

Statement of Environmental Effects

Alterations & Additions to 45 Park Avenue Avalon Beach NSW 2107 - 4th May 2021 (updates in RED)

Site Details

Address:
45 Park Avenue Avalon Beach NSW 2107
Lot 55
DP 13325
Site Area: 1,290m² (as per survey)

Site Description

The property of 45 Park Avenue currently holds a one and two storey dwelling.
The site is located to the south-western side of Park Avenue.
The property slopes from the street to the rear of the property. (North-East to South-West).
To the North-West is No.47 which holds a two storey dwelling with a carport to the front.
To the South-East is No. 43 which holds a two storey dwelling with swimming pool.
The rear of the subject property is densely vegetated.
The general vicinity of the site is characterised by predominantly 1 & 2 storey residential dwellings, of a variety of styles & scales of development.

Proposed Development

The proposed development is for alterations & additions to the existing dwelling, carparking facilities and a secondary dwelling.
This includes:

- Replacing several window/doors to the existing dwelling
- Replacing existing deck structures
- New driveway and carport
- New secondary dwelling

The proposed alterations & additions have been designed to retain the existing amenity of neighbouring properties & is consistent with the scale & form of other development in the vicinity.
The proposed alterations & additions generally aim to comply with Council Controls.

Site Zoning

- The property of 45 Park Avenue is zoned E4 – Environmental Living.
- There are NO Heritage items relating to the subject property.
- Identified as H1 on the Geotechnical hazard map 2007(Refer Geotechnical Report as prepared by White Geotechnical Group)
- Identified as Class 5 on the Pittwater Acid Sulphate Soils Map.
- Identified as Pittwater Spotted Gum Forest (refer Arboricultural Assessment as prepared by Coastal Care Horticultural Services Pty Ltd).

The nature of the alterations & additions & proposed secondary dwelling at 45 Park Avenue, aims to respect the current zoning of the property and neighbouring properties.

ID & Outcomes	Controls	Compliance	Consideration
Pittwater Local Environmental Plan 2014			
Zone E4 Environmental Living Objectives of zone <ul style="list-style-type: none"> To provide for low impact residential development in areas with special ecological, scientific or aesthetic values. To ensure that residential development does not have an adverse effect on those values. To provide for residential development of a low density and scale integrated with the landform and landscape. To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors. 		Yes	<p>The proposal if for minor alterations & additions to an existing dwelling, carparking and a secondary dwelling.</p> <p>The siting of the proposed works maintain a suitable scale and compatibility of the surrounding area.</p>
4.3 Height of buildings The objectives of this clause are as follows: to ensure that any <u>building</u> , by virtue of its height and scale, is consistent with the desired character of the locality, to ensure that buildings are compatible with the height and scale of surrounding and nearby development, to minimise any overshadowing of neighbouring properties, to allow for the reasonable sharing of views, to encourage buildings that are designed to respond sensitively to the natural topography, to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.	<p>The height of a <u>building</u> on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u>.</p> <p>(2D) Despite subclause (2), development on land that has a maximum <u>building</u> height of 8.5 metres shown for that land on the <u>Height of Buildings Map</u> may exceed a height of 8.5 metres, but not be more than 10.0 metres if:</p> <p>the consent authority is satisfied that the portion of the <u>building</u> above the maximum height shown for that land on the <u>Height of Buildings Map</u> is minor, and</p> <p>the objectives of this clause are achieved, and</p> <p>the <u>building</u> footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and</p> <p>the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and <u>fill</u> by designs that allow the <u>building</u> to step down the slope.</p> <p>A) Despite subclause (2), the maximum height for a <u>secondary dwelling</u> or a <u>rural worker's dwelling</u> in Zone E4 Environmental Living or Zone RU2 Rural Landscape is 5.5 metres if the <u>secondary dwelling</u> or <u>rural worker's dwelling</u> is separate from the principal <u>dwelling</u>.</p> <p>B) Despite subclause (2), in the case of a <u>dual occupancy (detached)</u>, the maximum height for the <u>dwelling</u> that is furthest back from the primary street <u>frontage</u> of the lot is 5.5 metres.</p>	Yes	<p>Refer DA.14, DA.15 & DA.20 in the architectural drawing package.</p> <p>The subject site is identified as having an allowable height of 8.5m.</p> <p>As can be seen in the architectural drawings, the proposed alterations & additions comply with Council's heights plane requirements.</p>
7.1 Acid sulfate soils The objectives of this clause are as follows: <ul style="list-style-type: none"> The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works. 	Class Works of land <ol style="list-style-type: none"> Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. 	Yes	<p>The proposed alterations & additions are considered Class 5 on the Pittwater Acid Sulfate Soils Map.</p> <p>As the works will not lower the water table by 1m AHD on adjacent Class 1, 2, 3 or 4 land within 500m, therefore compliant</p>

<p>7.6 Biodiversity Protection</p> <p>1. The objective of this clause is to maintain terrestrial, <u>riparian</u> and aquatic <u>biodiversity</u> by:</p> <ul style="list-style-type: none"> - protecting <u>native fauna</u> and flora, and - protecting the ecological processes necessary for their continued existence, and - encouraging the conservation and recovery of <u>native fauna</u> and flora and their habitats. 	<p>2. This clause applies to land identified as “<u>Biodiversity</u>” on the <u>Biodiversity Map</u>.</p> <p>3. Before determining a development application for development on land to which this clause applies, the consent authority must consider:</p> <p>whether the development is likely to have:</p> <ol style="list-style-type: none"> 1. any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and 2. any adverse impact on the importance of the vegetation on the land to the habitat and survival of <u>native fauna</u>, and 3. any potential to fragment, disturb or diminish the <u>biodiversity</u> structure, function and composition of the land, and 4. any adverse impact on the habitat elements providing connectivity on the land, and <p>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>4. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ol style="list-style-type: none"> 1. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or 2. if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or 3. if that impact cannot be minimised - the development will be managed to mitigate that impact. 	Yes	<p>It is considered that due to the nature of the proposal and the retaining of all canopy trees to the rear of the site, that there would be minimal if not negligible impact to biodiversity on the subject site and surrounds.</p>
<p>7.7 Geotechnical hazards</p> <p>1. The objectives of this clause are to ensure that development on land subject to geotechnical hazards:</p> <ol style="list-style-type: none"> 1. matches the underlying geotechnical conditions of the land, and 2. is restricted on unsuitable land, and 3. does not endanger life or property. 	<p>2. This clause applies to land identified as “Geotechnical <u>Hazard H1</u>” and “Geotechnical <u>Hazard H2</u>” on the <u>Geotechnical Hazard Map</u>.</p> <p>3. Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks:</p> <ol style="list-style-type: none"> 1. site layout, including access, 2. the development's design and construction methods, 3. the amount of cut and <u>fill</u> that will be required for the development, 4. <u>waste</u> water management, stormwater and <u>drainage</u> across the land, 5. the geotechnical constraints of the site, 6. any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>4. Development consent must not be granted to development on land to which this clause applies unless:</p> <ol style="list-style-type: none"> 1. the consent authority is satisfied that the development will appropriately manage <u>waste</u> water, stormwater and <u>drainage</u> across the land so as not to affect the rate, volume and quality of water leaving the land, and 2. the consent authority is satisfied that: <ol style="list-style-type: none"> 1. the development is designed, sited, and will be managed to avoid any geotechnical <u>risk</u> and significant adverse impact on the development and the land surrounding the development, or 2. if that <u>risk</u> or impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that <u>risk</u> or impact, or <p>if that <u>risk</u> or impact cannot be minimised - the development will be managed to mitigate that <u>risk</u> or impact.</p>	Yes	<p>The subject property of 45 Park Avenue is considered to be in a Geotechnical Hazard area.</p> <p>Refer Geotechnical Report and certified forms as prepared by White Geotechnical Group.</p> <p>All proposed works are to be in accordance with this report.</p>
<p>Pittwater Development Control Plan 2014</p>			
<p>B3.1 Landslip Hazard Outcomes</p> <p>Protection of people. Protection of the natural environment. Protection of private and public infrastructure and assets.</p>	<p>Controls</p> <p>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5). Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development. The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</p>	Yes	<p>The subject property of 75 Palmgrove Road is considered to be in a Geotechnical Hazard area.</p> <p>Refer Geotechnical Report and certified forms as prepared by White Geotechnical Group.</p> <p>All proposed works are to be in accordance with this report.</p>

<p>B3.6 Contaminated Land & Potentially Contaminated Land Outcomes</p> <p>Protection of public health. Protection of the natural environment. Successful remediation of contaminated land.</p>	<p>Controls</p> <p>Council shall not consent to the carrying out of any development on the land unless it has considered State Environmental Planning Policy No.55 Remediation of Land. In particular, Council shall consider:</p> <ul style="list-style-type: none"> • Whether the land is contaminated; and • If the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and • If the land requires remediation, whether the land will be remediated before the land is used for that purpose. 	Yes	<p>The subject property is a dwelling and has not been used in the past for any purpose that might cause contamination.</p> <p>If asbestos is present in areas to be removed or altered, it will be removed to Code & Council requirements.</p>
<p>B4.7 Pittwater Spotted Gum Forest Outcomes</p> <p>Conservation of intact Pittwater Spotted Gum Forest. Regeneration and/or restoration of fragmented and/or degraded Pittwater Spotted Gum Forest. Reinstatement of Pittwater Spotted Gum Forest to link remnants. Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors.</p>	<p>Controls</p> <p>Development shall not have an adverse impact on Pittwater Spotted Gum Endangered Ecological Community. Development shall restore and/or regenerate Pittwater Spotted Gum Endangered Ecological Community and provide links between remnants. Development shall be in accordance with any Pittwater Spotted Gum Forest Recovery Plan. Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees. Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations. Caretakers of domestic animals shall prevent them from entering wildlife habitat. Fencing shall allow the safe passage of native wildlife. Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community). Development shall ensure any landscaping works are outside areas of existing Pittwater Spotted Gum Endangered Ecological Community and do not include Environmental Weeds.</p>	Yes	<p>The proposed alterations & additions are sited as such that all existing canopy trees to the rear are to remain.</p> <p>It is proposed to remove 2 trees at the front of the property to allow for more adequate car parking facilities on the site. Refer arboricultural report as prepared by Coastal Care Horticultural Services.</p> <p>It is noted that 4 x 25 litre Spotted Gum trees are to be planted at the rear of the property.</p>
<p>B5.15 Stormwater</p> <p>Rates of stormwater discharged into receiving environment maintained or reduced</p>	<p>Controls</p> <p>An OnSite Detention (OSD) facility is to be installed where the development results in additional hard (impervious) surface area of greater than 50m² (on a cumulative basis since February 1996) and on land designated through mapping as requiring OSD facility.</p>	Yes	<p>Refer DA.25 Stormwater Drainage Concept Plan in the architectural drawing package.</p> <p>The proposed alterations & additions result in additional hard (impervious) surfaces of 67m², therefore OSD tank of 4500 litres is required on site.</p> <p>A watertank is required as per BASIX certificate. DPs and overflow to be connected to existing stormwater system.</p>
<p>B6.1 Access Driveways and Works on the Public Road Reserve Outcomes</p> <p>Safe and convenient access. Adverse visual impact of driveways is reduced. Pedestrian safety. An effective road drainage system. Maximise the retention of trees and native vegetation in the road reserve.</p>	<p>Controls</p> <p>General Requirements</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. An Access Driveway to the standards as set out below must be provided for: any new development; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30</p>	Yes	<p>The existing carparking on the site is limited and currently the residents use a landscaped space to park a second vehicle on.</p>

	<p>m2; and> where additional car parking spaces and/or garages are proposed.</p> <p>Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to demonstrate compliance with this control.</p> <p>Access Driveway Design</p> <p>The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:</p> <p>Australian Standard AS/NZS 2890.12004: Parking Facilities Part 1: OffStreet Car Parking.</p> <p>Australian Standard AS/NZS 2890.22002: Parking Facilities – Part 2: OffStreet Commercial Vehicle Facilities except as qualified in this control.</p>		<p>There is an existing speed hump in front of the subject property which further limits street parking.</p> <p>Refer DA.10 Plan and the driveway section on DA.16 in the architectural Drawing Package.</p> <p>The existing driveway crossover is to be retained.</p> <p>The driveway is to be renewed as per the proposed plan, with additional carparking facilities including a carport.</p> <p>It is proposed to build landscape steps/path from the front of the property to access the courtyard at the front door for pedestrian access from the street.</p>
<p>B6.2 Internal Driveways</p> <p>Outcomes</p> <p>Safe and convenient access.</p> <p>Reduce visual impact of driveways.</p> <p>Pedestrian safety.</p> <p>An effective road drainage system.</p> <p>Maximise the retention of trees and native vegetation.</p> <p>Reduce contaminate run-off from driveways.</p>	<p>Controls</p> <p>General</p> <p>An Internal Driveway must be provided for in:</p> <ul style="list-style-type: none"> any new development; development where additional car parking spaces and/or garages are required by Council's plans or policies; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m2 ; and development where additional car parking spaces and/or garages are proposed. 	Yes	<p>The existing carparking on the site is limited and currently the residents use a landscaped space to park a second vehicle on.</p> <p>There is an existing speed hump in front of the subject property which further limits street parking.</p> <p>Refer DA.10 Plan and the driveway section on DA.16 in the architectural Drawing Package.</p> <p>The existing driveway crossover is to be retained.</p> <p>The driveway is to be renewed as per the proposed plan, with additional carparking facilities including a carport.</p> <p>It is proposed to build landscape steps/path from the front of the property to access the courtyard at the front door for pedestrian access from the street.</p>

<p>B6.3 Off-Street Vehicle Parking Requirements</p> <p>Outcomes</p> <p>An adequate number of parking and service spaces that meets the demands generated by the development.</p> <p>Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.</p> <p>Safe and convenient parking.</p>	<p>Controls</p> <p>The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dual occupancies, dwelling houses, secondary dwellings, exhibition homes, rural workers' dwellings and tourist and visitor accommodation:</p> <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> <p>For a Secondary Dwelling a minimum of 1 space is required in addition to existing requirement for the principal dwelling (based on number of bedrooms in principal dwelling).</p>	Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling	1 bedroom	1 space	2 bedrooms or more	2 spaces	Yes	The proposal provides for a carport for the parking of two vehicles with a third space provided on the internal driveway, therefore the proposal satisfies the requirements for a minimum of 2 spaces for the main dwelling and 1 space of the secondary dwelling.
Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling								
1 bedroom	1 space								
2 bedrooms or more	2 spaces								
<p>B8.3 Construction and Demolition Waste Minimisation.</p> <p>Outcomes</p> <p>Reduction management of demolition, excavation and construction works is to be minimised by reuse onsite, recycling, or disposal at an appropriate waste facility.</p>	<p>Controls</p> <p>Waste materials generated through demolition, excavation and construction works is to be minimised by reuse onsite, recycling, or disposal at an appropriate waste facility.</p>	Yes	Any materials from preparation, demolition, excavation & construction are to be re-used onsite as suitability permits, with waste materials to be disposed of at recycling facilities or appropriate waste facilities such as Kimbriki.						
<p>C1.1 Landscaping</p> <p>Outcomes</p> <p>A built form softened and complemented by landscaping. (En) Landscaping reflects the scale and form of development. (En) Retention of canopy trees by encouraging the use of pier and beam footings. (En) Development results in retention of existing native vegetation. (En) Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En) Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En) Landscaping enhances habitat and amenity value. (En, S) Landscaping results in reduced risk of landslip. (En, Ec) Landscaping results in low watering requirement. (En)</p>	<p>Controls</p> <p>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 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 8m³ 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> <p>300mm for lawn</p> <p>600mm for shrubs</p> <p>1metre for trees</p> <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> <p>A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments,</p> <p>60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and</p> <p>50% for all other forms of residential development.</p> <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</p>	Yes	<p>Refer Concept Landscaping as indicated in the architectural plans.</p> <p>Privacy planting is proposed to the side boundaries at appropriate locations. This will aid in softening the building in the landscape and provide for visual privacy between neighbouring properties.</p> <p>Privacy planting is proposed between the principle and secondary dwellings. This will provide for more privacy between the dwellings.</p> <p>In essence, the proposed landscaping aims to soften the proposed built forms in a suitable scale for the site and surrounds.</p> <p>It is proposed to incorporate pier and beam footings in order to limit disturbance of the site.</p>						

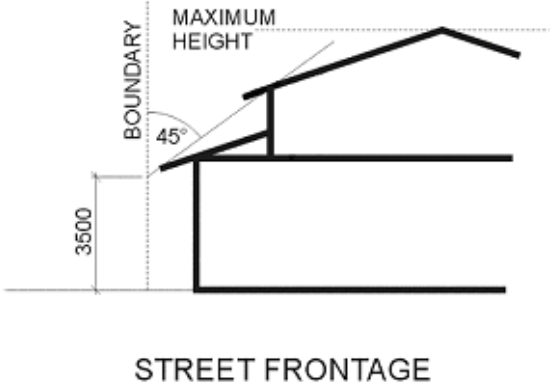
	<p>and beam footings are used. Noxious and undesirable plants must be removed from the site.</p> <p>When is a Landscaping plan NOT REQUIRED ? Where a proposal : Does not involve changes to the external appearance, or increase the footprint of an existing building and / or Does not cause any substantial change to the visual character of the site. A landscaping plan is not required provided trees and vegetation are to be retained, and proposed canopy tree planting and screen planting details are shown on the ground floor plans. A landscaping plan is not required where a Vegetation Management Plan has been required and the Outcomes of this control are covered in the Vegetation Management Plan.</p>		<p>It is proposed to retain all but two of the mature canopy trees. New trees, understory and landscaping vegetation will be predominantly endemic native plant species, including species typical of the Pittwater Spotted Gum EEC. All existing canopy trees to the rear of the property are to remain. (refer arboricultural report).</p> <p>It is proposed to plant 4 x 25 litre pot Spotted Gum trees to the rear of the site.</p>
<p>C1.3 View Sharing</p> <p>Outcomes A reasonable sharing of views amongst dwellings. (S) 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. (S) Canopy trees take priority over views. (En, S)</p>	<p>Controls All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p> <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>	Yes	<p>All existing views are to be maintained.</p>
<p>C1.4 Solar Access</p> <p>Outcomes Residential development is sited and designed to maximise solar access during mid-winter. (En) A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En) Reduce usage and/dependence for artificial lighting.</p>	<p>Controls 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. 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). Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter. Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</p> <p>Variations <u>General</u> Where the following constraints apply to a site, reasonable solar access to the main private open space and to windows to the principal living area will be assessed on a merit basis:</p> <ul style="list-style-type: none"> • where the orientation or shape of a lot precludes northerly orientation (20° west to 30° east of north), • where there is adverse slope or topography, • where there is existing vegetation, obstruction, development or fences that overshadow, or • where other controls have priority, e.g. heritage and landscaping considerations. <p>Subject to a merit assessment, consent may be granted where a proposal does not comply with the standard, provided the resulting development is consistent with the general principles of the development control, the desired future character of the locality and any relevant State Environmental Planning Policy.</p>	Yes	<p>Refer architectural drawings DA.21, DA.22 & DA.23.</p> <p>As can be seen in the architectural shadow diagrams at 9am, 12 noon and 3pm on the winter solstice, the existing level of sun access to windows to the principal living areas of neighbouring properties is maintained.</p>
<p>C1.5 Visual Privacy</p> <p>Outcomes Habitable rooms and outdoor living areas of dwellings optimise visual privacy through</p>	<p>Controls 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).</p>	Yes	<p>The private open spaces are to remain.</p> <p>The proposed secondary dwelling living space opens</p>

<p>good design. A sense of territory and safety is provided for residents.</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 building. 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>		<p>towards the rear treed aspect of the site. It is proposed to have battened screening to the end of decks facing neighbouring properties.</p> <p>Therefore visual privacy is retained.</p>
<p>C1.6 Acoustic Privacy Outcomes Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited. (S) Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas.</p>	<p>Controls 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>	Yes	<p>The proposed layout for the alterations & additions of the main dwelling maintains the location of existing rooms.</p> <p>The proposed layout for the secondary dwelling is located well away from the road and has its living facing the rear of the site.</p>
<p>C1.7 Private Open Space Outcomes Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S) Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S) Private open space receives sufficient solar access and privacy. (En, S)</p>	<p>Controls Private open space shall be provided as follows:- a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:- Minimum 80m2 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. Within the private open space area, a minimum principal area of 16m2 with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%). 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. Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access). Private open space should be located to the rear of the dwelling to maximise privacy for occupants. Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private. 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. Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable. An accessible and usable area for composting facilities within the ground level private open space is required.</p>	Yes	<p>Refer to the architectural drawings.</p> <p>As can be seen in the architectural drawings the private open spaces are to remain.</p> <p>These private open space areas are accessed directly from internal and external living spaces.</p>
<p>C1.11 Secondary Dwellings and Rural Worker's Dwellings Outcomes Limitation of the visual bulk and scale of development. (En, S) Provision of design flexibility for second storey development. Restriction of the footprint of development site. (En) Retention of natural vegetation and facilitation planting of additional</p>	<p>Controls The development of a secondary dwelling or rural worker's dwelling will result in not more than two (2) dwellings being erected on an allotment of land.</p> <p>A secondary dwelling contains not more than two (2) bedrooms and not more than one (1) bathroom.</p> <p>Where the secondary dwelling is separate from the principal dwelling, only one storey will be allowed.</p>	Yes	<p>Refer to the architectural drawings.</p> <p>The secondary dwelling is to be sited to the rear of the property. The secondary dwelling is to have dark cladding to recede in the landscape.</p>

<p>landscaping. (En) Provision of rental accommodation. (S)</p>	<p>Where the secondary dwelling is located within, or is attached to the principal dwelling (including the garage) the maximum building height is to be in accordance with the height controls contained within <i>Pittwater Local Environmental Plan 2014</i>.</p> <p>A secondary dwelling above a detached garage is not supported.</p>		<p>As can be seen in the architectural drawings, there are no more than two dwellings to be on the site.</p> <p>The secondary dwelling is proposed to have two bedrooms and one bathroom only.</p> <p>Clause 4.6 Variation Statement: As can be seen on architectural drawing DA20 Proposed Section AA, the secondary dwelling generally complies with the 5.5m height plane requirement. There is a minor portion of the deck roof which encroaches into the 5.5m height plane area. Considering the minimal impacts of any additional overshadowing, setbacks and the treed nature of the rear of the site, it is asked that Council sees the proposed design as a positive addition to the site.</p>
<p>D1.1 Character as Viewed from a Public Place Outcomes To achieve the desired future character of the Locality. To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec) To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment. The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec) High quality buildings designed and built for the natural context and any natural hazards. (En, S) Buildings do not dominate the streetscape and are at 'human scale'.</p>	<p>Controls 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 frontage facades without windows shall not be permitted.</p> <p>Walls without articulation shall not have a length greater than 8 metres to any street frontage. Any building facade to a public place must incorporate at least two of the following design features:</p> <p>entry feature or portico; awnings or other features over windows; verandahs, balconies or window box treatment to any first floor element; recessing or projecting architectural elements; open, deep verandahs; or verandahs, pergolas or similar features above garage doors.</p> <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 building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.</p> <p>Landscaping is to be integrated with the building 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>Yes</p>	<p>The location of the proposed alterations & additions to the existing dwelling and the new carport is to provide for access and usability on the site.</p> <p>The secondary dwelling is proposed to the rear of the site.</p> <p>The proposed carport is designed to compliment the streetscape by use existing roof angles and lightweight materials. The carport is set down from the street level due to the natural topography of the site.</p> <p>Landscaping to the front garden areas also aid in the</p>

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.			blending of structures with the site.				
<div>D1.5 Building colours and materials</div> <div>Outcomes</div> <div>The development enhances the visual quality and identity of the streetscape. To provide attractive building facades which establish identity and contribute to the streetscape. To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater. The colours and materials of the development harmonise with the natural environment. (En, S)</div> <div>The visual prominence of the development is minimised. Damage to existing native vegetation and habitat is minimised. (En)</div> <div>An informal beachside appearance of the Avalon Beach Village. (S, Ec)</div>	<div>Controls</div> <div>External colours and materials shall be dark and earthy tones as shown below:</div> <div><div><div><div></div><div>Black ✓</div></div><div><div></div><div>Dark grey ✓</div></div><div><div></div><div>Dark green ✓</div></div></div><div><div><div></div><div>Dark brown ✓</div></div><div><div></div><div>Mid grey ✓</div></div><div><div></div><div>Green ✓</div></div></div><div><div><div></div><div>Brown ✓</div></div><div><div></div><div>Dark blue ✓</div></div></div></div> <div>Variations</div> <div>Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.</div> <div>External materials and finishes shall be or shall appear to be natural, with subdued natural and dark coastal colours. Brighter colour accents shall be permitted. The dominant use of smooth shiny surfaces such as glass, metallics and plastics shall be avoided.</div> <div>Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.</div>	Yes	<div>Refer to DA.00 Contents & Material Schedule in the architectural drawing package.</div> <div>The proposed alterations & additions to the existing dwelling are to match the existing windows, cladding, roof sheeting to the existing.</div> <div>The proposed carport is to be painted to match the existing trims on the main dwelling.</div> <div>The proposed secondary dwelling is to be of dark and earthy tones.</div> <div>As can be seen in the selected materials, the proposal aims to compliment the existing, while fitting in with the landscape.</div>				
<div>D1.8 Front Building Line</div> <div>Outcomes</div> <div>To achieve the desired future character of the Locality. (S)</div> <div>The amenity of residential development adjoining a main road is maintained. (S)</div> <div>Vegetation is retained and enhanced to visually reduce the built form. (En)</div> <div>Vehicle manoeuvring in a forward direction is facilitated. (S)</div> <div>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.</div>	<div>Controls</div> <table><tr><th>Land</th><th>Front Building Line (metres)</th></tr><tr><td>All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living</td><td>6.5, or established building line, whichever is the greater</td></tr></table> <div>The minimum front building line shall be in accordance with the above table.</div> <div>Built structures (including swimming pools), other than driveways, fences and retaining walls are not permitted within the front building setback.</div> <div>Where new streets or access ways are proposed in residential flat building and multi dwelling housing development, a minimum front setback of 3m must be provided between the carriageway and dwellings.</div> <div>Variations</div> <div>Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.</div> <div>Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:</div> <div>considering established building lines;</div> <div>degree of cut and fill;</div> <div>retention of trees and vegetation;</div> <div>where it is difficult to achieve acceptable levels for building;</div> <div>for narrow or irregular shaped blocks;</div>	Land	Front Building Line (metres)	All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living	6.5, or established building line, whichever is the greater	Yes & No	<div>Refer to the architectural drawing package.</div> <div>As can be seen on the architectural drawings, the proposed alterations & additions to the existing dwelling, aside from the carport, complies with the required 6.5m front setback.</div> <div>The proposed carport structure is set back approximately 4.8m from the front boundary. This is due to the fact that there is no other location on the site suitable for such carparking facilities.</div> <div>There is an existing speed hump at the front of the</div>
Land	Front Building Line (metres)						
All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living	6.5, or established building line, whichever is the greater						

	<p>where the topographic features of the site need to be preserved; where the depth of a property is less than 20 metres.</p> <p>On steeply sloping or constrained sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.</p> <p>On-site wastewater treatment systems and rainwater tanks are permitted within the front building line provided that they do not exceed 1m in height above ground level (existing).</p> <p>Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:</p> <p>where the proposal is sympathetic to the established pattern in the street, and</p> <p>where the proposal has no adverse impact on the amenity and charm of the streetscape of Avalon Parade.</p> <p>where the proposal involves minor alterations to existing structures that are in front of the building line.</p> <p>Such alterations are not to extend any closer to the street and shall maintain or increase the existing number of canopy trees within the front yard.</p> <p>On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1m in height above ground level (existing).</p> <p>Council may permit parking spaces in front of the building line where site constraints limit location.</p>		<p>property which limits street parking, and no room to the sides of the dwelling to get a vehicle passed, therefore the only place on the site suitable for a carport is directly in front of the existing dwelling.</p> <p>There is precedence in Park Avenue of carparking structures within the front setback, notably Numbers 9, 15, 16, 18, 23, 27, 29, 31, 37 and 39. (refer image in attached appendix).</p> <p>Therefore given the site constraints and precedence, ask for Council to permit the proposed carport.</p> <p>The proposed secondary dwelling is well behind the front building setback.</p>				
<p>D1.9 Side and rear building line Outcomes</p> <p>To achieve the desired future character of the Locality. (S) The bulk and scale of the built form is minimised. (En, S) Equitable preservation of views and vistas to and/or from public/private places. (S) 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. (En, S) Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S) Flexibility in the siting of buildings and access. (En, S) Vegetation is retained and enhanced to visually reduce the built form. (En) A landscaped buffer between commercial and residential zones is achieved.(En,S)</p>	<p>Controls</p> <p>The minimum side and rear building line for built structures including pools and carparks, other than driveways, fences and retaining walls, shall be in accordance with the following table.</p> <table><tr><th>Land</th><th>Side & Rear Building Line (m)</th></tr><tr><td>Land zoned R2 Low Density residential</td><td>2.5 at least to one side; 1.0 for other side 6.5 rear</td></tr></table>	Land	Side & Rear Building Line (m)	Land zoned R2 Low Density residential	2.5 at least to one side; 1.0 for other side 6.5 rear	Yes	<p>Refer DA.10 & DA.12 in the architectural drawing package.</p> <p>As can be seen the proposed alterations & additions to the existing dwelling and the proposed secondary dwelling have been designed and located to comply with Councils side & rear setback requirements.</p>
Land	Side & Rear Building Line (m)						
Land zoned R2 Low Density residential	2.5 at least to one side; 1.0 for other side 6.5 rear						
<p>D1.11 Building envelope</p> <p>Outcomes</p> <p>To achieve the desired future character of the Locality. (S)</p> <p>To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.</p>	<p>Controls</p> <p>Buildings are to be sited within the following envelope:</p>	Yes	<p>Refer DA.13, DA.14 & DA.15 in the architectural drawing package.</p> <p>As can be seen in the architectural drawings, the</p>				

<p>To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.</p> <p>The bulk and scale of the built form is minimised. (En, S)</p> <p>Equitable preservation of views and vistas to and/or from public/private places. (S)</p> <p>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)</p> <p>Vegetation is retained and enhanced to visually reduce the built form. (En)</p>	 <p>The diagram illustrates a building's street frontage. A vertical dashed line on the left is labeled 'BOUNDARY'. A horizontal dashed line at the top is labeled 'MAXIMUM HEIGHT'. A solid line representing the roofline starts at the boundary and slopes upwards at a 45-degree angle, indicated by an arc and the number '45'. A vertical dimension line on the left indicates a height of '3500'. The building's base is labeled 'STREET FRONTAGE'.</p>		<p>proposed alterations & additions and the secondary dwelling comply with Council's building envelope requirements.</p>
<p>D1.14 Landscaped Area - Environmentally Sensitive Land</p> <p>Outcomes</p> <p>Achieve the desired future character of the Locality. (S)</p> <p>The bulk and scale of the built form is minimised. (En, S)</p> <p>A reasonable level of amenity and solar access is provided and maintained. (En, S)</p> <p>Vegetation is retained and enhanced to visually reduce the built form. (En)</p> <p>Conservation of natural vegetation and biodiversity. (En)</p> <p>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)</p> <p>To preserve and enhance the rural and bushland character of the area. (En, S)</p> <p>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)</p>	<p>Controls</p> <p>The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p> <p>Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.</p> <p>Variations</p> <p>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</p> <p>impervious areas less than 1 metre in width (e.g. pathways and the like);</p> <p>for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing))</p>	<p>Yes</p>	<p>Refer DA.24 Site Coverage in the architectural drawing package.</p> <p>The existing site coverage is 35%, with soft landscaped area 65%.</p> <p>The proposed site coverage is 40%, with soft landscaped area 60%.</p> <p>The soft landscaped area is at a minimum of 60% of the site area, therefore complying.</p>

Appendix:



Photo A: View towards the existing dwelling as viewed from the street



Photo B: View to the front of the existing dwelling – note no street carparking space due to speedhump



Photo C: View towards rear of existing dwelling – note studio to be demolished to the left.

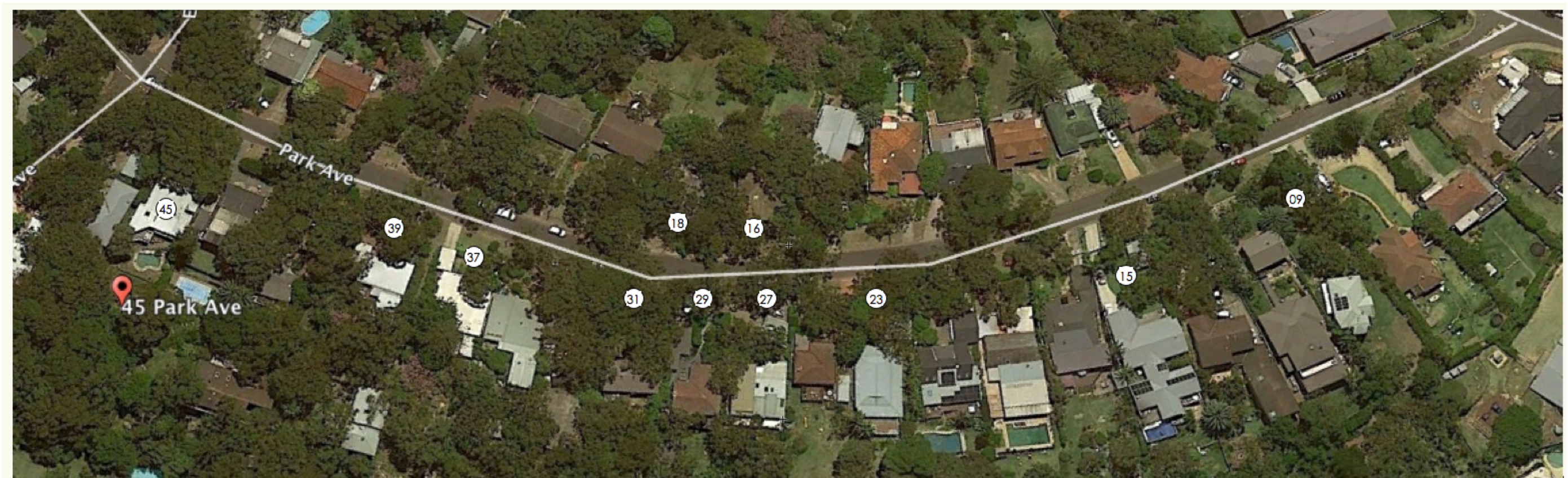


Photo D: Street precedence locations of carports/garages within front building setback.