

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**31 ALLAWAH AVENUE, ELANORA HEIGHTS**

**PROPOSED ALTERATIONS AND ADDITIONS TO AN  
EXISTING DWELLING AND ATTACHED GARAGE**

**PREPARED ON BEHALF OF  
Mr & Mrs Bandiera**

**DECEMBER 2024**

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## 1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling and attached garage upon land at Lot 203 in DP 13643 which is known as **31 Allawah Avenue, Elanora Heights**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Pittwater Local Environmental Plan 2014.
- Pittwater Development Control Plan 2014.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by CMS Surveyors Pty Ltd, Ref No. 13356A and dated 23/08/24.
- Architectural Plans prepared by GWN Drafting, Project No. 2919, Scheme 6D and dated November 2024.
- BASIX Certificate No. A1774796 and issued 26 November 2024.
- Waste Management Plan prepared by GWN Drafting and dated November 2024.
- External Materials & Finishes Schedule prepared by GWN Drafting and dated November 2024.

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. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that 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.

## 2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 203 in DP 13643 which is known as 31 Allawah Avenue, Elanora Heights. The site has an area of 708.4m<sup>2</sup> which is a rectangular shaped allotment located on the western side of Allawah Avenue. The site has a frontage of 15.405m to Allawah Avenue and a maximum depth of 47.97m. The locality is depicted in the following map:



**Site Location Map**

The site is gently sloping from the rear northwest corner (RL90.96) towards the front southeast corner (RL87.7). The site currently comprises a part single and part two storey brick and clad dwelling with tiled roof. The dwelling is located towards the rear western portion of the site. An attached garage with terrace over is located towards the rear southwest corner of the dwelling. A swimming pool is located in the rear yard. A gravel driveway provides access to the attached garage. A rendered masonry wall is erected along the front boundary of the site.

The site is depicted in the following photographs:



**View of Subject Site from Allawah Avenue**



**View of Existing Dwelling from Front Yard**

The existing surrounding development comprises of a mix of original housing stock interspersed between larger more modern two storey dwellings. The sites relationship with the surrounding properties is depicted in the following aerial photograph:



**Aerial Photograph of the Subject Site**

### 3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling including new attached garage.

The proposed additions/alterations are described below:

#### Ground Floor

- Addition to front southeast corner of dwelling to provide for new entry porch, study, increased living area and internal stair to access garage.
- New attached double garage.
- Existing garage to be converted to workshop/store.

#### First Floor Level

- Addition to the existing first floor to reconfigure top of stair, new bedroom ensuite and bathroom.
- Reconfigure existing floor plan.

#### **Stormwater**

All collected stormwater will continue to be discharged to the existing stormwater system in Allawah Avenue.

The proposal results in the following development indices

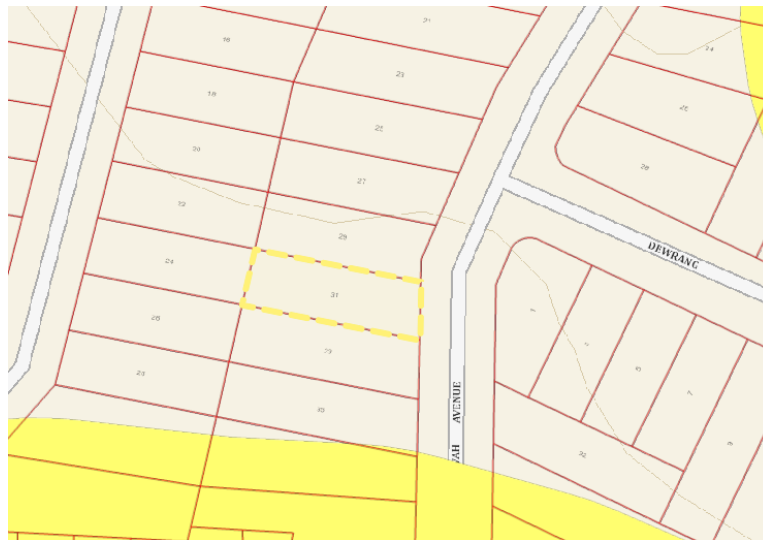
**Site Area:** 708.4m<sup>2</sup>  
**Existing Landscaped Area:** 359.97m<sup>2</sup> or 50.39%  
**Proposed Landscaped Area:** 359.58m<sup>2</sup> or 50.76%

## 4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Pittwater Council.

### 4.1 Planning for Bushfire Protection

The subject site is not identified as bushfire prone land and therefore the provisions of Planning for Bushfire Protection does not apply.

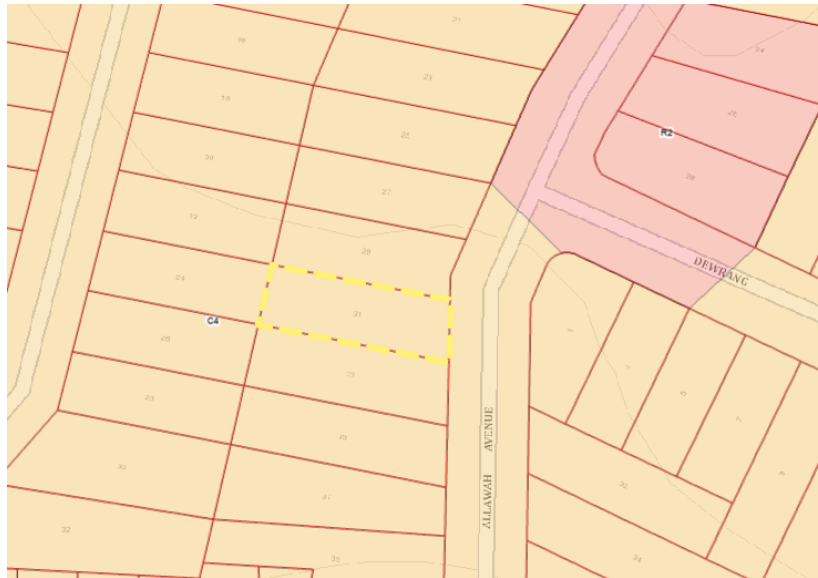


Extract of Bushfire Map

### 4.2 Pittwater Local Environmental Plan 2014

The site is zoned C4 Environmental Living under the provisions of the PLEP 2014. Development for the purposes of alterations and additions to an existing dwelling house and ancillary works are permissible with the consent of Council within the C4 zone.





**Extract of Zoning Map**

The relevant provisions of the PLEP which relate to the proposed development are detailed in the attached table:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5 metres	Refer to plans – work do not exceed 8.5m	Yes

The following clause also applies:

#### **Clause 7.1 Acid Sulfate Soils**

The site is identified as 5 on Council's Acid Sulfate Soil map. The proposal does not result in any significant excavation. No further information is required in this regard.

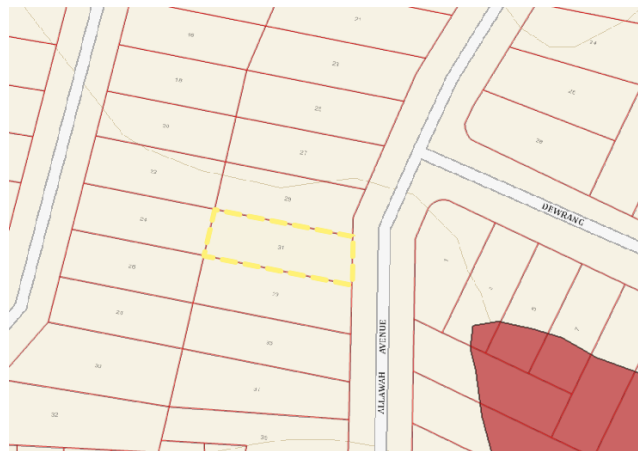
#### **Clause 7.6 Biodiversity**



**Extract of Biodiversity Map**

The site is not identified on the NSW BDAR map (purple), nor as an area of terrestrial biodiversity on Council's Biodiversity Map (green). Further, the proposal does not require the removal of any protected trees. There is no further information required in this regard.

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



**Extract of Geotechnical Hazards Map**

The site is not identified on Council's Geotechnical Hazard map. No further information is required in this regard.

There are no specific other provisions of the LEP that apply to the proposed development.

#### **4.2 Pittwater Development Control Plan 2014**

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D5 Elanora Heights Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

## 4.2.1 Section A Introduction

### A4.5 Elanora Heights Locality

*The Elanora Heights locality will remain primarily a low-density residential area with [dwelling](#) houses a maximum of two storeys in any one place in a 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 occupancies will be located only on the plateau on land that has less [tree](#) canopy coverage, species and habitat diversity and fewer other constraints to development. Land in the vicinity of Caladenia Close and Dendrobium Crescent to the west will remain a low-density rural residential area due to the constraints and characteristics of the land, including steepness of slope, species and habitat diversity, and lack of infrastructure. 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 on non-urban zoned land shall maintain generous spatial separation of the built form and low site coverage on large lots. Development will be designed to be safe from hazards including landslip and bushfire.*

It is considered that the proposal is consistent with the desired character of the locality. The proposal provides for alterations and additions to an existing dwelling which will not be dominant in the public domain and does not require the removal of any significant vegetation. The proposal provides for a new garage structure located towards the front southeast corner. The proposed garage is provided with a setback to the street frontage which is compatible with the existing surrounding development and with the established building line in this locality. The proposed works do not have any detrimental impact on the amenity of the surrounding properties.

## 4.2.2 Part B General Controls

The General Controls applicable to the proposed dwelling are summarised as:

### **B4.5 Landscape Flora and Fauna Enhancement Category 3 Land**

The proposal does not require the removal of any trees on site. The proposal does not reduce the existing landscaped area. The proposal complies with the objectives of this clause.

### **B5.15 Stormwater**

All collected stormwater will continue to drain to the existing stormwater system in Allawah Avenue in accordance with the controls of this clause.

### **B6.1 Access Driveways and Works on the Public Road Reserve**

The proposal retains the existing vehicular crossing with a new concrete driveway (replacing existing gravel drive) to provide access to the new garage. The driveway maintains an appropriate setback to the side boundary.

### **6.3 Off-Street Vehicle Parking Requirements**

The subject site requires 2 parking spaces on site. The subject site currently provides for a single garage located towards the rear southwest corner of the site with additional at grade parking on the driveway. The proposal provides for a new double garage with internal access to the dwelling. This complies with the numerical requirements of this clause.

### **B8.1 Construction & demolition – excavation and landfill**

The controls seek to achieve the outcomes:

*Site disturbance is minimised.*

*Excavation and construction not to have an adverse impact.*

*Excavation operations not to cause damage on the development or adjoining property.*

The proposal does not result in any significant excavation or fill. Appropriate sedimentation and erosion measures will be implemented prior to works commencing on site.

### **B8.2 Construction & Demolition – Erosion and Sediment Management**

The controls seek to achieve the outcomes:

*Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)*

*Reduction of waste throughout all phases of development. (En)*

*Public safety is ensured. (S)*

*Protection of the public domain. (S, En)*

Erosion and Sediment controls, as depicted in the architectural plans, will be implemented prior to works commencing on site.

### **4.2.3 Part C Design Criteria**

The Design Criteria applicable to the proposed development and are summarised over as:

#### **C1.1 Landscaping**

The controls seek to achieve the outcome:

*A built form dominated and complemented by landscaping.  
Landscaping that reflects the scale and form of development.  
Retention of canopy trees by encouraging the use of pier and beam footings.  
Development does not result in significant loss of the urban forest.  
Reduced risk of landslip.*

The proposal does not require the removal of any vegetation. The proposal does not reduce the landscaped area of the site and maintains ample landscaping within the front setback.

#### **C1.2 Safety and Security**

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community.  
Opportunities for vandalism are minimised.*

The additions to the existing dwelling will continue to provide good surveillance of the site and the dwelling approach. The entry and windows to habitable areas are located on the front elevation. The proposal complies with this clause.

#### **C1.3 View Sharing**

The controls seek to achieve the outcomes:

*A reasonable sharing of views amongst dwellings.  
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.  
Canopy trees take priority over views.*

The proposed dwelling complies with the maximum building height. The existing surrounding properties do not currently enjoy any significant views. The addition is located so as to maintain oblique views/vistas from the adjoining northern property across the subject site. The proposal does not result in any view loss.

#### **C1.4 Solar Access**

The controls seek to achieve the outcomes:

*Residential development is sited and designed to maximise solar access during mid-winter.*

*A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.  
Minimal need for artificial lighting.*

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid winter.

Shadow diagrams, including elevations, have been provided which indicate only minimal additional overshadowing to 17 Dress Circle Road at 3pm on the winter solstice. The proposal continues to ensure that at least 3 hours of solar access is provided to the habitable areas and private open space of the adjoining properties.

The proposal complies with the requirements of this clause.

### **C1.5 Visual Privacy**

The controls seek to achieve the outcomes:

*Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.  
A sense of territory and safety is provided for residents.*

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The proposed provides additions at ground floor level are to the front of the dwelling and comprise a garage and new entry. The new entry porch maintains a setback of 3.0m to the northern side boundary which provides ample visual separation. The additions to the first floor level provide for only bedrooms and bathrooms will all high use living areas being retained on the ground floor. Whilst the proposal provides for a new balcony, this is located on the front elevation and provides views of the street and dwelling approach. The balcony is provided with a solid wall on the northern elevation to prevent views into the adjoining dwelling to the north.

The proposal complies with this clause.

### **C1.6 Acoustic Privacy**

The controls seek to achieve the outcomes:

*Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.*

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

The proposed development will not have any impact on existing acoustic privacy to surrounding properties.

### **C1.7 Open Space**

The controls seek to achieve the outcomes:

*Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.*

*Private open space is integrated with, and directly accessible from, the living areas of dwellings.*

*Private open space receives sufficient solar access and privacy.*

The required controls to achieve the outcomes are to ensure that dwellings are provided with suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The development retains the existing private open space in the rear yard which is directly accessible from existing dining room. Ample area forward of the dwelling is also available. The proposal complies with this clause.

### **C1.9 Adaptable Housing and Accessibility**

The controls seek to achieve the outcomes:

*The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.*

*All members of the community enjoy equitable access to buildings to which the general public have access.*

*Housing for older people and people with a disability are accessible, adaptable and safe. (S)*

*Equitable access in the public domain.*

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

### **C1.12 Waste and Recycling Facilities**

The controls seek to achieve the outcomes:

*Waste and recycling facilities are accessible and convenient, and integrate with the development.*

*Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.*

There is sufficient area for the storage of waste and recycling bins. The proposal complies with the requirements of this clause.

### **C1.23 Eaves**

The controls seek to achieve the outcomes:

*Housing that reflects the coastal heritage and character of Pittwater.  
Optimise roof forms.  
Appropriate solar access and shading is achieved.*

This clause requires dwellings to be provided with eaves having a minimum width of 450mm. The proposal provides for a parapet roof form which is compatible with the existing character of the locality. Window shades are provided where necessary. The achieves the objectives of this clause.

#### **4.2.4 Part D Design Criteria**

A summary of the DCP controls for the **D5 Elanora Heights Locality** is provided below:

##### **D5.1 Character as Viewed from a Public Place**

The additions to the dwelling are provided with ample setback to the street frontage (approximately 18m) and provide articulation and improve the aesthetics of the existing dwelling. The resultant dwelling is of a compatible bulk and scale with the existing surrounding development and desired future character of the locality. The proposal does not require the removal of any vegetation. The proposal complies with this clause.

##### **D1.5 Building Colours and Materials**

The proposal incorporates natural tones which are recessive and will harmonise with the natural environment and complement the surrounding development.

##### **D5.3 Building Colours & Materials**

An external materials and finishes schedule has been prepared. Finishes will complement the natural environment and character of the locality.

##### **D5.5 Front Building Lines**

The controls seek to achieve the outcomes:

*To achieve the desired future character of the Locality.  
The amenity of residential development adjoining a main road is maintained.  
Vegetation is retained and enhanced to visually reduce the built form.  
Vehicle manoeuvring in a forward direction is facilitated.  
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.*

This clause requires a minimum setback of 6.5m or the established building to the primary street frontage.



The proposed additions to the dwelling provide for a setback of approximately 18m which complies with the numerical requirements and achieve the objectives of this clause.

## **D5.6 Side and Rear Building Lines**

The controls seek to achieve the outcomes:

*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 numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A setback of 6.5m is required to the rear boundary.

The existing dwelling does not comply with the side setback requirements of this clause. However, the proposed additions provide for a setback of 3.0m to the northern boundary and 1.1m to the southern boundary, which complies with this clause.

## **D5.7 Building Envelope**

The controls seek to achieve the outcomes:

*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.*

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°. The proposal results in a minor non-compliance at the front northwest corner of the additions. This non-compliance is considered justified in this instance for the following reasons:

- The proposed additions provide for a parapet roof form, removing the large pitched roof form over the rear of the dwelling (existing roof form depicted in architectural plans). The existing dwelling encroaches the building envelope and the proposed additions reduce the area of the non-compliance.
- The proposal complies with the required side boundary setbacks.
- The resultant dwelling is of a bulk and scale that is compatible with the existing surrounding development. The dwelling is well articulated on all facades.
- The proposed additions do not extend beyond the existing building envelope.
- The terrace is an open structure that does not result in unreasonable bulk when viewed from the adjoining property or public domain. The dwelling is located towards the rear of the site and maintains ample separation (approximately 18m) to the street frontage.
- The dwelling continues to maintain a reasonable level of solar access to the adjoining properties in accordance with the DCP.

### **D5.9 Landscaped Area – Environmentally Sensitive Land**

The controls seek to achieve the outcomes:

*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.*

This clause requires a landscaped area of 60% of the site. The proposal provides for the following:

Existing Landscaped Area:	356.97m <sup>2</sup> or 50.39%
Proposed Landscaped Area:	359.58m <sup>2</sup> or 50.76%

Whilst the proposal does not strictly comply with the numerical requirements of this clause, it is acknowledged that the existing development does not comply. The proposed additions provide for an increase in the landscaped area of the site, through the removal of a portion of the existing driveway that will become redundant.

Given that the proposal results in a net increase in landscaped area it is unreasonable to require compliance in this instance. It is noted that the proposal does not require the removal of any vegetation and the collected stormwater will continue to discharge to the existing stormwater system in Allawah Avenue.

The proposal achieves the objectives of this clause.

There are no other provisions of the DCP that are relevant to the proposed development.

## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and Pittwater Development Control Plan 2014. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

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

### **The Likely Impacts of the Development**

It is considered that the development provides for the construction of alterations and additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal has been designed to retain privacy and amenity to the adjoining properties through considered orientation and location of windows. The proposal does not result unreasonable overshadowing. The proposal does not require the removal of any tree.

### **The Suitability of the Site for the Development**

The subject site is zoned C4 Environmental Living and the construction of alterations and additions to an existing dwelling and associated works in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will provide for the construction of alterations and additions to an existing dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling and associated work as demonstrated in this report the proposal is consistent with the aims and provisions of the Pittwater LEP 2014 and Pittwater DCP 2014. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction alterations and additions to an existing dwelling and associated works upon land at **No. 31 Allawah Avenue, Elanora Heights** is worthy of the consent of Council.

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