



Level 1, 10/14 Narabang Way  
BELROSE NSW 2085  
Tel: (02) 9986 1311  
Fax: (02) 9986 1322  
ABN: 36 113 128 555

## **Section 4.55 Statement of Modification & Statement of Environmental Effects (SEE)**

**Date:** September 2020

**Owners:** Mr. and Mrs. Byron

**Subject Property:** 1A Vista Avenue, Balgowlah Heights NSW 2093  
Lot A, D.P. 420920

### **Section 4.55 statement of modifications**

Please find outlined below a list of the Section 4.55 Modification changes to the plans for Approved DA2019 / 0366 dated 29/05/2019 at the above address

- 1) Converting current carport to a garage by adding walls and extending roof 1 m to be able to go around cars with a closed garage door.**
- 2) Adding a toilet to Cellar for people to use when been outdoors in the garden or in the pool, thus not having to go inside over wooden floors.**
- 3) Joining upstairs bathroom and toilet to become one larger bathroom suiting teenagers and grownups.**

### **Site Suitability**

The site is located on the western side of Vista Avenue. The subject site is a battle-axe block with an area of 934.6m<sup>2</sup> less 193.2m<sup>2</sup> access handle and a frontage of 3m to Vista Avenue. The site slopes from front to back. Erected on the property is a single dwelling house and pool.

We believe the alterations and additions have been designed to be compatible with the surrounding development and streetscape.

### **1. Present and Previous Uses**

The subject site and adjoining properties are currently used as residential dwellings. This will remain unchanged for the subject site.

We are not aware of any previous potentially contaminating activity within the subject site. No testing or assessment has been completed for contamination on the subject site.

## **2. Development Compliance**

### **Manly Residential Development Control Plan 2013**

The following parts of the DCP are relevant to the proposal:

#### **Open Space and Landscaping**

The site requires a minimum of 60% to be Total Open Space and the proposed alterations and additions will have the Total Open Space area at 52.5%. Whilst this is not compliant for the site, there is no change to the existing open space area.

The minimum soft open space for the subject site is 40% of open space. The proposal has a soft open space as described under the DCP of 31.8% of the 52.5% open space calculation. This does not meet that required by Council. However, again this is existing and there is no change proposed to the open space areas.

#### **Floor Space Ratio**

The maximum floor space ratio (FSR) allowable for the subject site is 0.40:1. The proposal has a floor area as described under the DCP of 0.40:1. This FSR meets that required by Council.

#### **Building Height**

The maximum allowable wall height for this site is 8.5m through the building footprint area. Roof structures may extend 2.5m above this height and parapets may extend 600mm. The maximum roof pitch under the DCP is 35°. The proposed alterations and additions fully comply with these requirements.

#### **Setbacks**

The existing side and rear setbacks to the main residence and the carport remain unchanged. The proposal complies with the overall height limit and with the sunlight access (shadow) requirements. The setback to the front boundary of the battle axe handle is 900mm. We believe that the provisions of this clause are therefore met by the proposal.

#### **Excavation / Cut and Fill**

The proposal allows for the alteration of the existing Open Carport and a new Entry and Storage areas; removing the existing pavers and providing a new concrete slab and Driveway and requires a minimal amount of fill to level part of the front garden. The levels of cut and fill are within the Councils allowable and therefore all provisions of this clause are met by the proposal.

#### **Overshadowing**

The proposed alterations and additions do not create any adverse overshadowing on adjoining properties. It is therefore felt that the objectives of this clause are met.

#### **View Sharing**

The objectives of this clause are to minimise the loss of views from nearby properties, to ensure the continued access to views of the city, bushland and water from private and public open space and to have no further view loss from neighbouring properties nor loss of view between or over buildings.

It is felt that the objectives of this provision are met by the proposal.

#### **Streetscape, fences and walls**

The proposed additions will have no impact on the streetscape as the property is on a battle-axe block.

The proposal is therefore in compliance with this clause.

**Privacy and Security**

The proposed additions will have no impact on the streetscape as the property is on a battle-axe block.

The proposal is to enclose the Carport to form a new Garage. The proposed work will have no impact on the privacy to neighbouring dwellings.

Having regard for the above, council's favourable consideration is sought.

It is therefore felt that all the provisions for privacy and security are met by the proposal.

**Protection of Heritage Items and Conservation Area**

The subject site is not within a conservation area or in the vicinity of a heritage items and therefore this clause does not apply.

**Parking and Access**

The proposal allows for adjustments to the existing Carport and slight modification to the existing Driveway. The existing Vehicle Crossing and Concrete Driveway over the verge allowing access to the property is to remain.

**Stormwater Disposal**

Stormwater from the proposed Garage will be connected into the existing stormwater disposal system, which drains to the drainage easement running through the property.

**3. Energy Efficiency**

Orientation of the proposed residence is currently south/north and has been considered in the design in terms of window placement and sun/shade control.

R2 insulation batts will be used in all external walls and R3 insulation batts above all new ceilings.

Placement of windows has been considered to help with natural ventilation.

New lighting will generally be low voltage to assist with energy efficiency.

The existing water heating shall remain.

Refer to BASIX Certificate for further details.

**4. Waste Management**

Existing council waste collection will remain in place for the subject site.

**5. Site Photographs**

Photographs of No 1A Vista Avenue, Balgowlah Heights and adjoining properties:



Existing Carport where new Garage is proposed

## **6. Conclusion**

The proposed alterations and additions have been designed to minimise adverse environmental impacts on neighbouring properties and the public domain.

The proposal represents appropriate and positive use of the land. It complies with the objectives of Council's development standards and will generally not have any effect on the streetscape or the locality. It is submitted that the proposal is consistent with Council planning objectives for the site and locality, and in the circumstances of the case, the proposal is in the public interest.

Accordingly, Council's favourable consideration is respectfully sought.