

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE PROPOSED CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO
AN EXISTING DWELLING**

LOCATED AT

36 CARRINGTON PARADE, CURL CURL

FOR

GAYLE McCARTHY



**Prepared
August 2020**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared by Sally Gardner Design and Draft will for Gayle McCarthy, Project No. 19-1206, Drawings No. N1 – N2, E1 – E2, A1 – A5 & S1 – S6, Revision A, dated 24 July 2020, detailing the proposed construction of alterations and additions to an existing dwelling at **16 Carrington Parade, Curl Curl**.

The proposal was the subject of a Pre-lodgement Meeting (PLM2020/0083) with Council's staff, dated 5 May 2020.

The issues discussed within the PLM have been considered in the preparation of the design of this proposal.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as 36 Carrington Parade, Curl Curl, being Lot 1 within Deposited Plan 187342 and is zoned R2 Low Density Residential within the provisions of the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

The land is noted as being within Area B on Council's Landslip Risk Map, and accordingly this matter will be discussed in further detail within this submission.

The site is identified as being within the Coastal Environment Area and Coastal Use Area under the provisions of SEPP Coastal Management, and this matter will be discussed in further detail within this submission.

No other identified hazards have been identified.

3.0 Site Description

The property is located on the south-western side of Carrington Parade, with a southern, secondary frontage to Beach Street.

The land has a general slope towards the north-east. The site is irregular in shape, with a street frontage of 38.42m to Carrington Parade, a secondary frontage to Beach Street measuring 31.35m and a western side boundary of 22.205m. The land has a total site area of 681.5m².

Stormwater from the side is directed to the street gutter in Carrington Parade.

The site is currently developed with a two storey rendered brick residence with a tile roof. Vehicular access currently is available to the site from Beach Street via a concrete driveway. Car parking is currently available on site within an existing attached double garage.

The details of the site are as indicated on the survey plan prepared by Stutchbury Jacques, Reference No. 8763-14, dated 2 October 2014, which accompanies the DA submission.

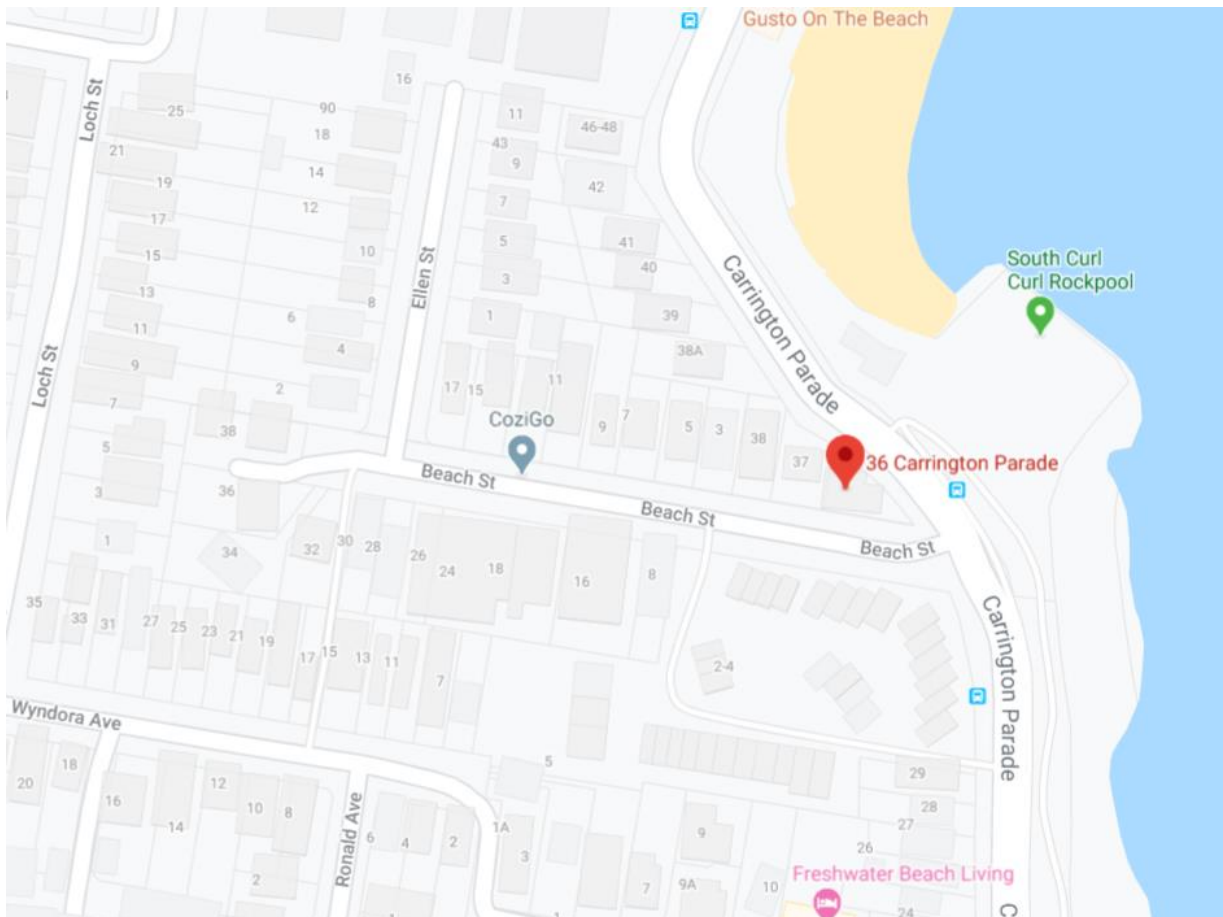


Fig 1: Location of Subject Site
(Source: Google Maps)



Fig 2: View of subject site, looking west from Carrington Parade



Fig 3: View looking west along Carrington Parade, noting the adjoining three story dwelling at No 37 Carrington Parade, under construction



Fig 4: View of the subject dwelling, looking north west from Beach Street



Fig 5: View of the subject dwelling and the view corridor to be maintained between the subject dwelling and the adjacent dwelling under construction at No 37 Carrington Parade



Fig 6: View of the adjacent dwelling under construction at No 37 Carrington Parade, looking north from Beach Street



Fig 7: View of the townhouses on the southern side of Beach Street, looking south



Fig 8: View of the townhouses on the southern side of Beach Street, looking south-east

4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of residential development including single detached dwellings and residential flat development between two and five storeys in height.

Properties in the area enjoy views to Curl Curl Beach to the north and views of the coastline and ocean to the east.

The site and its surrounds are depicted in the following aerial photograph:

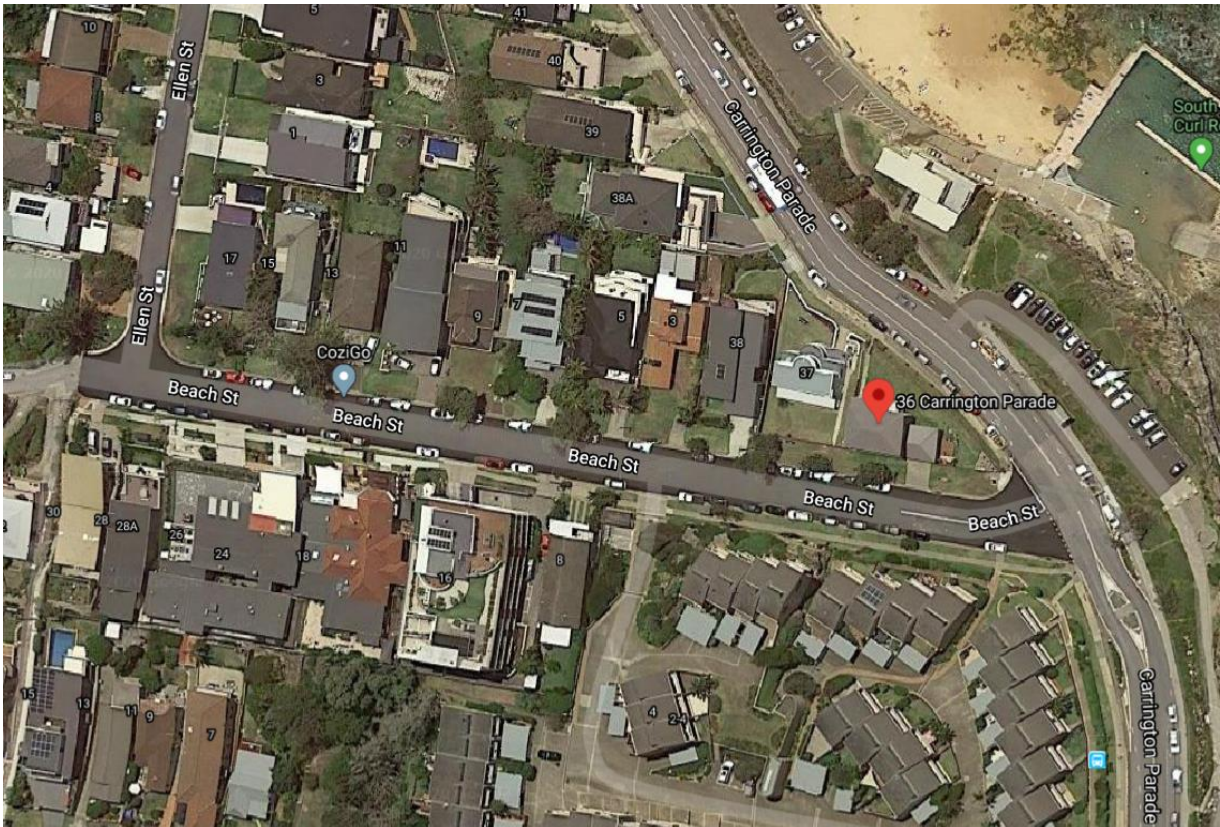


Fig 9: Aerial view of locality
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for the construction of alterations and additions to an existing dwelling. The new works comprise a two story addition to the North Western corner of the existing dwelling.

The new works will comprise:

Ground Floor

- Alterations and additions to ground floor level of existing dwelling to provide for extension of existing sunroom and deck

First Floor

- Alterations and additions to existing first floor level to provide for new bedroom, ensuite and balcony

The new works will be constructed of a mixture of rendered masonry, weatherboard cladding and metal roofing to complement the existing external finishes.

The proposed external finishes and colours have been detailed in the DA submission.

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

The proposal results in the following development indices:

Site Area:	681.5m ²
Required Landscaped Area:	40% or 272.6m ²
Existing Landscaped Area:	48.31% or 185.25m ²
Proposed Landscaped Area:	42.58% or 163.29m ²

6.0 Zoning and Development Controls

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

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

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

The proposal meets water, thermal and energy standards required by BASIX. A BASIX certificate has been submitted with the development application.

6.3 State Environmental Planning Policy (Coastal Management) 2018

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

The stated Aim of the Policy under Clause 3 is to:

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

The Coastal Management Act 2016 states within **Clause 3**:

The **objects** set out in **Clause 3** of the Coastal Management Act 2016 are:

- (a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*
- (b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and*
- (c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and*
- (d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and*
- (e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and*

- (f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and*
- (g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and*
- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and*
- (i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and*
- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and*
- (k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and*
- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and*
- (m) to support the objects of the Marine Estate Management Act 2016.*

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

The matters for consideration under Division 3 of SEPP (Coastal Management) 2018 are:

13 Development on land within the coastal environment area

- (1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—*
 - (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) coastal environmental values and natural coastal processes,*
 - (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
 - (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (f) Aboriginal cultural heritage, practices and places,*
 - (g) the use of the surf zone.*
- (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposal provides for the construction of alterations and additions to an existing dwelling. The proposed new works are largely contained within the proximity of the existing building and do not require significant disturbance to the site and are not considered to increase the risk of coastal hazards for the subject property or adjoining land.

The proposal is separated from the foreshore area, and will not result in any loss of public access.

The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and stormwater runoff from the site will be suitably managed.

The matters for consideration under Division 4 of SEPP (Coastal Management) 2018 are:

14 Development on land within the coastal use area

- (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—*
 - (a) has considered whether the proposed development is likely to cause an adverse impact on the following—*
 - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) Aboriginal cultural heritage, practices and places,*
 - (v) cultural and built environment heritage, and*
 - (b) is satisfied that—*
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
 - (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

The proposal provides for the construction of alterations and additions to an existing dwelling. The proposed new works are largely contained within the proximity of the existing building. A generous area of soft landscaping is maintained, and the new works will not require the removal of any significant vegetation.

The proposed alterations and additions are modest in bulk and scale, and will maintain existing views to and from the foreshore area.

The proposal is separated from the foreshore area, and will not result in any loss of public access.

The proposal will not result in any overshadowing of the foreshore area.

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

15 *Development in coastal zone generally—development not to increase risk of coastal hazards*

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

The proposal provides for the construction of alterations and additions to an existing dwelling. The proposed new works are largely contained within the proximity of the existing building and do not require significant disturbance to the site and are not considered to increase the risk of coastal hazards for the subject property or adjoining land.

The assessment has concluded that the proposed development is consistent with the matters for consideration under the SEPP (Coastal Management) 2018.

6.4 Warringah Local Environmental Plan 2011

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

Development for the purposes of alterations and additions to a dwelling house are permissible in this zone under the WLEP 2011.

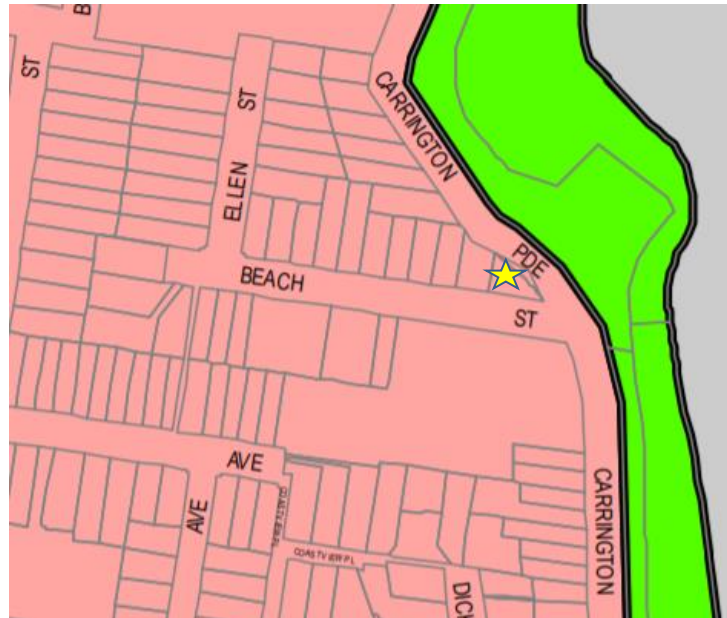


Fig 10: Extract of Warringah Local Environmental Plan 2011

The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

It is considered that the proposed alterations and additions to the existing dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any significant impact on the existing landscaped area or long distance views. Suitable view sharing opportunity is maintained past the dwelling to the north-east for the properties to the west of the site. A generous soft landscaped area will be maintained.

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The building height limit for development in this portion of Curl Curl is 8.5m. The proposed new works will provide for a maximum building height of 7.76m which readily complies with this control.

Clause 6.2 relates to earthworks. The proposal will not require any further excavation for the new works. All site works will be carried out in accordance with the recommendations of the Consulting Structural and Geotechnical Engineers, and therefore satisfy the provisions of this clause.

Clause 6.4 relates to development on sloping land. The site is noted as Area B on Council's Geotechnical Risk Mapping. Accordingly, a Preliminary Geotechnical Assessment has been prepared by White Geotechnical Group, Reference No. J2738, dated 2 June 2020, and accompanies this submission. The report concludes the following:

Provided good engineering and building practice are followed, no further Geotechnical assessment is recommended for the proposed development.

The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and therefore satisfy the provisions of this clause.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

6.5 Warringah Development Control Plan

The relevant numerical and performance based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	Max wall height approximately 6.6m and readily complies with this control.	Yes
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	The proposal complies with the building envelope control, as noted on the submitted West Elevation (Drawing No. A4).	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	The proposal will stand 1.73m from the western side boundary and therefore complies with this control.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	<p>The proposed new works will stand a minimum of 3.7m from the front boundary. The existing secondary setback remains unchanged.</p> <p>The objectives of this control are as follows:</p> <ul style="list-style-type: none"> • To create a sense of openness. • To maintain the visual continuity and pattern of buildings 	Yes – on merit

		<p><i>and landscape elements.</i></p> <ul style="list-style-type: none"> • <i>To protect and enhance the visual quality of streetscapes and public spaces.</i> • <i>To achieve reasonable view sharing.</i> <p>Compliance with the front setback control is constrained by the irregular shape of the lot, together with the location of the existing dwelling.</p> <p>Furthermore, the site is a corner allotment which makes it difficult to design a development that fully complies with this control. The proposed alterations and additions follow the siting of the existing dwelling, and are not considered to result in any substantial increase in bulk and scale when viewed from the streetscape.</p> <p>The proposal maintains a generous area of soft landscaping, and will not require the removal of any significant vegetation.</p> <p>The proposal complies with the statutory height limit, building envelope, wall height and side setback controls, and due to</p>	
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		<p>the siting of the additions to the north of the existing dwelling, is not considered to result in any loss of views for uphill properties.</p> <p>The proposed new works largely maintain the built form and will not exceed the existing overall ridge height of the dwelling. The proposal is in keeping with the desired outcomes of this clause and is therefore considered acceptable on merit.</p>	
	Secondary frontage 3.5m	No change to secondary setback.	N/A – remains unchanged
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9 – Rear Boundary Setbacks	Min 6m rear setback	Corner site – no rear setback	N/A
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A

Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Existing driveway crossing and layback location to be maintained.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Existing garage to be retained.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	Stormwater directed to Council drainage system in Carrington Parade in accordance with existing arrangements.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	Suitable sediment and erosion control measures to be provided during construction.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained		
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage available within the southern side yard area surrounding the dwelling.	Yes

Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The proposal will see the retention of 163.29m² or 42.58% of the site as soft landscaping, and complies with this control.</p> <p>The required landscaped area under the control is 40% or 153.4m².</p> <p>The development within the site will continue to achieve the objectives of the controls, which are noted as:</p> <ul style="list-style-type: none"> • <i>To enable planting to maintain and enhance the streetscape.</i> • <i>To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.</i> • <i>To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.</i> • <i>To enhance privacy between buildings.</i> • <i>To accommodate appropriate outdoor recreational opportunities that</i> 	Yes

		<p><i>meet the needs of the occupants.</i></p> <ul style="list-style-type: none"> <i>• To provide space for service functions, including clothes drying.</i> <i>• To facilitate water management, including on-site detention and infiltration of stormwater.</i> <p>The proposal will provide for sufficient area for the private open space and recreational requirements of the owners, whilst maintaining areas of soft soil planting within the front and rear yard area.</p> <p>The proposal will not see any change to the existing stormwater arrangements.</p>	
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	The proposal will maintain a suitable area of open space, which is directly accessible from the dwelling and will maintain good access to the northern sun.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	N/A	N/A
D4 – Electromagnetic Radiation	N/A to proposed development		N/A

D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	The site enjoys a good northerly aspect and access to northern sun to the yard area.	Yes
D6 – Access to sunlight	At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.	The site is accompanied by shadow diagrams which demonstrate the impact of the proposal on solar access. Due to the site's corner location, the proposal will not result in any additional overshadowing to neighbouring properties.	Yes
D7 – Views	View sharing to be maintained	The controls require that development should enable the reasonable sharing of views. The works see the construction of alterations and additions to an existing dwelling, which will maintain the existing maximum ridge of the dwelling and comply with Council's statutory height control. The primary outlook for the neighbouring properties is to the north east towards Curl Curl Beach and the ocean. The	Yes

		<p>townhouse development on the southern side of Beach Street is elevated above the site which allows for views to be maintained over the existing dwelling.</p> <p>As detailed in Sheet S1, A view corridor has been identified between the current dwelling and the adjacent dwelling under construction immediately to the east at No 37 Carrington Parade, which will allow for a view corridor through and past the subject and adjacent dwelling for the properties on the southern side of Beach Street.</p> <p>Given that the proposal maintains the existing western setback of the dwelling, an appropriate view corridor will be retained for the properties to the south between the subject and adjacent dwelling.</p> <p>Whilst the proposal will see some loss of views directly to the east for the western neighbour at No. 37 Carrington Parade, the primary views to the north and north-east</p>	
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		<p>towards Curl Curl Beach will be retained</p> <p>The proposal is in keeping with Council's view sharing objectives and is considered worthy of support on merit.</p>	
D8 – Privacy	<p>This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties</p>	<p>The proposed new works have been designed to primarily overlook the yard areas of the subject site and will not unreasonably reduce the privacy enjoyed by the neighbours.</p> <p>Privacy screening has been provided to the western edge of the proposed upper floor balcony, which will ensure that overlooking to neighbouring properties is minimised.</p>	Yes
D9 – Building Bulk	<p>This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces</p>	<p>The existing surrounding development comprises a mix of dwellings and residential flat development between two and five storeys in height. The form of the proposed new works will maintain a height and scale that complements the prevailing scale of the surrounding development.</p>	Yes

D10 – Building Colours and materials		The new works will utilise recessive colours and finishes to match the surrounding area and existing dwelling.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposal will see a section of new pitched metal roofing to match existing. Further the roof minimises bulk and scale and maximises view retention to adjoining properties.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The proposed external finishes and colours will be selected to minimise glare and will complement the existing dwelling. No significant glare impacts will result from proposed new works.	Yes
D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	No fencing proposed.	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities	Garbage storage areas and mail box maintained	N/A
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	Side fences unchanged.	Yes

D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	N/A	N/A
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from the dwelling to the street over and through the front landscaped area.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	A BASIX Certificate has been provided to support the proposed development.	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	N/A

Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	No significant protected trees are affected by the works.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map	The works are wholly within the private land and will not have any direct impact on the adjacent public land. The modest height and scale of the works will not present any significant visual impacts either to or from the public areas surrounding the site.	Yes
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area B.	The site is noted as Area B on Council's Geotechnical Risk Mapping. Accordingly, a Preliminary Geotechnical Assessment has been prepared by White Geotechnical Group, Reference No. J2738, dated 2 June 2020, and accompanies this submission. The report concludes the following:	Yes

		<p><i>Provided good engineering and building practice are followed, no further Geotechnical assessment is recommended for the proposed development.</i></p> <p>The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and therefore satisfy the provisions of this clause.</p>	
E11 – Flood Prone Land	Not identified on map		N/A

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

7.1 Any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. It is considered that the provisions of this environmental planning instrument has been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

7.2 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

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

7.3 Any development control plan

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

It is considered that the proposed design respects the aims and objectives of the DCP however we note that the Environmental Planning and Assessment Amendment Act 2012 No 93 (Amendment Act) which received assent on 21 November 2012 commenced on 1 March 2013.

Key amongst the amendments are requirements to interpret DCPs flexibly and to allow reasonable alternative solutions to achieve the objectives of DCP standards.

The new section 3.42 provides that the 'principal purpose' of DCPs is to 'provide guidance' on:-

- giving effect to the aims of any applicable environmental planning instrument
- facilitating permissible development
- achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 4.15(3A) which:

- prevents the consent authority requiring more onerous standards than a DCP provides,
- requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying DCP provisions with which a development application does not comply,
- limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that Council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular, we consider that the variation to the front setback control is reasonable given the constraints posed by the existing development on site and irregular lot configuration.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

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

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

No matters of relevance are raised in regard to the proposed development.

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

It is considered that the proposal, which seeks consent for proposed construction of alterations and additions to an existing dwelling, which have been located and designed to appropriately minimise impacts on the amenity of adjoining properties, are compatible with and will complement the character of the area.

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

7.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

The proposal will provide for the construction of alterations and additions to an existing dwelling.

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

7.8 Submissions made in accordance with this Act or the regulations

This is matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment; the character of the locality and the design will mitigate any unreasonable visual impacts on the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

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

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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