or other features over windows; iii. verandahs, balconies or window box treatment to any first-floor element; iv. recessing or projecting architectural elements; v. open, deep verandahs; or vi. verandahs, pergolas or similar features above garage doors. <i>Clause D 6.3 Building Colours & materials</i> <i>Clause D6.5 Front Building Line – 20m</i> <i>Clause D6.6 Side and rear building line 7.5m</i> <i>Clause D6.7 Building Envelope</i> <i>Planes are to be projected at 45 degrees from a height of 3.5m above ground level (existing) to the side boundaries.</i> <i>Clause D6.8 Landscaped area – Non Urban General Residential (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling) – 96% of the total site area minus 400sqm i.e., 18,848m²</i> <i>Clause D6.11 Fences</i>	Compliance is met by: - providing Porte Cochere; - Front façade articulation Colour schedule provided 50m GF & FF – >7.5m Requirements complied 18,954.20 m² The proposal includes the construction of 1.8m metal mesh see through Fence(rear and side) and 1.0m high fence in the front.	Yes Yes Yes Yes Yes Yes
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7.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

7.1 The provisions of any environmental planning instrument – S41.5(1)(a)(i)

The proposal is subject to the provisions of SEPP BASIX, The Pittwater Local Environmental Plan 2014 and the relevant supporting Council policies. It is considered that the provisions of these environmental planning instruments have

been satisfactorily addressed within this report and that the proposal achieves compliance with provisions under these instruments. The subject property is zoned RU2 – Rural Landscape under the provisions of the Pittwater Local Environmental Plan 2014 and the proposed development is a permissible land use within this zone. There are no other Environmental Planning Instruments applying to the site.

7.2 Any draft environmental planning instrument - S4.15(1)(a)(ii)

There are no draft Environmental Planning Instruments applying to the subject land.

7.3 Any development control plan - S4.15(1)(a)(iii)

The development has been designed to comply with the requirements of the Pittwater 21 Development Control Plan 2014.

The proposal has been assessed against the key controls of P21DCP 2014 as discussed above, the proposal is considered satisfactory against these controls.

7.4 Any planning agreement under Section 7.4 - S4.15(1)(a)(iiia)

No matters of relevance are raised regarding the proposed development.

7.5 Any matter prescribed by the regulations - S4.15(1)(a)(iv)

No matters of relevance are raised regarding the proposed development.

7.6 Any coastal zone management plan (Coastal Protection Act 1979) - S4.15(1)(a)(iv)

No matters of relevance are raised regarding the proposed development.

7.7 The likely impacts of that development - Section 4.15(1)(b)

It is considered that the proposed development, as described previously, is reasonable and achieves the objectives of the relevant planning controls. It is considered that the resultant development is compatible with and will complement the future character of the area. The development will be consistent with the objectives of the RU2 – Rural Landscape under the Pittwater Local Environmental Plan 2014. The proposal will have an acceptable impact on the environment and the amenity of the nearby future residential development. It is considered that the resultant development is compatible with and will complement the low scale, rural/residential character of the area.

7.8 Suitability of the Site – Section 4.15(1)(c)

It is considered that the subject site is suitable as it is zoned appropriately, and of a suitable size and shape to accommodate the proposed development. The design responds to the allotment configuration and topography to produce an appropriate and acceptable planning outcome for the site.

7.9 Submissions made in accordance with this Act - Section 4.15(1)(d)

This is a matter for Council in the consideration of this proposal.

7.10 The Public Interest - Section 4.15(1)(e)

The proposal will not adversely impact upon the environment, the character of the locality or upon the amenity of future adjoining properties and is therefore considered not to be contrary to the public interest.

8.0 CONCLUSION

The proposed development, which seeks an approval for the construction of a new two-storey dwelling at No.46 Lane Cove Road, Ingleside NSW 2101, has been assessed against the requirements of Section 4.15 of the Act, Pittwater Local Environmental Plan 2014, Pittwater 21 Development Control Plan 2014 (as applicable to the site). This Statement of Environmental Effects has demonstrated that the proposal will not unreasonably impact upon the natural or built environment or the amenity of surrounding future properties and is generally compliant with the Pittwater LEP 2014 and the P21DCP 2014. It is our opinion that this application, as described within this Statement, is reasonable and supportable and should be approved by Council under delegated authority.