



**Revised STATEMENT OF
ENVIRONMENTAL
EFFECTS to support a Modification
(S96 1a)**

NORTHERN BEACHES COUNCIL

Prepared on behalf of
MR & Mrs De Martin

Lot 2 DP13139
24 Rayner Avenue
NARRAWEENA NSW 2099
MARCH 2017

Job No. 14174

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Introduction

This amended Statement of Environmental Effects has been prepared to accompany an Application for a Modification to the Consent (DA 2015/0481) approved by Warringah Council (now Northern Beaches Council), dated 15 September 2015, for the construction of a dwelling house at Lot 2, DP 13139 (24 Rayner Avenue) Narraweena (Figure 1) in accordance with the Environmental Planning and Assessment Act 1979 and Council's local planning instruments and guidelines.

The modification seeks to:

- Relocate the air-conditioning unit from the western side of the dwelling to the eastern side of the dwelling as indicated on the site plan, revision W.

Considerations under section 96 of the Environmental Planning & Assessment (EP&A) Act 1979

96 Modification of consents—generally

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*

Comment: The proposed modification is of minimal environmental impact.

- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

Comment: The modification is considered to be substantially the same as the development for which consent was originally granted. Refer to assessment below.

- (c) it has notified the application in accordance with:*

- (i) the regulations, if the regulations so require, or*
- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

Comment: The application is to be notified in accordance with the regulations.

- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment: We do not anticipate any submissions from neighbouring properties.

Subsections (1), (2) and (5) do not apply to such a modification.

Comment: Subsections 1, 2 and 5 do not apply

Considerations under section 79c of the Environmental Planning & Assessment (EP&A) Act 1979

(a)(i) – Provisions of any environmental planning instrument

State Environmental Planning Policies

No change to the original consent.

Warringah Local Environment Plan (WLEP) 2011

No change to the original consent.

(a)(ii) – Provisions of any draft environmental planning instrument

No change to the original consent.

(a)(iii) – Provisions of any development control plan

Warringah Development Control Plan (WDCP) 2011

The modification is considered to be substantially the same development and does not propose any change to the controls for which the consent was originally granted.

(a)(iiia) – Provisions of any planning agreement

There is no planning agreement in conjunction with this proposal.

(a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)

The Application has been made in accordance with the relevant matters prescribed by the Regulations.

(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality

(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report and are satisfactory.

(ii) The proposed development will not have a detrimental social impact in the locality considering the nature of the proposal.

(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.

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

The site is considered suitable for the proposed development.

(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation

We do not anticipate any submissions from neighbouring properties.

(e) – the public interest

The proposed development is within the public interest.

Conclusion

The proposed development has been designed in a way that it addresses the site abilities and constraints whilst satisfactorily demonstrating compliance with the Environmental Planning and Assessment Act 1979 and Council's local planning instruments and guidelines.

We look forward to your assessment and a positive outcome for our client.

Yours Faithfully,

Kurmond Homes