



Statement of Environmental Effects

New above-ground swimming pool

13 Friendship Place, Beacon Hill

Lot 18 in Deposited Plan 880126

Prepared for: Trent Langley

CPS Project No: H043

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1.0 Introduction

The Statement of Environmental Effects ('SEE') has been prepared to accompany a Development Application ('DA') for a new above-ground swimming pool at 13 Friendship Place, Beacon Hill. This DA is being lodged for Northern Beaches Council's consideration pursuant to Section 4.12 of the *Environmental Planning & Assessment Act 1979* ('the EP&A Act') by Creative Planning Solutions Pty Limited ('CPS').

This SEE demonstrates how the proposal is compliant with the *Warringah Local Environmental Plan 2011* ('WLEP 2011') and provides an assessment of the proposal against the relevant provisions of the WLEP 2011 and the Warringah Development Control Plan 2011 ('WDCP 2011').

This application includes the following attachments to support the proposed development:

- **Attachment A:** Architectural Plans, prepared by CPS
- **Attachment B:** Preliminary Geotechnical Assessment Report, prepared by AscentGEO Geotechnical Consulting
- **Attachment C:** Bushfire Assessment Statement, prepared by Bushfire Hazard Solutions

1.1 Purpose

The purpose of this SEE is to outline the development proposal for the subject site, consider any environmental effects that may result from the proposed development and address how such effects can be mitigated.

2.0 Description of Site and Surrounds

2.1 Site Description

The site is identified by title as Lot 18 in Deposited Plan 880126 and has an address of 13 Friendship Place, Beacon Hill. The site features an irregularly shaped allotment with an area of 785.6m². The site contains a part two, part three-storey dwelling house with ancillary domestic buildings and structures. The site has vehicular access from Friendship Place to the east, via steeply sloping 4.5-metre-wide access handle (**Figure 3**). The site experiences a relatively steep slope (7.93m average) from the highest point near the access handle (RL 116.10), and slopes away to the south-western corner of the site (RL 108.17). The property contains scattered trees and vegetation.

Refer to an aerial image of the site below (**Figure 1**), as well as an extract of the Survey Plan below (**Figure 2**).



Figure 1: Aerial image of the subject site.

Source: Nearmap, 20 January 2025

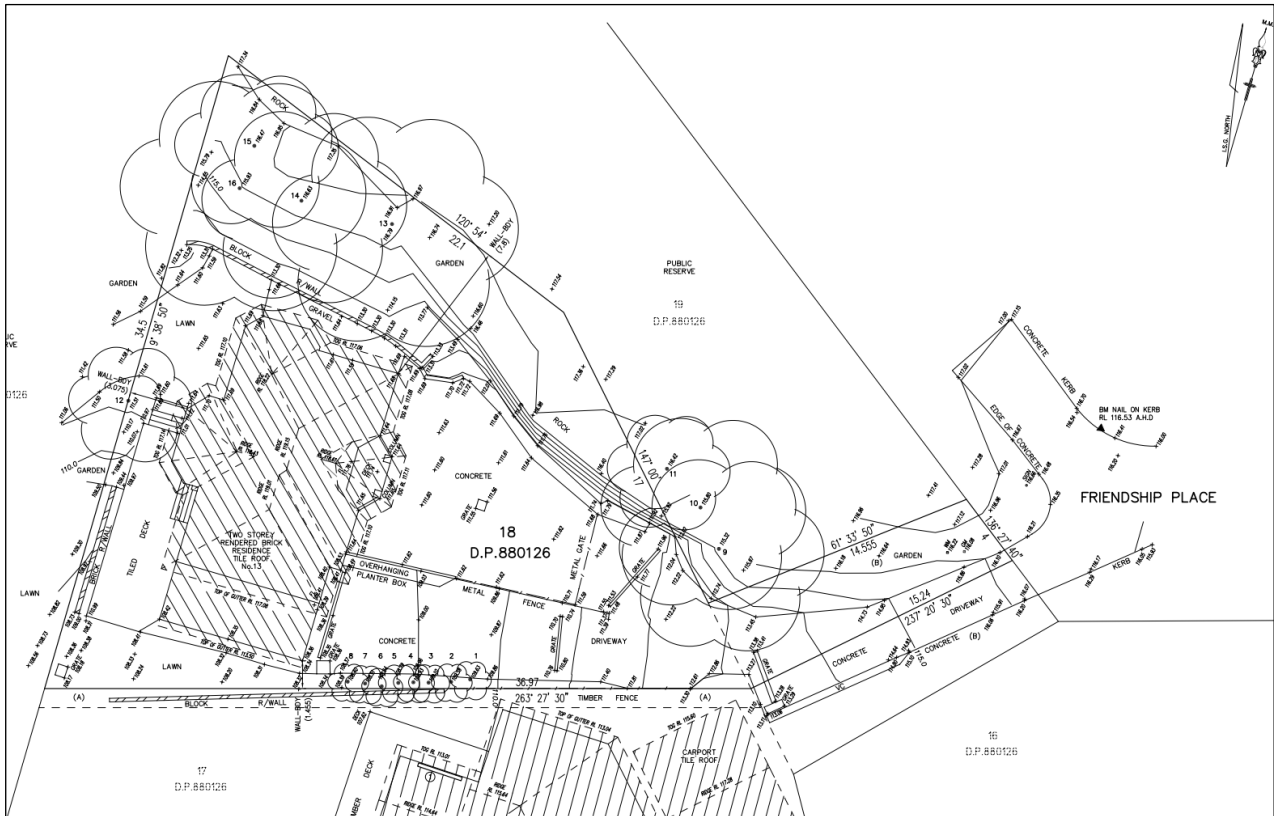


Figure 2: Detailed Survey Plan.

Source: David Stutchbury Registered Surveyor



Figure 3: Driveway providing access to the subject site.

Source: Google streetview

2.2 Adjoining Development and Surrounding Locality

The site is located within the suburb of Beacon Hill within the Northern Beaches Local Government Area ('LGA') and is located approximately 21km north of Sydney Central Business District. The subject site is located within the R2 Low Density Residential zone under the WLEP 2011.

The suburb of Beacon Hill is a largely residential neighbourhood comprising of single detached dwellings, with some battle-axe and cul-de-sac allotments nearby. The immediate area consists of relatively steep topography. Most dwelling houses in the immediate area are designed with stepped levels to accommodate the topography of the natural landscape (**Figure 5**).

Surrounding the property to the north and west of the site is public bushland which contains established trees and vegetation (**Figure 6**).

More broadly, the site is located approximately 3km east of Frenchs Forest commercial centre, approximately 3km west of Dee Why commercial centre and 7.8km north of Manly. Refer to a Locality Map below in **Figure 4**.

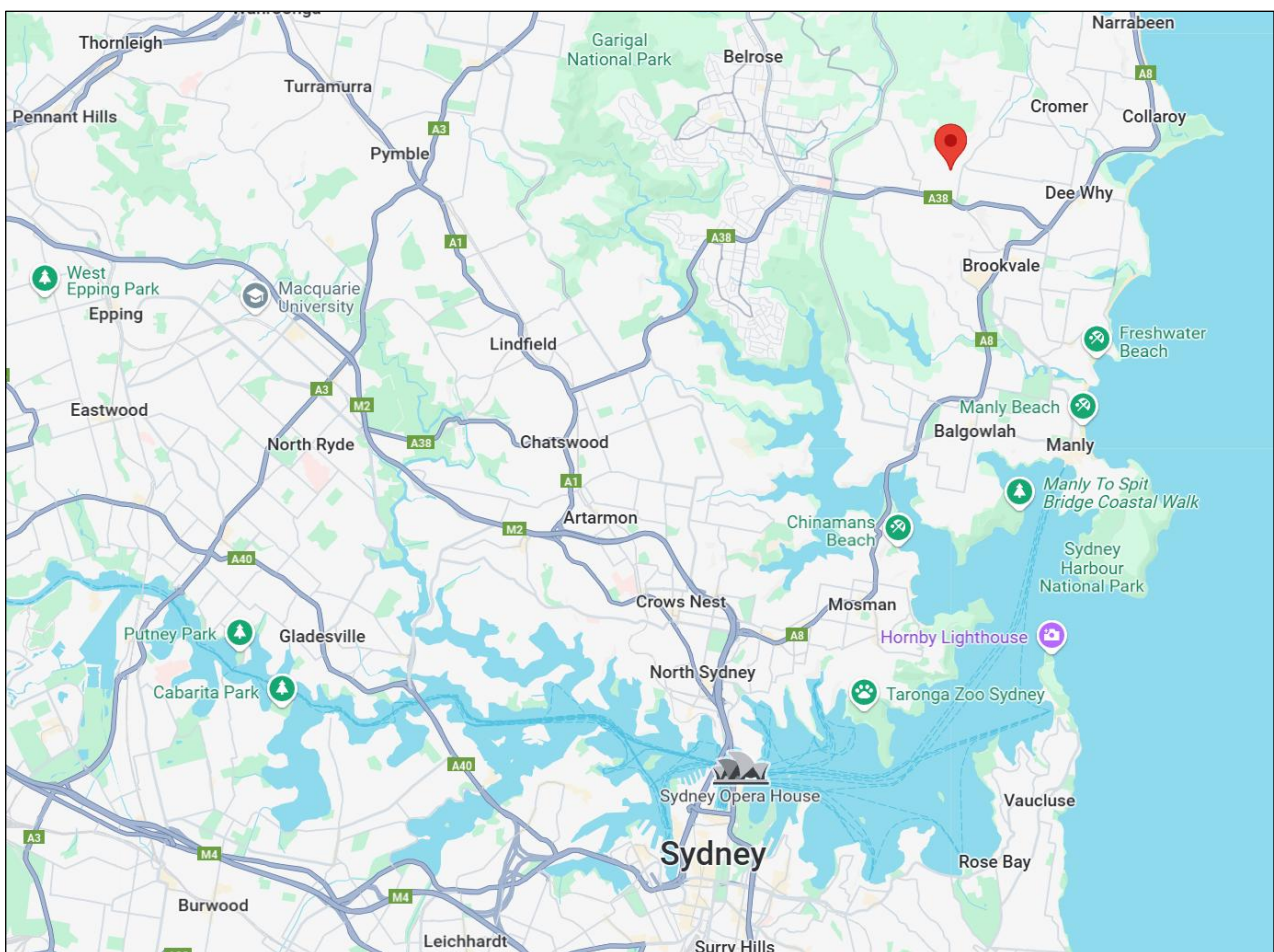


Figure 4: Locality Map – subject site indicated by red pin.

Source: Google



Figure 5: The approach to the site along Friendship Place – looking west.

Source: Google streetview



Figure 6: Friendship Place and adjacent bushland – looking east.

Source: Google streetview

3.0 Proposed Development

Development consent is sought for the construction of a new above-ground swimming pool. The pool is to be located on an existing concrete hardstand area, on the eastern side of the dwelling house. The swimming pool will be located approximately 4.2 metres from the eastern boundary (closest boundary). The pool will be located approximately 22 metres from the front boundary, and approximately 16 metres from the rear boundary.

The swimming pool will have a maximum length of 6.5m and maximum width of 3.14m. This rectangular area includes a small deck located adjacent to the pool. The pool includes a fibreglass shell and will have a maximum height of 1.41m above ground level.

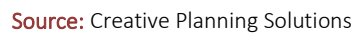
As the swimming pool will be sited on an existing concrete area, no excavation is required, and no trees or other vegetation is to be removed to facilitate the development.

Refer to extracts of the proposed development below in **Figure 7**, **Figure 8** and **Figure 9** as well as the Architectural Plans in **Attachment A**.



Figure 7: Proposed site plan.

Source: Creative Planning Solutions



4.0 Environmental Planning Instruments and Controls

This part provides an assessment of the environmental impacts of the proposed development including explanations of how the proposal seeks to minimise any impacts. The assessment is based on the matters for consideration under section 4.15(1) of the EP&A Act.

4.1 Environmental Planning and Assessment Act 1979

Pursuant to the provisions of Section 4.15 of the Act, the consent authority must take into consideration the following relevant matters for the proposed development application when determining a development application:

- the provisions of any environmental planning instrument,
- the provisions of any proposed instrument that is or has been the subject of public consultation,
- the provisions of any development control plan,
- the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- the suitability of the site for the development,
- any submissions made in accordance with this Act or the regulations; and
- the public interest.

The provisions and development standards under the following environmental planning instruments and development control plans are applicable to the proposed development:

4.2 Applicable Planning Instruments – Section 4.15(1)(a)(i)

4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* ('RH SEPP') applies to the site. Section 4.6 requires a consent authority to consider the contamination status of the land and be satisfied the land is, or will be made, suitable for the purpose for which the development is proposed to be carried out. As the proposed development will be located within the existing shopping centre, no further assessment is required.

The proposal seeks a minor addition to an existing residential dwelling involving a new swimming pool. The above ground pool is to be located on an existing hand paved area, and no excavation is required.

Having regard to the nature of the works and residential land use of the site, the development is considered and no further investigations of contamination are warranted.

4.2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 – Water Catchments

The subject site is not mapped to be located within a catchment area. As such, no further assessment is required with regards to Chapter 6 of the BC SEPP.

4.2.3 Warringah Local Environmental Plan 2011

The *Warringah Local Environmental Plan 2011* ('WLEP 2011') establishes the requirements for the use and development of land within the former Warringah LGA. Relevant clauses of WLEP 2011 are discussed below. The Land Use Table contained within Part 2 of the WLEP 2011 outlines the objectives of each land use zone within the Warringah LGA, along with those land uses which are either permitted without consent, permitted with consent, or prohibited within each respective zone.

Zoning and Permissibility

The subject site is located within the R2 Low Density Residential zone under the WLEP 2011, as shown in **Figure 10** below. The proposal seeks development consent for a new above-ground swimming pool, which will be ancillary to the existing 'dwelling house' on the site. A dwelling house is permissible with consent within the R2 Low Density Residential zone.

The objectives of the R2 Low Density Residential zone are as follows:

- *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 consistent with the relevant objectives of the R2 Low Density Residential zone. The site will continue to provide for the housing needs of the community, and the swimming pool will be provided amongst a low density residential environment characterised with dwelling houses and ancillary swimming pools.



Figure 10: Land Zoning Map. The subject site is in the R2 Low Density Residential Zone.

Source: NSW Planning Portal

Clause 4.3 – Height of Buildings

The site is affected by a maximum height of 8.5m as prescribed in the WLEP 2011 Height of Buildings Map. Refer to **Figure 11** below. The proposed development will not exceed this height limit.



Figure 11: Height of Buildings Map. An 8.5m building height applies to the site.

Source: NSW Planning Portal

Clause 4.4 – Floor Space Ratio

The site is not affected by a maximum floor space ratio and is not mapped on the WLEP 2011 Floor Space Ratio Map.

Clause 5.10 – Heritage Conservation

The site is not identified as a Heritage Item or located within a Heritage Conservation Area.

Clause 5.23 – Public Bushland

The objective of Clause 5.23 is to protect and ensure the ecological viability of bushland. The new swimming pool is proposed to be located on an existing concrete hardstand area within the subject site and therefore does not involve the removal of any trees or native bushland. Whilst located adjacent to public bushland, the proposed development is to be located wholly within the property boundary and therefore private land.

Clause 6.2 – Earthworks

The objective of Clause 6.2 is to ensure that earthworks will not have a detrimental impact on the environmental functions and processes, neighbouring uses, cultural or heritage items or features of surrounding land. The proposal relates to an above-ground pool, so by this nature, the disturbance of soil and required earthworks to facilitate the development will be very minimal.

Clause 6.4 – Development on Sloping Land

The objective of Clause 6.4 is to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land. The subject site is identified as being located within Area B – Flanking Slopes 5-25 degrees under the WLEP 2011 (**Figure 12**). The proposed construction of a new swimming pool will not cause any significant impact to property, life or stormwater flow of the site and surrounding allotments. The scale of the proposed works are minor in nature and the attached Preliminary Geotechnical Assessment Report, prepared by AscentGEO Geotechnical Consulting provides geotechnical recommendations within a table. The report concludes that no further geotechnical or hydrogeological investigations are required, provided that the recommendations outlined on the report are adhered to. Refer to **Attachment B** for further details.

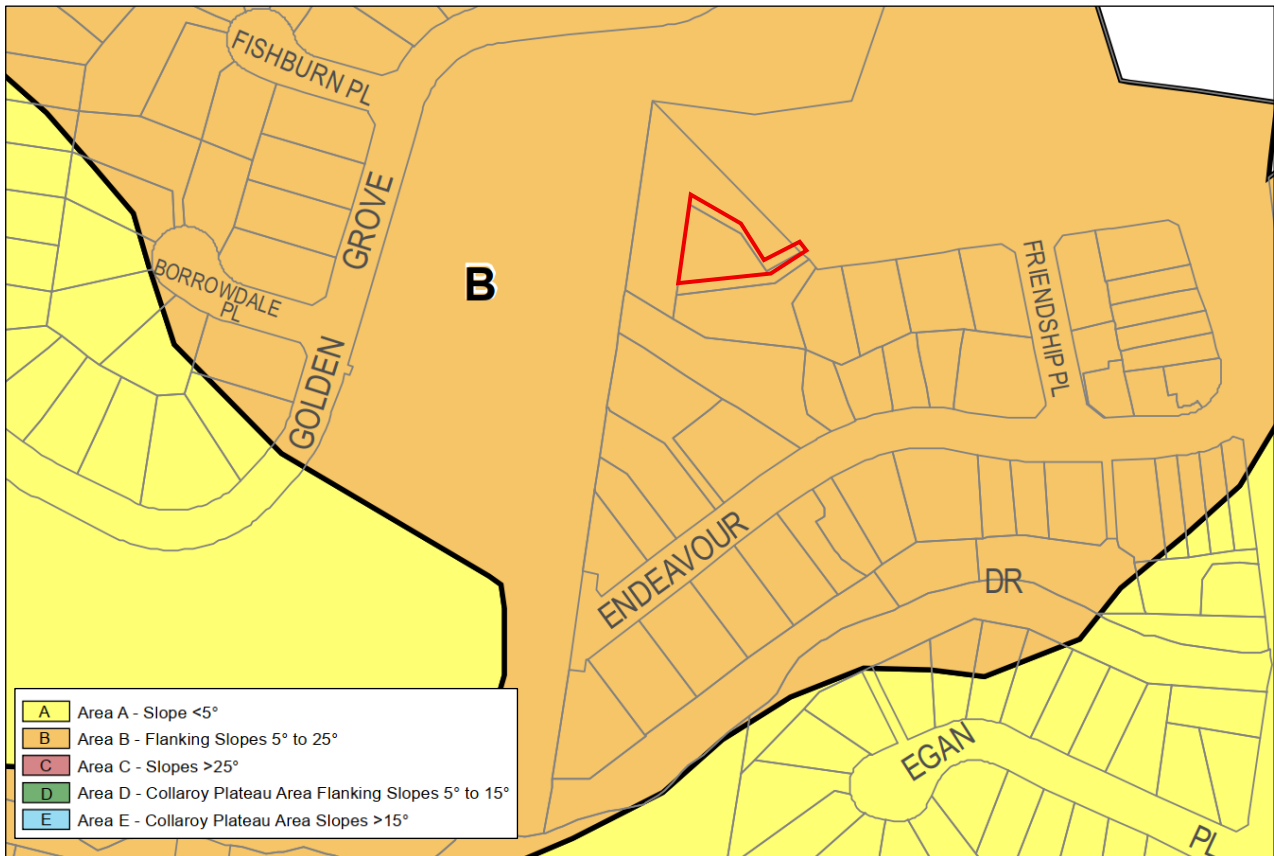


Figure 12: Landslip Risk Map – Subject site identified in red. **Source:** WLEP 2011

4.3 Any Relevant Draft Environmental Planning Instruments – Section 4.15(1)(a)(ii)

No draft Environmental Planning Instruments have been assessed as being of particular relevance to the subject site or proposed development.

4.3 Any Development Control Plans – Section 4.15(1)(a)(iii)

4.3.1 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 ('WDCP 2011') provides guidelines and controls for development in the former Warringah LGA.

The proposal involves a new swimming pool as an addition to the existing dwelling house on the property. The proposed works are found to be consistent with the WDCP 2011 and will not result in any adverse impacts to the site, adjoining properties or the natural environment.

An assessment of the relevant controls of WDCP 2011 regarding the proposed development is illustrated in the Table below:

Warringah Development Control Plan 2011		
Provisions	Proposed	Complies
Part B – Built Form Controls		
B3 Side Boundary Envelope		
1. Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> 4 metres, or 5 metres as identified on the map.	The subject site is identified on the DCP Side Boundary Envelope Map. Given the low height of the above-ground swimming pool and its setback of 4.2m from the nearest boundary, the pool will comfortably satisfy this control.	Yes
2. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.	The site is located within the R2 Low Density Residential zone.	N/A
B4 Site Coverage		
1. Development on land shown coloured on the DCP Map Site Coverage shall not exceed the maximum site coverage shown on the map. Where shown on the map as: <ul style="list-style-type: none"> 33.3% - the total building footprint(s) must not cover more than 33.3% of the site area, and 20% = 3,500m² or 30% <3,500m² - the total building footprint(s) must not cover more than 20% of the site area except on allotments having an area of less than 3,500m² where the total building footprint/s must not cover more than 30% of the site area. 	The subject site is not identified on the DCP Site Coverage map. However, the proposed works are to be located on an existing concrete hardstanding area. In this way, the development will have a negligible impact on impervious areas and opportunities for landscaping.	N/A
B5 Side Boundary Setbacks		
1. Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.	The subject site is identified on the DCP Side Boundary Setback map as 0.9m. The swimming pool is to be located 4.2m from the side boundary and is compliant.	Yes

B7 Front Boundary Setbacks

Development is to maintain a minimum setback to road frontages.	The subject site is identified on the DCP Front Boundary Setback map as 6.5m. The swimming pool is to be located approximately 22 metres from the front boundary and is compliant.	Yes
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B9 Rear Boundary Setbacks

Development is to maintain a minimum setback to rear boundaries.	The subject site is identified on the DCP Rear Boundary Setback map as 6m. The swimming pool is to be located approximately 16 metres from the rear boundary and is compliant.	Yes
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Part D – Design**D1 Landscaped Open Space and Bushland Setting**

<p>1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting. To measure the area of landscaped open space:</p> <ul style="list-style-type: none"> a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre. 	The subject site is identified on the DCP 'Landscaped Open Space and Bushland Setting' map as 40%. However, the proposed works are to be located on an existing concrete hardstand area. In this way, the development will have a negligible impact on landscaping and open space.	Yes
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D16 Swimming Pools and Spa Pools

1. Pools are not to be located in the front building setback.	The proposed swimming pool will not be located within the front setback.	Yes
2. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.	The subject property consists of a battle-axe block, and the proposed swimming pool will not be located within the primary street frontage.	Yes
3. Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.	The proposed swimming pool is to be sited on an existing concrete hardstand area. The closest tree (No. 11 on the plan) is not located on the subject site and is located within the adjacent public reserve. This tree is located approximately 5.5 metres from the pool.	Yes

Part E – The Natural Environment**E1 Preservation of Trees or Bushland Vegetation**

3. A Vegetation Clearing Permit is required for:	The swimming pool is proposed on an existing concrete hardstand area. No	N/A
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<ul style="list-style-type: none"> a) Removal or cutting down of any tree over five (5) metres in height; b) Pruning of more than ten percent (10%) of a tree canopy. c) The removal or cutting down of vegetation in "Bushland". 	trees are proposed to be removed. In this way, the proposal will maintain the nearby vegetation.	
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat		
<p>1. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines</p> <p>2. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and where appropriate promote the recovery of threatened species, populations and ecological communities and areas of high conservation habitat on the subject property.</p>	The subject site is not identified to be affected by the 'Threatened and High Conservation Habitat' mapping.	N/A
E4 Wildlife Corridors		
<p>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 50m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</p> <ul style="list-style-type: none"> i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and enhance wildlife corridors, and where appropriate reconstruct wildlife corridor areas on the subject property. 	The subject site is identified on the DCP 'Wildlife Corridors' map. However, the proposed swimming pool is to be sited on an existing concrete hardstand area and does not involve the modification of any native vegetation.	N/A
E5 Native Vegetation		
<p>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 100m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</p> <ul style="list-style-type: none"> i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect native vegetation on the subject property. 	The subject site is identified on the DCP 'Native Vegetation' map. However, the proposed swimming pool is to be sited on an existing concrete hardstand area and does not involve the modification of any native vegetation.	N/A
E7 Development on land adjoining public open space		
<p>Objectives:</p> <ul style="list-style-type: none"> • To protect and preserve bushland adjoining parks, bushland reserves and other public open spaces. 	The subject site is identified on the DCP 'Land Adjoining Public Open Space' map. The proposed swimming pool is considered to complement the	Yes

<ul style="list-style-type: none"> • To ensure that development responds to its adjacent surroundings to preserve and enhance the natural qualities of the environment. • Development on land adjoining open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces. 	<p>landscape character, public use and enjoyment of the adjoining bushland reserve. The proposed works are modest in scale and will incorporate suitable setbacks from boundaries to ensure any potential visual impact is minimised. In this way, the proposed addition will protect and preserve the bushland setting.</p>	
E8 Waterways and Riparian Lands		
Protect, maintain and enhance the ecology and biodiversity of waterways and riparian land.	The subject site is identified on the DCP 'Waterways and Riparian Lands' map. The proposed works are to be located on an existing concrete hardstand area. The proposal will not result in adverse change in watercourse or riparian condition.	Yes
E10 Landslip Risk		
<p>The applicant must demonstrate that:</p> <ul style="list-style-type: none"> • The proposed development is justified in terms of geotechnical stability; and • The proposed development will be carried out in accordance with good engineering practice. <p>ii) <u>For land identified as being in Area B or Area D:</u></p> <p>A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application.</p> <p>If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application.</p> <p>Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</p>	<p>The subject site is identified as 'Area B' on the Landslip Risk Map.</p> <p>No adverse impacts to the geotechnical stability of the site or surrounding allotments are considered to occur because of the proposed development.</p> <p>A Preliminary Assessment Report has been prepared by AscentGEO Geotechnical Consulting in support of this application.</p> <p>The report includes a summary of existing site conditions, as well as a list of geotechnical recommendations in relation to the proposed swimming pool development.</p> <p>The preliminary assessment of the site conditions has been prepared in accordance with the Checklist for Council's assessment of site conditions. The report concludes that no further geotechnical or hydrogeological investigations are required, provided that all recommendations outlined are adhered to. Refer to Attachment B for further details.</p>	Yes

4.3.2 Bushfire Prone Land

The site is identified as being affected by Bushfire Prone Land – refer to **Figure 13** below. The attached Bushfire Assessment Statement, prepared by Bushfire Hazard Solutions provides recommendations that supports the proposed swimming pool development. These recommendations are as follows:

1. *That all grounds within the subject property are to continue to be maintained as an Asset Protection Zone as detailed in the NSW Rural Fire Service's document 'Standards for Asset Protection Zones' and Section 4 of Planning for Bush Fire Protection 2019.*
2. *That the proposed swimming pool and surrounds are constructed entirely from non-combustible materials.*

Refer to **Attachment C** for further details.



Figure 13: Bushfire Prone Land Map. Source: NSW Planning Portal

4.4 Likely Impacts of the Development – Section 4.15(1)(b)

Natural Environment

The proposal involves a new above-ground swimming pool associated with the existing residential dwelling on the property. The proposal is deemed to have minor – negligible impacts and has been determined to be consistent with the objectives of the relevant planning controls which apply to the development.

Accordingly, the proposal is unlikely to have any significant impact on the natural environment.

Built Environment

The proposal involves a modest-scale addition that will have negligible impacts on the built environment. The development results in an ancillary structure associated with the existing residential dwelling on the property. The proposal includes suitable setbacks from neighbouring properties. Accordingly, the proposal will not have any significant impact on the surrounding amenity and built form character of the locality, nor will it impact the local built environment.

Social and Economic Impacts

Given the minor nature of the proposal, there are negligible negative economic and social impacts arising from the development. Overall, the proposal is considered acceptable with regards to environmental impacts.

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

The proposal seeks to continue the existing residential use on the site and is the primary land use within the surrounding locality. Dwelling houses are a permitted use under the R2 Low Density Residential zone in the WLEP 2011 and the proposed ancillary swimming pool is consistent with Council's requirements.

Given the above, the site is considered suitable for the proposed development.

4.6 Public Submissions – Section 4.15(1)(d)

Any public submissions received in response to the public notification of the development application will be required to be taken into consideration in the assessment of the application.

4.7 Public Interest – Section 4.15(1)(e)

The ability to satisfy the relevant development controls and objectives demonstrates the proposal is in the public interest.

5.0 Conclusion

When assessed against Section 4.15 of the EP&A Act, the new swimming pool is considered appropriate and will not cause any adverse environmental, economic or social impacts. The proposal achieves compliance with the relevant objectives and controls of WLEP 2011 and WDCP 2011.

The proposed development will have a positive contribution to the existing residential property and will improve the quality of housing in the community. The development will satisfactorily protect the low-density residential environment and landscape setting within the natural environment of Warringah. The proposed works meet the objectives of the R2 Low Density Residential zone under the WLEP 2011.

Council's approval of the development application is recommended subject to appropriate conditions.