

30<sup>th</sup> April 2024

The CEO  
Northern Beaches Council  
Po Box 882  
MONA VALE NSW 1660

Dear Sir,

**Statement of Environmental Effects  
Alterations and additions to a residential care facility  
Lot 38 DP 7236 and Lot 2 DP 748426 - 23 and 33 Bassett Street, Mona Vale**

**Introduction**

This Statement of Environmental Effects (SoEE) supports an application proposing alterations and additions to an approved residential care facility (*seniors housing*). This submission is accompanied by the following supporting documentation:

- Boundary survey
- Architectural plans
- Landscape plans
- Stormwater management plans
- Arborist report
- Access report
- BCA capability statement
- Flood risk management report
- Geotechnical investigation
- Traffic and parking assessment

**Background**

On 26<sup>th</sup> April 2021 the Northern Beaches Local Planning Panel granted development consent DA2020/08164 demolition works and the construction of a 118 bed residential care facility pursuant to the now repealed State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

This consent was subsequently modified by way of Mod2022/0376 granted on 10<sup>th</sup> October 2022 involving the deletion of the conditions requiring the part construction of a new pedestrian pathway to the Barrenjoey Road bus stop.

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## **Site Analysis and Surrounds**

The subject property comprises 2 allotments described as:

<b>Property Address</b>	<b>Legal Description</b>	<b>Area</b>
23 Bassett St	Lot 8, Sec F, DP 7236	929m <sup>2</sup>
25-33 Bassett St	Lot 2, DP 748426	5574m <sup>2</sup>

The site is rectangular in shape having a combined frontage of 106.68 metres, a depth of 60.96 metres and a total area of 6503m<sup>2</sup>. The property is located on the southern side of Bassett Street approximately 130 metres east of Barrenjoey Road. The property does not contain any significant trees or vegetation and falls approximately 2 metres across its surface in a westerly direction. A location/ context photograph is at Figure 1 below.



Source: Google Maps

**Figure 1** – Aerial site location/ context photograph

No. 23 Bassett Street is occupied by single storey dwelling.





**Figure 2** – No. 23 Bassett Street

No. 25 Bassett Street is occupied by a single storey dwelling. It is owned by the Thompson Health Care is part of the same allotment as the nursing home.



**Figure 3** – No. 25 Bassett Street

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No 33 Bassett St is occupied by a 63-bed aged care facility comprising of 28 single wards and 12 double wards nursing home known as *Mona Vale House Nursing Home*. The existing facility has 34 car spaces in an at-grade carpark at the rear of the site. Vehicular access is via a separate entry and exist driveways. A port cochere is also provided along the site frontage that includes parking for an ambulance. Vehicles enter the port cochere via the main entry driveway and exit via a separate access driveway.

The existing aged care facility is staffed by a maximum of 28 employees with those staff parking on-street in the vicinity of the site.



**Figure 4** – No. 33 Bassett Street

The immediately surrounding area is residential in character. The properties located to the north, on the opposite side of Bassett Street are all detached 1 and 2 storey, dwelling houses.

The properties to the south comprise of a mix of 1 and 2 storey dwellings and dual occupancies.

Approximately 50m to the west of the site is Barrenjoey Road with a light industrial area located on the western side.

Mona Vale beach is located approximately 350m to the east.

The subject property is within short walking distance of Mona Vale Town Centre, Mona Vale Golf Course and a range of foreshore recreational areas.

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**Figure 5** – Dwellings located opposite (to the north of the site)



**Figure 6** – The existing nursing home with the adjoining property (an attached dual occupancy) shown in the centre of the photograph

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**Figure 7** – Nos 19 and 21 Bassett located to the east of the site

### **The Proposal**

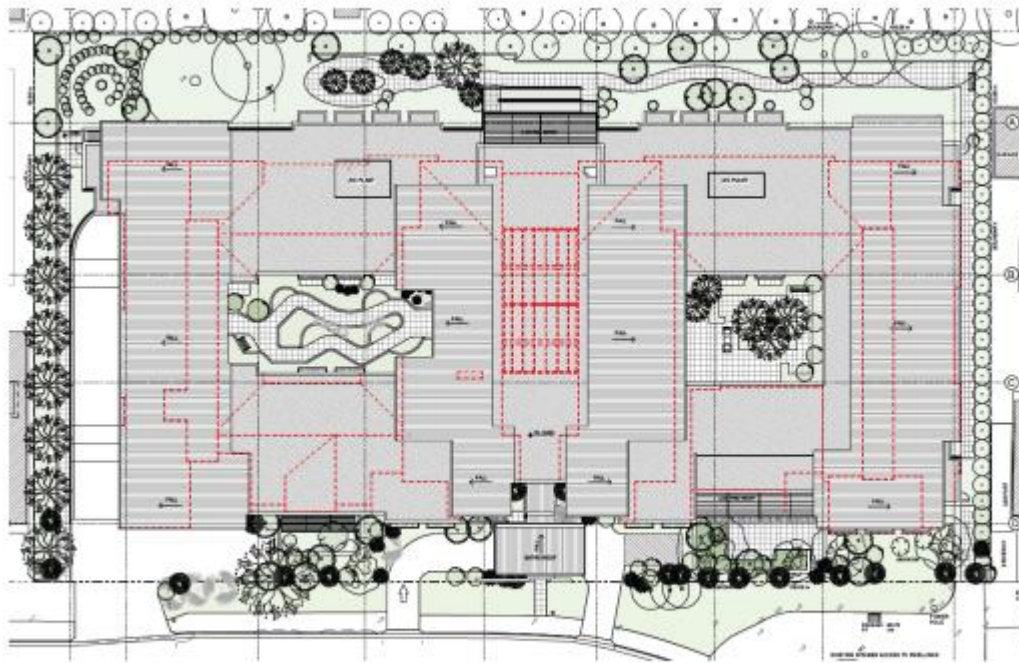
The application seeks development consent for alterations and additions to a residential care facility pursuant to the Part 5 provisions of State Environmental Planning Policy (Housing) 2021 (SEPP Housing). The proposed works are depicted on the following plans prepared by Gartner Trovato Architects:

<b>DEVELOPMENT APPLICATION DRAWING LIST</b>	
<b>No:</b>	<b>Drawing Name</b>
DA2-00	COVER SHEET
DA2-01	SITE ANALYSIS AND CONTEXT PLAN
DA2-02	SITE + ROOF PLAN
DA2-03	BASEMENT LEVEL + CARPARK LEVEL
DA2-04	GROUND FLOOR LEVEL
DA2-05	FIRST FLOOR LEVEL
DA2-06	ELEVATIONS NORTH AND SOUTH
DA2-07	ELEVATIONS EAST AND WEST
DA2-08	SECTIONS
DA2-09	SHADOW DIAGRAMS
DA2-10	3D VIEWS
DA2-11	AREAS + DEVELOPMENT SCHEDULE
DA2-12	FIRE AND SMOKE COMPARTMENTS



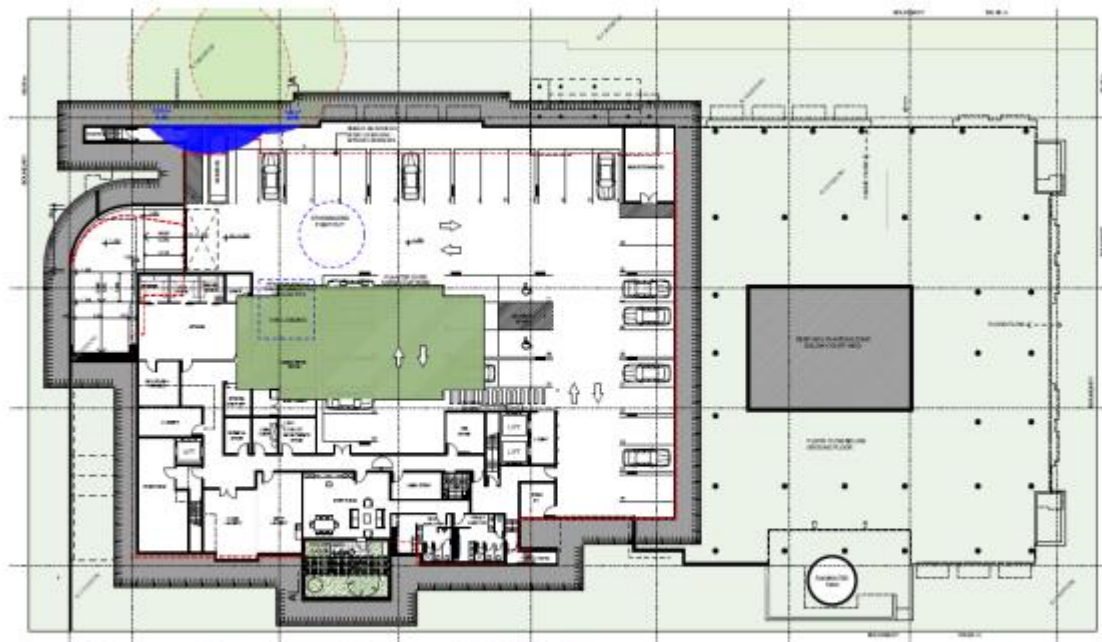
The proposed works are described as follows:

#### DA2-02 SITE + ROOF PLAN



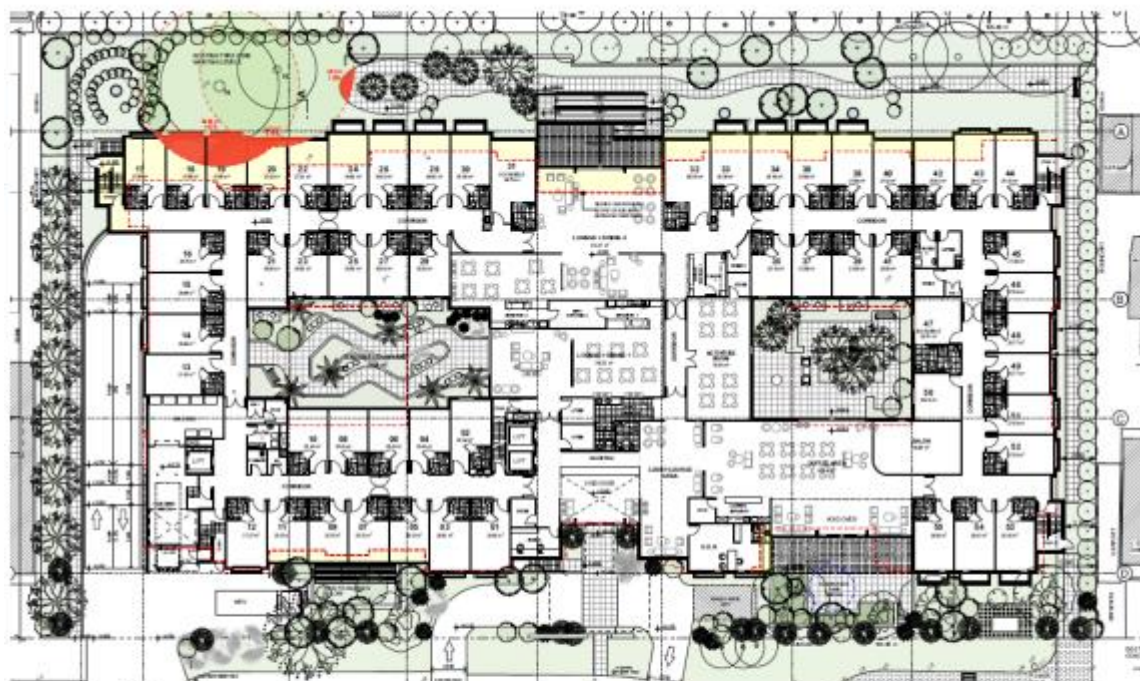
- Atrium deleted
- Extent of pitched roof amended and rationalised
- Extent of concrete roof amended

#### DA2-03 BASEMENT LEVEL + CARPARK



- Basement Level lowered 300mm to RL1.200
- Driveway amended.
- Building increased along South boundary – 3.5m on average
- Pump Room added and BOH areas rationalised

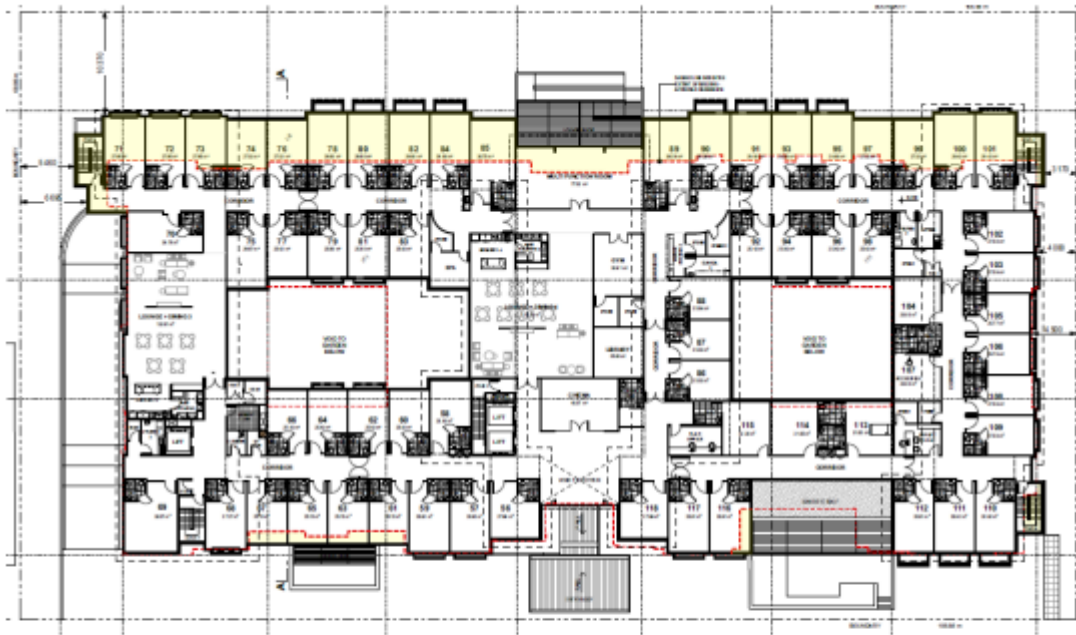
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**DA2-04 GROUND FLOOR LEVEL**

- Building increased along South boundary – 3.5m on average
- Average rear boundary setback reduced to 10m
- No change to average front boundary setback
- No change to side boundary setback
- Atrium deleted – small void area over Entry Lobby
- Wards reconfigured and layout amended.
- Internal Courtyard increased in area.
- Resident Communal areas amended.
- Full balconies, "Juliet" balconies and bay windows introduced.



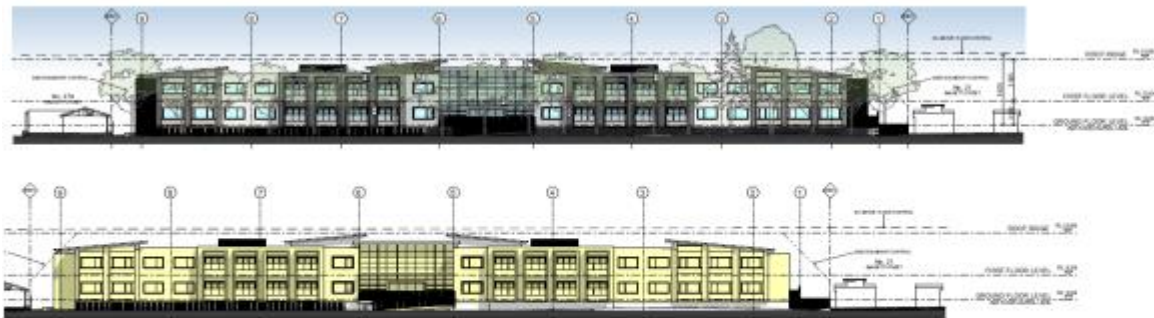
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**DA2-05 FIRST FLOOR LEVEL**

- Floor level raised 200mm – RL 8.300
  - Building increased along South boundary – 5m on average
  - Average rear boundary setback reduced to 10m
  - No change to average front boundary setback
  - No change to side boundary setback
  - Atrium deleted – small void area over Entry Lobby
  - Wards reconfigured and layout amended.
  - Internal Courtyard increased in area.
  - Resident Communal areas amended.
  - Full balconies, "Juliet" balconies and bay windows introduced.
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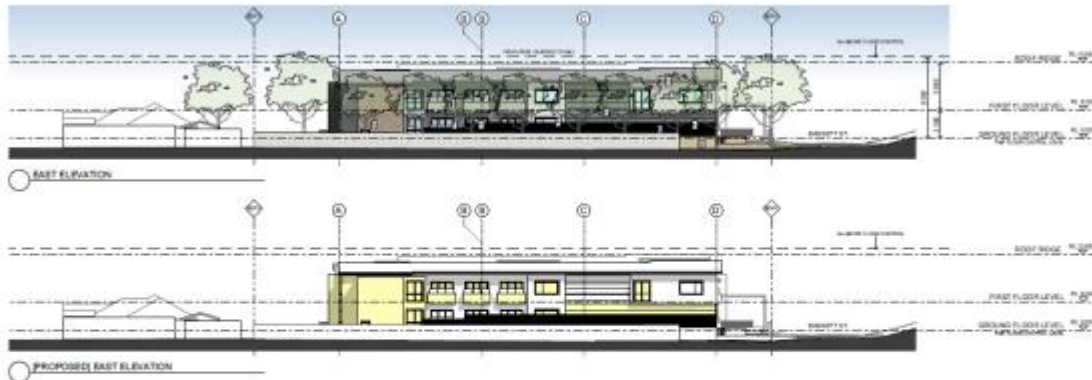
**DA2-06 NORTH ELEVATION**

- Floor level raised 200mm – RL 8.300
- External finishes amended.
- Full balconies, "Juliet" balconies and bay windows introduced.
- Glazing to central spine and coffee area amended
- Extent of pitched roof amended.

**DA2-06 SOUTH ELEVATION**

- Floor level raised 200mm – RL 8.300
- External finishes amended.
- Full balconies, "Juliet" balconies and bay windows introduced.
- Glazing to central spine and coffee area amended
- Extent of pitched roof amended.



**DA2-07 EAST ELEVATION**

- Floor level raised 200mm – RL 8.300
- External finishes amended.
- Full balconies, “Juliet” balconies and bay windows introduced.
- Glazing to central spine and coffee area amended
- Extent of pitched roof amended.

**DA2-07 WEST ELEVATION**

- Floor level raised 200mm – RL 8.300
- External finishes amended.
- Full balconies, “Juliet” balconies and bay windows introduced.
- Glazing to central spine and coffee area amended
- Extent of pitched roof amended.

**SITE AREA** 6,503m<sup>2</sup>

**FSR CALCULATIONS**

EXISTING GFA (APPROVED DA)		PROPOSED GFA (\$4.55)	
BASEMENT	127m <sup>2</sup>	BASEMENT	119m <sup>2</sup>
GROUND FLOOR	3,132m <sup>2</sup>	GROUND FLOOR	3,144m <sup>2</sup>
FIRST FLOOR	2,900m <sup>2</sup>	FIRST FLOOR	3,148m <sup>2</sup>
<b>EXISTING TOTAL</b>	<b>6,159m<sup>2</sup></b>	<b>TOTAL</b>	<b>6,411m<sup>2</sup></b>

EXISTING FSR 0.95:1

**PROPOSED TOTAL GFA** 6,411m<sup>2</sup>  
**PROPOSED FSR** 0.98:1

**RESIDENT ROOM NUMBERS**

EXISTING (APPROVED DA)		PROPOSED (\$4.55)	
GROUND FLOOR	59	GROUND FLOOR	55
FIRST FLOOR	59	FIRST FLOOR	63
<b>EXISTING TOTAL</b>	<b>118</b>	<b>TOTAL</b>	<b>118</b>

**TOTAL PROPOSED WARD NUMBER** 118

**LANDSCAPE + COMMUNAL AREA CALCULATIONS**

**REQUIREMENTS SEPP HOUSING 2021**

DEEP SOIL 15% SITE AREA	975m <sup>2</sup>
LANDSCAPE 15m <sup>2</sup> / WARD	1,865m <sup>2</sup>

COMMUNAL AREA 10m<sup>2</sup> / WARD 1,180m<sup>2</sup>

**PROPOSED LANDSCAPE AREAS**

DEEP SOIL 8m DIMENSION	1,024m <sup>2</sup>
DEEP SOIL	824m <sup>2</sup>
<b>TOTAL DEEP SOIL</b>	<b>1,848m<sup>2</sup></b>
PLANTER BEDS	279m <sup>2</sup>

**TOTAL LANDSCAPE AREAS** 2,12m<sup>2</sup>

**TOTAL COMMUNAL AREA** 1,270m<sup>2</sup> (Internal courtyards + spaces)

**CARPARKING CALCULATIONS**

**REQUIREMENTS SEPP HOUSING 2021**

1 SPACE FOR EVERY 15 BEDS	8
1 SPACE FOR 2 STAFF ON DUTY (50)	25

**TOTAL REQUIRED** 33

**PROPOSED CARPARKING**

BASEMENT	36 INCLUDES 2 ACCESSIBLE
GROUND	1 X AMBULANCE PARKING BAY

- No increase in ward numbers
- GFA increase – 252m<sup>2</sup>
- FSR 0.98:1



We confirm that any inconsistency between the subject development application, if approved, and the previous Court granted consent can be remedied pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979 (the Act) with such provisions enabling the imposition of a condition requiring the administrative modification of another consent applying to the land. No objection is raised to an appropriately worded condition in this regard.

### **Environmental Planning Assessment**

#### **Section 4.15(1)(a)(i) – Environmental Planning Instruments**

##### ***State Environmental Planning Policy (Housing) 2021***

The provisions of Part 5 of SEPP Housing apply to the land given its R2 Low Density Residential zone. The Land is not located within a site excluded by clause 80. Pursuant to clause 81 development consent may be carried out with development consent.

#### **Section 84 Development standards**

Clause	Control	Proposal	Complies
84 (2)(a)	Site area of at least 1000m <sup>2</sup>	Site area of 6,503m <sup>2</sup> .	Yes
84(2)(b)	Frontage of 20m at building line	66.34m	Yes
84(2)(c)(i)	Not result in a height of more than 9.5 m excluding services	All works are below 9.5m in height	Yes
84(2)(c)(iii)	3 <sup>rd</sup> storey setback within 45 degree planes from side and rear boundaries	2 storeys	NA

#### **Section 87 Additional floor space ratio**

This clause is not applicable as development for the purposes of a residential flat building or shop top housing is not permissible.

#### **Section 88 Restrictions on occupation of seniors housing**

Compliance is achieved due to the existing conditions of consent DA2020/08164.

#### **Section 91 Fire sprinkler systems in residential care facilities**

The proposed development includes a fire sprinkler system.

#### **Section 94 Location and access to facilities and services—residential care facilities**

The Development is regularly serviced by bus services and located within 500m of the Mona Vale Town Centre.

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The equivalent accessibility provisions were considered in granting approval for consent DA2020/08164.

#### Section 95 Water and sewer

The Site has existing access to a reticulated water system and adequate facilities for the removal or disposal of sewage. Water and sewerage are provided by Sydney Water and satisfies the requirements of clause 95(2) of *SEPP Housing*.

#### Section 96 Bush fire prone land

The site is not bush fire prone land.

#### Section 97 Design of seniors housing

In the context that the application seeks alterations and additions to an approved residential care facility consideration has been given to the section 12.1 Design Principles for residential care facilities as contained within the *Seniors Housing Design Guide*. In this regard we provide the following analysis:

General planning - The proposed alterations and additions maintain the general planning and design quality of the previously approved building which provides high level of amenity for residents and efficient workspaces for staff. These provisions are satisfied.

External form - The alterations and additions maintain the general external form approved pursuant to the original application although additional floor space is provided towards the rear of the site. The previously approved side boundary setbacks are maintained together with a 10.37m rear setback and the generous landscaped curtilage. The alterations and additions appropriately articulated to ensure a visually harmonious and integrated built form outcome. These provisions are satisfied.

Neighbourhood amenity and streetscape - Being located towards the rear of the site the alterations and additions will not alter the approved streetscape built form circumstance. As previously indicated, the previously approved side boundary setbacks are maintained together with a 10.37m rear setback and the generous landscaped curtilage. The alterations and additions appropriately articulated to ensure a visually harmonious and integrated built form outcome. These provisions are satisfied.

Entrances - No change to approved car parking and entrance arrangement. These provisions are satisfied.

Public space in front of house - The previously approved front of house and visitor control points are maintained. These provisions are satisfied.

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Residential accommodation - The residential accommodation complies with the design guidelines and will provide appropriate levels of amenity for occupants. These provisions are satisfied.

Visual and acoustic privacy - The alterations and additions maintain appropriate setback to surrounding residential properties with a combination of spatial separation and intervening landscape treatments ensuring the maintenance of appropriate visual and acoustic privacy outcomes. These provisions are satisfied.

Solar access and design for climate - The accompanying shadow diagrams plan demonstrates that compliant levels of solar access will be maintained to the principal living and adjacent private open space areas of all surrounding residential development between 9am and 3pm on 21<sup>st</sup> June. These provisions are satisfied.

Stormwater - All stormwater will be disposed of in accordance with the accompanying stormwater management plans prepared by ENTEC Consultants. These provisions are satisfied.

Accessibility - The proposed works are compliant with the applicable accessibility provisions as detailed in the accompanying report prepared by Accessibility Building Solutions. These provisions are satisfied.

Waste management - There are no changes to the previously approved waste management regime. These provisions are satisfied.

The Consent Authority is required to be satisfied that adequate consideration has been provided to the design principals within Schedule 8 which are set out in the following table.

#### Schedule 8 Consideration of design principals

Design Principal	Consideration
<p><b>1 Neighbourhood amenity and streetscape</b></p> <p>Seniors housing should be designed as follows—</p> <p>(a) to recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation,</p> <p>(b) to recognise the desirable elements of—</p> <p>(i) the location's current character, or</p> <p>(ii) for precincts undergoing a transition—the future character of the location so new buildings</p>	<p>The works within the proposed development consent recognise the operational, functional and economic requirements of residential care facilities.</p> <p>The proposed development recognises the elements of the current character by providing a low form roof and providing ample setbacks to the side and rear of the site.</p>

<p>contribute to the quality and identity of the area,</p> <p>(c) to complement heritage conservation areas and heritage items in the area,</p> <p>(d) to maintain reasonable neighbourhood amenity and appropriate residential character by—</p> <ul style="list-style-type: none"> <li>(i) providing building setbacks to reduce bulk and overshadowing, and</li> <li>(ii) using building form and siting that relates to the site's land form, and</li> <li>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</li> <li>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours,</li> </ul> <p>(e) to set back the front building on the site generally in line with the existing building line,</p> <p>(f) to include plants reasonably similar to other plants in the street,</p> <p>(g) to retain, wherever reasonable, significant trees,</p> <p>(h) to prevent the construction of a building in a riparian zone.</p>	<p>The proposed works are not visible from the street and do not impacts the overall developments compatibility with the character of the area.</p> <p>The proposed development maintains the existing setbacks and does not result in significantly increased amenity impacts in terms of visual bulk or overshadowing.</p> <p>The proposal does not alter the building siting.</p> <p>The proposal does not impact the developments height at the building frontage.</p> <p>The proposal does not involve works on the boundary.</p> <p>The proposal does not involve works to the front of the building.</p> <p>The proposal does not alter the landscaping or removal of trees on the site.</p> <p>The works are not located in a riparian zone.</p>
<p><b>2. Visual and acoustic privacy</b></p> <p>Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and all residents of the seniors housing by—</p> <ul style="list-style-type: none"> <li>using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and</li> <li>ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</li> </ul>	<p>The proposed works generally maintain the side setbacks established by the previously approved development with a 10.37m setback maintained to the rear boundary from the primary building façade.</p> <p>Appropriate visual and acoustic privacy is maintained through the maintenance of appropriate spatial separation and the use of fixed privacy screening and intervening landscaping.</p>

<p><b>3. Solar access and design for climate</b></p> <p>The design of seniors housing should— for development involving the erection of a new building—provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p>	<p>The submitted shadow diagrams demonstrate that compliant levels of solar access will be maintained to surrounding development between 9am and 3pm on 21 June.</p> <p>The proposed development makes practical use of solar access.</p>
<p><b>4. Stormwater</b></p> <p>The design of seniors housing should aim to— control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	<p>All additional stormwater will be disposed of in accordance with the accompanying stormwater management plans prepared by ENTEC Consultants.</p>
<p><b>5. Crime prevention</b></p> <p>Seniors housing should— be designed in accordance with environmental design principles relating to crime prevention, and provide personal property security for residents and visitors, and encourage crime prevention by— site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins the area, driveway or street, and</p>	<p>The proposed works have no impact on the approved consents response to environmental design principles relating to crime prevention due to the location of the works.</p>



<p>providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</p> <p>providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	
<p><b>6. Accessibility</b> Seniors housing should— have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and provide safe environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>The works provides for suitable accessibility and do not alter the approved developments access to transport and services.</p>
<p><b>7. Waste management</b> Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>The proposal makes use of the existing approved waste management services noting that no increase is proposed to approved bed numbers.</p>

Section 107 Non discretionary development standards for hostels and residential care facilities

The following standards for residential care facilities prevent the consent authority from requiring a more onerous standards.

Section	Non Discretionary standard	Proposal	Compliance
107(2)(a)	Height of no more than 9.5m excluding services on roof	<9.5m	Yes
107(2)(b)(i)	Services integrated into roof design and not visible from public places	Satisfied	Yes
107(2)(b)(ii)	Services Limited to 20% of surface area	Satisfied	Yes
107(2)(b)(iii)	Does not result in the building having a height of more than 11m	<11m	Yes
107(2)(c)	FSR is 1:1 or less	Proposed FSR 0.98:1	Yes
107(2)(d)	Internal and external communal open spaces 10m <sup>2</sup> per room. 118 x 10m <sup>2</sup> = 1180m <sup>2</sup>	No change to room numbers. 1270m <sup>2</sup>	Yes

107(2)(e)	At least 15m <sup>2</sup> of landscaped area for every bed. 118 beds x 15m <sup>2</sup> = 1770m <sup>2</sup>	2112m <sup>2</sup>	Yes
107(2)(f)	At least 15m <sup>2</sup> of Deep soil zone for every bed. 118 rooms x 15m <sup>2</sup> = 1770m <sup>2</sup>	1848m <sup>2</sup>	Yes
107(2)(h)	1 parking space for every 15 beds No change	40 total parking spaces	Yes
107(2)(i)	1 parking space for every 2 employees who are on duty at the same time	40 total parking spaces	Yes
107(2)(j)	1 parking space for the purpose of ambulance parking.	Existing approved development has an ambulance space	Yes

## Pittwater Local Environmental Plan 2014

### Zoning and permissibility

The site is zoned R2 low-density residential under PLEP 2014. Seniors housing is not a use that is permitted with consent, however, permissibility is achieved pursuant to section 81 of *SEPP Housing*.

The zone objectives of R2 low-density residential are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses*

The proposed development is consistent with the zone objectives as it allows for housing for seniors with a need for care in a low-density environment.

### Building height and FSR

While the height of building development standard provides of a maximum height of 8.5m the development standard with section 84(2)(c)(i) and the non-discretionary development within 107(2)(a) of *SEPP Housing* have the effect of overriding this standard, the proposal has a maximum height of 9.5 metres.

The site is not shown on the floor space ratio map as having a floor space ratio development standard.

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## Earthworks

Having regard to the clause 7.2(3) earthwork considerations this application is accompanied by a geotechnical report prepared by Green Geotechnics which concludes that no geotechnical hazards will be created by the completion of the proposed development in accordance with the requirements of such report and good engineering and building practice.

We confirm that all excavated material will be disposed of to a suitable land fill area with excavation not having any adverse impact on the amenity or stability of adjoining properties. There are no exposed rock outcrops or waterways on the site so there is minimal likelihood of disturbing relics or, subject to appropriate erosion and sediment controls, impacting on waterways, drinking water catchments or environmentally sensitive areas.

In this regard, we have formed the considered opinion that the excavation satisfies the clause 7.2(3) considerations subject to appropriate conditions.

## Flood planning and flood risk management

The provisions of clauses 7.3 and 7.4 of PLEP 2014 are also applicable due to the flood prone nature of the site and in consideration of the vulnerable nature of the land use proposed.

This application is accompanied by a flood storage response prepared by ENTEC which refers to the Flood Risk Management report prepared in support of DA2020/08164. This report concludes:

*This response is to be read in conjunction with the above-mentioned approved flood risk management report and is not intended to replace the ACOR Consultants report or provide detailed flood advice or evacuation plans. It is instead written to outline the changes in the flood storage requirements as a result of the revised building layout and to verify that there is no negative impact on the existing current-day site flood storage capacity.*

*The proposed redevelopment allows for an additional 230m<sup>3</sup> in flood storage over and above the existing volume and therefore satisfies the Northern Beaches Council requirement of providing equivalent post development flood storage.*

These provisions are satisfied.

## Section 4.15(1)(a)(ii) draft Environmental Planning Instruments

There are no draft EPI's that have been exhibited.

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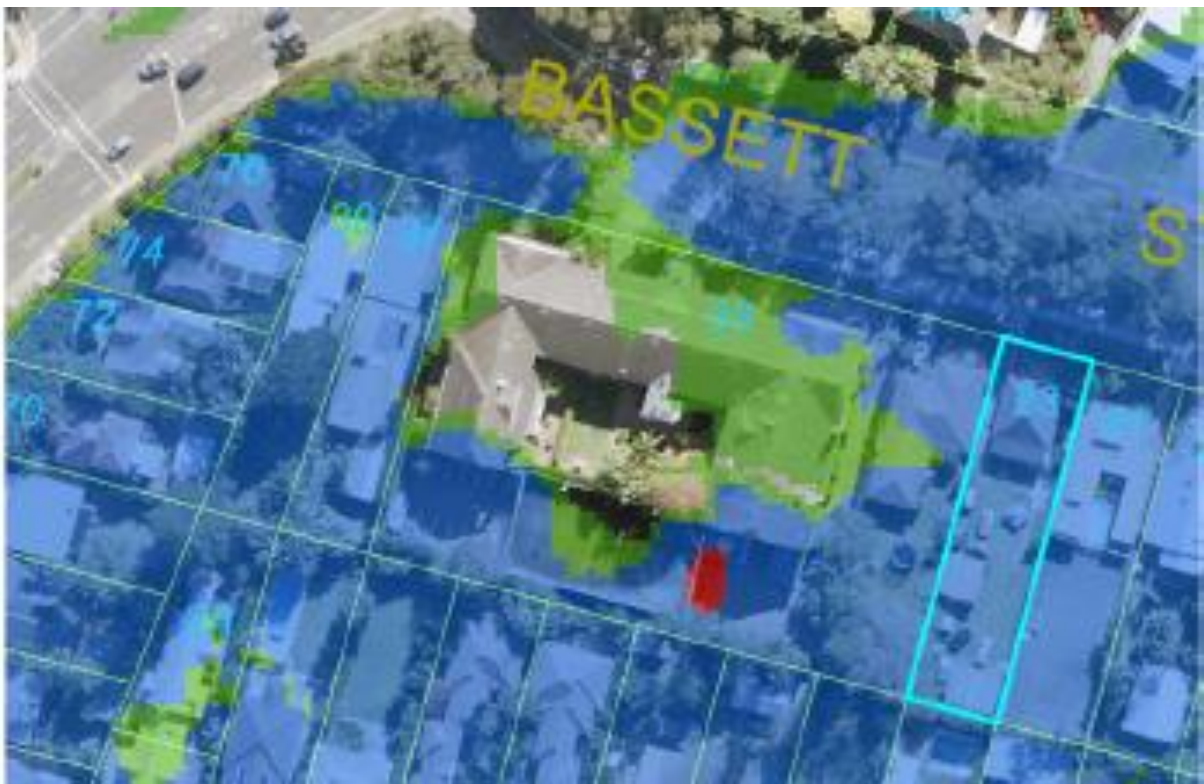
Section 4.15(1)(a)(ii) Any development control plan

**Pittwater 21 Development Control Plan**

B3.11 Flood Prone Land

The site is located within a low and medium risk precinct. The areas predominantly at risk are throughout the rear, eastern side setback and frontage of the site. A small part of the site within the rear setback area is classified as a high risk precinct.

The figure below shows the extent of the site area affected by low (in green) and medium (in blue) risk precincts. The high risk precinct is indicated in red.



**Figure 8** - Floor risk (source: Pittwater DCP)

This application is accompanied by a flood storage response prepared by ENTEC which refers to the Flood Risk Management report prepared in support of DA2020/08164. This report concludes:

*This response is to be read in conjunction with the above-mentioned approved flood risk management report and is not intended to replace the ACOR Consultants report or provide detailed flood advice or evacuation plans. It is instead written to outline the changes in the flood storage requirements as a result of the revised building layout and to verify that there is no negative impact on the existing current-day site flood storage capacity.*

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*The proposed redevelopment allows for an additional 230m<sup>3</sup> in flood storage over and above the existing volume and therefore satisfies the Northern Beaches Council requirement of providing equivalent post development flood storage.*

These provisions are satisfied.

Other: Pittwater 21 DCP

	<b>Control</b>	<b>Proposed</b>	<b>Compliance</b>
Side Boundary Setback	Min 1 / 2.5 metre	All setbacks well in excess of control	Yes
Rear setback	Min 6.5	All setbacks well in excess of the control	Yes
Building Envelope	4.2 metres/ 45 degree envelope	Strict compliance achieved	Yes

The balance of the DCP provisions pertaining to traffic access and safety, parking, stormwater, erosion and sedimentation, excavation, waste management, private open space, access to sunlight, privacy, building bulk and landslip risk have been addressed previously in this report in response to the SEPP Housing considerations.

Section 4.15(1)(a)(iiiia) any planning agreement or draft planning agreement

No planning agreement or draft planning agreement is applicable to the proposed development.

Section 4.15(1)(a)(iv) The regulations

The regulations do not impact the assessment of the application.

Section 4.15(1)(b) the likely impacts

The proposed works are located on part of the site which results in negligible environmental impacts to the adjoining properties. The proposal will result in minimal environmental impacts.

Section 4.15(1)(c) suitability of the site for the development

The site is suitable for the proposed development noting the existing approval and lack of adverse environmental impacts.

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Section 4.15(1)(d) any submissions

The submissions are a matter for the consent authority to consider.

Section 4.15(1)(e) the public interest

The grant of a development consent to the proposed works is in the public interest as the proposed development is consistent with the applicable planning controls and consistent with the objects of the *Environmental Planning and Assessment Act 1979*.

**Conclusion**

The proposal is permissible and in conformity with the aims and implicit objectives of Part 5 State Environmental Planning Policy (Housing) 2021 and consistent with the subordinate standards and controls applicable to this form of development on this particular site. This report demonstrates that the density proposed is contextually appropriate with the development maintaining appropriate streetscape and residential amenity outcomes.

We confirm that any inconsistency between the subject development application and the previous consent DA2020/08164 can be remedied pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979 (the Act) with such provisions enabling the imposition of a condition requiring the administrative modification of another consent applying to the land. No objection is raised to an appropriately worded condition in this regard.

Having given due consideration to the matters pursuant to Section 4.15(1) of the Act it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

Yours faithfully

**Boston Blyth Fleming Town Planners**



**Greg Boston**

B Urb & Reg Plan (UNE) MPIA

**Director**

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