

**Statement of Environmental Effects**  
**1 Tasman Road, Avalon**

December 2021

Mersonn Pty Ltd  
6/20 Wylde Street  
Potts Point NSW 2011

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## 1.0 INTRODUCTION

This report has been prepared on behalf Stephanie Michell & Bill Giffen by Mersonn Pty Ltd. It is submitted to Northern Beaches Council in support of a development application for demolition of an existing dwelling and construction of a new detached dwelling, double garage and swimming pool at No.1 Tasman Road, North Avalon (Lot C DP102027).

It is proposed to construct a modest, detached dwelling which will be low scale and surrounded by a landscaped garden. The L-shaped design will provide greater privacy to the rear private open space, while allowing greater northern daylight to habitable rooms. The contemporary design of the dwelling will be well articulated and constructed of durable materials. The proposal will enhance the streetscape presentation and will not adversely impact surrounding development.

This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. The purpose of this document is to describe the existing improvements on the site, detail the proposed development, review the applicable planning regime relating to the proposal, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

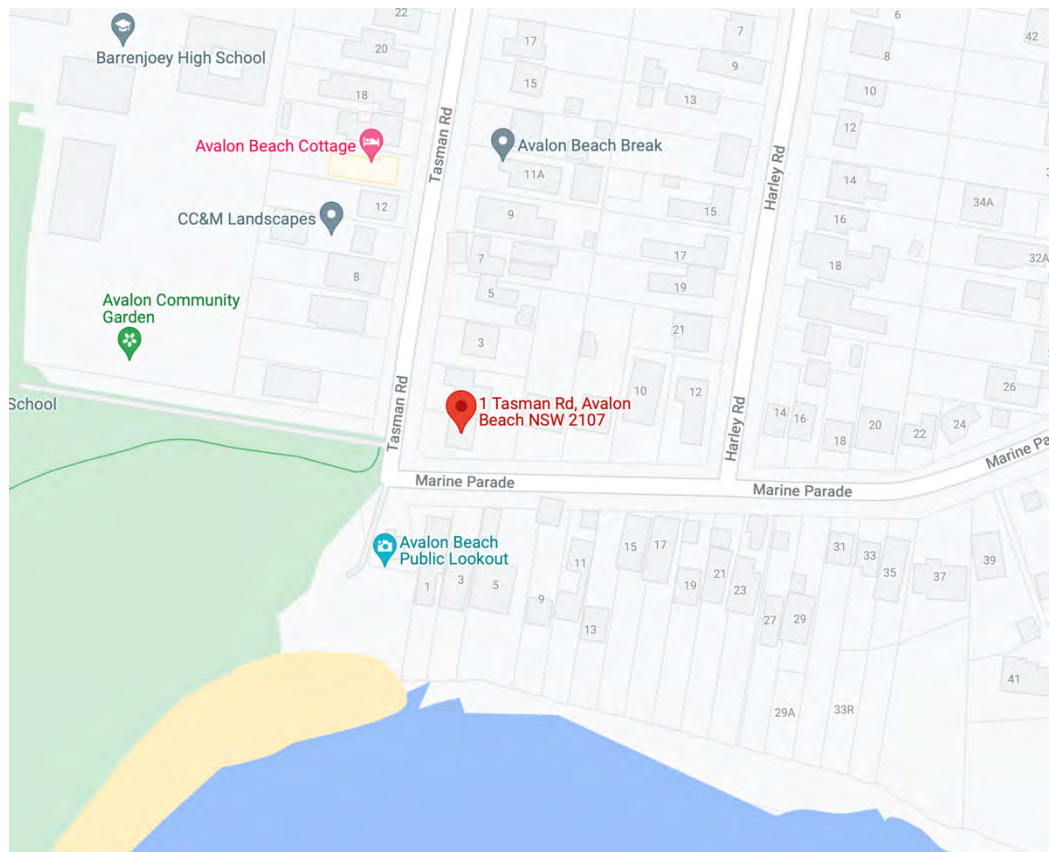
This report should be read in conjunction with:

- Architectural plans and shadow diagrams prepared by MCK Architects;
- Survey Plan prepared by ESA Surveyors;
- Landscape Plan prepared by The Garden Social;
- Preliminary Arborist Report prepared by Abnoba Arbor Arbicultural Services;
- Stormwater Plan prepared by ITM Design;
- Waste Management Plan Prepared by MCK Architects
- BASIX Report prepared by Ecological Design Pty Ltd.

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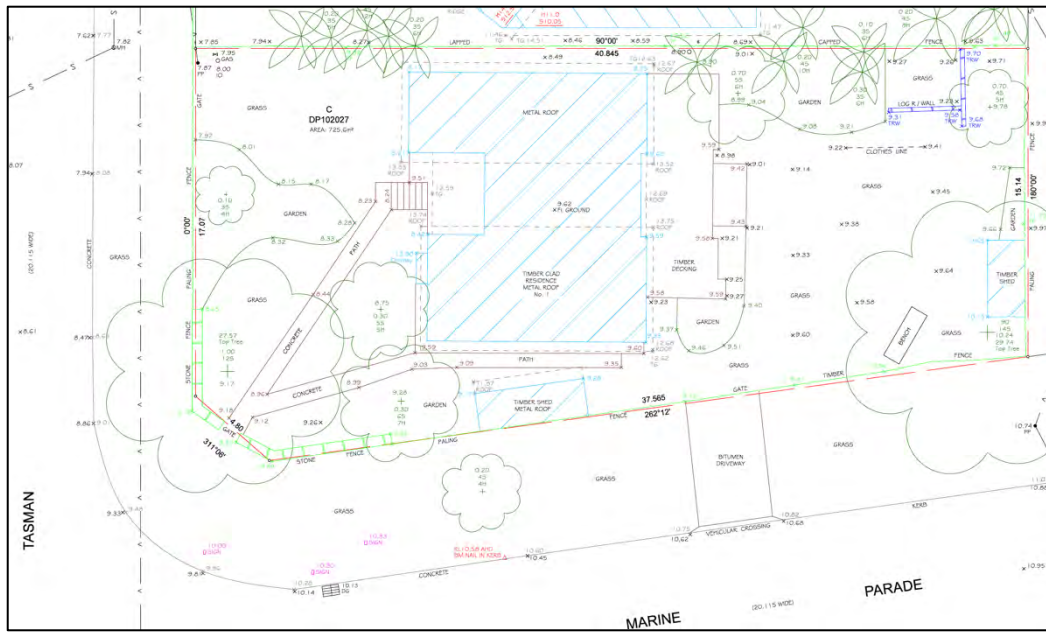
## 2.0 THE SITE AND CONTEXT

The subject site is located on the north-eastern corner of Tasman Road and Marine Parade, Avalon. The site is irregular in shape with a total site area of 725.6sqm. The site has a frontage to Tasman Road of 17.07m, a frontage to Marine Parade of 37.565m, and a splay on the south-eastern corner of the site measuring 4.8m. The northern side boundary is 40.845m and eastern boundary is 15.14m. The site has a gentle slope falling across the site from east down to the western frontage with a change in level of approximately 1.7m.



**Location Plan:** 1 Tasman Road, Avalon    Source: Google Maps 2021

There is an existing single storey, timber clad dwelling on the site. The main entry to the dwelling is along the western façade, but the pathway entry from the street corner is not clearly defined. Despite a single driveway access from Marine Parade, there is no parking on the site. Two significant Norfolk Island Pine trees are located on the site.



**Figure. 1.** Extract from survey plan of subject site prepared by ESA Surveyors.



**Photo 1.** The western façade of the existing dwelling on the subject site.





**Photo 2.** The east facade and private open space area to the rear of the subject site.



**Photo 3.** The subject site's location on the corner of Tasman Road and Marine Parade.





**Photo 4.** The subject site's frontage to Tasman Road.



**Photo 5.** The main pedestrian entry to the site which on the corner of Tasman Road and Marine Parade.





**Photo 6.** The subject site's existing driveway access from Marine Parade.



**Photo 7.** The eastern, rear façade of the existing dwelling on the subject site.





**Photo 8.** The existing rear yard on the subject site.

#### **Surrounding development**

Adjoining the subject site to the north is No.1A Tasman Road which is a part1/part 2 detached residential dwelling. The frontage of the dwelling has a V-shaped orientation which is angled away from the subject site. The dwelling is largely screened from the subject site by large palm trees planted adjacent to the southern boundary. Vegetation also provides considerable screening to the rear.



**Photo 9.** The frontage of No.1A Tasman Road with the subject site to the right of the photo.

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**Photo 10.** The frontage of No.1A Tasman Road.

Located to the east, adjoining the rear boundary of the subject site, is N.6 Marine Parade. This is a part 1/part 2 storey detached dwelling. A driveway is located adjacent to the site's western boundary.



**Photo 11.** The frontage of No.6 Marine Parade which adjoins the rear of the subject site.

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### 3.0 PROPOSED DEVELOPMENT

This section should be read in conjunction with the architectural plans prepared by MCK Architects and Landscape Plan prepared by The Garden Social.

It is proposed to demolish all existing structures on the site as detailed on the Demolition Plan submitted with the application. A new, contemporary designed, detached dwelling is proposed which will have two storeys presenting to Tasman Road, and will be generally appear as a single storey to Marine Parade. The L-shaped design will enable greater northern light to access the dwelling and provide a sheltered private open space area to the rear. A stepped flat roof is proposed which compliments the contemporary design of the dwelling.

The proposal is modest in design and sits comfortably within its coastal location. The ground floor will accommodate a two-car garage with access from a new driveway off Tasman Road. This level will also contain the informal living area, bunk room, laundry and bathroom.

The main living area will be located on the first floor and will maximise daylight access and cross ventilation. The open plan kitchen, dining and living room will have direct access to both and east and west facing deck. Two bedrooms are also located on this level. A lift and stairway will connect both levels. The main pedestrian entry is from Marine Parade to the first floor level. To protect privacy to and from the dwelling brick tile screening will be installed in front of the windows. This will also provide articulation and a sculptural element to the side facades.

A large garden area will surround the dwelling. A mature, Norfolk Island Pine will be retained in the south-eastern and south-western corner of the site, as will all the trees recommended for retention in the Arborist Report. The only one which is required to be removed is T24 Hibiscus sp. which is located beside the proposed pedestrian entry. Given the large number of trees to be retained and new planting on the site, the removal of one tree is considered acceptable.

A swimming pool is proposed within the north-eastern corner of the site. It will be screened from the adjoining properties by a 1.8m masonry wall and planting.

The proposed dwelling will be configured as follows:

### Ground Floor

- Double garage with internal access to the dwelling.
- Informal living room (Break out room) with direct access to rear, private open space.
- Bunk room
- Bathroom
- Laundry
- Lift
- Plant room

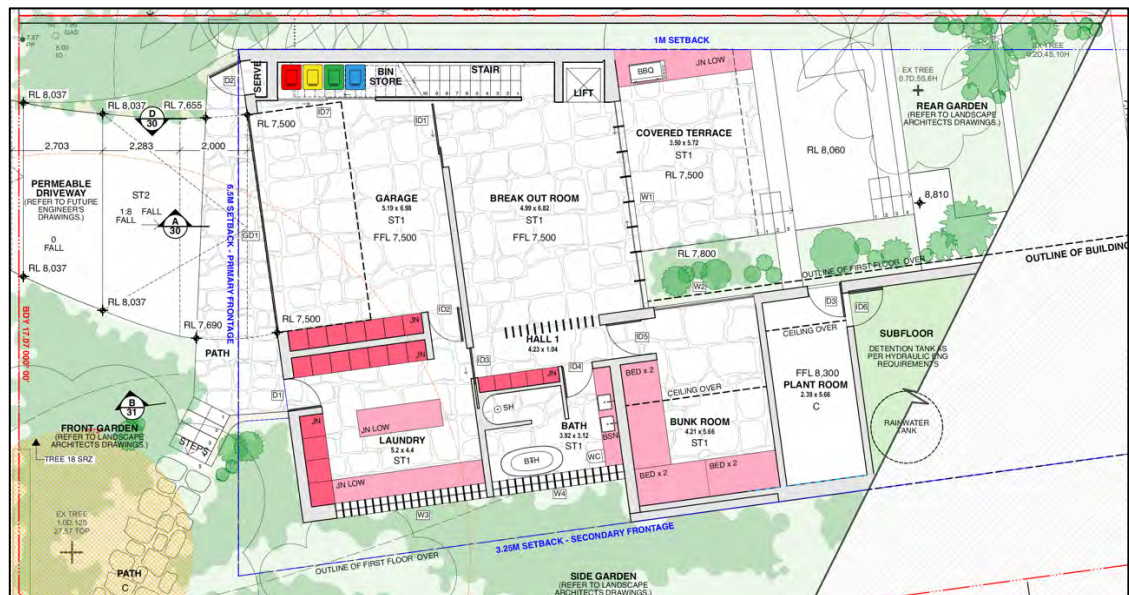


Fig. 1. Extract of Ground Floor Plan from Architectural Drawing DA-11.



## First Floor

- Main pedestrian entry from Marine Parade.
- Open plan kitchen, living and dining room with access to and east and west facing deck.
- Master bedroom with ensuite and built-in wardrobe.
- Study with adjoining bathroom.
- Guest bedroom with ensuite and built-in wardrobe.
- Lift

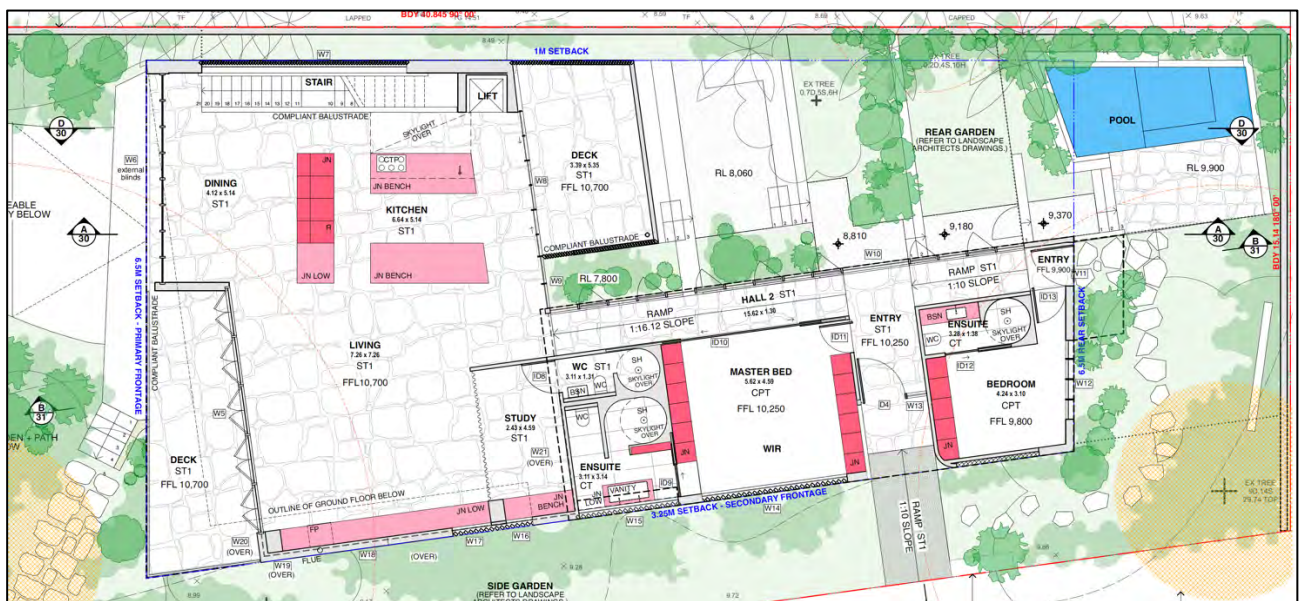


Fig. 2. Extract of First Floor Plan from Architectural Drawing DA-12.

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## 4.0 PLANNING CONTROLS

The proposed development has been assessed against the relevant requirements and guidelines set by Northern Beaches Council. These are contained within the:

- SEPP 55 – Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal SEPP Management) 2018
- Pittwater Council Local Environmental Plan (LEP) 2014
- Pittwater 21 Development Control Plan 2014

### 4.1 SEPP 55 – Remediation of Land

Clause 7 (1) (A) of SEPP 55 requires Council to consider whether the land is contaminated. Notwithstanding that site investigations have not been carried out, the current and previous use of this site and surrounding sites for residential uses would make the possibility of contamination unlikely.

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

A BASIX Assessment is submitted with the DA and confirms that the proposal is committed to environmental sustainability measures.

### 4.3 SEPP (Coastal Management) 2018

The subject site is identified on the Coastal Use Area Map which accompanies the SEPP. Clause 14 states

| Clause 12 Development on land within the coastal use area.   | Comment |
|--|---------|
| (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—<br>(a) has considered whether the proposed development is likely to cause an adverse impact on the following— |         |



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| <p>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</p> <p>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</p> <p>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</p> <p>(iv) Aboriginal cultural heritage, practices and places,</p> <p>(v) cultural and built environment heritage, and</p> | <p>The proposal complies with this requirement.</p> <p>The proposal complies with this requirement.</p> <p>The subject site is well setback from the coastline, with dwellings on the eastern side of Marine Parade forming a visual barrier. The proposal will not adversely impact the visual amenity or scenic quality.</p> <p>The proposal complies with this requirement.</p> <p>The proposal complies with this requirement.</p> |
| <p>(b) is satisfied that—</p> <p>(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</p> <p>(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</p>  | <p>It is not considered that there will be any adverse impact as a result of the proposal.</p>   |
| <p>(c) has taken into account the surrounding coastal and built</p>  | <p>The proposed development is modest in scale and surrounded by a garden setting. A large number of mature</p>  |

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| environment, and the bulk, scale and size of the proposed development. | plantings will be retained on site, including a Norfolk Island Pine. The proposal will sit comfortably within its context. |
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#### 4.4 Pittwater Local Environmental Plan 2014

The land is zoned R2 Low Density Residential under which the proposed demolition and construction of a new dwelling are permissible with Council consent. The proposal is assessed under the relevant planning standards in Table 1 below:

**TABLE 1: Compliance with Pittwater Local Environmental Plan 2014**

| Matters for Consideration under the Pittwater LEP 2014   | Compliance | Comment   |
|--|------------|---|
| <b>2.1 Land Use Zone: R2 Low Density Residential</b><br><b>Objectives of zone</b> <ul style="list-style-type: none"> <li><i>To provide for the housing needs of the community within a low density residential environment.</i></li> <li><i>To enable other land uses that provide facilities to meet the day to day needs of residents.</i></li> <li><i>To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.</i></li> </ul> | ✓          | The proposed development is permissible with development consent. The proposal is consistent with the objectives of the zone. |
| <b>2.7 Demolition requires development consent</b><br>The demolition of a building or work may be carried out only with development consent.   | ✓          | This application seeks consent for demolition of all built structures on the site.  |
| <b>4.3 Height of buildings</b><br>(2) The height of a building on any land is not to exceed the  | ✓          | The maximum height will be 6.2m when measured to the existing natural ground level.   |



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| maximum height shown for the land on the Height of Buildings Map. 8.5m   |     |   |
| <b>4.4 Floor space ratio</b>   | N/a | The site is not identified as being affected by an FSR control on the map.  |
| <b>5.10 Heritage controls</b>  | N/a | The site is not a heritage item, in the vicinity of a heritage item, or located within a heritage conservation area.  |
| <b>7.1 Acid Sulphate</b><br>Class 5  | ✓   | The subject site is located in a Class 5 Acid Sulfate Soils area on the ASS map.  |
| <b>7.2 Earthworks</b>  | ✓   | Some minor excavation is proposed to accommodate part of the ground floor and swimming pool. The depth of excavation will not exceed 1.5m and will be setback from the side and rear boundary to ensure the amenity of adjoining properties are not adversely impacted. Works will be undertaken in accordance with Council's standard conditions of consent. |
| <b>7.5 Coastal Risk Planning</b>   | N/a | The site is not identified on the Coastal Risk Planning Map.  |
| <b>7.7 Geotechnical hazards</b>  | N/a | The site is not identified as on the Geotechnical Hazard Map.   |
| <b>7.10 Essential services</b><br>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 | ✓   | The site is already connected to essential services.  |

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| adequate arrangements have been made to make them available when required—<br>(a) the supply of water,<br>(b) the supply of electricity,<br>(c) the disposal and management of sewage,<br>(d) stormwater drainage or on-site conservation,<br>(e) suitable vehicular access. |  |  |
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#### 4.5 Pittwater 21 Development Control Plan 2014

The proposal is assessed under the relevant controls of DCP 2014 below:

**Table 2: Compliance under Pittwater DCP 2014**

| <b>Matters for consideration under Pittwater 21 DCP</b>  | <b>Compliance</b> | <b>Comments</b> |
|--|-------------------|-----------------|
| <b>Section A – Shaping a Development in Pittwater</b>  |                   |                 |
| <b>A4 Localities</b>   |                   |                 |
| <b>A4.1 Avalon Beach Locality</b>  |                   |                 |
| <u>Desired Character</u>   |                   |                 |
| <p>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.</p> |                   |                 |



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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 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

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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.

#### Hazards, Natural Environment and Heritage

##### **Hazards**

The Avalon Beach Locality is affected by various hazards. Land affected in the Avalon Beach Locality is shown on the hazard maps held in the offices of Council.

##### **Natural Environment**

The Avalon Beach Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Avalon Beach Locality is shown on the natural environment maps held in the offices of Council.

##### **Heritage**

The Avalon Beach Locality may include Heritage items and/or conservation areas. Land affected in the Avalon Beach Locality is shown on the Heritage Map held in the offices of Council.

The proposal is consistent with the desired character of the locality and will maintain a low density residential development on the site surrounded by a natural landscaped setting. The dwelling will be modest in scale and a large number of existing trees will be retained on site.

The site is not impacted by any natural hazards. It is not a heritage item or located within a heritage conservation area.

#### **SECTION B – GENERAL CONTROLS**

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| <b>B1 Heritage Controls</b>   | N/a | The subject site is not a heritage item or located within a heritage conservation area.  |
| <b>B2 Density</b>   | N/a | Not applicable to this application.  |
| <b>B3 Hazard Control</b>  | ✓   | <p>The subject site is not identified on the Pittwater LEP 2014 Geotechnical Hazard Map, Coastal Risk Map, Bushfire Prone Land Map,</p> <p>Part of the site is identified as being low risk on the Flood Prone Land Map. The Matrix under control B3.11 identifies that, due to the residential use, no controls are relevant to the proposal.</p> |
| <b>B4 Controls relating to the Natural Environment</b>  | ✓   | <p>The site is not identified on the LEP Biodiversity map.</p> <p>A number of significant trees will be preserved on the site and these are identified on the Landscape Plan submitted with the application.</p>   |
| <b>B5 Water Management</b><br><b>B5.15 Stormwater</b><br>Stormwater runoff must not cause downstream flooding and must have | ✓   | A Stormwater Plan has been prepared by ITM Design. The Plan is in accordance with  |



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| <p>minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</p>  |          | <p>Council's Water Management for Development Policy.</p>   |
| <p><b>B6 Access and Parking</b></p> <p><b>B6.1 Access driveways and Works on the Public Road Reserve.</b></p> <p><b><i>General Requirements</i></b></p> <p>Access Driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve between the road edge and property boundary as illustrated in Appendix 10 -Driveway Profiles.</p> <p>An Access Driveway to the standards as set out below must be provided for:</p> <ul style="list-style-type: none"> <li>• any new development;</li> <li>• any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m<sup>2</sup>; and</li> <li>• where additional car parking spaces and/or garages are proposed.</li> </ul> <p>Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to</p> | <p>✓</p> | <p>A new, single driveway is proposed from the Tasman Road frontage. The existing driveway on Marine Parade will be removed.</p> <p>The driveway will be designed in accordance with the relevant Australian Standards.</p> <p>The driveway will be located towards the northern side of the frontage and will enable clear sightlines as required under the DCP.</p> <p>The driveway width at the kerb will be 3.5m. The width at the boundary will be 5m. This enables clear sightlines which will be unobstructed by vegetation. At weekends and during summer</p> |

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| <p>demonstrate compliance with this control.</p> <p><b><i>Access Driveway Design</i></b></p> <p>The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:</p> <ul style="list-style-type: none"> <li>• Australian Standard AS/NZS 2890.1-2004: <i>Parking Facilities - Part 1: Off-Street Car Parking.</i></li> <li>• Australian Standard AS/NZS 2890.2-2002: <i>Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities</i> except as qualified in this control.</li> </ul> <p><b><i>Number of Access Driveways per Allotment</i></b></p> <p>The number of permissible Access Driveways to an allotment is as follows:</p> <ul style="list-style-type: none"> <li>• where the frontage of an allotment to a local public road is less than 30m, one only access driveway.</li> <li>• where the frontage of an allotment to a local public road is 30m or more, a second access driveway will be considered on merit.</li> <li>• where the allotment has a frontage to a second local public road, one additional access driveway to the second local road frontage will be considered on merit, based on</li> </ul> |  | <p>there can be high volumes of pedestrian and vehicle traffic around this corner due to its proximity to North Avalon Beach. The wider driveway width makes manoeuvrability safer.</p> <p>A driveway profile has been prepared in accordance with Appendix 10 and submitted with the architectural drawings.</p> |
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| <p>Council's consideration of the site constraints.</p> <p>Council, under the <i>Local Government Act 1993</i>, may direct as to which frontage access is to be gained where traffic safety issues are a consideration.</p> <p><b>Access Driveway Location</b></p> <p>Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:</p> <ul style="list-style-type: none"> <li>• minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 kph speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and</li> <li>• minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary.</li> </ul> <p>For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of adjoining roads, being no closer than 6m from the tangent point at the kerb.</p> <p>For corner allotments adjacent to traffic</p> |  |  |
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| <p>signals, the location of the Access Driveway will be subject to the approval of the Roads and Maritime Services as the authority responsible for traffic signal facilities.</p> <p>For developments in commercial centres where separate entry/exit vehicular access is required, access driveways for entry and exit are to be separated by a minimum distance of 2 metres.</p> <p>The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.</p> <p><b>Access Driveway Width</b></p> <p><i>Distance from building line to boundary</i></p> <p>Greater than 6.5m</p> <p><i>Width at Boundary</i></p> <p>3m</p> <p><i>Width at Kerb</i></p> <p>3.5m</p> <p>Access Driveway width can be varied subject to merit based consideration.</p> <p><b>Access Driveway Profile and Gradient</b></p> <p>Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 – Driveway Profiles.</p> |   |   |
| <p><b>B8 SITE WORKS MANAGEMENT</b></p> <p><b>B8.1 Construction and Demolition – Excavation and Landfill</b></p> <p>Excavation and landfill on any site that includes the following:</p>  | ✓ | <p>Excavation will be required to accommodate part of the Ground floor and the swimming pool to the rear.</p> <p>The depth and location of the proposed</p> |

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| <ul style="list-style-type: none"> <li>• Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;</li> <li>• Any excavation greater than 1.5 metres deep below the existing surface;</li> <li>• Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;</li> <li>• Any landfill greater than 1.0 metres in height; and/or</li> <li>• Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.</li> </ul> |   | excavation does not require the submission of a Geotechnical Report.                                   |
| <b>SECTION C DEVELOPMENT TYPE CONTROLS</b><br><b>C1 DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT</b>   |   |  |
| <b>C1.1 Landscaping</b><br>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is   | ✓ | A Landscape Plan has been prepared and submitted with the application. It details the proposed species |

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| <p>determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.</p> <p>In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.</p> <p>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.</p> <p>Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m<sup>3</sup> within this area to ensure growth is not restricted.</p> <p>The following soil depths are required in order to be counted as landscaping:</p> <ul style="list-style-type: none"> <li>• 300mm for lawn</li> <li>• 600mm for shrubs</li> <li>• 1metre for trees</li> </ul> |  | <p>selected for the site.</p> <p>Low, medium and tall growing shrubs will be planted to soften the built form.</p> <p>Planting is proposed within both the setback to Tasman Road and Marine Parade.</p> <p>The two large Norfolk Island Pine trees which are located in the south-eastern and south-western corners of the site will be retained. The scale of these two trees dominate the canopy on the site.</p> <p>The front setback will be predominately soft landscaping with both planting and a permeable driveway.</p> <p>The site is not located within a bushfire zone.</p> <p>Noxious and undesirable plants will be removed from the site as required.</p> |
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| <p>The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</p> <ul style="list-style-type: none"> <li>• A planter or landscaped area with minimum dimensions of 4m<sup>2</sup> for shop top housing developments,</li> <li>• 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and</li> <li>• 50% for all other forms of residential development.</li> </ul> <p>Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.</p> <p>In bushfire prone areas, species shall be appropriate to the bushfire hazard.</p> <p>Landscaping shall not unreasonably obstruct driver and pedestrian visibility.</p> <p>Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.</p> <p>Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.</p> <p>Noxious and undesirable plants must be removed from the site.</p> |  |  |
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| <b>C1.2 Safety and Security</b>   |   |  |
| <p><u>1. Surveillance</u></p> <p>Building design should allow visitors who approach the front door to be seen without the need to open the door.</p> <p>Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.</p> <p>Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners.</p> <p>Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 4282-1997: <i>Control of the obtrusive effects of outdoor lighting</i>.</p> <p>Lighting is to be designed to minimise electricity consumption, and to minimise annoyance to neighbours.</p> <p>Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.</p> | ✓ | <p>Casual surveillance of Tasman Road and Marine Parade will be possible from the main habitable rooms of the proposal. The main pedestrian access to the site from Marine Parade will be clearly defined and well lit.</p> <p>Adequate lighting will be provided to external areas and will be in accordance with the relevant Australian Standard.</p> <p>The Landscape Plan will ensure that mature vegetation will not restrict views of pathways, parking and open space.</p> <p>The main pedestrian entry from Marine Parade will be clearly identifiable by a pathway leading directly from the street and lighting provided.</p> |

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| <p>Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.</p> <p><u>2. Access Control</u></p> <p>Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.</p> <p>Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.</p> <p>Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.</p> <p>The street number of the property is to be clearly identifiable.</p> <p>Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions.</p> |          |  |
| <b>C1.3 View Sharing</b>  |          |  |
| <p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p>   | <p>✓</p> | <p>The dwelling is low scale and will not interrupt view corridors from adjoining development. Both 1A Tasman Road and 6</p> |

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| <p>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</p> <p>Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.</p> <p>Views are not to be obtained at the expense of native vegetation.</p>  |          | <p>Marine Parade have views towards their front and rear boundaries, and not across the subject site. Mature planting adjacent to the southern front boundary at No.1A Tasman Road provides existing screening to the subject site.</p>   |
| <b>C1.4 Solar Access</b>  |          |   |
| <p>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p> <p>Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).</p> <p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</p> <p>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</p> | <p>✓</p> | <p>The L-shaped design of the proposed dwelling maximises solar access to the rear private open spaces areas which will exceed 3 hours in midwinter. The windows to the principal living areas will receive 3 hours of solar access in midwinter.</p> <p>No overshadowing will occur to neighbouring properties as a result of the proposed development due to the orientation of the site and surrounding development.</p> |



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| <p>The proposal must demonstrate that appropriate <b>solar access</b> is achieved through the application of the Land and Environment Court planning principle for <b>solar access</b>.</p>   |          |  |
| <b>C1.5 Visual privacy</b>  |          |  |
| <p>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m (measured from a height of 1.7m above floor level).</p> <p>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the <b>building</b>.</p> <p>Direct views from an upper level <b>dwelling</b> shall be designed to prevent overlooking of more than 50% of the <b>private open space</b> of a lower level <b>dwelling</b> directly below.</p> <p>Direct views of <b>private open space</b> or any habitable room window within 9m can be restricted (see diagram below) by:</p> <ul style="list-style-type: none"> <li>• vegetation/landscaping</li> <li>• a window sill height 1.7 metres above floor level, or</li> <li>• offset windows</li> <li>• fixed translucent glazing in any part below 1.7 metres above floor level, or</li> <li>• solid translucent screens or perforated panels or trellises which have a</li> </ul> | <p>✓</p> | <p>The proposed dwelling is designed to ensure privacy to adjoining dwellings. There are no windows within 9m of a window directly opposite on a neighbouring site. Windows along both the northern and southern facades will have brick tile cladding in front of windows which will maintain privacy. Views to the private open space of adjoining properties are prevented by screens to the rear deck, fencing and screen planting. Private open space</p> |

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| <p>maximum of 25% openings, and which are:</p> <ul style="list-style-type: none"> <li>• permanent and fixed;</li> <li>• made of durable materials; and</li> <li>• designed and painted or coloured to blend in with the <u>dwelling</u>.</li> </ul>   |   |   |
| <b>C1.6 Acoustic privacy</b>  |   |   |
| Noise-sensitive rooms to be located away from noise sources.  | ✓ | The proposal complies with this requirement.  |
| Noise generating plant including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.  | ✓ | All plant will be acoustically concealed to comply with BCA requirements.   |
| <b>C1.7 Private Open Space</b>  |   |   |
| <p><u>Private open space</u> shall be provided as follows:-</p> <p>a) <u>Dwelling</u> houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</p> <p>Minimum 80m<sup>2</sup> of <u>private open space</u> per <u>dwelling</u> at ground level, with no dimension less than 3 metres. No more than 75% of this <u>private open space</u> is to be provided in the front yard.</p> <p>Within the <u>private open space</u> area, a minimum principal area of 16m<sup>2</sup> with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</p> | ✓ | <p>The proposal includes 414.67sqm of private open space. Only 35% is provided within the front yard.</p> <p>The rear yard has a minimum principal area of 16sqm and minimum dimension of 4m.</p> |

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| <p>Dwellings are to be designed so that <b>private open space</b> is directly accessible from living areas enabling it to function as an extension of internal living areas.</p> <p><b>Private open space</b> areas are to have good solar orientation (i.e. orientated to the <b>north-east</b> or <b>north-west</b> where possible). Where site or slope constraints limit optimisation of orientation, the <b>private open space</b> area must have access to some direct sunlight throughout the year (see <b>Solar Access</b>).</p> <p><b>Private open space</b> should be located to the rear of the <b>dwelling</b> to maximise privacy for occupants.</p> <p>Where this open space needs to be provided to the front of the <b>dwelling</b>, the area should be screened from the street to ensure that the area is private.</p> <p>A balcony located above ground level, but which has access off living areas of dwellings, can be included as <b>private open space</b>. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of</p> |  | <p>The main living area on the first floor has direct access to an east and west facing balcony which forms an extension of the indoor living area.</p> <p>Most of the private open space areas on the site have good solar orientation to maximise direct sunlight.</p> <p>A large area of private open space is located to the rear. The design of the dwelling allows for greater privacy to this space compared to the existing situation which is clearly visible from Marine Parade.</p> <p>Two decks immediately adjoin the main indoor living area. They are located to the east and west of the main living area to catch the morning and afternoon sun in winter. An additional rear garden</p> |
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| <p>adjoining residential properties.</p> <p><b>Private open space</b> areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</p> <p>An accessible and usable area for composting facilities within the ground level <b>private open space</b> is required.</p> |   | <p>provides areas which can be used for recreation. The building forms a privacy screen between Marine Parade and the rear garden.</p> <p>The laundry has access to an outdoor area for drying.</p> <p>Areas are available within the garden for the location of a composting facility.</p> |
| <p><b>C1.12 Waste and Recycling Facilities</b></p> <p>All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the <u>Waste</u> Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan</p>  | ✓ | <p>A Waste Management Plan has been prepared and submitted with the application.</p>  |
| <p><b>C1.17 Swimming Pool Safety</b></p> <p><u>Swimming pool</u> fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the <u>Swimming Pools Act 1992 and regulations</u>. The fencing and warning notices (resuscitation chart) shall be permanent structures.</p>           | ✓ | <p>The proposal will comply with this requirement.</p>  |
| <p><b>1.25 Plant, Equipment Boxes and Lift Over-run</b></p>   | ✓ | <p>A plant room is located on the ground floor and</p>  |

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| <p>Where provided, plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the <u>building</u>. <u>Council</u> does not encourage air conditioning units on the roof of residential flat buildings and multi dwelling housing. The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement.</p> <p>Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, <u>garbage</u> collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.</p> |          | <p>away from neighbouring dwellings to maintain acoustic privacy.</p>   |
| <b>SECTION D LOCALITY SPECIFIC DEVELOPMENT CONTROLS</b>   |          |   |
| <b>D1 AVALON BEACH LOCALITY</b>   |          |   |
| <p><b>D12.1 Character As Viewed From A Public Place</b></p> <p>Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street <u>frontage</u> facades without windows shall not be permitted.</p> <p>Walls without articulation shall not have a length greater than 8 metres to any</p>   | <p>✓</p> | <p>The proposal is designed to address both street frontages and will positively contribute to both streetscapes. It is modest in scale with well articulated facades with the brick tile screening providing a sculptural element. The facades incorporate many design features which assist with reducing bulk and scale.</p> |



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| <p>street <b>frontage</b>.</p> <p>Any <b>building</b> facade to a public place must incorporate at least two of the following design features:</p> <ul style="list-style-type: none"> <li>i. entry feature or portico;</li> <li>ii. awnings or other features over windows;</li> <li>iii. verandahs, balconies or window box treatment to any first floor element;</li> <li>iv. recessing or projecting architectural elements;</li> <li>v. open, deep verandahs; or</li> <li>vi. verandahs, pergolas or similar features above garage doors.</li> </ul> <p>The bulk and scale of buildings must be minimised.</p> <p>Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front <b>building</b> line, preferably set back further than the primary <b>building</b>, and be no greater in width than 50% of the lot <b>frontage</b>, or 7.5 metres, whichever is the lesser.</p> <p>Landscaping is to be integrated with the <b>building</b> design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.</p> |  | <p>The garage is a recessive element within the Tasman Road frontage.</p> <p>Landscaping further assists with enhancing the presentation to both streetscapes. See Landscape Plan submitted with the application.</p> |
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| <p>Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.</p> <p>General service facilities must be located underground.</p> <p>Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.</p> |   |  |
| <b>D1.4 Scenic Protection</b>   |   |  |
| <p>Development shall minimise any visual impact on the natural environment when viewed from any <b>waterway, road or public reserve</b>.</p>  | ✓ | <p>The proposed dwelling is designed by a multi-award winning residential architect. The dwelling is well articulated and is designed to address both street frontages. Its modest scale, mix of materials and finishes will all positively contribute to its scenic quality. The proposed abundance of landscaping will also be significantly enhanced on the site and blend with the architecture.</p> |
| <b>D1.4 Building Colours, Materials and Construction</b>  |   |  |
| <p>External colours and materials shall be dark and earthy tones.</p>   | ✓ | <p>See details of proposed materials provided on the architectural</p>   |

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| White, light coloured, red or orange roofs and walls are not permitted.  |   | drawings submitted with the application.  |
| Finishes are to be of a low reflectivity.  |   |   |
| <b>D1.8 Front Building Line</b>  |   |   |
| The minimum front building line shall be 6.5m or established building line, whichever is the greater.  | ✓ | The proposal complies with the 6.5m front setback requirement as indicated on the ground floor plan.  |
| <b>D1.9 Side and Rear Building Line</b>  |   |   |
| <p>The minimum side and rear <b>building</b> line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:</p> <p>2.5 at least to one side; 1.0 for other side<br/>6.5 rear (other than where the foreshore <b>building</b> line applies)</p> | ✓ | <p>The proposal has a 1m northern side setback and a 3.5m side setback to Marine Parade.</p> <p>The rear setback is 6.5m.</p>   |
| <b>D1.11 Building envelope</b>   |   |   |
| <p>Buildings are to be sited within the following envelope:</p> <p>Planes are to be projected at 45 degrees from a height of 3.5 metres above natural ground level at the side boundaries to the maximum height.</p>   | x | <p>A minor non-compliance occurs along the northern side, at the front of the dwelling, due to the slope of the site.</p> <p>The proposed non-compliance does not result in any adverse impact on the amenity of the adjoining property to the north.</p> |
| <b>D1.13 Landscaped Area – General</b>   |   |   |
| The total <b>landscaped area</b> on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 50% of the <b>site area</b> .   | ✓ | The proposal has a soft landscaped area of 370.3sqm (51% of the site area). See   |

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| The use of porous materials and finishes is encouraged where appropriate.  |   | Landscape Plan submitted with the application.  |
| <b>D1.15 Fences - General</b>  |   |   |
| <p><u>a. Front fences and side fences (within the front <b>building</b> setback)</u></p> <p>Front fences and side fences (within the front <b>building</b> setback) shall:</p> <ul style="list-style-type: none"> <li>• not exceed a maximum height of 1 metre above existing ground level,</li> <li>• be compatible with the streetscape character, and</li> <li>• not obstruct views available from the <b>road</b>.</li> </ul> <p>Front fences and landscaping should allow people in their homes to view street activity.</p> <p>Fences are to be constructed of open, see-through, dark-coloured materials.</p> <p>Landscaping is to screen the fence on the <b>road</b> side. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</p> <p>Original stone fences or stone fence posts shall be conserved.</p> <p><u>b. Rear fences and side fences (to the front <b>building</b> line)</u></p> <p>Fencing is permitted along the rear and side</p> | ✓ | <p>The existing low-rise stone wall along the south-western corner frontage will be retained and protected.</p> <p>A new 1.8m rendered masonry wall will be constructed adjacent to both the northern and eastern boundary.</p> |

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| boundaries (other than within the front <u>building</u> setback) to a maximum height of 1.8 metres. |  |  |
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## 5.0 ENVIRONMENTAL PLANNING ASSESSMENT

Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended specifies the matters which a consent authority must consider when determining a development application.

### **5.1 s.4.15(1)(a)(i) the provision of any Environmental Planning Instrument (EPI)**

Consideration of SEPP 55, SEPP BASIX 2004, SEPP Coastal Management 2018 and Pittwater Local Environmental Plan 2014 are discussed under Section 4.

### **5.2 s.4.14(1)(a)(ii) the provision of any draft Environmental Planning Instruments**

Not applicable to this application.

### **5.3 s.4.15(1)(a)(iii) any development control plan**

Consideration of Pittwater 21 Development Control Plan 2014 is discussed under Section 4.

### **5.4 s.4.15(1)(a)(iv) any matters prescribed by the regulations**

Not applicable to this application.

### **5.5 s.4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

- **Context and Setting**

North Avalon is characterised by dwellings designed in a variety of architectural styles in landscaped garden. The proposal responds to its context.

- **Access, Transport and Traffic**

At present there is a driveway accessing the rear of the property from Marine Parade. It is proposed to remove that driveway and construct a single cross-over from Tasman Road. A double garage is proposed within the building envelope. The main pedestrian access will be from Marine Parade, with the existing secondary access pathway, in the south-western corner of the site, being retained. A lift is proposed to improve internal accessibility.

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- **Public Domain**

The existing driveway cross-over will be removed from Marine Parade and a new single driveway cross-over proposed from Tasman Road.

- **Utilities**

The existing utilities are considered appropriate for the proposed development.

- **Heritage**

The subject site is not a heritage item or located within a heritage conservation area.

- **Other Land Resources**

Not applicable to this application.

- **Water**

Appropriate water saving devices will be installed in the new dwelling.

- **Soils**

Some minor excavation will be required for part of the ground floor and the proposed swimming pool. All work will be well setback from the boundaries and the proposed depth does not require a Geotechnical Report to be submitted as part of the application.

- **Air and Microclimate**

It is considered that the proposal will not give rise to any significant air or microclimate impacts.

- **Flora and Fauna**

Not applicable to this application.

- **Waste**

A waste management plan has been prepared and submitted with the application. Waste and recycling bins will be stored in the garage for easy access to the street frontage.

- **Energy**

Not applicable to this application.

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- **Noise and Vibration**

Construction will be conducted in a manner that will minimize the impact of noise and vibration. After construction the development is not expected to have any adverse noise or vibration impacts.

- **Natural Hazards**

Not applicable to this application.

- **Technological Hazards**

Not applicable to this application.

- **Safety, Security and Crime Prevention**

The dwelling will have habitable room windows overlooking both Tasman Road and Marine Parade. Appropriate security devices will be installed to ensure security for occupants. The main pedestrian entry to the dwelling is clearly distinguishable from the street frontage.

- **Social Impact in the Locality**

The proposal is not expected to have an adverse social impact on the locality.

- **Economic Impact in the Locality**

Employment opportunities will be provided during the construction phase to the benefit of the local building sector. The proposal will increase the property value of the subject site.

- **Site Design and Internal Design**

The L-shaped dwelling is sited to maximise solar and daylight access to the main indoor and outdoor living areas. Given the site is located on a corner, the dwelling is also sited to provide a private open space area in the north-eastern corner, where it is also protected from coastal winds. The internal design will provide a high residential amenity with well dimensioned rooms, daylight access to all habitable rooms, and openings which allow for cross ventilation. Overall the dwelling is modest in nature and sits comfortably within its context.

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- **Construction**

The building process will be managed to minimize disruption to the local community and the environment. However, some noise will be inevitable during the construction phase and this will be managed in accordance with Council's standards.

- **Cumulative Impacts**

The subject allotment is suitable sized, shaped and orientated to accommodate the proposed development. It is anticipated that the proposed development will have a negligible cumulative effect.

**5.6 s.4.15(1)(c) suitability of the site for development**

The existing dwelling on the site demonstrates its suitability for residential development.

**5.7 s.4.15(1)(d) submissions made in accordance with the Act or the Regulations**

The Consent authority will need to consider the submissions received in response to the public exhibition of the proposed development.

**5.8 s.4.15(1)(e) the public interest**

There are no known Federal and/or state Government policy statements and/or strategies other than those discussed in this report that are of relevance to this particular case. We are not aware of any other circumstances that are relevant to the consideration of this development application.

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## 6.0 CONCLUSION

The proposal relates to demolition of an existing detached dwelling and construction of a new detached dwelling, double garage, swimming pool and associated landscaping. The proposed design is modest in scale and designed to meet the accommodation needs of the owners. The high quality design will sit comfortably within its coastal location. Meetings were held with the immediately adjoining neighbours to ensure their residential amenity would not be compromised.

The proposal has been designed in accordance with Council's policies and planning instruments and will make a positive contribution to the Avalon locality. The proposal also addresses the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979. It will deliver a suitable and appropriate development to Avalon and is worthy of approval.



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Statement of Environmental Effects prepared by:

Name: Laura D.M. Reid of Mersonn Pty Ltd

Qualification: BTP

Address: 6/20 Wylde Street, Potts Point

In respect of the following Development Application:

Land to be developed: 1 Tasman Road, Avalon


Lot & DP: Lot C DP102027

Proposed development: Demolish all existing structures and construct a new detached dwelling, garage, swimming pool and associated landscaping.

Declaration: I declare that I have prepared this Statement and to the best of my knowledge:

1. The Statement has been prepared in accordance with Section 4.12 of the EP & A Act and Clause 50 of the EP & A Regulations.
2. The Statement contains all available information that is relevant to the environmental assessment of the development to which this Statement relates, and
3. That the information contained in the Statement is neither false nor misleading.

Signature:



Name: Laura D.M. Reid

Date: December 2021