

STATEMENT OF ENVIRONMENTAL EFFECTS

BUILDING APPROVAL SOLUTIONS - 2020

*125 Palmgrove Road, Avalon Beach NSW 2107 – Proposed Patio to
Replace Existing Deck and Proposed Rumpus Room.*

Submitted to: Northern Beaches Council

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1.0 INTRODUCTION

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to **NORTHERN BEACHES COUNCIL** (the Council) as part of a Development Application (DA) for proposed works. This SEE describes the site, its environs and the proposed development, provides an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. Within this report, references to “the site” mean the land to which this DA relates.

1.1 SUBJECT SITE

The site of the proposed works is at **125 Palmgrove Road, Avalon Beach NSW 2107** and can be legally identified as **Lot 402 in DP 16902.**

1.2 DESCRIPTION OF THE PROPOSED

The DA seeks development consent for the following:

Proposed Works:

- **New Patio to Replace Existing Deck**
- **Rumpus Room Underneath Proposed Patio**

Note: This Statement is to be read in conjunction with the submitted Plans set.

1.3 APPLICABLE STATUTORY & NON-STATUTORY PLANS/POLICIES

Pittwater Local Environmental Plan 2014

Pittwater 21 Development Control Plan

2.0 SITE ANALYSIS

2.0 Site Analysis

2.1 DESCRIPTION OF THE SUBJECT SITE

The subject site is commonly known as **125 Palmgrove Road, Avalon Beach NSW 2107** and can be legally identified as **Lot 402 in DP 16902**. (See Figure 1 below)



FIGURE 1 (Source: Six Maps, NSW Government. Accessed 02.06.2020)

The site is a regularly-shaped allotment on the northwestern side of Palmgrove Road. It has a width of 15.24m and a depth of 38.1m for a total lot area of 580.6sqm. Onsite stands a one- and two-storey brick and cladding dwelling. The site has a gradient that falls towards the rear, which is around 5m lower than the front area. The site is located 1.1kms northeast of Bilgola Plateau Public School and around 600m northwest of Avalon Public School.

2.0 SITE ANALYSIS

2.2 ADJOINING LAND USE & LOCALITY CHARACTER

The immediate locality is characterized by residential development consistent with its zoning as may be seen in Figure 2 below.

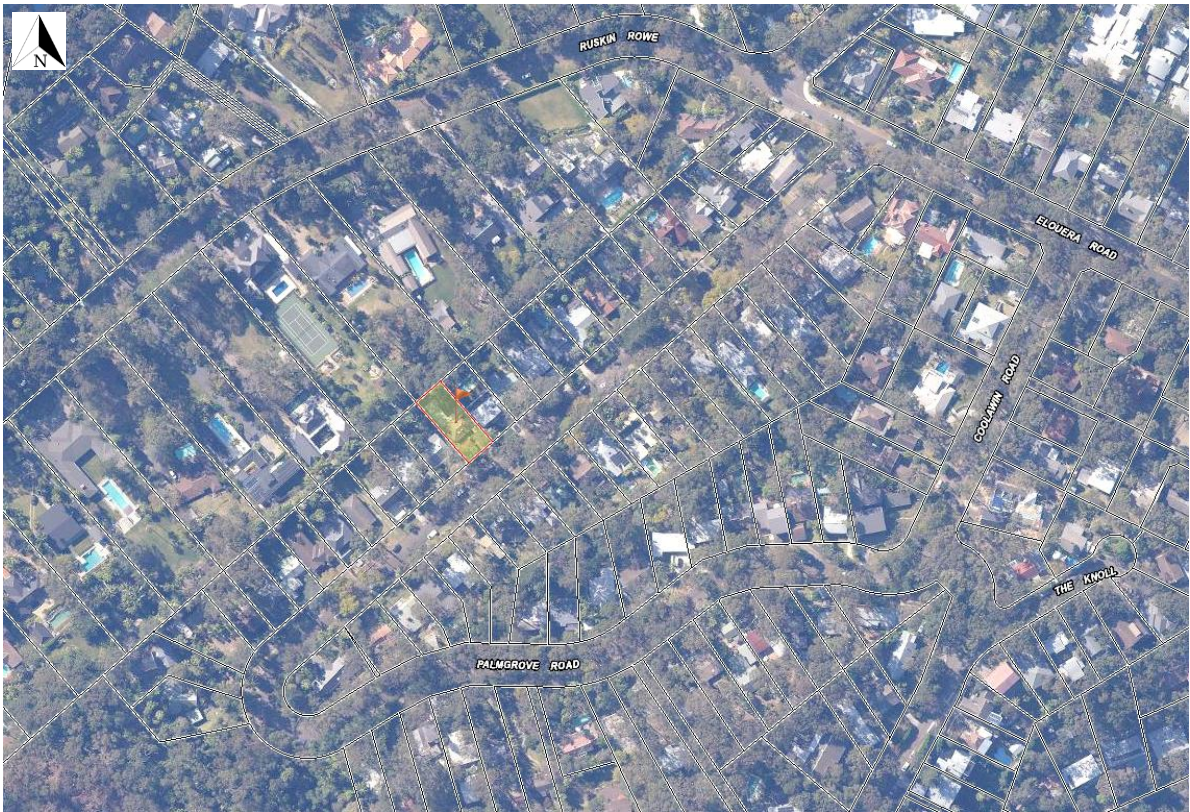


FIGURE 2 (Source: Six Maps, NSW Government. Accessed 02.06.2020)

2.0 SITE ANALYSIS

2.3 ZONING

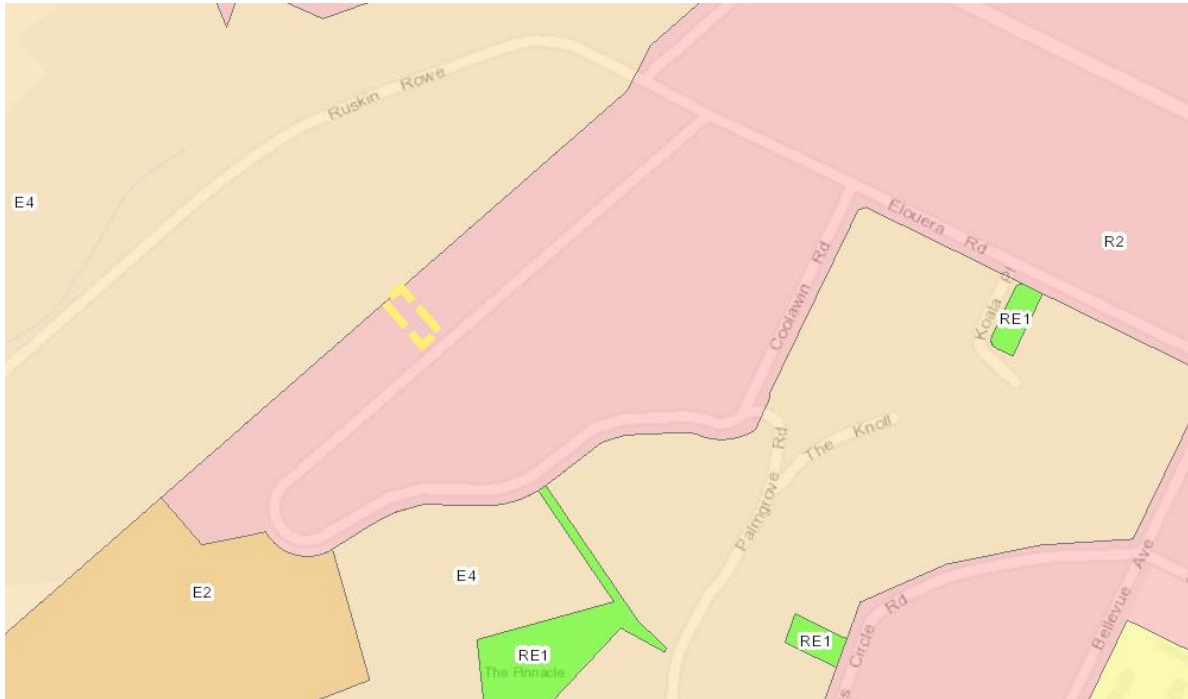


FIGURE 3 (Source: NSW Planning Portal. Accessed 02.06.2020)

The subject site is **ZONE R2 – Low Density Residential**. The proposed works are permissible under this zoning and complimentary to the objectives of said zone.

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

2 Permitted without consent

Home businesses; Home occupations

2.0 SITE ANALYSIS

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; 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; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

3.0 MATTERS FOR CONSIDERATION

3.0 Matters for Consideration


This chapter contains the assessment of the environmental effects of the proposed development as required under *Section 4.15 of the EP & A Act*. In determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments, impacts to the built and natural environment, social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

These matters for consideration are further discussed in the ensuing sections.

3.1 RELEVANT STRATEGIC AND STATUTORY PLANS AND POLICIES

Summary of compliance

Table 1.1 – Compliance with Pittwater Local Environmental Plan 2014

COMPLIANCE TABLE		
Requirements	Proposed	Compliant
4.3 Height of buildings  HOB Map 16 – Max Building Height - 8.5m	The subject rumpus room on the lower ground floor is proposed to have a maximum height of 2.68m which is less than the maximum building height of 8.5m.	Yes
4.4 Floor space ratio	This control is not applicable to the site.	Not relevant
5.3 Development near zone boundaries [Not adopted]	As shown in Figure 3 above, the site adjoins a Zone E4. However, this control is not adopted under the LEP.	Not relevant

3.0 MATTERS FOR CONSIDERATION

Dictionary Private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.	The proposed patio is deemed consistent with this definition of 'private open space'.	Yes
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Table 1.2 – Compliance with Pittwater 21 Development Control Plan

Requirements	Comments/Proposed
B4.22 Preservation of Trees and Bushland Vegetation	Compliant – the proposed works are to be built in proximity to a tree that is identified as 'Ficus microcarpa' which will be retained. As indicated in the submitted Arborist Report prepared by Growing my Way Tree Consultancy dated 20.6.2020, this tree is an exempt for protection species under the Pittwater 21 DCP. The report also states that subject works are 'unlikely to compromise this tree's useful life expectancy'.
B5 Water Management B5.8 Stormwater Management – Water Quality – Low Density Residential Controls The control is applicable when the development results in an additional hard (impervious) area of more than 50 square metres.	Compliant - there will be no increase in the existing impervious area with the proposed works as these are to go over the existing paved areas of the subject site. Stormwater that will be generated by the proposed works is to be managed as stated in the submitted Stormwater Management Plan prepared by Prime Engineering Consultants dated 18.6.2020.
B8.1 Construction and Demolition – Excavation and Landfill	Compliant – the proposed works are to cause a maximum cut of 1.02m. It is envisaged that these works will cause minimal site disturbance and will have nil adverse impact on the site and its adjoining properties.
B8.2 Construction and Demolition – Erosion and Sediment Management	Compliant – appropriate erosion and sediment control measures are to be installed onsite, as shown in the submitted Plans.

3.0 MATTERS FOR CONSIDERATION

<p>B8.3 Construction and Demolition – Waste Minimisation</p>	<p>Compliant – waste materials are to be managed based on the submitted Waste Management Plan. Construction stockpile and waste storage area are indicated in the submitted Plans</p>
<p>C1 Design Criteria for Residential Development C1.1 Landscaping</p>	<p>Compliant – the proposed patio is to be the rear of the existing dwelling. It is to be built approximately 3m from a tree that is identified as ‘Ficus microcarpa’ which will be retained. As indicated in the submitted Arborist Report prepared by Growing my Way Tree Consultancy dated 20.6.2020, this tree is an exempt for protection species under the Pittwater 21 DCP. The report also states that subject works are ‘unlikely to compromise this tree’s useful life expectancy’.</p> <p>As the said tree will be retained and no other vegetation will be removed, the proposed works are deemed to have nil adverse effect on the existing vegetation onsite and its immediate locality.</p>
<p>C1.5 Visual Privacy C1.6 Acoustic Privacy</p> 	<p>Compliant – the proposed patio is to replace an existing deck. Also, in addition to the proposed privacy screen, there is lush vegetation along the common lot boundary between the site and its western neighbour that provide further screening, as shown in Figure 4. It is envisaged that the prevailing privacy conditions onsite is to be unaffected with the subject works.</p>

3.0 MATTERS FOR CONSIDERATION



FIGURE 4 – Existing Deck to be removed and vegetation to western lot boundary common with Lot 403

C1.7 Private Open Space

A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.

Compliant – the existing ground level private open space accessible to the existing dwelling is to remain unchanged. Additionally, as the proposed patio with a width of 7.68m is consistent with the definition of private open space as indicated in Pittwater LEP, and will provide a good useable open space at the upper ground floor level to complement the existing space the the lower ground floor, the subject work is deemed to enhance the residents' amenity and access to appropriate private outdoor areas.

C1.12 Waste and Recycling Facilities

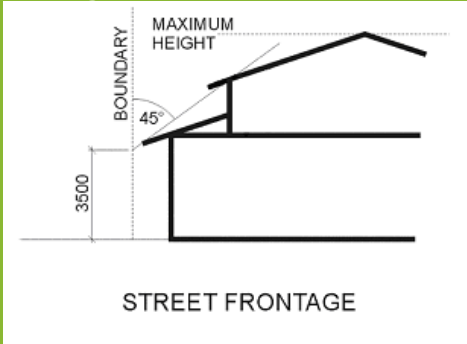
Compliant – a Waste Management Plan is submitted with this Application.

D – Locality Specific Development Controls D1 Avalon Beach Locality

D1.5 Building Colours and Materials

Compliant – the subject works are to the rear of the existing dwelling. These are not directly visible from the street and other public areas and thus will not affect the prevailing streetscape. Additionally, the colours and materials to be used are

3.0 MATTERS FOR CONSIDERATION

	deemed to complement the colours and materials of the existing dwelling.
D1.9 Side and Rear Building Line  <p>The diagram illustrates a building envelope for a street frontage. A vertical line on the left is labeled 'BOUNDARY' and '3500'. A horizontal line at the bottom is labeled 'STREET FRONTAGE'. A 45-degree angle is marked between the boundary line and a diagonal line extending from the street frontage. A horizontal line at the top is labeled 'MAXIMUM HEIGHT'. The building footprint is shown within this envelope.</p>	<p>The proposed patio and rumpus room are to have a western side setback of 1.35m that is consistent with the setback of the existing dwelling. The Applicant is seeking Council's approval for this non-compliance given the following:</p> <ul style="list-style-type: none"> a) the proposed side setback is consistent with that of the existing dwelling; b) the subject works are at a ground elevation that is lower than the road. Additionally, these are not directly visible from the street or any public spaces. As such, it is deemed to have nil adverse effect on the prevailing character of the locality in terms of bulk and scale, views and vistas; c) the privacy, amenity and solar access of the adjoining properties are to be unaffected; and d) existing vegetation and landscaping onsite are to be retained.
D1.11 Building Envelope Buildings are to be sited within the following envelope:	Compliant – the finished floor level of the proposed patio is to have a maximum elevation of 2.77m above existing ground level. As such, all proposed works are to be within the prescribed building envelope for the site.
D1.13 Landscaped Area – General The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area. Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.	Non-compliant – notwithstanding the proposed works, the site currently has a landscape coverage of 29.5%. The Applicant is seeking Council's approval for this given that all proposed works will not affect the existing soft landscaped areas as these are to be built on existing paved areas. It is envisaged that the subject works will have nil effect on the current level of amenity, solar access, bulk and scale of the site and the adjoining properties.

3.0 MATTERS FOR CONSIDERATION

	Additionally, stormwater runoff is to be appropriately managed according to the submitted Stormwater Plan.
D1.17 Construction, Retaining walls, terracing and undercroft areas	Compliant – site is not identified to be in an environmentally-sensitive area. No cut or fill is proposed in relation to the subject patio which is to have a maximum height of 2.77m above the existing ground level. There is adequate landscaping along the western boundary that provide screening to the proposed rumpus room in the undercroft of the proposed patio.

3.2 CONTEXT AND SETTING

The proposed in its current form is envisaged to impart no adverse impacts in this regard. It complements the existing and envisaged development patterns and imparts negligible effects on the locality character.

The proposed will act to enhance the socio-economic values of the locality whilst assisting the continued viability of the subject site by enabling responsible development thereof.

3.3 ACCESS TRAFFIC & UTILITIES

The subject site and proposed is not envisaged to impart any notable impacts on traffic conditions for the locality and will utilise existing access provisions. All required utilities are provided to the site and the proposed is again envisaged to impart negligible impacts or increased strain on these services.

3.4 ENVIRONMENTAL IMPACTS

No significant environmental constraints have been identified on the subject site, though regardless no adverse effects are envisaged in this regard.

3.5 FLORA AND FAUNA IMPACTS

No significant ecological communities of species have been identified on the subject site and minimal disturbance to any existing flora or fauna is envisaged.

3.0 MATTERS FOR CONSIDERATION

3.6 NATURAL & TECHNOLOGICAL HAZARDS

A preliminary assessment of the available information has not identified any such hazards.

3.7 WASTE MANAGEMENT

All construction waste is to be appropriately removed from site as per the submitted waste management plan. Ongoing waste generated through occupation of the site is to be disposed of as per councils waste management regulations and services.

3.8 SOCIAL & ECONOMIC IMPACTS

The proposed development will result in beneficial social and economic effects being imparted not only on the site but also on the surrounding locality.

3.9 ACOUSTIC IMPACTS

It is anticipated that nil to negligible adverse impacts will be incurred pertaining to noise levels at the site locality. The proposed development does not envisage any adverse acoustic impacts as a result of the proposal obtaining consent.

3.10 HERITAGE IMPACTS

Consideration to the sites historical and archeological aspects are non-applicable in this regard. The subject site has no such aspects associated with it as outlined in the Section 149 certificate produced by council and no indicatory features have been identified to warrant further consideration.

3.11 PUBLIC INTEREST

The scope of the proposed is arguably not significant enough to engage public interest considerations. With that said the proposed is envisaged to impart enhanced socio-economic amenity to the immediate locality. Support for the proposed is deemed to be in the public interest through the continuation of viable development in the area, allowing adaptation to the transforming fabric of development inherent to built form frameworks.

4.0 CONCLUSION

4.0 Conclusion

The Statement of Environmental Effects is submitted to **NORTHERN BEACHES COUNCIL** in the belief that the works itemized below be approved.

Proposed Works:

- **Patio to Replace Existing Deck**
- **Rumpus Room Underneath Proposed Patio**

The development is permissible under the zoning as specified in the relevant planning instruments and successfully achieves the desired objectives of thereof. At all stages the development appears compliant with the performance criteria specified. Specifically the proposed has been assessed against the **PITTWATER LOCAL ENVIRONMENTAL PLAN 2014** and **PITTWATER 21 DEVELOPMENT CONTROL PLAN**.

The proposed development, if approved, will form an exemplary figure in the area for holistic and thorough application of planning principles implemented through consideration and application of council's development controls. Support for such development is imperative in the continued viability of the areas existing landscape.