



Statement of Environmental Effects  
for  
Lot A, DP 362759  
No.47 Plateau Road  
Avalon Beach, N.S.W, 2107



## Statement of Environment Effects

### 1 Overview of Proposal

#### 1.1 Introduction

This Statement is in response to a "Notice of Intention to give a Development Control Order" and the Request for additional Information (2025/102784) which requested a "DA for Use" to be submitted.

It will show that the proposal is an acceptable development of the site and has no impact on adjoining properties or the streetscape in the immediate locality.

#### 1.2 Previous Consents

The property owners have made numerous Development Applications since purchasing the property in 1971.

Council and the owners records indicate the following past approvals:

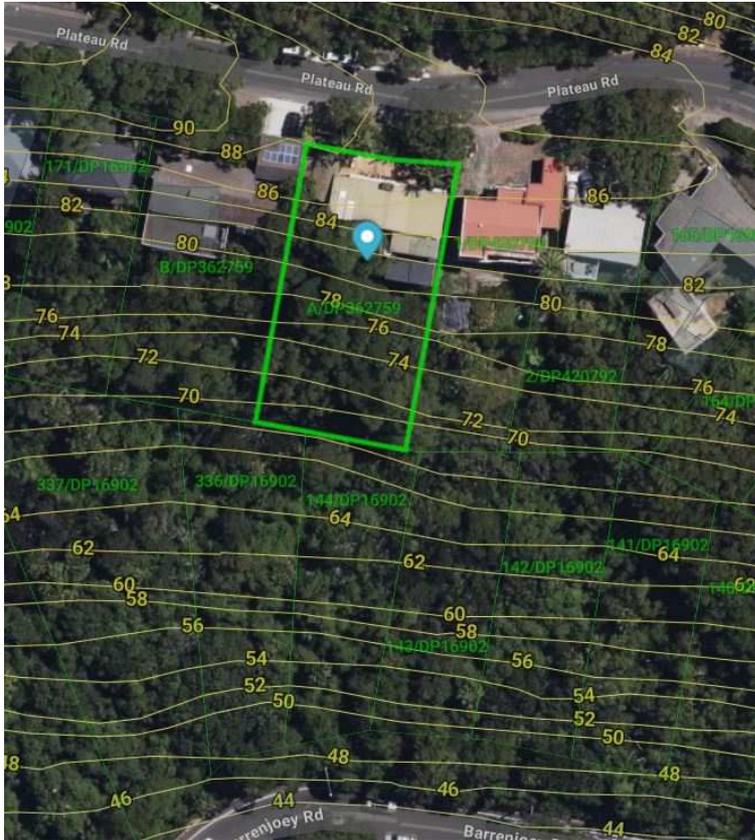
- DA 1666/78 For alteration and addition of a new bedroom on the ground level\
- DA 361/81 For the addition of a new carport structure
- DA 2942/84 For the addition of two new bedrooms, a living area on a lower level and a new single room addition with a connection spiral stair on the Ground Level.
- DA 685/85 For a Deck area over the bedroom area approved in the previous application and a deck extension to the ground floor verandah
- DA590/88 For an attached studio dual occupancy
- N0698/05 For lower level additions for two additional bedrooms, bathroom study nook and lower level deck and deck extension to the current upper-level deck

#### 1.3 Development Overview

The following works have been undertaken, which are the subject of this BIC application:

- **Ground level:** Removal of the spiral stairs to convert this room into a bedroom.
- **Lower level:** Creation of a separately accessible Studio

## 2 Site Description and Context



**Image 1: Aerial photograph**

Source: Mosaic



**Image 2: Unauthorised works**

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### 2.1 Site Description

The property located at 47 Plateau Road, Avalon Beach, is legally recognised as Lot A in Deposited Plan 362759. It is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014. The site is neither listed as a heritage item nor situated within a heritage conservation area.

Positioned on the southern side of Plateau Road, the property lies to the west of the Palmgrove Road intersection and east of The Outlook. The irregularly shaped site has a 22.86m frontage along Plateau Road, a depth of approximately 42.67m, and a total area of 980m<sup>2</sup>. The land slopes from the northwestern corner to the southeastern corner by about 18.9m. It is located on the lower side of the road with a southeasterly aspect and sits atop a sandstone escarpment, which descends to Hewitt Park and nearby Hamilton Reserve. The property offers views of Bilgola Bends and Bilgola Headland.

Currently, the site is occupied by a brick veneer and timber-framed house built in the early 1970s. The single-story structure faces the street, with a lower ground floor sloping toward the rear. Access to the property is provided via Plateau Road, where a concrete crossing leads to a driveway and a double carport.

Pedestrian access is via a central gate and pathway leading to the front door. The front garden is grassed, with dense vegetation along the northern boundary and road reserve. To the north of the residence is a fenced courtyard area.

Beneath the east end of the house, there is exposed sandstone rock and landscaped areas. South of this, several overgrown terraced garden beds are accessible via steps that lead down to the terraces and natural bushland below.

The property is serviced with town water, electricity, phone, and sewerage

## 3 The Proposal

### 3.1 Present & Previous Use

There is no change to the residential status of this allotment.

### 3.2 Unauthorised Work

On site is currently constructing a separately accessible structure, a Studio.

The following works were undertaken to create this studio space:

#### **Demolition:**

- Removal of the connecting spiral staircase.

#### **Ground Level:**

- Infill of the floor-to-stair void and application of finishes.

#### **Lower Level:**

- Construction of a link between the existing bedroom/lounge area and the lower-level bathroom/laundry area.
- An additional room was built, measuring approximately 6.4m x 2.5m, expanding the space by approximately 16m<sup>2</sup>.

This construction occurred on a previously paved area, partially covered by an overhead deck approved under DA 2942/84.

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The owner, who was not fully involved in previous application processes and did not fully understand the correct procedures, mistakenly assumed that since a more significant proposal was approved under DA N0698/05 and an attached studio was approved under DA 590/88, additional approvals would not be required.



**Image 3 West Elevation**



**Image 4 South Elevation**



**Image 5 Internal view**



**Image 6 Roof Works**

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### 4 Compliances: Planning

This section will only address those aspects relevant to this modification.

#### 4.1 Pittwater "Local Environmental Plan"-

The following table summarises the compliance of the proposed development with the relevant provisions of Pittwater "Local Environmental Plan" -2014

<b>1.Pittwater– Local Environmental Plan 2013</b>			
<b>PROVISION</b>	<b>REQUIRED</b>	<b>PROPOSED</b>	<b>COMPLIES</b>
<b>2.1 Land Use Zone</b>	Zone C4 Environmental Living. 2. Permitted without consent Home Businesses; Home Occupation	<b>No Change</b> <b>Home Occupation</b>	☑
<b>4.3 Height of Building</b>	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <a href="#">Height of Buildings Map</a> .	No Change	☑
7.2 Earthworks		Not applicable – no earthworks relating to the completed works.	☑
7.6 Biodiversity	The proposal is identified within the biodiversity map. Refer to assessment under 7.6 Biodiversity below table	The site is identified on the biodiversity map. The works undertaken did not remove any vegetation and are retained within existing hardstand areas.	☑
7.7 Geotechnical hazards		Refer 4.3.1 below.	☑

#### 4.2 Pittwater 21 "Development Control Plan"-

The following table summarises the compliance of the proposed development with the relevant provisions of Pittwater 21 "Development Control Plan"

<b>2.Pittwater 21 Development Control Plan</b>			
<b>PROVISION</b>	<b>REQUIRED</b>	<b>PROPOSED</b>	<b>COMPLIES</b>
B3.2 Bushfire Hazard	All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development. Development land to which this control applies must comply with the requirements of: • Planning for Bushfire Protection (2006) • Australian Standard AS 3959:2009 - Construction of a building in a bushfire prone area	Refer 4.3.2 below.	☑

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<p>B4.17 Littoral Rainforest - Endangered Ecological Community</p>	<p>Development shall retain, enhance and regenerate areas of Littoral Rainforest and its habitat. Development shall not result in an on-site loss of canopy cover or a net loss in native canopy trees or Littoral Rainforest. Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations. Caretakers of domestic animals shall prevent them from entering bushland. Fencing, where permitted, shall allow the safe passage of native wildlife. Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Littoral Rainforest Endangered Ecological Community). Development shall ensure any landscaping works are outside areas of existing Littoral Rainforest Endangered Ecological Community and do not include environmental weeds.</p>	<p>Complies - The site is identified within the proximity area of a littoral rainforest on the Littoral Rainforests Area Map. All undertaken works are outside of the littoral rainforest area identified to the south-west of the allotment therefore the development did not have any adverse impact on the biodiversity values in the area.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>
<p><b>Section C: Development Type Controls</b></p>			
<p><b>C1 – Design Criteria for Residential Development</b></p>			
<p><b>1.1. Landscaping</b></p>			
<p><b>Outcomes</b> A built form softened and complemented by landscaping.</p>		<p style="text-align: center;"><b>No change</b></p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>
<p><b>1.3 View Sharing</b></p>			
<p>A reasonable sharing of views amongst dwellings</p>	<ul style="list-style-type: none"> <li>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</li> <li>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</li> </ul>	<p>Complies - The works undertaken are at the rear of the building partially under an existing deck. They do not adversely impact any appreciable view corridors.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>
<p><b>1.4. Solar Access</b></p>			
<p><b>Outcomes</b> A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.</p>	<ul style="list-style-type: none"> <li>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st</li> </ul>	<p>Complies - The works undertaken are at the rear of the building, partially under an existing deck.  The works undertaken do not impact solar access.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>

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<b>1.5 Visual privacy</b>			
<p><b>Outcomes</b> Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design</p>	<ul style="list-style-type: none"> <li>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).</li> <li>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</li> <li>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below</li> </ul>	<p>Complies - The works undertaken are in a position at the rear of the existing building partially under an existing deck. They do not adversely impact any appreciable view corridors.</p>	<input checked="" type="checkbox"/>
<b>1.14 Separate Accessible Structures</b>			
<p><b>Outcomes</b></p>	<p><b>Controls</b></p> <p>A separately accessible structure may be permitted for use as a Studio, home office, workshop area, rumpus room and the like, provided that:</p> <ul style="list-style-type: none"> <li>it is ancillary to a dwelling;</li> <li>it is not designed for separate habitation and does not contain any cooking facilities</li> </ul> <p><b>Variations</b></p> <p>Where the purpose of the structure or its distance from the nearest bathroom facility dictates, bathroom/toilet facilities may be allowed.</p>	<p>Refer to 4.3.3 below</p>	<input checked="" type="checkbox"/>

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<b>Section D Locality Specific Development Control</b>			
<b>D3 Bilgola Locality</b>			
<b>3.1 Character as viewed from a Public space</b>			
<p><b>Outcomes</b> To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.</p> <p>High quality buildings designed and built for the natural context and any natural hazards</p> <p>Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum</p>	<p>i.</p>	<p>Complies - The works undertaken are in a position at the rear of the existing building partially under an existing deck.</p> <p>The works undertaken are not see from a public space</p>	<p><input checked="" type="checkbox"/></p>
<b>3.3 Building colours and materials</b>			
<p><b>Outcomes</b> The colours and materials of the development harmonise with the natural environment</p>	<p>External colours and materials shall be dark and earthy tones as shown below</p>	<p>Complies - The works are finished with the same materials and in the same colours a the original building</p>	<p><input checked="" type="checkbox"/></p>
<b>3.7 Side and rear building line</b>			
<p><b>Outcomes</b> The bulk and scale of the built form is minimised.</p> <p>Equitable preservation of views and vistas to and/or from public/private places. ( To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.</p>	<p>Land zoned R2 Low Density Residential or E4 Environmental Living and located in 'Visual Protection Area' ( refer to Bilgola Locality Map 3</p> <p>2.5 to at least one side</p> <p>1.0 for other side</p>	<p>Complies - The works undertaken are in a position at the rear of the existing building partially under an existing deck.</p> <p>There are no change to the existing front, side or rear setbacks</p>	<p><input checked="" type="checkbox"/></p>

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<b>3.9 Building Envelope</b>			
<p><b>Outcomes</b>            To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.            To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.            The bulk and scale of the built form is minimised.            Equitable preservation of views and vistas to and/or from public/private places.            To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties</p>	<p>Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to <i>Pittwater Local Environmental Plan 2014</i>)</p>	<p>Complies - The works undertaken are in a position at the rear of the existing building partially under an existing deck.             There are no change to the existing front, side or rear setbacks</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>

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### 4.3 Areas of Clarification

#### 4.3.1 Geotechnical hazards

The site is classified as hazard H1 on the geotechnical hazard map. The work carried out pertains to the existing hardstand area and a previously approved structure with appropriately designed and constructed footings. These footings, the floor slab, and the structural steel were inspected by Mr. Colin N. Myers, a consulting structural engineer, on 16/01/85, and a copy of the inspection was forwarded to the Council on 23/01/85.

A Geotechnical Risk Assessment and Management Report was completed by Jack Hodgson Consultant Pty Ltd, a consulting firm specialising in civil, geotechnical, and structural engineering 14/10/05. A copy of this report was submitted as part of the documentation for DA N0698/05 and should be available in the Council's records.

No additional excavation work has been carried out except for two pad footings placed on rock, which support a minor portion of the structure.

As of the time of writing this report, both an engineering and builders report is being produced to review the construction of the existing structure.

#### 4.3.2 Bushfire Report

A bushfire assessment report has been undertaken by Volking Pty Ltd's Fred Hoscke - B.Sc (For), Dip.For (Hons) MIFA Bushfire Management Consultancy submitted as part of the documentation for DA N0698/05 and should be available in the Council's records.

The works undertaken relate to historic changes that would not adversely impact the property from bushfire threats and adhere to the recommendation of the above report.

#### 4.3.3 Separately Accessible Structures.

As per the council DCP, "Separately Accessible Structures" are permitted.

It is noted that the existing two-bedroom and living room were previously approved as DA 2942/84, so the component identified as the studio is restricted to the works that link that existing room to the existing Bathroom/Laundry facilities.

This is allowable under "*Variations - Where the purpose of the structure or its distance from the nearest bathroom facility dictates, bathroom/toilet facilities may be allowed*"

After the owner's husband passed away, she converted the lower rooms into a separate area for her daughter to live in, offering companionship at first and later serving as potentially a space for an on-site caregiver when needed.

This arrangement allows both parties a degree of independence while enabling the downstairs occupant to assist and monitor the owner as necessary.

The owner was unaware that a separate cooking facility was prohibited in the studio. Many of their meals are shared, each person preparing food for the other. Upon learning of this

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restriction, the owner has agreed to remove the cooking facility, and all meals will now be prepared in the upstairs kitchen.

### 5 .Conclusion:

This report details the works performed, which are subject to assessment under the Building Information Certificate. The work is supported by a Survey Plan, a Structural Engineer's Report, and Works as Executed Plans.

Since the property's initial purchase, the owners have consistently adhered to council requirements and processes. However, the proper procedure was not followed on this occasion due to the current owner's misunderstanding.

This Statement of Works accompanies the attached documents and confirms that the application complies with the Council's legislative controls and guidelines.

The proposed works are minor in relation to the streetscape and will have a minimal impact on the house's external scale, form, and character.

We trust the Council will consider this application favourably.

Please do not hesitate to contact us should any clarifications or amendments be needed