



JD EVANS & COMPANY

PTY LIMITED

Building & Design Consultants

May 16, 2024

The General Manager
Northern Beaches Council
Council Chambers
725 Pittwater Road
DEE WHY N. S. W. 2099

Dear Sir

**Statement of Effect for SEC 4.55 (1a)
Modification of D A Consent**

Please find herewith a Statement of Effect for SEC 4.55 (1a) for
No.44 McCarrs Creek Road, Church Point for
Lindsay Parker & Tracey Basham.
DA 2023/0363, submitted 11/04/2023 and Determined 18/05/2023.

This Statement of Modification 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 of the property in a manner proposed is considered to be acceptable and is worthy of support of the Council.

This Statement of Modification provides an assessment of the proposed alterations to the approved Development Application taking into consideration the following:

The Environmental planning and Assessment Act 1979, as amended;

The Environmental Planning and Assessment Regulation 2000;

The State Environmental Planning Policy (Basix) 2004;

Pittwater Local Environmental Plan 2014 (PLEP 2014);

Pittwater 21 Development Control Plan (DCP21).

As a result of this assessment it is considered that the Modification of DA Consent of the site in the manner proposed is considered acceptable.

2.0 Site Description

The site is identified as Lot 17 in Deposited Plan DP 11691 and is known as No.44 McCarrs Creek Road, Church Point.

The subject property is located on the western side low side of McCarra Creek Road and is of a regular shape and is a waterfront property on McCarrs Creek and is subject to the Foreshore Building Line.

The site is currently zoned C4 Environmental Living and has an area of 505.90 square metres.

The existing development of the property is Alterations and Additions to the existing residence.

It is bounded on 2 sides by residential prosperities with again one and two storey residences.

The property is connected to all services.

The property is not subject to Flooding.

The property is in a Landslip Area.

The property is in a Bushfire Zone.

The property is not a Heritage Item.

The property is not in a Conservation Area.

3.0 Flood Management Report

The proposed modification is at the Lowed Ground Floor and the building footprint has not been altered and we believe that a revised Flood report is not required.

4.0 The proposed Development

As detailed in the accompanying architectural drawings it is proposed to modify the Following.

Modification Section 4.55 (1a). DA2023/0363, submitted 11/04/2023.

It is proposed to modify the existing development approval by:-

Proposed Modifications.

Lower Ground Floor:

Door personal removed for Store Room.

New timber Deck and Stairs added for better access to rear yard.

Cupboards added to Store Room, no increase in floor area.

Bathroom/Laundry drawn correctly. Drafting error.

Upper Ground Floor

Window W4 deleted for privacy.

Existing windows S-E Elevation deleted for privacy.

Window in Verandah S-E Elevation made bigger (1700 sill).

Privacy Screen in Verandah N-E Elevation now solid wall with highlight window (1700 Sill).

First Floor:

No changes.

5.0 Basix Certificate

The existing Basix Certificate will remain unaltered.

6.0 Pittwater 21 and Locality Plan

The proposal has been designed to comply with the Council's Pittwater 21 D.C.P. requirements.

We believe development complies with the intent of Council's Development Control Plan policies.

The intent of the Pittwater 21 D. C. P. we believe has been retained

in respect of impact of the proposal and will preserve the existing stereoscope.

7.0 Impact of the Proposal

The bulk and scale of the proposed modification will be kept to a minimum.

We believe there will be no impact on the amenity of the streetscape.
All finishes will be as submitted.

8.0 Stormwater Disposal

The approved stormwater system will remain unaltered.

9.0 Effect on Streetscape

We believe the scenic quality from the roadway will be maintain.

10.0 View Effect on Neighbours

The adjoining residences have view over their own properties and the proposed modification to the development consent will have no impact to these properties.

We believe that the equal sharing of views has been maintained.

11.0 Design and External Appearance

The proposed modification of development consent will match in with similar renovations in the area.

12.0 Privacy

The both adjoining residences well away from the proposed.

We believe that the proposed modification of development consent will maintain the existing privacy and amenity to the adjoining properties.

Existing vegetation and landscaping will screen any new work and will maintain existing privacy.

13.0 Solar Access

Overshadowing of the adjoining properties by the proposed modification of development consent will have no extra impact. The proposed complies with following locality controls of June 21.

- a. provides 3 hours of sunshine between 9.00am to 3.00pm to the principal living area of the adjoining property to the south,
- b. will not reduce the existing 4.00 hours of solar access to the adjoining properties outdoor living area.
- c. does not cast a shadow over any solar collectors.
- d. the proposed development does not cast a shadow over more than one third of the adjoining property.

We believe the solar access complies with the intent of Council's solar access policy.

14.0 Conclusion

The principal objective of this development is to seek consent for a SEC 4.55 (1a) modifications to the existing development application to the existing property which satisfies the stated objectives of Council's Development Controls. By maintaining the neighbours amenity and by complimenting the existing style and character of the existing residence and other development in the vicinity, the stated objectives have been satisfied.

As the proposed modification to the existing development approval will not have any significant impact on the environment, scenic quality of the area and the amenity of the adjoining properties, the issue of development consent under delegation of Council is requested.

We believe that the proposed modification of the existing development approval to the existing residence has been carefully redesigned to further reduce any adverse impacts to the adjoining properties and is keeping with the aims and objectives of Council's Development Control Plan and the future character of the locality.

Accordingly it is requested that the application be favourably determined by Council at the earliest opportunity.

Yours faithfully
J D EVANS & COMPANY PTY. LIMITED



John Evans