



# **Statement of Environmental Effects**

alterations and additions to the dwelling

**153A Ocean Street, Narrabeen**

Client

Project No.

Document Type

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Statement of Environmental Effects

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## EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared to support an application for alterations and additions to the dwelling at 153A Ocean Street, Narrabeen.

The objective of the development proposal is to deliver alterations and additions to improve the appearance and amenity of the existing dwelling in a manner encouraged by the zone objectives and planning controls.

Key aspects of the proposal which include demolition works, including removing the semi-circular portion of the floorplate on the eastern side of the building, alterations / enhancements to the eastern ground level terrace, and providing a pergola over the upper-level terrace for better weather protection.

Our assessment finds that the development proposal is entirely consistent with relevant environmental planning instruments and closely aligns with the objectives and controls contained within relevant planning guidelines, with acceptable variations to side envelope, landscaped area, and coastal zone setback controls.

We have provided commentary on core assessment matters including impact on neighbour amenity, potential impact on view corridors, and building envelope and landscaped area non-compliances. This report sets out the merits of the proposal in relation to these assessment matters.

Based on our evaluation of the proposal against relevant planning instruments and our detailed consideration of the environmental impacts, we conclude that the proposal is worthy of approval.

# 1. INTRODUCTION

This Statement of Environmental Effects has been prepared to support an application for alterations and additions to the dwelling at 153A Ocean Street, Narrabeen.

The objective of the development proposal is to deliver alterations and additions to improve the utility and amenity of the dwelling in a manner encouraged by the zone objectives and planning controls.

Key aspects of the proposal which include demolition works, including removing the semi-circular portion of the floorplate on the eastern side of the building, alterations / enhancements to the eastern ground level terrace, and providing a pergola over the upper-level terrace for better weather protection.

The purpose of this document is to evaluate the proposal against relevant planning instruments and to provide a planning assessment of its environmental impacts, as required by section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

## 2. SITE AND CONTEXT

This section describes the characteristics of the land and evaluates the constraints and opportunities presented by the site which have informed and influenced the proposal. Here we also describe the characteristics of the locality which have been considered in developing the proposal.

### 2.1. SITE DESCRIPTION

The site is located at 153A Ocean Street, Narrabeen and the land is legally described as Lot 3 in DP 802699. An aerial photograph with the site in yellow outline is provided at Figure 1.



Figure 1 | Aerial image  
(Source: NSW Govt.)

#### 2.1.1. Site Characteristics

The site is a battle-axe lot with vehicular access from Ocean Street. The rear (east) boundary abuts Narrabeen Beach. The width of the developable portion of the lot is ~15m. The site area is 689.4sqm. The land is almost level.

A Survey Plan illustrating site dimensions and contours is included at **Appendix A**.

The site contains a two-storey rendered masonry dwelling with a flat roof concealed behind a parapet wall. There is an integrated double-bay garage at the western end of the floorplate. The dwelling is offset ~1m from the western boundary and ~950mm from the side boundaries.

Vegetation consists of several palms in setback areas adjoining the driveway pavement on the western side of the dwelling and several small shrubs at the perimeter of a lawn area on the eastern side of the dwelling.

Stormwater runoff is collected and discharged to an absorption system within the eastern yard area.



There is a sewer main running north-south across the site. The main is below the western end of the dwelling.

Site images are supplied at Figures 2 to 5.



Figure 2 | Access handle looking east



Figure 3 | View of dwelling from access handle



Figure 4 | View of dwelling from eastern yard



Figure 5 | View of dwelling from beach

### 2.1.2. Site Constraints

#### Coastline hazard

The land is identified on the Coastline Hazards Map as “Area of reduced foundation capacity”. Development in this area is potentially at risk of damage from coastal processes.

A Coastal Engineering Report is supplied at **Appendix D**. The Report addresses the requirements of the Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fisherman’s Beach and sets out recommendations for foundation design.

This report and supporting documentation explain how the proposal responds to site constraints.

### 2.1.3. Site Opportunities

#### Aspect



The site has an eastern aspect with an outlook toward Narrabeen Beach and the ocean. The proposal seeks to improve the utility and amenity of the ground floor terrace to take advantage of beach / ocean outlook.

This report and supporting documentation explain how the proposal is designed to leverage site opportunities.

## **2.2. LOCALITY DESCRIPTION**

The site is situated within Northern Beaches Local Government Area in the suburb of Narrabeen.

### **2.2.1. Land Use**

Land use on the eastern side of Ocean Street is characterised by low to high density residential development consisting of free-standing dwellings frequently interspersed by dual occupancies and residential flat buildings (RFB).

The Narrabeen local centre is ~480m to the south-west.

### **2.2.2. Building Form**

Building scale in the immediate locality is characterised by multi-storey dwelling houses and three to four storey RFBs.

There is little uniformity to building arrangement and setbacks in the street block given the varied nature of housing typology and the irregular subdivision pattern. Setbacks from the beach-side boundary are reasonably uniform.

Roof forms are varied and include pitched roofs and flat / skillion roofs behind parapet walls. External materials and colours are also diverse. External walls are generally rendered masonry or face-brick. Roofs are generally tiled.

### **2.2.3. Adjacent Development**

Adjacent development is described as follows:

- **155 Ocean Street**

The site to the north is a battle-axe lot and shares the same access handle from Ocean Street as the subject site. The site contains a two-storey brick dwelling.

The southern elevation of the dwelling is ~1,100mm from the common boundary. Survey information indicates there are four windows on the southern wall of the dwelling oriented towards the subject site.

The principal area of private open space is presumed to be the elevated terrace on the eastern side of the dwelling. The eastern edge of the terrace is ~11.5m from the eastern (seaward) boundary.

An image of the rear elevation of no. 155 from the perspective of the subject site supplied at Figure 6.

- **155 Ocean Street**

To the south is a rectangular lot with a frontage to Ocean Street and a rear (eastern) boundary abutting Narrabeen Beach. The site contains a two-storey brick building over basement parking.

The northern elevation of the building is ~1,600mm from the common boundary. Survey information indicates there are several windows on the northern wall of the dwelling oriented towards the subject site.

The building is a “seniors housing” development approved 28 February 2001. The building comprises three units; Unit 3 is wholly located at ground level and Units 1 and 2 are distributed across ground and upper level.

Unit 3 has an east-facing “courtyard”. Units 1 and 2 each have an east-facing terrace at upper-level and a west-facing balcony at ground and upper-level.

An image of the rear elevation of no. 151 from the perspective of the subject site supplied at Figure 7.

The building arrangement and orientation responds to the siting and location of neighbouring development and is sited and designed to minimise adverse impact on neighbour amenity.



Figure 6 | No. 155 Ocean Street (rear elevation)



Figure 7 | No. 151 Ocean Street (rear elevation)

### **3. PROPOSED DEVELOPMENT**

This section provides a description of the proposal and should be read in conjunction with accompanying architectural plans. Here we endeavour to explain how the proposal has been designed to work with site constraints and optimise site opportunities.

#### **3.1. SITE PREPARATION**

##### **3.1.1. Demolition**

The application proposes the demolition of nominated elements of the dwelling including the part of the east-facing external walls, balcony balustrades, and the kitchen.

Demolition sheets are included with the Architectural Plans.

##### **3.1.2. Tree Removal**

A palm on the western side of the dwelling is to be removed. This palm can be removed without council approval and is indicated on the Architectural Plans for completeness.

##### **3.1.3. Land Modification**

Land modification works associated with excavation / piling for the terrace footings are proposed.

#### **3.2. BUILDING WORKS**

##### **3.2.1. Dwelling**

The application proposes minor alterations and additions to the dwelling.

###### Ground floor

The proposed eastern elevation has a uniform alignment i.e. the existing semi-circular extrusion is removed. The floorplate is consequently reduced. A kitchen is proposed at the ground level.

The depth of the existing terrace will be fractionally increased. Privacy screening is proposed to the sides of the terrace space. A pergola-style awning is proposed over the terrace.

###### First floor

The eastern elevation of the upper level is also proposed to be squared off. Partition walls are proposed to create a study and kitchenette. The eastern edge of the upper-level terrace will shift slightly westward.

A planter is proposed and at the north-west perimeter of the first floor, over the garage and pedestrian entry to the dwelling.

#### Roof

An awning is to be extended over the north-west elevation of the building for solar protection. The pergola will be extended over the upper-level terrace space/s for better weather protection.

A new skylight is proposed in the existing roof surface.

#### **3.2.2. Materials**

Proposed external materials include concrete external walls, timber privacy screening / cladding elements, and light-painted balustrades. These materials and colours have been selected to contemporise the building and because they relate to the beachside character of the locality.

A schedule of materials and finishes is supplied with the development application.

### **3.3. ANCILLARY WORKS**

#### **3.3.1. Landscaping**

Landscaping is proposed along the access driveway / pavement areas and at the perimeter of the eastern lawn area. Landscaping consists of a suitable density and diversity of shrub and groundcover species. Integrated planting is proposed at upper level on the north-west side of the dwelling.

A landscape concept is included with the Architectural Plans.

#### **3.3.2. Stormwater Management**

Roof and surface water runoff will continue to be discharged to an absorption system situated on the eastern side of the dwelling.

A Stormwater Management Plan is supplied at **Appendix C**.

### **3.4. OPERATION**

#### **3.4.1. Waste Management**

Waste bins will continue to be stored near the western property boundary where they are not visible from the street, do not create a nuisance for neighbours, and can conveniently be moved to the kerb for collection.

## 4. COMPLIANCE SUMMARY

This section provides an evaluation of the proposal against relevant planning instruments as required by section 4.15(1) of the EP&A Act.

### 4.1. ENVIRONMENTAL PLANNING INSTRUMENTS

#### 4.1.1. State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 of *State Environmental Planning Policy (Sustainable Buildings) 2022* (SB SEPP) applies to BASIX development including development that involves the alteration of a BASIX building where the estimated construction cost of the development is \$50,000 or more.

The proposed alterations and additions to the dwelling has an estimated cost of construction exceeding \$50,000. A BASIX certificate accompanies the development application.

#### 4.1.2. State Environmental Planning Policy (Resilience and Hazards) 2021

##### Costal management

Chapter 2 of *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP) applies to land in the coastal zone. The site is mapped as 'coastal use' and 'coastal environment' area and is therefore in the coastal zone. See extract of coastal use map at Figure 8.

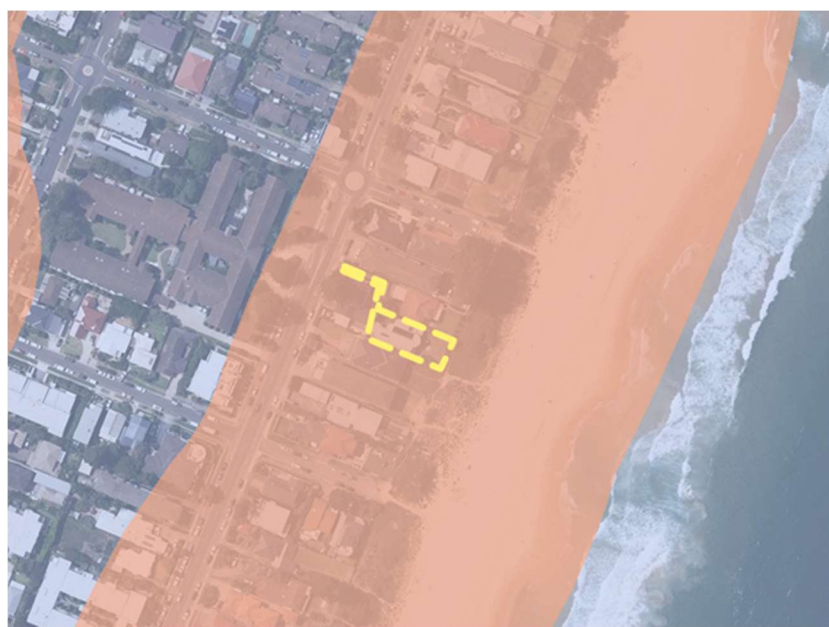


Figure 8 | Coastal use / environment area (Source: NSW Govt.)

##### Development on land within the coastal environment area [clause 2.10]

The proposal accords with the provisions of clause 2.10 because runoff quality will not be unreasonably diminished, runoff volume will not be unreasonably increased, groundwater characteristics are not anticipated to be impacted, access to the

foreshore will not be obstructed, and marine / native vegetation, rock platforms, etc. will not be impacted.

#### Development on land within the coastal use area [clause 2.11]

The proposal accords with the provisions of clause 2.11 because access to the foreshore will not be obstructed, public views to the foreshore will not be obscured, the foreshore area will not be overshadowed, the visual and scenic qualities of the foreshore will not be diminished, and indigenous and cultural heritage will not be impacted.

#### Development in the coastal zone [clauses 2.12 & 2.13]

A coastal engineering report is supplied at **Appendix D**.

That report deals with these provisions and finds that the development will not give rise to increased risk of coastal hazards and that recommended foundation design is consistent with the coastal zone management plan for the locality.

#### Remediation of land

Chapter 4 of the R&H SEPP states that a consent authority must not consent to the development of land unless it has considered whether the land is contaminated and, if contaminated, can be made suitable for the proposed use.

The land has not previously been used for a purpose referred to in Table 1 of the DPE publication *Contaminated Land Planning Guidelines*. No evidence of contamination was observed during our site visit. The site is unlikely to contain contaminants that would preclude ongoing residential use.

No further consideration under the R&H SEPP is required.

### **4.1.3. Warringah Local Environmental Plan 2011**

Warringah Local Environmental Plan 2011 (WLEP) applies to the site.

The site is within Zone R2 Low Density Residential. Dwellings are permissible. The proposal aligns closely with relevant objectives for development in Zone R2 as outlined in Table 1.

Table 1 | Zone R2 objectives

Objective	Comment
• To provide for the housing needs of the community within a low density residential environment.	The dwelling is retained.
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	n/a
• To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.	The landscape setting of the dwelling will be maintained and embellished to improve “harmony” with the natural environment.

An extract of the Zoning Map with the site in yellow outline is provided at Figure 9.

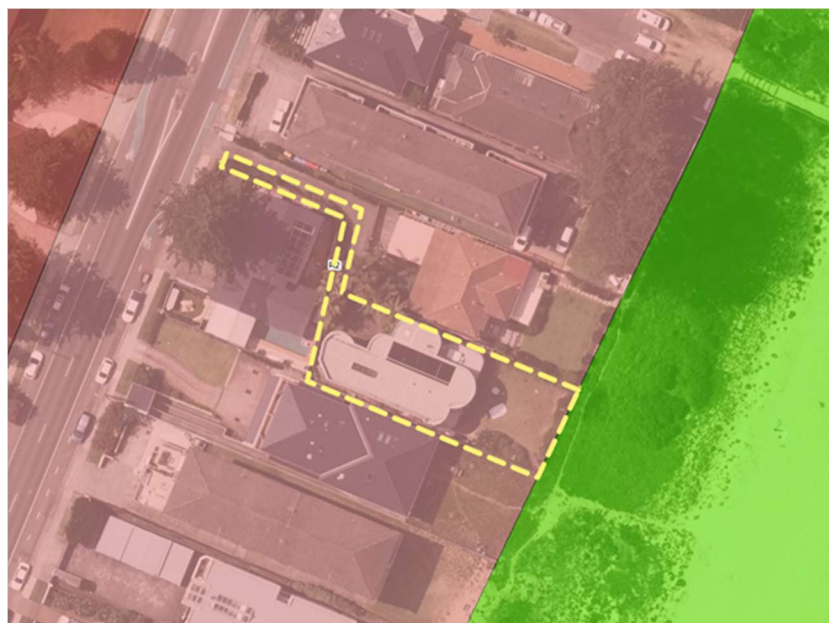


Figure 9 | Zoning Map  
(Source: NSW Govt.)

The proposal is entirely consistent with development standards and provisions of WLEP.

A compliance summary is provided at Table 1.

Table 2 | WLEP compliance summary

Clause	Standard	Comment	Compliance
2.7 Demolition requires consent	The demolition of a building or work may be carried out only with development consent.	Demolition works are proposed.	-
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	<p>The maximum permitted building height is 8.5m as indicated on the <i>Height of Buildings Map</i>.</p> <p>The proposed additions have a maximum height of ~7.45m.</p> <p>The 8.5m building height plane is illustrated on sections supplied with the architectural plan set.</p>	Yes
6.1 Acid sulfate soils	(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being	<p>The site is mapped as Class 4 and Class 5 acid sulfate soils on the Acid Sulfate Soils Map.</p> <p>The application proposes modest alterations and additions to the dwelling</p>	n/a



Clause	Standard	Comment	Compliance
	<p>of the class specified for those works.</p> <p>Class 4 = Works more than 2 metres below the natural ground surface.</p> <p>Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</p> <p>Class 5 = Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	<p>and involves only minor site disturbance.</p> <p>It is improbable that works will have any influence on the level of the water table.</p> <p>An acid sulfate soils management plan is not required in this case.</p>	
6.2 Earthworks	<p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p>	<p>The application proposes modest alterations and additions to the dwelling and involves only a minor area site disturbance.</p> <p>The earthworks proposed are generally limited to piling associated with the rear terrace and therefore will have no detrimental effect on drainage patterns or soil stability.</p> <p>Earthworks will <i>optimise</i> future use of the land because it allows for the construction of a larger terrace space.</p> <p>Excavated material will be utilised on site as fill or appropriately disposed of at a licenced facility.</p> <p>It is unlikely that excavated material will contain contaminants and equally unlikely that the site contains relics or other features of significance.</p> <p>Sediment and erosion controls will be implemented to ensure</p>	Yes

Clause	Standard	Comment	Compliance
	(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	sediment laden stormwater does not migrate from the site and impact the catchment.	
6.4 Development on sloping land	(2) This clause applies to land shown as Area A, Area B, Area C, Area D and Area E on the Landslip Risk Map.	The site is identified as "Area A" on the Landslip Risk Map.	-
	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and</p> <p>(b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and</p> <p>(c) the development will not impact on or affect the existing subsurface flow conditions.</p>	<p>The proposed works are largely contained within or over the existing dwelling floorplate, other than a modest expansion of the eastern terrace.</p> <p>Survey information shows the area of disturbance is ostensibly <u>level terrain</u>.</p> <p>The consent authority can be satisfied that:</p> <p>(a) The risk of the development precipitating a landslide is nil.</p> <p>(b) Stormwater runoff will continue to be captured and directed to an absorption system in the eastern yard thereby avoiding any adverse impact associated with stormwater discharge.</p> <p>(c) The works will have no impact on subsurface hydrology / flows.</p>	Yes
6.5 Coastline hazards	<p>(2) This clause applies to the land shown on the Coastline Hazard Map as—</p> <p>(a) Area of Wave Impact and Slope Adjustment, and</p> <p>(b) Area of Reduced Foundation Capacity.</p>	The site is mapped as Area of Reduced Foundation Capacity on the Coastline Hazard Map.	-

Clause	Standard	Comment	Compliance
	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) will not significantly adversely affect coastal hazards, and</p> <p>(b) will not result in significant detrimental increases in coastal risks to other development or properties, and</p> <p>(c) will not significantly alter coastal hazards to the detriment of the environment, and</p> <p>(d) incorporates appropriate measures to manage risk to life from coastal risks, and</p> <p>(e) avoids or minimises exposure to coastal hazards, and</p> <p>(f) makes provision for relocation, modification or removal of the development to adapt to coastal hazards and NSW sea level rise planning benchmarks.</p>	<p>A Coastal Engineering Report by a coastal engineer is supplied with the application.</p> <p>Part 8.1 of the Report deals with these provisions.</p>	Yes
	<p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the foundations of the development have been designed to be constructed having regard to coastal risk.</p>	<p>The Coastal Engineering Report explains that the development would have an acceptably low risk of being affected by coastal hazards if the foundation design requirements described in the report are implemented.</p>	Yes

## 4.2. PROPOSED INSTRUMENTS

There are no proposed planning instruments that are relevant to the site or the proposed development.

## 4.3. DEVELOPMENT CONTROL PLANS

### 4.3.1. Warringah Development Control Plan 2011

Warringah Development Control Plan 2011 (WDCP) applies to the site.

The proposal is broadly consistent with relevant development controls contained within WDCP except for acceptable variations to side boundary envelope, landscaped area, and coastal zone setback controls.

Discussion concerning these aspects of the non-compliance is set out at Section 5.1 of this report.

A compliance summary is provided at Table 2.

Table 3 | WDCP compliance summary

Clause	Control	Comment	Compliance
Part B Built form controls			
B1 Wall heights	1. Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).	The external wall height measured to the underside of the ceiling relative to existing ground level is ~5.7m.	Yes
B2 Number of storeys	1. Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys.	The site is not identified on the <i>Number of Storeys Map</i> .	n/a
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 5 metres.	<p>The site is shown on the <i>Side Boundary Envelope Map</i>.</p> <p>Elements of the <u>existing</u> dwelling project above the side envelope plane.</p> <p>The proposed roof over the upper-level terrace space adopts the same roof design and parapet RL as the existing and will therefore also breach the side envelope plane.</p> <p>The extend of side envelope encroachment is illustrated on section B-B.</p>	On merit (there is an existing breach)

Clause	Control	Comment	Compliance
		Encroachments are minor and of little consequence and are a function of matching the proposed roof style and parapet height with the existing. Detailed discussion describing the merits of the envelope variation is provided at Part 5.1 of this report.	
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.	The site is not identified on the <i>Site Coverage Map</i> .	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 <i>Side Boundary Setback Map</i> indicates 0.9m setback from side boundaries is required. Proposed additions are more than 900mm from side boundaries.	Yes
	2. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.	No additional paving on structures is proposed in the side passage areas.	-
B7 Front boundary setback	1. Development is to maintain a minimum setback to road frontages.	The <i>Front Boundary Setback Map</i> indicates a 6.5m setback from the front property boundary is required. The site is a battle-axe lot and does not have a "front" boundary.	n/a
B9 Rear boundary setback	1. Development is to maintain a minimum setback to rear boundaries.	The <i>Rear Boundary Setback Map</i> indicates a rear setback of 6m. The proposed additions are setback at least ~12.3m from the rear (east) boundary.	Yes
	2. The rear setback area is to be landscaped and free	The 6m rear setback area consists entirely of landscaped area.	Yes

Clause	Control	Comment	Compliance
	of any above or below ground structures.		
Part C Siting Factors			
C2 Traffic, access and safety	2. Vehicle access is to be obtained from minor streets and lanes where available and practical.	Vehicular access is to be retained and is from Ocean Street. There is no alternative.	-
C3 Parking facilities	1. The following design principles shall be met: • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site. • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser.	The site is a battle-axe lot. The garage is existing and not visible from the public realm.	n/a
	4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Dwelling house = 2 spaces	Two-bay garage is retained.	Yes
C4 Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.	A stormwater concept is supplied.	Yes
C7 Excavation and Landfill	1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.	Standard condition of consent anticipated.	-

Clause	Control	Comment	Compliance
	2. Excavation and landfill works must not result in any adverse impact on adjoining land.	Excavation works are generally limited to rear terrace areas and will have a nominal depth.  It is improbable that the works will have an adverse impact on adjoining land.	Yes
	3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.	Excavation works have a nominal depth and it is improbable that the works will compromise site stability.	Yes
	4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.	Sediment and erosion controls will prevent sediment laden runoff leaving the site and entering downstream waterways and drainage infrastructure.	Yes
	5. Rehabilitation and revegetation techniques shall be applied to the fill.	No site fill is proposed.	Yes
C8 Demolition and construction	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	A waste management plan is supplied with the development application.	Yes
C9 Waste management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	A waste management plan is supplied with the development application.	Yes
Part D Design			
D1 Landscaped open space and bushland setting	1. The required minimum area of landscaped open space is shown on DCP <i>Landscaped Open Space and Bushland Setting Map</i> .	The <i>Landscaped Open Space and Bushland Setting Map</i> indicates that 40% of the site is to be	On merit (area of access handle skews calculation)



Clause	Control	Comment	Compliance
		<p>provided as landscaped area.</p> <p>The site area <u>including</u> the access handle is 689.4sqm meaning 275.76sqm of the site is required to be landscaped.</p> <p>The control stipulates that paved surfaces and landscaped areas with a dimension of less than 2m are to be <u>excluded</u> from the calculation.</p> <p>A calculation plan indicating the pre- and post-development extent of landscaped area is included with the architectural plans.</p> <p>The proposed <u>calculable</u> landscaped area is 191.65sqm or 27.8% of the site area.</p> <p>Detailed discussion setting out the merits of this departure provided at Part 5.1 of this report.</p>	
D2 Private open space	1. Residential development is to include private open space for each dwelling.	Sufficient POS areas are provided.	Yes
	2. The minimum area and dimensions of private open space are as follows: Dwelling houses with 3 or more bedrooms = A total of 60m2 with minimum dimensions of 5 metres	The eastern POS satisfies these parameters.	Yes
	3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.	The principal POS is directly accessible from a living area.	Yes
	4. Private open space is to be located and designed to ensure privacy of the	The location of existing POS is unchanged.	Yes

Clause	Control	Comment	Compliance
	occupants of adjacent buildings and occupants of the proposed development.	The POS areas have no adverse privacy impact for neighbours.	
	5. Private open space shall not be located in the primary front building setback.	The principal POS is situated in the rear yard.	Yes
	6. Private open space is to be located to maximise solar access.	The private open space areas have north-east orientation and enjoy good solar exposure.	Yes
D3 Noise	1. Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.	Acoustic impact is not anticipated to be an issue in this scenario.	-
	4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.	The proposed internal arrangement of rooms ensures limited noise transmission between spaces.	Yes
	5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.	Room arrangement and window configuration will mitigate adverse noise impacts on noise sensitive rooms of neighbouring dwellings.	Yes
D6 Access to sunlight	1. Development should avoid unreasonable overshadowing any public open space.	The proposal will not cast shadow over public land.	Yes
	2. At least 50% of the required area of private open space of each dwelling and at least 50%	The shadow diagrams have been prepared for 9am, midday, and 3pm on the winter solstice and	Yes

Clause	Control	Comment	Compliance
	of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.	<p>demonstrate the shadow cast by existing and proposed development.</p> <p><u>Site</u></p> <p>The controls require 60sqm of POS meaning at least 30sqm of POS must receive 3 hours solar access on the winter solstice to comply with the access to sunlight control.</p> <p>The shadow diagrams indicate that substantially more than 30sqm of POS areas will enjoy direct solar access on the winter solstice.</p> <p><u>Neighbour</u></p> <p><b>151 Ocean Street</b></p> <p>The site to the south @ 151 Ocean Street contains a Strata titled seniors housing development consisting of three units.</p> <p>Unit 1 and 2 each has an east-facing balcony at upper level and a street-facing balcony at ground level. These units will have access to a POS with solar exposure throughout the day on the winter solstice.</p> <p>Unit 3 has a ground level courtyard on the eastern side of the building.</p> <p>Shadow diagrams demonstrate a portion of this courtyard area will have 3 hours of direct solar access on the winter solstice.</p> <p>The common property on the Strata plan includes the large yard area with beach access at the eastern end of the property. This area will continue to have direct solar access throughout</p>	

Clause	Control	Comment	Compliance
		the day on the winter solstice.	
D7 Views	1. Development shall provide for the reasonable sharing of views.	Based on the available information including survey details, inferred sightlines, and site inspection photographs, we conclude that the proposal provides for reasonable sharing of views.	Yes
D8 Privacy	1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	The building layout preserves resident privacy because high use rooms such as living spaces are oriented away from side boundaries and towards the rear yard.	Yes
	2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.	All <i>proposed</i> window openings are oriented away from side boundaries and towards to the rear yard.	Yes
	3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.	As above.	-
	4. The windows of one dwelling are to be located so they do not provide direct or close views (i.e. from less than 9 metres away) into the windows of other dwellings.	As above.	-
D9 Building bulk	1. Side and rear setbacks are to be progressively increased as wall height increases.	Side and rear building setbacks are established. The application proposes only minor adjustments to the existing dwelling floorplate.	Yes
	2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate	The existing elevations of the dwelling are suitably articulated thereby moderating perceived scale of the building.	Yes

Clause	Control	Comment	Compliance
	techniques to provide visual relief.		
	4. Building height and scale needs to relate to topography and site conditions.	<p>The additions, which are modest, correlate with established building setbacks and parapet / roof RL.</p> <p>The proposal complies with building height and wall height controls and is of an appropriate scale.</p>	Yes
	5. Orientate development to address the street.	The site is a battle-axe lot and does not have a street frontage.	n/a
	6. Use colour, materials and surface treatment to reduce building bulk.	<p>The proposal introduces new external materials to improve the appearance of the building and add visual interest.</p> <p>New external materials, along with adjustments to the terrace and new awning structures, will function of moderate perceived building bulk.</p> <p>A schedule of materials and colour is supplied with the architectural plans.</p>	Yes
	7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.	<p>Landscaping is proposed in the rear yard to soften / ameliorate apparent building volume.</p> <p>Integrated planting at the upper-level supplements ground level planting.</p> <p>Landscape arrangement and species selection is detailed on the landscape plan supplied with the architectural plans.</p>	Yes
	8. Articulate walls to reduce building mass.	The existing elevations of the dwelling are suitably articulated thereby moderating perceived scale of the building.	Yes
D10 Building colours and materials	1. In highly visible areas, the visual impact of new development (including	The alterations to the eastern (beach-facing ) elevation will, in our	Yes

Clause	Control	Comment	Compliance
	any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.	opinion, enhance the appearance of the building. Materials are compatible with “coastal” character.	
	2. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend into the natural landscape.	The external materials proposed include textured concrete and timber privacy screens / cladding, and, in conjunction with landscaping, will ensure the building is compatible with natural landscape.	Yes
	3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.	The proposed materials will complement existing to ensure visual continuity.	Yes
D11 Roofs	1. Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.	Not proposed.	Yes
	2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.	The existing roof form will be extended over the upper-level terrace areas to provide weather protection.	Yes
	3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.	The existing roof form will be extended over the upper-level terrace areas to provide weather protection.	Yes
	4. Roofs shall incorporate eaves for shading.	The expanded roof areas will shade north and east-facing glazing.	Yes
	5. Roofing materials should not cause excessive glare and reflection.	The new roof element will be concealed behind a parapet wall and will not give rise to glare issues.	Yes
D14 Site facilities	1. Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be	Site facilities are conveniently located and are discretely positioned within the site to avoid adverse visual impacts.	Yes

Clause	Control	Comment	Compliance
	adequate and convenient for users and services and are to have minimal visual impact from public places.		
Part E The natural environment			
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	This control applies to land identified on DCP Map Threatened and High Conservation Habitat and land identified as known or potential habitat for threatened species, as identified in the NSW Wildlife Atlas*.	The land immediately to the east of the site is identified on the Threatened and High Conservation Habitat Map  The proposed works do not occur on this land. Therefore, the controls do not apply.	n/a
E4 Wildlife Corridors	This control applies to land identified on DCP Map Wildlife Corridors.	The site is on the Wildlife Corridors Map.	-
	1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 50m <sup>2</sup> or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:  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	No vegetation is to be removed other than a planted single palm on the western side of the dwelling which is an exempt species.	n/a



Clause	Control	Comment	Compliance
	where appropriate reconstruct wildlife corridor areas on the subject property.		
E5 Native Vegetation	This control applies to land identified on DCP Map Native Vegetation.	<p>The land immediately to the east of the site is identified on the Native Vegetation Map</p> <p>The proposed works do not occur on this land. Therefore, the controls do not apply.</p>	n/a
E7 Development on land adjoining public open space	This control applies to all land shown on DCP Map Land Adjoining Public Open Space.	The site is on the Land Adjoining Public Open Space Map.	-
	1. Development on land adjoining public 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>The proposal is for alterations to the eastern elevation of the building which will enhance building appearance when viewed from Narrabeen Beach.</p> <p>Proposed perimeter landscaping will enhance landscape setting.</p>	Yes
	2. Public access to public open space is to be maximised.	The proposal does not impinge on public beach access.	Yes
	3. Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.	The terrace and east-facing rooms are designed to leverage beach outlook.	Yes
	4. Development is to provide a visual transition between open space, bushland reserves or other public spaces and buildings, including avoiding abutting public open space with back fences.	The principal POS area abuts the foreshore area in a manner encouraged by this control.	Yes
	5. Development is to protect views to and from public open space.	The proposal is for alterations to the eastern elevation of the building which will enhance	Yes

Clause	Control	Comment	Compliance
		building appearance when viewed from Narrabeen Beach.  The impact on private views towards the beach from nos. 151 & 155 are evaluated at Part 5.1 of this report.	
	6. Development is to provide buffers for bushfire protection on private land, not on public land.	The site is not bushfire prone.	n/a
	7. If the adjoining parks, bushland reserves or public open space contain bushland, development is not to threaten the protection or preservation of the bushland.	The works proposed have no impact on coastal vegetation adjoining the site.	Yes
	8. Development should be designed to maximise opportunities for casual surveillance of the public open space.	The works proposed will not undermine or diminish casual surveillance of public open space.	Yes
	9. Development is to utilise landscaping or existing landscape elements to screen development.	Landscaping at the perimeter of the eastern lawn area is proposed to enhance "landscape setting" of the dwelling.	Yes
E9 Coastline Hazard	This control applies to land identified on the Warringah LEP Coastline Hazard Map.	The site is on the Land Adjoining Public Open Space Map.	-
	1. The risk of damage from coastal processes is to be reduced through having appropriate setbacks and foundations, as detailed in Criteria for the Siting and Design of Foundations for Residential Development (see Policy volume).	The works proposed are not at risk of damage from coastal processes as outlined in the Coastal Engineering Report supplied with this application.	Yes
	2. For development in the area affected by the certified Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fishermans Beach	The proposal is broadly consistent with the CZMP as described in the Coastal Engineering Report supplied with this application.	On merit ( <u>minor</u> setback incursion)

Clause	Control	Comment	Compliance
	(Coastal Zone Management Plan), the applicant must demonstrate compliance with the Northern Beaches Coastal Erosion Policy, the Coastal Zone Management Plan and the Collaroy-Narrabeen Protection Works Design Specifications (as amended from time to time).	<p>The works will occur fractionally within the prescribed 15m setback zone.</p> <p>A discussion describing the merits of the incursion is set out at Part 5.1 of this Report.</p>	
E10 Landslip risk	For land identified as being in Area A: Council may decide that a preliminary assessment of site conditions is required. If Council so decides, a preliminary assessment of site conditions must be prepared, in accordance with the Checklist for Council's assessment of site conditions by a suitably qualified geotechnical engineer/engineering geologist. The preliminary assessment must be submitted to Council before the granting of any development consent.	<p>The site is identified as "Area A" on the <i>Landslip Risk Map</i>.</p> <p>The controls say that:</p> <p>"Council may decide that a preliminary assessment of site conditions is required."</p> <p>In our opinion, an assessment of subsurface conditions is not necessary for DA because:</p> <ul style="list-style-type: none"> <li>• Survey information shows the area of disturbance is ostensibly <u>level terrain</u>.</li> <li>• The works include an awning over a terrace space and do not increase building footprint.</li> <li>• The submitted Coastal Engineering Report sets out recommendations for design of piled footings.</li> <li>• The risk of the development precipitating a "landslide" is nil.</li> <li>• Stormwater runoff will continue to be captured and directed to an absorption system in the eastern yard</li> </ul>	Yes

Clause	Control	Comment	Compliance
		<p>thereby avoiding any adverse impact associated with stormwater discharge.</p> <ul style="list-style-type: none"> <li>The works will have no impact on subsurface hydrology / flows.</li> </ul>	

#### 4.4. PLANNING AGREEMENTS

There are no planning agreements associated with this site.

#### 4.5. THE REGULATIONS

Section 92 of the *Environmental Planning and Assessment Regulation 2000* prescribes additional matters that the consent authority must consider in determining a development application. Each matter for consideration and its relevance to the proposal is noted in Table 3.

Table 4 | Additional matters for consideration (Regs)

Clause	Matter	Relevance
92(1)(b)	In the case of a development application for the demolition of a building, the provisions of <i>AS 2601 The demolition of structures</i> .	Demolition works will be carried out as per the provisions of AS 2601.
92(1)(c)	In the case of a development application for development on land subject to a subdivision order, the provisions of that subdivision order.	The site is not subject to a subdivision order.
92(1)(d)	In the case of certain development on land within 200km of Siding Spring Observatory, the <i>Dark Sky Planning Guideline</i> .	The site is not within 200km of the Siding Spring Observatory.
92(1)(e)	In the case of a development application for a manor house or multi dwelling housing (terraces), the <i>Medium Density Design Guide for Development Applications</i> .	The development application does not propose a manor house or multi dwelling housing (terraces).
92(1)(f)	In the case of a development application for residential development within the Penrith City Centre, the <i>Development Assessment Guideline: An Adaptive Response to</i>	The site is not within the Penrith City Centre.

Clause	Matter	Relevance
	<i>Flood Risk Management for Residential Development in Penrith City Centre.</i>	

## 5. PLANNING ASSESSMENT

This section provides a planning assessment of the likely impacts of the proposed development, considers the suitability of the site and evaluates whether the development is in the public interest, as required by section 4.15(1) of the EP&A Act.

### 5.1. IMPACTS ON THE NATURAL AND BUILT ENVIRONMENT

The proposed development responds to site conditions and contributes positively to streetscape / beachscape character. The alterations and additions are designed to optimise occupant amenity and to minimise adverse impacts on neighbour amenity.

Below we outline aspects of the proposal that relate to impacts on the built and natural environment.

#### 5.1.1. Building envelope

Part B3 of WDCP sets out a side boundary envelope control and requires that:

“1. Buildings ... 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 4 metres as identified on the map.”

The exceptions criteria permit encroachment of “fascia, gutters, downpipes, eaves, masonry chimneys, flues, pipes or other services infrastructure” and “a second storey to an existing dwelling house that to a minor extent does not comply” with the side envelope control.

The proposed roof over the upper-level terrace space will project above the side boundary envelope. Section B-B included in the Architectural Plans illustrates the extent of incursion. A clip of the section is supplied at Figure 10.

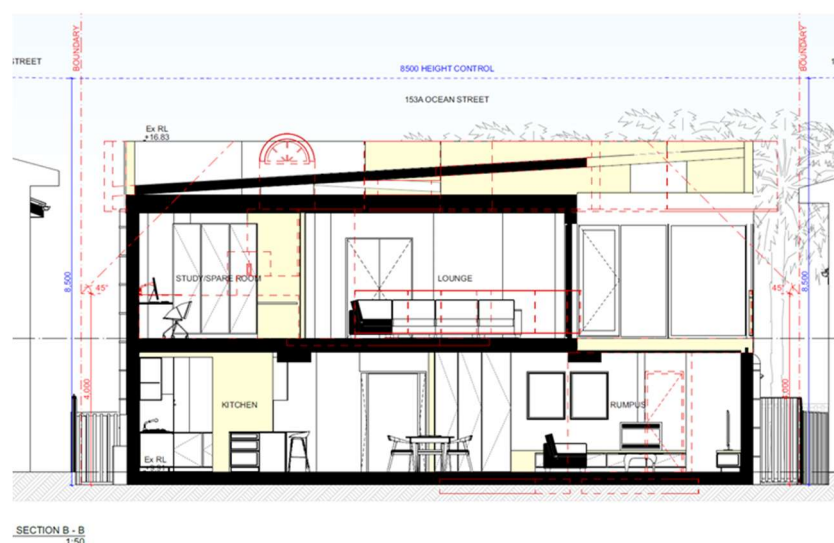


Figure 10 | Side envelope plane encroachment

**Section.4.15(3A)(b) of the EP&A Act states that:**

“(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and”

**The consent authority is compelled by the EP&A Act to be flexible in applying the building envelope controls and to allow the proposed alternative solution if it considers that the objectives of the control are achieved.**

**The “objectives” of the building envelope control are addressed in Table 5.**

Table 5 | Building envelope objectives

Objective	Comment
• To ensure that development does not become visually dominant by virtue of its height and bulk.	<p>The absolute height of the building is comfortably below the height permitted by the building height standard. The scale of the building is not “visually dominant”.</p> <p>The proposal does not increase the floorplate of the building – in fact, the floorplate is to be <u>reduced</u> – meaning the perceived bulk / volume of the building is not substantially altered.</p> <p>The breaching component of the proposal is the roof over the upper-level terrace space. The roof form does not contribute in any meaningful way to perceived building bulk / volume.</p> <p>The dwelling @ 155 Ocean Street has no window openings that directly oppose, and are at the same level as, the proposed roof over the terrace. Therefore, the proposed roof will not be “visually dominant” from the perspective of the neighbour.</p> <p>The proposal aligns with this objective despite envelope breach.</p>
• To ensure adequate light, solar access and privacy by providing spatial separation between buildings.	<p>The encroaching element of the building is the roof form over the upper-level terrace space.</p> <p>The terrace space is existing, and the trafficable area of the terrace is <u>reduced</u>. Therefore, the envelope breach will not give rise to any new privacy issues.</p> <p>The breaching component is (primarily) on the northern side of the residence and therefore has no shadow impact on</p>



Objective	Comment
	neighbours. The envelope breach will not give rise to adverse shadow impact. The proposal aligns with this objective despite envelope breach.
• To ensure that development responds to the topography of the site.	The site is ostensibly flat, and the parapet / fascia height of the proposed roof form has a uniform RL. The development responds to site topography. The proposal aligns with this objective despite envelope breach.

Relevantly, the *existing* dwelling breaches the side boundary envelope plane. The alignment and parapet / fascia RL of the proposed roof over the upper-level terrace space corresponds with that of the existing roof form. Matching the roof form and parapet RL will ensure the addition and existing roof structure are visually unified and architecturally coherent.

The discussion set out above demonstrates that the proposal satisfies the objectives of the side boundary envelope control. A variation is therefore warranted.

### 5.1.2. Landscaped area

Part D1 of WDCP sets out landscaped area controls and requires that 40% of the site area constitute landscaped area. The control explains that open space areas with a dimension of less than 2m are excluded from the calculation.

A landscaped area calculation sheet (A103) is included with the Architectural Plans.

Relevantly, the site is a battle-axe lot and the area of the access handle – which is mostly concrete – has the effect of skewing the landscaped area calculation. In the same way that access handles are excluded from the calculation of site area for the purposes of the lot size standard (cl. 4.1(3A)), the area calculation sheet includes a calculation based on the site area *less* the area of the access handle. In our opinion, this gives a better representation of the portion of “the site” that is landscaped.

Landscaped areas are set out at Table 6.

Table 6 | Landscape areas

Point of reference	Area (sqm)	“Calculable” landscaped area	Landscaped area + areas w/ dimension <2m
Total site area	689.4sqm	191.65sqm (27.8%)	245.95sqm (35.7%)
Site area < access handle	612.1sqm	191.65sqm (31.3%)	223.35sqm (36.5%)

The proposed landscaped area does not comply with the landscaped area control. Non-compliance is minor when the area of the access handle is excluded from the “site area” and landscaped areas with a dimension of less than 2m are accounted for in the calculation.

Per s. 4.15(3A)(b) of the EP&A Act, the consent authority is compelled to be flexible in applying the landscaped area control and to allow the proposed alternative solution if it considers that the objectives of the control are achieved.

The objectives of the landscaped area control are addressed in Table 7.

Table 7 | Landscaped area objectives

Objective	Comment
• To enable planting to maintain and enhance the streetscape.	<p>The site is a battle-axe lot and does not have a street presence. Therefore, the reduced landscaped area will have no tangible impact on streetscape appearance.</p> <p>Additional landscaping is proposed at the permitter of the eastern yard to contribute to “landscape setting” and enhance the appearance of the property from the perspective of the public areas i.e. Narrabeen Beach.</p> <p>The proposal aligns with this objective despite non-compliant landscaped area.</p>
• To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.	<p>The proposed building works will not precipitate the removal of any protected trees and/or vegetation within the site or on adjoining properties. The site topography is unaltered.</p> <p>Additional landscaping is proposed at the permitter of the eastern yard and will conceivably contribute to foraging habitat for coastal birds, lizards, etc.</p> <p>The proposal aligns with this objective despite non-compliant landscaped area.</p>
• 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.	<p>The landscaped area on the eastern side of the dwelling will be retained other than a small portion of the lawn immediately adjacent to the dwelling which will contain the enlarged terrace area.</p> <p>The eastern yard area has sufficient dimensions and soil depth to enable the establishment of proposed permitter landscaping, which includes low shrubs.</p> <p>Relevantly, the planting of medium shrubs and canopy trees on the eastern side of the dwelling is not appropriate / desirable as plantings of such scale would sightlines to the beach / ocean.</p> <p>The landscaped area proposed, although “undersized”, allows for suitable planting and aligns with this objective.</p>

Objective	Comment
• To enhance privacy between buildings.	<p>The proposal fractionally reduces landscaped area adjacent existing ground level terrace. Landscaped area at the site and plantings therein has otherwise been retained.</p> <p>The reduction in landscaped area on the eastern side of the dwelling will not give rise to any privacy impacts or increased potential for cross-viewing between properties.</p> <p>Because the undersized landscaped area has no privacy consequences, the proposal aligns with this objective.</p>
• To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.	<p>The area available for outdoor recreation is not diminished by the proposal. In fact, the objective of the proposal is to optimise the amenity and utility of the existing terrace space and adjoining landscaped area.</p> <p>The proposal aligns with this objective despite numeric non-compliance.</p>
• To provide space for service functions, including clothes drying.	<p>There remains ample area to dry clothes within the eastern lawn area, despite landscaped area non-compliance.</p>
• To facilitate water management, including on-site detention and infiltration of stormwater.	<p>Roof and surface water runoff is presently discharged to an absorption system within the eastern lawn area. Runoff will continue to be managed in this manner.</p> <p>Therefore, all stormwater runoff will continue to be absorbed on site despite landscaped area non-compliance.</p>

The works do not precipitate tree removal, additional landscaping will be delivered at the permitter of the eastern lawn area to enhance landscape setting when viewed from Narrabeen Beach, the works will not give rise to privacy issues, and stormwater will continue to be managed on site.

We have demonstrated that that the development satisfies the landscaped area objectives, despite numeric non-compliance.

### 5.1.3. CZMP requirements

Part E9 of WDCP applies to land identified on the Coastline Hazard Map to WLEP.

Control 2 says:

“2. For development in the area affected by the certified Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fisherman’s Beach (Coastal Zone Management Plan), the applicant must demonstrate compliance with the Northern Beaches Coastal Erosion Policy, the Coastal Zone Management Plan and the Collaroy-Narrabeen Protection Works Design Specifications (as amended from time to time).”

The site is subject to the Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fisherman's Beach (CZMP).

The Coastal Engineering Report supplied at **Appendix D** addresses the applicable requirements of the CZMP and finds that the works are acceptable from a coastal engineering perspective.

The CZMP applies a 15m rear (seaward boundary) setback for "Area 1" i.e. the area of Collaroy-Narrabeen Beach north of Devitt Street. The stated purpose of the 15m setback is to minimise view loss for surrounding properties and visual impact of structures near the public beach.

The proposed pergola awning at ground floor will project into the 15m rear setback. The elevations included on Sheet A200 of the Architectural Plans indicate the setback line and the extent of encroachment. A clip of the northern elevation is supplied at Figure 11.

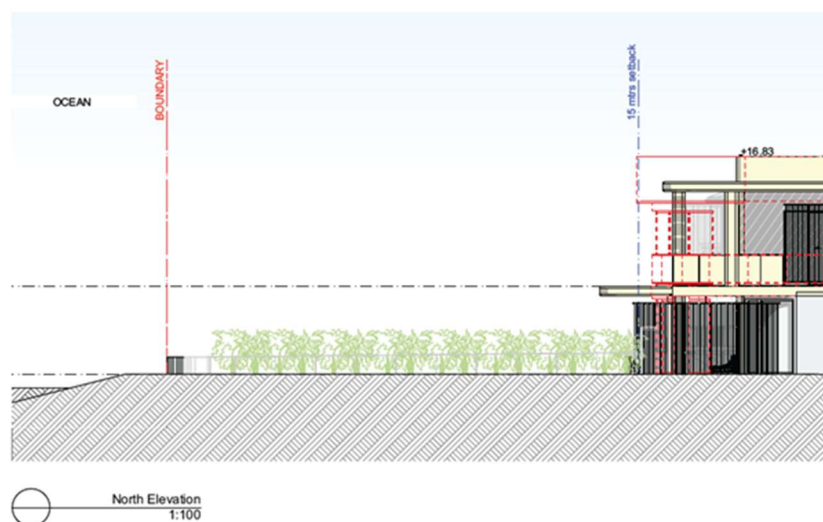


Figure 11 | 15m setback incursion

In our opinion, the setback incursion is acceptable because:

- The encroaching element is part of the proposed ground level pergola awning. This is a "lightweight" structure that does not contribute to perceived building volume in the same way that an enclosed space might. The structure does not visually overwhelm adjoining public spaces despite minor setback encroachment.
- The awning structure, and the works to the eastern elevation more generally, will enhance / contemporise the architecture of the building and therefore its presentation to the public realm.
- The pergola awning structure will not unreasonably impact sightlines from the terrace and yard spaces of dwellings @ nos. 151 and 155 Ocean Street. These dwellings will continue to enjoy uninterrupted eastward views of Narrabeen Beach and the ocean beyond. Indicative "view cones" are identified on the aerial image at Figure 12.

- The image at Figure 13 depicts the view corridor at ground level from location 1 indicated on Figure 12. This image is representative of the oblique northward view that may be available from the balconies of dwellings @ 151 Ocean Street. The ground level pergola awning is unlikely to obscure views from the balconies of these dwellings. The high value eastward views will clearly remain unobstructed.
- The image at Figure 14 depicts the view corridor at ground level from location 2 indicated on Figure 12. This image is representative of the southward view that may be available from the elevated rear terrace of @ 155 Ocean Street. The eastern edge of the terrace is ~13.5m from the rear boundary. We anticipate the proposed ground level awning may limit a small fraction of the southward view. Though the views at risk of being obscured are primarily of other nearby foreshore buildings rather than beach or ocean views and are not significant. Again, the high value eastward beach / ocean views will remain unobstructed.



Figure 12 | View corridors

View corridors from locations 1 and 2 are depicted in images below.



Figure 13 | Sightline 1 – looking north-east



Figure 14 | Sightline 2 – looking south

The proposed development satisfies the stated purpose of the setback control which is to minimise view loss for surrounding properties and visual impact of structures near the public beach, and a variation is warranted.

## **5.2. SOCIAL IMPACTS**

The proposal will have positive social impacts from the perspective of the occupants of the dwelling who will enjoy internal and external spaces with improved amenity. There will be short term disturbance associated with construction works however mitigation measures such as prescribed hours of work will minimise impact.

Social impacts are largely positive and adverse social impacts are short term.

## **5.3. ECONOMIC IMPACTS**

The proposal will have short term economic impact through job creation associated with demolition and construction works. The proposed development will contemporise housing stock in Narrabeen and there will be resultant uplift in property value and economic benefit for the landowner.

Economic impacts associated with the proposal are positive.

## **5.4. SITE SUITABILITY**

The proposed dwelling alterations are permitted within Zone R2 and are compatible with surrounding land use. The development improves housing stock in a manner encouraged by applicable zone objectives and planning controls.

The development is sited and designed to maintain reasonable amenity to neighbouring dwellings and to respond to the scenic values of the locality. The proposal is found to be compatible with “coastal hazards”.

The site is suitable for the proposed development.

## **5.5. PUBLIC INTEREST**

The development will improve housing stock in a manner encouraged by the applicable zone objectives. The development responds to site conditions, minimises impacts on neighbour amenity and responds to the scenic values of the locality. The proposal has no unreasonable impacts on the amenity of neighbouring or nearby dwellings.

The proposal aligns with the public interest.



## 6. CONCLUSION

This Statement of Environmental Effects has been prepared to support an application for the alterations and additions to the dwelling at 153A Ocean Street, Narrabeen.

The objective of the development proposal is to deliver alterations and additions to improve the appearance and amenity of the existing dwelling in a manner encouraged by the zone objectives and planning controls.

Our report describes the key aspects of the proposal which include demolition works, including removing the semi-circular portion of the floorplate on the eastern side of the building, alterations / enhancements to the eastern ground level terrace, and providing a pergola over the upper-level terrace for better weather protection.

Our evaluation of the proposal against the relevant planning instruments has found that the proposal is broadly consistent with instrument objectives, development standards, provisions, and controls, with justifiable exceptions to side envelope, landscaped area, and coastal zone setback.

We have assessed the environmental impacts of the proposal and have determined that there are no significant adverse impacts. We have assessed impact on neighbour amenity, and building envelope and landscaped area non-compliances and consider that development outcomes are site responsive, and no design modification is warranted.

Our report explains that the site is suitable for the development as it is zoned for residential purposes and is compatible with surrounding land use. We establish that the development is in the public interest given the absence of adverse impact and improvement to housing stock.

We conclude that the proposal is worthy of approval.



## **APPENDIX A | SURVEY**





## **APPENDIX B | ARCHITECTURAL PLANS**



## **APPENDIX C | STORMWATER CONCEPT**



## **APPENDIX D | COASTAL ENGINEERING REPORT**



## **APPENDIX E | WASTE MANAGEMENT PLAN**