

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED NEW DOUBLE GARAGE, A SECONDARY
DWELLING and a STAIR TO AN EXISTING MAIN DWELLING**

AT

45A RIVIERA AVE AVALON (12 CAPUA PLACE, AVALON)

LOT 2 DP 528345

**THE BIODIVERSITY VALUES MAP HAS BEEN UPDATED BY COUNCIL STAFF (SHALEY ALLEN
CUSTOMER SERVICE OFFICER, DEPARTMENT OF CLIMATE CHANGE. THE PROPOSED WORKS
ARE EXCLUDED FROM THIS AREA**

Prepared By *JJ Drafting Aust. P/L*

February 2025

1) Introduction

This Statement of Environmental Effects accompanies documents prepared by JJ Drafting Aust P/L, job number 1267/24, drawing numbers DA.01 to DA.16 dated July/24 to detail proposed double garage and a secondary dwelling to an existing main residence at 12 Capua Place, Avalon.

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 acceptable and is worthy of support by 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*
- # *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- # *Pittwater Local Environmental Plan 2014*
- # *Pittwater 21 Development Control plan 2014*
- # *Pittwater 21 Development Control plan 2014 – D1 Avalon Locality*

2) Site Characteristics and Description

The subject battle-axe allotment is described as 45A Riviera Ave Avalon with a site area of 770.6sqm.

- The site is in C4 Environmental Living.
- The site is not located in bushfire prone land.
- The site is not listed as heritage or in a conservation area.
- The site is located in the land slip zone map. Geo tech report attached
- The site is not located in a flood zone.
- The site is in a class 5 acid sulphate area. No major excavation is proposed
- The property addresses Capua Place to the southwest. Access to the site is via Riviera Ave via a shared driveway to a single parking space.
- The site is an irregular rectangular shape
- The site is currently developed with a one and two story dwelling. A large timber deck is located to the side of the dwelling on the ground level
- The site falls from the northeastern boundary down towards the south west rear boundary of approx. 13m.
- Vegetation consists of mixed endemic and introduces species that surround the property with dense vegetation and a rocky cliff addressing Capua place
- Front, side, and rear setbacks vary throughout the streetscape and that of adjoining dwellings.

3) The Proposal

Description

As detailed within the accompanying plans, the proposal seeks consent for a double garage and a secondary dwelling to an existing main dwelling. It provides compliance with Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control plan 2014.

The proposed works are as follows

Ground level

As the site currently has only one parking space, a new double garage is proposed north of the dwelling.

The built form of the garage has been design so that it will match the existing main dwelling

Secondary dwelling

A new lower ground level detached secondary dwelling is proposed, located below portion of the new double garage.

The proposed secondary dwelling is located over an existing timber deck

Area of the secondary dwelling is 51sqm

The proposed secondary dwelling consists of a bedroom, bathroom, laundry and an open plan living, dining and kitchen area with a deck off the back area.

External stair

As there is no access via Capua place it is requested that a stair be provided, starting outside the boundary and continuing up the stone escarpment to the top of the allotment. It will provide an easier access to the bins



The proposed new stair will also be used as a fire escape which directly accesses the main street from the front of the property, given that the right of carriageway is a fair distance from the main street.

VIEW LOOKING WEST FROM CAPUA PLACE. PROPERTY ABOVE ROCK ESCARPMENT



VIEW LOOKING NORTH WEST ALONG CAPUA PLACE – PROPOSED STAIR



ADJOINING PROPERTY WITH AN EXTERNAL TIMBER STAIR LOCATED ON COUNCIL LAND

4) Zoning & Development Controls

4.1) Pittwater Local Environmental Plan 2014

The site is zoned C4 Environmental living under the provisions of the PLEP 2014. The proposed development to the existing dwelling are permissible with the consent of council.

4.2) State Environmental Planning Policy (Building Sustainable Index: BASIX) 2004

The proposal will require a BASIX certificate with this application as it is over \$50,000. See attached certificate.

Building Height (PLEP 4.3)

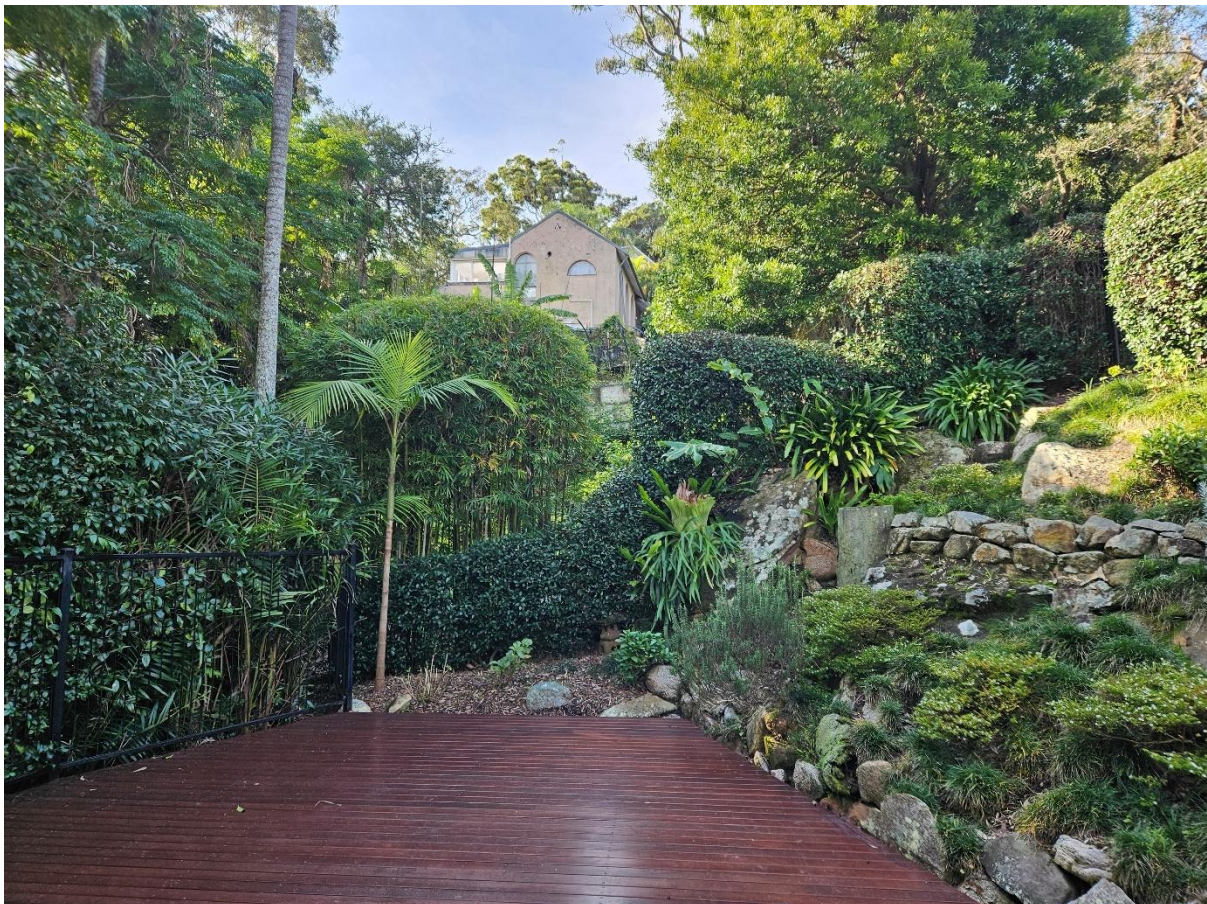
Maximum building control is 8.5m

The proposed NEW DOUBLE GARAGE AND SECONDARY DWELLING comply with this control and are well below the maximum 8.5m building height

Biodiversity protection (PLEP 2014 - Part 7 , 7.6)

There will be no adverse impact on the habitat or fauna and flora of the site due to the proposed new double garage and secondary dwelling. There will be no changes to the existing vegetation on site and no existing significant trees will be impacted

Minimal and minor vegetation will be removed



PROPOSED NEW SECONDARY LOCATED WHERE THE EXISTING TIMBER DECK IS. A NEW DOUBLE GARAGE IS PROPOSED ABOVE THE SECONDARY DWELLING



PROPOSED LOCATION OF NEW SECONDARY DWELLING, NEW GARAGE TO SIT PORTION ABOVE THE SECONDARY DWELLING

Avalon Locality (A4.1)

Desired future character

It is proposed that the new double garage, secondary dwelling and stair to the existing main dwelling are consistent with the desired future character and the surrounding properties.

The proposed development respects the scale and form of other new and existing developments in the vicinity and therefore compliments the locality.

The setbacks are compatible with the existing surrounding developments.

The proposal will not have any significant or adverse impact on the neighbouring properties.

Access driveway (B6.1)

There will be no change to the existing shared access driveway and vehicular crossover.

Internal Driveways (B6.2)

There will be no changes to the existing internal shared driveway.

Off -Street Vehicle Parking Requirements (B6.3)

Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling
1 bedroom	1 space
2 bedrooms or more	2 spaces

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).

Main principal dwelling – there has been 2 proposed parking spaces provide with the new double garage proposed. - **COMPLIES**

Secondary Dwelling – an existing single parking space along the existing main principal dwelling has been provided for the secondary dwelling --- **COMPLIES**

View Sharing (C1.3)

Neighbours views will not be affected by the proposed new double garage and a secondary dwelling The adjoining properties will retain their outlook and view sharing.

Solar Access (C1.4)

No loss of daylight to habitable rooms in adjacent dwellings will be experienced as a consequence of this proposal. All adjoining properties will maintain a minimum of 3hours of solar access.

Privacy (C1.5)

There will be no loss of privacy due to the proposed double garage and a secondary dwelling

4.3) Development Standards and the Effects of the Proposal

Character as viewed from a public place (D1.1)

The DCP encourages development to achieve the desired future character of the locality, ensuring that the new development responds to and reinforces the special characteristics of the existing build and natural environment, enhances the existing streetscape and promotes 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. High quality buildings are designed which have regard to the locality's natural context and accommodating any natural hazards. Buildings should not dominate the streetscape and appear at a human scale. Views which reinforce and protect Pittwater's natural context.

The proposal satisfies the relevant objectives in that:

- # All of the existing natural vegetation has remained.
- # The proposal will not result in any significant loss of either primary or peripheral views from any surrounding dwellings.
- # The setbacks are compatible with the existing surrounding developments.
- # The scale of the proposed new garage, secondary dwelling and stair are secondary to the landscaping.

Scenic Protection - General (D1.4)

There will be no effect from the proposal when viewed from any waterways, road or public reserve. The proposed double garage and a secondary dwelling will not be visible from the streetscape as it is set further from Capua Place and the dense vegetation will keep the built form secondary to the natural landscaping. The proposal will blend with the existing dwelling.

Front building line (D1.8)

Front setback control is 6.5m.

Existing front setback to main dwelling – -----6.5m
 Proposed secondary dwelling front setback - 18m - **COMPLIES**

Side and Rear Building Lines (D1.9).

SIDE SETBACK

The required side setback control is 1.0m to one side and 2.5m to the other.

Northwest Side Setback

Secondary Dwelling – 1.0m – **COMPLIES**

Double garage -----1.0m - **COMPLIES**

Southeast Side Setback

Secondary Dwelling – varies between 15.2m -19.4 ----- **COMPLIES**

Double garage -----varies between 13.2m - 13.8m - **COMPLIES**

Northeast Boundary

The proposed garage and secondary dwelling have 1.0m setback to this boundary

REAR BUILDING LINE

The required rear setback control is 6.5m.

The subject site is a battle-axe block and does not consist of a rear setback.

Building Envelope (D1.11)

The control for this parcel of land is to maintain a building envelope that rises 3.5 m from the side boundary and projects at an angle of 45 deg.

The proposed secondary dwelling and double garage **comply** with this control.

Only a very small triangular portion of the west wall exceeds the side building envelope as indicated on drawings.

It is requested this very minor encroachment be supported as it will not affect adjoining properties in view loss, privacy loss or shadow loss. There is an existing TALL hedge that is located on the northwest side boundary which will make majority of the proposed build be hidden behind it.

Landscaped area – Environmentally Sensitive land (D1.10)

Site area is 770.6sqm

Minimum Landscaped area requirement	60%	462.36sqm
Existing Landscaped area	57.56%	443.6sqm
Proposed Landscaped area	57.65%	444.3sqm
Existing hard surface area		327sqm
Proposed hard surface area		343.4sqm

The proposal will not reduce the existing landscaped area,. It will be increased by 0.7sqm.

There will be an increase in hard surface area by 16.4sqm , no OSD will be required as the hard surface area is less than 50sqm

5) Matters for Consideration Under Section 79c of The Environmental Planning and Assessment Act, 1979

5.1) 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.

5.2) Any development control plan

The development has been designed to comply with the requirements of the locality and the general principles of Development Control 21.

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

5.3) Any matter prescribed by the regulations that apply to the land to which the development relates

No matters of relevance area raised in regard to the proposed development

5.4) 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 double garage and a secondary dwelling will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Pittwater Development Control Plan 21 and the Locality Statement.

5.5) The suitability of the site for the development

The subject land is currently C4 Environmental living under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

The proposal will provide without having a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

The subject site does not exhibit any significant constraint to the construction of the proposed development.

5.6) Submissions made in accordance with this Act or the regulations

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

5.7) 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.

6) Conclusion

The proposal which provides for a double garage and a secondary dwelling and an external stair to an existing main principal dwelling will not have any detrimental impact on the adjoining properties or the locality.

The proposal is in keeping with Council's aim and objectives for the locality.

There will be no effect on local fauna or flora.

In scale, form and finishes, the proposal will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours. 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.



VIEW LOOKING SOUTHWEST
ALONG THE SHARED DRIVEWAY



VIEW LOOKING WEST –
PROPOSED NEW DOUBLE
GARAGE



VIEW LOOKING WEST



VIEW LOOKING NORTHEAST
ALONG THE SHARED
DRIVEWAY



VIEW LOOKING EAST –
PROPOSED DOUBLE GARAGE
AND SECONDARY DWELLING



VIEW LOOKING SOUTH TOWARDS MAIN DWELLING

SCHEDULE OF EXTERIOR FINISHES

45A Riviera Avenue , AVALON BEACH 2107

WALLS : cladded, colour to match existing dwelling

ROOF : Colorbond metal sheeting, to match existing dwelling

