

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE CONSTRUCTION OF ADDITIONS & ALTERATIONS
TO AN EXISTING DWELLING**

LOCATED AT

8 WALKER AVENUE, NARRABEEN

FOR

ANDREW & LYNDAL FOOTE



**Prepared
December 2024**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of Andrew & Lyndal Foote by Northern Beaches Design, Project No. 2433, Sheets DA1-DA19 dated 8 November 2024 detailing the proposed construction of alterations and additions to an existing dwelling at **8 Walker Avenue, Narrabeen**.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

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

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning and Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as **8 Walker Avenue, Narrabeen**, being Lot 8, Section C within Deposited Plan 6445 and is zoned R2 Low Density Residential under the provisions of the WLEP 2011.

The site is not listed as a heritage item, is not located within a conservation area and is not within the vicinity of any listed items.

The subject site is identified as being within the 'Coastal Environment Area' and 'Coastal Use Area' maps under SEPP (Resilience and Hazard) 2021 and as such the provisions of this chapter apply.

The land is identified as being Landslip Area A and D on the Landslide Risk Land Map of WLEP 2011. A Preliminary Geotechnical Assessment has been prepared by White Geotechnical Group, Reference J5799 dated 19 November 2024.

The land is identified as being Flood (low, medium and high). A Flood Risk Management Report has been prepared by NITMA Consulting Pty Ltd dated November 2024, which will be discussed further within this submission.

The land is identified as Acid Sulfate Soils Class 5.

There are no other known hazards that apply to the site.

3.0 Site Description

The property is located on the western, higher side of Walker Avenue. The site is rectangular in shape, with width of 15.24m and depth of 45.72m. The total site area is 696.8m².

The site slopes from the western rear boundary to the eastern street boundary, with the fall in the site levels being over 6m down the site.

Stormwater from the roof areas is currently directed to the Walker Avenue street verge.

The site is currently developed with a step two storey split level brick and clad residence with a metal roof, together with an existing driveway access from Walker Avenue.

The site currently contains manicured lawned areas, with the main recreational areas at the front and rear of the dwelling. Some palm trees existing on the site with street streets located within Councils road reserve.

The details of the site are as noted in the Survey prepared by Waterview Surveying Services, Reference No. 1933, dated 23 August 2024 and which accompanies the DA submission.

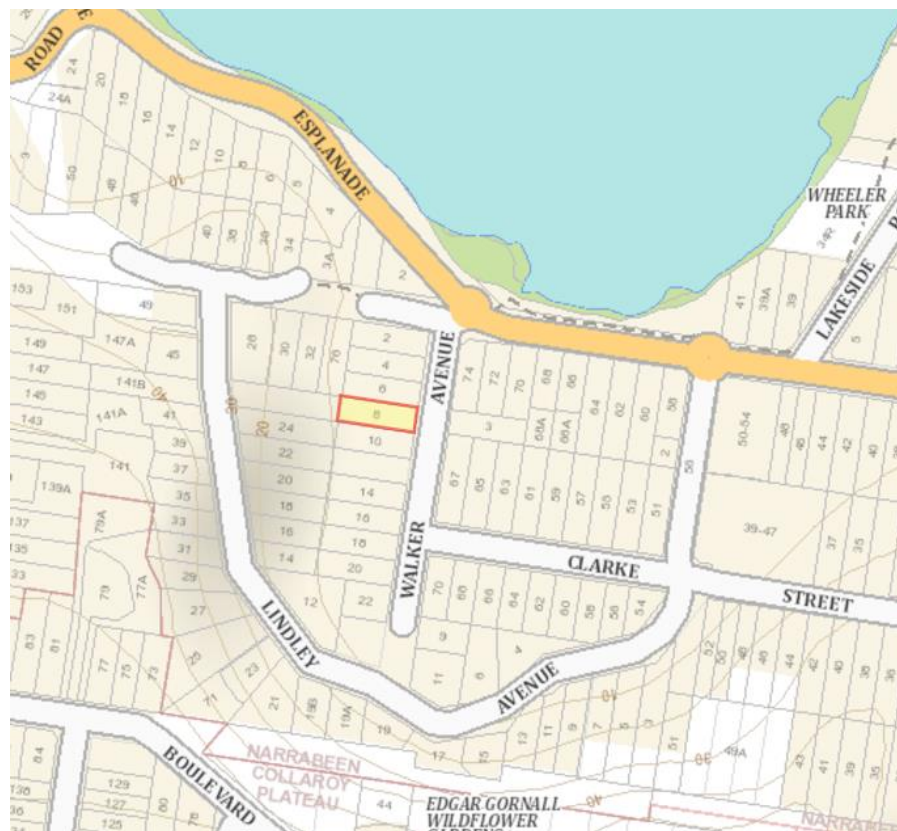


Fig 1: Location of Subject Site
(Source: Six Maps)



Fig 2: View of subject site, looking west



Fig 3: View of the subject site, looking south-west



Fig 4: View of the neighbouring property to the north at No 6 Walker Avenue, looking west



Fig 5: View looking south-west towards the neighbouring property at No 10 Walker Avenue

4.0 The Surrounding Environment

Surrounding the site is a variety of low-density dwellings reflective of the R2 zoning of the locality. The general vicinity of the site is characterised by single dwellings of varied density, scale and architectural style. The surrounding properties comprise a range of original style dwellings with an emergence of modern additions.

The site is in close proximity to a number of community and recreational open space areas, including Narrabeen Lagon, Wheeler Park and Jamieson Park recreational reserve to the north.

Narrabeen Beach is located within walking distance to the east.

The site and its surrounds are depicted in the following aerial photograph (Figure 6).



Fig 6: Aerial view of locality
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying architectural plans prepared by Northern Beaches Design, the proposal seeks approval for the construction of alterations and additions to the existing dwelling.

The proposed new works comprise:

Lower Ground Floor

- Proposed alterations and additions to the existing lower ground floor to provide for a new decking area adjoining the existing studio and new formal entry.

Ground Floor

- Proposed alterations and additions to the existing ground floor to fill in the existing balcony area on the northern elevation to create additional kitchen/dining area and replacement of the roof over the front entertaining deck.



First Floor

- No change

External Works

- New roofline over the entertaining deck with skylights.

The proposed works represent a high-quality architectural design solution that will provide a significant enhancement to the amenity and usability of the site and provide additions to an existing dwelling that corresponds with the topography of the site.

The resultant development is highly articulated, with skillful use of glazed window openings, sloping roof forms and materiality to break down the apparent size of the dwelling and reduce bulk and scale.

The side boundary setbacks maintain the rhythm of development and building setbacks within the existing streetscape and provides appropriately for spatial separation, landscape opportunity, improved privacy, solar access and view sharing.

The design and arrangement will afford exceptional amenity to the current occupants without unreasonably compromising the amenity of surrounding residential properties or the historic attributes of the area.

The development indices for the site are:

Site Area	696.8m ²
Required Building Height	8.5m
Proposed building Height	6.96m (RL 11.23)

Required Landscape Area	40% or 278.72m ²
Proposed Landscape Area	37.6% or 262.51m ²

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

No significant or high value vegetation is proposed to be removed as part of the proposed development. As a result, there is no impact to the biodiversity on the site and no further consideration of the SEPP is required.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The proposed development site has been within on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience and Hazards) 2021. Hence, Divisions 3, 4 and 5 of the SEPP apply.

The stated Aim of the Policy under Chapter 2.1 is to:

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

The **objects** set out in **Clause 3** of the Coastal Management Act 2016 are:

- (a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*
- (b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and*
- (c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and*
- (d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and*
- (e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and*
- (f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and*

- (g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and*
- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and*
- (i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and*
- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and*
- (k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and*
- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and*
- (m) to support the objects of the Marine Estate Management Act 2016.*

It is submitted that the proposal, as considered in this Statement of Environmental Effects, is consistent with the objects of the SEPP (Resilience and Hazards), as set out in Clause 3 of the Coastal Management Act 2016. The relevant provisions of this Chapter are addressed as follows:

2.10 Development on land within the coastal environment area

- (1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) coastal environmental values and natural coastal processes,*
 - (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
 - (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (f) Aboriginal cultural heritage, practices and places,*
 - (g) the use of the surf zone.*
- (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
 - (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*

- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment: No existing significant protected trees are proposed to be removed by the proposal.

The proposal will not adversely impact upon existing access provisions and is therefore considered satisfactory in relation to this consideration.

The matters for consideration under Division 4 of the SEPP are:

2.11 Development on land within the coastal use area

(1) *Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:*

- (a) *has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) *Aboriginal cultural heritage, practices and places,*
 - (v) *cultural and built environment heritage, and*
- (b) *is satisfied that:*
- (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

Comment: The proposed new dwelling will not adversely affect the visual amenity of the locality. There is no existing public access through the site to any waterway. This will not be altered as a result of the proposal.

The site will not overshadow, create a window tunnel or result in loss of views to or from any public place. The proposal has been designed with compliance to the relevant Council standards, as far as practicable.

The site does not contain any cultural and built environmental heritage items.

The proposed development is for a contemporary, high quality residential dwelling which will significantly improve the site characteristics. The proposed development will not adversely impact on the visual amenity or scenic qualities of the waterway.

Accordingly, the development is unlikely to detract from the scenic quality of the locality, maintaining an appropriate visual relationship with the surrounding built environment.

The matters for consideration under Division 5 of the SEPP are:

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment: The proposal will not cause an increased risk of coastal hazards on the site or surrounding land.

The assessment has concluded that the proposed development is consistent with the matters for consideration under the SEPP (Resilience and Hazards) 2021.

Chapter 4 – Site Contamination

SEPP (Resilience and Hazards) 2021 and in particular Clause 4.6(2) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the SEPP, the proposed works are not BASIX affected development, accordingly a BASIX Certificate is not required to be submitted with the application.

6.4 Warringah Local Environment Plan 2011

The land is zoned R2 Low Density Residential under the provisions of the WLEP 2011.

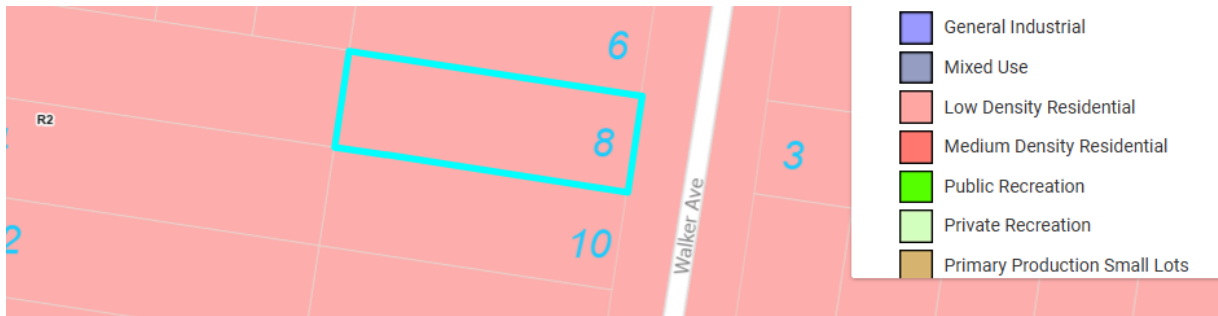


Fig 7: Extract of Warringah Local Environmental Plan 2011

The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

It is considered that the proposed additions to the existing dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed works will be compatible with surrounding residential development without resulting in any significant negative amenity impacts for adjoining and nearby development.
- The proposed new works will provide for increased residential amenity, together with improved functionality through the introduction of improved recreational areas and new entry way.
- The proposed floor space appropriately distributed across the site providing compatible bulk and scale.
- The proposed building includes generally retaining the existing setbacks and good levels of vertical and horizontal articulation, such that the resulting visual quality derived from the building alignments and proportions are consistent with surrounding development and complimentary to the zone.
- The proposal does not have any unreasonable impact on views, solar access or amenity for the neighbouring properties.

Clause 4.3 – Height of buildings

The dictionary supplement to the LEP notes building height to be:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The building height limit for development in this portion of Narrabeen is 8.5m. The proposed new works are up to 6.96m (RL 11.23), which complies with this control.

Clause 6.1 - Acid Sulphate Soils

The subject site is subject to acid sulfate soil class 5. The very minor scale of works and minimal excavation required, as confirmed by the report by Geotechnical Report, the development will not expose any potential acid sulfate soils or cause environmental harm.

Clause 6.2 – Earthworks

The proposal will not require any substantial excavation to accommodate the proposed works. All works will be overseen by a qualified Structural Engineer.

As required, appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment to adjoining properties.

Clause 6.3 - Flood planning.

The subject site is flood affected. A Flood Risk Management Report has been prepared by NITMA Consulting Pty Ltd dated November 2024 has been submitted as part of the application.

The Flood Management Report concludes the following:

“The proposed additions at 8 Walker Avenue, Narrabeen have been found to be located within the 1:100 year ARI flood zone.

Site investigation has found the site to be located within the Warringah LGA at Northern Beaches Council’s area. In major storm events, Narrabeen Lagoon may overflow and floodwaters may enter the property via the front boundary.

In the event of a major flood event, occupants should utilise the ground floor and first floor as a "shelter-in-place" and may be accessed via the stairs. Occupants are to remain there until granted clearance by SES or other emergency services to evacuate the home. Access to essential services should always be stored and made available in the shelter to ensure occupant safety.

The shelter-in-place is found to be sufficient to accommodate the occupants and is higher than the Probable Maximum Flood level.

While significant evacuation difficulties are not expected, it is recommended that the occupants of the dwelling monitor of the water level at the front of the property during a heavy rainfall”

Accordingly, the Report concludes that the occupants have a safe refuge in the event of flooding and as the works are largely above ground level, it is not anticipated that there will be adverse off-site flooding impacts beyond what is currently experienced in flooding events.

The proposal is therefore compliant with the requirements of the clause.

Clause 6.4 – Development on sloping land

The site has been identified on the Landslip Risk Map as being within Area A and D. A Preliminary Geotechnical Assessment has been prepared by White Geotechnical Group, Reference J5799 dated 19 November 2024 and is attached to this submission.

The report addresses any effects of the proposed development and concludes the proposal is unlikely to unreasonably disrupt existing drainage patterns and soil stability in the locality. The works will be carried out in accordance with the recommendations of the consulting structural engineer and the recommendations of the geotechnical report.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

6.5 Warringah Development Control Plan

The relevant numerical and performance based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	Wall height < 7.2m.	Yes
B2 – Number of storeys	No requirement identified on map		N/A – remains unchanged
B3 – Side Boundary Envelope	Building envelope 45 degrees from 4m. Setback 0.9m	The proposal will see a minor building envelope encroachment due to the new roofline over the entertainment balcony. However, an exemption to clause B3 allows “Fascias, gutters, downpipes, eaves (up to 0.675 metres from the boundary), masonry chimneys, flues, pipes or other services infrastructure may encroach beyond the side boundary envelope.”. As a result, the proposal complies with the requirements of the control.	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	Existing compliant side setback to the dwelling on the northern elevation of 1.59m and 1.6m are to be retained.	Yes
B7 – Front Boundary Setbacks	Minimum 6.5m to Walker Avenue.	The new lower ground floor deck will be located 15.54 m from the front setback.	Yes
B9 – Rear Boundary Setbacks	6m rear setback	No change to the existing rear setback.	Yes
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A

B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A
Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	The existing entry to the site is to be retained and provides access in accordance with Council's standards.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	There is no change to the existing parking arrangement for three vehicles in the existing garage. Parking will continue to be in accordance with Australian Standards and Councils guidelines.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	Runoff from the additional roof area will be connected to the existing stormwater system and dispersed to the Walker Avenue Street verge in accordance with the current arrangements.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	Erosion and sediment control measures are to be provided as deemed necessary, however no major site disturbance proposed.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements		The site is not affected by Council's drainage infrastructure.	N/A
C7 – Excavation and Landfill	Site stability to be maintained	No significant disturbance is proposed. All works will be carried out in accordance with the recommendations of a suitably qualified	Yes

		Structural Engineer and the Geotechnical Report as submitted with this application.	
C8 – Demolition and Construction	Waste management plan required	The proposal is accompanied by a Waste Management Plan detailing the waste management measures to be employed during construction.	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage is to be available surrounding dwelling and within the existing garage.	Yes
Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposal will see a very minor reduction in the landscape area of the site as a result of the ground floor deck.	Yes – on merit (see below)
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	The private open space is maintained within the eastern and western area of the site adjoining the existing outdoor areas. The new decking on the lower ground floor and elevated deck servicing the lounge area will provide improved recreational areas while continuing to benefit from good solar access.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	The works are residential in nature. N/A to proposed development.	N/A
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun	The proposal will not see any change to the external form of the dwelling.	Yes

	<p>Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements</p>	<p>The modest extent of the new works will ensure that the solar access enjoyed by the adjoining properties will be protected.</p>	
D6 – Access to sunlight	<p>This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.</p>	<p>As noted in the submitted Shadow Diagrams (Drawing No. DA16 – DA18), the site and neighbouring properties will maintain suitable solar access to their internal and external living areas during the day.</p>	Yes
D7 – Views	<p>View sharing to be maintained</p>	<p>The controls require that development should enable the reasonable sharing of views.</p> <p>The site and surrounding properties, while in close proximity to Narrabeen Lagoon and surrounding coastal areas, do not currently obtain significant view lines, rather the area enjoys landscaped outlooks.</p> <p>Accordingly, as the existing roof form is maintained. It is therefore not considered that the proposal will have a significant impact on any outlooks currently enjoyed by surrounding properties.</p>	Yes
D8 – Privacy	<p>This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties</p>	<p>The proposal has been designed to maximise privacy for occupants of the subject and adjoining properties.</p> <p>The enclosing of the balcony on the northern elevation of the ground floor improves</p>	Yes

		<p>the amenity impacts to the northern adjoining site by constructing a new wall, and glazed window of sufficient sill height to minimizing privacy impacts from this area.</p> <p>The proposed new ground floor entertaining deck will see a solid balustrade, with retractable blinds on the northern elevation. These privacy mitigation measures, when combined with the siting of the deck much further forward than the adjoining northern dwelling, ensure no unreasonable privacy impacts arise.</p> <p>The entry and lower ground floor deck are located close to ground level with sufficient setbacks to ensure there is no impacts to the existing privacy levels.</p>	
<p>D9 – Building Bulk</p>	<p>This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces</p>	<p>The proposed new works are largely sited within the footprint of the existing dwelling.</p> <p>The complaint setbacks, in conjunction with the vertical and horizontal proportioning, landscaping, and deck articulation, provide a bulk and scale which is compatible with, or better, than the presentations of surrounding buildings. This outcome leads to a consistent scale with numerous other established dwellings within the Walker Avenue area.</p>	<p>Yes</p>

D10 – Building Colours and materials		The new works will be provided with recessive colours and finishes to respect the surrounding residential locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The new roof line mimics the existing sloping roof form.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The existing external finishes and colours will be selected to reflect the surrounding residential locality. No significant glare impacts will result from proposed new works.	Yes
D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street	The proposal does not seek the construction of any new front fencing.	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities	Suitable areas available for mailbox and garbage storage area	Yes
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	No side or rear fences proposed	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	N/A	N/A
D17 – Tennis Courts	N/A		N/A

D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from the dwelling to the street over and through the front landscaped area.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	The proposal has been designed to respect the water, thermal and energy standards required by BASIX. A BASIX Certificate accompanies the submission.	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	Yes

Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	The proposal will not require the removal of any protected tree species.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	The site does not contain any unique environmental features.	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area A and D. Area B – A preliminary assessment of site conditions is required.	A Preliminary Geotechnical Assessment has been prepared by White Geotechnical Group, Reference J5799 dated 19 November 2024, which supports proposal and makes recommendations to be observed during the construction.	Yes
E11 – Flood Prone Land	Identified on map – low, medium and high.	A Flood Risk Management Report has been prepared by NITMA Consulting Pty Ltd dated November 2024 has been submitted as part of the application.	Yes
Bush Fire Prone Land	Not identified on map		N/A

D1 Landscaped Open Space and Bushland Setting

The new decking area on the lower ground floor results in very minor a deficiency to the requirement 40% ratio of landscaped open space at 37.6% or 262.51m². However, the proposal will provide for

sufficient area for the private open space and recreational requirements of the owners, whilst maintaining good areas of deep soil planting within front and rear yard area.

Additionally, the proposal does not involve the removal of significant vegetation, thus conserving the topographical features of the site and habitats for wildlife. New plantings can be provided throughout the site if required.

The proposed works are of reasonable dimensions, given the context of the site, and is supported by existing stormwater management arrangements. The property retains generous soft open space on site that sufficiently minimises the impact of stormwater runoff, erosion or siltation.

Accordingly, the increase in LOS area will increase the function and enjoyment of the site for occupants and is considered worthy of support on merit.

Accordingly, the proposal will retain more than sufficient areas of soft landscaping areas within the front and rear boundary setbacks to ensure that the development achieves consistency with the outcomes of the landscaped area control.

As the proposal meets the objectives of Clause D9.11, the variation to the landscape area control is considered acceptable on merit.

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

7.2 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Warringah Development Control Plan 2011.

The application has been prepared having regard to the requirements of Section A, Section B, Section C, Section D and Section E of the Warringah DCP.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for proposed construction of alterations and additions to an existing dwelling, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's WLEP 2011 and Council's Codes and Policies, in particular the Warringah DCP 2011.

7.7 The suitability of the site for the development

The subject land is currently zoned R2 Low Density Residential under the Warringah Local Environmental Plan 2011 and is considered suitable for the proposed development.

7.8 Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the construction of alterations and additions to existing dwelling which respects and complements the site's location.

The proposal is a site-specific design response which takes advantage of the properties superior locational attributes whilst respecting the environmental characteristics of the site and the amenity of adjoining development.

The outcome is a modernised dwelling of exceptional design quality which displays a highly articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

The proposal floor space appropriately distributed across the site. The building displays a complementary and compatible building form when compared to other development located along this section of Walker Avenue and within the site's visual area.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbour's amenity and by complementing the existing style and character of the surrounding locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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