



JD EVANS & COMPANY

PTY LIMITED

Building & Design Consultants

February 10, 2021

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

Dear Sir

STATEMENT OF EFFECT

1.0 Introduction

This Statement of Effects accompanies submitted drawings No. 2006 - 1 to 2006-8, dated 12th of November 2020, to construct alterations, additions the existing residence at
No. 4 Burilla Avenue, North Curl Curl for Mark Power and Anglia Perstely.

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 of the site in the manner proposed is considered to be acceptable and is worthy of 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 State Environmental Planning Policy (Basix) 2004.

Warringah Local Environmental Plan 2011

Warringah Development Control Plan, 9th December 2011

2.0 Property Description

The subject site is described as No. 4 Burilla Avenue, North Curl Curl, being Lot 4 within Deposited Plan 25370 and is within the Land Zone R2 Low Density Residential as described within Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item nor is it within a conservation area.

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3.0 Site Description

The property is located on the western high side of Burilla Avenue and is of regular in shape. The site area is 581.70 square metres in size.

The site is currently developed by a two storey timber framed dwelling with a tiled roof with an attached carport which will be retained.

The land has a crossfall from north to south and of a slope of about 2-3 degrees and a fall from west to east, which allows for stormwater to be directed off site to Council's kerb and gutter stormwater system in the street.

The adjoining allotments are single residential buildings of one and two storey. Opposite the site is again single residential buildings of one and two storey construction and further down the roadway.

The property is connected to all services.

The property is not located in a Flood Prone Area.

The property is not located in a Bush Fire Hazard Zone or Bushfire Buffer Zone.

The property is located in a Landslip Risk Class A.

4.0 The Surrounding Environment

The general vicinity of the site is characterised by single occupant one and two storey construction.

Development in the area comprises a range of architectural styles and of varying scales of development.

The varying age of the development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a inconsistent set-back to the public domain.

5.0 Proposed Development

As detailed in the accompanying architectural plans it is proposed to construct alterations and additions to the existing timber framed dwelling with a colorbond steel roof. No excavations of more than one metre or fills of more than one metre are to be undertaken on the site.

The proposed alterations and additions will be constructed in timber frame with a colorbond steel roof.

The overall scale of the proposed has been kept to a minimum through appropriate set-backs and articulation to maintain a complimentary bulk and scale relationship with the neighbouring buildings. The existing front set-back to the street will ensure that the development does not dominate the street and the neighbouring properties.

The proposal will provide a landscaping ratio of more than 40% of the site coverage. All the existing landscaping elements will remain.

6.0 Warringah Development Control Plan

The proposal has been designed to match similar residential house upgrades in the area. We believe that the proposal complies with the Council's Warringah D. C. P. requirements of the desired future character of the locality and will retain the low-density residential area characterized by the existing surrounding dwellings. There is a non-compliance with the following:

6.1 Front Building Line

A variation is sought on the grounds that:

- The proposal will achieve the desired future character of the locality.
- The bulk and scale of the built form is minimized.
- Equitable preservation of views and vistas to and/or from public/private places has been maintained.
- The existing vegetation and landscaping is to be retained to visually reduce the built form as viewed from a public place.
- The existing front setback is to remain.

7.0 ZONING AND DEVELOPMENT CONTROLS

7.1 Warringah Local Environmental Plan 2011

Land Zone R2 Low Density Residential

It is considered that the proposal will not result in any detrimental impact upon the adjoining properties or upon the desired future character and amenity of the locality and surrounding areas.

The proposal will not cause loss of views or vista from private/public areas.

The proposal will not adversely impact on the privacy of adjoining properties.

The proposal will not cause a loss of access to sunlight on the winter solstice to the adjoining properties.

The proposal will not cause over shadowing to adjoining properties private open space on the winter solstice.

It is considered that the proposal is consistent with the desired future character of this locality, in that the proposed use will be compatible with the single residential development in the area, in terms of it's built form and the benefit to the locality afforded by the existing provision of two off street car parking spaces.

The proposed built form will maintain a compatible scale with the dwellings and other similar structures in the area and contributes to the variety of building forms within the locality.

The proposed alterations and additions will be finished in colours and materials which will be compatible with the surrounding natural area.

The proposal has been designed to match similar residential house upgrades in the area. We believe the proposal complies with the Council's D.C.P. requirements of the future character of the locality and will retain the low-density residential area characterized by the existing surrounding dwellings.

Warringah Council Development Control Plan - Built Form

The following table outlines compliance with the Built Form Controls of Council's Development Control Plan;

BUILT FORM CONTROLS

Controls	Proposed	Compliance
Site area.(581.70sqm)	Existing	Yes
Housing density.	1/600metres	Yes
Maximum ceiling height above existing ground.	6.50 metres	Yes
Maximum building height.	8.10 metres	Yes
Front building set-back (existing)	6.00 metres	Yes
Rear building set-back.	6.00 metres	Yes
Minimum side boundary set-back.	1.00 metres	Yes
Building envelope.	4.00 m/45 deg	Yes
Private open space.	250 sqm	Yes
landscape open space.	54.90%	Yes
Impervious area.	235.07 sqm	Yes
Maximum cut into ground.	0.60 metres	Yes
Maximum depth of fill.	N/A	
Number of car spaces.	2	Yes

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7.2 General Principles of Development Control Plan

In accordance with Warringah Local Environmental Plan 2011, the following General Principles of Warringah Development Control Plan 09/12/2011 apply to the proposed development:

7.3 Glare and Reflection

The proposed building will not introduce any significant glare or reflection to the neighbouring properties. The materials selected for the external finishes will be of a colour and tone that will not result in glare or reflection to the neighbouring properties.

7.4 Construction site

Appropriate measures will be employed during construction to dust and sedimentation issues.

7.4 Noise

The proposed development should not unreasonably impact on the amenity of the surrounding properties. Noise from the combined operation of all mechanical plant and equipment will not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with *New South Wales Industrial Noise Policy* at the boundary of residential and other noise sensitive land uses.

7.6 Pollutants

The proposal will not introduce any significant pollutants. Commercial waste will be removed from the site by a licensed contractor.

7.7 Potentially contaminated land & 49a. Acid sulphate soils.

The property is located inside the Class 5 Acid Sulphate Soils according to Council's WLEP 2011 Map. As the proposal does not seek to excavate more than one metre, other than for footings to the new residence, no issues are anticipated as a result of the disturbance of contaminated soils.

7.8 Safety and security

The site is generally occupied during both daylight and night time hours with secure access to the rear of the property. Casual surveillance from the street of the property will still be available. The proposal will maintain the existing security and safety of the community.

7.9 Views

The subject and neighbours sites do not have views from their properties. The height, scale and location on site of the proposed alterations and additions are such that it will not limit the opportunities for an open outlook for the neighbouring properties.

7.10 Landscaped Open Space

The minimum area of landscaped open space in this locality is 40% of the site area. The development will maintain the existing ratio of landscaped open space and built form. The proposal will enable to provide appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale.

7.11 Access to sunlight

Warringah DCP 2011 states that " At least 50% of the required area of private open space of the dwelling and at least 50% of the required area of private open space of the adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21. Windows to the principal living area of the dwelling and the principal living area of each of the adjoining dwellings (i.e. at least 50% of the glazed area of those windows) are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21".

In accordance with the shadow diagram information provided with the application, it is clear that the neighbouring properties will continue to maintain adequate access to sunlight to 50% of the windows and glazed doors of the principal living area and 50% of the required private open space during 9.00am to 3.00pm on June 21, in accordance with Council's DCP, D6 Access to Sunlight policy requirements.

7.12 Private open space

The existing private open space is at the rear of the residence and is not being altered.

7.13 Building bulk

The two storey form of the building has resulted in a building which compares favourably with the other development in the vicinity and particularity with respect to the form of development.

The Building Height and scale directly relates to the topography and existing site conditions.

7.14 Roofs.

The simple form of the proposed concrete tiled hip roof to match existing will not dominate the local skyline. The height and form of the proposed roofline is considered to be consistent with the General Principle of the DCP.

7.15 Conservation of energy and water

The development will utilise low water reliant plant species and the materials selected for the construction will provide the building with a satisfactory level of energy efficiency. The building enjoys a northerly aspect with solar access to the ground floor circulation spaces being available.

Summer cooling will be available through the use of cross-flow ventilation with winter heating utilized where required.

The proposal has been designed is to assist in the conservation of energy and water.

7.16 Site facilities

Suitable area is available within the site for waste storage and recycling areas. It is considered that the development is consistent with the General Principle of the DCP.

7.17 Parking facilities (visual impact)

At present the existing parking facility is double carparking arrangement. The parking arrangement will remain the existing parking spaces

7.18 Traffic access and safety

The traffic speed on Burilla Avenue is of a nature that vehicle movement in the vicinity is at a low speed. The main pedestrian entry into the property is via the existing pathway adjacent to the parking location.

All transport works to and from the site will not cause adverse disruption to the adjoining properties.

7.19 Provision of carparking

It is considered that the parking arrangement will meet the requirements of the General Principals of Warringah Development Control Plan.

7.20 Management of stormwater

Stormwater run off from the development will remain and all new work will be connected to the existing system or as directed to Council's drainage system in accordance with the requirement of the Council's Stormwater Management Manual.

7.21 Erosion and sedimentation

There are requirements for Erosion and Sediment Controls with this type of construction, All Erosion and Sediment Controls are to be in accordance with and the requirements of the N. S. W. Department of Land and Water Conservation's Urban Erosion and Sediment Control Manual.

7.22 Streetscape

The character of the established streetscape along this portion of Burilla Avenue exhibits a range of development styles and scales. Single and two storey buildings are common in the area.

The proposal will present a timber cladd with colorbond hip roof with painted facade residence will be consistent with the mixed styles of newer development in the area. All finishes will match in with similar upgrades in the locality.

As the design of the proposed alterations and additions generally complies with both the numeric and stated performance criteria of Council's DCP, it is considered the proposed development which is of a compatible scale with the surrounding more recent developments will compliment and enhance the existing streetscape.

7.23 Privacy

Considering that the use of the site is residential, maintaining an acceptable level of privacy to the adjoining properties was an issue that has been addressed.

The existing screen planting and landscaping will provide for visual relief to the building together with boundary fencing will assist in providing privacy for both the proposed use and the adjoining sites.

The location of the proposal will ensure that the adjoining properties will continue to enjoy reasonable privacy and amenity.

7.24 Drainage

Stormwater of the proposed development will be directed to the existing system in accordance with requirements of Council's Stormwater Manual.

7.25 Overshadowing

Council's stated minimum for solar access is to maintain a minimum of three hours of solar access to the neighbouring properties during the winter solstice.

As indicated in the shadow diagrams provided, there is to be little impact on the adjoining properties with regard to overshadowing. The residential properties adjoining the site will continue to maintain appropriate solar access in accordance with council's policy requirements.

7.26 Waste Management and Site Facilities

The existing waste disposal facilities for the site will remain. Area is available off street for the storage of waste bins and for recyclable material.

The material resulting from the demolition and construction phase of the works will be sorted on site for recycling and will be transported to Kimbriki Recycling Centre at Terrey Hills. There will be on site for an approved skip bin to be placed inside the property line.

Delivery of materials and equipment will be placed on the street frontage for only a minimum of time.

7.27 Air and Noise

Given the nature of the use, no significant noise or air pollution impacts to the adjoining properties are anticipated.

7.28 Pollution Control

The proposal has been designed, will be constructed, maintained and used in a proper and efficient manner to prevent air, water and noise or land pollution. The residence will continue to comply in all respects with the Protection of the Environment Operations Act, 1997, and other relevant legislation.

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7.29 State Environmental Planning Policies (SEPPS)

At this stage we do not believe there are any other SEPP's or draft SEPP's of relevance to this development.

7.30 Basix Certificate & Building Energy Efficiency

A Basix Certificate is required of this type of development. Please refer to Basix Certificate provided.

7.31 Removal of trees

No trees are to be removed under Warringah Council Local Environmental Plan.

7.32 The Public Interest

Approval of this proposal will not jeopardise the public interest and is considerant with urban consolidation policies.

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8.0 MATTERS FOR CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

8.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011 and the supporting Development Control Plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposed achieves compliance with the provisions.

As the proposed use is a residential development under the provisions of the Warringah Council's Development Control Plan, it is recognised that the proposed use must be justified as being consistent with the desired future character of the locality.

There are no other environmental planning instruments applying to the site.

8.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

It is not considered that there are any draft environmental planning instruments applying to this site.

8.3 Any development control plan

The development has been designed to comply with the requirements of the General Principles of the Warringah Development Control Plan within WLEP 2011.

The development is considered to be consistent with the desired future character of the locality and the variation of the standards will be appropriate in this instance.

It is considered that the proposed designed respects the desired future character objectives of the WLEP 2011 and DCP in that it reinforces the existing residential character of the area and is compatible within the existing uses of the area.

8.4 Any matter prescribed by the regulations that apply to the land to which the development relates.

No matters of relevance are raised to the proposed development.

8.5 The Public Interest

The proposal will not impact on the environment, the character of the locality or upon the amenity of the adjoining properties and is therefore considered to be an appropriate development.

8.6 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 approval for alterations and additions to the existing dwelling will not interfere with the existing amenity of adjoining properties and upon the character of the surrounding area.

It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP 2011 and Development Control Plan.

8.7 The suitability of the site for the development

The subject land is located in the Local Government Area of Warringah; Zone R2 Low Density Residential and is considered suitable for the proposed development.

8.8 The suitability of the site for the development

The subject land is within the Zoned R2 Low Density Residential and is considered suitable for the proposed development.

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9.0 CONCLUSION

The principle objective of this development is to seek consent for the construction of alterations and additions to the existing dwelling, satisfies the stated objectives of Council's Development Controls. By maintaining our neighbours amenity and by complimenting the existing style and character of the development in the vicinity, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area of the amenity of the adjoining properties, the issue of Development Consent under delegation of Council is requested.

We believe that the proposal has been carefully designed to reduce any adverse impacts to the adjoining properties and is in keeping with the aims and objectives of Council's Development Control Plan and the future character of this 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

A handwritten signature in black ink, consisting of a stylized 'J' and 'E' intertwined.

JOHN EVANS