

11 June 2015

STATEMENT OF ENVIRONMENTAL EFFECTS

Section 96 (1A) modification to Development Consent DA 2012/1235, 22-26 Albert Street, Freshwater.

Following discussions with council this application for a modification to the consent DA 2012/1235 is made.

The application and modifications sought is minor in nature and involves minimal environmental impact. The proposed documentation is substantially the same development as approved by Council.

The proposed changes are contained in a schedule accompanying this letter with reference to drawing number and item identified and coloured on the drawings. For ease of comparison the approved drawings are presented on the same page as the drawings showing the proposed modifications. Essentially the changes can be summarized as:

1. The removal of the travelator and replacement with additional lift and associated works within the basement levels.
2. The internal reconfiguration of the tenancy layout to the retail area to reflect tenant and building code requirements.
3. The internal reconfiguration of 3 bedroom unit 106 to create unit 106A a 1 bedroom unit and 106B a 2 bedroom unit and the provision of a required additional car space.
4. The additional window and some minor internal arrangements to Unit 205 and Unit 209.
5. Roof plant area expanded to meet design requirements and minor corrections to rectify errors in approved drawings.

The proposed amendments are accompanied by a Traffic report prepared by Transport and Traffic Planning Associates. The report concludes that the modifications do not have any adverse traffic implications.

The proposed modifications have a suitable and appropriate parking provision and have vehicle access, internal available parking and servicing arrangements which accord with the requirements of the Australian Standards.

The proposed amendments are accompanied by a new BASIX report and NATHERS certificate for the residential component.

The proposed modifications do not result in changes to landscape area or effect any changes to the approved Waste Management Plan.

Access provisions for the development are not impacted. There is no change to the approved on site detention system and stormwater plans.

The design modifications do not involve any significant changes to colour/design of the external façade.

JACK TAYLOR ARCHITECTS Pty Ltd

ACN 076 874 489

10/281 Pacific Highway
North Sydney, NSW 2060

Nominated Architect Jack Taylor

NSW Architects Registration Board No.7042

Queensland Architects Board No.3571

T +61 2 9956 8655 | F +61 2 9956 7929 | E jack@jtas.com.au

A statement from an accredited certifier, Vic Lilli and Partners is included. It concludes that the proposed modifications will not affect any fire safety measures.

1. STATUTORY PLANNING FRAMEWORK

1.1 General

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 79C of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

SEPP 65 – Design Quality for Residential Flat Development

A SEPP 65 REPORT and design verification in accordance with Clause 50(1A) of the Environmental Planning and Assessment Regulation by Jack Taylor Architect accompanies the application.

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate prepared by SLR Consultants accompanies the application.

1.2 Warringah Local Environmental Plan 2011

1.2.1 Zone and Zone Objectives

The subject property is zoned B2 Local Centre pursuant to the provisions of the **Warringah Local Environmental Plan 2011 (WLEP)**. Retail premises and shop top housing are permitted with consent in the zone.
THE PROPOSED MODIFICATIONS ARE CONSISTENT WITH THE ZONE.

1.2.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 11 metres above existing ground level as detailed on the heights of building map.

THE PROPOSED MODIFICATIONS DO NOT EXCEED THE 11 METRE HEIGHT LIMIT.

JACK TAYLOR ARCHITECTS Pty Ltd

ACN 076 874 489

10/281 Pacific Highway
North Sydney, NSW 2060

Nominated Architect: Jack Taylor
NSW Architects Registration Board No. 7042
Queensland Architects Board No. 3571
T +61 2 9956 8655 | F +61 2 9956 7929 | E jack@jtas.com.au

2.0 Warringah Development Control Plan

The subject site is within the area of DCP Map 1 – Freshwater Study Area and the following particular controls apply to the subject development within the G5 locality.

2.1 Built Form In Freshwater

The building form satisfies the objectives of the standard in terms of the setting and quality of the building form and the modifications as proposed are consistent with the approved building.

2.2. Number of storeys

The modifications to the proposed development provides for a three storey outcome.

2.3. Street activation

The modifications to the proposed development on the ground level are primarily internal and are consistent with the approved building. The upper levels overlook the street in compliance with the objectives.

2.4. Street facades and shopfront design

The modifications to the proposed development on the ground level are primarily internal and are consistent with the approved building.

2.5. Access and loading

The modifications proposed for the development satisfies the outcomes of the control.

2.10. Front setback

The proposed modifications are consistent with the approved building relating to the front setback.

2.11. Side and rear setbacks

The proposed modifications are consistent with the approved building relating to the side and rear setbacks to buildings. Landscaping to the Marmora Street frontage is slightly increased. Landscaping to the Western boundary is retained in terms of area of landscaping but with a slight redistribution of the planting in recognition of the revised egress to the basement levels.

2.13. Roofs and building form

The modifications are consistent with the Urban Design report of Beverly Garlick, SEPP 65 Assessment and conditions of current consent and are not inconsistent with the approved documentation.

2.14. Building massing

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The modifications respond positively to the objectives of the control in modulating the massing of the proposed built form.

2.15. Building sustainability

A new BASIX report has been prepared to reflect the proposed modifications.

2.16. Materials and colours

The modifications are consistent with the approved drawings.

Part D Design

D2 Private Open Space

The proposed modifications of the residential units achieve private open space areas in excess of 10m². The SEPP 65 report provides a summary.

D3 Noise

The proposed modifications to the roof top plant are consistent with Conditions of consent, the Renzo Tonin Acoustic report and are designed to address mechanical noise associated with plant proposed by the development.

D6 Access to Sunlight

The proposed modifications satisfy the outcomes of councils controls and are detailed in the SEPP65 amended schedules.

D7 Views

The proposed modifications to the building have no impact on established views.

D8 Privacy

The proposed modifications to the building have no additional impact on the privacy of neighbours.

D14 Site Facilities

The requirements for the additional residential unit, garbage and recycling mail boxes and clothes drying facilities are met in the modifications sought including a rearrangement of the garbage chute and collection area.

D18 Accessibility

The proposed modifications are consistent with the particular requirements of the BCA, Council policy and the prescribed Disability Discrimination Act standards and the relevant Australian Standards.

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In conclusion, we believe the proposed modifications are consistent with the development approval and the application satisfies the matters in the heads of consideration, listed under Section 79C of the Environmental Planning and Assessment Act, 1997 and is generally in accordance with the general guidelines and recommendations contained in Council's code and general planning policies.

Jack Taylor
Director
Jack Taylor Architects Pty Ltd.
NSW Architects Registration No. 7042

BASEMENT 2		Reason	Compliance
Dwg No.	Item		
1	596 02 Relocate retail lift and add another to new location to align with the	The travelator created dual entry and exit points to the retail area and	Lifts are accessible and compliant with access requirements. Retail car numbers increase to 18 at this level.

	entry to retail at ground level. Rearrange the retail and part residential carparking layout	was a one way system not servicing this level. Access by large lifts capable of taking trolleys is more desirable	Residential car numbers increase to 27 at this level. 3 motorcycle bays are added. Refer to traffic report for comment on new layout and parking numbers.
2	S96 02 Relocate egress stair from north west corner to south west corner. Residential storage bays redistributed.	Building code requirement To reduce travel distances as a means of egress from all basement levels. To retain required residential storage.	No DA compliance issues arise.

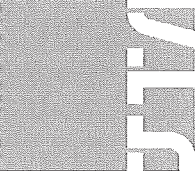
BASEMENT 1			
	Item	Reason	Compliance
1	S96 03 Relocate retail lift and add another to new location to align with entry to retail at ground level. Rearrange the retail carparking layout and trolley bays.	The travelator created dual entry and exit points to the retail area and was a one way system. Access by large lifts capable of taking trolleys is more desirable	Lifts are accessible Retail car numbers remain at 40 at this level. Includes 2 tandem spaces 2 motorcycle bays are added. Trolley bays are relocated. No DA compliance issues arise. Refer to traffic report for comment on new layout.
2	S96 03 Relocate egress stair from north west corner to south west corner. Additional storage bays created.	Building code requirement To reduce travel distances as a means of egress.	No DA compliance issues arise. Building code issues addressed.
3	S96 03 Remove one way travelator system	As per item 1 above	No compliance issues arise.

	from southern panhandle and replace with additional lift		

	GROUND LEVEL	Reason	Compliance
	Item		
1	S96 04 Relocate retail lift and add another to new location to align with entry to retail at ground level. Glazing to shop frontage is maintained. Lobby area amended to new lift location.	The travelator created dual entry and exit points to the retail area and was a one way system. Access by large lifts capable of taking trolleys is more desirable.	No compliance issues arise.
2	S96 04 Relocate egress stair from north west corner to south west corner.	Building code requirement To reduce travel distances as a means of egress.	No compliance issues arise.
3	S96 04 Remove one way travelator system from southern panhandle	As per item 1 above	No compliance issues arise.
4	S96 04 Southern retail tenancy incorporated into larger market area. Floor level lowered 610mm as a result.	Approved tenancy awkward undesirable configuration	No compliance issues arise.
5	S96 04 Intertency wall changed	To reflect particular tenant requirement Bakers Delight relocation	No compliance issues arise.
6	S96 04 Common amenities area reduced to unisex accessible WC.	Tenancies prefer amenities within the shop.	Each tenancy will be required to meet BCA Standards as part of Construction Certificate approval.

	Residential waste storage area configuration amended in response.		No compliance issues arise with residential waste storage area.
7	S96 04 Retail market area increased from 931.3m2 to 1080m2 Small shop areas reduced from 333m2 to 235.6m2	Rationalisation as part of ongoing negotiations with tenants and potential tenants including plant and servicing requirements.	Carparking: Market 1080x4.2/100 = 45.36 required Shops 235.6x4.5/100 = 10.60 required RETAIL 56 Spaces required PROVIDED Basement 1 = 40 cars Basement 2 18 cars –(includes 2 tandem spaces) Total 58 spaces provided (1 additional space to current consent) An additional 6 motor cycle spaces are provided. Refer to traffic report for comment on new layout. No other compliance issues arise.

	LEVEL 1		Compliance
	Item	Reason	
1	S96 05 Existing 3 bedroom Unit 106 reconfigured into 1x 1 bed (106A) and 1x 2 bed(106B) unit. Unit numbers increased from 23 to	Market deems size of unit too large. Demand for one bed and two bed units are higher.	SEPP 65 areas and mix compliant. Visitors carparking (5)compliant DCP Additional carspace achieved (27 provided) Compliant DCP refer calculations on drawings.



		24. Carparking amended accordingly.		
2	S96 05	Upturned beam with planting over deleted. Terrace level to Unit 104 no longer elevated in two sections.	Rationalisation of structural design and compliance with DA conditions of consent no.19 and 21(iii)	No compliance issues arise as no communal spaces are proposed. The areas have been allocated to units 103 and 104 with landscape and screening between.
3	S96 13 S96 05	Relocate egress stair from north west corner to south west corner.	BCA egress compliance requirements	Slight reduction in wall height to north west corner. Privacy screening remains. No compliance issues arise.
4	S96 05	Bicycle parking relocated to adjoin lobby access area.	To give greater amenity to residents and remove potential for blocking of egress from the buildings	Bike numbers remain the same with increased amenity for residents as parking spaces are not on an incline. DA Condition no9 will need a minor amendment to reflect new location.

		LEVEL 2		
		Item	Reason	Compliance
1	S96 06 S96 13	Highlight window added above study desk to Unit 205	Purchaser request	Window helps achieve cross ventilation and does not create overlooking issues. No compliance issues arise.
2	S96 06	Internal configuration of unit 209 amended to create an enclosed study with natural light. New window added to provide light to new Kitchen location.	Purchaser request	Unit now deemed to be 3 bed unit due to the new configuration in that the study is now enclosed. Complies with carparking requirements see calculations on drawings. Complies with SEPP65 guidelines such as mix, size and cross ventilation requirements. No compliance issues arise.

ROOF LEVEL		Reason	Compliance
	Item		
1	S96 07 S96 13 Roof plant area expanded to the south. Acoustic screening added to max 2.0m height.	To incorporate retail level plant requirements. To comply with acoustic requirements in DA conditions of consent 5(g) and 63.	Complies with LEP 11M HEIGHT LIMIT. See height plane in 3d image interposed over new plant areas. Complies with DA consent condition 5 (g)
2	S96 07 Roof extended over entry area to unit 109	An omission/error on the DA plan	No compliance issues arise.
3	S96 07 S96 13 Duct and roof form updated on plan	An omission on the DA plan the update reflects what was shown on the approved elevations	No compliance issues arise.

APPENDIX – SCHEDULE OF MODIFICATIONS
1.

	BASEMENT 2			
	Dwg No.	Item	Reason	Compliance
1	S96 02	Relocate retail lift and add another to new location to align with the entry to retail at ground level. Rearrange the retail and part residential carparking layout	The travelator created dual entry and exit points to the retail area and was a one way system not servicing this level. Access by large lifts capable of taking trolleys is more desirable	Lifts are accessible and compliant with access requirements. Retail car numbers increase to 18 at this level. Residential car numbers increase to 27 at this level. 3 motorcycle bays are added. Refer to traffic report for comment on new layout and parking numbers.
2	S96 02	Relocate egress stair from north west corner to south west corner. Residential storage bays redistributed.	Building code requirement To reduce travel distances as a means of egress from all basement levels. To retain required residential storage.	No DA compliance issues arise.