

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED SECONDARY DWELLING
TO AN EXISTING RESIDENCE
AT**

2 GEORGINA AVENUE, ELANORA HEIGHTS, NSW 2101

LOT 2 DP 30329

Prepared By *JJ Drafting*

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1) Introduction

This Statement of Environmental Effects accompanies documents prepared by JJ Drafting, job number 794/20, drawing numbers DA.01 to DA.11 dated APRIL/20 to detail proposed new attached secondary dwelling to an existing garage/carport at 2 Georgina Avenue, Elanora Heights, NSW 2101.

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 proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is acceptable and is worthy of support by Council.

In preparation of this document, consideration has been given to the following:

The Environmental Planning and Assessment Act 1979 as amended

The Environmental Planning and Assessment regulation 2000

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Pittwater Local Environmental Plan 2014

Pittwater 21 Development Control Plan 2014

2) Site Characteristics and Description

The subject allotment is described as 2 Georgina Avenue, Elanora Heights, NSW 2101

Site area of 602.20sqm.

- The site is zoned R2 Low Density Residential.
- The site is not listed as heritage or in a conservation area.
- It is not located in a bushfire area.
- The site is in Class 5 Acid Sulfate Soil Area.
- The property addresses Georgina Avenue to the East.
- The site is currently developed with a single storey weatherboard dwelling with a gabled metal roof. Accompanying this is a detached double garage (partially open) with skillion metal roof.
- Driveway access is provided via an existing concrete driveway accessed from Georgina Avenue.
- The site falls from West rear boundary down to East front boundary approx. 3m
- Vegetation consists of mixed endemic and introduced species with small to medium trees and shrubs to the front and rear yard. Lawn areas are located to the front and rear of the property.
- Front, side and rear setbacks vary throughout the streetscape and that of adjoining dwellings.

3) The Proposal

Description

As detailed within the accompanying plans, the proposal seeks consent for a new secondary dwelling attached to an existing detached garage. There will be no change to the existing principle dwelling.

The proposal is as follows:

- Reduce length of double garage while still maintaining space for two cars.
- Add skylight to existing roof above existing garage.
- Reduce an existing opening on Northern side of the existing garage to accommodate the proposed secondary dwelling.
- Add two windows to existing garage on Southern wall.
- Add internal stairs to proposed secondary dwelling.
- Construction of walls and roof shared between existing garage and proposed secondary dwelling to have a FRL of 60/60/60.
- Add a secondary dwelling to the rear of the existing garage, with an area of 39.27sqm, consisting of shared bath / laundry, shared bed / living, shared kitchen / dining, and a small deck.
- The proposed construction will consist of cladding to match the existing main dwelling.
- Portion of existing skillion roof to the existing garage to be replaced with a higher skillion colorbond steel roof at a higher level.

Given that the proposed new attached secondary dwelling is located behind the existing structure and only portion of the new roof will be visible from the streetscape, therefore the streetscape will not be affected.

There will be no effect on neighbouring properties due to the proposed secondary dwelling.

4) Zoning & Development Controls

4.1 Pittwater Local Environmental Plan 2014

The site is zoned R2 Low Density Residential under the provisions of the PLEP 2014. The proposed secondary dwelling is permissible with the consent of council.

4.2 Height of Building (PLEP 4.3) - refer to DA.04, DA.05

The maximum building height for a secondary dwelling is 5.5m.

The roof of the proposed secondary dwelling will have a max. height of 5.5m ----COMPLIES

4.3 Elanora Heights Locality – A4.5

The proposed development responds to the characteristics of the site and the qualities of the surrounding neighbourhood in a sympathetic and positive manner.

This is achieved by a stepped design where the floor level of the secondary dwellings has been raised to follow the natural contours of the site and to comply with the flood planning levels.

Materials and finishes have been chosen to match the existing principal dwelling and garage.

4.4 Internal Driveways (B6.2) and Off-Street Parking (B6.3)

The existing driveway to remain.

There are existing 2 carspaces in the existing garage for the main principal dwelling. Due to pre existing structures and without reducing landscaping areas an additional parking space is unavailable to be provided. It is however requested that this non compliance be supported as the proposed secondary dwelling only consists of a 1 bedroom and there is availability with on street parking on Georgina Avenue. The proposal will not affect adjoining properties.

minimum number of parking spaces for the proposed development is three parking spaces. Four vehicle parking spaces have been provided, two to the double garage and two to the existing driveway. **Complies**

DEVELOPMENT STANDARDS AND THE EFFECTS OF THE PROPOSAL

4.5 View Sharing (C1.3)

The proposed secondary dwelling will not negatively affect adjoining dwellings.

4.6 Solar Access (C1.4)

No loss of daylight to habitable rooms in adjacent dwellings will be experienced because of this proposal.

4.7 Visual Privacy (C1.5)

The proposed secondary dwelling will not negatively affect adjoining dwellings.

4.8 Private open space (C1.7)

The DCP seeks to ensure that the dwellings are provided with a private, usable and well located area of private open space for the use and enjoyment of the occupants, which is directly accessible from the areas of the dwellings and that this area receives sufficient solar access and privacy.

This clause also specifies that dwellings have a min. 80sqm at ground level, with no dimension less than 3m, that no more than 75% of this private open space be provided in the front yard, have a min. principal area of 16sqm with a minimum of 4m and grade no steeper than 1 in 20 (5%). Preferably this private open space area be located to the rear of the dwelling to maximise privacy for the occupants.

The proposal will have an area of 92sqm of private open space that can be shared by both the principal dwelling and the proposed new secondary dwelling.

No areas are less than 3m and have an area of 16sqm with a min of 4m in any direction. The area is fairly level.

4.9 Secondary dwellings and Rural Workers Dwellings (C1.11)

The proposal will not result in more than 2 dwellings on the site.-----COMPLIES

The secondary dwelling consists of a 1 bedroom and a bathroom-----COMPLIES

The proposed secondary dwelling is only a single storey -----COMPLIES

The visual bulk and scale of the proposed development fits in within the surrounding development

5.0 Character as viewed from a public place (D5.1)

The DCP encourages development to achieve the desired future character of the locality, ensuring that the new development responds to and reinforces the special characteristics of the existing built and natural environment, enhances the existing streetscape and promotes a scale and density that is in keeping with the height of the natural environment, the visual impact of the built form is secondary to landscaping and vegetation. High quality buildings are designed which have regard to the locality's natural context and accommodating any natural hazards. Buildings should not dominate the streetscape and appear at a human scale. Views which reinforce and protect Pittwater's natural context.

Landscaping to be integrated with the building to screen the visual impact of the built form and are to give the appearance of being secondary to the landscaping and vegetation.

The proposal satisfies the relevant objectives in that:

The proposed addition is secondary to landscaping and will be off bulk and scale that will not dominate the streetscape.

Majority of the existing vegetation will be retained.

The proposal will not result in any significant loss of either primary or peripheral views from any surrounding dwellings.

The setbacks are compatible with the existing surrounding developments.

Proposal will not be dominant when viewed from a public place. The proposal will not be visible from the streetscape.

5.1 Front building line (D5.5)

The front setback control for this parcel of land is a minimum of 6.5 m

There will be no change to existing front setback. The proposed secondary dwelling is located behind the existing garage.-----COMPLIES

5.2 Side and rear building line (D5.6)

The side setback control for this parcel of land is a minimum of 2.5 m to one side and 1.0 m for the other.

Existing north side setback to main dwelling-----varies between 900mm – 1.1m

New south side setback to proposed secondary dwelling -----varies between 2.13m – 2.57m

Due to pre existing structures on the site it is difficult to strictly adhere to the side setback control, it is however requested that this non compliance be supported as it will not affect adjoining properties in view loss, privacy or solar loss.

The rear setback control for this parcel of land is a minimum of 6.5 m.

The proposed new secondary dwelling will have a rear setback that varies between 3.059m – 4.1m, which will breach Councils rear 6.5m setback control.

Due to the siting of the proposed secondary dwelling behind the existing garage, it is not expected that any privacy impacts will occur. Existing and new planting is provided along the rear boundary to maximise privacy for the occupants of the proposed secondary dwelling, together with the neighbouring property to the rear.

The bulk and scale of the proposed secondary dwelling is modest. The rear yard will retain a substantial area of landscaping and maintains the opportunity for further canopy tree plantings.

The articulated form of the design and the varying side and rear setbacks are considered to be adequate in this instance and will achieve the outcomes of D5.

5.3 Building envelope (D5.7) – refer DA.04, DA.05

The control for this parcel of land is to maintain a building envelope that rises 3.5 m from the side boundary and projects at an angle of 45 deg.

The proposed secondary dwelling **comply** with this control.

5.4 Landscaped Area – Environmentally sensitive Land (DCP D5.9) – refer to DA.07

Site area is 806.00m²

Minimum Landscape area requirement is ---60% -----361.32sqm

Existing landscape area -----57% -----343.09sqm

Proposed Landscaped Area (including 6% of impervious site area to outdoor recreational use) is -----
-----57.23%-----344.65m².

Existing hard surface area -----295.24sqm

Hard surface to remain-----296.81sqm

It is requested that this slight non-compliance be supported as the existing landscaped area has been increased by reinstating hard surface area to porous material.

There will be an increase in hard surface area by 1.57sqm- no OSD will be required.

Clause 7.1 relates to acid sulphate soils. The site is identified as being within the Class 5 Acid Sulphate Soils Area. The proposal will not see any substantial excavation of the site, and it is therefore not anticipated that acid sulphate soils will be encountered.

6) Matters For Consideration Under Section 79c Of The Environmental Planning And Assessment Act, 1979

5.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Pittwater Development Control Plan 21 and the relevant supporting Council Local plan. It is considered that the provisions of this environmental

planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions. There are no other environmental planning instruments applying to the site.

6.2 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 the site.

6.3 Any development control plan

The development has been designed to comply with the requirements of the Elanora Heights locality and the general principles of Development Control 21.

It is considered that the proposal respects the aims and objectives of the DCP, however it is noted that the Environmental Planning and Assessments Amendment Act 2012 No. 93 (amendment Act) which received assent on 21 November 2012 commenced on 1st March 2013.

Key amongst the amendments are requirement to interpret DCP's flexibly and to allow reasonable alternative solutions to achieve the objectives of the DCP standards .

The new section 74BA provides that the principal purpose of the DCP's is to provide guidance on:

- * giving effect to the aims of any applicable environmental planning instrument
- * facilitating permissible development
- * achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 79C(3A) which:

- * prevents the consent authority requiring more onerous standards than a DCP provides
- * Requires the consent authority to be flexible and allow reasonable alternative solutions in applying DCP provisions with which a development application does not comply.
- * limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the rear and side setback requirements is a reasonable alternative solution to compliance as the proposal effectively responds to the site constraints.

It is considered that the proposed design respects the desired character objectives of the locality Plan in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

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

No matters of relevance area raised regarding the proposed development.

6.5 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 consent for a new secondary dwelling will not unreasonably impact upon the amenity of adjoining properties or 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 well designed having regard to the relevant provisions of the Pittwater Development Control Plan 21

6.6 The suitability of the site for the development

The subject land is in the low density residential R2 and the proposed development is permissible as category 1 development. The site is considered suitable for the proposed development. The proposal will provide for a new secondary dwelling without having a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

6.7 Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

6.8 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

6) Conclusion

The proposal which provides for a new secondary dwelling will not have any detrimental impact on the adjoining properties or the locality. The proposal is in keeping with Council's aims and objectives for this locality. There will be no effect on local fauna and flora.

In scale, form and finishes, the proposal will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours.

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

**Photo 1**

Looking West from Georgina Ave showing existing garage and house.

**Photo 2**

Looking West showing side setback and side gate.

**Photo 3**

Showing existing opening in garage to be reduced and existing grated drain to be retained.

**Photo 4**

Looking South showing proposed location of secondary dwelling.

**Photo 5**

Looking West from location of proposed secondary dwelling. The combination of existing mature vegetation, fence height and natural ground contours help promote visual privacy.

SCHEDULE OF EXTERIOR FINISHES

2 Georgina Avenue, Elanora Heights

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|---------------------------------|---|
| WALLS | Selected horizontal weatherboard to match existing- GREY (medium) |
| ROOF | Selected colorbond sheeting to match existing - GREY (medium) |
| WINDOW & DOOR FRAMES | Powder-coated aluminium – WHITE |
| TRIMS | White |