



Corona Projects

Development Application
STATEMENT OF ENVIRONMENTAL EFFECTS

Conversion of a single dwelling house to a dual occupancy
with minor alterations and additions

20 Kevin Avenue, Avalon Beach

July 2022

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PROJECT DETAILS

Client: Mr Matthew Ashcroft
Subject land: 20 Kevin Avenue Avalon Beach 2107
Lot Description: Lot 51, DP12074
Proposed development: Conversion of a single dwelling house to a dual occupancy with minor alterations and additions

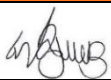
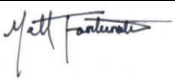
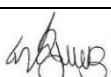
The report is prepared by Emma Rogerson
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Master of Urbanism (Urban & Regional Planning) (USYD)
Planning Institute of Australia (Assoc.)

The report is reviewed by Mathew Fortunato
Bachelor of Architecture and Environments (USYD)

I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2021;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

Quality Management

	Name	Date	Signature
Prepared by	Emma Rogerson	03/06/2022	
Checked by	Mathew Fortunato	04/06/2022	
Approved for issue by	Emma Rogerson	04/06/2022	

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for Mr Matthew Ashcroft to accompany a Development Application (DA) to Northern Beaches Council for the conversion of a single dwelling house to a dual occupancy with alterations and additions at 20 Kevin Avenue, Avalon Beach.

More specifically, the development comprises of alterations and additions to create one dwelling on the ground floor and one dwelling on the upper floor. External works including a new swimming pool are also proposed.

Some of the works have already been undertaken and are subject of a Notice of Intention to Give a Development Control Order from Council dated 8 June 2022, and a portion of the works drawn on the Architectural Drawings submitted with this Development Application have not been constructed. **This Development Application therefore seeks approval for both retrospective and prospective works.** A Building Information Certificate (BIC) Application can be submitted for the physical structure of any unauthorised works approved by this DA.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties. The proposal seeks retrospective approval on the unauthorised building works.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Architectural Plans	Inlet Design Studio	15.06.22
Survey	Altitude Surveys	01.04.20
Certificate of Structural Adequacy	Feng Consulting	20.03.20
BCA Report	BCA Vision	25.03.20

2.0 SITE ANALYSIS & CONTEXT

2.1 The Site

The site is located at 20 Kevin Avenue, Avalon Beach and is legally described Lot 51 in Deposited Plan 12074. The site is located on the northern side of Kevin Avenue, between Wollstonecraft Avenue and Kevin Avenue.



Figure 1 – Site locality map (Google Maps)

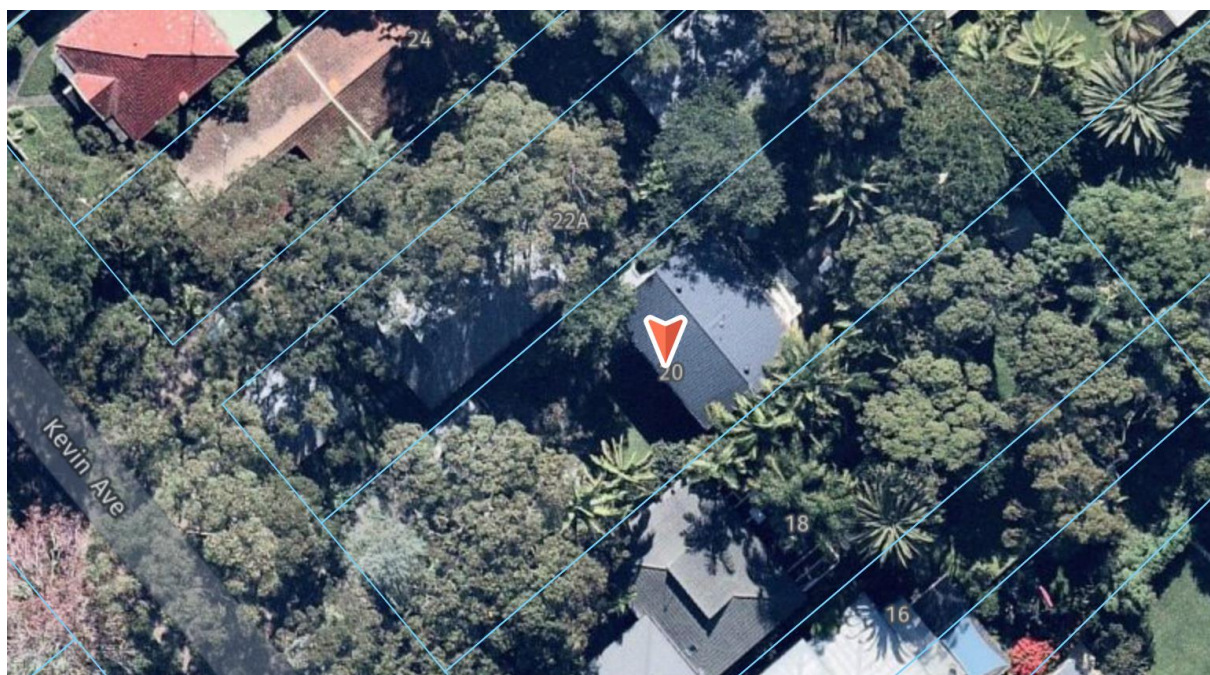


Figure 2 – Aerial map (NearMaps, 2022)

The site is rectangular with a total area of 929 square metres by survey, with a 15.24 metre street frontage to Kevin Avenue. The northern side boundary measures 60.96 metres and the southern side boundary measures 60.96 metres. The rear boundary measures 15.24 metres. The site falls from the street towards the rear by approximately 7 metres.

The site currently contains a two storey clad residential dwelling with metal roof, a metal carport, retaining wall, timber shed and timber cubby. The front and rear of the site is landscaped with grass and trees. Vehicular access is available from Kevin Avenue.

The land is zoned R2 Low Density Residential under the provisions of Pittwater Local Environmental Plan 2014 (PLEP 2014). The site is not located within a Heritage Conservation Area (HCA) nor is it identified as an individual Heritage Item. The site is not located within the vicinity of any heritage item or conservation area.



Figure 3 – Subject site as viewed from Kevin Avenue (Google Maps, 2019)

2.2 The Locality

The site is located within an established residential suburb of Pittwater. The locality predominantly comprises of residential dwellings with varying architectural styles, size and height.

To the west and east of the site are residential dwellings of one to two storeys in height.

2.3 Development History

A search on Council's DA Tracker returned the following results for development applications associated with the site:

[Development Application DA2020/0686](#)

Conversion of a single dwelling house to a dual occupancy with minor alterations and additions (Submitted: 23/06/2020)

A Notice of Intention to Give a Development Control Order letter dated 8 June 2022 was issued by Council to the property owners of 20 Kevin Avenue, Avalon Beach. The order related to the following:

- The property was split into a ground floor and first floor duplex and was unlawfully being used as two independent and self-contained dwellings.
- The internal stairs had been unlawfully removed.
- A kitchen had been unlawfully added in the first floor living area.
- An unlawful external timber stairway had been constructed to access the first floor.
- An unlawful external access doorway had been installed in the north-west elevation of the first floor.

This Development Application seeks retrospective approval for the use of these works as well as for approval for prospective unbuilt works. A Building Information Certificate (BIC) Application can be submitted for the physical structure of any unauthorised works approved by this DA.

3.0 THE PROPOSAL

3.1 Overview

The Development Application proposes the conversion of a single dwelling house to a dual occupancy with alterations and additions at 20 Kevin Avenue, Avalon Beach. More specifically, the development comprises of alterations and additions to create one dwelling on the ground floor and one dwelling on the upper floor. External works including a new swimming pool are also proposed.

This Development Application therefore seeks approval for both retrospective and prospective works.

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk and scale. The contemporary design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality.

Please refer to plans prepared by Inlet Design Studio.

3.3 Numerical Overview

A brief numerical overview of the development parameters for the proposed development is included in the following table.

Table 1: Key development components

Component	Ground Floor Dwelling	First Floor Dwelling
Site area	929m ²	
Gross Floor Area	123.5m ²	121.3m ²
Floor Space Ratio	0.26:1	
Height	2 storeys Maximum ridge RL 22.07 retained	
Boundary setbacks	Approximately	
• Front	Greater than the average of neighbours	
• Side (north)	402mm (porch roof)	
• Side (south)	1306mm	
• Rear	Greater than 6.5m minimum required	
Landscaped Area	476.3m ²	
Car spaces	4	

4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan

The primary statutory document that relates to the subject site and the proposed development is Pittwater Local Environmental Plan 2014. The primary non-statutory plan relating to the subject site and the proposed development is Pittwater Development Control Plan 2014.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 7, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the residential purpose. Thus, there is no further consideration required under Clause 7(1)(b) and (c) of SEPP 55.

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

SEPP (BASIX) 2004 applies to the proposed development. A BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort and energy efficiency requirements of the policy.

4.1.3 Pittwater Local Environmental Plan 2014

The development complies with the provisions of Pittwater Local Environmental Plan 2014 (PLEP 2014).

Zoning and permissibility

The site is located in Zone R2 Low Density Residential.



Figure 5 – Land Zoning Map (NSW Planning Portal)

The development is identified to be *house alterations and additions*, which is permitted with consent in the R2 zone.

The objectives of the zone are:

- *To provide for the housing needs of the community within a low-density residential environment*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses*

The proposal will facilitate additional housing needs in the community, on a lot that contains a large singular dwelling house. The proposal will increase the amenity of the site and will not result in any adverse effects to the surrounding dwelling houses or the locality, therefore will support the objectives of the site for ongoing residential uses.

Clause 4.3 Height of buildings

The Height of Building Map stipulates that the maximum building height permitted for the site is 8.5 metres. The maximum height of the proposed development is less than 8.5 metres, thus complying with the development control.

Clause 4.4 Floor space ratio

The Floor Space Ratio Map stipulates that there are no floor space ratio requirements for the site.

Biodiversity Values Map (Non-EPI)

Biodiversity Values Map identifies portions of the site to contain biodiversity value. The majority of significant landscaping is retained on site, supporting the natural environment on site. Only one tree is proposed for removal. The proposal is considered to ensure that native fauna, flora and their necessary ecological processes are protected, and the conservation and recovery of the natural environment is supported.



Figure 6 – Biodiversity Values Map – Non-EPI (NSW Planning Portal)

4.1.4 Pittwater 21 Development Control Plan

The development achieves a high level of compliance with the provisions of Pittwater Development Control Plan 21.

Control		Comment	Compliance					
B6 Access and Parking								
B6.3 Off-Street Vehicle Parking Requirements								
<div>The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dual occupancies.</div> <table><tr><th>Number of bedrooms per dwelling but not a secondary dwelling</th><th>Parking requirements per dwelling</th></tr><tr><td>1 bedroom</td><td>1 space</td></tr><tr><td>2 bedrooms or more</td><td>2 spaces</td></tr></table>	Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling	1 bedroom	1 space	2 bedrooms or more	2 spaces	4 on-site spaces are available under the proposal, 2 within the existing carport, 1 within the driveway and 1 to the side of the carport.	Yes
Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling							
1 bedroom	1 space							
2 bedrooms or more	2 spaces							
C1 Design Criteria for Residential Development								
C1.3 View Sharing								
All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	The proposed development is designed to achieve sharing of views to the street and will not obstruct views and privacy of adjoining neighbours.	Yes						
C1.4 Solar Access								
<div>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.</div> <div>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).</div>	<div>Refer to the shadow diagrams submitted with the Development Application.</div> <div>The private open space on the ground floor and upper floor (balcony) will receive a large amount of sunlight throughout the day due to the northern orientation. The development will not cause a decrease of sunlight into habitable rooms.</div> <div>The solar access for adjoining dwellings will also continue to receive adequate sunlight as per existing during the morning hours.</div>	Yes						
C1.5 Visual Privacy								

Control	Comment	Compliance
Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).	The upper dwelling balcony is located at the rear of the building. The existing trees and vegetation on site will act as a screening device to prevent direct overlooking to adjoining dwellings.	Yes
Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.	The control objectives are met as the development achieves the desired future character of the area, does not obstruct views or vistas, does not impose privacy or acoustical concerns and does not impact upon existing vegetation.	
Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.	<p>The upper dwelling balcony is positioned directly above the entertaining deck, therefore unable to overlook the private open space area below on the ground floor.</p> <p>Existing trees to the rear yard will serve as a privacy screen for the upper level dwelling to prevent overlooking to the lower level.</p>	Yes

C1.6 Acoustic Privacy

Noise sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.	<p>The dwelling is located in the middle of the lot; therefore, all bedrooms are located away from main roads and parking areas to the front of the site.</p> <p>Private open space areas are mainly located to the rear of the site, thus outdoor noise will not impact the bedrooms areas.</p>	Yes
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Control	Comment	Compliance
C1.7 Private Open Space		
Minimum 80m ² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.	The existing landscaped area of 476.3m ² with dimensions greater than 3 metres is used as private open space in the front and rear yard. The upper floor dwelling has additional balcony POS.	Yes
Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas	<p>The ground floor dwelling allows for direct access to private open space areas to the front of the residence, as well as the rear yard.</p> <p>The upper dwelling enables direct access to the balcony (private open space) as well as the rear yard via external staircase.</p>	Yes
A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. 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 adjoining residential properties.	<p>The upper dwelling consists of a balcony to the rear of the dwelling. The balcony measures 1.8m by 4.975m, which achieves the minimum width requirement.</p> <p>The balcony is designed with consideration to maintain the privacy of adjoining dwellings, with the presence of trees and vegetation on site.</p>	Yes
C1.8 Dual Occupancy Specific Controls		
A landscaping strip of 1.5m minimum width shall be provided along the side boundary where any driveway is located adjacent to an existing dwelling.	The landscaping strips surrounding the site boundary will not be affected by the development and will remain as per existing.	Yes
Where a building site is less than 16.5 metres wide the rear dwelling of a dual occupancy must be single	This control is not applicable due to the integrated nature of the development (one	Not applicable

Control	Comment	Compliance
storey unless there are adverse slope or topography issues.	dwelling on the upper floor and one on the ground floor).	

D1 Avalon Beach Locality

D1.8 Front Building Line

All other land zoned R2 Low Density Residential is to be 6.5, or established building line, whichever is the greater.	The front setback is greater than 6.5m and greater than the front setback of neighbours, thus adhering to the numerical controls.	Yes
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D1.9 Side and rear building line

Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living: 2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)	<p>The side setback to the north-western boundary measures 2.071 metres (excluding the porch and stairs), and the south-eastern boundary measures 1.306 metres. The porch and external stairs encroach the north-western setback for a small portion of the building, however, no adverse solar access, bulk or landscaping impact is imposed by this encroachment, rendering it acceptable upon merit for the amenity it provides to the existing building.</p> <p>The rear setback measures more than 6.5m, therefore, achieves compliance standards.</p>	<p>Acceptable upon merit.</p> <p>Yes</p>
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D1.11 Building Envelope

Residential flat buildings and multi dwelling housing: Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).	The proposed building mostly sits within the stipulated building envelope. No adverse impact is produced and the existing building envelope is generally retained.	Acceptable upon merit.
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D1.13 Landscaped area - General

Control	Comment	Compliance
The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.	The landscaped area is 476.3m ² equating to a compliant 51%.	Yes

4.2 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the dual occupancy development is of a reasonable scale and nature, and does not present unreasonable environmental, social and economic impacts.

Impacts on Natural and Built Environment

The development does not impact upon native vegetation, soil conditions, foreshore environment or air quality.

The proposal incorporates a well-articulated design with carefully selected materials, finished and colours which are compatible with the existing neighbourhood character. There is no detrimental impact on adjoining properties. The proposed development does not result in any loss of visual and acoustic amenities to surrounding properties.

Social and Economic Impacts

The development increases the social amenity of the property with the increased habitable floor space and available housing, and upgraded private open space and parking provisions. This will improve the way of life for future residents.

The short term economic impacts are positive, with the generation of employment opportunity through the physical construction stages. The use of high quality materials will ensure a durable final built outcome, reducing the need to rebuild in the near future, resulting in a positive long term financial and sustainability outcome.

4.3 Suitability of the Site

The subject site is considered suitable in size and shape to accommodate the development. The proposal does not introduce any incompatible uses to the site. The works are permissible under the zone R2.

4.3.1 Access to Services

The site is located within an established residential area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

4.3.2 Parking and Access

The on-site parking provided complies with the parking requirements as prescribed by Pittwater Development Control Plan 21. It provides a logical and considered approach to the provision of off-street car parking. The design and layout of on-site parking and vehicle access/egress is compliant with AS2890.1.

4.3.3 Hazards

The site is not in an area recognised by Council as being subject to flooding, landslip, bushfire or any other particular hazards. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance.

4.4 The Public Interest

The proposal is not considered to be against the public interest due to its positive visual outcome on the streetscape, and nominal negative environmental, social and economic impacts.

5.0 CONCLUSION

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the dual occupancy at 20 Kevin Avenue, Avalon Beach. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at 20 Kevin Avenue, Avalon Beach as described in this application is reasonable and supportable, and worthy of approval by Northern Beaches Council.