

STATEMENT OF ENVIRONMENTAL EFFECTS

14 MARINE PARADE, AVALON BEACH

PROPOSED DWELLING ALTERATIONS AND ADDITIONS

**PREPARED ON BEHALF OF
Ms Marie McLeod**

DECEMBER 2020

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	SITE DESCRIPTION AND LOCALITY	4
3.	THE DEVELOPMENT PROPOSAL	7
4.	ZONING & DEVELOPMENT CONTROLS	8
5.	EP&A ACT – SECTION 4.15	16
6.	CONCLUSION	17

1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling upon land at Lot A in DP 325780 which is known as **14 Marine Parade, Avalon Beach**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Pittwater Local Environmental Plan 2014.
- Pittwater Development Control Plan 2014.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Total Surveying Solutions, Job No. 200873 and dated 10/06/2020.
- Architectural Plans prepared by Drafting Help, Revision A and dated 23/11/2020.
- BASIX Certificate #A399324_02 and issued 8 December 2020.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot A in DP 325780 which is known as 14 Marine Parade, Avalon Beach. The site has an area of 570.3m² which is generally rectangular in shape. The site is a corner allotment located on the northern side of Marine Parade at its northeast intersection with Harley Road. The site has a frontage of 12.885m to Marine Parade and a secondary frontage of 45.555m to Harley Road. The site is burdened by a right of way with a width of 3.05m which extends the length of the northern boundary. This right of way provides access to the adjoining property No. 16 Marine Parade. The locality is depicted in the following map:



Site Location Map

The site has a cross fall from the eastern side boundary (RL21.7) towards the Harley Road frontage (20.12). The site currently comprises a two storey brick and tiled roof dwelling. The sites Marine Parade frontage is bounded by a brushwood fence. The Harley Road frontage is partly bounded by a solid masonry fence. Vehicular access to the site is via a concrete driveway accessed from Harley Road. There is no significant vegetation on site.

The site is depicted in the following photographs:



View of Existing Dwelling from South



View of Site from Marine Parade



View of Site from Harley Road

The existing surrounding development comprises of a mix of original housing stock interspersed between larger more modern two storey dwellings. The sites relationship with the surrounding properties is depicted in the following aerial photograph:



Aerial Photograph of the Subject Site

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of additions and alterations to the existing dwelling. The proposed additions are to be constructed of a mixture rendered masonry and external cladding the first floor. The existing tiled roof will be replaced with metal roofing.

The application proposes to orientate the dwelling towards Marine Parade to ensure more efficient use of the site and improve amenity for the residents.

The proposal seeks to reconfigure the existing ground floor layout. A small addition to the southern elevation will provide for a garage and main entry orientated towards the Marine Parade frontage. This component is provided with a setback of 6.892m to the boundary fronting Marine Parade and a setback of 2.585m to the Harley Road frontage. An addition is provided to the rear of the dwelling, incorporating converting the existing garage to habitable area. This addition provides a setback of 2.585m to the Harley Road frontage and in excess of 18m to the rear northern boundary.

At first floor level the only external works proposed is a new external stair from the existing northern deck to enable access to the rear yard. The existing stair on the northern elevation of the deck will be demolished. Internally, the proposal provides for a more functional floor plan with new sliding doors along the rear elevation to access the existing verandah.

A new swimming pool is proposed in the rear yard adjacent to the eastern side boundary. The pool is proposed with a setback of 1.0m to the eastern side boundary and approximately 6m to the northern rear boundary. A detached cabana is also proposed in the rear yard towards the northwest corner of the site. This cabana is provided with setbacks of 1.0m to Harley Road frontage and approximately 4.0m to the rear boundary.

All collected stormwater from the new roof will be connected to the existing stormwater system which discharges to the existing stormwater system.

The proposal does not reduce the existing landscaped area on site.

Site Area: 570.3m²
Proposed Landscaped Area: 256.53m² or 44.99%

4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Pittwater Council.

5.1 State Environmental Planning Policy (Coastal Management) 2018

This SEPP aims to manage development in the coastal zone and protect the environmental assets. The subject site is identified as '*coastal environment area*' and '*coastal use area*' on the Coastal Management Map and therefore the provisions of this SEPP apply. The following Clauses are relevant to the proposed development:

Clause 10 Development on certain land within coastal wetlands and littoral rainforests area

The site is not identified as being within coastal wetlands or littoral rainforests. This clause does not apply.

Clause 11 Development on land in proximity to coastal wetlands or littoral rainforest

The site is not identified as being within proximity of coastal wetlands or littoral rainforests. This clause does not apply.

Clause 12 Development on land within the coastal vulnerability area

The site is not identified on the coastal vulnerability map.

Clause 13 Coastal Environment Area

The site is not identified on the coastal environment area map.



Extract of Coastal Environment Area Map

Clause 14 Coastal Use Area

This clause provides:

Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

- (a) has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) Aboriginal cultural heritage, practices and places,*
 - (v) cultural and built environment heritage, and*
- (b) is satisfied that:*
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

Comment: The proposal does not affect any existing public access to the foreshore. The proposal is for additions to the existing dwelling and will not result in any overshadowing or wind funnelling to the foreshores. The proposed development complies with the Council's height controls and the proposed works do not extend above the ridge height of the existing dwelling. The proposal will not obstruct any views. There are no known aboriginal or cultural heritage items, places or relics within the vicinity. The proposal will not be prominent when viewed from the foreshore and waterway.



Extract of Coastal Use Area Map

Clause 15 Development in Coastal Zone Generally – Development not to increase risk of coastal hazards

The proposed development is not likely to cause increased risk of the coastal hazards on the site or surrounds. No further information is required in this regard.

There are no other provisions of the SEPP that apply to the proposed development.

4.1 Pittwater Local Environmental Plan 2014

The site is zoned R2 Low Density Residential under the provisions of the PLEP 2014. Development for the purposes of alterations and additions to an existing dwelling is permissible with the consent of Council within the R2 zone.

The relevant provisions of the PLEP which relate to the proposed development are detailed in the attached table:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5 metres	Approximately 6.86m	Yes

The following clause also applies:

Clause 7.1 Acid Sulfate Soils

The site is identified as Class 5 on Council's Acid Sulfate Soil map. The proposal does not result in any significant excavation with all works located over the existing footprint. No further information is required in this regard.

Clause 7.5 Coastal Risk Planning

The site is not identified on Council's Coastal Risk Planning Map. No further information is required in this regard.

There are no other relevant provisions of the LEP that apply to the proposed development.

4.2 Pittwater Development Control Plan 2014

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D1 Avalon Beach Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

4.2.1 Section A Introduction

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.

It is considered that the proposal is consistent with the desired character of the locality. The proposal provides for additions to an existing dwelling which will improve the aesthetics and not result in the removal of any significant vegetation. The additions are well designed with appropriate boundary setbacks.

The proposed works do not have any detrimental impact on the amenity of the surrounding properties.

4.2.2 Part B General Controls

The General Controls applicable to the proposed dwelling are summarised as:

B5.7 On Site Stormwater Detention

All collected stormwater will continue to be discharged to the street gutter.

B8.1 Construction & demolition – excavation and landfill

The controls seek to achieve the outcomes:

Site disturbance is minimised.

Excavation and construction not to have an adverse impact.

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

The proposal provides for works over the existing footprint and does not require any significant excavation or fill.

B8.2 Construction & Demolition – Erosion and Sediment Management

The controls seek to achieve the outcomes:

Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)

Reduction of waste throughout all phases of development. (En)

Public safety is ensured. (S)

Protection of the public domain. (S, En)

Erosion and Sediment controls will be implemented prior to works commencing on site.

4.2.3 Part C Design Criteria

The Design Criteria applicable to the proposed development and are summarised over as:

C1.1 Landscaping

The controls seek to achieve the outcome:

A built form dominated and complemented by landscaping.

Landscaping that reflects the scale and form of development.

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

Development does not result in significant loss of the urban forest.

Reduced risk of landslip.

The proposal does not require the removal of any significant vegetation. The proposal retains the existing stand of vegetation at the rear northeast corner.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community.
Opportunities for vandalism are minimised.*

The dwelling is currently orientated towards Harley Road and the entry is not easily identifiable. The proposal will reorientate the dwelling towards Marine Parade and provide for good visual surveillance of both street frontages. The resultant dwelling ensures enables views of the dwelling approach.

C1.3 View Sharing

The controls seek to achieve the 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.*

The proposed additions comply with the maximum building height and the works do not extend beyond the existing envelope at the first floor level. The proposal provides for new roof cladding but the existing ridge levels are retained. The proposal will not result in the loss of an existing views from surrounding properties.

C1.4 Solar Access

The controls seek to achieve the 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.
Minimal need for artificial lighting.*

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid winter.

Given the existing first floor level remains unchanged, the proposal will not result in any additional overshadowing to adjoining properties.

The proposal complies with the requirements of this clause.

C1.5 Visual Privacy

The controls seek to achieve the 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.

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The additions to the ground level are appropriately orientated and provided with sufficient boundary setbacks to ensure that privacy to the surrounding properties will be maintained. The alterations to the first floor level comprise a new floor plan. The proposal does not provide for any new window openings on the eastern elevation and it is considered that privacy will be maintained. The proposal provides ample setback to the rear boundary which ensures sufficient visual separation.

The proposal complies with this clause.

C1.6 Acoustic Privacy

The controls seek to achieve the outcomes:

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

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

The proposed additions will not have any impact on existing acoustic privacy to surrounding properties.

C1.7 Open Space

The controls seek to achieve the 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.

The required controls to achieve the outcomes are to ensure that dwellings are provided suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

This clause requires at least 80m² of private open space for dwelling houses. The proposal will improve access to the rear private open space by providing a rumpus on the lower level with access to the rear yard. The proposal complies with this clause.

C1.9 Adaptable Housing and Accessibility

The controls seek to achieve the outcomes:

The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.

All members of the community enjoy equitable access to buildings to which the general public have access.

Housing for older people and people with a disability are accessible, adaptable and safe. (S)

Equitable access in the public domain.

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

C1.12 Waste and Recycling Facilities

The controls seek to achieve the 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.

There is no alteration to the existing waste facilities on site. The proposal complies with the requirements of this clause.

C1.23 Eaves

The controls seek to achieve the outcomes:

Housing that reflects the coastal heritage and character of Pittwater.

Optimise roof forms.

Appropriate solar access and shading is achieved.

This clause requires dwellings to be provided with eaves having a minimum width of 450mm. The proposal complies with this clause.

4.2.4 Part D Design Criteria

A summary of the DCP controls for the **D1 Avalon Beach Locality** is provided below:

D1.1 Character as Viewed from a Public Place

The proposal will improve the presentation to both Marine Parade and Harley Road. The alterations will improve the aesthetics with a more modern façade and providing setbacks that are compatible in the streetscape. The proposal does not require the removal of any significant vegetation.

D1.5 Building Colours and Materials

The proposal incorporates natural tones which are recessive and will harmonise with the natural environment and complement the existing dwelling on site..

D1.8 Front Building Lines

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.
Equitable preservation of views and vistas to and/or from public/private places.
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 enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
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.*

This clause requires a minimum setback of 6.5m to the street frontage. The proposal provides for a setback of 6.892m to the Marine Parade frontage which complies with this clause and is compatible with the existing streetscape.

This clause states that Council a minimum building setback to a secondary street of half the front building line, that is a setback of 3.25m. The proposed additions provide for a setback of 2.585m. Whilst this does not comply with the numerical requirements it is consistent with the setback provided by the existing dwelling to the Harley Road frontage. It is also noted that there is existing planting along the Harley Road frontage which provides for softening of the dwelling. It is unreasonable and does not serve any benefit to provide for an increased setback to the proposed additions.

D1.9. Side and Rear Building Lines

The controls seek to achieve the outcomes:

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 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.

A landscaped buffer between commercial and residential zones is achieved.

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

Generally the numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A setback of 6.5m is required to the rear boundary.

The proposal provides for a setback of 1.434m to the sites eastern side boundary and 2.585 to the Harley Road frontage. A setback of 18.9m is provided from the rear of the deck to the rear boundary. The pool is setback 6.16m to the rear boundary. Whilst the cabana is setback 4.05m to the rear boundary it is considered appropriate in this instance for the following reasons:

- The cabana is a single storey structure that is non-habitable.
- The cabana provides for a solid wall along the northern (rear) elevation will prevent views into the adjoining property and minimise noise.
- The cabana is well separated from the nearest dwelling with hedging and driveway.
- The cabana is not within the vicinity of private open space or the habitable areas of any surrounding properties.

It is considered that the proposal achieves the objectives of this clause and should be supported.

D1.11 Building Envelope

The controls seek to achieve the 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.*

The proposed additions do not encroach the existing envelope. There are no additions proposed to the upper level.

D1.13 Landscaped Area – General

The controls seek to achieve the 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.*

This clause requires a landscaped area of 50% of the site. The proposed additions provide for a landscaped area of 256.53m² or 44.99%. However, when including the pathways and allowable features the landscaped area is 290.75m² or 50.9% which would comply with this clause. Notwithstanding the proposal is also considered to achieve the objectives of this clause for the following reasons:

- The proposed additions improve the aesthetics of the building and result in a dwelling that is compatible with the surrounding development.
- The proposal does not result in any unreasonable bulk. The proposal incorporates modest changes with the additions to the existing dwelling located within the existing footprint.
- The proposal does not result in the loss of any significant vegetation.
- The proposal maintains privacy, solar access and amenity to the adjoining properties as discussed throughout this report.
- The proposal will provide for all collected to discharge to the street gutter and as such will not result in additional runoff to adjoining properties.

There are no other provisions of the DCP that are relevant to the proposed development.

5. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and Pittwater Development Control Plan 2014. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

It is considered that the development provides for alterations/additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal does not require the removal of any vegetation and does not have any detrimental impacts on the adjoining properties.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of alterations/additions to an existing dwelling in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for alterations/additions to an existing dwelling that are consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of dwelling alterations/additions as demonstrated in this report the proposal is consistent with the aims and provisions of the Pittwater LEP 2014 and Pittwater DCP 2014. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction dwelling alterations/additions, swimming pool and cabana upon land at **No. 14 Marine Parade, Avalon Beach** is worthy of the consent of Council.

Natalie Nolan
Grad Dip (Urban & Regional Planning) Ba App Sci (Env Health)
Nolan Planning Consultants
May 2020