

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR THE CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO AN  
EXISTING DWELLING TO REINSTATE A BALCONY**

**LOCATED AT**

**1130 PITTWATER ROAD, COLLAROY**

**FOR**

**TONY & ZORA CAGORSKI**

**Prepared  
December 2019**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared by Canvas Architecture & Design, Reference No. 1806: Cagorski, Sheets No's. DA 00 – DA05, dated 25 September 2019, detailing the proposed construction of alterations and additions to an existing dwelling at **1130 Pittwater Road, Collaroy**, which involve the replacement of a pre-existing timber balcony which was damaged in a storm in June 2016.

The proposal is accompanied by a Coastal Engineering Advice prepared by Horton Coastal Engineering, which includes photos of the site (see Figures 1 & 2) which depicts the pre-existing deck soon after the storm damage was sustained.

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 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

## 2.0 Property Description

The subject allotment is described as 1130 Pittwater Road, Collaroy, being Lot 1 within Deposited Plan 121939 and is zoned R2 Low Density Residential within the provisions of the Warringah Local Environmental Plan 2011.

The land is noted as being Landslip Area A, and therefore no further geotechnical investigation is considered to be necessary in this instance.

The proposal is supported by a Coastal Engineering Advice prepared by Horton Coastal Engineering, dated 12 November 2019 and accompanies this submission.

The site is noted as being subject to acid sulfate soils Class 4 & 5 and as there is no substantial soil disturbance required to construct the balcony, no further investigation is considered to be necessary.

No other identified hazards have been identified.

### 3.0 Site Description

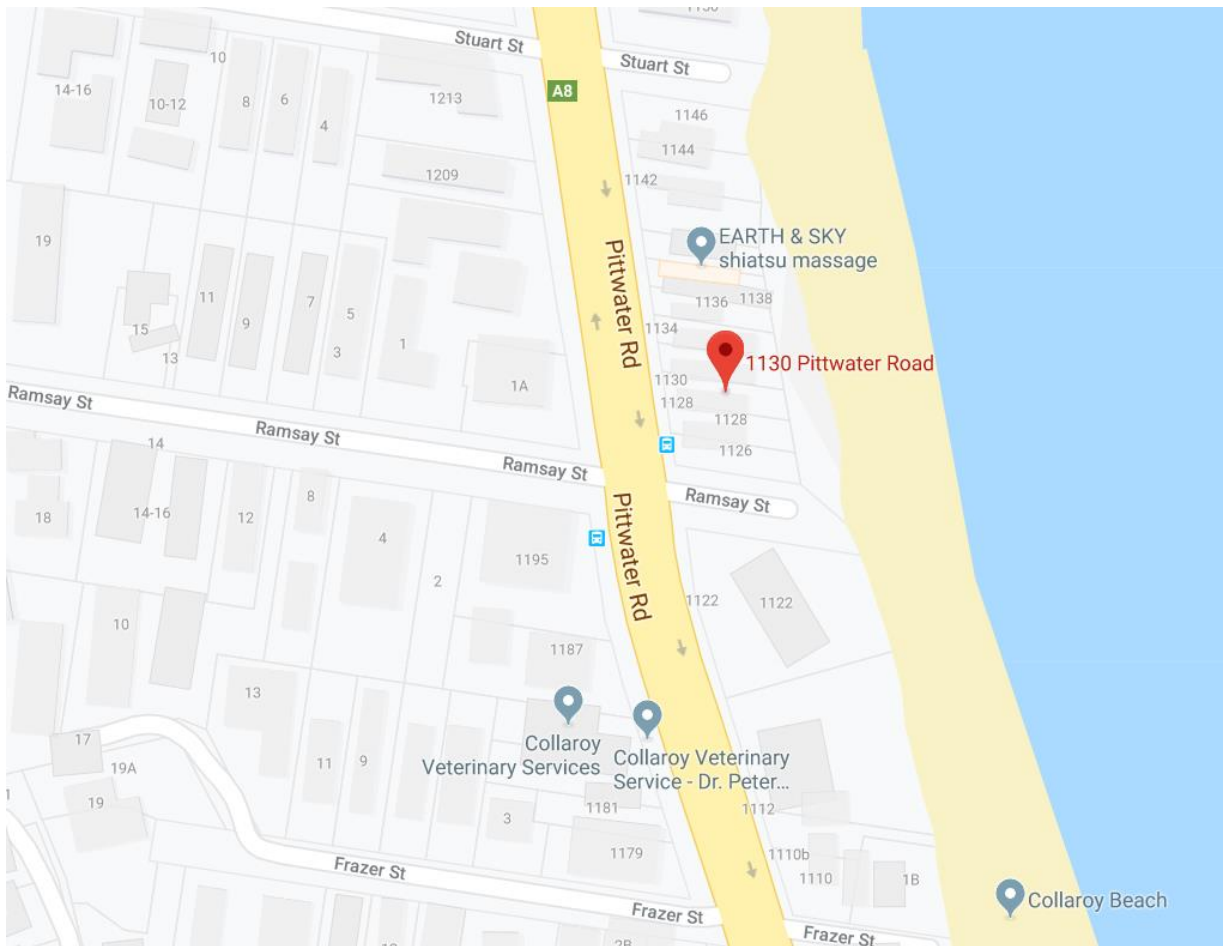
The property is located on the eastern side of Pittwater Road, to the north of Ramsay Street.

The site is irregular in shape, with a street frontage of 10.060m to Pittwater Road and 10.16m to the beach reserve, together with northern and southern boundaries of 39.795m & 40.115m. The land has a total site area of 381m<sup>2</sup>.

The property has a general fall to the south-west, with stormwater from the site directed to the street gutter in Pittwater Road.

The site is currently developed with a two storey fibro cement tiled roof residence. Vehicular access currently is available to a double garage within the site from Pittwater Road via a concrete driveway.

The details of the site are as indicated on the survey plan prepared by Warren Eldridge and Associates, Drawing No. GCN 475(1126, 1130), dated 2 September 2016 and reissued 15 November 2016, which accompanies the DA submission.



**Fig 1: Location of Subject Site**  
(Source: Google Maps)



**Fig 2: Street view of subject dwelling, looking east from Pittwater Road  
(Source : Google Maps)**



## 5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for the construction of a new rear balcony at the first floor level of the dwelling, to replace a pre-existing balcony which was damaged by a storm in June 2016.

The new works are detailed in the architectural plans prepared by Canvas Architecture and involves the reinstatement of the balcony with a steel framed structure, with timber decking boards and glazed balustrade.

The proposal will maintain the existing area of soft landscaping, and will not require the removal of any significant vegetation.

The proposal results in the following development indices:

<b>Site Area:</b>	381m <sup>2</sup>
<b>Required Landscaped Area:</b>	40% or 152.4m <sup>2</sup>
<b>Proposed Landscaped Area:</b>	43.41% or 165.39m <sup>2</sup> (remains unchanged – see WDCP Part D1 discussion)

## 6.0 Zoning and Development Controls

### 6.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) 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.

### 6.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal will present a construction cost of <\$50,000 and is not therefore subject to SEPP BASIX.

### 6.3 State Environmental Planning Policy (Coastal Management) 2018

The subject site is identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is applicable to the proposed development.

The stated Aim of the Policy under Clause 3 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 Coastal Management Act 2016 states within **Clause 3**:

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 assessment detailed under the Statement of Environmental Effects suggests that the proposed development is consistent with the objects of the SEPP (Coastal Management) 2018, as set out in Clause 3 of the Coastal Management Act 2016.

The matters for consideration under Division 5 of SEPP (Coastal Management) 2018 are:

The relevant provisions of this clause are addressed as follows:

***Division 3 Coastal environment area***

***13 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.*
- (3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

**Comment:**

The proposal provides for the construction of minor alterations and additions to an existing dwelling to reinstate a first floor balcony, which was previously damaged by a storm in June 2016. The proposed works will be carried out in accordance with the recommendations of the consulting Structural Engineer, which will ensure that appropriate structural integrity for the site will be maintained.

The collected stormwater will be directed to the existing ins stormwater system. The proposed stormwater management system will comply with Council's Water Management Policy.

Sediment and erosion control measures will be carried out to minimise the impact of the works on the waterway.

***Division 5 General***

***15 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 provides for the construction of minor alterations and additions to an existing dwelling. The suitability of the site for the new work and the potential impacts resulting from the reinstatement of the balcony have been considered in the Coastal Engineering Advice prepared by Horton Coastal Engineering dated 12 November 2019. The proposed new works are not considered to increase the risk of coastal hazards for the subject property or adjoining land.

***16 Development in coastal zone generally—coastal management programs to be considered***

*Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.*

**Comment:** No coastal management programs have been identified.

**17 Other development controls not affected**

*Subject to clause 7, for the avoidance of doubt, nothing in this Part:*

- (a) permits the carrying out of development that is prohibited development under another environmental planning instrument, or*
- (b) permits the carrying out of development without development consent where another environmental planning instrument provides that the development may be carried out only with development consent.*

**Comment:** Noted

**18 Hierarchy of development controls if overlapping**

*If a single parcel of land is identified by this Policy as being within more than one coastal management area and the development controls of those coastal management areas are inconsistent, the development controls of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency:*

- (a) the coastal wetlands and littoral rainforests area,*
- (b) the coastal vulnerability area,*
- (c) the coastal environment area,*
- (d) the coastal use area.*

**Comment**

Noted. It is considered that given the minor nature of the works and the supporting Coastal Engineering Advice prepared by Horton Coastal Engineering, the relevant provisions of the instrument have been satisfied.

#### 6.4 Warringah Local Environmental Plan 2011

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

Development for the purposes of additions to an existing dwelling house are permissible in this zone under the WLEP 2011.

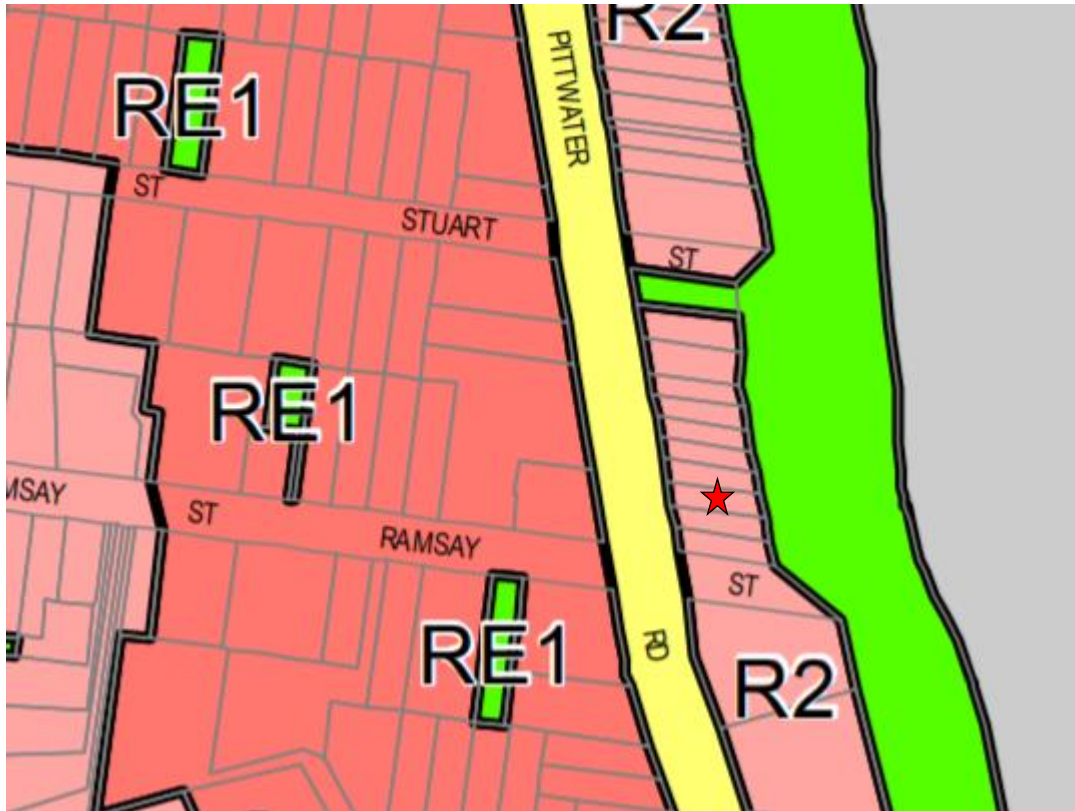


Fig 4: Extract of Warringah Local Environmental Plan 2011

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 provide 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 alterations and 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 development respects the scale and form of other new development in the vicinity and therefore compliments the locality.

- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any significant impact on the existing landscaped area or long distance views. Suitable view sharing opportunity is maintained past the dwelling to the north-east for the properties to the south of the site.

**Clause 4.3** provides controls relating to the 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 North Narrabeen is 8.5m. The proposed additions to the dwelling to reinstate the first floor balcony provide for a height to the balustrade of 4.95m which complies with the control.

**Clause 6.2** relates to earthworks. The proposal will not require any significant excavation for the new works. The works will be carried out in accordance with the recommendations of the consulting Structural and Coastal Engineers, and will therefore satisfy the provisions of this clause.

**Clause 6.4** relates to development on sloping land. The site is noted as Area A on Council's Geotechnical Risk Mapping and given the minor nature of the changes to the site, no further geotechnical assessment is considered to be necessary in this instance.

**Clause 6.5** relates to Coastline hazards. The site has been noted as on Council's Hazard map as being:

- A) Area of Wave Impact and Slope Adjustment, and
- B) Area of Reduced Foundation Capacity.

Clause (3) notes:

(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—

- (a) will not significantly adversely affect coastal hazards, and*
- (b) will not result in significant detrimental increases in coastal risks to other development or properties, and*
- (c) will not significantly alter coastal hazards to the detriment of the environment, and*
- (d) incorporates appropriate measures to manage risk to life from coastal risks, and*
- (e) avoids or minimises exposure to coastal hazards, and*
- (f) makes provision for relocation, modification or removal of the development to adapt to coastal hazards and NSW sea level rise planning benchmarks.*

Additionally, Clause (4) notes:

(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.*

The proposal is supported by a Coastal Engineering Advice prepared by Horton Coastal Engineering, dated 12 November 2019, which offers the following conclusion:

#### 10.0 Conclusions

*The proposed balcony at 1130 Pittwater Road Collaroy is located seaward of the “minimum setback for piled development without protection works”. Placing the proposed balcony on piles at this location may be considered acceptable by Council prior to the protection works being in place. This is because of the ancillary nature of the balcony, the fact that it would be designed to withstand a severe storm, and given that a significant storm is unlikely to occur before the protection works are installed.*

*The proposed balcony straddles the “minimum setback for piled development with protection works”. This may be considered to be acceptable by Council as the balcony is proposed to be landward of a 7.5m setback line, which reflects the current most seaward extent of development at the 1126-1144 Pittwater Road properties, and thus allows a consistent building setback for all these properties, including the proposed balcony. The 7.5m setback is also consistent with the proposed coastal protection works.*

*The proposed balcony supports would need to be founded on deep piles following the requirements outlined in Section 7, and if so would be at an acceptably low risk of damage from coastal hazards. If founded in this manner, the proposed balcony is considered to be consistent with the coastal engineering requirements listed in the CZMP, Warringah Local Environmental Plan 2011, Part E9 of the Warringah Development Control Plan, the Northern Beaches Coastal Erosion Policy, and State Environmental Planning Policy (Coastal Management) 2018.*

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	Proposed maximum height of the rear first floor balcony is 4.95m which complies with the maximum height control	Yes
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope	Building envelope 45 degrees from 4m. Setback 0.9m	The proposal presents a maximum height of 4.95m which complies with the building envelope.	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	Minimum proposed setback from northern side boundary of 1.983m and from 1.005m to the southern boundary, which comply with this control.  Privacy screening can be provided as required, however in this vicinity, some degree of common overlooking is generally acceptable as privacy screens would interrupt views along the beachfront.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A

B7 – Front Boundary Setbacks	Minimum 6.5m	Minimum proposed front setback to Pittwater Road exceeds 6.5m.	Yes
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9 – Rear Boundary Setbacks	Min 6m rear setback	Minimum proposed rear setback approx. 9.1m	Yes
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
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
<b>Part C – Siting Factors</b>			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council’s Vehicle Crossing Policy	Existing driveway crossing and layback location to be maintained.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Existing garage is to be maintained.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council’s Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	Limited stormwater runoff in this instance give the nature of the open, uncovered deck. The roofwater from the dwelling will continue to be directed to the Council drainage system in Pittwater Road in accordance	Yes



		with existing arrangements.	
C5 – Erosion and Sedimentation	Soil and Water Management required	Suitable sediment and erosion control measures to be provided during construction.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained	No significant site disturbance proposed. The site is noted as Area A on Council’s Geotechnical Risk Mapping and as such, no further site investigation is considered necessary.	Yes
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage available within the existing garage	Yes
<b>Part D – Design</b>			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The proposal will see the retention of 165m<sup>2</sup> or 43.3% of the site as soft landscaping.</p> <p>The proposed rear addition is to be constructed over existing hard surface area, and the landscaped area therefore remains unchanged.</p> <p>The development within the site will still continue to achieve the objectives of the</p>	Yes – on merit

		<p>controls, which are noted as:</p> <ul style="list-style-type: none"> <li>• <i>To enable planting to maintain and enhance the streetscape.</i></li> <li>• <i>To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.</i></li> <li>• <i>To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.</i></li> <li>• <i>To enhance privacy between buildings.</i></li> <li>• <i>To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.</i></li> <li>• <i>To provide space for service functions, including clothes drying.</i></li> <li>• <i>To facilitate water management, including on-site detention and infiltration of stormwater.</i></li> </ul> <p>The proposal will not result in any substantial loss in the existing provision of landscaped open space and despite the non-</p>	
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		complies the objectives of the controls are still meet.	
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	The proposal will maintain a substantial area of private open space, which is directly accessible from the dwelling and will maintain good access to the northern sun.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	N/A	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 Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	The site enjoys a good northerly aspect and access to northern sun to the rear yard area.	Yes
D6 – Access to sunlight	At least 50% of the required area of private open space of each dwelling and at least 50% 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.	The works involve a first floor open balcony with a glazed balustrade and as such, no shadow analysis is considered necessary.  The east-west orientation of the subject site and adjoining properties and the beach front exposure will minimise any adverse overshadowing impacts.	Yes

		As the subject and neighbouring properties will retain suitable solar access to their internal and external living areas, the proposal is considered to be in keeping with the provisions of this clause.	
D7 – Views	View sharing to be maintained	<p>The controls require that development should enable the reasonable sharing of views. The works see the construction of a first floor balcony with a glazed handrail, which will replace a pre-existing balcony.</p> <p>The primary outlook for the neighbouring properties is east and the north and south towards the beachfront reserve of Collaroy/Narrabeen beach.</p> <p>The staggered setback of the dwellings as they face the eastern boundary allow for views past the rear decks/balconies. View corridors are maintained for the surrounding properties.</p>	Yes
D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open	<p>The proposed new balcony replaces a pre-existing balcony in a similar location.</p> <p>In this instance, further privacy screening could</p>	Yes

	space of adjoining properties	<p>be provided as required, however in this vicinity, some degree of common overlooking is generally acceptable as privacy screens would interrupt views along the beachfront.</p> <p>Given the nature of the works and other similar structures in the immediate vicinity, the proposal will not unreasonably reduce the privacy enjoyed by the neighbours.</p>	
D9 – Building Bulk	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	The existing surrounding development comprises a mix of two storey dwellings. The form of the proposed new works will maintain a height and scale that complements the prevailing scale of the surrounding development.	Yes
D10 – Building Colours and materials		The new works will utilise recessive colours and finishes to match the surrounding area and the existing dwelling.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposal will not include any new roofing.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The proposed external finishes and colours will be selected to minimise glare and will complement the existing dwelling.	Yes

		No significant glare impacts will result from proposed new works.	
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.	No fencing proposed.	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	Garbage storage areas and mail box available	N/A
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	Side fences unchanged.	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	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from	Yes

	surveillance of the street.	the dwelling to the street.	
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	A BASIX Certificate is not required in this instance.	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	N/A
<b>Part E – The Natural Environment</b>			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	No significant protected trees are affected by the works.	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	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		Yes
E9 – Coastline Hazard	Identified on map as Area of Reduced Foundation Capacity and Area of Wave	The proposal is supported by a Coastal Engineering Advice prepared by Horton Coastal Engineering,	Yes

	Impact and Slope Adjustment	dated 12 November 2019, which suggests the work suitably address the requirements of the LEP & DCP provisions.	
E10 – Landslip Risk	Identified on map as Area A.  Nature of works to excavate >2m requires the submission of a Geotechnical Hazard Assessment.	The site is noted as Area A on Council’s Geotechnical Risk Mapping, however no excavation or major disturbance is proposed.	Yes
E11 – Flood Prone Land	Not identified on map		N/A



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

**7.1 Any environmental planning instrument**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. It is considered that the provisions of this environmental planning instrument has 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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and**

It is not considered that there are any draft environmental planning instruments applying to the site.

**7.3 Any development control plan**

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

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.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site which will make a positive contribution to the area.

**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**

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 to reinstate a first floor balcony to the rear of the dwelling, which has been located and designed to appropriately minimise impacts on the amenity of adjoining properties, is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard for the relevant provisions of the SEPP, Council's LEP and DCP.

#### **7.7 The suitability of the site for the development**

The site is considered suitable for the proposed development.

The proposal will provide for the construction of alterations and additions to an existing dwelling to reinstate a first floor balcony to the rear of the dwelling.

It is suggested that the proposal will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

#### **7.8 Submissions made in accordance with this Act or the regulations**

This is 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 will be maintained mitigate and there will be no adverse impacts upon adjoining properties, therefore considered to be within the public interest.

#### **8.0 Conclusion**

The proposal provides for construction of alterations and additions to an existing dwelling to reinstate a first floor balcony to the rear of the dwelling, which will not have a detrimental impact on the adjoining properties or the locality.

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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