

**Statement of  
Environmental Effects  
04.06.2023.**

**Proposed Retaining walls to the rear yard.  
At 94 Fisher Road,  
DEE WHY NSW 2099**

**Lot B, DP409144**

**OWNERS; Mr and Mrs MARTIN**



**Aerial View 94 Fisher Road DEE WHY NSW 2099.**

Statement of environmental effects prepared by;

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# 1. INTRODUCTION

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This Statement of Environmental Effects has been prepared by Architectural Solutions P/L as part of the development application for the proposed 900mm high retaining walls to the rear yard at 94 Fisher Road DEE WHY.

The report has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (The Act) and *Environmental Planning and Assessment Regulation 2000* (The Reg.) and provides the following:

- Description and analysis of the site and locality.
- Description of the proposed development.
- Assessment of relevant environmental planning matters required for consideration under Section 4.15 of The Act including compliance with relevant planning instruments and controls, environmental impacts, site suitability and the public interest.
- Conclusions on the environmental planning assessment and merits of the proposed development on which the DA can be supported by Council and granted consent.

The proposed retaining walls are permissible within the R2 Low Density Residential zone and is consistent with the zone objectives, in that there are no impacts on the amenity of the adjoining or adjacent properties in terms of solar access, visual bulk and privacy.

There are no proposed changes to the existing gross floor area (GFA).

There are no changes to the POS or Landscape areas.

We would like to highlight that the proposed retaining walls should **not need to go through neighbour notification** as they are not visible to any neighbouring properties. The retaining walls will not be visible from any public domain. These retaining walls are a necessity and will have no effect on any adjoining properties. The retaining walls need to be constructed to support the land from the nearly completed house and pool build.

Please see the following photos.



Photo of the area for the proposed retaining walls to the South / West corner of the site.





Photo of the area for the proposed retaining walls to the Southern boundary.

## ENVIRONMENTAL EFFECTS

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The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011

## 2. SITE ANALYSIS

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### 2.1 Surrounding Area

The site is located in Northern beaches council Area (LGA). The DEE WHY area is generally characterised by a range of low to medium density residential land uses of various styles and designs including single and double storey dwellings, dual occupancies, medium density and granny flats.

The site is surrounded by residential properties to the North, East West and South. There is a mixture of housing types consisting of older and newer dwellings, dual occupancies and granny flats.

There are plenty of retaining walls within the neighbouring houses.

### 2.2 Site

The site is a standard lot. The site is a Torrens title property and currently contains a two-storey dwelling. Fisher Road and the surrounding streets, for the most part, are generally single storey and double storey dwellings in a variety of styles and designs.

### 3. PROPOSAL

The proposed development is for retaining walls as per the architectural drawings.

There are no proposed changes to the existing gross floor area (GFA). Privacy and private open space still comply.

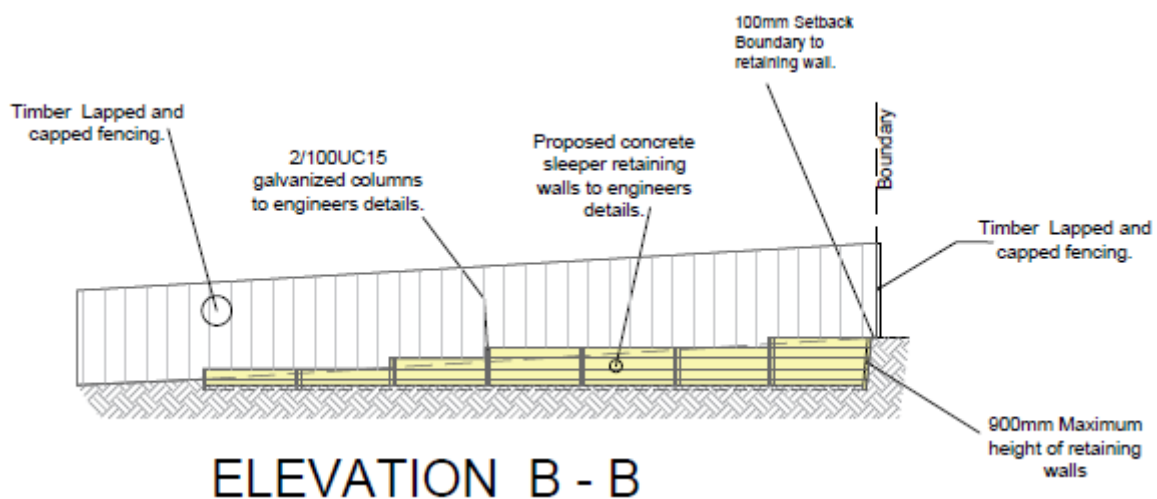
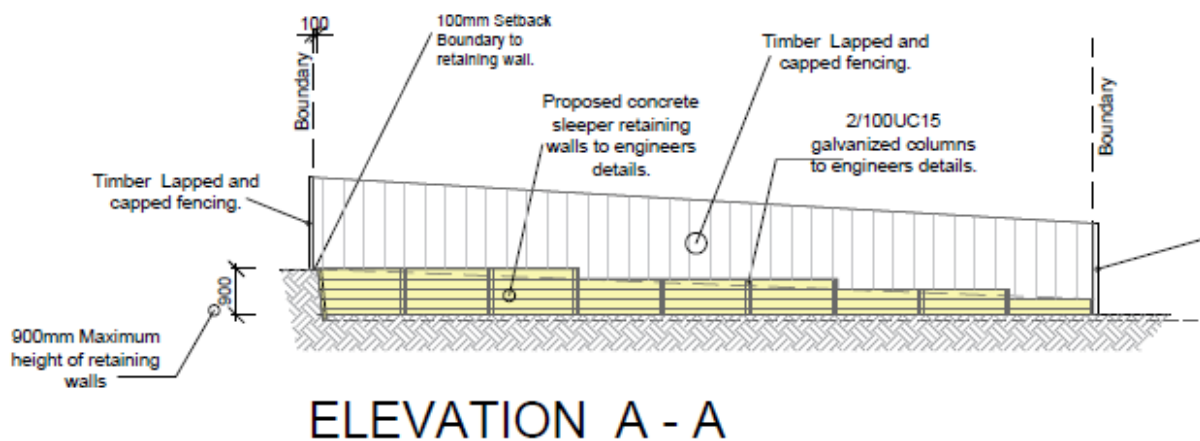
The main documents that have been consulted are WDCP 2011 and WLEP 2011.

The designed retaining is permissible under the land zoning R2 Low Density zone.

There are plenty of small back yard retaining walls within the immediate area.

Landscaping, privacy and security have been a major factor with this design. We believe that the design meets these specific items.

The proposal complies with the height, building envelope, resulting in a building bulk and scale that is consistent with the desired outcome and objectives for the low-density residential area.





### 3.1 Proposed Retaining walls.

## 4.15 EVALUATION

### (1) Matters for Consideration – general:

#### (a)(i) Relevant environmental planning instruments

##### Warringah Local Environmental Plan 2011

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Warringah Local Environmental Plan 2011.

The identified zone permits the construction of a ‘*dwelling house*’ subject to development consent from Council.

#### Clause 2.3 Zone objectives and land use

table The objectives of the R2 Zone are:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed development is for retaining walls, being compatible with the existing and future character of the locality. The retaining walls is designed to provide a high level of amenity for its residents whilst considering the natural constraints of the site. The proposed retaining walls are considered to meet the objectives of the R2 Zone.

#### Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m	0.9m	Yes

#### Clause 4.6 Exceptions to Development Standards

The proposed development does not contravene the development standards.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was **not identified** as having heritage significance, nor within the vicinity of heritage items.

#### Clause 6.1 Acid Sulfate Soils

The subject property is **not identified** as being affected by Acid Sulphate

#### Soils. Clause 6.3 Flood planning

The subject site has **not been** identified as flood prone land on Councils 10.7 Certificate.

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### **4. SECTION 4.15 (1) (A) (I) ENVIRONMENTAL PLANNING INSTRUMENTS**

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This section provides an assessment of the environmental effects of the proposed development in accordance with Section 4.15(1) of the Act. The following environmental planning instruments apply to the subject site.

#### **4.1 Waringah Local Environmental Plan 2011**

##### **4.1.1 Zoning and Permissibility**

The subject site is located within a R2 Low Density Residential Zone.

This type of development is permissible within the R2 zone.

The proposal is considered to be consistent with the objectives of the zone in that the proposal:

- Improves the existing private open space for the owner's recreation and private use.
- The design is similar to other swimming pools within the immediate area.
- The design is an improvement to the existing dwelling and improves the recreation.
- Maintains an existing low-density dwelling house within the residential R2 zone.
- Will have no impact on the neighbouring houses.
- Will improve privacy, security and safety for the family.

## 7. CONCLUSION TO THE WHOLE REPORT.

This Statement of environmental effects has been prepared to assess the proposed retaining walls to the rear yard.

The main documents that have been consulted are WDCP 2011 and WLEP 2011.

The designed retaining walls are permissible under the land zoning R2 Low Density zone.

Landscaping, privacy and security have been a major factor with this design. We believe that the design meets these specific items.

We would like to highlight that the proposed retaining walls are not visible to any neighbouring properties. The retaining walls will not be visible from any public domain. These retaining walls are a necessity and will have no effect on any adjoining properties. The retaining walls need to be constructed to support the land from the nearly completed house and pool build.

The proposal complies with the height, building envelope, landscaping and deep soil zone controls resulting in pool bulk and scale that is consistent with the desired outcome and objectives for the low-density residential area.

It provides for new entertainment that will fit in with the existing design of the principal dwelling.

We hope that Northern Beaches Council will find this application favourable for DA approval.

John Beckinsale

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