

Northern Development Assessment

STATEMENT OF ENVIRONMENTAL EFFECTS

TO ACCOMPANY
DEVELOPMENT APPLICATION

FOR
CONSTRUCTION OF A NEW RESIDENTIAL DWELLING

AT
35A QUEENS AVENUE, AVALON BEACH
LOT 2 DP 1225869

Prepared By

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1. INTRODUCTION

1.1 Summary

I have been commissioned to prepare a Statement of Environmental Effects (SEE) in relation to a Development Application (DA) seeking consent for the proposed construction of a new residential dwelling on land described as Lot 2 DP 1225869, 35a Queens Avenue, Avalon Beach (The site).

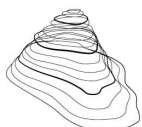
The proposed development is subject to assessment under Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The following SEE will consider the potential environmental impacts of the development, having regard to the matters for consideration under Section 4.15(1) of the *EP&A Act 1979*.

This SEE also addresses relevant matters under the *Pittwater Local Environmental Plan 2014* and the *Pittwater 21 Development Control Plan*. In the preparation of this SEE consideration has been given to the following documents:

- a) Plans of the proposed development prepared by RAW D & C and Design dated January 2024;
- b) State Environmental Planning Policy (Resilience and Hazards) 2021
- c) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- d) Pittwater Local Environmental Plan 2014 (LEP)
- e) Pittwater 21 Development Control Plan (DCP)
- f) Planning Principles of the NSW Land and Environment Court.

During the preparation of this SEE, I have attended the subject site and the surrounding locality to gain an understanding of the proposal and its future relationship with the developing 'streetscape' and the immediately surrounding sites.

I am satisfied that the proposal as submitted will not only offer a high standard of accommodation for future residents but will do so in a manner that respects its juxtaposition with adjacent and nearby dwellings and will provide a high standard of design and sustainability when completed.



1.2 Site Description



Figure 1.2.1 – Subject Site

The site consists of a single battle-axe allotment located on the south-western side of Queens Avenue, located at the intersection of Net Road and Queens Avenue. The lot is irregular in shape with vehicle access obtained from an access handle fronting Queens Avenue which is approximately 90m in length. It is noted that 6 other battle axe allotments also obtain adjoining vehicle access from their own individual access handles. The subject site is currently vacant with mature vegetation generally limited to the rear boundary with remainder of the site clear of any significant trees or vegetation.

The site has a total site area of approximately 954m² with the topography maintaining a slope from the south down to the north. The northern boundary of the subject site adjoins 7-11 Net Road and 37 Queens Avenue and has a total length of approximately 141m (including the access handle). The eastern boundary is limited to the vehicle access presenting to Queen Street and has a width of approximately 3m. The southern boundary adjoins No. 35 Queens Avenue and has a length of approximately 127m (including the access handle), whilst the western boundary adjoins No. 2 Cannes Drive and a minor portion of 18 William Street and has a length of approximately 20m.

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The immediate area is characterised by 2-3 storey residential dwellings located on individual lots with an eclectic mix of orientations due to the existing sub division pattern.

1.3 The Proposed Development

The proposed development involves the construction of a new residential dwelling incorporating the following;

Ground Floor

- Double Carport and vehicle access.
- Bedroom 2 & 3 incorporating ensuites with access to an external deck.
- Subfloor storage and 4 x 3000 L rainwater tanks.
- Retaining walls and associated landscaping works.

First Floor

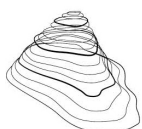
- Kitchen, Butlers Pantry/Laundry and sunken lounge area including gas fire place.
- Dining room and gas fire place with access to external deck.
- Master Bedroom with walk in robe and ensuite.
- Plunge Pool
- Retaining walls and associated landscaping works.

Roof

- Attic space above master bedroom with a single skylight.

I note that when viewed from the south-east and the west, the proposed dwelling will present as a single storey dwelling to adjoining properties.

The proposed development is shown on plans prepared by RAW D & C dated January 2024. The Architectural Plans detail the full scope of works and should be referred to in their entirety.



2. PLANNING INSTRUMENTS

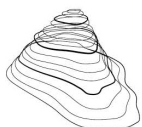
2.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aim of Policy

- (1) *Regulations under the Act have established a scheme to encourage sustainable residential development (the BASIX scheme) under which:
 - a) *an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and*
 - b) *the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.**
- (2) *The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.*
- (3) *This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.*

Comment:

The DA is accompanied by a BASIX Certificate No. 1774118S prepared by Efficiency Assessments. This BASIX Certificate confirms that the proposed development achieve compliance with the relevant objectives and requirements of the above State Environmental Planning Policy.



2.2 State Environmental Planning Policy (Resilience and Hazards) 2021



2.8 Development on land in proximity to coastal wetlands or littoral rainforest

Note—

The Coastal Wetlands and Littoral Rainforests Area Map identifies certain land that is inside the coastal wetlands and littoral rainforests area as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” or both.

(1) Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on—

- (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or
- (b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

(2) This section does not apply to land that is identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map.

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Comment:

The subject site is located outside of the area identified as 'Proximity Area for Littoral Rainforest' which is located approximately 30m to the west, separated by 2 Cannes Drive.

The proposed development does not require the removal of any significant trees or vegetation.

Accordingly, further assessment under State Environmental Planning Policy (Resilience and Hazards) 2021 is not required.

4.1 Object of this Chapter

(1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.

(2) In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—

(a) by specifying when consent is required, and when it is not required, for a remediation work, and

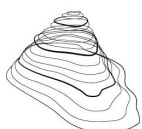
(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and

(c) by requiring that a remediation work meet certain standards and notification requirements.

Comment:

Due to the vacant nature of the site and the previous lengthy residential history surrounding the subject site, the prevailing evidence does not indicate the existence of contamination on the subject site.

I have not been made aware of any evidence of previous contamination of the subject site. Accordingly, I consider that no further assessment is required under State Environmental Planning Policy (Resilience and Hazards) 2021.



2.2 Pittwater Local Environmental Plan 2014 (PLEP)

Zone



Zone C4 Environmental Living

1 Objectives of zone

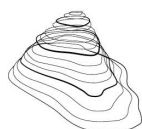
- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To provide for residential development of a low density and scale integrated with the landform and landscape.
- To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based



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aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

Industries; Local distribution premises; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

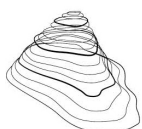
Comment

The proposal, relating to the construction of a new dwelling and plunge pool is permitted with consent within the C4 Environmental Living Zone.

The proposed development complies with the relevant Objectives of the C4 Zone as follows;

- The proposed development will result in a low impact residential development within an area of potential special ecological, scientific and aesthetic value. This is reflected in the supporting reports accompanying this DA and for the reasons outlined in this SEE. The proposed development will not result in an adverse impact on these values.
- The proposed development remains in keeping with the existing low density residential nature of surrounding development, noting that the proposed 2 storey residential dwelling presents as a single storey dwelling when viewed from the south-east and the west ensuring the proposed development remains fully compliant and significantly below the Height of Buildings Standard for the majority of the proposed residential dwelling. Furthermore, the proposed cut and fill for the development has been generally limited to the Bedroom 3 with minor portions of Bedroom 2 and the Dining Room/Kitchen in order to ensure that the proposed design responds to the topography of the subject site, ensuring it is integrated with both the landform and the landscape.
- The proposed development has been designed in such a way as to limit the impact on significant trees and vegetation on the subject site. I note that the proposed development does not require the removal of any trees or significant vegetation to accommodate the proposed design. An Arborist Report prepared by Growing My Way accompanies the DA confirming the lack of unreasonable impact on existing trees and vegetation present on the site.
- The proposed development will clearly result in a reduction in the quantity of Landscaped Area present due to the existing vacant nature of the site, however the proposed landscaping will improve in quality and remains compliant with Council's 60% Landscaped Area requirements. I note that in the calculation of Landscaped Area, the access handle has been excluded.

The proposed development ensures the residential dwelling remains sympathetic to the existing streetscape (noting that the site is not readily visible from Queens Avenue) and the Environmental Living Zone. These design elements ensure that the proposed development, when viewed from adjoining properties, complements the identified streetscape.



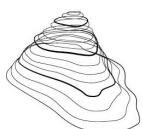
4.1 Minimum subdivision lot size



- (1) *The objectives of this clause are as follows:*
- (a) *to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality,*
 - (b) *to provide for subdivision where all resulting lots are capable of providing for the construction of a building that is safe from hazards,*
 - (c) *to provide for subdivision where all resulting lots are capable of providing for buildings that will not unacceptably impact on the natural environment or the amenity of neighbouring properties,*
 - (d) *to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,*
 - (e) *to provide for subdivision where all resulting lots can be provided with adequate and safe access and services,*
 - (f) *to maintain the existing function and character of rural areas and minimise fragmentation of rural land,*
 - (g) *to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.*

Comment

The subject site has a Minimum Lot Size Standard of 700m². Whilst I note that the proposed development does not incorporate further subdivision, the existing lot size of the subject site (954m²) remains significantly above the Minimum Lot Standard identified.



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4.3 Height of buildings

(1) *The objectives of this clause are as follows:*

- (a) *to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- (b) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (c) *to minimise any overshadowing of neighbouring properties,*
- (d) *to allow for the reasonable sharing of views,*
- (e) *to encourage buildings that are designed to respond sensitively to the natural topography,*
- (f) *to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

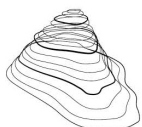
Comment

The proposed development complies with the 8.5m Height Standard identified for the subject site. I note that the majority of the proposed roof form remains significantly below the 8.5m Maximum Height of Buildings Standard and presents as a single storey dwelling when viewed from the south-east and the west.

The maximum RL of the proposed development will be RL 66.64 located over the proposed Master Bedroom. The second ridge form has an RL of 66.44. The maximum building height, measured from existing ground level to the proposed ridge over the proposed sunken lounge/kitchen area results in a maximum building height of 8.3m.

Further to the proposed numerical compliance with the Height of Buildings Development Standard, I consider that the proposed development also complies with the following relevant objectives of this clause;

- The proposed development will provide for a building height and scale of development that is consistent with the desired character of the locality.
- As evidenced by the Shadow Diagrams accompanying this DA, the proposed development will not result in unreasonable overshadowing to the private open space areas of adjoining properties.
- Due to the location of the subject site located downslope from the adjoining properties at 2 Cannes Drive and the presence of significant established vegetation located between this property and the subject site, the potential for view loss from this property is very limited. Furthermore, when viewed from this orientation, the proposed development presents as a single storey dwelling. The adjoining property at 35 Queens Avenue is orientated to the north -east and will not suffer unreasonable view loss as a result of the proposed development.
- The proposed development generally maintains the existing natural topography, noting that side from Bedroom 3, no significant levels of excavation or fill are required ensuring that the proposed development remains sensitive to the natural topography.



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- The proposed development is not considered to result in an unreasonable visual impact on the natural environment, noting that the proposed development does not require the removal of any trees or significant vegetation to accommodate the proposed design.
- The subject site is not located within a Heritage Conservation Area and does not contain a Heritage Item. Furthermore, no Heritage Items are located in proximity to the subject site. In relation to the natural environment, the proposed development will not result in any adverse visual impact.

5.9 Preservation of trees or vegetation

(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.

(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.

Comment

The proposal does not require the removal of any significant trees or vegetation. I note that that the proposed levels of landscaped Area comply with Council's numerical requirement (excluding the access handle) and will provide an improvement in the quality of landscaped area evident within the subject site.

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Pittwater,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

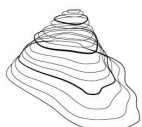
Comment

The subject site does not contain any Item of Heritage Significance or Environmental Heritage and is not located in proximity to any Heritage Items. Furthermore, the subject site is not located within a Heritage Conservation Area.

5.21 Flood planning

(1) The objectives of this clause are as follows—

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*



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Comment

I note that the subject site is not identified as containing Flood Prone Land.

7.1 Acid sulfate soils



1. *The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
2. *Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

Comment

The subject site is located in a Class 5 Acid Sulfate area. It is not considered that the proposed development will unreasonably disturb, expose or drain acid sulfate soils throughout construction and any associated excavation.

The proposed works have been designed to facilitate the proposed development with minimal disturbance to the underlying soil profile. As noted, aside from bedroom 3, no significant excavation is proposed or required to allow for construction.

7.2 Earthworks

1. *The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*

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Comment

The proposed development is limited to the following excavation;

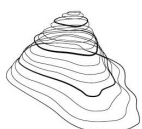
- An excavation to a maximum depth of ~1.3m for the carport on the downhill side of the property.
- An excavation to a maximum depth of ~3.3m for the ground floor of the proposed house.
- An excavation to bench the slope for the first floor of the house, pool, and landscaping on the uphill side of the property.
 - The lower step will reach a maximum depth of ~0.6m.
 - The middle step will reach a maximum depth of ~2.0m.
 - The upper step will reach a maximum depth of ~1.4m.
 - The minimum distance between each step is ~1.8m.

The proposed works have been designed to facilitate the proposed development with minimal disturbance to the underlying soil profile.

The DA is accompanied by a Geotechnical Report prepared by White Geotechnical Group which provides the following recommendation/conclusion;

“The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.”

All earthworks associated with the proposed development will be undertaken in accordance with the recommendations contained within the Geotechnical Report and in a manner that meets the objectives and achieves compliance with the requirements of this clause.



7.6 Biodiversity protection





1. The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:
 - a) protecting native fauna and flora, and
 - b) protecting the ecological processes necessary for their continued existence, and
 - c) encouraging the conservation and recovery of native fauna and flora and their habitats.

Comment

The entirety of the subject site is identified as “Biodiversity” on the Biodiversity Map of PLEP 2014 and significant portions of the site are identified under the Biodiversity Values Map. The proposed development is located on a site that has previously been cleared during the subdivision process, with the proposed dwelling sited clear of any trees or vegetation in order to avoid any significant adverse environmental impacts and to ensure that the proposed development is consistent with the provisions of the above clause.

Furthermore, the proposal does not require the removal of any significant trees or vegetation. I note that that the proposed levels of landscaped Area comply with Council’s numerical requirement and will provide an improvement in the quality of landscaped area evident within the subject site.

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The proposed development complies with the objectives of this clause as follows;

- The proposed development will have no unreasonable impact on native fauna and flora due to the siting of the dwelling within an existing cleared area with sufficient setback from existing trees and vegetation.
- The proposed development will not have an unreasonable impact on ecological processes highlighting the lack of impact on trees and vegetation.

7.7 Geotechnical hazards



- (1) *The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:*
- a. *matches the underlying geotechnical conditions of the land, and*
 - b. *is restricted on unsuitable land, and*
 - c. *does not endanger life or property.*

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Comment

The subject site is identified as Geotechnical Hazard 1 and therefore, a Geotechnical Report prepared by White Geotechnical Group which provides the following recommendation/conclusion;

“The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.”

All earthworks associated with the proposed development will be undertaken in accordance with the recommendations contained within the Geotechnical Report and in a manner that meets the objectives and achieves compliance with the requirements of this clause.

7.10 Essential services

1. *Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:*
 1. *the supply of water,*
 2. *the supply of electricity,*
 3. *the disposal and management of sewage,*
 4. *stormwater drainage or on-site conservation,*
 5. *Suitable vehicular access.*

Comment

The proposed development incorporates the required essential services into the current design.

SUMMARY

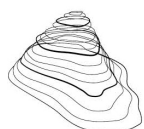
Table 2.1 provides a summary of the relevant provisions of the LEP and outlines their relationship with the proposed development;

Table 2.1 – LEP Compliance Summary

Clause	Control	Comment
4.1: Minimum Subdivision Lot Size	700m2 minimum	N/A
4.3 Height of Buildings	8.5 metres maximum	Complies
4.4 Floor Space Ratio	N/A	N/A
5.10 Heritage	Consider Objectives	N/A

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5.21 Flood planning	Consider Objectives	N/A
7.1 Acid Sulfate Soils	Consider Objectives	Complies
7.2 Earthworks	Consider Objectives	Complies
7.4 Floodplain Risk Management	Consider Objectives	N/A
7.5 Coastal Risk Planning	Consider Objectives	N/A
7.6 Biodiversity	Consider Objectives	Complies
6.6 Riparian land and watercourses	Consider Objectives	N/A
7.7 Geotechnical Hazards	Consider Objectives	Complies



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2.3 Pittwater 21 Development Control Plan

A4.1 Avalon Beach Locality

The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, community and recreational facilities will serve the community.

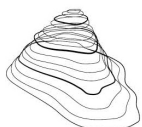
Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses.

Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

Most houses are set back from the street with low or no fencing and vegetation is used extensively to delineate boundary lines. Special front building line setbacks have been implemented along Avalon Parade to maintain the unique character of this street. This, coupled with the extensive street planting of canopy trees, gives the locality a leafy character that should be maintained and enhanced.

The design, scale and treatment of future development within the Avalon Beach Village will reflect the 'seaside-village' character of older buildings within the centre, and reflect principles of good urban design. External materials and finishes shall be natural with smooth shiny surfaces



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avoided. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

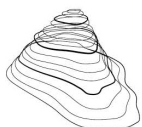
A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors. The natural landscape of Careel Bay, including seagrasses and mangroves, will be conserved. Heritage items and conservation areas indicative of early settlement in the locality will be conserved, including the early subdivision pattern of Ruskin Rowe.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

Comment

The proposed development is in keeping with the desired character of the locality. I wish to note the following points;

- The proposed development remains in keeping with the existing low density residential environment evident within the surrounding C4 Environmental Living Zone and proposes a maximum 2 storey built form which presents as a single storey dwelling to a number of adjoining properties. The proposed development ensures that the residential dwelling remains in keeping with the landscape setting (noting that no significant trees or vegetation are required to be removed) and that the quality of Landscaped Area is to be improved.
- The proposed development complies with the Height of Buildings Standard and remains significantly below the 8.5m for the majority of the proposed development, ensuring the proposed development remains below any existing tree canopy.
- The proposed development is of a high architectural design incorporating an attractive palette of colours and materials. The proposed design utilises facade modulation and the proposed building colours and materials will harmonise with both the natural and surrounding residential environment.
- The setbacks of the proposed dwelling remain in keeping with nearby development and responds to the unique site conditions ensuring the proposed residential dwelling remains in keeping with immediately adjoining developments.
- The proposed design ensures the maintenance of the existing landform, landscape and other features of the natural environment. The proposed design does not impact locally native tree canopies or vegetation.



B3.1 Landslip Hazard

Outcomes

- Protection of people.*
- Protection of the natural environment.*
- Protection of private and public infrastructure and assets.*

Comment

The subject site is identified as Geotechnical Hazard 1 and therefore, a Geotechnical Report prepared by White Geotechnical Group which provides the following recommendation/conclusion;

“The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.”

All earthworks associated with the proposed development will be undertaken in accordance with the recommendations contained within the Geotechnical Report and in a manner that meets the objectives and achieves compliance with the requirements of this clause.

B2.2 Subdivision - Low Density Residential Areas

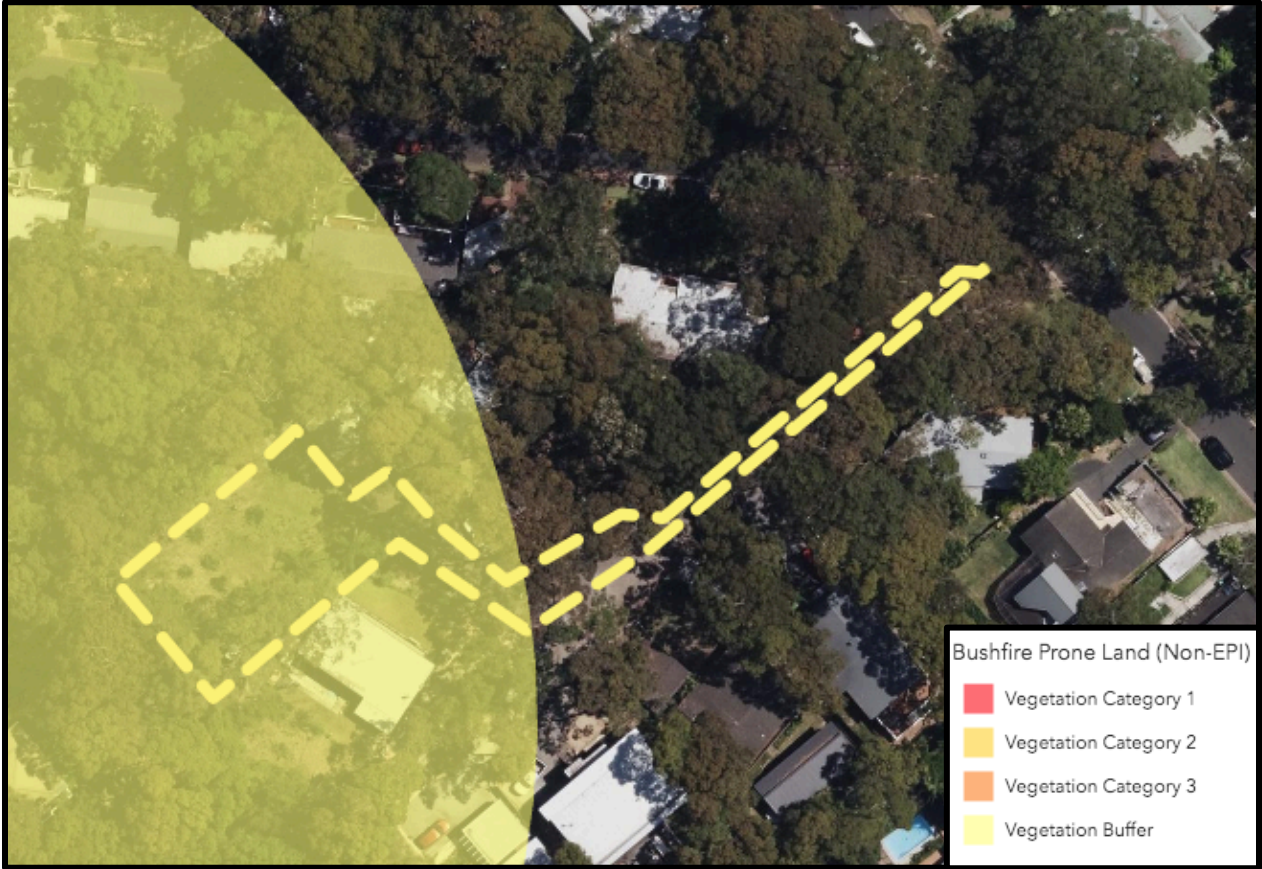
Outcomes

- Achieve the desired future character of the locality.*
- Maintenance of the existing environment.*
- Equitable preservation of views and vistas to and/or from public/private places.*
- The built form does not dominate the natural setting.*
- Population density does not exceed the capacity of local and regional infrastructure and community services.*
- Population density does not exceed the capacity of local and regional transport facilities.*

Comment

No further subdivision of the subject site is proposed.

B3.2 Bushfire Hazard



Outcomes

- Protection of people.*
- Protection of the natural environment.*
- Protection of private and public infrastructure and assets.*

Comment

The subject site is identified as containing Bushfire Prone Land, identified as Vegetation Buffer on Council’s Maps. The DA is accompanied by Bushfire Planning and Design dated Feburary, 2024. The Bushfire Report allocates a BAL Rating of BAL 19 and BAL 12.5 to the subject site and confirms that proposal complies with AS3959-2018 (including section 7.5, 7.5.1,7.5.2, 7.5.3, 7.5.4 (where applicable) of the Rural Fire Services document Planning for Bushfire Protection 2019).

B3.6 Contaminated Land and Potentially Contaminated Land

Outcomes

- Protection of public health.*
- Protection of the natural environment.*
- Successful remediation of contaminated land.*

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Comment

Due to the vacant nature of the site and the previous lengthy residential history surrounding the subject site, the prevailing evidence does not indicate the existence of contamination on the subject site.

I have not been made aware of any evidence of previous contamination of the subject site. However, should any potentially contaminated land be uncovered during development it will be handled in accordance with this clause.

B3.11 Flood Prone Land

Objectives

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

Comment

I note that the subject site is not identified as containing Flood Prone Land.

B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land

Outcomes

The long-term viability and enhancement of locally native flora and fauna and their habitats.

Comment

The proposed development is not expected to restrict the long-term viability and enhancement of locally native flora and fauna and their habitats. I note that the proposed development does not require the removal of any significant trees or vegetation and will result in an improvement in the quality and quantity of Landscaped Area.

B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

Outcomes

Conservation of intact Pittwater Spotted Gum Forest EEC.

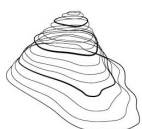
Regeneration and/or restoration of fragmented and / or degraded Pittwater Spotted Gum Forest EEC.

Reinstatement of Pittwater Spotted Gum Forest to link remnants.

Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors.

Comment

The proposed development has been designed and sited to avoid any significant adverse environmental impacts and to ensure that the proposed development is consistent with the provisions of the above clause.



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Furthermore, the proposal does not require the removal of any significant trees or vegetation ensuring no impact on any Pittwater Spotted Gum Forest located within or in proximity to the subject site.

B5.15 Stormwater

Outcomes

- *Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*
- *Minimise the risk to public health and safety;*
- *Reduce the risk to life and property from any flooding and groundwater damage;*
- *Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*
- *Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*
- *Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*
- *Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities*

Comment

The proposed development is in keeping with this clause, ensuring that water management is achieved through good design. The proposed development will connect new downpipes to the proposed stormwater system in accordance with AS3500.

B6.1 Access driveways and Works on the Public Road Reserve

Outcomes

Safe and convenient access.

Adverse visual impact of driveways is reduced.

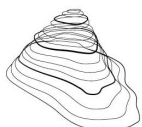
Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation in the road reserve.

Comment

The proposed development will provide compliant vehicle access from the vehicle cross over, along the access handle up to and including access to the proposed double carport. Noting the battle axe formation of the lot, the proposed development has been designed ensuring clear lines of sight, minimal impact on adjoining properties and safe access for occupants is provided.



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B6.2 Internal Driveways

Outcomes

Safe and convenient access.

Reduce visual impact of driveways.

Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation.

Reduce contaminate run-off from driveways.

Comment

The proposed development incorporates vehicle access along the access handle up to and including construction of the new double carport which allows for the forward entry and exit of vehicle from the subject site. The proposed development is considered to achieve compliance with this clause.

B6.3 Off-Street Vehicle Parking Requirements

Outcomes

An adequate number of parking and service spaces that meets the demands generated by the development.

Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.

Safe and convenient parking.

Comment

The proposed development incorporates the construction of a new double carport to provide to car spaces ensuring compliance with the outcomes of this clause.

The proposed carparking will provide an adequate number of parking spaces for occupants of the subject site.

B6.5 Access Driveways and Works on Road Reserves on or Adjacent to a Main Road

Outcomes

Compliance with the requirements of the Environmental Planning and Assessment Act and the Roads Act 1993 (s 138).

Safety.

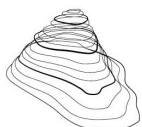
Pedestrian access and amenity

Maximise retention of native vegetation and trees.

Reduce contaminate run-off from driveways.

Comment

The proposed development incorporates a compliant vehicle cross over and driveway.



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B6.7 Transport and Traffic Management

Outcomes

Safe and orderly traffic, pedestrian and cyclist access to and from all development via the surrounding road network and transport infrastructure.

The developer meets the cost of upgrading the surrounding road, and traffic and transport infrastructure to meet the needs generated by the development.

Comment

It is not considered that the proposed development will have an unreasonable adverse impact on the surrounding road work, being of a residential nature. The proposed development does not result in an increase in development density on the subject site and it is considered that existing levels can be easily managed by the existing network.

B8.1 Construction and Demolition - Excavation and Landfill

Outcomes

Site disturbance is minimised.

Excavation, landfill and construction not to have an adverse impact.

Excavation and landfill operations not to cause damage on the development or adjoining property.

Comment

The proposed construction will carry out the minimum required site disturbance during building works. I note that generally, only minor excavation is required to undertake the proposed development., which will be carried out in accordance with the Geotechnical Report accompanying the DA.

B8.3 Construction and Demolition - Waste Minimisation

Outcomes

Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.

Comment

All waste generated by construction of the residential dwellings will be carried out in accordance with this clause with all waste being disposed off correctly and re-used on site where possible.

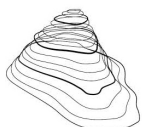
A Waste Management Plan accompanies this DA.

B8.4 Construction and Demolition - Site Fencing and Security

Outcomes

Ensuring public safety.

Protection of public domain.



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Comment

The subject site will implement site fencing and security throughout the construction period.

B8.5 Construction and Demolition - Works in the Public Domain

Outcomes

Protection of Infrastructure.

Ensuring Public Safety.

Compliance with the Roads Act 1993.

Comment

All works carried out in the public domain will be carried out in accordance with this clause ensuring that all existing infrastructure is protected and safe work practices are implemented.

B8.6 Construction and Demolition - Traffic Management Plan

Outcomes

Minimal disturbance to the residential community.

Protection of Roads.

Comment

It is not considered that the proposed works will cause unreasonable disturbance on the existing road network.

C1.1 Landscaping

Outcomes

A built form softened and complemented by landscaping.

Landscaping reflects the scale and form of development.

Retention of canopy trees by encouraging the use of pier and beam footings.

Development results in retention of existing native vegetation.

Landscaping results in the long-term retention of Pittwater's locally native tree canopy.

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species

Landscaping enhances habitat and amenity value.

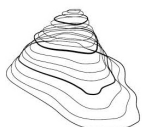
Landscaping results in reduced risk of landslip.

Landscaping results in low watering requirement.

Comment

The proposed development will be landscaped in accordance with this clause. The proposed residential structure is to be 'complimented by landscaping with existing vegetation being retained where possible'. I note that no significant trees or vegetation are required to be removed. Please refer to the Landscape Plan accompanying this DA.

Please refer to additional comments in this SEE.



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C1.2 Safety and Security

Outcomes

On-going safety and security of the Pittwater community.

Opportunities for vandalism are minimised.

Inform applicant's of Council's requirements for crime and safety management for new development.

Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements

Identify crime and safety priority areas in Pittwater LGA

Improve community safety and reduce the fear of crime in the Pittwater LGA

Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety.

Comment

The proposed development will result in an improvement in CPTED design principals through the construction of a residential dwelling on a currently vacant site.

C1.3 View Sharing

Outcomes

A reasonable sharing of views amongst dwellings.

Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.

Canopy trees take priority over views.

Comment

Due to the location of the subject site located downslope from the adjoining properties at 2 Cannes Drive and the presence of significant established vegetation located between this property and the subject site, the potential for view loss from this property is very limited. Furthermore, when viewed from this orientation, the proposed development presents as a single storey dwelling. The adjoining property at 35 Queens Avenue is orientated to the north -east and will not suffer unreasonable view loss as a result of the proposed development.

No views and vistas from roads and public places to water, headland, beach and/or bush views will be impacted by the proposed development.

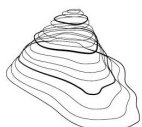
C1.4 Solar Access

Outcomes

Residential development is sited and designed to maximise solar access during mid-winter.

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

Reduce usage and/dependence for artificial lighting.



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Comment

As evidenced by the Shadow Diagrams accompanying this DA, the proposed development will not result in any unreasonable overshadowing to adjoining properties remaining compliant with the numerical requirements of this clause.

C1.5 Visual Privacy

Outcomes

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.

A sense of territory and safety is provided for residents.

Comment

Through good design principals the proposed development will have a good level of visual privacy whilst also ensuring that visual privacy to adjoining properties is maintained.

I note that the south-east elevation, facing the nearest residential dwelling at 35 Queens Street only incorporates 2 windows, which are limited to the proposed ensuite and are generally located at existing ground level, ensuring no unreasonable privacy impacts.

The proposed first floor east facing balcony is located 7.74m from the shared boundary with 37 Queens Parade, noting that the dwelling at 37 Queens Parade is located a further 14m from this boundary. The distance, topography and level of established vegetation located between the proposed dwelling and the dwelling at 37 Queens Parade ensures no unreasonable visual impact between the 2 properties.

C1.6 Acoustic Privacy

Outcomes

Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.

Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas

Comment

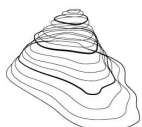
It is not considered that the acoustic privacy of adjoining dwellings or the proposed development will be adversely affected by residential noise generated by the proposal.

C1.7 Private Open Space

Outcomes

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.

Private open space is integrated with, and directly accessible from, the living areas of dwellings. Private open space receives sufficient solar access and privacy.



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Comment

The proposed development will achieve the private open space requirements outlined in this clause, providing functional areas that are directly accessible from living areas of the proposed dwelling.

C1.12 Waste and Recycling Facilities

Outcomes

Waste and recycling facilities are accessible and convenient, and integrate with the development.

Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.

Comment

Waste and recycling facilities have been incorporated into the design of the residential dwelling. Please refer to the Architectural Plans and Waste Management Plan accompanying this DA.

C1.13 Pollution Control

Outcomes

Development that does not adversely impact on public health, the environment or other lands.

Comment

The proposed residential development is not considered to cause unreasonable pollution levels, however design measures are to be implemented into the build to ensure compliance with this control.

C1.17 Swimming Pool Safety

Outcomes

The promotion of personal safety.

Compliance with Swimming Pools Act 1992 and Regulations

Comment

The proposed swimming pool complies with the swimming pool safety requirements in accordance with AS1926.1-2007.

C1.23 Eaves

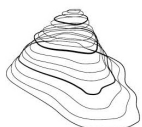
Outcomes

Housing that reflects the coastal heritage and character of Pittwater.

Optimise roof forms.

Appropriate solar access and shading is achieved

Comment



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The proposed development has been designed to remain in keeping with the character of the surrounding area implementing shading devices whilst ensuring appropriate solar access is achieved.

C1.24 Public Road Reserve - Landscaping and Infrastructure

Outcomes

Desirable character of the Pittwater streetscape.

Consistency in the design and construction of landscape works in the road reserve.

Comment

No works are proposed in the road reserve.

C1.25 Plant, Equipment Boxes and Lift Over-Run

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To achieve reduction in visual clutter.

The appropriate location and design of noise generating equipment.

Comment

All plant and equipment boxes shall be visually and acoustically treated to ensure minimal impact on surrounding new and existing development.

D1 Avalon Beach Locality

D1.1 Character as viewed from a public place

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.

To enhance the existing streetscapes and promote 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, or in commercial areas and the like, is softened by landscaping and vegetation.

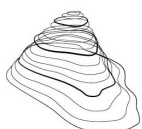
High quality buildings designed and built for the natural context and any natural hazards.

Buildings do not dominate the streetscape and are at 'human scale'.

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

Comment

The proposed development complies with the Outcomes of this clause and is considered to achieve the future character of the area as previously outlined in this SEE. I note that the



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subject site is setback a significant distance from the street frontage due to the length of the access handle and will not be readily visible from any public space.

The proposed development is considered to reinforce and sensitively relate to the spatial characteristics of the existing built and natural environment due to the following design features;

- The proposed development presents as single storey to a number of adjoining properties and remains significantly below the maximum height of buildings standard.
- The proposed development does not require the removal of any significant trees or vegetation and will provide an improvement in the quality of landscaping.
- The proposed residential dwelling does not result in unreasonable view loss, overshadowing, acoustic or visual privacy impacts.

The proposed presentation to the streetscape (again noting the significant distance and limited visibility from the streetscape) is considered to be in keeping with adjoining and nearby development, noting the range orientations of dwellings and the eclectic subdivision pattern.

The proposed building façade incorporates design features in accordance with the requirements of this clause.

The proposed design elements ensure that the proposed development enhances the existing streetscapes and promotes a scale and density that is in keeping with the height of the natural environment.

D1.4 Scenic protection – General

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment.

Comment

The proposed development does not require the removal of any significant trees or vegetation and will ensure that after construction, the residential dwelling will not detract from Council's Outcome of ensuring that the bushland landscape remains the predominant feature of Pittwater.

D1.5 Building colours and materials

Outcomes

The development enhances the visual quality and identity of the streetscape.

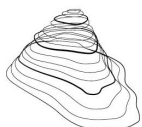
To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment.

The visual prominence of the development is minimised.

Damage to existing native vegetation and habitat is minimised.



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An informal beachside appearance of the Avalon Beach Village.

Comment

The proposed building colours and materials have been chosen to minimise visual impact though the use of colour and material that complement the existing characteristics of the locality, blend into the existing vegetation and result in minimal reflectivity. Please refer to the schedule of materials and photomontage that accompany this DA.

D1.8 Front building line

Outcomes

To achieve the desired future character of the Locality.

The amenity of residential development adjoining a main road is maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Vehicle manoeuvring in a forward direction is facilitated.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Comment

The subject site has a front building line control of 6.5m or the established building line. Noting that the proposed dwelling is located within a battle axe allotment, the front setback of the proposed dwelling is in excess of the 6.5m requirement. It is noted that the proposed carport is located within the 6.5m setback area, however, it immediately adjoins a similar parking structure at 37 Queens Avenue and will not be readily visible from the streetscape or adjoining properties.

Existing mature trees are retained within the front setback area and further plantings proposed to further assist in screening the proposed development when viewed from adjoining properties.

I note that the proposed works within the front setback area will ensure that vehicles can enter and leave the site in a forward direction.

As outlined previously, the proposed development achieves the desired future character of the locality and ensures that the amenity of adjoining residential development is maintained. The proposed development does not require the removal of any significant trees or vegetation and will result in an improvement in the quality of Landscaped Area.

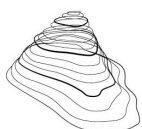
D8.6 Side and rear building line.

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.



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To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

Vegetation is retained and enhanced to visually reduce the built form.

To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures other than driveways, fences and retaining walls, shall be in accordance with the following -

2.5 at least to one side;

1.0 for other side

6.5 rear

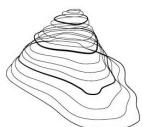
Comment

A side and rear setback control of 2.5m to at least one side; 1.0m for other side and 6.5m to the rear applies to the subject site.

The proposed residential dwelling provides a compliant 1m side boundary setback to the south-eastern boundary at both ground and first floor level. The proposed setback to the north-western boundary provides a compliant 2.5m setback at both ground and first floor level.

It is considered that the proposed development is in keeping with the following relevant outcomes of this clause;

- As outlined in this SEE, it is considered that the proposed development achieves the desired future character of the locality.
- The proposed development does not result in any unreasonable view loss from nearby properties. The proposed development does not impact views and vistas to and/or from public/private places.
- View sharing is maintained through complimentary siting of buildings, responsive design and well-positioned landscaping.
- The proposed development maintains privacy, amenity and solar access within the development site and maintained to adjoining residential properties.
- The proposed development does not require the removal of any significant trees or vegetation.
- As outlined through this SEE, the bulk and scale of the built form has been minimized ensuring no removal of any significant trees or vegetation, improvement in the quality of landscaping and proposes a dwelling that remains significantly below the Maximum Height of Buildings Standard, whilst requiring only minimal excavation.



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- The proposed development will not result in any unreasonable impact on privacy, amenity and solar access within the development site and nearby residential properties.

D8.8 Building envelope

Outcomes

To achieve the desired future character of the Locality.

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.

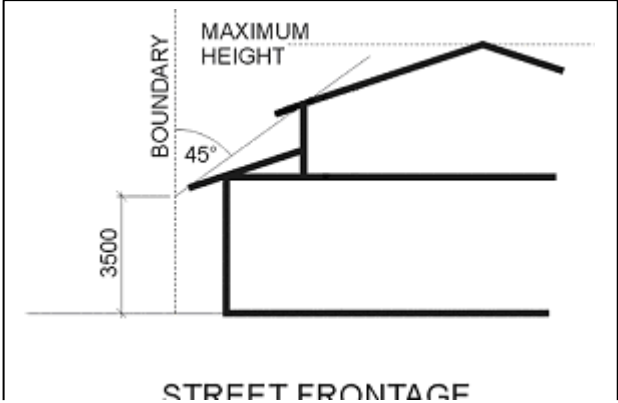
Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Vegetation is retained and enhanced to visually reduce the built form.

Controls

Buildings are to be sited within the following envelope:



Comment

The proposed development results in minor non-compliance with Council’s Building Envelope Control, with the proposed first floor external cover over the access stairs and a minor portion of the roof form and eaves over the kitchen being located outside of the building envelope. It is noted that this breach comes as a result of the sloping nature of the site adjoining the side boundary, which is highlighted by the single storey presentation of the western elevation which remains significantly below the Building Envelope Control.

The minor breach of the Building Envelope Control is considered reasonable in these circumstances due to the fact that despite the numerical non-compliance (which is caused by the sloping topography adjoining the northern boundary, the proposed development achieves the following relevant outcomes of this clause;

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- As evidenced throughout this SEE, the proposed development achieves the desired future character of the locality.
- The proposed development has negligible impact on the existing streetscape due to its location and promotes a scale and density that is in keeping with the height of the natural environment and surrounding development.
- The proposed development is considered to “respond to, reinforce and sensitively relate to the spatial characteristics of the existing built and natural environment.” This is evidenced through the residential dwelling which remains significantly below Council’s Height of Buildings Standard, requires minimal excavation and does not require the removal of any significant trees or vegetation.
- In relation to the equitable sharing of views, due to the location of the subject site, located downslope from the adjoining property at 2 Cannes Drive and the presence of significant established vegetation located between this property and the subject site, the potential for view loss from this property is very limited. Furthermore, when viewed from this orientation, the proposed development presents as a single storey dwelling. The adjoining property at 35 Queens Avenue is orientated to the north -east and will not suffer unreasonable view loss as a result of the proposed development. No views and vistas from roads and public places to water, headland, beach and/or bush views will be impacted by the proposed development.
- The proposed development does not result in any unreasonable impacts on privacy, amenity or solar access to adjoining properties.
- No significant trees or vegetation are required to be removed to facilitate the proposed development. The proposal will result in an improvement in the quality of landscaped area and private open space.

D1.13 Landscaped Area - General

Outcomes

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

A reasonable level of amenity and solar access is provided and maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Conservation of natural vegetation and biodiversity.

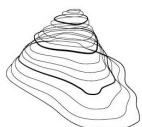
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area.

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

Comment

Firstly, it is noted that the subject site, excluding the access handle, has a site area of 596m². The access handle has an area of 358m² and is significantly covered by the vehicle access requirements for the site. For this reason, the access handle has been excluded from the Landscaped Area calculations.



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Based on the calculations provided by the Architect, the proposed development will provide a compliant Landscaped Area of 359m² (60%) when incorporating the 6% variation identified under D1.13. It is highlighted that the 6% variation has been allocated to elevated areas of external decking which accommodates the retention of soft landscaping beneath these structures, contributing to the positive outcomes of this clause.

The proposed development does not require the removal of any significant trees or vegetation and will ensure that after construction, the bushland landscape remains the predominant feature.

The proposed development is in keeping with the character of the locality, ensuring that the site when viewed from the street (limited) and adjoining properties, ensures the development will retain the predominance of landscaping and vegetation. This is further reinforced through the retention of existing established trees and vegetation along the perimeter the site with the proposed building sited to ensure adequate setbacks for retention.

The proposed development is considered to achieve the relevant outcomes of the clause as follows;

- The bulk and scale of the built form has been minimised, reflected in the compliant building height and setbacks.
- A reasonable level of amenity and solar access is provided and maintained to adjoining owners.
- All existing trees and vegetation are retained and enhanced through additional landscaping to visually reduce the built form.
- Conservation of natural vegetation and biodiversity is achieved.
- Noting that the subject is currently vacant, Stormwater runoff is addressed through the proposed stormwater management system, incorporating measures preventing soil erosion and siltation of natural drainage channels.
- The proposed development does not impact the rural and bushland character of the area due to the retention of all existing trees and vegetation.
- Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

D8.10 Fences Outcomes

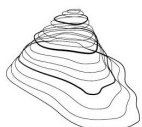
To achieve the desired future character of the Locality.

To discourage the use of fencing.

To provide fencing only where necessary and to ensure that such fencing is sympathetic to the bushland setting of the locality.

To ensure fences compliment and conserve the visual character of the street and neighbourhood.

To contribute positively to the public domain.



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An open streetscape that allows casual surveillance of the street.

Fences, where provided, are suitably screened from view from a public place.

Safe sight distances and a clear view of the street including to and from driveways for motorists and pedestrians.

To ensure heritage significance is protected and enhanced.

To ensure an open view to and from the waterway is maintained.

Comment

No boundary fencing is proposed under the current DA.

D1.17 Construction, Retaining walls, terracing and undercroft areas

Outcomes

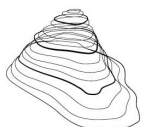
To achieve the desired future character of the Locality.

To protect and minimise disturbance to natural landforms.

To encourage building design to respond sensitively to natural topography.

Comment

The construction and location of the required retaining walls will ensure no impact on adjoining properties, minimal site disturbance and compliance with Council's controls.



3. SECTION 4.15 ASSESSMENT

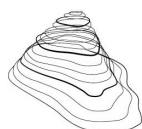
Assessment of the current DA requires consideration under the provisions of Section 4.15 of the Environmental Planning and Assessment Act in terms of the merits of the proposal.

Previous sections of this SEE have addressed relevant matters to be considered under Section 4.15, in particular the relevant environmental Planning Instruments and Development Control Plan.

The following additional comments are provided for assessment: -

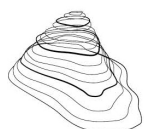
Table 3.1: Section 4.15 Summary

Impact on the Natural Environment	
Matter	Potential Impact?
Acid Sulfate Soils	The proposed development does not incorporate any excavation that will impact acid sulfate soils.
Flooding	The site is not subject to flooding.
Bushfire	The site is identified as bushfire prone land. Please refer to comments contained within the SEE.
Drainage	This matter has been addressed within the SEE.
Flora & Fauna	This matter has been addressed throughout the SEE.
Impact on the Built Environment	
Matter	Potential Impact?
Aboriginal Cultural Heritage	A search of the AHIMS concludes that there are no known records of Aboriginal sites or places within the immediate vicinity of the subject site. Based on the disturbed nature of the site, and having regard to the considerations in the Code, it is considered that the presence of artefacts and or sites of Aboriginal heritage value would be highly unlikely.
Environmental Heritage	The site does not contain any known items of environmental heritage.
Traffic	This matter has been addressed in the SEE.
Scenic qualities	The proposed development is consistent with the current and future character of the locality as expressed within the provisions of LEP 2014 and the DCP. For the reasons outlined in this SEE, I consider that the proposed development will not have an adverse impact on the scenic qualities of the area.
Compatibility with adjacent land uses	The proposed development is compatible with adjoining residential dwellings.



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Height, Bulk and Scale	The proposed height, bulk and scale are eminently reasonable for the reasons outlined in this SEE.
Overshadowing	Please refer to previous comments in relation to Overshadowing Impact.
Overlooking	Please refer to previous comments in relation to Overlooking Impact.
Acoustic	Please refer to previous comments in relation to Acoustic Impact.
Views and vistas	For the reasons outlined in this SEE, the proposed development will not have an adverse impact on views and vistas from private properties or the public domain.
Site design	The site design has been configured to ensure that no unreasonable impacts will result.
Public domain	As previously noted, there will be no adverse impact on the public domain.



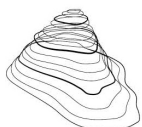
4. SUITABILITY OF THE SITE & THE PUBLIC INTEREST

The proposed development will enhance the use of the residential nature of the site whilst remaining consistent with the Objectives of the C4 Environmental Living Zone providing a greater level of access and amenity without unreasonable amenity impacts on adjoining lands or without representing an overdevelopment of the site.

The proposal will not result in any negative social or economic impacts.

The site is suitable to accommodate the proposed development.

Approval of the development does not raise any issues contrary to the public interest.



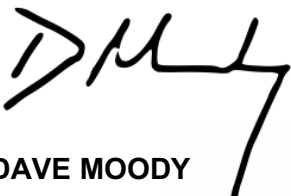
5. CONCLUSION

The proposed development relates to the construction of a new residential dwelling.

The proposal is consistent with the relevant objectives of the C4 Zone and is compliant with the relevant provisions of the *Local Environmental Plan*. Furthermore, the proposal complies with the relevant Objectives and is consistent with appropriate controls contained within the *Development Control Plan*.

The proposed development will not result in unacceptable ecological impacts or amenity impacts to adjoining properties.

As stipulated previously in this report, the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed demonstrating the proposed development is compatible with the surrounding environment.



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