

The General Manager  
Northern Beaches Council  
59A Old Barrenjoey Rd  
Avalon Beach  
NSW 2107

28th March, 2022

## Statement of Environmental Effects

Re: 47 Hilltop Rd Avalon

### **1.0 Introduction**

This report is submitted in support of a Development Application for a new garage co-located on a site with an existing free standing, two-storey dwelling and secondary dwelling situated at no 47 Hilltop Rd Avalon.

The proposed works include a new single storey garage with minor external works.

The subject property is within the Avalon Beach Locality.

### **2.0 Existing Situation**

The existing buildings comprise a two storey, free standing residence with framed walls and a metal deck roof and a secondary dwelling of similar construction.

Zoning –E4 Environmental Living

Avalon Beach Locality

D1.14 Site coverage - Environmentally Sensitive Land- site coverage of 40% and a minimum 60% landscaped area – the existing situation is compliant with these controls.

### **3.0 The Site**

The site is land is Lot 8 in DP 21933 and is 773 square metres in area.

### **4.0 Area Schedule**

Total Site Area	=	773 m.sq.
Existing site coverage		
Primary residence	=	176 m.sq. (includes decks)
Secondary residence	=	77 m.sq. (includes decks)
Total	=	253 m.sq.
Proposed site coverage		
Garage	=	45 m.sq.
Total Proposed Site Coverage	=	298 m.sq.
Floor Space		
Primary residence	=	165 m.sq. (includes decks)
Secondary residence	=	60 m.sq. (includes decks)
Total Existing Floorspace	=	215 m.sq.
New Floorspace	=	nil

#### **4. Complying Development**

##### **Exempt and Complying Development**

N/A

#### **5. Controls**

##### **LEP Controls**

Pittwater Local Environmental Plan 2014

##### Part 1.2 Aims of the Plan

*(1) This Plan aims to make local environmental planning provisions for land in Pittwater in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*

*(2) The particular aims of this Plan are as follows:*

- (a) To promote development in Pittwater that is economically, environmentally and socially sustainable,*
- (b) To ensure development is consistent with the desired character of Pittwater's localities,*
- (c) To support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,*
- (d) To retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,*
- (e) To improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,*
- (f) To encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,*
- (g) To protect and enhance Pittwater's natural environment and recreation areas,*
- (h) To conserve Pittwater's European and Aboriginal heritage,*
- (i) To minimize risks to the community in areas subject to environmental hazards including climate change,*
- (j) To protect and promote the health and well being of current and future residents of Pittwater.*

The proposal is consistent with the aims of the plan

##### Part 1.3 The Plan applies to the subject property

##### Part 2.1 Land Use Zones

Site is zoned E4 – Environmental Living

##### Part 2.6 Subdivision – N/A

##### Part 2.7 Demolition – N/A

##### Zone E4 Environmental Living

##### 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*

The proposal is consistent with the aims of the plan

Secondary Dwellings are permitted with consent.

##### Part 4 Principal Development Standards

##### 4.1 Minimum Subdivision Size

The minimum lot size is 700 m.sq. ref Lot Size Map - Sheet LSZ\_016.

The property complies.

#### 4.3 Height of Buildings

Height limit is 8.5 m ref Height of Buildings Map - Sheet HOB\_016

The proposal complies

#### 4.4 Floor Space Ratio

The property is not indicated on the Floor Space Ratio Map

#### Part 5.4 Controls Relating to Miscellaneous Permissible Uses

N/A

#### Additional Local Provisions

#### 7.1 Acid Sulphate Soils

The site is classified Class 5 on the Acid Sulphate soils Map ref ASS-016.

The proposal is not within 500m of Class 1-4 that is below AHD 1m.

#### 7.5 Coastal Risk Planning

The site is not identified on the coastal risk planning map

Ref Coastal Risk Planning Map - Sheet CHZ\_016

#### 7.6 Biodiversity

Site is indicated on the biodiversity map ref Biodiversity Map -

Sheet BIO\_016

The proposal is not likely to have:

- (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
- (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
- (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
- (iv) any adverse impact on the habitat elements providing connectivity on the land.

#### 7.7 Geotechnical Hazards

The Site is indicated as Geotechnical Hazard H1 ref Geotechnical Hazard Map - Sheet GTH\_016

Refer to Relevant Geotechnical Report

#### 7.8 Limited Development on Foreshore Area – N/A

**DCP 21 Controls**

Control	Applies	Comment
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**B1 Heritage Controls**

B1.1	no	
B1.2	yes	The proposal does not negatively impact the Heritage items– 2270085 (Hilltop Rd) and 2270157 (Chisolm Ave)
B1.3	no	

**B2 Density Controls**

B2.1	no	
B2.2	yes	The proposal complies
B2.3	no	
B2.4	no	
B2.5	no	
B2.6	no	
B2.7	no	
B2.8	no	

**B3 Hazard Controls**

B3.1	Landslip Hazard	yes	see relevent report
B3.2	Bushfire Hazard	no	
B3.3	Coastline (Beach) Hazard	no	
B3.4	Coastline Bluff Hazard	no	
B3.6	Contaminated Land	no	
B3.7	Estuarine Hazard	no	
B3.8	Estuarine Hazard	no	
B3.9	Estuarine Hazard	no	
B3.10	Estuarine Hazard	no	
B3.11	Flood Hazard	no	
B3.23	Climate Change	no	

**B4 Natural environment**

B4.1 – 4.22	no	
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**B5 Water Management**

B5.1	Integrated Water Management	no	
B5.2	Wastewater Management	no	
B5.3	Grey Water Reuse	no	
B5.4	Stormwater Harvesting	no	
B5.5	Rainwater tanks	no	additional roof area < 50mm.sq.
B5.6	Rainwater Tanks – Water Supply	no	
B5.7	Stormwater Management	no	
B5.8	Stormwater Management	no	the proposal does not include more than 50 m.sq. additional impervious area
B5.9	Water Quality-Dwelling House	no	
B5.10	Stormwater Discharge	yes	
B5.11	Stormwater Discharge into Waterways	no	
B5.12	Stormwater Drainage Systems	no	
B5.13	Development on Waterfront Land	no	
B5.14	Stormwater Drainage Easements	no	

**B6 Access and Parking**

B6.1 Access driveways and works on the Public Road Reserve (low Density)	yes	refer to driveway design
B6.2 Access driveways	yes	refer to driveway design
B6.3 Internal Driveways (houses)	yes	refer to driveway design
B6.4 Internal Driveways	no	
B6.5 Off Street Parking (houses)	yes	refer to driveway design
B6.6 Off Street Parking	no	
B6.7	no	
B6.8	no	
B6.9	no	
B6.10	no	
B6.11	no	

**B8 Siteworks Management**

B8.1 Excavation and Landfill	yes	no impact – refer to geotechnical report
B8.2 Erosion and Sediment	yes	will comply
B8.3 Waste Minimisation	yes	see waste management plan
B8.4 Site Fencing and Security	yes	will comply
B8.5 Works in the Public Domain	yes	will comply
B8.6 Traffic Management Plan	no	

**C1 Design criteria**

C1.1 Landscaping	yes	see landscape plan
C1.2 Safety and Security	yes	no changes to existing
C1.3 View Sharing	yes	minimal changes to existing situation
C1.4 Solar Access	yes	complies
C1.5 Visual Privacy	yes	complies – no change to existing
C1.6 Acoustic Privacy	yes	complies
C1.7 Private open Space	yes	complies
C1.8 Dual Occupancy controls	no	
C1.9 Adaptable Housing and Accessibility	yes	site conditions preclude compliance
C1.10 Building Facades	no	
C1.11 Secondary Dwellings	no	
C1.12 Waste/ Recycling Facilities	yes	complies
C1.13 Pollution Control	yes	complies
C1.14 Separately Accessible Structures	no	
C1.15 Storage Facilities	yes	complies
C1.16 Development Ancillary to a Dwelling	no	
C1.17 Swimming Pool Safety	no	
C1.18 Car Wash Bays	no	
C1.19 Incline Passenger Lifts	yes	no change to existing situation
C1.20 Undergrounding of Utility Services	no	
C1.21 Seniors Housing	no	
C1.23 Eaves	no	garage use not specified
C1.24 Public Road Reserve	yes	no changes to existing
C1.25 Plant, Equipment...	yes	complies

**D1 Avalon Locality (Locality Specific Development Controls)**

D1.1 Character as viewed From a public place	yes	complies – refer to pre lodgement meeting
D1.2 Character-Avalon Beach Village	no	
D1.4 Scenic Protection	yes	complies -
D1.5 Building Colours, Materials Construction	yes	complies
D1.8 Front Building Line	yes	The proposal does not comply with the front building line control. Due to the slope of the site, it is impossible to set back the garage and provide an acceptable driveway gradient. This matter is addressed in the pre-lodgement meeting minutes.
D 1.9 Side and Rear Building Line	yes	The proposal complies
D1.11 Building envelope	yes	The proposal complies
D1.12 Building envelope Avalon Beach Village	no	
D1.13 Landscaped Area	no	
D1.14 Landscaped Area Environmentally Sensitive Land		Site Area = 773 m.sq. Landscape Area = 460 m.sq. = 59.5% (60% require)
D1.15 Fences General	yes	complies
D1.16 Fences – Flora and Fauna Conservation areas	no	
D1.17 Retaining Walls Terracing Undercroft Areas	yes	complies – where exposed, retaining walls are landscaped – see landscape plan
D1.18 Development mix of shop-top housing	no	
D1.19 Character of Public Domain	no	
D1.20 Scenic Protection Cat. I Areas	no	

**5. Pre-Lodgement Meeting – PLM2021/0222**

A pre-lodgement meeting was held with Northern Beaches Council on 21<sup>st</sup> September 2021. In attendance were Mre Tony Collier – principal planner, Mr Andrew Utiger – owner and Mr J Cochrane – Architect.

The issues raised and comment is included below.

Building Colours and Materials – the proposal has been visually softened by the inclusion of

- Stone clad columns to the front elevation
- A green – landscaped roof
- Timber battened detailing to the street elevation
- Gabion retaining walls

Front Building Line – Noted

The appearance of the building to Hilltop Rd has been “softened” by

- A cantilevered roof structure which provides shadow recesses
- Softening and articulation of building materials as noted above
- Preparation of a landscape design incorporating a green roof

Landscape Area

The proposal now incorporates

- A green roof as noted above
- A landscape design incorporating dense plantings to the visible elevations

Development Engineering

- The proposed increase in impervious area does not exceed 50 m.sq.
- A geotechnical report is included
- A driveway design incorporating council requirements is included
- The proposed driveway gradients comply with council requirements

Landscape

In response to comments

- A landscape design is included
- An arboricultural report is included addressing existing tree and proposed tree removal
- Refer to landscape plans for all details

With respect to “Landscape Concerns”, please refer to Landscape Design and Arborist report. We note that all trees affected by the works are noted as “low retention” or “consider for removal”.

Biodiversity

Requirement for BAM Report to be confirmed.

## 6. Specific Issues

The proposal involves construction of a single storey garage. Currently, the occupants park on an existing road reserve to the East of Hilltop Road.

This practice degrades the existing reserve and is unsuitable as a long term solution to vehicular parking.

It is proposed to construct a garage on the subject allotment. The site has a slope of approximately 24 degrees. A building on this slope will necessitate cut and fill or a significant elevation above the ground plane. It is proposed to construct a single storey garage cut into the site in order to reduce the visual impact and to comply with driveway gradients.

Due to the slope of the site it is proposed to build the structure within the street frontage setback. This is required because setting back the garage will require unacceptable excavation and/or unworkable drive gradients. The issue of the front setback was discussed at the pre-lodgement meeting with council, and is addressed in the minutes of the meeting.

It is the applicant's belief that the proposal is consistent with the stated outcomes of all controls.

The building incorporates a "green roof" to integrate with the landscape and reduce building scale. The façade is articulated and incorporates shadow planes to reduce the visible volume.

Materials are natural and integrate with the bushland setting. Additionally, a landscape design has been prepared. This will visually soften the proposal and allow a seamless visual integration with existing vegetation.

John Cochrane

Architect