

STATEMENT OF MODIFICATION

Owner:

ANDREW & SHANNON JOHNSON

Project:

Alterations and additions to residence at:

Consent:

DA No: N0470/17

Address:

16 Bareena Road, Avalon Beach, NSW 2107

Prepared by:

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Date:

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1.0 INTRODUCTION

This Statement of Modification has been prepared as part of supporting documentation in association with a Development Application **DA No: N0470/17** concerning no. **16 Bareena Road, Avalon Beach** in the Local Government Area of Pittwater in the Northern Beaches Council.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

Application is made for the following modifications to **Consent No: N0470/17**:

- a) Construct new retaining walls at East boundary, rear yard
- b) Modified glazing to Ground level East, North and West elevations;
- c) Re-position sky-lights;
- d) Remove swimming pool from application;
- e) Increase driveway width from 2595mm to 2850mm.

The proposed development modifications are described in Drawings CC_002; S96_001, S96_002, S96_100, S96_101, S96_102, S96_200, S96_201, and S96_700 by Hot House Studio.

3.0 ASSESSMENT OF STATUTORY REQUIREMENTS AND POLICY

3.1 PITTWATER LOCAL ENVIRONMENTAL PLAN 2011

Clause 7.1 Acid Sulfate Soils

The site has an Acid Sulfate Soil classification of 5. Excavations will not cause the water table to be lowered below 1m AHD. The proposed works are consistent with the controls and outcomes of the clause.

Clause 7.2 Earthworks

Proposed retaining elements are of a low scale and will have minimal impact on environmental processes and the amenity of the area generally. The proposed works are consistent with the controls and outcomes of the clause.

3.2 PITTWATER 21 DEVELOPMENT CONTROL PLAN 2014

Part A4 Localities

The site for development is within in the Avalon Beach Locality. The proposed modifications remain consistent with the desired future character of the locality, being low density residential development.

Part B8.1 Construction and Demolition – Excavation and Landfill

Proposed retaining walls are a maximum of 1m in height and excavation greater than 1m in depth is not required. The works are consistent with the controls and outcomes of the clause. A geotechnical report is not required.

Part C1.7 Private Open Space

Removal of the swimming pool does not affect the Private Open Space of the project which achieves the controls and outcomes of the clause.

Part D1 AVALON LOCALITY

Part D1.1 Character as Viewed from a Public Place

The modifications are minor and will not have an impact on the character of the dwelling as viewed from the public reserve. The design is consistent with the controls and outcomes of the clause.

Part D1.5 Building Colour and Materials

There are no changes proposed to the building colours or materials

Part D1.13 Landscaped Area – General

Utilising the 6% allowance for recreational use (deck), the total landscaped area achieved is 317.6m². This achieves the minimum landscaped area required of 44% (50% - 6%).

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

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

1. impervious areas less than 1 metre in width (e.g. pathways and the like);
2. for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Part D1.17 Construction, Retaining walls, terracing and undercroft areas

Retaining walls are not visible from the public domain and of a low scale. Disturbance to natural forms is minimised and the proposal is consistent with the controls and outcomes of the clause.

3.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

79C CONSIDERATIONS

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) 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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,)

The considerations arising from the relevant planning instruments and development control plan are addressed in the foregoing statement.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

These considerations are addressed in the foregoing statement. The social and economic impacts will be positive in improving the residential accommodation and amenity of the property at 16 Bareena Road, Avalon Beach.

(c) the suitability of the site for the development,

The proposed alterations and additions are consistent with the zoning of the land, conservative in scale and will create no adverse environmental or amenity impacts and is therefore extremely suitable.

(d) any submissions made in accordance with this Act or the regulations,

The applicant has consulted with the immediate neighbours prior to lodgement of the application. At this time no submissions have been made to the Council.

(e) the public interest,

The proposed development will provide for low density residential housing stock that will provide for the housing needs of the local community and will provide for employment and contribute to the local economy through the construction phase.

3.4 BASIX

An updated BASIX report forms part of this Modification Application.

5.0 CONCLUSION

The proposed modifications to Consent No: **N0470/17** of 16 Bareena Road, Avalon Beach are minor and consistent with the intent of the original Development Application. Careful attention has been given to achieving compliance with the relevant provisions of Pittwater Local Environmental Plan 2014, Pittwater 21 Development Control Plan 2014 and Section 79C of the NSW Environmental Planning and Assessment Act. As per the approved original Development Consent, there will be minimal adverse impacts on the occupants of neighbouring properties.

The revised design outcome continues to show respect for the context of the site, the existing character of the streetscape, and the amenity of the adjoining properties. It is in our opinion that the proposed modifications to the consent will have no adverse impacts and we believe Northern Beaches Council will find the proposed modifications satisfy the objectives required and find the Modification Application fit for approval.