



JD EVANS & COMPANY
PTY LIMITED
Building & Design Consultants

April 11, 2024

The General Manager
Northern Beaches Council
725 Pittwater Road
DEE WHY NSW 2099

Dear Sir

Statement of Effect

1.0 Introduction

Please find herewith a Statement of Effect accompanies submitted drawings No. 1844 -1 to 1844 -11 and dated 12/09/2022 and Development Application lodged by John Marasovic.

This statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development of the property in a manner proposed is considered to be acceptable and is worthy of support of the Council.

It provides an assessment of the proposed development taking into consideration the following:

- *The Environmental Planning and Assessment Act 1979, as amended;*
- *The Environmental Planning and Assessment Regulation 2000;*
- *The State Environmental Planning Policy (Basix) 2004;*
- *Pittwater Local Environmental Plan 2014 (PLEP 2014);*
- *Pittwater 21 Development Control Plan. (DCP21).*
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As a result of this assessment it is concluded that the development of the site in the manner proposed is considered acceptable.

2.0 Site Description

The site is identified as Lot 6 in D. P. 30521 and is known as No.35 Prince Alfred parade, Newport.

The subject property is located on the northern high side of Prince Alfred Parade.

The site is currently zoned C4 Environmental Living and has an area of 715.60 square metres.

The existing dwelling is mainly a two storey masonry and timber framed building as viewed from the street. The roof existing roof is a tiled roof. There are no modifications to be made to the existing residence.

It is bounded on 2 sides by residential properties with again two storey residences.

- The property is connected to all services.
- The property is not subject to flooding or overland flow path.
- The property is in a Landslip Refer to report provided.
- The property is not in a Bushfire Zone.
- The property is not a Heritage item.
- The property is not in a Conservation Area.

3.0 The Proposed Development

As detailed in the accompanying architectural drawings it is proposed to construct a new Garage to replace the existing Carport and widen the existing driveway to allow for a safer vehicle entry and exit to the property. The existing car parking spaces will remain unaltered.

4.0 Reason for Development

The owners require this development application for the following reasons:

- To improve the safe vehicle entry and exit to the property.
- To provide a lockup Garage.

5.0 Streetscape

The general vicinity of the property is characterized by a single occupant of one and two storey construction.

The surrounding residences in the street have been developed over a period of time.

The locality does not exhibit a dominant architectural style and the varying age of the area generally presenting an inconsistent set-back to the public domain.

The proposal to the existing property is not out of character with the developing streetscape and particularly the emerging character of the locality.

Visually, this street is one which is undergoing change with the redevelopment of dwellings.

6.0 General Principles of Development Control Plan

In accordance with the Pittwater Development Control Plan (DCP21), the following General Principles of the Development Control Plan apply to the proposed development.

7.0 Privacy

Both adjoining dwellings are well away from the proposal. We believe that the proposed development will maintain the existing privacy and amenity to the adjoining properties.

Existing vegetation and proposed privacy screens will screen any new work and will maintain privacy.

8.0 Pittwater 21 Development Control Plan.

The proposal has been designed to match similar structures in the area.

We believe the proposal complies with the Council's Pittwater 21 D. C. P. requirements of the desired future character of the Locality and will retain the low-density residential area characterised by the existing surrounding dwellings.

The bulk and scale of the built form has been minimized. The proposal will provide a high level of privacy. Solar access has been maintained to adjoining residential properties and the preservation of views and vistas from the public places have been maintained.

We believe that the nature of the property and the design of the proposal will have only a minimal impact on the Locality.

We believe that the intent and outcomes of the Pittwater 21 DCP has been retained in respect of impact of the proposal and will achieve the desired future character of this locality.

Northern Beaches Council Development Control Plan – Built form

The following table outlines compliance with the built form controls of Council Development Control Plan. DCP21.

BUILT FORM CONTROLS

Controls	Proposed	Compliance
Site Area	715.60	Yes
Housing Density	1/600 square metres	Yes
Maximum Building Height	5.50 metres	Yes
Front Building Setback	0.50 metres	NO
Rear Building Setback	15.00 metres	Yes
Minimum Side Boundary Setback	0.50 metres	NO
Building Envelope	3.50/45 deg	Yes
Private Open Space	250.00 sqm	Yes
Landscape Open Space	55.63%	Yes
Impervious Area	40.75%	Yes
Maximum Cut Into Ground	2.50 metres	Yes
Maximum Depth of Fill	N/A	Yes
Number of Car Spaces	2	Yes

There is a non-compliance with the following:

8.1 Front Building Line

A variation is sought on the grounds that:

1. The proposal will achieve and maintainw the desired future character of the locality.
2. The bulk and scale of the built form is minimised.
3. Equitable preservation of views and vistas to and/or from public/private places has been maintained.

8.2 Side and rear building line

A variation is sought on the grounds that:

1. The Proposal is for Class 10 structure detached from the residence.
2. The extension to the existing single garage is to replace an existing structure and will continue the existing line of the structure.
3. The section encroachment will allow for adequate landscaping between the adjoining residences providing a minimal non-compliance.

We believe that this is a minor variation and allows for the desired future character of the locality. The proposal is in-keeping with adjoining properties.

8.3 Conclusion

The proposal will allow for all new areas to be landscaped and will reduce the built form as viewed from the roadway, the bulk and scale of the built form has been minimised.

The proposal will provide a high level of privacy, amenity and solar access has been maintained to adjoining residential properties and the preservation of views and vistas from public places have been maintained.

We believe that the nature of the block of land and the design of the additions will have only a minor impact on the streetscape.

We believe that the intent and outcomes of the Pittwater 21 D. C. P. has been retained in respect of impact of the proposal and will achieve the desired future character of the locality.

9.0. Impact of the Proposal

The bulk and scale of the proposed development has been kept to a minimum. We believe there will be a improvement to the dwelling and will only have a very minor impact on the amenity from the streetscape.

The colours to all external components will be chosen to complement the Locality.

The colours and materials used by these proposed building works will be sympathetic and harmonise with the surrounding buildings.

They will not be visually prominent.

All new finishes will be of a low reflectivity.

9.1 Effect on Streetscape

We believe there will be a minor effect to the views from the roadway. The existing structure will be retained. There will be only a minor affect and improvement on the streetscape by the proposed work as viewed from the roadway.

The proposal will improve the look of the existing building and is in keeping with the desired future of the locality. The impact of the proposal will have a minor impact to the streetscape. We believe the scenic quality from the roadway will be

9.2 Energy Efficiency

This proposal has been designed to minimise reliance on artificial heating, lighting and cooling using 'Energy Smart' principals identified by the Department of Energy, Utilities and Sustainability.

Natural ventilation will provide cooling breezes and fresh air into the building by the design of openings for predominate wind sources i.e. north-east and south-west.

This has been increased by allowing for cross flow ventilation.

9.3 Effect on Neighbours Views

The adjoining residences have views over their own properties and the proposal will have no impact to these properties views. We believe that an equal sharing of views has been maintained.

9.4 Design and External Appearance

The existing building will remain. The new Garage and widened Driveway will match in with similar structures within the locality. The external appearance will be of similar upgrades in the area.

The architectural bulk and scale of the proposal will be consistent with the adjacent and adjoining properties.

9.5 Stormwater Management and Disposal

There is an increase of hard surface area. It is intended to connect all new stormwater lines to the existing system that discharges to Council Management Manual. .

9.6 Method and Duration of Construction

The proposal will be built in Concrete block and reinforced concrete construction. There will be excavation for the proposal. There is excavation that will exceed 1.00 metres in depth. Construction for the proposed new work will be approximately 12 to 16 weeks, weather permitting.

9.7 Vehicular Access and Car Parking

The existing Driveway is to be widened with the existing grades to remain and will remain as direct vehicular access to the site. This existing location is still considered to be the safest place for vehicle entry and exit from the site. The location minimises traffic hazards, vehicle queuing on the public road and there will be no additional loss of kerb side parking at this site.

Occupants of the vehicles will have access to the residence from the side of the driveway.

The main pedestrian entry into the property is via the access stairs adjacent to the existing widened driveway.

All transport works to and from the site will not cause adverse disruption or nuisance to adjoining residences or the street system.

Onsite car parking facilities are in accordance with the current edition of Australian Standard *AS/NZS 2890.1-2004; Parking Facilities Part 1*.

9.8 Solar Access to Sunlight

Since the block of land faces north east to south west and has falls to the south west. Overshadowing of the adjoining properties by the proposal will have only a minor impact. A shadow diagram has been provided. We believe that this proposal complies with the intent of council's solar access policy and complies with the following:

- Provides 3 hours of sunshine between 9.00am to 3.00pm on June 21 to the principal living areas of the adjoining dwellings.
- Will not reduce the existing 3 hours on June 21 of solar access to the adjoining properties outdoor living area.
- Will not reduce the minimum of 3 hours on June 21 of sunlight to the windows of the principal living area of the adjoining dwellings.
- Does not cast a shadow over any solar collectors and provides 6 hours of sunlight between 8.00 am and 4.00 pm on June 21.

9.9 Disposal Arrangements

All demolition material will be sorted on site for use, recycling and disposal. Demolition and construction waste will be legally handled and transported to Kimbriki Recycling Centre at Terrey Hills.

There will be provision on site for approved skip bins to be placed inside the property boundary. Delivery of materials and equipment will be placed on the street frontage for only a minimal time. Safe pedestrian access will be provided around the site at all times.

9.10 Soil Erosion and Sediment Control

Erosion and sedimentation prevention measures will be installed on the site to prevent the mitigation of sediment off the site into drainage systems and adjoining properties.

A Soil Erosion and Sediment Control Plan which ensures minimum soil erosion and maintenance of the downstream water quality has been provided. The Plan has been prepared in accordance with the:

Managing Urban Stormwater: Soils and Construction Handbook and provides details of the proposed method of on-site erosion and sediment control.

9.11 Conservation of Energy and Water

The development will utilize low water reliant plant species and the materials selected for the construction will provide the building with a satisfactory level of energy efficiency. The building enjoys a northerly aspect with good solar access to the floor circulation spaces being available.

Summer cooling will be available through the use of cross-flow ventilation with winter heating utilized where required.

The proposal has been designed to assist in the conservation of energy and water.

9.12 Private Open Space

The existing private open space is at the rear of the residence and is not being altered.

9.13 Site Facilities

Suitable area is available within the boundaries for waste storage and recycling areas. It is considered that the development is consistent with the General Principle of the DCP.

9.14 Traffic Access and Safety

The traffic speed on this roadway is of a nature that vehicle movement in the vicinity is at a low speed.

All transport works to and from the property will not cause adverse disruption to the adjoining properties.

9.15 Landscaped Open Space

The minimum area of landscaping open space in this locality is 50% of the site area.

The development will maintain the existing ratio of landscaped open space. The proposal will enable to provide appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale.

9.16 Noise

The proposed development should not unreasonably impact on the amenity of the surrounding properties. Noise from the combined operation of all mechanical plant and equipment will not generate noise levels that exceed the ambient background noise by more than 5db(A) when measured in accordance with the *New South Wales Industrial Noise Policy* at the boundary of the residential and other noise sensitive land uses.

9.17 Glare and Reflection

The Proposed building will not introduce any significant glare and reflection to the neighbouring properties. The materials selected for the external finishes will be of a colour and tone that will not result in an increase in glare and or reflection to the neighbouring properties. The simple form of the proposed roof will not dominate the local skyline. The height and form of the proposed roofline is considered to be consistent with the general Principle of the DCP.

9.18 Potentially Contaminated Land & 49a. Acid Sulphate Soil

The property is located inside the Class 5 Acid Sulphate Soils according to Council PLEP Map. As the proposed does not seek to excavate more than one metre, other than for footings and or foundations, no issues are anticipated as a result of the disturbance of contaminated soils.

9.19 Pollutants

The proposal will not introduce any significant pollutants onto the property. Commercial waste will be removed from the site by a licensed contractor.

9.20 Building Bulk and Scale

The two storey form of the building has resulted in a building which compares favorably with the other development in the vicinity and particularly with respect to the form of the building.

9.21 Heath and Woodland

We believe that this proposal will not and has allowed to retain and enhance the controls as set out in Council's DCP 21, B4.18.

9.22 Basix Certificate & Building Energy Efficiency

A Basix certificate is not required for this type for Class 10 development

9.23 Removal of Endemic Tree Species

No trees are to be removed under Pittwater Council Environmental Plan.

10.0 MATTERS FOR CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

10.1 The provisions of any environmental planning instrument

The proposed is subject to the provisions of the Pittwater Local Environmental Plan and the supporting development Control Plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with the provisions.

As the proposed use is a residential development under the provisions of the Pittwater Council Development Control Plan , it is recognized that the proposed use must be justified as being consistent with the desired future character of the locality.

There are no other environmental planning instruments that apply to the site.

10.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

It is not considered that there any draft environmental planning instruments that apply to this site.

10.3 Any development control plan

The development has been designed to comply with the requirements of the General Principles of the Pittwater Development Control Plan 21 within PLEP (2014).

The development is to be considered to be consistent with the desired future character of the locality and the variation of the standards will be appropriate in this instance.

It is considered that the proposed design respects the desired future character objectives of the PLEP (2014) and DCP21 in that it reinforces the existing residential character of the area and is compatible within the existing uses of the area.

10.4 Any matter prescribed by the regulations that apply to the land to which the development relates.

No matters of relevance are raised to the proposed development.

10.5 The Public Interest

The proposal will not impact on the environment, the character of the locality or upon the amenity of the adjoining properties and is therefore considered to be an appropriate development.

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

It is considered that the proposal, which seeks approval for alterations and additions to the existing dwelling, will not interfere with the existing amenity of the adjoining properties and upon the character of the surrounding area.

It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council LEP and the Development Control Plan.

- 10.7 The suitability of the site for the development.**

The subject land is located in the Local Government Area of Pittwater: Zone C4

Environmentally Sensitive and is considered suitable for the proposed development.

- 10.7 The suitability of the site for the development.**

The subject land is located in the Local Government Area of Pittwater; Zone C4 Environmental Sensitive and is considered suitable for the proposed development.

11.0 Conclusion

The principal objective of this development application is to seek approval of new Garage to replace the existing Carport and a widened existing Driveway which satisfies the stated objectives of Councils Development Controls. By maintaining the neighbours amenity and by complimenting the existing style and character of the development in this locality, the stated objectives have been satisfied.

As the proposed development to the existing property will not have any significant impact on the environment, scenic quality of the area and the amenity of the adjoining properties, issue of Development consent under delegation of Council is requested.

We believe that the proposed development to the property has been carefully designed to further reduce any adverse impacts to the adjoining properties and is keeping with the aims and objectives of Councils Development Control Plan and the future character of the locality.

Accordingly it is requested that the application as submitted be favorably determined by Council at the earliest opportunity.

Yours faithfully

J. D. EVANS & COMPANY PTY LIMITED

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned below the company name.

JOHN EVANS