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**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR PROPOSED BOUNDARY ADJUSTMENT**

**LOCATED AT**

**7 TRENTWOOD PARK, AVALON BEACH**

**FOR**

**JIM & MARGOT DARGAVILLE**

**Prepared  
July 2020**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies plans prepared by Adam Clerke, dated 7 July 2020 to detail the proposed boundary adjustment at **7 Trentwood Park, 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. 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 the Council.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan 2014*

Development Application No. N0530/15 for *“Subdivision of one lot into three, demolition of existing detached garage and extension of existing access road to provide access to new lots”* was approved by the Land and Environment Court on 15 November 2017.

The consent was subsequently modified on 26 July 2019 to create service handles from approved Lots 2 and 3 to Trentwood Park to enable the efficient and separate servicing of each allotment without the need for easements.

Furthermore, Development Application No. 2019/0393 was approved on 1 October 2019 for subdivision of the approved but unregistered Lot 2 into two lots.

A separate Development Application has been lodged to provide for minor modifications to the approved conditions of consent (as modified) in order to allow the staging of the allotment registration.

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## **2.0 Property Description**

The subject allotment is described as No. 7 Trentwood Park, Avalon Beach, being Lot 1 within Deposited Plan 202857. The proposal relates to the approved Lot 3 within the westernmost portion of the site. The property is zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site is not listed as a heritage item, nor is it within a conservation area. However, the site is within the vicinity of the Ruskin Rowe Heritage Conservation Area. This matter will be discussed in further detail within this report.

The site is identified by Council as being affected by Geotechnical Hazard H1. This will be discussed further within this submission.

The site has been identified as Bushfire Prone Land. As no physical works are proposed, no further investigation is required.

The site has been identified on Council's Biodiversity Map.. This will be discussed in detail further within this submission.

The site is within the Class 5 Acid Sulfate Soils Area. This matter will be discussed in further detail within this report.

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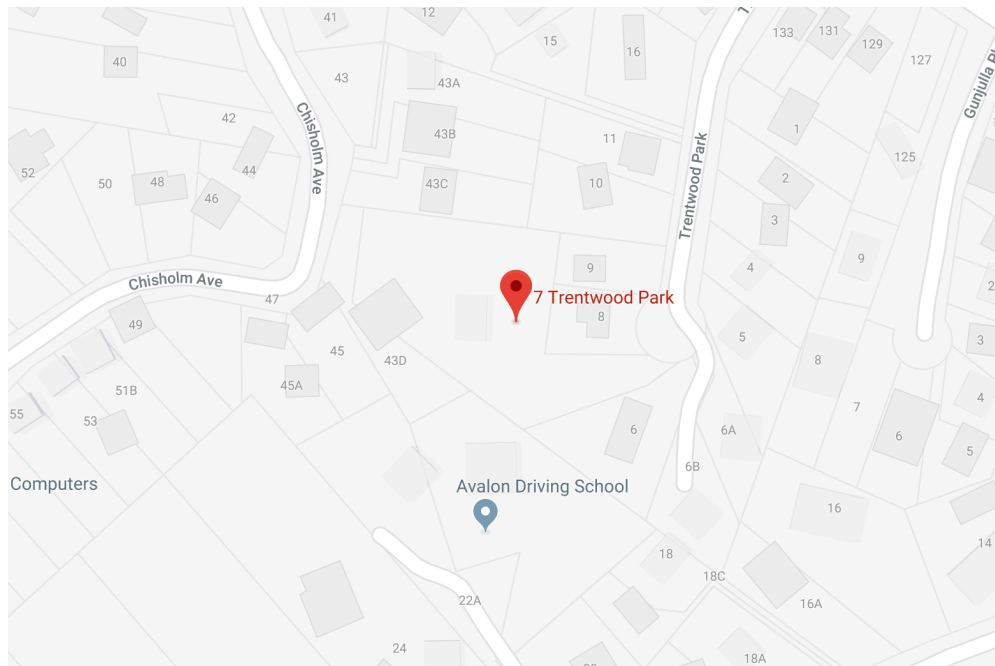
### 3.0 Site Description

The property is located on the western side of Trentwood Park and is irregular in shape.

The site has an access driveway from Trentwood Park, with an arc-shaped street frontage of 12.84m to Trentwood Park. The total existing site area is 5418m<sup>2</sup>. The property has a fall of 38.4m towards the east, with stormwater from the site directed to the street gutter in Trentwood Park.

The land is currently developed with an existing two storey weatherboard dwelling, with a metal roof and detached single garage. The existing driveway provides vehicular access to the site from Trentwood Park.

The details of the existing site levels are indicated within the Survey Plan prepared by Adam Clerke Surveyors Pty Ltd, Reference No. 11713, dated 1 September 2013.



**Fig 1: Location of subject site**  
(Source: Google Maps)

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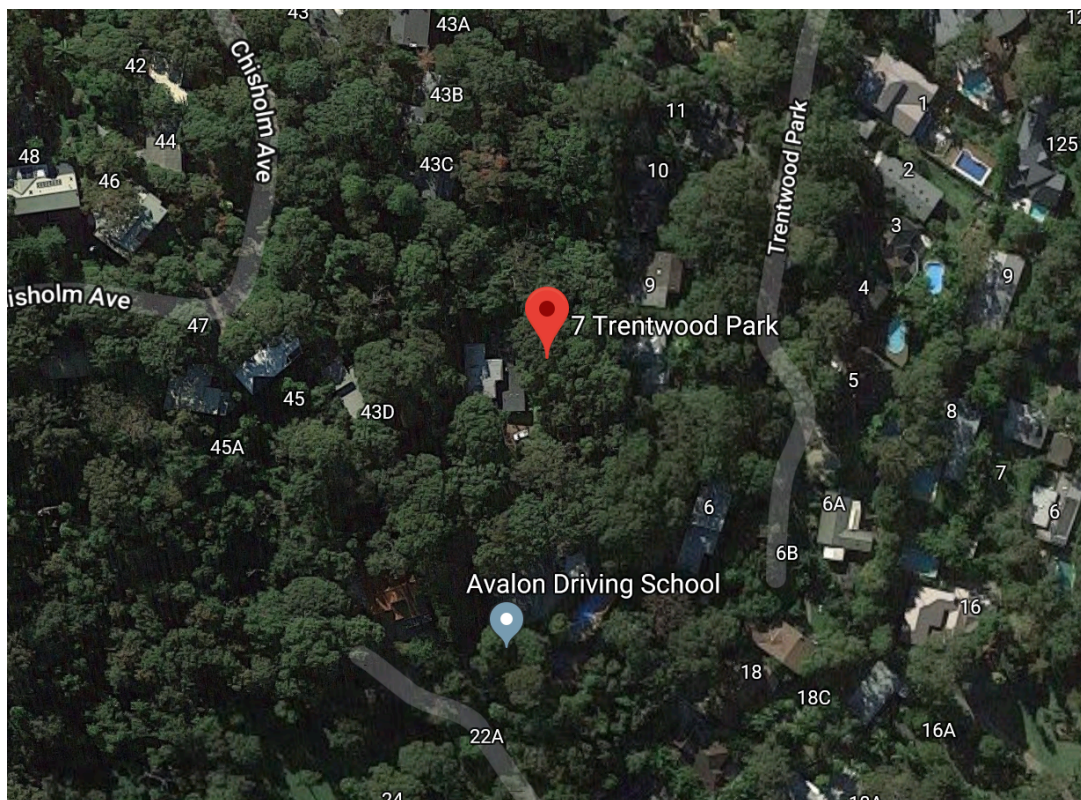
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#### 4.0 The Surrounding Environment

The general vicinity of the site is characterised by residential developments between one and three storeys in height within landscaped settings. The surrounding dwellings enjoy district views towards Avalon Beach.

The area is undergoing change and renewal, with newer, larger contemporary dwellings and additions being constructed in the immediate vicinity.

The form of the dwellings and associated structures is influenced by the sloping terrain and existing tree cover within the vicinity.



**Fig 2: Aerial view of locality**  
(Source: Google Maps)

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## 5.0 Proposed Development

As detailed within the accompanying draft subdivision plans prepared by Adam Clerke, the proposal seeks approval for the boundary adjustment of an existing Torrens title subdivision.

The proposed resubdivision seeks to amend the boundaries to approved Lots 1, 2 and 4. No changes are proposed to approved Lot 3.

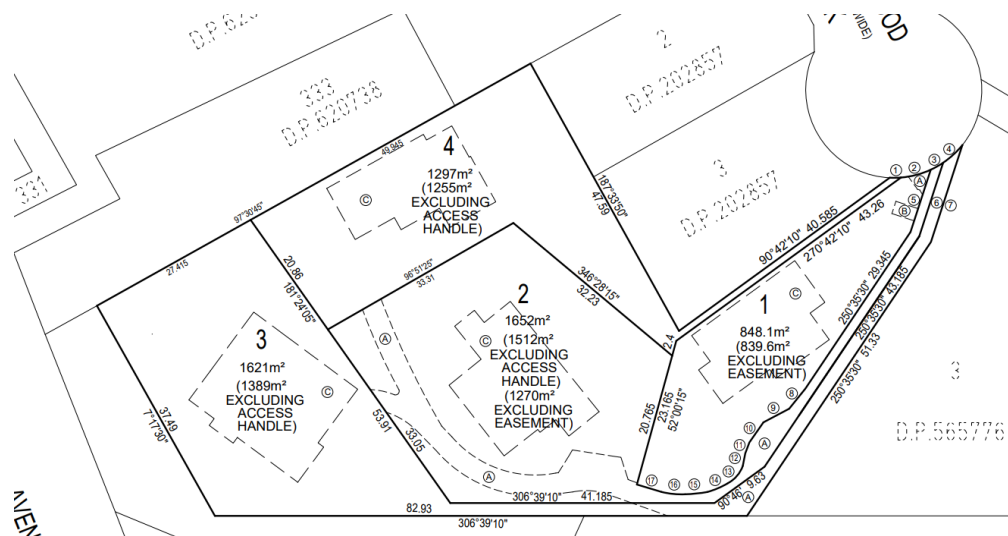


Figure 3. Approved subdivision plan (DA2019/0393)

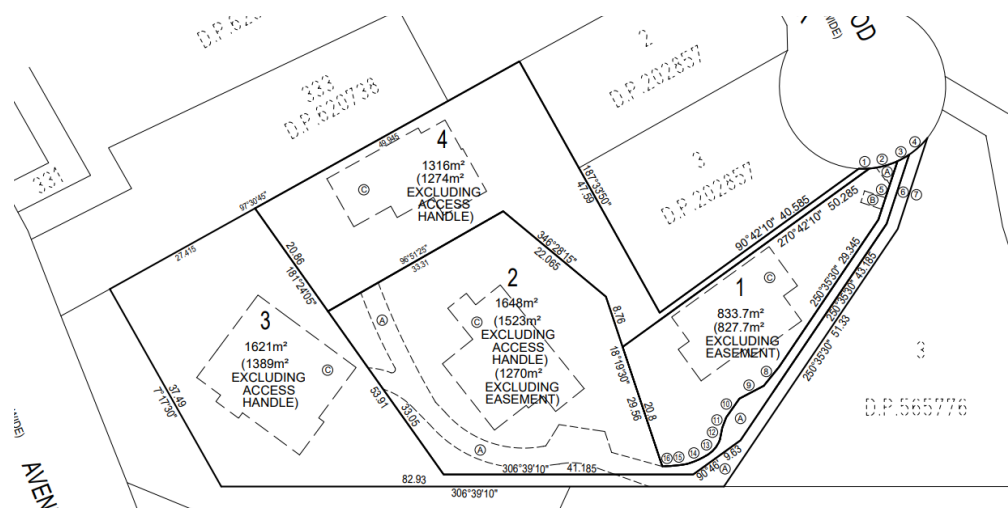


Figure 3. Proposed subdivision plan

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The indices for the proposed boundary adjustment are as follows:

|              | <b>Approved Lot Size (m<sup>2</sup>)</b> | <b>Proposed Lot Size (m<sup>2</sup>)</b> |
|--------------|--|--|
| <b>Lot 1</b> | 848.1 (839.6 excluding easement)         | 837.7 (827.7 excluding easement)         |
| <b>Lot 2</b> | 1652 (1512 excluding easement)           | 1648 (1270 excluding easement)           |
| <b>Lot 3</b> | 1621 (1389 excluding access handle)      | 1621 (1389 excluding access handle)      |
| <b>Lot 4</b> | 1297 (1255 excluding access handle)      | 1316 (1274 excluding access handle)      |

The proposed boundary adjustment will not require any physical changes to the site.

The approved landscaped area remains unchanged.

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## 6.0 ZONING AND DEVELOPMENT CONTROLS

### 6.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) 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.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

### 6.2 Pittwater Local Environmental Plan 2014

#### Clause 2.3 Zone Objectives and land Use Table

The subject site is zoned E4 Environmental Living under the Pittwater LEP 2014.

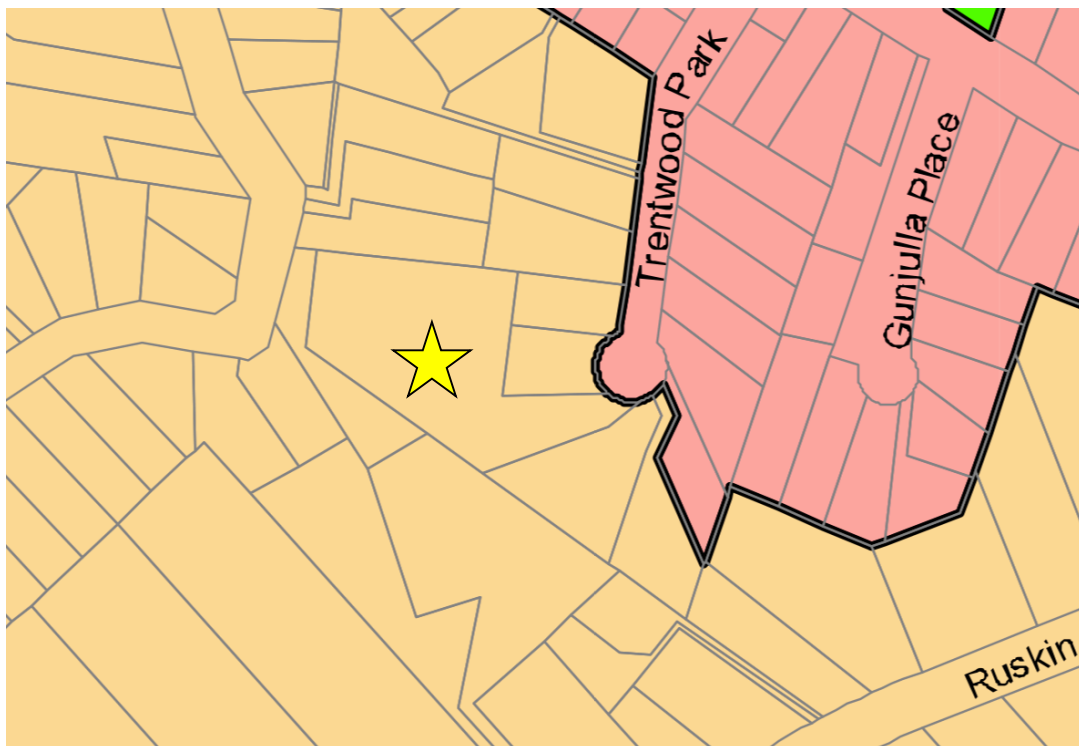


Fig 3: Extract of Pittwater Local Environmental Plan 2014 Zoning Map

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The proposed boundary adjustment is consistent with the objectives of the E4 Environmental Living Zone, which are noted over as:

- *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 proposed boundary adjustment will not see any change to the existing building fabric or approved structures, and the proposal will therefore not result in any additional impacts on neighbouring properties or the streetscape.

#### **Clause 2.6 – Subdivision**

The subject proposal seeks to provide for a boundary adjustment to the existing Torrens title subdivision and maintains consistency with the provisions of this clause.

#### **Clause 4.1 – Minimum Lot Size**

The proposed boundary adjustment provides for lots between 837.7m<sup>2</sup> and 1621m<sup>2</sup> in size which readily comply with the 700m<sup>2</sup> minimum lot size control.

#### **Clause 4.3 – Height of Buildings**

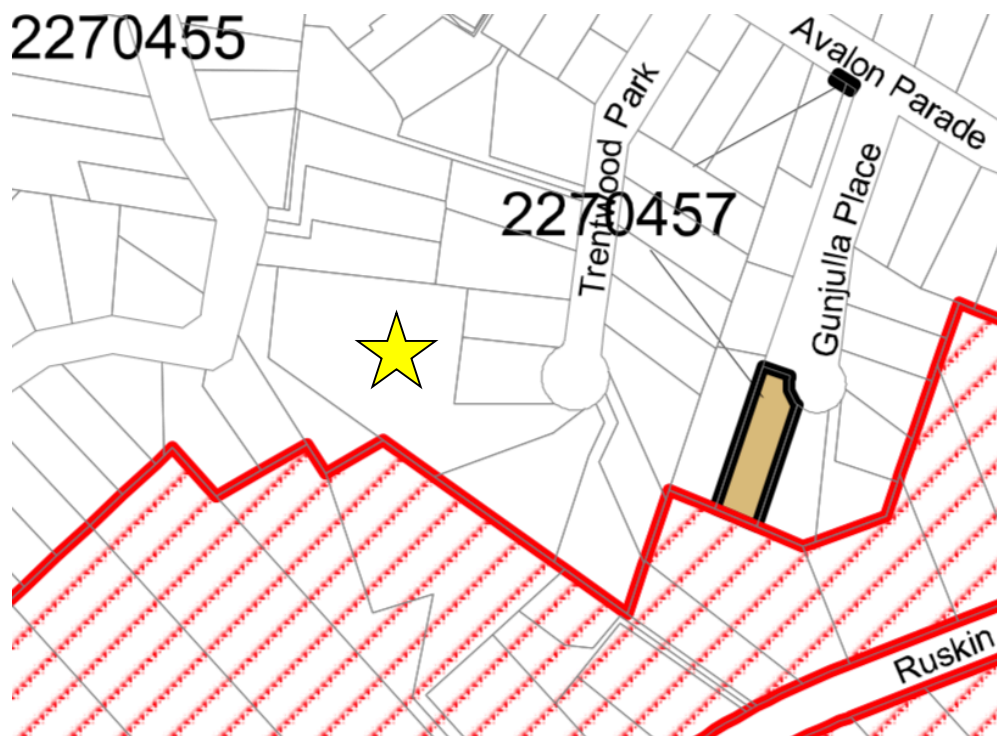
The proposal will not see any change to the existing and approved building heights.

#### **Clause 5.10 – Heritage Conservation**

The site is not listed as a heritage item, nor is it within a conservation area. However, the site is within the vicinity of the Ruskin Rowe Heritage Conservation Area (Area No. C5).

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Pittwater,*
  - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
  - (c) to conserve archaeological sites,*
  - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*
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**Fig 4: Extract of Pittwater Local Environmental Plan 2014 Heritage Map**

The proposal provides for a boundary adjustment only, which will not detract from the significance of the adjoining Ruskin Rowe Heritage Conservation Area, and is therefore considered to be in keeping with the provisions of this clause.

**Clause 7.1 – Acid Sulfate Soils**

The site is within the Class 5 Acid Sulfate Soils area. The proposal provides for a boundary adjustment with no physical works proposed, and no further investigation is deemed necessary in this instance.

**Clause 7.2 – Earthworks**

The proposal provides for a boundary adjustment with no physical works proposed. No earthworks are proposed.

**Clause 7.6 – Biodiversity protection**

The land is noted within Council’s Biodiversity mapped area.

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- (1) *The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:*
- (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 will not see any disturbance to the existing flora, with no significant trees or natural vegetation to be removed as part of the subject proposal.

#### **Clause 7.7 – Geotechnical Hazards**

The proposal provides for a boundary adjustment with no physical works proposed. No earthworks are proposed.

There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

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### **6.3 Pittwater 21 Development Control Plan 2014**

Council's Pittwater 21 DCP Part B (General Controls), Part C (Design Criteria) and Part D Avalon Beach Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

#### **6.3.1 Shaping Development – Desired Character**

The desired outcomes for the Avalon Beach Locality, in which this site falls, are as follows:

##### **A4.10 Avalon Beach Locality**

*The Avalon Beach locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural landscaped setting, integrated with the landform and landscape. Secondary Dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.*

*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.*

*Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.*

*A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.*

*Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.*

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*Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.*

It is considered that the proposal is consistent with the desired character of the locality by providing for the a boundary adjustment to the existing Torrens title subdivision which will not result in any physical changes to the site, and therefore will continue to complement existing surrounding development.

The proposal will not have any impact on the existing tree canopy and will retain the approved area of soft landscaping.

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**7.0 MATTERS FOR CONSIDERATION UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

**7.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

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

**7.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

There are no draft instruments applying to the land.

**7.3 Any development control plan**

The proposal will comply with the requirements of Council's Pittwater 21 Development Control Plan 2014.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

**7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

No matters of relevance are raised in regard to the proposed development.

**7.5 Any matter prescribed by the regulations that apply to the land to which the development relates.**

No matters of relevance are raised in regard to the proposed development.

**7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposal, which seeks consent for a proposed boundary adjustment, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the

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surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 and Council's Codes and Policies, in particular the Pittwater 21 DCP 2014 and the Avalon Beach Locality Statement.

#### **7.7 The suitability of the site for the development**

The subject land is currently zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

#### **7.8 Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

#### **7.9 The public interest**

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

#### **8.0 CONCLUSION**

The principal objective of this development is to provide for a proposed boundary adjustment, which respects the site conditions and locality.

It is considered that the proposal satisfies the stated objectives of Council's Development Controls. By maintaining our neighbour's amenity and by complimenting the existing style and character of the surrounding locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

**FRAN DARGAVILLE**

Town Planner  
B Planning (Hons) UNSW

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