

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR

PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

LOCATED AT

1 BIRDWOOD AVENUE, COLLAROY

FOR

SHONA ADAMO



**Prepared
June 2025**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural details prepared on behalf Matthew & Shona Adamo by MacCormick and Associates Architects, Job Number 2408, dated 18 June 2025, to seek consent for the construction of alterations and additions to an existing dwelling at **1 Birdwood Avenue, Collaroy**.

The architectural submission comprises the following Drawing Schedule:

DRAWING #	CATEGORY	DRAWING NAME	REVISION
DA00.1	COVER	COVER	A
DA00.2	COVER	LEGEND	A
DA00.3	COVER	BASIX	A
DA00.4	COVER	SCHEDULE OF MATERIALS AND FINISHES	A
DA01.1	SITE PLAN	SITE ANALYSIS	A
DA01.2	SITE PLAN	SITE PLAN	A
DA01.3	SITE PLAN	LANDSCAPE PLAN	A
DA02.1	FLOOR PLANS	GROUND FLOOR PLAN	A
DA02.2	FLOOR PLANS	FIRST FLOOR PLAN	A
DA02.3	FLOOR PLANS	SECOND FLOOR PLAN	A
DA02.4	FLOOR PLANS	ROOF PLAN	A
DA03.1	ELEVATIONS	NORTH & SOUTH ELEVATION	A
DA03.2	ELEVATIONS	EAST & WEST ELEVATION	A
DA04.1	SECTIONS	SECTION A	A
DA04.2	SECTIONS	SECTION B	A
DA04.3	SECTIONS	SECTION C & D	A
DA09.1	SHADOW DIAGRAMS	SHADOW DIAGRAM 21 JUNE 9AM/12PM/3...	A
DA10.1	3D IMAGES	BUILDING HEIGHT PLANE 8.5M	A
DA10.2	3D IMAGES	BUILDING ENVELOPE 45°	A
DA10.3	3D IMAGES	WALL HEIGHT - 7.2M	A
DA10.4	3D IMAGES	1065 PITTWATER RD VIEW ANALYSIS	A
DA11.1	CALCULATIONS	LANDSCAPE AREA CALCULATIONS	A

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 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*

- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as 1 Birdwood Avenue, Collaroy, being Lot 1 within Deposited Plan 9667 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 it located within a conservation area. However, the site is located in close proximity to heritage item 117 (street trees and a plaque). The heritage items are located across Birdwood Avenue within the council beach side reserve park. This will be discussed further in the report.

The land is noted as being Landslip Area A and D. Accordingly, a Preliminary Landslip Risk Assessment has been prepared by Crozier geotechnical Consultants and submitted as part of the documentation. This will be discussed further within the report.

The site is identified on Council's Acid Sulfate Soils Map within Class 4 and 5. This will be discussed further within the report.

The site is not mapped within the 'Coastal Environment Area', however it is mapped as being within the within 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP). This will be discussed further within the report.

The site also includes a stormwater Council drainage asset that runs from the southern rear boundary to the northern front boundary. This will be discussed further within the report.

There are no other known hazards affecting this site.

3.0 Site Description

The property is located at the southern side of Birdwood Avenue and eastern side of Pittwater Road.

The land is regular in shape with two front boundaries, the primary frontage to Birdwood Avenue measures 20.125m and the secondary frontage to Pittwater Road measures 40.31m. The eastern side boundary measures 40.245m and the western side boundary measures 17.765m. The site has a total area of 762.4m².

The site has a 4.38m cross fall from the south-western corner to the north eastern corner of the site. Stormwater currently drains to the street gutter of Birdwood Avenue via the drainage easement which traverses the site.

The site is currently developed with a three storey brick dwelling with a tiled roof. Vehicular access is currently available to the site via a concrete driveway from Pittwater Road & Birdwood Avenue.

The site currently contains no canopy trees, with the main landscaped areas in the northern front setback and the eastern side boundary.

The eastern portion of the site is burdened by an easement to drain water with the width of 2.5m which connects to Council Street infrastructure in Birdwood Avenue.

The details of the site are included on the survey plan prepared by Donovan Associates, Drawing No. 334724, dated 26 June 2024, which accompanies the DA submission.

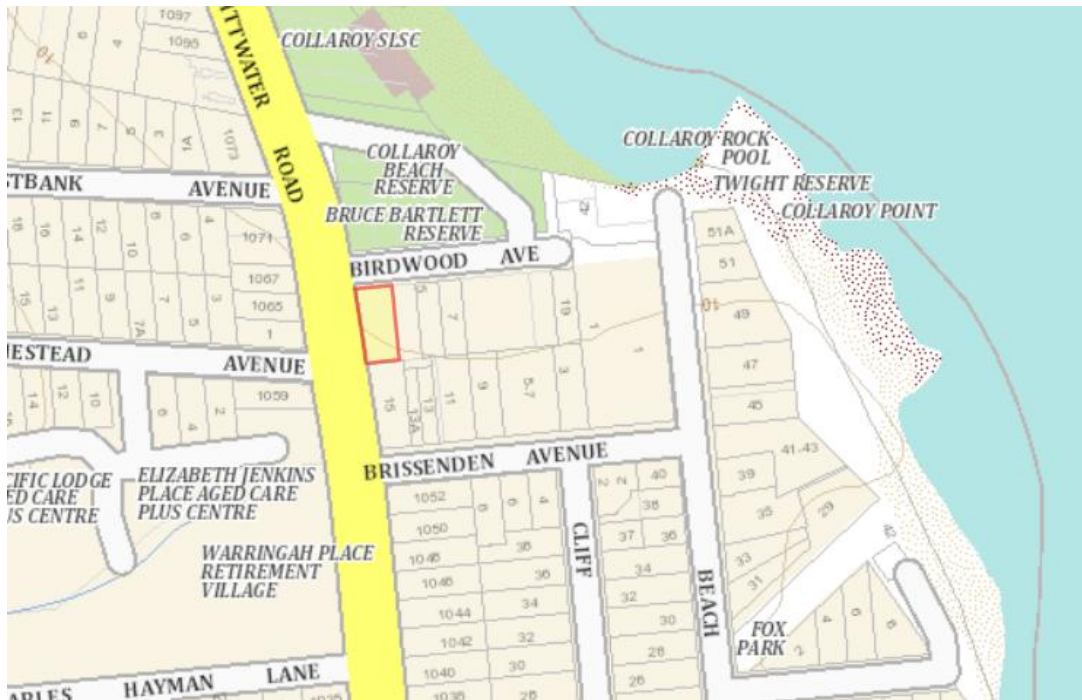


Fig 1: Location of Subject Site
(Source: Six Maps)



Fig 2: View of the subject site, looking south from Birdwood Avenue



Fig 3: View of the subject site, looking south from the intersection with Pittwater Road



Fig 4: View looking south-west from Birdwood Avenue towards the subject site



Fig 5: View of adjoining development to the east of the site in Birdwood Avenue, looking south



Fig 6: Streetscape view of the nearby development in Birdwood Avenue, looking south-east (noting existing secondary dwelling within front setback at No 5 Birdwood Avenue)



Fig 7: View of the existing development on the western side of Pittwater Road opposite the site, looking south-west



Fig 8: View looking south along the Pittwater Road frontage of the site



Fig 9: View of the rear carport and driveway of the subject site, looking east along southern boundary



Fig 10: View of the subject site, looking east from Pittwater Road



Fig 11: View of the subject site and rear neighbour at No 15 Brissenden Avenue, looking south-west



Fig 12: View of the existing development west of the site at the intersection of Pittwater Road & Homestead Avenue, looking south-west

4.0 The Surrounding Environment

The character of the immediate locality is predominantly residential in nature however is mixed in terms of density and development type, notwithstanding that the site is located within an R2 Low Density Residential Zone.

To the east is No. 7 Birdwood Avenue which is a two (2) storey dual occupancy development that is elevated above garages at ground level. Immediately adjoining to the east of the subject site is No. 3 Birdwood Avenue, which is a three storey residential flat building comprising five units within two storeys ground floor level garages. No. 5 Birdwood is a two storey dwelling house with a detached secondary dwelling within the front setback, with a seniors housing development at Nos. 9 – 11 Birdwood Avenue. At the eastern end of the Birdwood cul-de-sac is Sargood - a short term accommodation facility for people with spinal cord injuries.

Immediately opposite the site is Collaroy Beach, beach reserve and playground.

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



Fig 13: Aerial view of locality
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying architectural plans prepared by MacCormick and Associates Architects, the proposal seeks approval for the construction of alterations and additions to the existing dwelling.

The new works comprise the following works:

Ground Floor

- Reconfiguration of the existing floor plan to provide for a new entry with direct stair access to the upper floor level, recreation/rumpus room, two (2) bedrooms (one with ensuite bathroom and walk in robe), gym, sauna, bathroom, cellar

First Floor

- Reconfiguration of the first floor plan to provide for an open plan kitchen/dining and lounge, two (2) bedrooms (one with ensuite bathroom) study, TV/cinema room, WC, bathroom, laundry, existing garage maintained with north facing alfresco terrace and existing deck area with associated roofing

Second Floor

- Realignment of the footprint of the second floor to provide for a new primary bedroom with ensuite and walk-in robe, study, sitting room with internal terrace & garden area and roof space storage.

External Works

- Reconfiguration/extension of the existing open carparking hardstand to the east of the dwelling
- Landscaping and retaining walls to create improved landscaped areas

The proposed works represent a high-quality architectural design solution that will provide a significant enhancement to the amenity and usability of the existing dwelling. The resultant development is highly articulated, and the proposed external finishes of the new works will complement the finishes of the existing dwelling.

The proposed new works largely maintain the existing bulk and scale of the dwelling, which are in keeping with the bulk and scale of existing development along Birdwood Avenue.

The collected roof water will be directed to the street in Birdwood Avenue in accordance with existing stormwater management arrangements.

The proposal will provide for a robust and improved landscaping scheme that improves the landscaping diversity and usable landscaped areas on the site.

No new formal structures are to be constructed at ground level over the existing Council stormwater asset that transects the site. A new awning over the east facing windows to the first floor level will be

provided however the awning will be approximately 5m above ground and would not preclude maintenance access to the easement zone. The open hard stand parking area will not preclude any future access to the easement alignment for construction maintenance or replacement of the pipe.

The proposal results in the following development indices:

Site Area:	762.4m ²
Required Building Height	8.5m
Proposed Building Height	9.373m (See LEP discussion)
Required Landscaped Area:	40% or 308.96m ²
Existing Landscaped Area:	22.3% or 170.9m ²
Proposed Landscaped Area:	30.7% or 234.81m ²

6.0 Zoning and Development Controls

6.1 Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

There are no trees within the site that have been identified as Heritage Items or identified within a Significant Tree Register.

No trees are to be removed as a result of the works as no trees exist on the site. The proposal includes a new landscaping scheme as detailed in the landscape plan prepared by MacCormick & Associates Architects, dated 18 June 2025. Accordingly, the additional landscaping on the site improves the biodiversity value for the site and the surrounding locality. No further consideration under the SEPP is required.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The proposed development site has been mapped within the 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience and Hazards) 2021 (RH SEPP). Hence, Divisions 3, 4 and 5 of the SEPP apply.

The stated Aim of the Policy under Chapter 2.1 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 **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 proposal, as considered in this Statement of Environmental Effects, is consistent with the objects of the SEPP (Resilience and Hazards), as set out in Clause 3 of the Coastal Management Act 2016.

The matters for consideration under Division 4 of the SEPP are:

2.11 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.*

Comment: The proposed additions and alterations to the dwelling will not adversely affect the visual amenity of the locality.

Accordingly, the development is unlikely to detract from the scenic quality of the locality, maintaining an appropriate visual relationship with the surrounding built environment.

The matters for consideration under Division 5 of the SEPP are:

2.12 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.

Comment: The proposal will not cause an increased risk of coastal hazards on the site or surrounding land.

The assessment has concluded that the proposed development is consistent with the matters for consideration under the SEPP (Resilience and Hazards) 2021.

Chapter 4 – Site Contamination

SEPP (Resilience and Hazards) 2021 and in particular Clause 4.6(2) 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.

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the SEPP, the proposal has been designed to respect the water, thermal and energy standards required by BASIX. A BASIX Certificate has been provided to support the proposed works.

6.4 Warringah Local Environmental Plan 2011

The site is zoned R2 Low Density Residential under the provisions of Warringah LEP 2011. Dwelling houses and alterations and additions are permissible in the R2 zone with the consent of Council.

The development of and use of the land for residential purposes within the R2 Low Density Residential Zone is consistent with the zone objectives, which are noted over 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.*

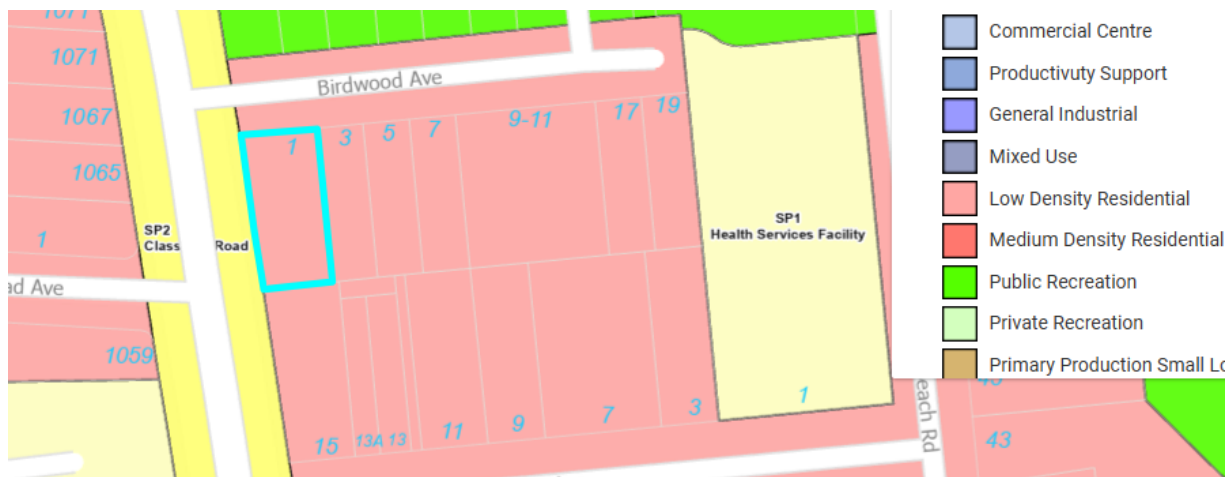


Fig 14: Extract of Warringah Local Environmental Plan 2011

It is considered that the proposed alterations and additions to the 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 proposed new works will provide for increased residential amenity, with improved functionality via the introduction of improved vehicular access, together with enhanced functional recreation areas.
- The proposal does not have any unreasonable impact on views, solar access or amenity for the neighbouring properties.
- The proposal will maintain a suitable landscaped area, which will see a minor increase from the existing area and which will not unreasonably affect long distance views for the surrounding properties.

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 Collaroy is 8.5m. The proposed additions to the existing dwelling will see only a minor increase in the overall height of the building by 112mm from the existing maximum ridge level of the current pitched roof with central ridge point of RL 16.11 to the maximum height of the proposed skillion roof at RL 16.222.

When measured above the existing ground level being the current Ground Floor Level, the proposed additions and alterations will have a maximum height of 9.373m to the new roof line of the second floor.

As the new roof height over the first floor demonstrates a minor variation to the maximum height control, a submission has been prepared pursuant to Clause 4.6 to accompany the application.

Clause 5.10 relates to Heritage Conservation

The subject property is within the vicinity of a heritage Item I17 - Street Trees and Plaque opposite the site in Collaroy beach reserve area. Given the large physical separation afforded by the Birdwood road carriageway, the proposal is considered to not impact the heritage items or their significance.

No further consideration is required.

Clause 6.1 relates to Acid Sulfate Soils.

The site is identified as Area 4 and 5 Acid Sulfate Soils Area. The 1998 Acid Sulfate Soil Manual states assessment of acid sulfate soils is required if works are beyond 1m below the natural ground surface and/or for works by which the water table is likely to be lowered beyond 1m below natural ground surface.

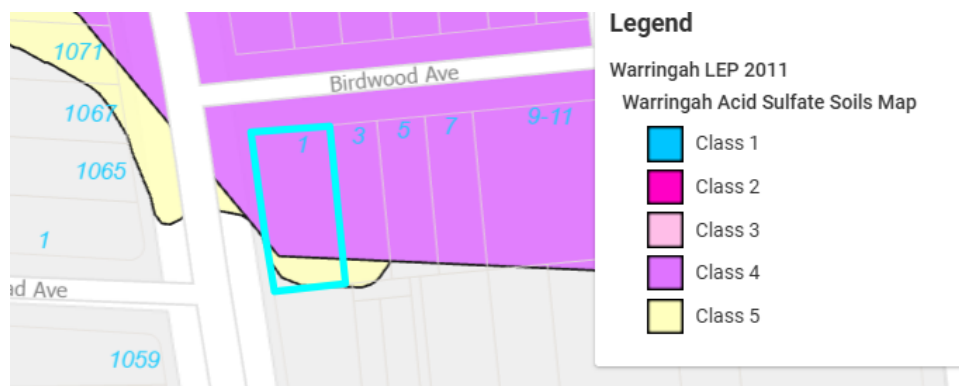


Fig 15: Extract of Warringah Local Environmental Plan 2011

No substantial excavation is to be undertaken on the site to accommodate the works to the dwelling house, ensuring that the development will not expose any potential acid sulfate soils or cause environmental harm.

The very minor residential nature of the proposed works means it is not considered that any acid sulfate soils will be encountered. No further investigation is required.

Clause 6.2 relates to earthworks.

The proposal will not require any significant site disturbance. The new works involve very minimal land leveling for the proposed hard stand area adjacent to the eastern side of the dwelling.

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

Clause 6.4 relates to development on sloping land. The site is noted on Council's Landslip Risk Map as being within Area A and Area D.

Accordingly, a Preliminary Landslip Risk Assessment has been prepared by Crozier Geotechnical Consultants, Project No 2025-083 dated 2 June 2025.

The Preliminary Landslip Risk Assessment includes a review of Council's Geotechnical Flowchart in Section E10 of the DCP and concludes that *"due to the nature of the proposed DA submission and existing site stability, a detailed landslip Risk Assessment this Development Application is not required."*

All works for the dwelling will be carried out in accordance with the recommendations of the Preliminary Landslip Risk Assessment along with the qualified Structural Engineer and will therefore satisfy the provisions of this clause.



Fig 16: Extract of Warringah Landslip Risk Map

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

For the purpose of the assessment as the site is a corner allotment, the site does not have a rear boundary. Accordingly, for the assessment below northern boundary is to be treated as the front boundary, the eastern and southern boundaries are considered side boundaries, and the western boundary is considered the secondary front boundary.

Accordingly, 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	The wall height of the new works is 8.83m, exceeding the wall height control by 1.63m at the north-eastern extremity of the Second Floor level only.	Yes – one merit (see below)
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope	Building envelope 45 degrees from 4m.	The new works are generally within the required side boundary envelope, with only a minor breach evident on Sheet DA 10.2. The minor breach results from the angled setback relationship of the dwelling to the western boundary and the portion of the building which falls partially outside of the building envelope control as it relates to the stepped elevation does not in itself result in any significant impact on neighbour views, overshadowing or present any sense of adverse bulk and scale. The proposal is considered to achieve	Yes – on merit

		the objectives of the control.	
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	The proposal provides the existing setbacks to the eastern and western boundary that are well in excess of 0.9m.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	The proposal displays a minor variation to the front setback and secondary setback via the location of the alfresco area, and the second level.	Yes – on merit (see below)
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		Yes – on merit (see below)
B9 – Rear Boundary Setbacks	Min 6m rear setback	No rear setback as the site is a corner allotment	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	The existing vehicle crossings from both Pittwater Road & Birdwood Avenue will be maintained.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal maintains the existing driveway access from Pittwater Road to the rear of the site and the current double garage area at the rear of the dwelling. Additional open parking will be available within a hard stand to the east of the dwelling, with no structure above to ensure that the future maintenance and access to the drainage easement is not impeded. Maintaining the existing garage at the rear of the site will meet the requirements of this clause.	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 runoff from the roofed areas and hardstand surfaces is to be directed to the Council drainage system in Birdwood Avenue in accordance with existing arrangements. A Stormwater Management Plan has been prepared by Quantum Engineers, under Job Number 250111 – SW, Drawing	Yes

		No's D1-D8 dated 2 June 2025. The hydraulic design provides for the connection of the proposed downpipes and collected surface waters directly to Council's easement which connects to the street drainage infrastructure in Birdwood Avenue. No structures are proposed to be built within the easement for Councils stormwater asset.	
C5 – Erosion and Sedimentation	Soil and Water Management required	Effective sedimentation controls will be put in place during construction to prevent sediment from being transported to neighbouring properties. Additionally, the site will be landscaped to mitigate ongoing erosion.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained	No excavation is required to accommodate the proposed new works.	Yes
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 provided adjacent to dwelling	Yes

Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposal provides a soft landscaped provision within the site of 30.7% or 234.18m² with the new works over current disturbed and paved areas. It is notable that as a consequence of the removal of redundant paved areas to the exterior of the dwelling, the existing landscaped area will be increased from 22.3% to 30.7%. The relationship of the site to the neighbouring properties and the soft landscaped appearance to the street is also enhanced. Reference is made to the Landscape Plan prepared to support the proposal.	Yes – on merit (see below)
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m² with min dimension 5m	The existing private open space within the rear yard is maintained, with a new alfresco to the northern side of the dwelling to further supplement the direct private open space which is available from the primary living spaces. The private open space is directly accessible from the dwelling, with 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	Given the residential nature of the proposal, no noise impacts are anticipated.	Yes
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 good access to northern sun to the front and rear yards. The modest extent of the new works will ensure that the solar access enjoyed by the adjoining properties will be protected.	Yes
D6 – Access to sunlight	This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.	As demonstrated by the Shadow diagrams that have been prepared to support the development (Drawing No. DA9.01) the site and neighbouring properties will maintain suitable solar access to their internal and external living areas during the day.	Yes
D7 – Views	View sharing to be maintained	The controls require that development should enable the reasonable sharing of views. The works see minor alterations and additions to the existing dwelling with a reduction in the overall height of the existing dwelling as a result of the new works.	Yes

		The subject and adjacent properties to the east currently enjoy expansive views of Collaroy Beach and coastal ocean views, partially filtered by the substantial Norfolk Island Pines within the Council reserve.. Due to the location of dwelling houses on the opposite side of Pittwater Road siting at a much higher level than the subject site, there is no impact to their view lines over the subject site. Drawing Number DA104 provides a photo analysis of the existing views available to the property to the west at 1065 Pittwater Road and identifies the form of the new roof relative to the existing develop and. The view analysis clearly indicates that the works will have a significant impact on the properties immediately opposite the site on the western side of Pittwater Road.	
D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and	The alterations and additions will not result in any adverse privacy impacts to neighbouring properties.	Yes

	principle private open space of adjoining properties	The proposal incorporates a variety of privacy treatment measures to mitigate overlooking towards the eastern neighbouring properties including varied sill heights and privacy screening. The new window to the eastern elevation of the sitting room on the second floor level has been provided as a high sill window which will reduce a sense of overlooking towards the existing eastern. The remaining windows for the upper floor level are directed towards the north east to take advantage of the coastal views. The proposed deck and alfresco area on the ground floor will provide for a louvered privacy screen along the eastern elevation to minimise privacy impacts, resulting in privacy benefits to the neighbouring properties to the east of the site. Views from the deck and alfresco area are largely over the public footpath and Road and driveway spaces of neighbouring properties and through enhanced landscaping	
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		and the proposed privacy screening measures, suitable amenity is preserved for the neighbouring properties. The deck area servicing the primary bedroom is minor in size, meaning there is no real opportunity for this to be a high usage recreational area. Having regard to the stated objectives of the control the proposed design will provide improved light and air movement, while continuing to maintain appropriate levels of visual and acoustic privacy to adjoining sites. Suitable privacy is therefore considered to be maintained for occupants of the subject site and neighbouring properties.	
D9 – Building Bulk	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	The existing surrounding development comprises a mix of one two and three storey dwellings. The form of the proposed development is compatible and site to the existing building and surrounding properties in terms of height and scale and as	Yes

		a result will not visually dominate Birdwood Avenue. The second floor has been located further back into the site than the existing second floor, to provide greater front setbacks and a stepped look to minimise bulk and scale. The design contains features such as change articulation and fenestration, combined with open style balconies to ensure bulk and scale is minimised to Birdwood Avenue. Sufficient landscaped areas are retained on the site, particularly in the front setback in order to provide appropriate landscaped area to screen and soften the built form.	
D10 – Building Colours and materials		The proposed new works will be finished in colours which complement the existing development on site and the locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposal will provide a new flat roof form that reduces the overall height of the dwelling when compared to the existing dwelling, while providing a more modern design	Yes

		aesthetic to the dwelling house.	
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The existing external finishes and colours will be retained and the proposed new finishes 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	N/A – no new front 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	Bin storage area is available adjacent to the dwelling. The existing mailbox is to be maintained.	Yes
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	The existing side and rear boundary fencing will be maintained as existing.	N/A
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, however level access is to be provided from the	N/A

		garage allow convenient access for family members who require disabled access to the building.	
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 Birdwood Avenue 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	BASIX Certificate Provided	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 or 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 the site.	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
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 on Council's Landslip Risk Map as being within Area A and D. Accordingly, a Preliminary Landslip Risk Assessment has been prepared by Crozier Geotechnical Consultants and accompanies this submission. The works will be carried out in accordance with the recommendations of the Project Structural Engineer and will therefore satisfy the provisions of this clause.	Yes
E11 – Flood Prone Land	Not identified on map		N/A

B1 – Wall Heights

The wall height variation on the eastern elevation to 8.83m or 1.63m above the 7.2 m wall height control for the north-eastern portion of the eastern wall is considered minor and will not present an adverse visual impact when viewed from the street or adjoining properties due to the consistency of the built form with the existing dwelling, and the character of an eclectic built form of Birdwood Road.

The non-compliance with wall height is present over the lowest point of the site where the topography slopes down to the Birdwood Avenue level, with a compliant built form proposed as the land slopes upwards towards the west. Further, the subject area of envelope encroachment is negligible in scale commensurate to the facade as a whole.

The site presents a grade through the building area of in excess of 20%.

The visual impact is minimised by stepping the proposed first floor in from the leading northern edge of the ground floor in order to articulate the wall height at the front section of the new dwelling.

The wall height has been minimised where appropriate, with generous side setbacks maintain to assist in minimising any breach of the wall height control. Sufficient landscaping is located in the front setback and garden beds to the ground and first floor levels in order to screen and soften the built form from the public view.

Despite the wall height non-compliance, no unreasonable amenity impacts of overshadowing, view lines privacy, or spatial separation impacts will result.

Based on the above factors, the proposal is considered to comply with Part B1 of the DCP and is worthy of support on merit.

B7 – Front Boundary Setbacks

As the site is a corner allotment, the property has a primary setback to Birdwood Avenue and a secondary front setback to Pittwater road. Part B7 of the WDCP requires that primary frontages have a 6.5m setback from the property boundary, and that secondary frontages be 3.5m. In this respect, the primary frontage and secondary frontage display minor variations due to the location of the existing dwelling on the site.

The proposed lower ground floor demonstrates a very minor protrusion into the primary front setback, however the ground floor and first floor comply with the 6.5m requirement, with the exception of the existing living room verandah. Further the amended layout of the first floor provides a greater front setback and improved visual presentation to the Birdwood Avenue street view.

The new pantry and first floor project into the secondary street frontage in line with the existing footprint and therefore the works do not fully comply with the requirements of the control. However, the minor ground floor encroachment is screened by boundary fencing, with the first nestled into the existing footprint of the dwelling, meaning the dwelling will continue to present as a modest two storey dwelling house from Pittwater Road.

The new alfresco area is located within the primary and secondary front setback. This area is logically placed, directly accessible from the primary lounge/dining/living spaces and allow the occupants and

residents to take advantage of the view lines to the Collaroy coastline. The terrace is located at ground level, and while a new roof together with the boundary wall facing Pittwater Road will assist in obstructing the heavy traffic noise from Pittwater Road, these elements will be screened from both streetscapes via boundary fencing and landscaping. Notwithstanding the minor breach to both front setbacks, it is considered that the terrace and associated works is of an acceptable bulk and scale and will not become visually dominant.

Landscaping areas within both front setbacks is also to be improved, therefore the visual continuity of the streetscape is enhanced as part of the works.

The proposed variations to the front setback do not have any unreasonable impacts on the provision of view sharing from any neighbouring properties or the public domain. Nor do the encroachments create any amenity, solar access or privacy impacts.

The development is relatively modest in scale commensurate to the scale of surrounding properties and to the existing single three storey house, and therefore it is considered that the existing sense of openness is maintained.

The works are considered to be an attractive design solution to an existing dwelling and will enhance both the property itself and the wider streetscape.

As noted in Figure 17 over, in the street context of Birdwood Avenue, variations to the front setback for dwellings and ancillary structures are common, such as a detached secondary dwelling at No 5 Birdwood Avenue and existing garage in within the front setback at No 17 & 19 Birdwood Avenue.



Fig 17: Street comparison of existing structures within the front setback to Birdwood Avenue

Based on the above factors, the proposal is considered to comply with Part B7 of the DCP and is worthy of support on merit.

D1 - Landscape Open Space

The proposal will provide a soft landscaped area of 30.7% or 234.18m², which represents an increase in soft landscaped equivalent to 60m² compared to the existing landscaped area of 22.3%.

The Landscape Plan provides a high-quality landscape outcome for the dwelling and within the front, side and rear yard.

Accordingly, the proposal is in accordance with established landscape outcome on the site is both quantitatively and qualitatively improved with the site landscaping contributing to the biodiversity of the local area.

Council can be assured that the bulk and scale of the development will not result in any unreasonable impacts on the amenity of neighbouring properties or negatively affect the natural environment concerning trees and stormwater management.

The proposal will continue to provide for sufficient area for the private open space and recreational requirements of the owners and will not see the removal of any significant vegetation.

The remaining area of the site has sufficient area for landscaping, perimeter planting and infiltration of stormwater.

The proposed landscaped area will integrate the development within the coastal setting, aligning with the desired future character of the Collaroy coastal locality.

Based on the above factors, the proposal is considered to comply with Part D1 of the DCP and is worthy of support on merit.

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

7.1 The provisions of 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 these environmental planning instruments have 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 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.

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 the 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 and 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 Any 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 or the character of the locality and the modest extent of changes together with the enhanced and improved landscaping within the site, will ensure that there are no unreasonable visual impacts on the amenity of adjoining properties. The works are therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the construction of alterations and additions to an existing dwelling, which respects and complements the site's location and context.

It is considered that the proposed additions satisfy the stated objectives of WLEP 2011, Warringah DCP and other relevant plans and policies.

The outcome is a modernised dwelling of exceptional design quality which displays a highly articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

The proposed development is a high-quality design solution which seeks to maximise amenity for occupants of the subject site whilst minimising impacts to adjoining properties.

The proposal provides a complimentary and compatible building form when compared to the existing dwelling, other development located along this section of Birdwood Avenue and within the site's visual catchment generally.

As the proposed development will not have any significant adverse impacts on the environment, scenic quality of the area or the amenity of the adjoining allotments, there is no statutory impediment or meritorious reason as to why Council should not grant consent to the proposed development.

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