

STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations for car
parking area**

**40 Crown Road,
Queenscliff**

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1 Introduction

1.1 Description of the proposed development

This report is a Statement of Environmental Effects (SEE), pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.

The development application seeks consent for alterations and additions to the existing development involving augmentation of the existing on-site vehicle access and new car parking arrangements at 40 Crown Road, Queenscliff.

The development is a long established two to three storey residential flat building (RFB). The rear section of the site is dilapidated. It is the owner's intention to improve the quality and safety of the rear section of the property and provide increased on-site car parking.

The proposal is depicted in the accompanying plans by Taylor consulting engineers. A breakdown of the key aspects of the proposal are noted as follows:

- Formalisation of an existing area at the rear of the site for carparking with provision for 9 separately accessible car parking spaces and associated vehicle manoeuvring areas
- New vehicle accessway within the rear of the site
- Stormwater drainage as shown, improvements involving inter-alia, conveyance of water to Queenscliff Road and on-site detention
- Landscaping as shown

1.2 Statement of Environmental Effects

This Statement of Environmental Effects (SEE) is prepared in response to Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal has been considered under the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979
- Local Environmental Plan
- Relevant State Environmental Planning Policies
- Development Control Plan

The proposal is permissible and generally in conformity with the relevant provisions of the above planning considerations.

Overall, it is assessed that the proposed development is satisfactory, and the development application may be approved by Council.

2 Site Analysis

2.1 Site and location description

The site is located at 40 Crown Road, Queenscliff and legally described as Lot 30, Section 3 in Deposited Plan 1376, and has a site area of approximately 1,056m².

The site is rectangular in shape with a northern frontage of 15.24m to Crown Road, eastern and western side boundaries of 69.01m and a southern (rear) boundary of 15.255m.

The land contains brick and tile, two-to-three storey residential flat building. The RFB contains 10, 2-bedroom dwellings, under Company Title ownership.

The site is located on the southern side of Crown Road. The topography slopes away from Crown Road with a level difference of approximately 9.2m between the front and rear boundaries.

Surrounding development comprises 2-3 storey brick and tile RFB's of a similar form, scale, layout, and vintage. Concrete driveways and surface car parking is a feature of the properties, often located within the side and rear setbacks.

Based on a visual inspection of the current site circumstances, it appears that the property has no formalised / approved on-site car parking. Notwithstanding this sites approval history, sections of the existing rear access and parking arrangements are in a state of disrepair and this is sought to be addressed by the proposed development.

Car parking for upto approximately 3 vehicles (figures 2, 4, and 5 below) is established within the rear lower level of the site; accessed along the western side of the building. The property is currently deficient in car parking spaces when compared to the contemporary planning control requirements. There is currently informal provision (unmarked space) for approximately 3 car parking spaces (figure 8) within the rear of the property.

The figures on the following pages depict the character of the property and its existing development.

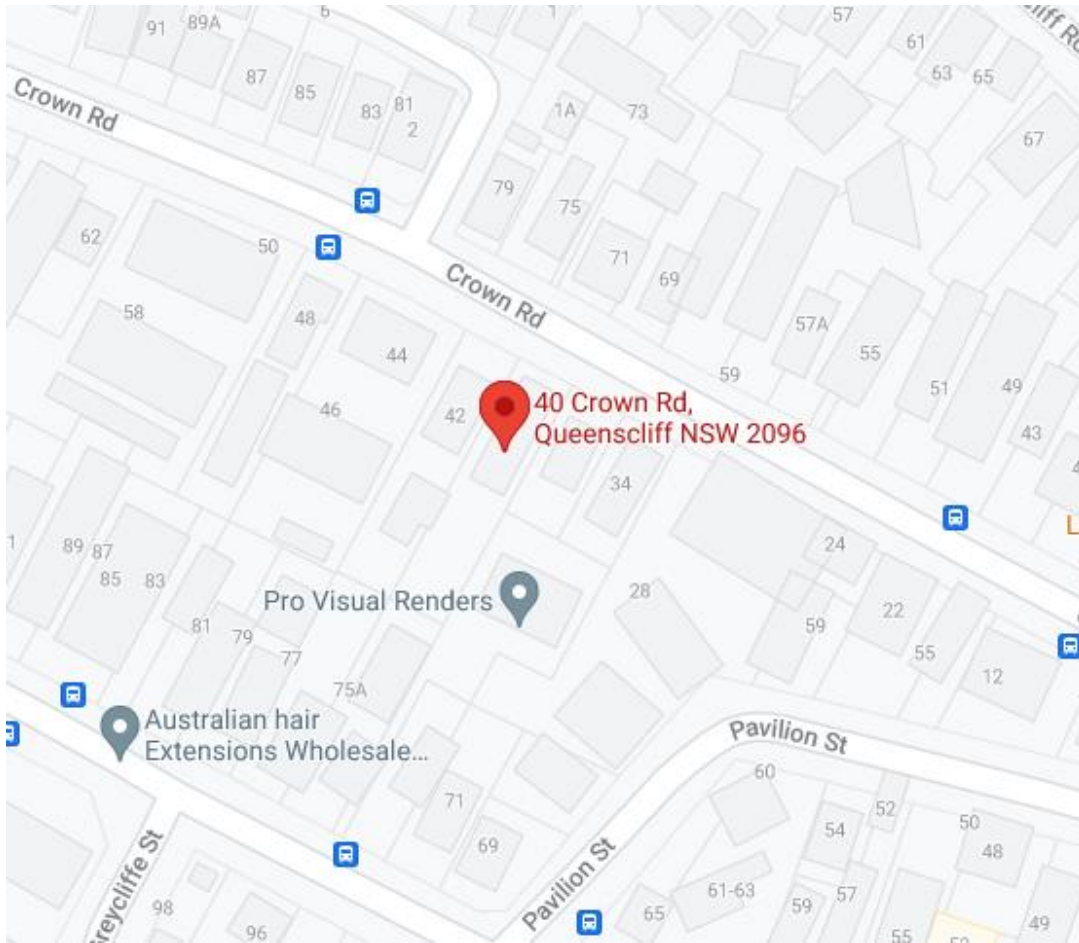


Figure 1 – Location of the site within its wider context (courtesy Google Maps)

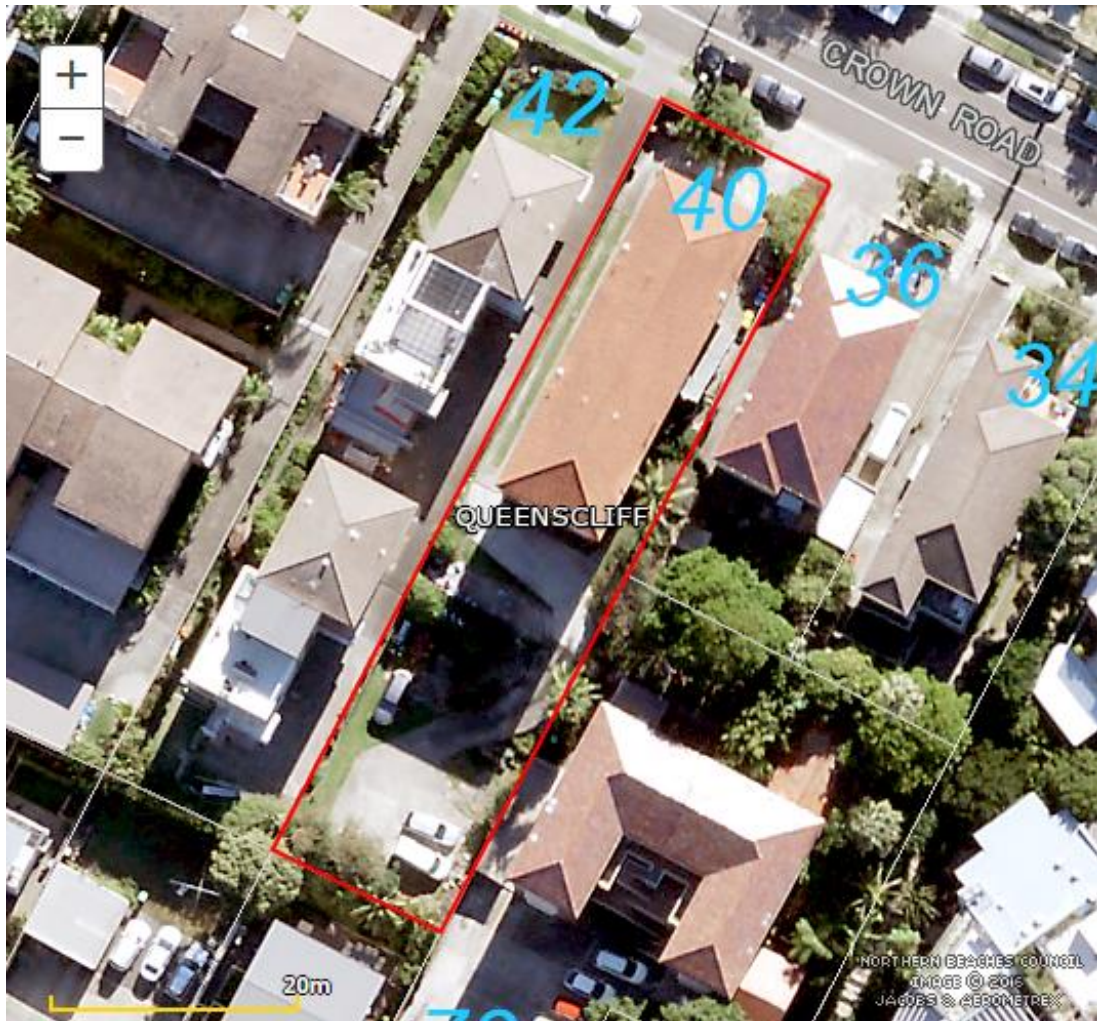


Figure 2 – Alignment, orientation and spatial layout of the subject site, adjoining development (courtesy Northern Beaches Council)

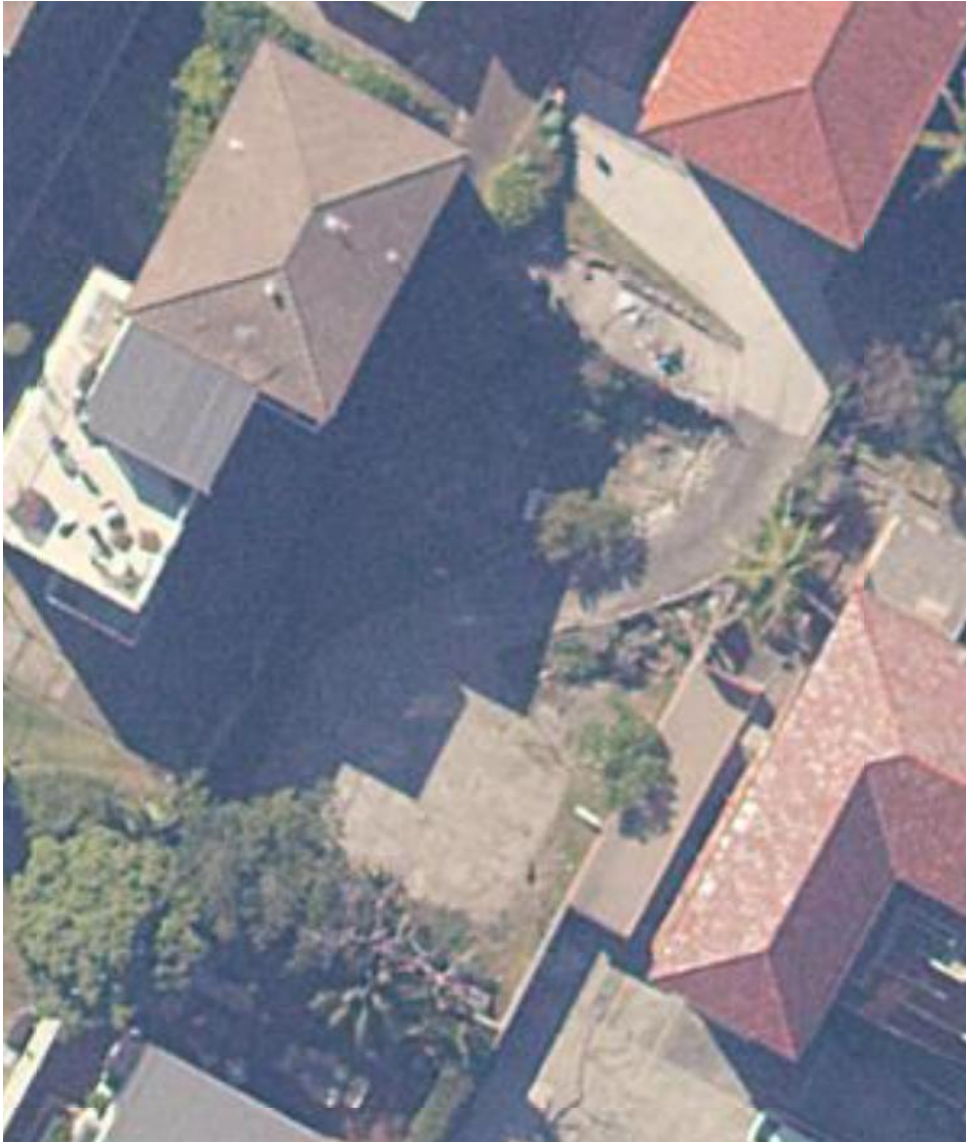


Figure 3 – The existing car parking and manoeuvring area at the rear of the property



Figure 4 – the existing rear section of the site is established for surface car parking



Figure 5 – The concreted area at the rear of the site is established for surface car parking



Figure 6 – The existing driveway connecting to the rear section of the property

3 Environmental Assessment

3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979

The following section of the report assesses the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended.

Under the provisions of the Environmental Planning and Assessment Act 1979 (the Act), the key applicable planning considerations, relevant to the assessment of the application are:

- State Environmental Planning Policies – as relevant
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan

The application of the above plans and policies is discussed in the following section of this report.

The application has been assessed against the relevant heads of consideration under Section 4.15 of the Act; a summary of these matters are addressed within Section 7 of this report, and the town planning justifications are discussed below.

4 Section 4.15 (1)(i) the provisions of any environmental planning instrument

4.1 Warringah Local Environmental Plan 2011 – Zoning

The property is zoned R3 Medium Density Residential under the Warringah Local Environmental Plan 2011 (LEP) as is most of the surrounding land.

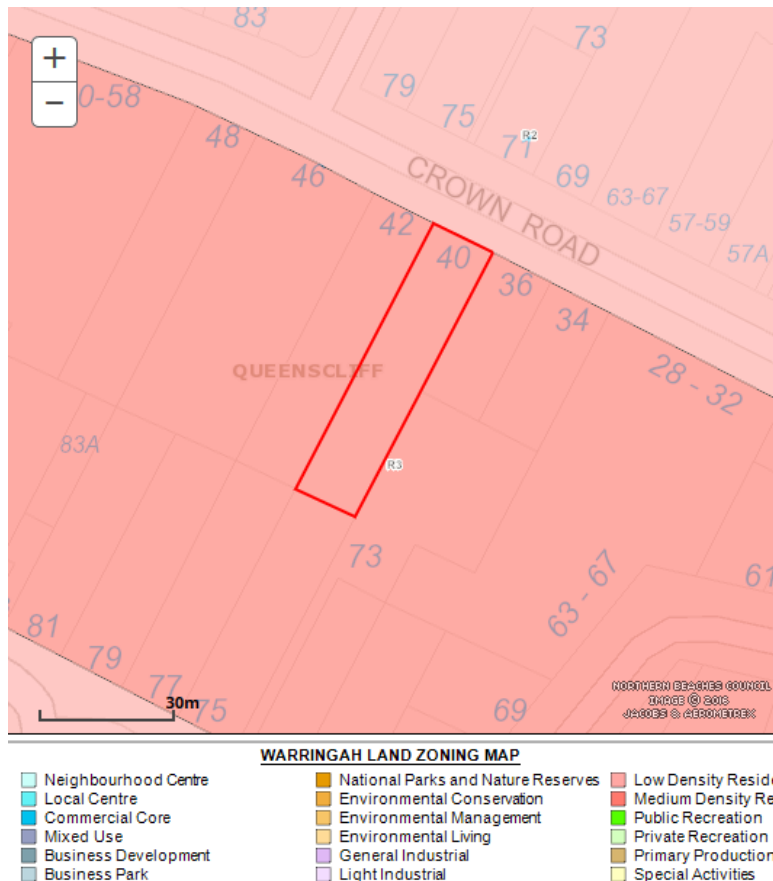


Figure 7 – zone excerpt (Council's website)

The proposal constitutes alterations and additions to the existing development. The proposal is permitted within this zone with development consent.

Clause 2.3(2) of the LEP requires the consent authority to 'have regard to the objectives for development in a zone' in relation to the proposal. The objectives of the zone are stated as follows:

To provide for the housing needs of the community within a medium density residential environment.

To provide a variety of housing types within a medium 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 medium density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.

It is assessed that the proposed development is consistent with the zone objectives as it will provide increased and improved onsite car parking that is ancillary to the housing needs of the community within a medium density residential environment, compatible with the surrounding development.

Accordingly, the proposal has had sufficient regard to the zone objectives and there is no statutory impediment to the granting of consent.

4.2 Other relevant provisions of the LEP

Other provisions of the LEP that are relevant to the assessment of the proposal are noted and responded to as follows:

LEP Provision	Response	Complies
Part 4 of LEP – Principal Development Standards		
LEP Clause 4.1 Minimum subdivision lot size –	NA	NA
LEP Clause 4.3 – Height of Buildings – 8.5m	Complies	Yes
LEP Clause 4.4 – Floor space ratio	NA	NA
LEP Clause 4.6 – Exceptions to development standards	NA	NA
Part 5 of LEP – Miscellaneous Provisions		
LEP Clause 5.4 Controls relating to miscellaneous permissible uses	NA	NA
LEP Clause 5.10 Heritage Conservation	NA	NA
Part 6 of LEP – Additional Local Provisions		
LEP Clause 6.1 Acid sulfate soils	Modest excavation for footings is proposed below the existing site levels (being at approx. AHD RL 40) which is above AHD RL 5.00.	Yes
LEP Clause 6.2 Earthworks	Modest excavation for footings proposed below the existing site levels. The siting and design of the proposed development has considered the matters	Yes

LEP Provision	Response	Complies
	<p>within clause 6.2(3) of the LEP and results in appropriate outcomes against these criteria.</p> <p>Furthermore, the proposal is accompanied by a geotechnical assessment that concludes that the proposal is appropriate for the site.</p> <p>Based on the above the proposed development satisfies the considerations within clause 6.2 and the site is suitable for the development proposed.</p>	
LEP Clause 6.3 Flood planning	Council's maps do not identify the site as being flood affected. Based on the above the proposed development satisfies the considerations within clause 6.3 and the site is suitable for the development proposed.	Yes
LEP Clause 6.4 Development on sloping land	<p>The property is within Area B on the LEP maps.</p> <p>The proposal is accompanied by a geotechnical assessment that concludes that the proposal is appropriate for the site.</p> <p>The siting and design of the proposed development has considered the matters within clause 6.4(3) of the LEP and results in appropriate outcomes against these criteria.</p> <p>Based on the above the proposed development satisfies the considerations within clause 6.4 and the site is suitable for the development proposed.</p>	Yes

4.3 State Environmental Planning Policy

4.3.1 State Environmental Planning Policy - BASIX

The proposed is not BASIX affected development. A BASIX assessment report is not needed to accompany the application.

4.3.2 SEPP (Vegetation in Non-Rural Areas) 2017

Vegetation is prescribed under Part E1 of WDCP 2011 for the purposes of SEPP (Vegetation in Non-Rural Areas) 2017. The proposal does not involve the removal of any designated trees and therefore the provisions of this policy are satisfied by the proposal.

4.3.3 State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is extremely low given the following:

- Council's records indicate that site has only been used for residential uses.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines of SEPP 55.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of SEPP 55, Council can consent to the carrying out of development on the land.

4.3.4 State Environmental Planning Policy (Coastal Management) 2018

The Coastal Management Act 2016 establishes a strategic planning framework and objectives for land use planning in relation to designated coastal areas within NSW. The Act is supported by the State Environmental Planning Policy (Coastal Management) 2018. It is applicable because the site is within the designated:

- Clause 13 coastal environment area
- Clause 14 coastal use area

As relevant to these affectations, the aims of the SEPP within clauses 13 and 14 addressed below. In summary, the proposal is assessed as being consistent with the aims and objectives of the SEPP.

Clause 13 - Development on land within the coastal environment area

The provisions of clause 13 *Development on land within the coastal environment area* are addressed as follows:

13 Development on land within the coastal environment area	Response
(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:	
<i>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>	<ul style="list-style-type: none"> ▪ The land and its development for residential purposes is established on the site. The extent of proposed works is supported by the appropriate range of technical inputs. The proposal is assessed as satisfactory in relation to this consideration.
<i>(b) coastal environmental values and natural coastal processes,</i>	<ul style="list-style-type: none"> ▪ The land and its development for residential purposes is established on the site. The extent of proposed works is supported by the appropriate range of technical inputs. The proposal is assessed as satisfactory in relation to this consideration.
<i>(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>	<ul style="list-style-type: none"> ▪ The subject site is established for residential purposes. Development is established on the site. ▪ Provision for improved stormwater management is proposed for the site. ▪ The proposal does not relate to <i>sensitive coastal lakes identified in Schedule 1</i> ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>	<ul style="list-style-type: none"> ▪ The subject site is established for residential purposes. The proposal is assessed as satisfactory in relation to this consideration.
<i>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	<ul style="list-style-type: none"> ▪ The proposal will not adversely impact upon existing access provisions. The proposal is assessed as satisfactory in relation to this consideration.
<i>(f) Aboriginal cultural heritage, practices and places,</i>	<ul style="list-style-type: none"> ▪ The proposal is not known to be located in a place of Aboriginal cultural heritage significance. The proposal is assessed as satisfactory in relation to this consideration.
<i>(g) the use of the surf zone</i>	<ul style="list-style-type: none"> ▪ Not relevant to the assessment of the proposal.
(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:	
<i>(a) to the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or</i>	<ul style="list-style-type: none"> ▪ Responses have been made above in relation to the considerations within subclause (1). ▪ The proposal is assessed as satisfactory in relation

13 Development on land within the coastal environment area	Response
	to these considerations.
<i>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	<ul style="list-style-type: none"> ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i>	<ul style="list-style-type: none"> ▪ Aside from compliance with relevant codes, standard conditions of consent, and Australian Standards there are no other mitigation measures foreseen to be needed to address coastal impacts. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of <u>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</u> .	<ul style="list-style-type: none"> ▪ Noted; not applicable.

Clause 14 Development on land within the coastal use area

The provisions of clause 14 Development on land within the coastal environment area are addressed as follows:

14 Development on land within the coastal use area	Response
<p>(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:</p> <p><i>(a) has considered whether the proposed development is likely to cause an adverse impact on the following:</i></p>	
<i>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	<ul style="list-style-type: none"> ▪ The proposal will not adversely impact upon existing access provisions. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</i>	<ul style="list-style-type: none"> ▪ The proposal will not result in any overshadowing of the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore.
<i>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</i>	<ul style="list-style-type: none"> ▪ The proposal will not result in any additional visual impact on the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ The proposal is assessed as satisfactory in relation to this consideration.

14 Development on land within the coastal use area	Response
<i>(iv) Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and is satisfied that:</i>	<ul style="list-style-type: none"> ▪ The proposal will not impact this matter for consideration. The proposal is assessed as satisfactory in relation to this consideration.
<i>(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</i>	<ul style="list-style-type: none"> ▪ The proposal is not known to be located in a place of Aboriginal cultural heritage significance ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	<ul style="list-style-type: none"> ▪ See above response.
<i>(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</i>	<ul style="list-style-type: none"> ▪ See above response.
<i>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</i>	<ul style="list-style-type: none"> ▪ The subject site is established for residential purposes. Development is established on the site. Relatively modest alterations and additions are the subject of this DA. ▪ The proposal will not result in any additional visual impact on the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</i>	<ul style="list-style-type: none"> ▪ Noted; not applicable.

5 Development Control Plan

In response to Section 4.15 (1)(iii) of the Act, the Warringah Development Control Plan (DCP) is applicable to the property. Relevant provisions of the Warringah DCP are addressed below.

5.1.1 Part B - Built Form Controls

No physical external changes are proposed to the existing RFB's building envelope, and therefore many of the DCP's built form controls are not relevant to the assessment of the DA.

Clause	Requirement	Proposed	Complies?
B1 Wall Height	7.2m	The proposed car parking hard stand area is generally at (or close to) the existing site levels.	Yes
B3 Side Boundary Envelope	5m at 45 degrees required	No change to building envelope	Yes
B5 Side Setback	900mm	North side: less than 900mm South side: less than 900mm	No No
Objectives <i>To provide opportunities for deep soil landscape areas.</i> <i>To ensure that development does not become visually dominant.</i> <i>To ensure that the scale and bulk of buildings is minimised.</i> <i>To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.</i> <i>To provide reasonable sharing of views to and from public and private properties.</i>		Aspects of the proposed car parking and manoeuvring areas are within the northern and southern side setbacks. <ul style="list-style-type: none"> At grade car parking spaces are proposed. They maintain a similar circumstance to the existing car parking arrangement on the property, where there is an established for surface car parking area, at the rear of the site. The length of the exception relates to the rear section of site where car parking and manoeuvring is an established function and character. The proposed development maintains a landscape character that is compatible with, and characteristic of, the development within the local context, which predominantly comprises 2-3 storey brick and tile RFB's of a similar form, scale, layout and vintage. Concrete driveways and surface car parking is 	

Clause	Requirement	Proposed	Complies?
		<p>a feature of these properties, often located within the side and rear setbacks.</p> <ul style="list-style-type: none"> ▪ The exception will not result in the proposal being visually dominant noting that the proposal maintains a surface car parking arrangement that follows existing site contours. ▪ No changes to the street frontage are proposed and the proposal will not be visible from the street. ▪ No inappropriate, additional amenity impacts will result from the proposal when compared to the established function and condition of the surface car parking area at the rear of the property. <p>It is concluded that the proposed development satisfies the objectives of the control. Based on the above, the circumstances are appropriate for council to be flexible in applying the numerical control.</p>	
B7 Front Setback	6.5m or average (if greater than 6.5m)	Existing front setbacks maintained	Yes
B9 Rear Setback	6m		Yes
Objectives <ul style="list-style-type: none"> ▪ <i>To ensure opportunities for deep soil landscape areas are maintained.</i> ▪ <i>To create a sense of openness in rear yards.</i> ▪ <i>To preserve the amenity of adjacent land, particularly relating to privacy between buildings.</i> ▪ <i>To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.</i> ▪ <i>To provide opportunities to maintain privacy between dwellings.</i> 		<p>At grade car parking spaces are proposed. They maintain a similar circumstance to the existing car parking arrangement on the property, where there is an established surface car parking area, at the rear of the site.</p> <p>The numerical variation is acknowledged, and justification is provided in response to the planning control objectives, the circumstances of the site, and the merits of the proposal, as noted below:</p> <ul style="list-style-type: none"> ▪ The proposed development maintains a landscape character that is compatible with, and characteristic of, the development within the local context, which predominantly comprises 2-3 storey brick and tile RFB's of a similar form, scale, layout and vintage. Concrete driveways and surface car parking is a feature of these properties, often located 	

Clause	Requirement	Proposed	Complies?
		<p>within the side and rear setbacks.</p> <ul style="list-style-type: none"> ▪ The exception will not result in the proposal being visually dominant noting that the proposal maintains a surface car parking arrangement that follows existing site contours. ▪ No inappropriate, additional amenity impacts will result from the proposal when compared to the established function and condition of the surface car parking area at the rear of the property. <p>It is concluded that the proposed development satisfies the objectives of the control. Based on the above, the circumstances are appropriate for council to be flexible in applying the numerical control.</p>	

5.1.2 Parts C, D, & E - DCP Compliance Assessment

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows.

Clause	Compliance with Requirement	Consistent with aims and objectives
Part C - Siting Factors		
C1 Subdivision.	NA	NA
<p>C2 Traffic, Access, and Safety</p> <p>As previously identified, there is an established surface car parking area at the rear of the property.</p> <p>Car parking for vehicles is provided within the rear lower level of the site accessed along the western side of the building.</p> <p>The property is currently deficient in car parking spaces when compared to the contemporary planning control requirements.</p> <p>There is informal provision for approximately 3 car parking spaces within the rear of the property.</p> <p>The existing car parking circumstances will be improved by the proposal through:</p>	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<ul style="list-style-type: none"> Increased utilisation of the area through re-configuration of the vehicle access way Formalisation of existing arrangements to an Australian Standard compliant design for parking spaces and manoeuvring areas. Line marking of car parking spaces and designation of manoeuvring areas Improved access and manoeuvring 		
<p>C3 Parking Facilities</p> <p>10, 2 bedroom units exist within the existing RFB</p> <p>Required</p> <ul style="list-style-type: none"> 1.2 spaces per 2 bedroom dwelling = 12 spaces 1 visitor space per 5 units or part of dwellings = 2 spaces Total required = 14 car parking spaces <p>Existing – there appears to be no approved car parking spaces on the site. The area within the rear of the site is established for 3 spaces (unmarked)</p> <p>Proposed = 9 car parking spaces.</p> <p>Net improvement of 6 to 9 spaces.</p> <p>The proposed development therefore provides a net increase in car parking provision on the property.</p> <p>There is significant car parking demand within the local area. This is evident by the local community seeking a resident parking scheme within recent times.</p> <p>The proposed development will improve the car parking circumstances within the local area by removing demand for 6 on-street car parking spaces and providing these spaces within the property.</p>	Yes	Yes
<p>C4 Stormwater</p> <p>The application has appropriately considered and responded to council's stormwater management requirements.</p> <p>The proposal seeks to incorporate improved stormwater management measures for the</p>	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>property. This is despite the fact that the current approved development upon the property is established, does not meet contemporary stormwater management provisions, and pervious surface area is proposed to be increased as per the accompanying landscape plan.</p> <p>The application is accompanied and supported by a Stormwater Management Plan. The project civil engineer provides the following in response:</p> <p><i>'The collected flows from the site are to be discharged via a proposed drainage easement located on the eastern boundary draining to the kerb & gutter in Queenscliff Road.</i></p> <p><i>Note that it is proposed to provide a 25,000 litre on-site detention tank to ensure peak stormwater discharges are in accordance with Council policy.</i></p> <p><i>This is to certify that the Stormwater Management Plan layout as shown on Sheet-3/A by Taylor Consulting Civil & Structural Engineers has been designed in accordance with section 3.1.2, 'Drainage', of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 – Stormwater Drainage & Northern Beaches Council's Warringah - Stormwater Drainage from Low-Level Properties Technical Specification'.</i></p> <p>The landowners of the site are in discussions with the adjoining property in seeking to establish a stormwater drainage easement.</p> <p>Based on the above, the proposed development will result in a net improvement to the existing stormwater management and disposal circumstances relating to the existing development to the benefit of the subject site and the surrounding properties.</p>		
<p>C5 Erosion and Sedimentation</p> <p>The application has appropriately considered stormwater management requirements. The application is accompanied and supported by a Erosion and Sedimentation Management Plan.</p>	Yes	Yes
<p>C6 Building over or adjacent to constructed Council drainage easements</p>	Yes	Yes
<p>C7 Excavation and landfill</p>	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>C8 Demolition and Construction</p> <p>Demolition and construction waste will be minimised and separation, reuse and recycling of materials will be maximised.</p> <p>Demolition will be managed to ensure air and water borne pollutants such as noise, dust, odour, liquids and the like are minimised.</p> <p>Demolition will be managed to minimise site disturbance to the surrounding area.</p>	Yes	Yes
<p>C9 Waste Management</p> <p>Being of generous area and accessible to vehicles the site is able to satisfy the demolition and waste minimisation objectives of the DCP.</p> <p>Further specific details can be provided at Construction Certificate stage when contractors are engaged to undertake the work.</p>	Yes	Yes
Part D - Design		
<p>D1 Landscaped Open Space and Bushland Setting</p> <p>Required: 50% /528m²</p> <p>Existing: approx. 106m²/10%</p> <p>Proposed: approx. 219m² and 21%; improved by approx. 113m².</p> <p>The objectives of control D1 are repeated and responded to below.</p> <ul style="list-style-type: none"> ▪ <i>To enable planting to maintain and enhance the streetscape.</i> ▪ <i>To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.</i> ▪ <i>To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.</i> ▪ <i>To enhance privacy between buildings.</i> ▪ <i>To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.</i> 	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<ul style="list-style-type: none"> ▪ <i>To provide space for service functions, including clothes drying.</i> ▪ <i>To facilitate water management, including on-site detention and infiltration of stormwater.</i> <p>The numerical variation is acknowledged, and justification is provided in response to the planning control objectives, the circumstances of the site, and the merits of the proposal, as noted below:</p> <p>An unformalised car parking area is located at the rear of the site. This utility function and character is established within this location on the site.</p> <p>The proposed development maintains a landscape character that is compatible with, and characteristic of, the development within the local context, which predominantly comprises 2-3 storey brick and tile RFB's of a similar form, scale, layout and vintage. Concrete driveways and surface car parking is a feature of these properties, often located within the side and rear setbacks.</p> <p>The non-compliant landscaped area is compensated for by the significant increase in additional on-site car parking and improved vehicle safety offered by the proposal.</p> <p>More broadly, it is noted that there is significant car parking demand within the local area. This is evident by the local community seeking a resident parking scheme within recent times.</p> <p>The proposed development will improve the car parking circumstances within the local area by removing demand for 6 on-street car parking spaces and providing these spaces within the property.</p> <p>The objectives of the control are met noting that:</p> <ul style="list-style-type: none"> ▪ There will be no loss of significant established trees. ▪ The proposal provides a characteristic landscaped setting, when considering the character of residential flat buildings within the local area. ▪ The proposed development outcome maintains the site's existing rear setback 		

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>presentation in terms of is land use for car parking and manoeuvring.</p> <ul style="list-style-type: none"> ▪ The proposed development outcome maintains the site's existing streetscape presentation. ▪ The development maintains a landscape setting and development footprint that is comparable to the pattern of RFB's in the local area and that will be compatible with the local landscape character. ▪ No inappropriate increase in building bulk is proposed. ▪ There are no inappropriate privacy or solar impacts associated with the proposal. ▪ As previously addressed, stormwater drainage is proposed to be improved, as demonstrated within the accompanying stormwater management plans. <p>It is appropriate to read the DCP controls holistically. In the circumstances it is appropriate to balance the requirements of the landscaping control with those of the car parking requirements and the established character of the subject site and the adjoining properties.</p> <p>The objectives of the control are assessed as being satisfied and the circumstances are appropriate for council to be flexible in applying the numerical provisions of the control.</p>		
<p>D2 Private Open Space</p> <p>No changes proposed to the approved dwellings</p>	Yes	Yes
D3 Noise	Yes	Yes
D4 Electromagnetic radiation	Yes	Yes
D5 Orientation and energy efficiency	Yes	Yes
<p>D6 Access to Sunlight</p> <p>The proposed development involves augmentation of existing landscaped and carparking areas at ground level. Therefore, the proposal will not unreasonably reduce the available sunlight to the adjoining properties and the provisions of the control have been satisfied.</p>	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>D7 Views –</p> <p>The proposed development involves augmentation of existing landscaped and carparking areas at ground level.</p> <p>No changes are proposed to the existing RFB's building envelope.</p> <p>The proposal will not significantly or unreasonably impede any established views from surrounding residential properties or public vantage points.</p>	Yes	Yes
<p>D8 Privacy –</p> <p>No changes are proposed to the existing RFB's building envelope. Privacy has been considered in the proposed design and satisfies the DCP's objectives. The proposal will not affect the visual privacy of the neighbouring properties.</p>	Yes	Yes
D9 Building Bulk	NA	NA
D10 Building Colours and Materials	NA	NA
D11 Roofs	NA	NA
D12 Glare and Reflection	NA	NA
D13 Front fences and front walls	NA	NA
D14 Site facilities	Yes	Yes
D15 Side and rear fences	NA	NA
D16 Swimming Pools and Spa Pools	NA	NA
D17 Tennis courts	NA	NA
D18 Accessibility		
D19 Site consolidation in the R3 and IN1 zone	NA	NA
D20 Safety and security	Yes	Yes
D21 Provision and location of utility services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
Part E - The Natural Environment		
E1 Private Property Tree Management - NA	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
E2 Prescribed Vegetation	NA	NA
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	NA	NA
E4 Wildlife Corridors	NA	NA
E5 Native Vegetation	Yes	Yes
E6 Retaining unique environmental features	NA	NA
E7 Development on land adjoining public open space	NA	NA
E8 Waterways and Riparian Lands	Yes	Yes
E9 Coastline hazard	NA	NA
E10 Landslip Risk – report accompanying	Yes	Yes
E11 Flood Prone Land – NA	Yes	Yes

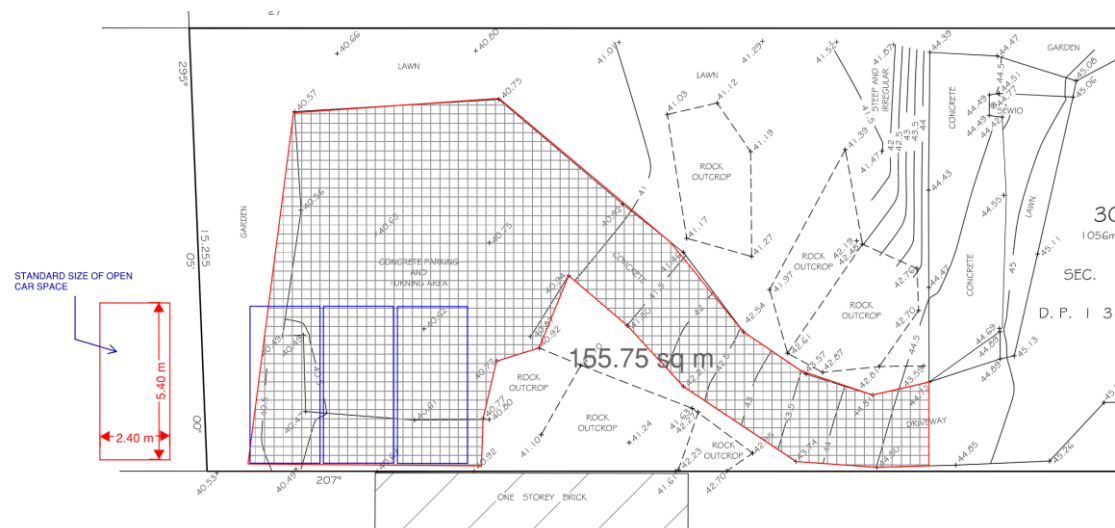


Figure 8 – marked excerpt from the site survey showing the extent of the concreted area within the rear of the site. The existing unformalised arrangement has capacity for approximately 3 cars as shown

6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary

The proposal has been assessed having regard to the matters for consideration pursuant to S.4.15 of the Act and to that extent Council can be satisfied of the following:

- There will be no significant or unreasonable adverse built environment impacts arising from the proposed physical works on the site.
- The site is appropriate for accommodating the proposed development. The proposal has sufficiently addressed environmental considerations. There will be no significant or unreasonable adverse environmental impacts arising from the proposal.
- The proposal will result in positive social and economic impacts, noting:
 - Employment during the construction phase of the works;
 - Economic benefits, arising from the investment in improvements to the land;
 - Social benefits arising from increased provision for off-street car parking and improved vehicle / pedestrian safety on the site.
- The proposal is permissible and consistent with the objectives of the zone, pursuant to the LEP. The proposal satisfies the provisions of the relevant provisions of the council's DCP.
- It is compatible with the current and likely future character of development within the local context.
- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.
- The proposal will have an acceptable impact when considering key amenity issues such as visual impact, views, overshadowing, noise, and privacy.
- Given the site's location and established function, the site is assessed as being entirely suitable for the proposed development.
- The public interest is best served through the approval of the application.

7 Conclusion

The application seeks development consent for alterations and additions to the existing development involving augmentation of the existing on-site vehicle access and car parking arrangements at 40 Crown Road, Queenscliff.

The proposed development is permissible with development consent, responsive to the prevailing planning objectives for the site and the development character of the location. The proposed development will provide safer vehicle and pedestrian access within the property whilst increasing on site car parking provision that will relieve demand for street parking within the local area which is in high demand.

The variations proposed to the DCP controls have been appropriately acknowledged and their acceptability assessed, having regard to the objectives of the relevant controls, and the circumstances of the property.

This report demonstrates that the proposal is appropriately located and configured to complement the property's established neighbourhood character. This report demonstrates that the variations will not give rise to any unacceptable residential amenity or streetscape consequences. Accordingly, the variations proposed are assessed as acceptable in the circumstances.

The proposal succeeds when assessed against the Heads of Consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 and should be granted development consent.

BBF Town Planners



Michael Haynes
Director