



**96A WATERVIEW STREET  
MONA VALE**

**STATEMENT OF ENVIRONMENTAL EFFECTS  
FOR CONSTRUCTION OF A NEW DWELLING**



Report prepared for  
**ICON**  
December 2023

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## **1. Introduction**

**1.1** This is a statement of environmental effects for construction of a new dwelling at 96A Waterview Street, Mona Vale.

**1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan 2014 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

**1.3** This statement of environmental effects has been prepared with reference to the following:

- Site visit
- Survey prepared by Byrne & Associates
- Architectural drawings and BASIX Certificate prepared by ICON
- Arborist report prepared by Growing My Way
- Stormwater plans prepared by VNK Consulting
- Geotechnical Report prepared by Ideal Geotech

**1.4** The proposed new dwelling is consistent with the objectives of all Council controls, considerate of neighbouring residents and will result in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

**1.5** This DA is subsequent to the approved Subdivision and an associated right of carriage way across 96 Waterview Street, Mona Vale. The only driveway works included as part of this application are within the site boundaries. The driveway associated with the right of carriageway is not associated with this application.

## 2. The site and its locality

- 2.1** The site is located on the southern side of Waterview Street in Mona Vale, approximately 70 metres west of its intersection with Mona Street. The site is legally described as Lot 1 DP120617.
- 2.2** It is a regular shaped lot with boundaries of 19.38 metres to the north and south, and 21.39m east and west. The site has an area of 415m<sup>2</sup> and is a battleaxe lot, with access provided via a right of carriageway over the adjoining site to the north No. 96 Waterview Street.
- 2.3** The subject site is currently vacant.
- 2.4** The property is surrounded by detached residential dwellings in all directions. The site is located in close proximity to Winnererremy Bay, Mona Vale shops to the south and public transport on Pittwater Road and Barrenjoey Road.



Figure 1. Aerial Image of the subject site



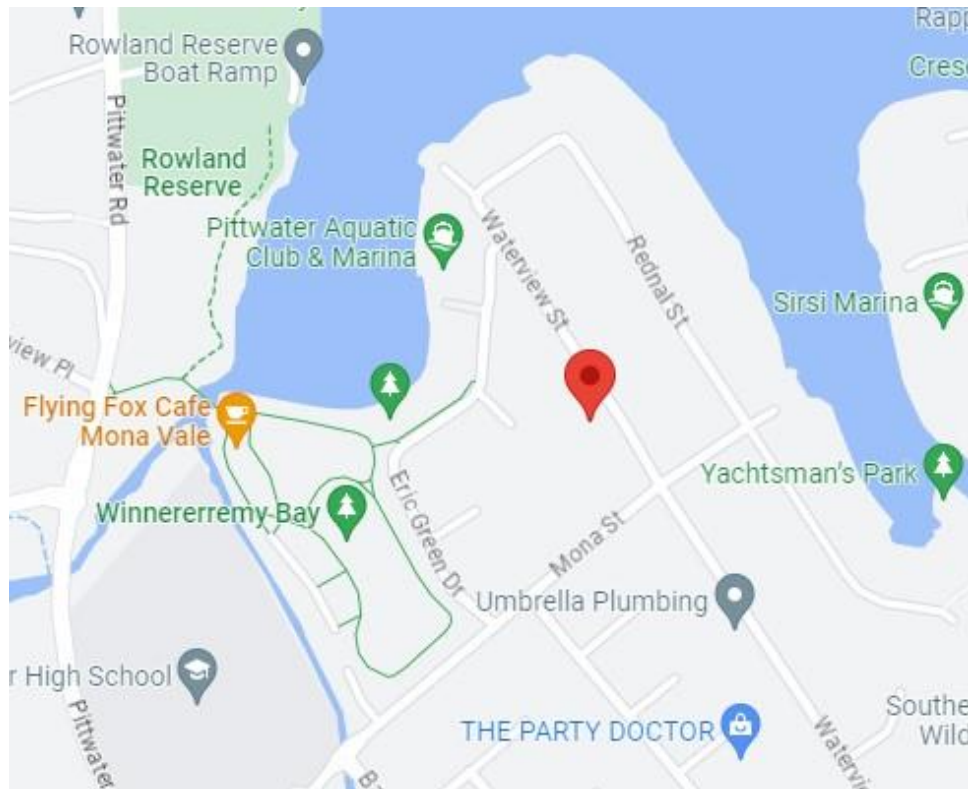


Figure 2. The site within the locality



Figure 3. Aerial Image of the site within the locality



### 3. Site Photos



Figure 4. The entrance to the vacant lot to the rear of No. 96 Waterview Street

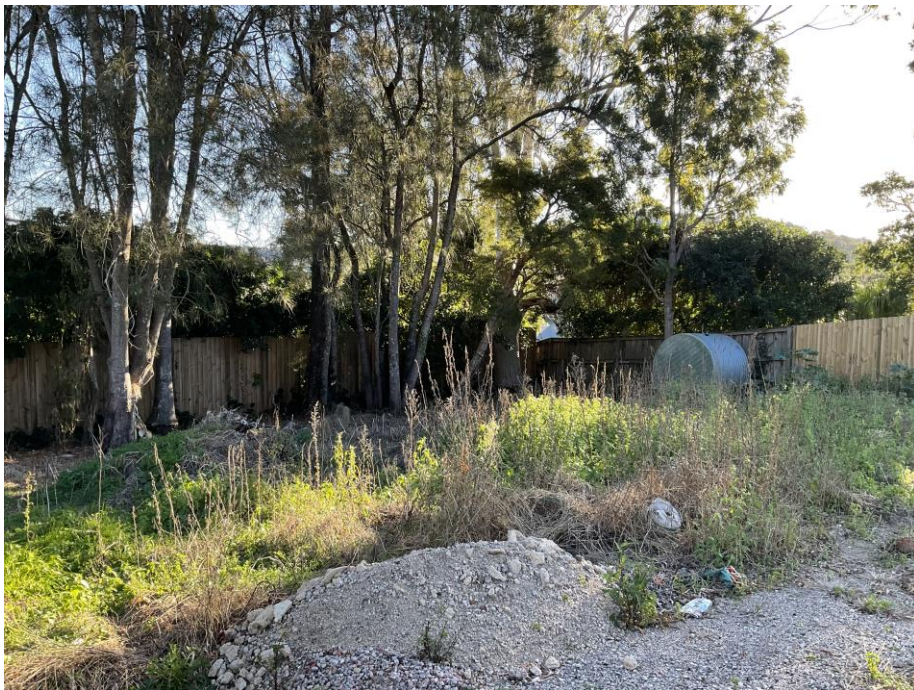


Figure 5. Rear of the lot, looking west





**Figure 6. The lot showing the boundary with No. 96 Waterview Street and neighbouring dwelling at No. 98 Waterview Street.**



**Figure 7. The rear of No. 96 Waterview Street from the site, looking north-east.**





**Figure 8. Trees along the rear boundary, looking west.**



**Figure 9. The location of the existing access driveway on the south-eastern boundary from Waterview Street past No. 96 Waterview Street.**



#### **4. Proposed Development**

**4.1** The proposed development is for the construction of a new, single storey dwelling with a carport, on the vacant lot.

**4.2** The development remains consistent with the locality, is consistent with Council controls and ensures privacy and solar access are maintained for surrounding properties and the subject site.

**4.3** The new dwelling will be made up as follows:

- Carport and entry porch
- Open living/dining area with access to alfresco area
- Kitchen
- Laundry
- Study
- Bathroom
- Master bedroom with ensuite and built-in robe
- Bedroom 2 with built-in robe

## **5. Statutory Framework**

### **5.1 State Environmental Planning Policies**

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

#### **State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development remains consistent with the provisions of the SEPP as it does not propose the removal of any significant trees.

#### **SEPP 55 – Remediation of Land**

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses.

In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

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

##### ***Clause 11 Development on land in proximity to Coastal Wetlands and Littoral rainforests area***

The subject site is located within the area mapped as proximity for littoral rainforest.



All proposed works are within developed and cleared land and there will be no impact on the littoral rainforest or its surrounds. There will be no impact on:

- (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or*
- (b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.*

***Clause 12 Development on land within the coastal vulnerability area***

The subject land has not been included on the Coastal Vulnerability Area Map under State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP).

***Clause 13. Development on land within the coastal environment area***

The site is not mapped as 'Coastal Environment Area' by State Environmental Planning Policy (Coastal Management) 2018.

***Clause 14 Development on land within the coastal use area***

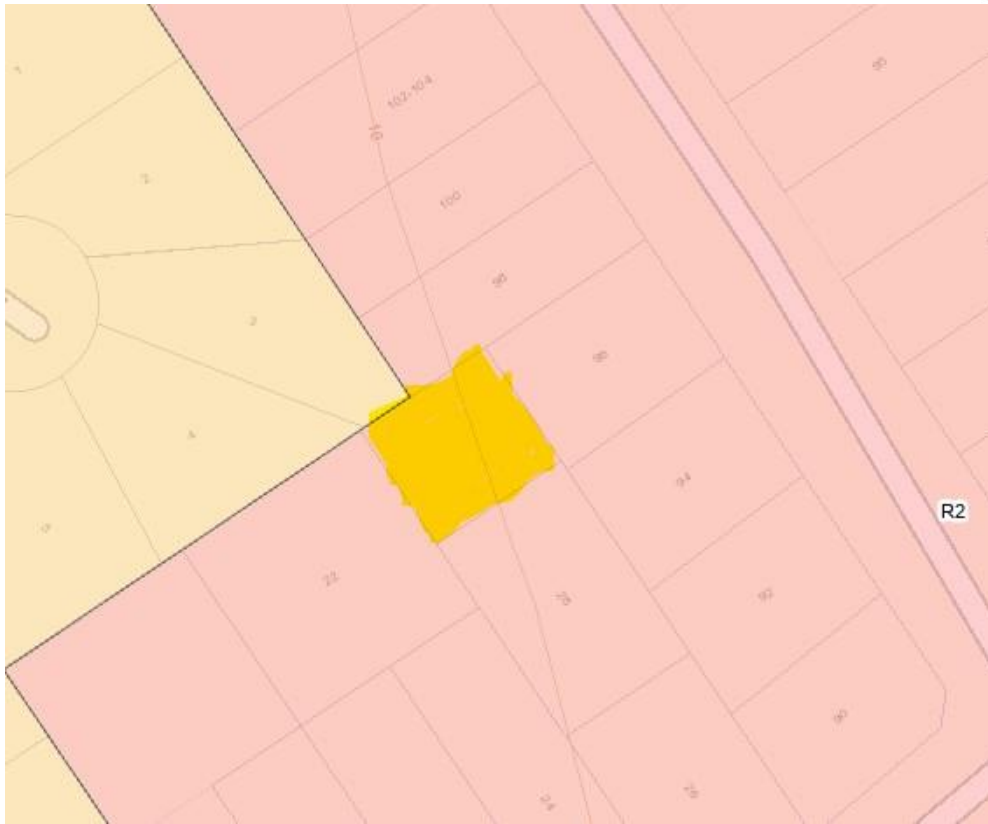
The site is not mapped as 'Coastal Use Area' by State Environmental Planning Policy (Coastal Management) 2018, accordingly the consent authority must consider clause 14 of the SEPP.

## **5.2 Pittwater Local Environmental Plan 2014**

The relevant clauses of the Pittwater Local Environmental Plan 2014 are addressed below.

### **Zoning**

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Pittwater Local Environmental Plan 2014.



**Figure 10. Extract from Pittwater LEP 2014 Zoning Map**

The proposed development is for construction of a new dwelling house and dwelling houses are permissible with development consent in the R2 zone.

### **Demolition**

No demolition works are proposed.

### **Minimum Lot Size**

The site is mapped with a minimum subdivision lot size of 700m<sup>2</sup>. The subject site comprises an area of 415m<sup>2</sup> and no subdivision is proposed.

### **Height of Buildings**

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development has a maximum, compliant building height of 5.568 metres.

### **Heritage Conservation**



The site is not a heritage item, located within a heritage conservation area or located in proximity to a heritage item.

### **Acid Sulfate soils**

The site is mapped with class 5 acid sulfate soils. The proposed works are not likely to lower the watertable below 1 metre AHD on adjacent class 1,2,3 or 4 land.

### **Earthworks**

Minor, compliant earthworks are proposed for the construction of the footings. All works will be undertaken in accordance with engineering specifications, Councils controls and any consent conditions.

### **Flood Planning**

The subject site is not identified on the Northern Beaches Council Flood Hazard Map.

### **Terrestrial Biodiversity**

The subject site is identified on the Pittwater Biodiversity Map. The development will not affect biodiversity as the proposed development is located entirely within a disturbed portion of the site and no significant tree canopy will be removed.

### **Essential services**

All services are existing on the site.

### 5.3 Pittwater 21 Development Control Plan

The relevant sections of the DCP are addressed below.

#### **Objectives**

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

#### **Part A Localities**

##### **Mona Vale Locality**

The site is located within the Mona Vale Locality.

The desired character statement for Mona Vale is:

*The Mona Vale locality will contain a mix of residential, retail, commercial, industrial, recreational, community, and educational land uses.*

*Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities.*

*Retail, commercial and light industrial land uses will be employment-generating. The Mona Vale commercial centre status will be enhanced to provide a one-stop convenient centre for medical services, retail and commerce, exploiting the crossroads to its fullest advantage and ensuring its growth and prosperity as an economic hub of sub-regional status. The permissible building height limit is increased to promote economic growth within the centre. The Mona Vale Hospital, as a regional facility servicing the Peninsula, is an essential part of the future local economy.*

*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.*

*Future development will maintain a building height limit below the tree canopy and*



*minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.*

*The design, scale and treatment of future development within the Mona Vale commercial centre will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.*

*Light industrial land uses in Darley and Bassett Streets will be enhanced as pleasant, orderly, and economically viable areas.*

*A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.*

*Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.*

*Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. Improved public transport, pedestrian accessibility and amenity, carparking and an efficient surrounding local network will support the commercial centre, moving people in and out of the locality in the most efficient manner. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.*

The proposed development has been designed taking into consideration the desired character of the location. The scale of the proposal is well designed to ensure retention of the character sought by Council and provide a modern dwelling, whilst being mindful of the natural environment.

## **Part B General Controls**

### **Heritage Conservation**

The site is not a heritage item, is not located in a heritage conservation area or immediately adjacent any heritage items.

**Aboriginal Heritage Significance**

The site is not known or anticipated to be home to any aboriginal relics. Should any objects be discovered during construction, appropriate measures will be taken according to NSW Office of Environment and Heritage.

**Landslip Hazard**

The site is not located in a geotechnical hazard zone.

**Bushfire Hazard**

The site is not mapped as Bushfire Prone Land.

**Flood Hazard**

The site is not mapped as flood prone.

**The Natural Environment**

The proposal will have no impact on the natural environment, including the mapped biodiversity, as the proposed development is located entirely within a disturbed portion of the site.

**Water management**

The site is connected to the reticulated sewer system.

Stormwater from the proposed new dwelling will be connected to the existing drainage network on the site.

**Access and parking**

The new carport will provide two parking spaces (tandem configuration).

**Site works and management**

All Council controls and conditions of consent will be complied with in the construction works. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

**Part C Design Criteria for Residential Development****Landscaping**

The subject site contains a large cluster of canopy trees within the rear of the site which will be retained. The proposed dwelling will be constructed on the disturbed part of the land ensuring that the native tree canopy is retained and that there is adequate area for further gardens and landscaping in accordance with P21 DCP.

### **Safety and Security**

The proposed new dwelling does not alter the existing, adequate safety and security of the site.

### **View Sharing**

A site visit has been undertaken and it is considered that no views will be impacted as a result of the proposed development.

### **Solar Access**

The DCP requires 3 hours of solar access to be maintained for the windows of principal living areas, solar collectors and private open space of the site and adjoining properties on 21 June.

Shadow diagrams are provided in the attached architectural plan set, illustrating that the proposed development will result in the following:

9am: shadowing within the rear setback between the proposed dwelling and adjoining property at 3 Lucinda Place. The shadow is not of a magnitude to cause non-compliance for either the subject site or the neighbour.

12pm: a minor increase in shadowing across the subject site however the main private open space and north west facing living room windows are unaffected. A small portion of the private open space for No. 28 Mona Street will receive shadow, however this does not result in a non compliance on that site.

3pm: By 3pm, the shadow will move to be over the western portion of the private open space and dwelling on No. 28 Mona Street. By this time, No. 28 Mona Street will have received complying levels of sunlight.

It is concluded the proposal will result in a minor increase in shadowing of two adjoining properties and the subject site, however all lots will maintain the minimum 3 hours solar access on the winter solstice.

### **Visual Privacy**

The proposed new dwelling will have no impact for neighbour's visual privacy with ample setbacks and no direct overlooking into any key living areas.

The proposed dwelling is single storey and no elevated decks or viewing opportunities arise as a result.

The new proposed rear alfresco area will be predominantly at ground level and therefore will not result in overlooking onto neighbouring properties.



**Acoustic Privacy**

The development is appropriate and will not result in noise levels inappropriate to a residential area.

**Private Open Space**

The DCP requires a minimum private open space requirement of 80m<sup>2</sup>. The existing dwelling provides well in excess of the minimum requirement at ground level.

**Waste and Recycling Facilities**

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible.

The dwelling has areas available for bin storage, with waste to be collected by Councils regular service.

**Eaves**

A minimum 450mm eaves are incorporated on all elevations in accordance with this clause.

**Part D – Mona Vale Locality**

The site is located in the Mona Vale Locality and is consistent with the desired character, built form and natural environment criteria as specified in the DCP. The proposed new dwelling is appropriate within the residential and natural setting.

**Character**

The proposed development is an appropriate architectural design for the locality. Materials and colours complement the locality and are a positive addition for the site.

**Scenic Protection**

The site is not visible from Waterview Street. The proposed new dwelling is consistent with this clause, in that there will be no negative visual impacts as a result of the development.

**Building colours, materials and construction**

The proposed materials will be consistent with the residential environment, see architectural drawings for further details.

**Front Building Line**

The DCP requires a front building setback of 6.5 metres or the established building line, whichever is the greater. The subject site is in a battleaxe configuration and therefore does not have a technical front boundary, with access provided via a right of carriageway over the front lot.

**Side and Rear setbacks**

Side setbacks of 2.5 metres on 1 side setback and 1 m for the other side setback are required. The existing development has a 2.617m setback to the western elevation and 1m setback to the eastern elevation. A setback of 1m is also provided to the northern shared boundary which is appropriate noting the single storey nature of the design. The new dwelling is proposed within the required side setbacks.

A rear setback of 6.5m is required. The rear portion of the dwelling sits within the rear setback by 0.47m. The minor encroachment has no effect on visual privacy, solar access, or views and ensures trees within the rear setback area are protected.

The outcomes of the rear building line control are achieved as is demonstrated below:

1. *To achieve the desired future character of the Locality.*

**Comment**

The proposal does not result in the removal of any prominent trees or landscape features, thereby not detracting from the landscape character of the land. The design of the dwelling uses façade modulation, a variety of materials, and contemporary roof design to ensure that the desired future character of the locality is maintained on the site.

2. *The bulk and scale of the built form is minimised.*

**Comment**

The proposed dwelling is single storey and will be unobtrusive in the locality. The dwelling is significantly smaller than the two storey dwellings that surround it.

3. *Equitable preservation of views and vistas to and/or from public/private places.*

**Comment**

A site visit has been undertaken and it is considered that no views will be impacted as a result of the proposed development.

4. *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

Comment

A site visit has been undertaken and it is considered that no views will be impacted as a result of the proposed development.

5. *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

Comment

An appropriate level of amenity and solar access will be maintained as discussed above.

6. *Substantial landscaping, a mature tree canopy and an attractive streetscape.*

Comment

No significant vegetation will be lost. Existing mature vegetation adjoining the side and rear property boundaries will be maintained to visually reduce the built form. The dwelling will not be visible from the street.

7. *Flexibility in the siting of buildings and access.*

Comment

The siting of the building has been chosen to ensure that the footprint remains entirely within a disturbed portion of the site.

8. *Vegetation is retained and enhanced to visually reduce the built form.*

Comment

No significant vegetation will be lost. Existing mature vegetation adjoining the side and rear property boundaries will visually reduce the built form.

9. *To ensure a landscaped buffer between commercial and residential zones is established.*

Comment



The site is not within the vicinity of a commercial premises.

This small variation to the rear setback is reasonable and appropriate for the reasons outlined above.

### **Building envelope**

A building envelope of 45° measured at a height of 3.5 metres applies to the site. This is achieved for the proposed new dwelling.

### **Landscaped Area – Environmentally Sensitive Land**

The subject site requires a minimum landscaped area of 60% which equates to 249m<sup>2</sup> for the site area of 415m<sup>2</sup>. The development proposes a total landscaped area of 225.5m<sup>2</sup> (54.33%), being a shortfall of 23.5m<sup>2</sup>. This small reduction is required to allow for the rear deck, which provides improved residential amenity and enhanced outdoor area for the occupants. Further, the proposed landscaped area will not be to the detriment of amenity, natural vegetation or drainage and runoff.

P21DCP permits up to 6% of the site area to be included as landscaped area where it is developed for recreational purposes and not more than 1m above ground level. The Alfresco area on the western side of the dwelling meets this criteria, and when included brings the landscaped area calculation to the required 60%.

The outcomes of the landscaping control are achieved as is demonstrated below:

#### *1. Achieve the desired future character of the Locality.*

##### Comment

The proposal does not result in the removal of any prominent trees or landscape features, thereby not detracting from the landscape character of the land. The design of the dwelling uses façade modulation, a variety of materials, and contemporary roof design to ensure that the desired future character of the locality is maintained on the site.

#### *2. The bulk and scale of the built form is minimised.*

##### Comment

The proposed dwelling is single storey and will be unobtrusive in the locality. The dwelling is significantly smaller than the two storey dwellings that surround it and will not be viewable from the street.

#### *3. A reasonable level of amenity and solar access is provided and maintained.*

##### Comment

An appropriate level of amenity and solar access will be maintained as discussed above.

6. *Vegetation is retained and enhanced to visually reduce the built form.*

Comment

No significant vegetation will be lost. Existing mature vegetation adjoining the side and rear property boundaries will be retained to visually reduce the built form.

5. *Conservation of natural vegetation and biodiversity.*

Comment

Natural vegetation and biodiversity will be unaffected.

6. *Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*

Comment

The proposal will comply with Council's stormwater policies.

7. *To preserve and enhance the rural and bushland character of the area.*

Comment

No significant vegetation will be lost, and the existing natural landscape character of the area will be maintained with the new dwelling being located on the already disturbed land.

8. *Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.*

Comment

A stormwater management plan will be prepared which addresses stormwater management matters.

This small variation is reasonable and appropriate for the reasons outlined above.

**Fences - Flora and Fauna Conservation Areas**

No new fencing is proposed.

**Construction of Retaining walls, terracing and undercroft areas**

A small retaining wall up to 300mm high is required to ensure a level footprint for building along the northern boundary. The wall is minor and will not result in impact for the site or the adjoining neighbour.



## 6.0 Numerical Control Table

	Standard	Proposed	Compliance
<b>Rural Fire Act</b>	N/A		
<b>Biodiversity Act</b>	N/A		
<b>SEPP – Coastal</b> - General - Littoral rainforest Wetland	N/A		
<b>Pittwater LEP 2014</b>			
Zoning	R2 Low Density Residential	Permitted with consent	Yes
Proposed Zoning	R2 Low Density Residential		
Lot Size	700m <sup>2</sup>	415m <sup>2</sup>	Undersized lot – no change
Building Height	8.5 metres	5.568m	Yes
Floor Space Ratio	Not identified	-	-
<b>Pittwater DCP 2014</b>			
Building Envelope	3.5 metres / 45 degrees	3.5 metres / 45 degrees	Yes
Front setback	6.5m	N/A – Battleaxe lot	N/A
Side Boundary Setbacks	2.5 metres on one side and 1 metre on the other	1m to eastern side; 2.617m to western side; 1m to northern side	Yes
Rear Boundary Setbacks	6.5 m	6.029m	<b>No – minor variation</b>
Parking	2 spaces	2 space	Yes - tandem configuration
Landscaped Area	60% of lot area (249m <sup>2</sup> )	54% (225.5m <sup>2</sup> )	<b>Complies using variations clause</b>
Private Open Space	80m <sup>2</sup>	2198.21m <sup>2</sup>	Yes

	Standard	Proposed	Compliance
Solar Access	<p>3 hours sunlight to POS of both subject site and adjoining properties between 9am and 3pm on June 21.</p> <p>50% of principal living area windows to subject site and adjoining neighbours to receive 3 Hours sunlight between 9am and 3pm on June 21.</p>	<p>Alfresco area of proposed dwelling receives 3 hours sunlight btwn 9 – 12 noon. All POS of neighbours receive 3 hours in morning period.</p> <p>Windows to living areas of proposal and neighbours unaffected</p>	Yes

## 7. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

### **The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations**

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the E4 zone.

### **The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality**

#### 7.1 *Context and Setting*

*What is the relationship to the region and local context in terms of:*

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

*What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*



The proposed new dwelling has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

## **7.2 Access, transport and traffic**

*Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:*

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

## **7.3 Public domain**

There will be no impact.

## **7.4 Utilities**

There will be no impact on the site, which is already serviced.

## **7.5 Flora and fauna**

There will be no impact.

## **7.6 Waste**

There will be no impact.

## **7.7 Natural hazards**

The site is not mapped as flood or bushfire prone land.

## **7.8 Economic impact in the locality**

There will be no impact, other than the possibility of a small amount of employment during construction.

## **7.9 Site design and internal design**

*Is the development design sensitive to environmental conditions and site attributes including:*

- *size, shape and design of allotments?*

- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and the proposed development is well suited to the residential surrounds.

*How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia and all relevant Council controls.

## **7.10 Construction**

*What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

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

*Does the proposal fit in the locality?*

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

**Are the site attributes conducive to development?**

The site is appropriate for the proposed development.

**Any submissions received in accordance with this Act or the regulations**

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

**The public interest**

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

## **8. Conclusions**

- 8.1** The proposed development for a new dwelling at 96A Waterview Street, Mona Vale is appropriate considering all State and Council controls.
- 8.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3** Considering all the issues, the development is considered worthy of Council's consent.