



Statement of Modification

NEW HOUSE, GARAGE, SWIMMING POOL AND LANDSCAPING
3 ORANA ROAD, MONA VALE

Sheralee Hogan | Site Specific Designs | June 2023

PROPOSED MODIFICATION & DEVELOPMENT

The proposed modification is a minor reduction of the approved dwelling house, garage and pool. The design is substantially the same as approved in DA2022/1363 and essentially has the same essence.

PROPOSED MODIFICATION:

- Removal of approved gym on garage level and addition of new retaining walls
- Change the approved Studio to the master bedroom suite, and connect with a new breezeway to the house
- Increase the ground floor area on the split level
- Removal of the approved first floor
- Modify roof heights and shapes slightly
- Modify some of the approved windows and doors
- Remove the approved spa

PROPOSED DEVELOPMENT:

- Demolition of existing house, sheds, garage and ancillary development
- New 4 bedroom dwelling house with Study
- Rooms include, entry, open plan Living, Dining, Kitchen, powder room, laundry, Rumpus room and 3 bathrooms
- New in ground pool, with terraced gardens and landscaping
- New driveway and entry path
- Stormwater to be collected and flow to the street

The external materials and finishes are unchanged and include lightweight cladding, rendered brick and concrete walls, metal roof sheeting, aluminium doors and windows, louvres and privacy screens, tiled decking, sandstone cladding and cobblestone driveway.



4.55(2) of the EP & A Act

The proposed side and front setbacks are retained, with the rear setback increased to 7.78m. The first floor has been removed that requires the ground floor roof to be amended on the split level section of the house, reducing the roof height by 2.3m. The room uses and locations are substantially the same, with one bedroom and bathroom being removed reducing the floor area 42.2m². By retaining the side setbacks and room locations the spatial relationship and amenity to neighbouring dwellings is retained in this modification. The previous approved view sharing, privacy and solar access are improved with this application. The modification when viewed from the public domain will present the same visual appearance as the approval. The quantitative comparison shows the modification to be substantially the same as the approved DA2022/1363, and as such it is 'essentially or materially' the same, and so can be categorised as 'substantially the same'.

SITE DESCRIPTION

Lot 13 Sec B DP6195, 3 Orana Road, Mona Vale NSW 2103.

The site is located in the Northern Beaches Local Government Area.

The site is located on the eastern side of the street and is zoned R2 Low Density Zone.

The block is rectangular in shape with a width of 15.24m at the street, and with a depth of 60.96m. It has a relatively flat front yard facing the street, with a constant rise to the rear boundary of 7m and a cross site fall of almost 1m.

The site does not contain any heritage items, nor is it in a heritage conservation area.



Original House at 3 Orana Road



Image of Orana Road courtesy of Northern Beaches Council

LOCALITY

The locality comprises predominantly one and two-storey detached dwellings, with many renovated homes, in a variety of styles from modern, contemporary houses to more traditional gabled timber framed homes. Larger homes with smaller rear yards and pools are common (see above aerial satellite image).



5 Orana Road, dual occupancy



1 Orana Road, Mona Vale

Zone R2	Low Density	Lot 13 DP6195	SA.929m2
Codes	Required	Proposed	Compliance
Building Height	8.5m	(was 8m) 6.55m	Yes
Site Area	700m2	929m2	Yes
Envelope	3.5m & 45'	Refer DA05+ DA06	Yes
Front Setback	6.5m	8.0m	Yes
Side Setback	1m & 2.5m	1.3m South, 1.87m North	No(unchanged from DA approved)
Rear Setback	6.5m	(was 7.21m) 7.78m	Yes
Landscaping (Bushland)	50%	55.2% includes 6% variation for recreation (was 55%)	Yes
Carparking	2	2	Yes
Private Open Space	80m2	59m2 hard surface + 56m2 soft surface	Yes
Landslip Area	H1 + H2	Clause 7.2 Earthworks – report supplied	Yes
Acid Sulfate Soils	Class 1-5	Class 5	Yes
Bushfire Zone	Veg Cat 1-3, Buffer	N/A	Yes
Flood Zone	Low, Med, High	N/A	Yes

DISCUSSION OF COMPLIANCE AREAS - PLEP 2014 - PDCP

ZONE R2 – Low Density Residential

1 OBJECTIVES OF ZONE

- To provide for the housing needs of the community within a low density residential environment
- To enable other land uses that provide facilities or services to meet the day to day needs of the residents
- To provide for a limited range of other land uses of low intensity and scale, compatible with surrounding land uses

The proposed dwelling house is permissible with consent in the R2 Zone, and is compatible with the objectives

PLEP 4.3 HEIGHT OF BUILDINGS

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

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,
- (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
- (c) to minimise any overshadowing of neighbouring properties,
- (d) to allow for the reasonable sharing of views,
- (e) to encourage buildings that are designed to respond sensitively to the natural topography,
- (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

(2C) Despite subclause (2), development on an area of land shown in Column 1 of the table to this subclause and identified as such on the [Height of Buildings Map](#), may exceed the maximum building height shown on the [Height of Buildings Map](#) for that land, if the height of the development is not greater than the height shown opposite that area in Column 2.

Column 1	Column 2
Area	Maximum height above the flood planning level
Area 1	11.5 metres
Area 2	8.5 metres on the street frontage and 10.5 metres at the rear
Area 3	8.5 metres
Area 4	7.0 metres

Proposed Development Response **Reduced in modification**

- Maximum Height allowed is 8.5m, approved DA was 8m, proposed development maximum height is 6.55m – complies

PLEP 7.1 ACID SULFATE SOILS

- (1) *The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
- (2) *Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

<i>Class of land</i>	<i>Works</i>
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

- (6) *Despite subclause (2), development consent is not required under this clause to carry out any works if:*
- (a) the works involve the disturbance of less than 1 tonne of soil, and*
 - (b) the works are not likely to lower the watertable.*

Proposed Development Response - **Unchanged in modification** Class 5, Acid Sulphate, the proposal is not within 500m of Class 1,2,3, or 4 land that is below 5m AHD.

PLEP 7.7 GEOTECHNICAL HAZARDS

- (1) *The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:*
- (a) matches the underlying geotechnical conditions of the land, and*
 - (b) is restricted on unsuitable land, and*
 - (c) does not endanger life or property.*
- (2) *This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.*

Proposed Development Response – A Geotechnical report has been prepared by White Geotechnical Engineers, 27th July 2022, J4401, and an updated letter supplied for the **modification**. The proposed development is suitable for the site...

BUILT FORM CONTROLS – Pittwater DCP

SECTION A – SHAPING DEVELOPMENT IN PITTWATER

A4 – Locality (A4.9 Mona Vale Locality)

LAND WITHIN THE LOCALITY

Land within the Mona Vale Locality is identified on the Mona Vale Locality Map.

CONTEXT

...Today, Mona Vale centre is the main commercial centre for the Pittwater area.

Low-density residential development is built along the valley floor and slopes to the north, south and west of the locality. These areas are characterised by one and two-storey dwelling houses on 680-760 square metre allotments (some blocks may be smaller) to the south, east and north, increasing to 930-1,200 square metres on the valley floor and headland. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Medium-density housing adjoins the Mona Vale Commercial Centre on Mona Vale Road, and extends along Darley Street, Park Street, Pittwater Road, Terrol Crescent and Golf Avenue.

DESIRED CHARACTER

The Mona Vale locality will contain a mix of residential, retail, commercial, industrial, recreational, community, and educational land uses.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Proposed Development Response – The proposed new roofs sit below the tree canopy, and the roof garden and deck above the garage add a sense of depth and softness to the front façade. From the street front, the new covered walkway and breezeway with extended roof eaves adds depth and modulation to the façade, whilst utilising strong roof elements to minimise the bulk of the façade reducing it to a human scale. The Height is under 6.6m, which is below the tree canopy existing and proposed vegetation. The large 8m deep by 15.25m wide frontage allows an open landscape zone to be established, with the ability to enhance the local endemic vegetation on the site - complies

PART B – GENERAL CONTROLS

B4 Controls Relating to the Natural Environment (B4.22 Preservation of Trees & Bushland)

Outcomes

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

Proposed Development Response Unchanged in modification

Proposed tree removal is unchanged with an Aboricultural Impact Statement by Colin Curtis, with an updated letter provided for the Modification. The Landscape Plan from Jamie King has been updated to reflect the modified floor plan – complies

B5 Water Management (B5.15 Stormwater)

Outcomes

- *Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*
- *Minimise the risk to public health and safety;*
- *Reduce the risk to life and property from any flooding and groundwater damage;*
- *Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*
- *Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*
- *Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*
- *Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*

Proposed Development Response Unchanged in modification

The existing stormwater water runs back to the street, proposed stormwater management plan provided – complies

B6 Access & Parking (B6.3 Off-Street Vehicle Parking Requirements)

Outcomes

- *An adequate number of parking and service spaces that meets the demands generated by the development.*
- *Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.*

- *Safe and convenient parking.*

Proposed Development Response Unchanged in modification

As per the controls stated, there are 2 or more bedrooms and there is parking for 2 vehicles. 2 car garage proposed – complies.

B8 Site Works Management (B8.1 Construction and Demolition – Excavation and Landfill)

Outcomes

- *Site disturbance is minimised. (En)*
- *Excavation, landfill and construction not to have an adverse impact. (En)*
- *Excavation and landfill operations not to cause damage on the development or adjoining property. (S)*

Proposed Development Response Unchanged in modification

Proposed excavation and fill. Geotechnical report provided– complies

(B8.3 Construction and Demolition – Waste Minimisation)

Outcomes

- *Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)*

Controls

- *Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.*

Proposed Development Response Unchanged in modification

Waste management report provided– complies

PART C – DEVELOPMENT TYPE CONTROLS

C1 Design Criteria for Residential Development C1.1 Landscaping

Outcomes

- *A built form softened and complemented by landscaping. (En)*
- *Landscaping reflects the scale and form of development. (En)*
- *Retention of canopy trees by encouraging the use of pier and beam footings. (En)*
- *Development results in retention of existing native vegetation. (En)*
- *Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)*
- *Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)*
- *Landscaping enhances habitat and amenity value. (En, S)*
- *Landscaping results in reduced risk of landslip. (En, Ec)*
- *Landscaping results in low watering requirement. (En)*

Proposed Development Response Updated in modification

2 canopy trees at the front, one in the rear of the property. Proposal includes updated Landscape plans by Jamie King Landscape Architect- complies

C1.2 Safety & Security

Outcomes

- *On-going safety and security of the Pittwater community. (S)*
- *Opportunities for vandalism are minimised. (S, Ec)*
- *Inform applicant's of Council's requirements for crime and safety management for new development. (S)*
- *Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)*
- *Identify crime and safety priority areas in Pittwater LGA (S, Ec)*
- *Improve community safety and reduce the fear of crime in the Pittwater LGA (S)*
- *Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)*

Proposed Development Response Unchanged in modification

The design and layout of the home with the entry at the front provides for visual connection to the streetfront. - complies

C1.3 View Sharing

Outcomes

- *A reasonable sharing of views amongst dwellings. (S)*
- *Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)*
- *Canopy trees take priority over views. (En, S)*

Proposed Development Response Unchanged in modification

There are no views from the site, and the modification is unchanged in bulk and scale at the front of the site, and reduced at the back– complies

C1.4 Solar Access

Outcomes

- *Residential development is sited and designed to maximise solar access during mid-winter. (En)*
- *A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)*
- *Reduce usage and/dependence for artificial lighting. (En)*

3 hours of sunlight between the hours of 9am and 3pm on 21 June. There is 50% of sunlight in the Principal Living Areas.

Proposed Development Response Updated in modification

The proposed removal of the approved second floor improves the access to sunlight for the southern neighbour at number 1 Orana Road. The required three hours of sunlight during the Winter solstice to neighbouring private open spaces, and Living areas is achieved, as well as to the neighbours solar panels - complies.

C1.5 Visual Privacy Unchanged in modification

Outcomes

- Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)
- A sense of territory and safety is provided for residents. (S)

Proposed Development Response Updated in modification

The removal of the second floor and deck actually improves the privacy from the original approved DA.

The majority of the windows along the side elevations are high or frosted, or protected by existing and proposed dense boundary landscaping- complies

C1.6 Acoustic Privacy

Outcomes

- *Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited. (S)*
- *Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas (S)*

Proposed Development Response Unchanged in modification

All noise sensitive rooms are away from neighbouring private outdoor spaces. Noise associated with the pool and plant facilities can be appropriately mitigated - complies

C1.7 Private Open Space

Outcomes

- *Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)*
- *Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)*
- *Private open space receives sufficient solar access and privacy. (En, S)*

Proposed Development Response Unchanged in modification

Control requires 80m² area, dimension >3m. The proposed development is 59m² of hard surface and 56m² of soft surface off the primary Living space – complies

C1.10 Building Facade

Outcomes

- *Improved visual aesthetics for building facades. (S)*

Proposed Development Response Updated in modification

The new modern coastal aesthetic will be an improvement to the dated existing house to be demolished, with additional depth and texture added to the façade to create a visually more appealing and inviting street front presence – complies

PART D – LOCALITY SPECIFIC DEVELOPMENT CONTROLS

D9 – Mona Vale Locality

D9.1 – Character is viewed from a public space

Outcomes

- *To achieve the desired future character of the Locality.*
- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)*
- *To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.*
- *High quality buildings designed and built for the natural context and any natural hazards. (En, S)*
- *Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)*
- *To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.*

Proposed Development Response Updated in modification

The proposal achieves the desired future character of the Mona Vale locality, All controls used – complies

D9.2 – Scenic Protection - General

Outcomes

- *Achieve the desired future character of the Locality.*
- *Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)*

Proposed Development Response Landscaped front yard, house setback – complies

D9.3 – Building Colours and Materials

Outcomes

- *Achieve the desired future character of the Locality.*
- *The development enhances the visual quality and identity of the streetscape. (S)*
- *To provide attractive building facades which establish identity and contribute to the streetscape.*
- *To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater.*
- *The colours and materials of the development harmonise with the natural environment. (En, S)*
- *The visual prominence of the development is minimised. (S)*
- *Damage to existing native vegetation and habitat is minimised. (En)*

Proposed Development Response Unchanged in modification

Primary colours of earthy tones with natural materials of stone and timber – complies

D9.6 – Front building line

Outcomes

- *Achieve the desired future character of the Locality.*
- *Equitable preservation of views and vistas to and/or from public/private places. (S)*

- *The amenity of residential development adjoining a main road is maintained. (S)*
- *Vegetation is retained and enhanced to visually reduce the built form. (En)*
- *Vehicle manoeuvring in a forward direction is facilitated. (S)*
- *To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*
- *To encourage attractive street frontages and improve pedestrian amenity.*
- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

Proposed Development Response Unchanged in modification

Required setback – 6.5m. Proposed setback – 8m – complies

D9.7 – Side and rear building line

Outcomes

- *To achieve the desired future character of the Locality. (S)*
- *The bulk and scale of the built form is minimised. (En, S)*
- *Equitable preservation of views and vistas to and/or from public/private places. (S)*
- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)*
- *Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)*
- *Flexibility in the siting of buildings and access. (En, S)*
- *Vegetation is retained and enhanced to visually reduce the built form. (En)*
- *To ensure a landscaped buffer between commercial and residential zones is established. (En, S)*

Controls - Required side setback – 1m & 2.5m. 6.5m Rear

Proposed Development Response - Unchanged in modification

The proposed side setback to the North wall is unchanged at 1.87, within the 2.5m requirement. The non-compliant elements are setback from the street frontage and are limited in depth, and they are offset by greater depths on the southern side, in excess of 1m. The non compliances do not prevent the provision of landscaping along the side boundary, and they do not contribute to any unreasonable impacts upon neighbouring homes.

We believe the proposal achieves the outcomes required by minimising the bulk and scale of the development with landscaping, preserving vistas and view sharing, and ensuring privacy, amenity and solar access is retained for neighbouring properties.

D9.9 – Building Envelope

Outcomes

- *To achieve the desired future character of the Locality. (S)*
- *To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.*
- *To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*
- *The bulk and scale of the built form is minimised. (En, S)*
- *Equitable preservation of views and vistas to and/or from public/private places. (S)*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)*
- *Vegetation is retained and enhanced to visually reduce the built form. (En)*

Proposed Development Response Updated in modification

The proposed development has a building envelope of 3.5m & 45', refer DA05, DA06. The removal of the second floor removes the original non-compliance with the building envelopes - complies

D9.10 – Landscaped Area

Outcomes

- *Achieve the desired future character of the Locality. (S)*
- *The bulk and scale of the built form is minimised. (En, S)*
- *A reasonable level of amenity and solar access is provided and maintained. (En, S)*
- *Vegetation is retained and enhanced to visually reduce the built form. (En)*
- *Conservation of natural vegetation and biodiversity. (En)*
- *Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)*
- *To preserve and enhance the rural and bushland character of the area. (En, S)*
- *Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)*

Controls – 50% required.

Proposed Development Response Updated in modification

The proposed new landscape area is a slight improvement on the original approved DA from 53% to 53.5%. This includes the 6% of the site area associated with outdoor recreation. - complies

Proposed Removal of Conditions from the original consent-

Conditions 7 and 8 have been met in this application with the modified Landscape plans

Condition 9 has been met with the submission of stormwater plans

Condition 11 has been met with the modified window sill height and the deletion of the first floor deck.

CONCLUSION

The proposed Modified development request for demolition and construction of a new dwelling house, garage and pool, has been thoughtfully designed to improve the amenity for the owners, whilst making a positive contribution to the streetscape. The proposal has considered the neighbouring dwellings in the design to maintain amenity, solar access and privacy, and provided a design that is consistent in character to the existing streetscape.

The modification is substantially the same as DA2022/1363 approved on the 28/12/2022, and has been shown to be essentially and materially the same as the approval, along with the neighbouring dwellings receiving improved amenity with this application.

The modified proposal achieves the aims and objectives of the controls, is of minimal environmental impact, is substantially the same development for which consent was originally granted and is suitable for approval on town planning grounds.