

Statement of Modifications

1 February 2022

Relevant approvals: DA2016/0746, Mod2019/0267

Introduction

This minor modification involves the:

- relocation of the approved bin store area to approximately two metres to the east and lowering its height; and
- deletion of a proposed entrance gate,

as shown in green on the attached sketches (**Drawing Numbers S4.55_04 Rev B, S4.55_07 Rev B and S4.55_09 Rev B** - all dated 1 February 2022).

The minor change in location to the bin store area is required to avoid impacting an existing neighbour's retaining wall and some existing steps on the site.

The deletion of the entrance gate is to keep the look and feel of the front of the property the same as the other properties on the street (ie none of the houses on our side of the street have gates installed to their street entrances). Furthermore, there is no security benefit to having a gate installed because there is no front fence proposed along the front boundary.

In order to confirm these minor changes have no impact on the development approved under DA2016/0746 and Mod 2019/0267, set out below is an assessment of the changes identified above considering:

- the relevant planning policies and controls used in assessing the approved DA;
- the conditions contained in the relevant Notices of Determination; and
- the impact on adjoining and nearby properties.

State Environmental Planning Policy – Building Sustainability Index: BASIX

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on the BASIX model inputs or outcomes.

State Environmental Planning Policy No 55 – Remediation of Land

The deletion of the front gate and minor change to the bin store location and associated reduction in height are not relevant to this policy.

Warringah Local Environmental Plan 2011 (LEP) Clause 1.2 – Aims of the Plan

(d) in relation to residential development include:

- (i) protect and enhance the residential use and amenity of existing residential environments, and*
- (ii) promote development that is compatible with neighbouring development in terms of bulk, scale and appearance, and*
- (iii) increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity of Warringah...*

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on the aims above. We are in fact reducing the height of the bin store area, therefore slightly reducing the visual impact on the site for nearby properties.

Clause 2.3 - Zone objectives and Land Use Table

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this part of the LEP when compared to the approved development.

Clause 4.3 - Height of Buildings

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this part of the LEP when compared to the approved development.

Clause 5.10 - Heritage Conservation

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this part of the LEP when compared to the approved development.

Clause 6.1 - Acid Sulphate Soils

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this part of the LEP when compared to the approved development.

Clause 6.4 - Development on sloping land

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this part of the LEP when compared to the approved development.

Warringah Development Control Plan 2011 (DCP)

Part B: Building Form Controls

B1 Wall Heights

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

B3 Side Boundary Envelope

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

B5 and B6 Side Boundary Setbacks

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

Part C: Siting Factors

C2 and C3 Traffic, Access, Safety and Parking

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

C4 Stormwater disposal

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

C5 Erosion and Sedimentation

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

C7 Excavation and Landfill

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

C8 Demolition and Construction

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

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C9 Waste Management

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

Part D: Design

D1 Landscaped Open Space

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D2 Private Open Space

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D3 Noise

The minor change to the bin store location and reduction in height has no impact on this planning control when compared to the approved development.

D5 Orientation and Energy Efficiency

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D6 Access to Sunlight

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D7 Views

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D8 Privacy

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D10 Building Colours and Materials

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D11 Roofs

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D12 Glare and Reflection

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D13 - D15 Fences and Facilities

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D20 Safety and Security

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

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D21 Utilities

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

D22 Conservation of Energy and Water

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

Part E: The Natural Environment

E4 Wildlife Corridors

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

E7 Land adjoining Public Open Space

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

E10 Landslip Risk

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on this planning control when compared to the approved development.

Previous Conditions

The deletion of the front gate and minor change to the bin store location and associated reduction in height have no impact on any of the conditions in the Notices of Determination dated 30 September 2016 (DA2016/0746) or 12 July 2019 (Mod2019/0267).

Adjoining and Neighbouring Properties

The deletion of the front gate and minor change to the bin store location and associated reduction in height have a positive impact on adjoining properties due the reduction in height of bin store area, and the removal of risk associated with excavating next to an old existing retaining wall. In addition deletion of the entrance gate maintains consistent amenity and feel for the street.

Conclusion

The deletion of the front gate and minor change to the bin store location and associated reduction in height make a positive contribution to the site and the locality when compared to the approved development because it:

- reduces the already low visual impact of the bin store area; and
- removes the impact of construction on existing steps and a neighbour's retaining wall; and
- improves the visual amenity of the street.

The changes have no environmental impact on the relevant planning controls, modify any previous conditions on the site, and have no impact on adjoining and/or nearby properties when compared to the current DA approval.