

# Northern Development Assessment

## STATEMENT OF ENVIRONMENTAL EFFECTS

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TO ACCOMPANY  
**DEVELOPMENT APPLICATION**

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FOR  
**PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING  
INCLUDING NEW SWIMMING POOL**

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AT  
**10 DAISY STREET, NORTH BALGOWLAH  
LOT 9 DP 8443**

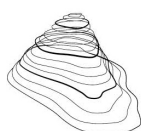
Prepared By

**DAVE MOODY**  
B.Plan. (UNSW), Dipl. Build. & Const. (MIBT), MPIA.

0401 450 989  
dave@ndassessment.com.au  
www.ndassessment.com.au  
Suite 11, 303 Barrenjoey Road,  
Newport NSW  
2106.

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## **1. INTRODUCTION**

### **1.1 Summary**

I have been commissioned to prepare a Statement of Environmental Effects (SEE) in relation to a Development Application (DA) seeking consent for proposed alterations and additions on land described as Lot 9 DP 8443, 10 Daisy Street, North Balgowlah (The site).

The proposed development is subject to assessment under Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The following SEE will consider the potential environmental impacts of the development, having regard to the matters for consideration under Section 4.15(1) of the EP&A Act 1979.

This SEE also addresses relevant matters under the *Warringah Local Environmental Plan 2011* and the *Warringah Development Control Plan 2011*. In the preparation of this SEE consideration has been given to the following documents:

- a) Plans of the proposed development prepared by Interior Connections dated November 2022;
- b) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- c) Warringah Local Environmental Plan 2011;
- d) Warringah Development Control Plan 2011;
- e) Planning Principles of the NSW Land and Environment Court.

During the preparation of this SEE, I have attended the subject site and the surrounding locality to gain an understanding of the proposal and its future relationship with the developing streetscape and the immediately surrounding sites.

I am satisfied that the proposal as submitted will not only offer a high standard of accommodation for future residents but will do so in a manner that respects its juxtaposition with adjacent and nearby dwellings and will provide a high standard of design and sustainability when completed.

## 1.2 Site Description



**Figure 1.2.1 – Subject Site**

The site consists of a single allotment located on the western side of Daisy Street, opposite the intersection with Myrtle Street. The subject site currently contains a two storey residential dwelling with a secondary dwelling located in the rear setback area with a garage for the primary dwelling attached. The dwelling is of cladding construction with a tile roof, whilst the secondary dwelling is of cladding construction with a metal roof. The site fronts Daisy Street and obtains vehicle access from the street frontage.

The site is rectangular in shape and has a total site area of approximately 957.9m<sup>2</sup> with the topography sloping from the north west at the rear of the site to the south east front boundary at Daisy Street. The boundary to Daisy Street has a total length of approximately 15.24m. The northern boundary adjoins No. 8 Daisy Street and has a length of approximately 62.85m. The western boundary adjoins No. 5 & 6 Florence Court and has a length of approximately 15.17m, whilst the southern boundary adjoins 12 Daisy Street and has a length of 62.88m.

The site is located within the R2 Low Density Residential zone as per the Warringah Local Environment Plan 2011 (WLEP 2011 ) and is also identified being Landslip Area 'B' under WLEP 2011.

The immediate area is characterised by 1-2 storey residential dwellings of both a modern and traditional style.



## **1.3 The Proposed Development**

The proposed development involves alterations and additions to an existing semi-detached dwelling.

The proposed alterations and additions include the following;

### **Ground Floor**

- Construction of a lightweight open carport located over the existing driveway along the southern boundary of the subject site. The proposed carport will have a length of 14.065m and a width of 4.2m allowing for 2 cars in tandem parking.
- Replacement of metal existing awning and construction of 10.75m x 4m awning over existing patio.
- Construction of a proposed swimming pool and surrounds located to the rear of the primary dwelling.
- Associated landscaping works including demolition of portion of existing driveway to be converted to landscaping.

### **First Floor**

Alterations and additions resulting in the following;

- Construction of a new balcony located on the rear elevation accessed from the Master Bedroom with tiled roof over.

The proposed development is shown on plans prepared by *Interior Connections* dated November 2022. The Architectural Plans detail the full scope of works and should be referred to in their entirety.

## 2. PLANNING INSTRUMENTS

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

#### **Aim of Policy**

- (1) Regulations under the Act have established a scheme to encourage sustainable residential development (the BASIX scheme) under which:
  - a) an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and*
  - b) the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.**
- (2) The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.*
- (3) This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.*

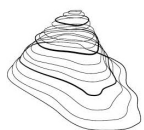
#### **Comment:**

The DA is accompanied by a BASIX Certificate No. A4832278 prepared by Interior Connections dated 8 December, 2022. This BASIX Certificate confirms that the proposed alterations and additions achieve compliance with the relevant objectives and requirements of the above State Environmental Planning Policy.

## 2.2 Warringah Local Environmental Plan 2011 (LEP)

### 1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in that part of Northern Beaches local government area to which this Plan applies (in this Plan referred to as Warringah) in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
- (2) The particular aims of this Plan are as follows—
- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
  - (a) to create a land use framework for controlling development in Warringah that allows detailed provisions to be made in any development control plan made by the Council,
  - (b) to recognise the role of Dee Why and Brookvale as the major centres and employment areas for the sub-region,
  - (c) to maintain and enhance the existing amenity and quality of life of the local community by providing for a balance of development that caters for the housing, employment, entertainment, cultural, welfare and recreational needs of residents and visitors,
  - (d) in relation to residential development, to—
    - (i) protect and enhance the residential use and amenity of existing residential environments, and
    - (ii) promote development that is compatible with neighbouring development in terms of bulk, scale and appearance, and
    - (iii) increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity of Warringah,
  - (e) in relation to non-residential development, to—
    - (i) ensure that non-residential development does not have an adverse effect on the amenity of residential properties and public places, and
    - (ii) maintain a diversity of employment, services, cultural and recreational facilities,
  - (f) in relation to environmental quality, to—
    - (i) achieve development outcomes of quality urban design, and
    - (ii) encourage development that demonstrates efficient and sustainable use of energy and resources, and
    - (iii) achieve land use relationships that promote the efficient use of infrastructure, and

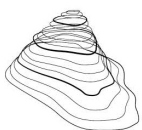


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- (iv) ensure that development does not have an adverse effect on streetscapes and vistas, public places, areas visible from navigable waters or the natural environment, and*
- (v) protect, conserve and manage biodiversity and the natural environment, and*
- (vi) manage environmental constraints to development including acid sulfate soils, land slip risk, flood and tidal inundation, coastal erosion and biodiversity,*
- (g) in relation to environmental heritage, to recognise, protect and conserve items and areas of natural, indigenous and built heritage that contribute to the environmental and cultural heritage of Warringah,*
- (h) in relation to community well-being, to—*
- (i) ensure good management of public assets and promote opportunities for social, cultural and community activities, and*
- (ii) ensure that the social and economic effects of development are appropriate.*

### **RESPONSE**

The proposal accords with the above aims, where relevant.



## Zoning



### **Zone R2 Low Density Residential**

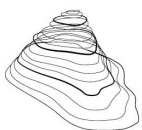
#### 1 Objectives of zone

- 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.

#### 2 Permitted without consent

Home-based child care; Home occupations

#### 3 Permitted with consent



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*Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals*

### 4 Prohibited

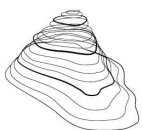
*Any development not specified in item 2 or 3*

### **RESPONSE**

The proposed development involves alterations and additions to an existing approved residential dwelling which is permitted with consent in the R2 Low Density Residential zone under Warringah LEP 2011.

I consider that the proposed development satisfies the Objectives of the R2 zone for the following reasons: -

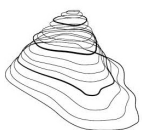
- The proposed alterations and additions will provide for the housing needs of the community within a low density residential environment, maintaining the current residential use of the subject site, whilst providing an improved area of private open space and amenity for current and future occupants.
- The proposed alterations and additions will not impact on the ability of other land uses to provide facilities or services to meet the day to day needs of residents. I consider that the scale of the proposed development achieves the desired future character of the neighbourhood.
- The proposed alterations and additions ensure that the Landscaped Area lost as a result of the proposed swimming pool is offset by the termination of the existing driveway at the rear façade of the residential dwelling, to be replaced with Landscaped Area. I note that the proposed alterations and additions do not require the removal of any trees or significant vegetation ensuring that the low-density residential environment remains characterised by landscaped settings that are in harmony with the natural environment of Warringah. Furthermore, the proposed alterations and additions result in an increase in soft landscaping and open landscaping, whilst reducing the existing hard surface area based on the architectural plans.



#### 4.1 Minimum subdivision lot size



- (1) The objectives of this clause are as follows—
- (a) to protect residential character by providing for the subdivision of land that results in lots that are consistent with the pattern, size and configuration of existing lots in the locality,
  - (b) to promote a subdivision pattern that results in lots that are suitable for commercial and industrial development,
  - (c) to protect the integrity of land holding patterns in rural localities against fragmentation,
  - (d) to achieve low intensity of land use in localities of environmental significance,
  - (e) to provide for appropriate bush fire protection measures on land that has an interface to bushland,
  - (f) to protect and enhance existing remnant bushland,
  - (g) to retain and protect existing significant natural landscape features,
  - (h) to manage biodiversity,



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- (i) to provide for appropriate stormwater management and sewer infrastructure.

### **RESPONSE**

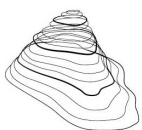
Although no subdivision is proposed, the existing lot size of 957.8m<sup>2</sup> complies with the minimum lot size identified by the LEP.

### **4.3 Height of buildings**



(1) The objectives of this clause are as follows—

- (a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,
- (c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,
- (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.

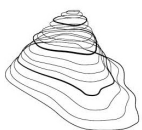


### **RESPONSE**

The proposed awning over the proposed balcony at first floor extending from the rear façade will have a maximum height of 7.73m, remaining significantly below the Maximum Height of Buildings Standard of 8.5m. Furthermore, the proposed awning will remain significantly below the existing ridgeline of the residential dwelling, providing cover over a relatively small balcony of 2.9m x 5m.

The proposed alterations and additions are considered to achieve the following Objectives of this clause;

- The proposed alterations and additions are compatible with the height and scale of adjoining development.
- The proposed alterations and additions will not result in any unreasonable visual impact, disruption of views, loss of privacy and loss of solar access.
- The proposed alterations and additions have been designed to ensure no unreasonable adverse impact of development on the scenic quality of Warringah's coastal and bush environments.
- I note that aside from the proposed carport, the remainder of the alterations and additions will not be visible from public places such as parks and reserves, roads and community facilities, due to being located behind the bulk of the existing residential dwelling. The proposed carport, being of light weight, open construction will not result in any unreasonable visual impact.



### 5.10 Heritage conservation

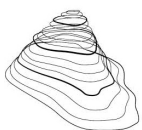


(1) Objectives The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Warringah,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

#### **RESPONSE**

I note that I am not a Heritage Consultant, however, the subject site does not contain a Heritage Item and is not located within close proximity to a Heritage Item. Furthermore, I note that the subject site is not located within a Heritage Conservation Area. The closest heritage Item is located 5 properties to the south.



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The proposed development is generally located behind the primary dwelling on the subject site and will not be readily visible from the street (aside from the proposed carport which is a light weight open structure).

Therefore, for these reasons, it is not considered that the proposed alterations and additions will adversely impact upon Heritage Items identified under the LEP.

### 5.21 Flood planning

*(1) The objectives of this clause are as follows—*

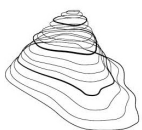
- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

### **RESPONSE**

I note that whilst the subject site is not identified as being flood affected, the property has been impacted by overland flow which has instigated the proposed development. The proposed alterations and additions have provided the owners of the property an opportunity to improve existing site conditions in relation to overland flow, whilst ensuring no unreasonable impacts to adjoining properties. An Overland Flow Report prepared by Amuna Civil Engineering accompanies this DA and provides the following comments;

*“The following can be concluded from the overland flow assessment:*

- The proposed pit and pipe network has sufficient capacity to collect and drain the arriving overland flow for all storms up to 1% AEP stormevent.*
- Minor upwelling from sag pits within the site are controlled in a safe manner.*
- The proposed alterations and additions (patio and carport) are not affected by overland flow, during the 1% AEP stormevent, provided that the design is carried out in accordance with AMUNA Pty Ltd stormwater management plan (Annexure C).*
- Pedestrian & vehicular access at the east end of the site is free from overland flow*



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- *No additional adverse overland flow impacts are expected to occur to the neighbouring upstream and downstream properties as a result of the proposed development.*
- *The proposed East and North Boundary retaining walls shall be designed to not impede overland flow and not to increase flood affectation on surrounding land.*

*Based on the findings above, we are of the view that the proposed development generally complies with Northern Beaches Council Water Management for Development Policy (2021) Section 11."*

### **6.2 Earthworks**

*(1) The objectives of this clause are as follows—*

- (a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- (b) to allow earthworks of a minor nature without requiring separate development consent.*

### **RESPONSE**

The proposed alterations and additions require excavation works for the proposed swimming pool. I note that the proposed swimming pool requires a maximum depth of excavation of 2m and is located 900mm off the northern boundary. A Geotechnical Report prepared by Martens Consulting Engineers accompanies the DA and the proposed development will be carried out in accordance with the recommendations contained within this report ensuring compliance with the Objectives of this Clause.

#### 6.4 Development on sloping land

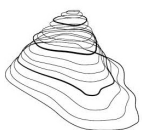


(1) The objectives of this clause are as follows—

- (a) to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land,
- (b) to ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land,
- (c) to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.

#### **RESPONSE**

I note that the subject site is identified as Area B – Flanking Slopes 5' to 25' on Council's Landslip Risk Map. Due to this identification, the DA is accompanied by a Geotechnical Report prepared by Martens Consulting Engineers. The proposed development will be carried out in accordance with the recommendations contained within this report ensuring compliance with the Objectives of this Clause.



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### 6.8 Landslide risk

(1) The objectives of this clause are to ensure that development on land susceptible to landslide—

(a) matches the underlying geotechnical conditions of the land, and

(b) is restricted on unsuitable land, and

(c) does not endanger life or property.

### **RESPONSE**

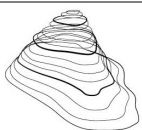
I note that the subject site is identified as Area B – Flanking Slopes 5' to 25' on Council's Landslip Risk Map. Due to this identification, the DA is accompanied by a Geotechnical Report prepared by Martens Consulting Engineers. The proposed development will be carried out in accordance with the recommendations contained within this report ensuring compliance with the Objectives of this Clause.

### **CONCLUSION**

Table 2.1 provides a summary of the relevant provisions of the LEP and outlines their relationship with the proposed development;

**Table 2.1 – LEP Compliance Summary**

Clause	Control	Comment
<b>Clause 4.1: Minimum Subdivision Lot Size</b>	600m <sup>2</sup> minimum	Complies
<b>4.3 Height of Buildings</b>	8.5 metres maximum	Complies
<b>5.10 Heritage</b>	Consider Objectives	Complies
<b>5.21 Flood planning</b>	Consider Objectives	Complies
<b>6.1 Acid Sulfate Soils</b>	Consider Objectives	N/A
<b>6.2 Earthworks</b>	Consider Objectives	Complies
<b>6.4 Development on Sloping Land</b>	Consider Objectives	Complies
<b>6.5 Coastline Hazards</b>	Consider Objectives	N/A



## 2.3 Warringah Development Control Plan 2011

### **Part B Built Form Controls**

#### **B1 Wall Heights**

##### **Objectives**

- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*
- *To ensure development is generally beneath the existing tree canopy level.*
- *To provide a reasonable sharing of views to and from public and private properties.*
- *To minimise the impact of development on adjoining or nearby properties.*
- *To ensure that development responds to site topography and to discourage excavation of the natural landform.*
- *To provide sufficient scope for innovative roof pitch and variation in roof design.*

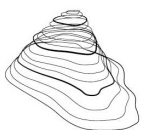
##### **RESPONSE**

The proposed alterations and additions will not result in any changes to the existing wall heights of the residential dwelling. The proposed additions to the primary dwelling are limited to the construction of a 2.9m x 5m balcony with awning over extending off the rear façade at First Floor Level and a carport extending from the southern façade. Neither of these additions will impact the existing wall heights and ensure that the objectives of this clause are maintained.

#### **B2 Number of Storeys**

##### **Objectives**

- *To ensure development does not visually dominate its surrounds.*
- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*
- *To provide equitable sharing of views to and from public and private properties.*
- *To ensure a reasonable level of amenity is provided and maintained to adjoining and nearby properties.*



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- *To provide sufficient scope for innovative roof pitch and variation in roof design.*
- *To complement the height of buildings control in the LEP with a number of storeys control.*

### **RESPONSE**

The proposed alterations and additions will not result in any changes to the existing number of storeys (2) of the residential dwelling. The proposed additions to the primary dwelling are limited to the construction of a 2.9m x 5m balcony with awning over extending off the rear façade at First Floor Level and a carport extending from the southern façade. Neither of these additions will impact the existing number of storeys and ensure that the objectives of this clause are maintained.

### **B3 Side Boundary Envelope**

#### *Objectives*

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*
- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*
- *To ensure that development responds to the topography of the site.*

### **RESPONSE**

I note that the proposed additions to the primary dwelling, relating to the first floor balcony and awning over, will comply with the objectives and control of this clause.

I note that the proposed carport will be located within the 4m 45 degree angle, however, due to the proposed carport extending from the southern façade to the southern boundary, will be located outside of the Side Boundary Envelope. I note that under Clause B5 Side Boundary Setbacks, minor variations are considered for single storey carports.

I consider that the proposed carport achieves compliance with the objectives of Clause B3 due to the following;



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- The proposed development will not become visually dominant due to its height and bulk, noting that the proposed carport is single storey in nature, constructed of a light weight and open material and located over the existing hard surface area of the driveway.
- The proposed carport will not result in any unreasonable loss of light, solar access or privacy ensuring spatial separation between buildings is maintained. Furthermore, I note that the proposed carport is located over the existing driveway which runs parallel to the driveway located at 12 Daisy Street, Balgowlah further ensuring spatial separation from any adjoining dwellings.
- The proposed carport is located over the existing driveway ensuring no excavation or changes in topography are required.
- I note that the proposed carport is setback 9.635m from the front boundary, in keeping with the existing front building line, which is significantly further than the required 6.5m Front Setback Control.

### **B5 Side Boundary Setbacks**

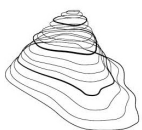
#### *Objectives*

- *To provide opportunities for deep soil landscape areas.*
- *To ensure that development does not become visually dominant.*
- *To ensure that the scale and bulk of buildings is minimised.*
- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*
- *To provide reasonable sharing of views to and from public and private properties.*

### **RESPONSE**

The proposed carport does not comply with Council's 900mm Side Setback Control. I note that under Clause B5 Side Boundary Setbacks, minor variations are considered for single storey carports. In this instance, variation of the Side Setback Control is considered reasonable and in keeping with the Objectives for the following reasons;

- The proposed carport is located over existing hard surface area and therefore the breach will not reduce the opportunity for landscaping within the side setback area. Furthermore, I note that the removal of the



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remainder of the driveway located behind the rear building line will provide additional opportunities for landscaping along the side boundary.

- The proposed carport is not considered to be visually dominant or of an unreasonable bulk and scale due to the light weight construction and open style design.
- The proposed carport will not result in any unreasonable loss of amenity, solar access or privacy, ensuring spatial separation between buildings is maintained. Furthermore, I note that the proposed carport is located over the existing driveway which runs parallel to the driveway located at 12 Daisy Street, Balgowlah further ensuring the privacy, amenity and solar access to 12 Daisy Street is maintained.
- The proposed carport, being single storey in nature and of a light weight construction and open design will not result in the loss of any views to and from public and private properties.
- I note that the proposed carport is setback 9.635m, in keeping with the existing front building line, which is significantly further than the required 6.5m Front Setback Control.

### **B7 Front Boundary Setbacks**

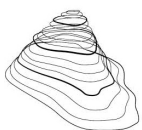
#### *Objectives*

- *To create a sense of openness.*
- *To maintain the visual continuity and pattern of buildings and landscape elements.*
- *To protect and enhance the visual quality of streetscapes and public spaces.*
- *To achieve reasonable view sharing.*

### **RESPONSE**

Aside from the proposed carport, the remaining alterations and additions are located behind the rear building line of the primary dwelling. I note that the proposed carport is setback 9.635m, in keeping with the existing front building line, which is significantly further than the required 6.5m Front Setback Control.

Furthermore, the proposed carport is considered to achieve the following objectives of this clause;



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- The proposed carport is of lightweight construction and an open design ensuring a sense of openness is maintained.
- The proposed carport maintains the existing front setback of the primary dwelling and does not require the removal of any landscaping, ensuring that the visual continuity and pattern of buildings and landscape elements is maintained.
- The proposed alterations and additions protect and enhance the visual quality of the streetscape and public space.
- The proposed alterations and additions achieve the reasonable sharing of views.

### **B9 Rear Boundary Setbacks**

#### Objectives

- *To ensure opportunities for deep soil landscape areas are maintained.*
- *To create a sense of openness in rear yards.*
- *To preserve the amenity of adjacent land, particularly relating to privacy between buildings.*
- *To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*
- *To provide opportunities to maintain privacy between dwellings.*

### **RESPONSE**

The proposed alterations and additions will not reduce the existing rear setback of the subject site. The proposed balcony extending of the rear façade is located significantly in excess of the minimum Rear Setback Control.

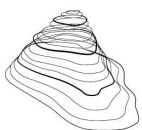
### **Part C – Siting Factors**

#### **C2 Traffic, Access and Safety**

##### Objectives

To minimise:

- a) traffic hazards;*
- b) vehicles queuing on public roads*
- c) the number of vehicle crossings in a street;*
- d) traffic, pedestrian and cyclist conflict;*
- e) interference with public transport facilities; and*
- f) the loss of “on street” kerbside parking.*



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### **RESPONSE**

The proposed alterations and additions will not result in any changes to the location of existing vehicular and pedestrian access.

### **C3 Parking Facilities**

#### *Objectives*

- *To provide adequate off street carparking.*
- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*
- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.*

### **RESPONSE**

The proposed alterations and additions will maintain the existing levels of carparking on-site. Furthermore, the objectives of the clause are achieved due to the light weight construction and open design of the carport, located in keeping with the existing front building line of the dwelling.

### **C4 Stormwater**

#### *Objectives*

*Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*

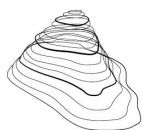
*To minimise the risk to public health and safety;*

*To reduce the risk to life and property from any flooding and groundwater damage;*

*Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*

*Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*

*Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

*To protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*

### **RESPONSE**

I note that a Stormwater management Plan was prepared by Amuna Civil Engineering following the completion of the Overland Flow Report, ensuring that the Objectives and Controls of this clause are achieved.

### **C7 Excavation and Landfill**

#### *Objectives*

- To ensure any land excavation or fill work will not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties.*
- To require that excavation and landfill does not create airborne pollution.*
- To preserve the integrity of the physical environment.*
- To maintain and enhance visual and scenic quality.*

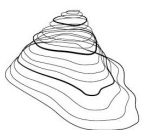
### **RESPONSE**

The proposed alterations and additions require excavation works for the proposed swimming pool. I note that the proposed swimming pool requires a maximum depth of excavation of 2m and is located 900mm off the northern boundary. A Geotechnical Report prepared by Martens Consulting Engineers accompanies the DA and the proposed development will be carried out in accordance with the recommendations contained within this report ensuring compliance with the Objectives of this Clause.

### **C8 Demolition and Construction**

#### *Objectives*

- To manage demolition and construction sites so that there is no unreasonable impact on the surrounding amenity, pedestrian or road safety, or the natural environment.*
- To promote improved project management by minimising demolition and construction waste and encouraging source separation, reuse and recycling of materials.*



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

- *To assist industry, commercial operators and site managers in planning their necessary waste management procedures through the preparation and lodgement of a Waste Management Plan*
- *To discourage illegal dumping.*

### **RESPONSE**

The demolition and construction relating to the proposed alterations and additions will be carried out in accordance with the requirements and objectives of this clause.

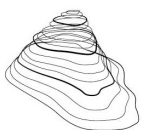
### **C9 Waste Management**

#### *Objectives*

- *To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).*
- *To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.*
- *To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours, and pedestrian and vehicle movements.*
- *To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.*
- *To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.*
- *To minimise any adverse environmental impacts associated with the storage and collection of waste.*
- *To discourage illegal dumping.*

### **RESPONSE**

A Waste Management Plan has been prepared and accompanies this DA ensuring compliance with the requirements and objectives of this clause are maintained.



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

### **D1 Landscaped Open Space and Bushland Setting**

#### *Objectives*

- *To enable planting to maintain and enhance the streetscape.*
- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*
- *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.*
- *To enhance privacy between buildings.*
- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*
- *To provide space for service functions, including clothes drying.*
- *To facilitate water management, including on-site detention and infiltration of stormwater.*

#### **RESPONSE**

The proposed alterations and additions ensure that the Landscaped Area lost as a result of the proposed swimming pool is offset by the termination of the existing driveway at the rear façade of the residential dwelling, to be replaced with Landscaped Area. I note that the proposed alterations and additions do not require the removal of any trees or significant vegetation ensuring that the low density residential environment remains characterised by landscaped settings that are in harmony with the natural environment of Warringah. Furthermore, the proposed alterations and additions result in an increase in soft landscaping and open landscaping, whilst reducing the existing hard surface area.

The proposed decking around and to the rear of the secondary dwelling is located over the existing rock outcrop and gravel. I note the following change in calculations based on the Architectural Plans;

<b>Site Area: 957.8</b>	<b>Existing</b>	<b>Proposed</b>
<b>Soft landscaping</b>	273.14	294.5
<b>Open Landscaping</b>	310.14	347.34
<b>Hard Surface</b>	403.96	366.76

### **D2 Private Open Space**

#### **Objectives**

- *To ensure that all residential development is provided with functional, well located areas of private open space.*
- *To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.*
- *To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.*
- *To ensure that private open space receives sufficient solar access and privacy.*

#### **RESPONSE**

The proposed development will provide a greater level of private open space than the numerical requirements outlined in this clause. Furthermore, the objectives of the clause are achieved, ensuring that the proposed alterations and additions result in an improvement in functional areas that are directly accessible from living areas of the dwelling.

### **D3 Noise**

#### **Objectives**

- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors.*

#### **RESPONSE**

It is not considered that the acoustic privacy of adjoining dwellings or the proposed development will be adversely affected by residential noise generated by the proposal. All plant and equipment boxes shall be visually and acoustically treated to ensure minimal impact on surrounding new and existing development.

### **D6 Access to Sunlight**

#### *Objectives*

- *To ensure that reasonable access to sunlight is maintained.*
- *To encourage innovative design solutions to improve the urban environment and public open space.*
- *To promote passive solar design and the use of solar energy.*

#### **RESPONSE**

As evidenced by the Shadow Diagrams accompanying this DA, the proposed alterations and additions will not result in any unreasonable overshadowing to adjoining properties. I note that the proposed development remains compliant with requirements for access to sunlight for both the subject dwelling and adjoining properties.

### **D7 Views**

#### *Objectives*

- *To allow for the reasonable sharing of views.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure existing canopy trees have priority over views.*

#### **RESPONSE**

I note that the proposed balcony and awning over extending from the rear façade will not result in the unreasonable loss of any views from adjoining properties.

The proposed carport, being single storey in nature and of a light weight construction and open design will not result in the loss of any views to and from public and private properties.

The proposed development complies with the objectives of this clause.

### **D8 Privacy**

#### *Objectives*

- *To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.*



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

- *To encourage innovative design solutions to improve the urban environment.*
- *To provide personal and property security for occupants and visitors.*

### **RESPONSE**

The proposed alterations and additions will not result in any unreasonable privacy impacts to adjoining properties. I note that the proposed balcony extending from the rear façade at first floor level is located centrally on the site, only accessible from a bedroom and is of a size and nature to ensure the use of the area is not intensive.

### **D9 Building Bulk**

#### *Objectives*

- *To encourage good design and innovative architecture to improve the urban environment.*
- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

### **RESPONSE**

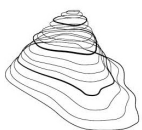
I note that aside from the proposed carport, the remainder of the alterations and additions will not be visible from the street frontage, due to being located behind the existing residential dwelling, ensuring that the building bulk is minimised. The proposed carport, being of light weight, open construction also ensures that the additional building bulk is minimised.

The proposed alterations and additions minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

### **D10 Building Colours and Materials**

#### *Objectives*

- *To ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.*



### **RESPONSE**

The proposed alterations and additions are of a colour and material to remain in keeping with the existing dwelling which remain sympathetic to the surrounding natural and built environment.

#### **D11 Roofs**

##### *Objectives*

- *To encourage innovative design solutions to improve the urban environment.*
- *Roofs are to be designed to complement the local skyline.*
- *Roofs are to be designed to conceal plant and equipment.*

### **RESPONSE**

The proposed awnings and carport will remain in keeping with the existing roof form and complement the local skyline ensuring compliance with both the objectives and controls of this clause.

#### **D12 Glare and Reflection**

##### *Objectives*

- *To ensure that development will not result in overspill or glare from artificial illumination or sun reflection.*
- *To maintain and improve the amenity of public and private land.*
- *To encourage innovative design solutions to improve the urban environment.*

### **RESPONSE**

The proposed alterations and additions will not result in any unreasonable glare or reflection ensuring compliance with this clause.

#### **D13 Front Fences and Front Walls**

##### *Objectives*

- *To ensure that fencing, terracing and retaining walls are compatible with the existing streetscape character while creating visual interest in the public domain.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To avoid a 'walled in' streetscape.*

### **RESPONSE**

No front fences or walls are proposed.

### **D14 Site Facilities**

#### *Objectives*

- *To provide for the logical placement of facilities on site that will result in minimal impacts for all users, particularly residents, and surrounding neighbours.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To make servicing the site as efficient and easy as possible.*
- *To allow for discreet and easily serviceable placement of site facilities in new development.*

### **RESPONSE**

The subject site is serviced by existing site facilities and complies with the objectives of this clause.

### **D15 Side and Rear Fences**

#### *Objectives*

- *To encourage innovative design solutions to improve the urban environment.*

### **RESPONSE**

The side boundary fencing to the northern boundary will ensure 1.8m in height to remain compliant with pool fencing requirements under AS 1926.1.

### **D16 Swimming Pools and Spa Pools**

#### *Objectives*

- *To ensure swimming pools and spas are located to preserve the natural environment, streetscape and residential amenity.*
- *To encourage innovative design solutions to improve the urban environment.*

### **RESPONSE**

The proposed swimming pool has been designed in accordance with relevant Australian Standards and in keeping with Council's controls. The proposed swimming pool is generally located at existing ground level and will not result in

## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

unreasonable amenity impacts to adjoining properties, the natural environment or the streetscape.

Proposed swimming pool plant and equipment will be contained within an acoustically treated enclosure.

### **D18 Accessibility and Adaptability**

#### *Objectives*

- *To ensure vehicular access points for parking, servicing or deliveries, and pedestrian access are designed to provide vehicular and pedestrian safety.*
- *To ensure convenient, comfortable and safe access for all people including older people, people with prams and strollers and people with a disability.*
- *To provide a reasonable proportion of residential units that should be designed to be adaptable and easily modified to promote 'ageing in place' and for people with disabilities.*

#### **RESPONSE**

The proposed alterations and additions remain consistent with the objectives of this clause.

### **D20 Safety and Security**

#### *Objectives*

- *To ensure that development maintains and enhances the security and safety of the community.*

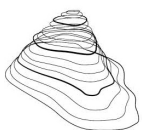
#### **RESPONSE**

The proposed alterations and additions retain the safety and security for occupants of the subject site, whilst ensuring no unreasonable impact on adjoining properties.

### **D21 Provision and Location of Utility Services**

#### *Objectives*

- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure that adequate utility services are provided to land being developed.*



### **RESPONSE**

The subject site is provided with existing utility services and complies with the objectives of this clause.

### **D22 Conservation of Energy and Water**

#### *Objectives*

- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure energy and water use is minimised.*

### **RESPONSE**

The DA is accompanied by a BASIX Certificate confirming that the proposed alterations and additions achieve compliance with required energy and water conservation.

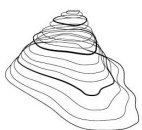
### **E1 Preservation of Trees or Bushland Vegetation**

#### *Objectives*

- *To protect and enhance the urban forest of the Northern Beaches.*
- *To effectively manage the risks that come with an established urban forest through professional management of trees.*
- *To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.*
- *To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.*
- *To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.*
- *To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.*

### **RESPONSE**

The proposed alterations and additions ensure that the Landscaped Area lost as a result of the proposed swimming pool is offset by the termination of the existing



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

driveway at the rear façade of the residential dwelling, to be replaced with Landscaped Area. I note that the proposed alterations and additions do not require the removal of any trees or significant vegetation ensuring compliance with the objectives of this clause.

### **E2 Prescribed Vegetation**

#### *Objectives*

- *To preserve and enhance the area's amenity, whilst protecting human life and property.*
- *To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.*
- *To provide habitat for local wildlife, generate shade for residents and provide psychological & social benefits.*
- *To protect and promote the recovery of threatened species, populations and endangered ecological communities.*
- *To protect and enhance the habitat of plants, animals and vegetation communities with high conservation significance.*
- *To retain and enhance native vegetation communities and the ecological functions of wildlife corridors.*
- *To reconstruct habitat in non vegetated areas of wildlife corridors that will sustain the ecological functions of a wildlife corridor and that, as far as possible, represents the combination of plant species and vegetation structure of the original 1750 community.*
- *Promote the retention of native vegetation in parcels of a size, condition and configuration which will as far as possible enable plant and animal communities to survive in the long-term.*

### **RESPONSE**

The proposed alterations and additions do not require the removal of or impact any prescribed vegetation.

### **E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat**

#### Objectives

- To protect and promote the recovery of threatened species, populations and endangered ecological communities.
- To protect and enhance the habitat of plants, animals and vegetation communities with high conservation significance.
- To preserve and enhance the area's amenity, whilst protecting human life and property.
- To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
- To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.

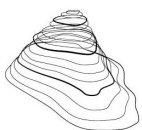
#### **RESPONSE**

The proposed alterations and additions do not require the removal of or impact any threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat.

### **E4 Wildlife Corridors**

#### Objectives

- To preserve and enhance the area's amenity, whilst protecting human life and property.
- To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
- To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.
- To retain and enhance native vegetation and the ecological functions of wildlife corridors.
- To reconstruct habitat in non vegetated areas of wildlife corridors that will sustain the ecological function of a wildlife corridor and that, as far as possible, represents the combination of plant species and vegetation



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

*structure of the original 1750 community. See Warringah Natural Area Survey, August 2005.*

### **RESPONSE**

The proposed alterations and additions do not impact any identified wildlife corridors.

### **E5 Native Vegetation**

#### *Objectives*

- *To preserve and enhance the area's amenity, whilst protecting human life and property.*
- *To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.*
- *To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.*
- *Promote the retention of native vegetation in parcels of a size, condition and configuration which will as far as possible enable local plant and animal communities to survive in the long term.*
- *To maintain the amount, local occurrence and diversity of native vegetation in the area*

### **RESPONSE**

The proposed alterations and additions do not require the removal of any native vegetation.

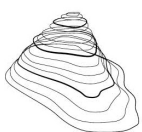
### **E6 Retaining unique environmental features**

#### *Objectives*

- *To conserve those parts of land which distinguish it from its surroundings.*

### **RESPONSE**

The proposed alterations and additions do not impact any unique environmental features.



### **E10 Landslip Risk**

#### *Objectives*

- *To ensure development is geotechnically stable.*
- *To ensure good engineering practice.*
- *To ensure there is no adverse impact on existing subsurface flow conditions.*
- *To ensure there is no adverse impact resulting from stormwater discharge.*

#### **RESPONSE**

I note that the subject site is identified as Area B – Flanking Slopes 5' to 25' on Council's Landslip Risk Map. Due to this identification, the DA is accompanied by a Geotechnical Report prepared by Martens Consulting Engineers. The proposed development will be carried out in accordance with the recommendations contained within this report ensuring compliance with the Objectives of this Clause.

### **E11 Flood Prone Land**

#### *Objectives*

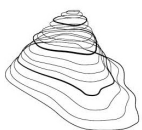
- *Protection of people.*
- *Protection of the natural environment.*
- *Protection of private and public infrastructure and assets.*

#### **RESPONSE**

I note that whilst the subject site is not identified as being flood affected, the property has been impacted by overland flow which has instigated the proposed development. The proposed alterations and additions have provided the owners of the property an opportunity to improve existing site conditions in relation to overland flow, whilst ensuring no unreasonable impacts to adjoining properties. An Overland Flow Report prepared by Amuna Civil Engineering accompanies this DA and provides the following comments;

*"The following can be concluded from the overland flow assessment:*

- *The proposed pit and pipe network has sufficient capacity to collect and drain the arriving overland flow for all storms up to 1% AEP stormevent.*
- *Minor upwelling from sag pits within the site are controlled in a safe manner.*
- *The proposed alterations and additions (patio and carport) are not affected by overland flow, during the 1% AEP stormevent, provided that*

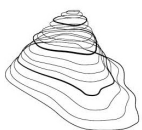


## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

*the design is carried out in accordance with AMUNA Pty Ltd stormwater management plan (Annexure C).*

- *Pedestrian & vehicular access at the east end of the site is free from overland flow*
- *No additional adverse overland flow impacts are expected to occur to the neighbouring upstream and downstream properties as a result of the proposed development.*
- *The proposed East and North Boundary retaining walls shall be designed to not impede overland flow and not to increase flood affectation on surrounding land.*

*Based on the findings above, we are of the view that the proposed development generally complies with Northern Beaches Council Water Management for Development Policy (2021) Section 11."*



### 3. SECTION 4.15 ASSESSMENT

Assessment of the current DA requires consideration under the provisions of Section 4.15 of the Environmental Planning and Assessment Act in terms of the merits of the proposal.

Previous sections of this SEE have addressed relevant matters to be considered under Section 4.15, in particular the relevant environmental Planning Instruments and Development Control Plan.

The following additional comments are provided for assessment: -

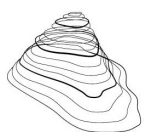
**Table 3.1: Section 4.15 Summary**

<b>Impact on the Natural Environment</b>	
<b>Matter</b>	<b>Potential Impact?</b>
<b>Acid Sulfate Soils</b>	The proposed development is not located on acid sulfate land.
<b>Flooding</b>	The site is not identified as being subject to flooding. Please refer to the Overland Flow Report accompanying this DA.
<b>Bushfire</b>	The site is not mapped as bushfire prone land.
<b>Drainage</b>	This matter has been addressed within the SEE and will result in an improvement to the current situation.
<b>Flora &amp; Fauna</b>	The development does not require the removal of any trees or significant vegetation.
<b>Impact on the Built Environment</b>	
<b>Matter</b>	<b>Potential Impact?</b>
<b>Aboriginal Cultural Heritage</b>	A search of the AHIMS concludes that there are no known records of Aboriginal sites or places within the immediate vicinity of the subject site. Based on the disturbed nature of the site, and having regard to the considerations in the Code, it is considered that the presence of artefacts and or sites of Aboriginal heritage value would be highly unlikely.
<b>Environmental Heritage</b>	The site does not contain any known items of environmental heritage.
<b>Traffic</b>	Traffic generation will not be increased and will be easily accommodated within the existing road network.



## Statement of Environmental Effects – 10 Daisy Street, Balgowlah

<b>Scenic qualities</b>	The proposed development is consistent with the current and future character of the locality as expressed within the provisions of LEP 2011 and DCP 2011. For the reasons outlined in this SEE, I consider that the proposed development will not have an adverse impact on the scenic qualities of the area.
<b>Compatibility with adjacent land uses</b>	The proposed alterations and additions are compatible with adjoining residential dwellings.
<b>Height, Bulk and Scale</b>	The proposed height, bulk and scale are eminently reasonable for the reasons outlined in this SEE.
<b>Overshadowing</b>	Please refer to previous comments in relation to Overshadowing Impact.
<b>Overlooking</b>	Please refer to previous comments in relation to Overlooking Impact.
<b>Acoustic</b>	Please refer to previous comments in relation to Acoustic Impact.
<b>Views and vistas</b>	For the reasons outlined in this SEE, the proposed development will not have an adverse impact on views and vistas from private properties or the public domain.
<b>Site design</b>	The site design has been configured to ensure that no unreasonable impacts will result.
<b>Public domain</b>	As previously noted, there will be no adverse impact on the public domain.



#### **4. SUITABILITY OF THE SITE & THE PUBLIC INTEREST**

The proposed development will enhance the use of the existing dwelling without unreasonable amenity impacts on adjoining lands or without representing an overdevelopment of the site.

The proposal will not result in any negative social or economic impacts.

The site is suitable to accommodate the proposed development.

Approval of the development does not raise any issues contrary to the public interest.

## 5. CONCLUSION

The proposed development involves alterations and additions to an existing residential dwelling.

The proposal is consistent with the relevant objectives of the R2 Zone and is compliant with the relevant provisions of the *Local Environmental Plan*. Furthermore, the proposal complies with the relevant Objectives and is consistent with appropriate controls contained within the *Development Control Plan*.

The proposed development will not result in unacceptable ecological impacts or amenity impacts to adjoining properties.

As stipulated previously in this report, the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed demonstrating the proposed development is compatible with the surrounding environment.



**DAVE MOODY**

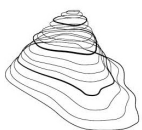
B.Plan. (UNSW), Dipl. Build. & Const. (MIBT), MPIA.

0401 450 989

[dave@nda.live](mailto:dave@nda.live)

[www.nda.live](http://www.nda.live)

Suite 11, 303 Barrenjoey Road, Newport NSW 2106



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