

STATEMENT OF ENVIRONMENTAL EFFECTS

PROJECT
**DEMOLITION OF A CARPORT AND PROPOSED CONSTRUCTION OF A
SECONDARY DWELLING**

PROPERTY
14 HUDSON PARADE AVALON BEACH

CLIENT
**MR CARLO VIENI MRS NINA VIENI AND APPLICANTS ON BEHALF ARE
GRAZIELLA VIENI & SEBASTIAN VIENI**

JOB NO 24-85

DATED 8 May 2025

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1.0 INTRODUCTION

The purpose of this submission is to enlighten Council on some of the thoughts behind the design development of the proposed new dwellings the proprietors wish to construct on the property at 14 Hudson Parade Avalon Beach.

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.

This presentation also outlines the design mechanisms implemented to ensure that the impact of the proposal on the adjoining amenity is lessened.

As a result of this 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 Council.

2.0 THE SITE AND EXISTING BUILDING

The property is located at 14 Hudson Parade Avalon Beach Lot 8 DP24003. The block of land is approximately 770.3 sqm in site area, faces South on Hudson Parade. The site slopes down towards the rear boundary and is zoned C4 under the Pittwater Local Environmental Plan 2014.

A two-storey dwelling exists on the property in addition to a carport which will be demolished. There is a vehicle crossing on Hudson Parade and a driveway runs along the eastern boundary that leads to a carport.



Image 1: 14 Hudson Parade Avalon Beach

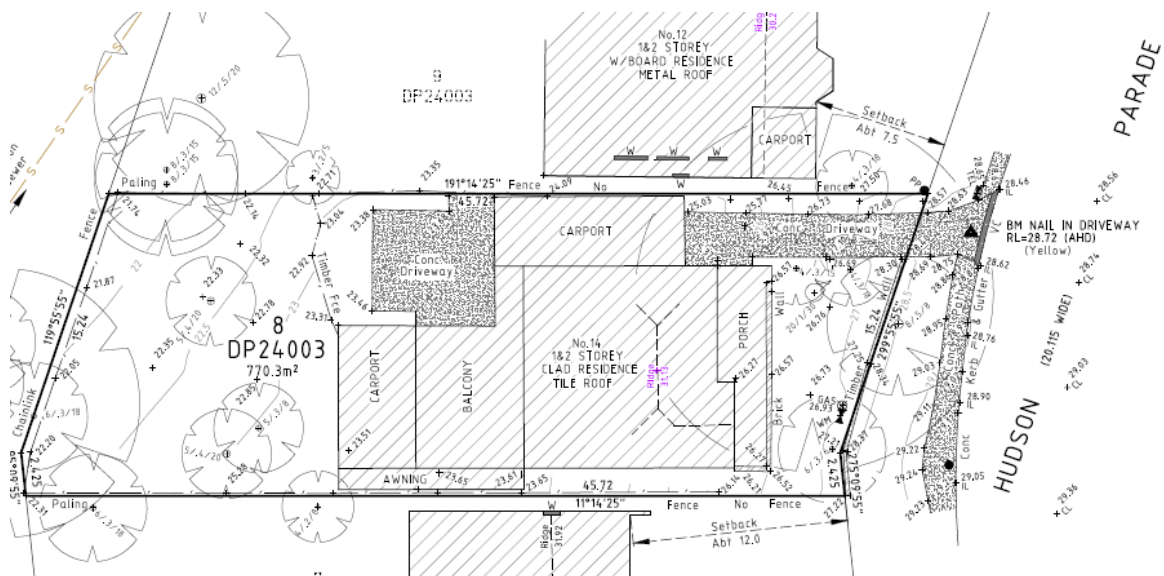


Image 2: Survey Plan

3.0 EXISTING STREETScape

To the immediate east of the subject property at 12 Hudson Parade, a two- storey dwelling exists.



Image 3: 12 Hudson Parade, Avalon Beach

To the immediate west of the subject property at 16 Hudson Parade a two- storey brick residence exists.



Image 4: 16 Hudson Parade, Avalon Beach

To the North (rear) of the property, there is green reservation area.

To the south of the subject property and across the road at 15 Hudson Parade, 2 storey dwelling with a detached carport and an approved secondary dwelling exist.



Image 5: 15 Hudson Parade, Avalon Beach.

The remainder of Hudson Parade is an amalgamation of one and two- storey dwellings in a wide range of architectural styles, character, materials, finishes, bulk and scale.



Image 6: Streetscape of Hudson Parade, Avalon Beach



Image 7: Streetscape of Hudson Parade, Avalon Beach



Image 8: Streetscape of Hudson Parade, Avalon Beach

4.0 THE PROPOSAL

The proprietors of 14 Hudson Parade instructed us to design a secondary dwelling that will cater for and compliment the needs and lifestyle of two families. We are of the opinion that this was adequately carried out in our proposal presently before Council.

Privacy:

There is a separated open space between the primary and secondary dwelling where the family can enjoy outdoor activities individually. The living area and the decking is designed and positioned well away from the living spaces of neighbouring properties, creating the private, light and open space for the family. As a result, the secondary dwelling is provided with functional, well-located area of private open space, accessible from the living area retaining adequate private open space for the principal dwelling.

Privacy issue is also resolved through the positioning of openings. Openings of the proposed secondary dwelling do not overlook to existing openings of surrounding buildings.

Amenity

To increase the amenity, habitable areas including living, kitchen and dining areas placed towards the rear. The openings allow the space to achieve sufficient penetration of daylight and cross ventilation into the building. The simple open plan of the secondary dwelling generates a compact yet pleasant space for all uses. This coupled with the high raked ceiling in the living area creates a very spacious and healthy space. Also, openings from the kitchen and the living area will open out onto the outdoor area. This will enable both visual and physical interaction between indoor and outdoor living and entertaining.

Context consideration

The form and finishes of the proposed secondary dwelling also reflect the surrounding characteristics of the existing streetscape. It has adopted the architectural style of a single skillion roof with a similar colour tone of the surroundings.

Furthermore, the addition of a secondary dwelling will also satisfy the need for affordable rental housing demand of the area with high amenity for residents.

5.0 Compliance with State Environmental Planning Controls

5.1 Compliance with SEPP (Transport and Infrastructure) 2021

The Infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process.

The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The application is not subject to clause 2.45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure that trigger a written referral to the energy authority.

The proposal is not adjacent to a rail corridor and therefore Clause 2.101 of the SEPP does not apply.

The application is not subject to clause 2.119 of the SEPP as the site does not have frontage to a state classified road nominated as a Main Road.

The application is not subject to clause 2.120 of the SEPP as the proposed uses are non-sensitive and are not likely to be adversely affected by road noise or vibration.

5.2 Compliance with SEPP (Resilience and Hazards) 2021

Remediation of Land and in particular 4.6 suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

The site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated.

Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under this SEPP

5.3 Compliance with SEPP (Sustainable Buildings) 2022

The proposal meets water, thermal and energy standards required by BASIX. A BASIX Certificate accompanies this submission.

6.0 COMPLIANCE WITH PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

The requirements of the Northern Beaches Council, the Pittwater Local Environmental Plan 2014 and the subject proposal's compliance with the Local Environmental Plan are outlined as follows.

6.1 ZONING AND PERMISSIBILITY

Zone E4 Environmental Living

1. Objectives of zone

- 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.

2. Permitted without consent

Home businesses; Home occupations

3. Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite Day care centres; Roads; **Secondary dwellings**; Tank-based aquaculture; Water recreation structures

4. Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Therefore, the development is permissible with consent.

6.2 FLOOR AREA

The requirements of the Northern Beaches Council, the Pittwater Local Environmental Plan 2014:

Part 5 clause 5.4 and the subject proposal's compliance with the Local Environmental Plan are outlined as follows.

(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater:

- (a) 60 square metres,
- (b) 25% of the total floor area of the principal dwelling.

Comment:

SITE AREA = 770.3 sqm

Total floor area of the principal dwelling = 180.1sqm

25% of total floor area of the principal dwelling = 45 sqm

total floor area of the secondary dwelling = 56.5sqm

Therefore, the proposal complies with the controls. Refer to the Area Calculations Sheet.

6.3 BUILDING HEIGHT

The requirements of the Northern Beaches Council, the Pittwater Local Environmental Plan 2014:

part 4 clause 4.3 (2FA) and the subject proposal's compliance with the Local Environmental Plan are outlined as follows.

Allowable height - 5.5 metres to the highest point of the roof.

Proposed height – 4.1 metres maximum to the highest point of the roof.

The proposed building is one storey in height with 4.4 degree pitched skillion roof.

Therefore, the proposal complies with the requirements. Refer to the Architectural drawings.

6.4 ACID SULFATE SOILS

The requirements of the Northern Beaches Council, the Pittwater Local Environmental Plan 2014, **Clause 7.1** and the subject proposal's compliance with the Local Control Plan are outlined as follows:

The site has been identified on the Acid Sulfate Soils Map as being with the Class 5 Acid Sulfate Soils Area. The proposal will not see any substantial disturbance of the site to accommodate the secondary dwelling and accordingly no further investigation is deemed necessary in this instance.

6.5 FLOODPLAIN RISK MANAGEMENT

The requirements of the Northern Beaches Council, the Pittwater Local Environmental Plan 2014, **Clause 7.4** and the subject proposal's compliance with the Local Control Plan are outlined as follows:

The site is subject to flooding. Accordingly, a Flood Control Certificate Report has been prepared by NB consulting Engineers.

The proposal will be carried out in accordance with the recommendations of this report and will therefore be in keeping with the provisions of this clause.

7.0 COMPLIANCE WITH PITTWATER 21 DEVELOPMENT CONTROL PLAN GENERAL CONTROLS

7.1 OFF-STREET VEHICLE PARKING

B6.3 The requirements of Northern Beaches Council, Pittwater Development Control Plan compliance with the Development Control Plan are as follows.

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).

Comment:

The proposal presently before Council has addressed the requirements for the vehicle access and parking. The existing carport and the concrete driveway can fit 2 car spaces with a minimum dimension of 3.0m x 6.0m in accordance with Pittwater 21 DCP Clause 6.3.

There are 2 spaces on the allotment and therefore, the proposal complies with the requirements of the Development Control Plan. Refer to the Area Calculation Sheet.

7.2 SECONDARY DWELLINGS AND RURAL WORKER'S DWELLINGS:

C1:11 The requirements of Northern Beaches Council, Pittwater Development Control Plan 2014, compliance with the Development Control Plan are as follows.

Controls:

The development of a secondary dwelling or rural worker's dwelling will result in not more than two dwellings being erected on an allotment of land.

Comment/ there are only two dwellings on the land. (Refer to the site plan)

A secondary dwelling or rural worker's dwelling contains not more than two bedrooms and not more than one bathroom.

Comment/ there are only two bedrooms and one bathroom for the proposed secondary dwelling. (Refer to the architectural drawings)

A landscaping strip of 1.5m minimum width shall be provided along the side boundary where any driveway is located adjacent to an existing dwelling.

Comment/ N/A

Where the secondary dwelling or rural worker's dwelling is separate from the principal dwelling, only one storey will be allowed.

Comment/ the secondary dwelling is a single- storey structure.

Where the secondary dwelling or rural worker's dwelling is located within, or is attached to the principal dwelling, the maximum building is to be in accordance with the height controls contained within Pittwater Local Environmental Plan 2014.

Comment/ the development complies with the height limit as per PLEP (refer to section 6.3)

A secondary dwelling above a detached garage is not supported.

Comment/ N/A

8.0 COMPLIANCE WITH PITTWATER 21 DEVELOPMENT CONTROL PLAN

8.1 CHARACTER AS VIEWED FROM A PUBLIC PLACE

OBJECTIVES:

- 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'.
- To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

The required controls to achieve the outcomes are to ensure that the building form maintains a compatibility with the locality through appropriate design relief.

The proposed development is consistent with the low-density residential area and it is in line with the quality and architecture of some of the newer dwellings in the area. The secondary dwelling is not predominant from the street given the slope of the site.

Therefore, the proposed secondary dwelling achieves the objective and will not have a significant environmental impact.

8.2 BUILDING COLOURS AND MATERIALS

D1.5 The requirements of Northern Beaches Council, Pittwater Development Control Plan compliance with the Development Control Plan are as follows.

- Achieve the desired future character of the Locality.
- 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 and its location with the natural landscapes of Pittwater.
- The colours and materials of the development harmonise with the natural environment.
- The visual prominence of the development is minimised.
- Damage to existing native vegetation and habitat is minimised.
- The use of materials with low embodied energy is encouraged.
- New buildings are robust and durable with low maintenance requirements.

Controls

External colours and materials shall be dark and earthy tones as shown below:



The proposed colours and finishes have been selected to complement existing works and the characteristics of the neighbourhood.

Therefore, the proposal complies with the requirements of the Development Control Plan. Refer to the Finishes Schedule.

8.3 BUILDING SETBACKS

D1.8 AND D1.9 The requirements of Northern Beaches Council, Pittwater Development Control Plan compliance with the Development Control Plan are as follows.

Required setbacks

Front	-	6.5 metres or established building line.
Primary Side	-	1 metres
Secondary Side	-	2.5 metres
Rear	-	6.5 metres

Proposed setbacks

Front	-	29.4 metres
Primary Side	-	1.22 metres
Secondary Side	-	9.4 metres
Rear	-	4.7 metres

Therefore, the proposal does not comply with the requirements of the Development Control Plan. Refer to Section 8.4 for the Rear Setback Variation.

8.3.1 REAR SETBACK VARIATION:

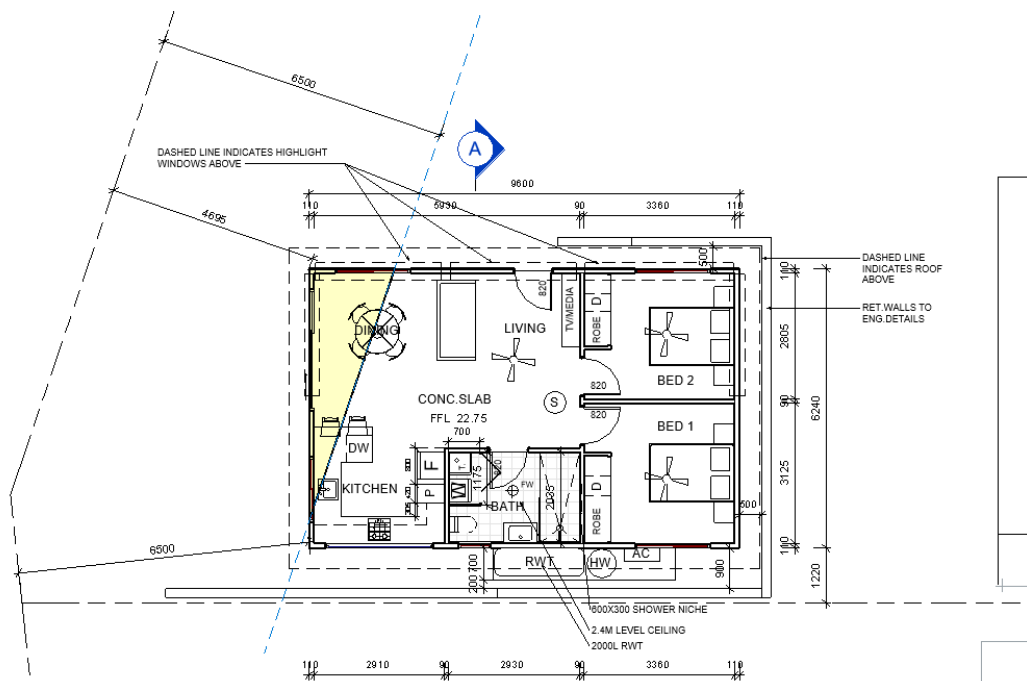
OBJECTIVES:

- To 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.

The proposed development will be consistent with the objectives of the zone and of the development standards that are being varied.

Therefore, we request that Council take into consideration the existing site surroundings and the following justifications:

1- It should be noted that there is only a small portion of the proposed structure that does not comply with 6.5m which is only 5.38sqm as shown below.



2- The varied proposal effectively complies with the objective of ensuring privacy, amenity, and solar access within the development site. Given that the rear of the site adjoins a public space rather than a residential dwelling. Therefore, overlooking or direct sightlines into private properties is not an issue.

Additionally, solar access is not compromised, especially given that the site slopes to the rear avoiding overshadowing issues both for the primary dwelling and the surrounding area. As a result, the development maintains a high level of amenity while ensuring compliance with privacy and solar access objectives.

3- The design aligns with the objective of retaining and enhancing vegetation to visually reduce the built form. In this case, the only trees being removed are those located within the footprint of the proposed granny flat. This ensures that the overall landscape character of the site is preserved, with the majority of existing vegetation remaining intact to soften the visual impact of the development.

In conclusion, the proposed setbacks variations are designed to uphold the residential amenity of the property while being consistent with and complementary to the existing built form in the street.

The overall scale of the building has been carefully considered to ensure that it will not result in adverse effects such as shadowing, bulk, or an overwhelming scale relative to the surrounding environment.

We believe these considerations justify the variation to the rear setback control, and therefore, we respectfully request Council's support for the proposed variation based on these sufficient environmental planning grounds.

8.4 BUILDING ENVELOPE

D1:11: The requirements of Northern Beaches Council, Pittwater Development Control Plan compliance with the Development Control Plan are as follows:

Objectives:

- 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.

Comment:

The proposed building is one storey in height with 4.4 pitched single skillion roof.

The proposal is located well below the height of trees in the natural environment, minimises bulk and scale through a well-articulated built form and provides generous amounts of landscaping throughout to visually reduce the built form when viewed from the public and private domain.

Therefore, the proposal complies with the requirements of the Development Control Plan. Refer to the Architectural Drawings.

8.5 LANDSCAPED AREA

D1:13: The requirements of Northern Beaches Council, Pittwater Development Control Plan compliance with the Development Control Plan are as follows:

SITE AREA = 770.3 sqm

LANDSCAPED AREA

Required Landscaping = 60 % of Site Area = 462.18 sqm

Proposed Landscaped area = 426.7 sqm

Proposed Landscaped area as % of Site Area = 55%.

Therefore, the proposal does not comply with the requirements of the Development Control Plan. Refer to the Area Calculation Sheet and Section 8.5.1 for Landscaped Area Variation.

8.5.1 LANDSCAPED AREA VARIATION

OBJECTIVES:

- 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.

It should be noted that the existing landscaped area is 390.76, which does not meet the required percentage. There is existing concrete area and a carport which will be demolished on the site and the areas will be converted into landscape, totaling 85.38 sqm. As a result, the proposed landscaped area is 426.7 sqm.

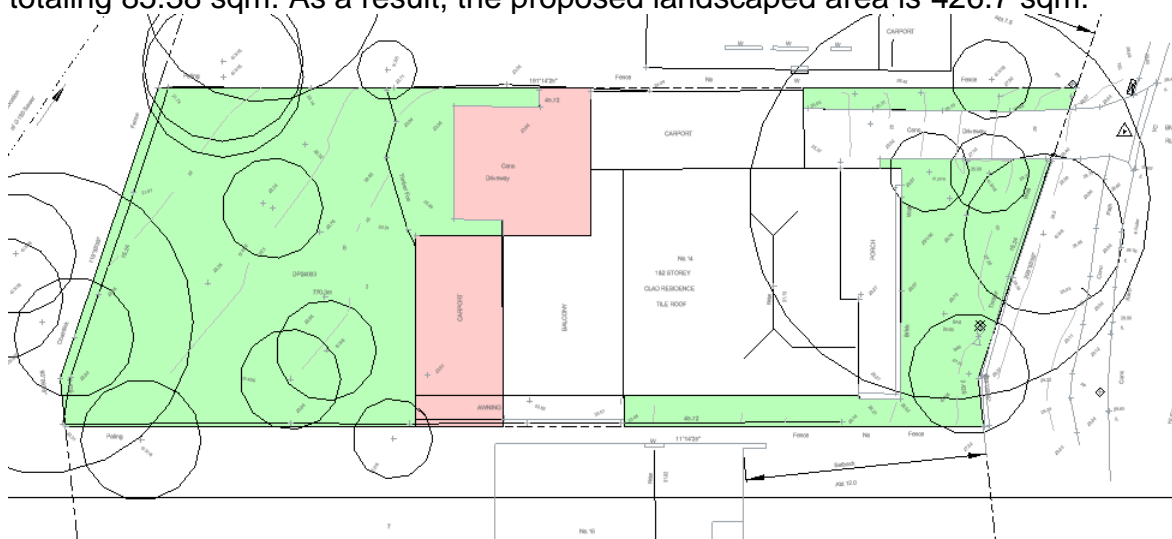


Image 9: The green areas represent the existing landscaped spaces that will be retained, while the pink areas highlight the concrete surfaces that will be removed and replaced with new landscaped areas

In other words, the provision of the secondary dwelling will not diminish the existing landscaped area, rather, it will enhance it. The development improves the existing landscape ratio by incorporating additional green space, ensuring that the site maintains a balanced and visually appealing environment.

The bulk and scale of the built form is minimised as a single storey secondary dwelling is proposed. There is a reasonable level of amenity and solar access to the secondary dwelling and the principal dwelling.

As mentioned above, an arborist report is submitted along with this development application and it shows that only species that are within the footprint of the secondary dwelling are to be removed.

The development does not affect conservation of natural vegetation and biodiversity Stormwater runoff is to the minimal.

There is no excessive excavation which reduces soil erosion and siltation of natural drainage channels.

Landscaping as proposed on site will be sufficient to provide for residential amenity of both on site residents and those of neighbouring developments, allowing suitable vegetative screening and privacy to/from the site, for suitably landscaped and functional POS areas, and to provide a high level of visual amenity and to break up the built form in a manner compatible with the locality, when the dwelling is viewed from the streetscape.

Therefore, the shortfall in the proposed landscaped area addresses the needs of the residential dwelling and the locality, and is therefore considered a numerical non-compliance only. Therefore, we believe the landscape component of the proposal is supported.

Hence, we request that Council supports the variation to minimum landscaped area controls on the basis that there are sufficient environmental planning grounds to justify the variation and the proposal is consistent with the objectives of the zone and with the objectives of landscaping controls as discussed above.

9.0 OTHER REQUIREMENTS

The proposal presently before Council has also addressed other requirements such as energy efficiency, sustainability, site/waste management, soil, water and waste management, site analysis and context, streetscape, materials and finishes, erosion and sediment control, drainage, landscaping and the like in detail in this development application.

As a result, the proposal complies with the Development Control Plan requirements for all of these items.

10.0 CONCLUSION

We, therefore, present before Council, a proposal that combines Council codes and regulations and the principles of these codes and regulations with our client's requirements and, at the same time, is in context with its surroundings.

We would appreciate Council reviewing all of the matters mentioned above and deliberate on the proposal in such a manner that will assist the proprietors to achieve their ultimate goals for their family residence and property in general.

We await your positive reply on this proposal and, in anticipation of your assistance, we wish to thank you on behalf of the proprietors for your efforts.

Should you require any further information, please do not hesitate to contact our office.

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