

STATEMENT OF MODIFICATION

Section 4.55(1A)

Modifications involving minimal environmental impact

Owner:

VAIT & KAITY DRYMAIER

Project:

Alterations and additions to residence at:

210 McCarrs Creek Road, Church Point, NSW 2105

Prepared by:

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Date:

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1.0 INTRODUCTION

This Statement of Modification has been prepared as part of supporting documentation in association with a Section 4.55(1A) modification involving minimal environmental impact concerning Lot 17, DP 711420, no. 210 McCarrs Creek Rd, Church Point in the Local Government Area of Pittwater in the Northern Beaches Council. The purpose of this document is to assess the proposal's compliance with the relevant provisions of Northern Beaches Council's planning controls and policies and to assess the likely impacts on neighbouring properties and the locality.

2.0 DESCRIPTION OF PROPOSED MODIFICATION

Application is made for the following modification:

- . Replacement of proposed parapet roof at Level 1 to create new deck with fixed privacy screen (East).

The proposed modification is described in Drawing **B-08 S4.55** prepared by Hot House Studio.

3.0 ASSESSMENT OF STATUTORY REQUIREMENTS AND POLICY

4.1 PITTWATER 21 DEVELOPMENT CONTROL PLAN

C1.3 View Sharing

Existing view sharing opportunities from the road reserve at McCarrs Creek Rd are not affected by the proposed new level 1 deck.

Existing view North from neighbouring development at 212 McCarrs Creek Rd are not affected, with the proposed new deck screened entirely from the South by building layout.

C1.5 Visual Privacy

Potential overlooking of the proposed new level 1 deck will be prevented by the proposed new screening element at the East side.

Building layout screens views from the balcony to neighbouring properties to the South. It is noted that existing view sharing arrangements from Southern properties to the waterway at the North ensure that potential overlooking opportunities to the North from the proposed new deck will not increase existing overlooking of rear private open space at the neighbouring property No. 208 McCarrs Creek Rd.

D4.3 Building Colours and Materials

The proposed timber screen at the East side of the proposed new level 1 deck will ensure that the modification will blend in with the existing approved development as viewed from McCarrs Creek Rd. The proposed glass balustrade is consistent with neighbouring development as viewed from the waterway at the West façade.

D4.8 Building Envelope

The proposed balustrades for the new level 1 deck are confined to the established Building Envelope controls under the clause. Please see drawings 3, 4 on sheet **B-08 S4.55**.

4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

4.55(1A) CONSIDERATIONS

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

The proposed modification is of modest scale and can be carried out without detriment to the local environment or the amenity of the occupants and neighbouring development.

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

The proposed modification does not substantially change the existing approved development.

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

A set of notification plans has been included in the modification application documents.

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

There are currently no submissions regarding the proposed modifications.

Subsections (1), (2) and (5) do not apply to such a modification.

Subsections (1), (2) and (5) are not relied upon for the proposed modifications.

4.3 BASIX

A BASIX report forms part of this Modification of Consent.

4.0 CONCLUSION

The proposed modification to the development consent for alterations and additions at 210 McCarrs Creek Rd, Church Point is minor in its environmental impact, being consistent with building envelope, external colours and finishes, and visual privacy controls under the Pittwater 21 DCP. Careful attention has been given to achieving compliance with the relevant provisions of Pittwater Local Environmental Plan 2011, Pittwater Development Control Plan 2011 and Section 4.55(1A) of the NSW Environmental Planning and Assessment Act. A thorough site analysis has informed the design to ensure that the proposed modification results in similar environmental outcomes for the occupants of neighbouring properties and the occupants.

The design outcome shows respect for the context of the site, the existing character of the locality, and the amenity of the adjoining properties and satisfies the provisions of Section 4.55(1A) of the Act. We believe Northern Beaches Council will find the proposed modification satisfies the objectives required and find the Section 4.55(1A) modification involving minimal environmental impact fit for approval.