

STATEMENT OF ENVIRONMENTAL EFFECTS

SECTION 4.55 APPLICATION
ALTERATIONS AND ADDITIONS TO EXISTING DWELLING

18 TASMAN ROAD
AVALON
NSW 2107

FEBRUARY 2021

REV A



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1. INTRODUCTION

This report is submitted to Northern Beaches Council in support of a Section 4.55 Application for alterations and additions to the existing dwelling on site and associated landscaping at no. 18 Tasman Road, Avalon.

This statement addresses the nature of the proposed development, the characteristics of the site and the proposal within the surrounding area. It also provides an assessment of the proposed development under the provisions of the Pittwater Local Environment Plan (LEP) 2014 and Pittwater Development Control Plan (DCP) 21 2004.

This report is to be read in conjunction with the following documents:

- Architectural Drawings prepared by *Alex Bryden Architecture (ABA)*
- Site Survey prepared by *True North Surveys*
- BASIX Certificate prepared by *Alex Bryden Architecture (ABA)*

Approved development history is noted below:

DA2018/1223 was approved on 31 October 2018 for, "*alterations to an existing dwelling house.*"

2. THE SITE & PROPERTY DESCRIPTION

The subject allotment is Lot 9, Section 04, DP 13811 and is known as 18 Tasman Road, Avalon. It is located on the western side of Tasman Road.

The site is roughly rectilinear with a width of 15.24m and a depth of approximately 60.96m, running from east (Tasman Road) to west (rear boundary). The total site area is 929m².

The site currently accommodates a two-storey detached dwelling of timber framed construction with a metal deck roof and attached double carport with access driveway.

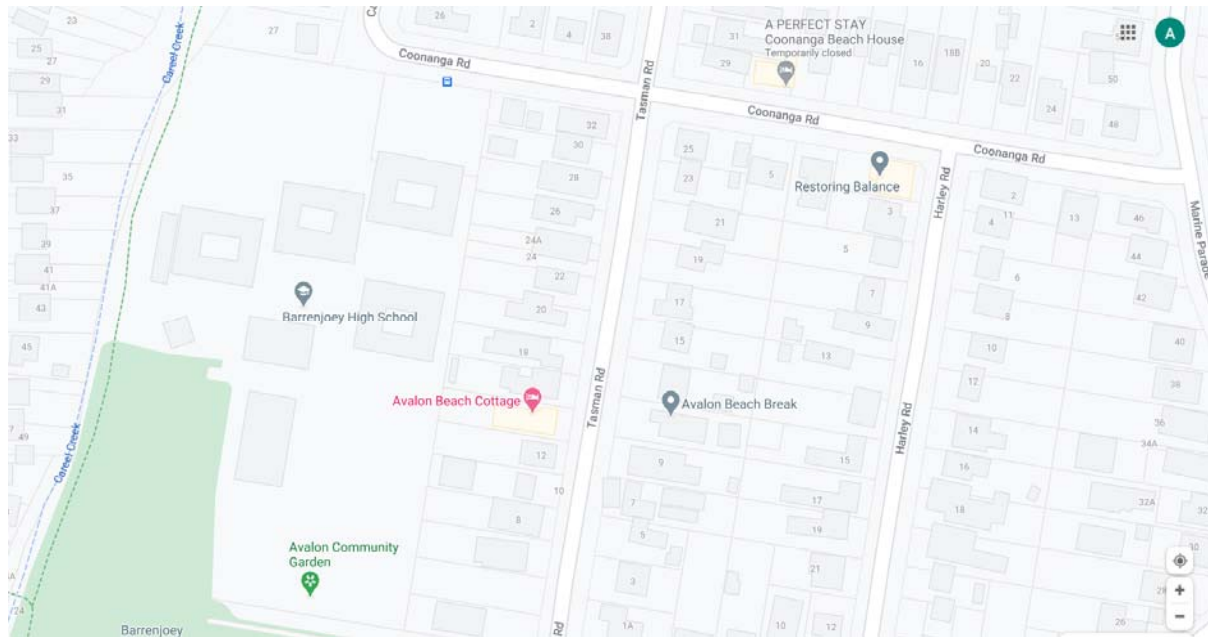


Figure 1 – site location (source: maps.google.com.au)

3. NEIGHBOURING PROPERTIES

The site is bounded by Tasman Road to the east, to the north and south single detached residential dwellings, and to the west is Pittwater High School.

The residences to north (no. 20) and south (no. 16) are shown in images below.



Figure 2 – 16 Tasman Road (source: Google)



Figure 3 – 20 Tasman Road (source: Google)

The surrounding streetscape is consistent with single detached dwelling houses and ancillary structures such as garages, car ports and swimming pools sited on large blocks. All surrounding dwellings have front and side fencing of a style suitable to the streetscape and the architectural style of the buildings.



Figure 4 – aerial photograph (source: Google Maps)

4. DESIGN STATEMENT

The proposed application for modification of the approved development involves the following:

- Addition of timber stairs and landing to north side ground floor bedroom to allow side access.
- Change of glazed window to glazed door to north side ground floor bedroom.
- Additional decking to south side ground floor bedrooms and laundry.
- Reduction in extent of rear outdoor dining area and increase of grass area between pool fence.

The proposal is illustrated in the attached S4.55 drawings prepared by *Alex Bryden Architecture* and has been designed to respect the provisions of Pittwater Local Environment Plan (LEP) 2014 and Pittwater Development Control Plan (DCP) 21 2004.

	Consideration
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	Consideration of Pittwater Local Environment Plan (LEP) 2014 is contained in Section 4 of this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	Not applicable to this proposal.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Consideration of Pittwater Development Control Plan (DCP) 21 2004 is contained in Section 4 of this report
Section 79C (1) (a) (iiia) - Any planning agreement that has been entered into under Section 93F	Not applicable to this proposal.
Section 79C (1) (a)(iii) – Provisions of the regulations	All building work will be carried out in accordance with Clause 78 of the EPA Regulations 2000 and considers the provisions of the Building Code of Australia.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	Consideration of the likely impacts of this development is contained in Sections 4.1, 4.4 and 4.5 of this report
Section 79C (1) (c) – the suitability of the site for the development	The subject land is not affected by any policy that restricts development due to the likelihood of land slip, bush fire, coastal impacts, tidal inundation, subsidence, acid sulphate soils or any other risk. There are no physical, environmental, heritage or utility constraints that would make this site unsuitable for development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	The consent authority will need to consider any submissions received in response to the public exhibition of the proposed development.
Section 79C (1) (e) – the public interest	The proposal has minimal impact on neighbouring properties and is therefore not against the public interest

As this application is for modification of the approved development, only the relevant individual controls and objectives, and the compliance of the proposal with these documents are outlined in the following sections and the tables below.

Pittwater LEP 2014 – Part 4 Principal Development Standards

Control	Standard	Proposed	Compliance
Land Use	R2 Low Density Residential	No change	Yes
Min Lot Size	700 sqm	No change	Yes
Height of Buildings (LEP)	8.5m	No change	Yes
Acid Sulphate Soils	Class 5	No change	Yes
Terrestrial Biodiversity	Class Biodiversity		N/A
Biodiversity clause 7.6	(a) protecting native fauna and flora, and (b) protecting the ecological processes necessary for their continued existence, and (c) encouraging the conservation and recovery of native fauna and flora and their habitats.	The development is designed, sited and will be managed to avoid any significant adverse environmental impact	Yes

Pittwater DCP 21 2014 – Part B General Controls

B3.11 Flood Prone Land	1. Development must comply with the prescriptive controls set out in the DCP matrix.	Proposed works are raised external decking only. The approved development is covered by previously submitted Flood Management Report	Yes
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Pittwater DCP 21 2014 – Part C.1 Development Type Controls for Residential Development – Dwelling Houses


Control	Standard	Proposed	Compliance
C1.1 Landscaping	<p>The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</p> <ul style="list-style-type: none"> • A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments, • 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and • 50% for all other forms of residential development. 	No change from approved	Yes
C1.2 Safety & Security	<p><u>1. Surveillance</u></p> <p>Building design should allow visitors who approach the front door to be seen without the need to open the door.</p> <p>Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.</p> <p>Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners.</p> <p>Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian</p>	No change from approved	Yes

	<p>Standard AS 4282-1997: <i>Control of the obtrusive effects of outdoor lighting</i>.</p> <p>Lighting is to be designed to minimise electricity consumption, and to minimise annoyance to neighbours.</p> <p>Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.</p> <p>Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.</p> <p><u>2. Access Control</u></p> <p>Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.</p> <p>Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.</p> <p>Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.</p> <p>The street number of the property is to be clearly identifiable.</p> <p>Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions.</p> <p><u>3. Territorial reinforcement</u></p> <p>Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.</p> <p>Where a retail/commercial use and residential dwellings are provided in the same development, separate entries for the different uses are to be provided.</p> <p>Blank walls along all public places (streets, open space etc) shall be minimised.</p>		
C1.3 View Sharing	<p>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>	No change from approved	Yes
C1.4 Solar Access	<p>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p> <p>Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).</p>	As the proposed additional decking is less than 1m above ground level, there are no additional impacts over and above approved	Yes

	<p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</p> <p>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</p> <p>The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.</p>		
C1.5 Visual Privacy	<p>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 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> <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.</p> <p>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>	No additional impacts over and above approved	Yes
C1.6 Acoustic Privacy	<p>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> <p>Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the <i>Building Code of Australia</i>. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the <i>Building Code of Australia</i>).</p> <p>Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.</p> <p>Developments must comply in all respects with the <i>Protection of the Environment Operations Act 1997</i>, and other relevant legislation.</p>	No additional impacts over and above approved	Yes
C1.7 Private Open Space	<p><u>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</u></p> <p>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.</p> <p>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%).</p> <p>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> <p>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).</p> <p>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</p> <p>Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to</p>	No change from approved	Yes

	<p>ensure that the area is private.</p> <p>A balcony located above ground level, but which has access off living areas of dwellings, can be included as 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> <p>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.</p> <p>An accessible and usable area for composting facilities within the ground level private open space is required</p>		
C1.12 Waste & Recycling	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan	No change from approved	Yes
C1.13 Pollution	<p>Residential development must be designed, constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.</p> <p>Developments must comply in all respects with the <i>Protection of the Environment Operations Act 1997</i>, and other relevant legislation.</p>	No change from approved	Yes
C1.17 Swimming Pool Safety	Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the Swimming Pools Act 1992 and regulations. The fencing and warning notices (resuscitation chart) shall be permanent structures.	No change from approved	Yes

Pittwater DCP 21 2014 – Part D.1 Avalon Beach Locality

Control	Standard	Proposed	Compliance
D1.1 Character as viewed from a public place	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	No change from approved	Yes
D1.5 Building Colours and Materials	<p>External colours and materials shall be dark and earthy tones as shown below:</p> 	No change from approved	Yes
D1.8 Front Building Line	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	No change from approved	Yes
D1.9 Side and Rear Building Line	<p>2.5 at least to one side</p> <p>1.0 for other side</p> <p>6.5 rear (other than where the foreshore building line applies)</p>	The additional balcony/stair to north-side bedroom is an encroachment into the 2.5m setback but the DCP outcomes are still achieved as the proposal maintains	Yes

		compliant landscape area and minimised bulk and scale	
D1.11 Building Envelope	Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).	No change from approved	Yes
D1.13 Landscaped Area - General	<p>The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% 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 50% of the site area as landscaped area</p> <p><u>Variations</u> Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</p> <ol style="list-style-type: none"> 1. impervious areas less than 1 metre in width (e.g. pathways and the like); 2. for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, 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>Site Area: 929sqm 6% of site area: 55.7sqm Uncovered decks: 50.8sqm</p> <p>Approved landscape area: 474.9sqm / 51.1% Proposed landscape area: 474.9sqm / 51.1%</p> <p>Approved landscape area forward of building line: 108.3sqm Proposed landscape area forward of building line: 108.3sqm</p> <p>No change</p>	Yes
D1.15 Fences - General	<p><u>a. Front fences and side fences (within the front building setback)</u></p> <p>Front and side fences (within the front building setback) shall:</p> <ul style="list-style-type: none"> • not exceed a maximum height of 1 metre above existing ground level, • shall be compatible with the streetscape character, and • not obstruct views available from the road. <p>Front fences and landscaping should allow people in their homes to view street activity.</p> <p>Fences are to be constructed of open, see-through, dark-coloured materials.</p>	No change from approved	Yes

	<p>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</p> <p>Original stone fences or stone fence posts shall be conserved.</p> <p><u>b. Rear fences and side fences (to the front building line)</u></p> <p>Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.</p> <p><u>g. Fencing on land identified on Council's Flood Hazard Maps</u></p> <p>No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.</p> <p>All fences in High Flood Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.</p>		
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4.1. SEPP (COASTAL MANAGEMENT) 2018

The subject site falls within the *Coastal Environment Area* under *State Environmental Planning Policy (Coastal Management 2018)*. The SEPP outlines as below:

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

The proposal is considered to have no or minimal impact on any of these areas.

(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposal is considered to have no impact on any of these areas.

5. CONCLUSION

The proposed modifications of the approved development at 18 Tasman Road, Avalon have minimal additional impacts over and above the approved development. It is consistent with the surrounding development context in relation to scale, bulk and style, and will provide a high-quality and positive contribution to the streetscape.

The design generally meets or exceeds the provisions of the Pittwater Local Environment Plan (LEP) 2014 and Pittwater Development Control Plan (DCP) 21 2004), and meets the stated objectives of Council's controls, as well as the suitability to streetscape character.

The scheme has significant merit as a sensitive and attractive development for the area and is consistent with the fencing of contemporary dwellings within the surrounding context. Because of this and the reasons stated in this report, this proposal should be considered worthy of approval.

APPENDIX 1 – SITE PHOTOS



The reduced rear setback and additional grassed area.



The revised fireplace location.



The changed of glazed window to glazed door, to north side ground floor bedroom.



The additional stair and landing to the changed glazed door, to the north side ground floor.



The additional decking area to south side ground floor bedrooms