

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR PROPOSED ADDITIONS & ALTERATIONS TO THE EXISTING
OUTBUILDINGS AND A CHANGE OF USE TO
ANCILLARY HABITABLE FLOOR AREA**

LOCATED AT

162 CENTRAL ROAD, AVALON

FOR

KIM JONES



**Prepared
June 2021**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of Kim Jones by Blue Sky Building Designs, dated 21 April 2021, to detail proposed additions and alterations to the existing detached outbuildings and a change of use to a habitable living spaces at **162 Central Road, Avalon**.

The proposed alterations to the existing outbuildings and the proposed change of use was the subject of a previous Development Application under DA2019/1127, lodged 14 October 2019.

The application was subsequently withdrawn on 4 December 2019, as the existing outbuildings which were constructed within the rear yard in accordance with a Complying Development Certificate application were found to be incorrectly considered in the original CDC and considered by Council to be unauthorised development.

A subsequent Building Information Certificate application was lodged under BC2020/0072 to address the unauthorised construction and the Certificate was determined on 27 November 2020, which has the effect of allowing the existing outbuildings to remain.

This proposal will now seek consent to provide for minor alterations and additions to the existing outbuildings to address the habitable room requirements of the Building Code of Australia and a change of use to allow the outbuildings to be used as a detached secondary dwelling, as detailed within the architectural submission prepared by Blue Sky Building Designs.

The drawings which accompany the DA submission comprise:

- DA100 COVER PAGE
- DA101 SITE PLAN
- DA102 FLOOR PLAN
- DA103 ELEVATIONS
- DA104 SECTIONS
- NP NOTIFICATION PLAN

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*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan 2014*

2.0 Property Description

The subject allotment is described as 162 Central Road, Avalon, being Lot 15 within Deposited Plan 9935. The property is zoned R2 Low Density Residential under the Pittwater Local Environmental Plan 2014.

The site has been identified by Council as being within the Class 5 Acid Sulfate Soils Area. This issue is addressed further within this submission.

The site is noted as being 'W Hazard H1' on Council's Geotechnical Hazard Mapping. This will be discussed further within this submission.

The site is also noted as being within the vegetation buffer of Bushfire Prone Land. This will be discussed further within this submission

The land is also noted as being within a terrestrial biodiversity zone. This will be discussed further within the submission.

The site is not listed as a heritage item, nor is it within a conservation zone.

3.0 Site Description

The property is rectangular in shape with a width of 15.24m and a depth of 60.35m. The site has a total area of 919.7m².

The land has a general fall from the north east rear boundary towards the south west front boundary. Stormwater from the site is currently directed to the street gutter in Central Road.

The site is currently developed with a weatherboard residence with a detached carport and a two weatherboard sheds with decking in the rear of the site.

Driveway access to the existing detached carport in the rear of the site is available via a concrete driveway from Central Road.

The details of the site are included on the survey plan prepared by DP Surveying, Reference No. 425, dated 3 December 2020, which accompanies the DA submission.

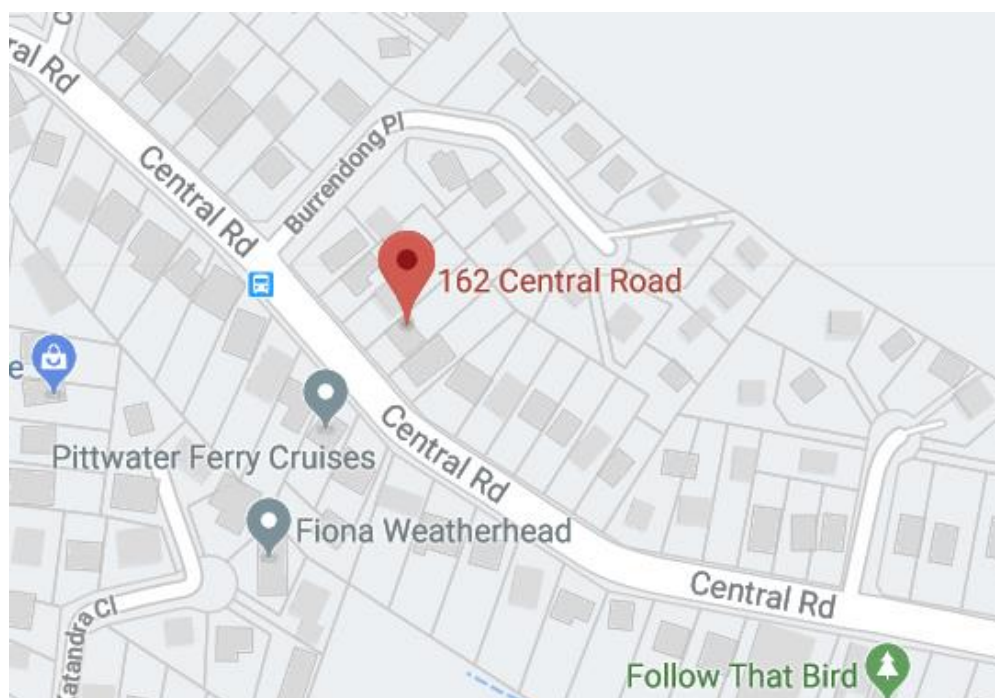


Fig 1: Location of subject site
(Source: Google Maps)

4.0 The Surrounding Environment

The general vicinity of the site is characterised by low density residential development of typically one, two and three storeys. The sites within this enjoy generous private open spaces within their rear. It is not uncommon for sites in this area to have longer driveways, detached carports in the rear and outbuildings and sheds.

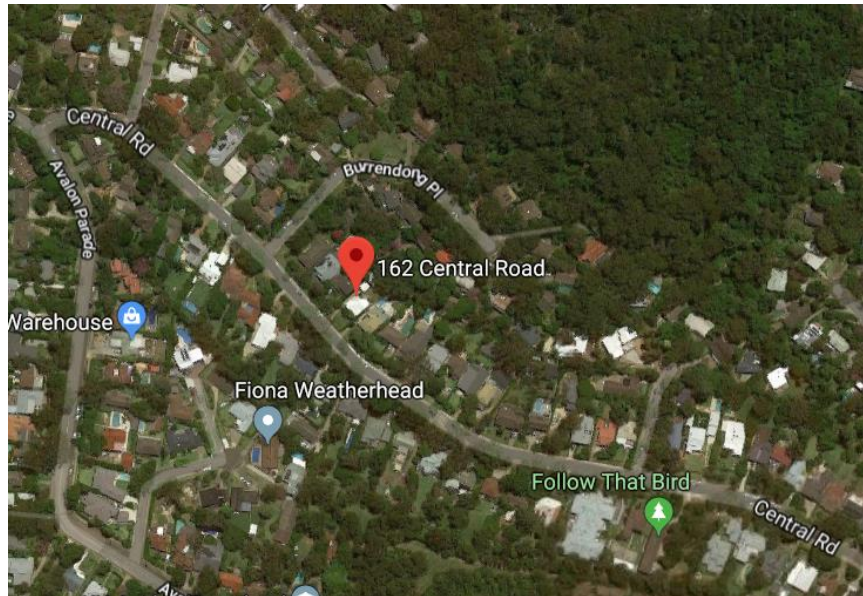


Fig 2: Aerial view of locality
(Source: Google Maps)



Fig 3: View of subject site, looking north from Central Road

5.0 Proposed Development

The new works will provide for additions and alterations to the existing outbuildings and the change of use of the detached outbuildings to allow for their use as a detached secondary dwelling to be used in conjunction with the existing dwelling.

The detached outbuildings do not comply with the minimum with the minimum internal ceiling heights for habitable use required by the Building Code of Australia.

The proposed physical works will comprise the raising of the roof height of each of the existing outbuildings through an extended wall height to provide a minimum 2.4m internal floor to ceiling height to facilitate the habitable use of the outbuildings as a detached secondary dwelling.

The external finishes of the new works will comprise re-use of the existing materials and matching wall cladding.

The proposed outbuildings are classified as part of the primary dwelling and will have a total floor area of 37m².

The proposal results in the following indices:

Site Area:	919.9m ²
Required Soft Landscaped Area:	60% or 551.94m ²
Proposed Soft Landscaped Area:	61.5% or 556.1m ² (no change to existing)

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 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal meets water, thermal and energy standards required by BASIX. A BASIX certificate has been submitted with the development application.

6.3 Pittwater Local Environmental Plan 2014

The subject site is zoned R2 Low Density Residential under the Pittwater LEP 2014.

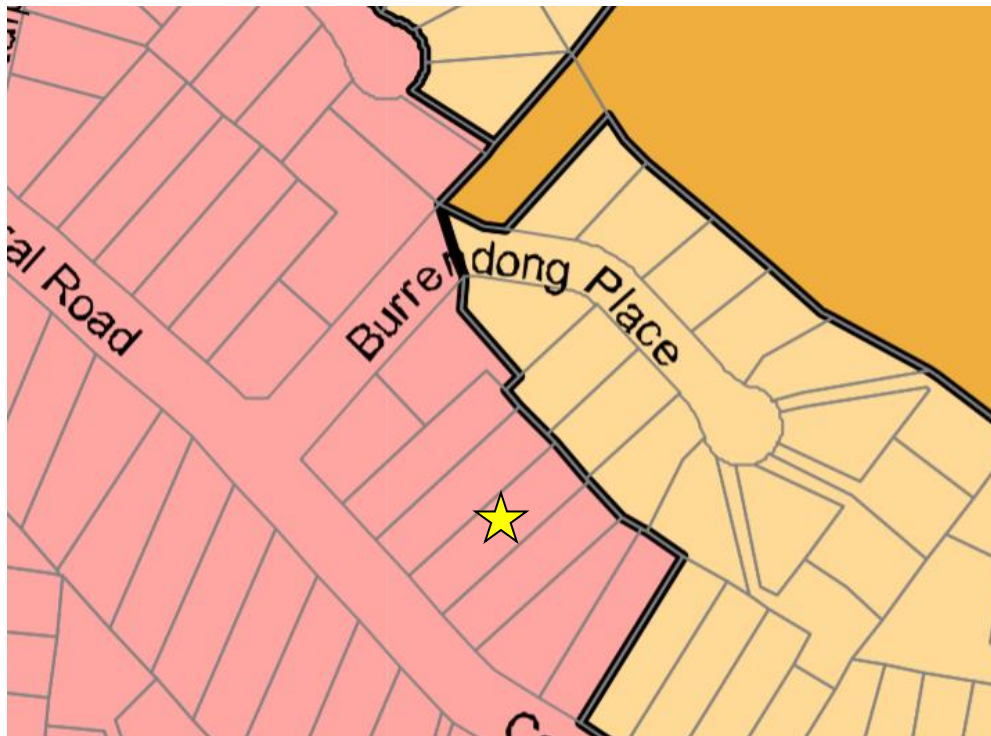


Fig 4: Extract of Pittwater Local Environmental Plan 2014 Zoning Map

The development of and use of the land for residential purposes within the R2 Low Density Residential Zone is consistent with the zone objectives, which are noted as:

- *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.*

It is considered that the proposed alterations and additions to the existing outbuildings to facilitate their use as ancillary habitable space will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore complements the locality.
- The proposal provides for minor alterations and additions to the existing outbuildings within the rear yard dwelling, which will facilitate the use of the outbuildings as a detached secondary dwelling, in conjunction with the principal dwelling within the site. .
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any impact on long distance views.

Clause 4.3 – Height of Buildings

The maximum building height in this portion of Avalon Beach is 8.5m for dwellings, sheds and outbuildings. The maximum height of the proposed new works to the outbuilding is 4.32m therefore complies with the height requirement stipulated within the LEP.

Clause 5.4 – Miscellaneous permissible uses

The controls state:

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- *60 square metres,*
- *25% of the total floor area of the principal dwelling.*

The proposed detached secondary dwelling will present a total floor area of 37m² and therefore complies with this control. A covered deck along the eastern side of the secondary dwelling will be provide for external covered space for the occupants.

Clause 7.1 - Acid sulfate soils

The site has been identified as Class 5. The proposal will not see any significant excavation of the site and as such, it is not anticipated that any acid sulfate soils will be disturbed.

Clause 7.2 - Earthworks.

The proposal will not require any earthworks. A Geotechnical Minor Works Assessment has been prepared by White Geotechnical Group under report reference J2414A dated 21 June 2021.

The report concludes:

The property has an 'Acceptable Risk Level' in accordance with the 2009 Geotechnical Risk Management Policy for Pittwater. No further investigation deemed necessary.

Clause 7.6 – Biodiversity protection

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

- (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 proposed new works are within the existing outbuilding footprint, and will not require the removal of any significant vegetation. The change of use to a habitable living space will not place any demands or have any adverse impacts on biodiversity impact.

As the works will maintain a suitable soft landscaped area, and the proposal will not have an adverse impact on the terrain of the site, the objectives of Clause 7.6 will be achieved.

Clause 7.7 – Geotechnical hazards

The site is identified on Council's Mapping as being within 'Geotechnical Hazard H1'. Accordingly, a Geotechnical Minor Works Assessment has been prepared by White Geotechnical Group under report reference J2414A dated 21 June 2021.

The report concludes:

The property has an 'Acceptable Risk Level' in accordance with the 2009 Geotechnical Risk Management Policy for Pittwater".

All works are to be carried out in accordance with Geotechnical recommendations and requirements as detailed within the report.

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

6.4 Pittwater 21 Development Control Plan 2014

Council's Pittwater 21 DCP Section B (General Controls), Section C (Development Type Controls) and Section 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.

6.4.1 Shaping Development – Desired Character

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

A4.1 Avalon Beach Locality

The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The 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 on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, 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. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.

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 development. The objective is that there will be houses amongst the trees and not trees amongst the houses.

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.

Most houses are set back from the street with low or no fencing and vegetation is used extensively to delineate boundary lines. Special front building line setbacks have been implemented along Avalon Parade to maintain the unique character of this street. This, coupled with the extensive street planting of canopy trees, gives the locality a leafy character that should be maintained and enhanced.

The design, scale and treatment of future development within the Avalon Beach Village will reflect the 'seaside-village' character of older buildings within the centre and reflect principles of good urban design. External materials and finishes shall be natural with smooth shiny surfaces avoided. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

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. The natural landscape of Careel Bay, including seagrasses and mangroves, will be conserved. Heritage items and conservation areas indicative of early settlement in the locality will be conserved, including the early subdivision pattern of Ruskin Rowe.

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 alterations and additions to the existing detached outbuildings and a change of use to ancillary habitable space, which are consistent with the scale and style of the newer and existing development in the vicinity.

The proposal will have little impact on the existing tree canopy and will maintain an appropriate area of soft landscaping.

The proposal has been designed to reflect the existing setbacks provided to all boundaries existing in the immediate area.

The building materials and colours will harmonise with the natural environment and will not detract from the existing locality.

6.4.2 Section B General Controls

The General Controls applicable to the proposed minor additions and alterations are summarised as:

B3.1 Landslip Hazard

The controls seek to achieve the outcomes:

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

A Geotechnical Minor Works Assessment has been prepared by White Geotechnical Group under report reference J2414A dated 21 June 2021.

The report concludes:

The property has an 'Acceptable Risk Level' in accordance with the 2009 Geotechnical Risk Management Policy for Pittwater".

All works are to be carried out in accordance with Geotechnical recommendations and requirements as detailed within the report.

B3.2 Bushfire Hazard

The controls seek to achieve the outcomes:

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

The proposal is accompanied by a Bushfire Risk Assessment Report prepared by Planning form Bushfire Protection, Reference No 1360-R & accompanying Bushfire Risk Assessment Certificate dated 21 April 2021. Subject to compliance with the recommendations contained within this report, the proposal will satisfy the provisions of this clause.

B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community

The controls seek to achieve the outcomes:

Conservation of intact Pittwater Spotted Gum Forest EEC. (En)

Regeneration and/or restoration of fragmented and / or degraded Pittwater Spotted Gum Forest EEC. (En)

Reinstatement of Pittwater Spotted Gum Forest to link remnants. (En)

Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors. (En)

The proposal will not seek to removal any significant vegetation. The site will continue to accommodate a number of canopy trees, and generous areas of soft landscaping will be maintained.

The proposal is not considered to impact on the Pittwater Spotted Gum Forest Ecological Community and meets the objectives of this clause.

B5.8 Stormwater Management - Water Quality – Low Density Residential

The controls seek to achieve the outcomes:

No increase in pollutants discharged with stormwater into the environment. (En)

Development is compatible with Water Sensitive Urban Design principles. (En)

Roofwater from the new roof areas will be connected to the existing system and as there is no substantial change to the runoff characteristics of the site, the retention of the existing arrangements is reasonable in this instance.

B6.1 Access driveways and works on the Public Road Reserve

The controls seek to achieve the outcomes:

- Safe and convenient access. (S)*
- Adverse visual impact of driveways is reduced. (En)*
- Pedestrian safety. (S)*
- An effective road drainage system. (En, S)*
- Maximise the retention of trees and native vegetation in the road reserve. (En, S)*

The proposal will retain existing driveway and crossing.

B6.2 Internal Driveways – Low Density Residential

The controls seek to achieve the outcomes:

- Safe and convenient access. (S)*
- Reduce visual impact of driveways. (S)*
- Pedestrian safety. (S)*
- An effective road drainage system. (En, S)*
- Maximise the retention of trees and native vegetation.*
- Reduce contaminate run-off from driveways.*

The proposal retains existing driveway and crossing.

B6.3 Off-street Vehicle Parking Requirements

The controls seek to achieve the outcomes:

- Safe and convenient parking (En,S)*

The controls require a minimum of 2 parking spaces for a dwelling with 2 bedrooms or more. The site will maintain the existing parking within the carport and driveway.

B8.1 Construction & Demolition – Excavation and Landfill

The controls seek to achieve the outcomes:

- Site disturbance is minimised. (En)*
- Excavation and construction not to have an adverse impact. (En)*
- Excavation operations not to cause damage on the development or adjoining property. (S)*

The proposal will not require any excavation for the new works. The works will be carried out in accordance with the advice of the consulting Geotechnical Engineers, and therefore satisfies the

provisions of this clause. A Geotechnical Minor Works Assessment has been prepared by White Geotechnical Group under report reference J2414A dated 21 June 2021.

All works are to be carried out in accordance with Geotechnical recommendations and requirements as detailed within the report.

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)

The works are within the footprint of the existing outbuilding and will not have any impacts upon soil management.

B8.3 Construction & Demolition – Waste Minimisation

The controls seek to achieve the outcomes:

Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)

As required, appropriate waste management controls will be implemented throughout construction.

6.4.3 Section C Development Type Controls

The Development Controls applicable to the proposed development and are summarised as:

C1.1 Landscaping

The controls seek to achieve the outcome:

A built form softened and complemented by landscaping. (En)

Landscaping reflects the scale and form of development. (En)

Retention of canopy trees by encouraging the use of pier and beam footings. (En)

Development results in retention of existing native vegetation. (En)

Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)

Landscaping enhances habitat and amenity value. (En, S)

Landscaping results in reduced risk of landslip. (En, Ec)

Landscaping results in low watering requirement. (En)

The proposal retains a generous areas of soft landscaping on site, and will not see the removal of any significant vegetation. The site will maintain its contribution to the landscaped character of the locality.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

On-going safety and security of the Pittwater community. (S)
Opportunities for vandalism are minimised. (S, Ec)
Inform applicants of Council's requirements for crime and safety management for new development. (S)
Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)
Identify crime and safety priority areas in Pittwater LGA (S, Ec)
Improve community safety and reduce the fear of crime in the Pittwater LGA (S)
Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

The site will retain the opportunity to view the driveway and street area with casual surveillance of the immediate area available.

C1.3 View Sharing

The controls seek to achieve the outcomes:

A reasonable sharing of views amongst dwellings. (S)
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. (S)
Canopy trees take priority over views. (En, S)

The subject and adjoining properties currently enjoy a district outlook. The proposal alterations and additions to the outbuildings maintain a modest scale and the neighbouring properties will retain their primary views.

C1.4 Solar Access

The controls seek to achieve the outcomes:

Residential development is sited and designed to maximise solar access during mid-winter. (En)
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)
Reduce usage and/dependence for artificial lighting. (En)

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.

The proposal will retain a modest height and will not have any unreasonable solar access impacts on neighbouring properties.

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. (S)

A sense of territory and safety is provided for residents. (S)

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 use of the rear outbuildings as habitable living spaces will not unreasonably impact upon neighbouring properties. The generous setbacks to the boundaries and the higher sill heights in the side elevations will limit unreasonable overlooking and maintain visual privacy.

The new works to the outbuildings in the use as a detached secondary dwelling will not unreasonably overlook the neighbours, with the existing levels of amenity enjoyed by the neighbours to be generally maintained.

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. (S)

Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or recreation areas (S)

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

Given the residential nature of the works, there will not be any significant impact on the surrounding locality in terms of acoustic privacy. The works will maintain the current ample separation to living areas of adjoining properties, thereby maintaining existing levels of acoustic privacy.

C1.7 Private 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. (S)

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

Private open space receives sufficient solar access and privacy (En, S).

The required controls to achieve the outcomes are to ensure that dwellings are provided suitable private open space with an area and at a grade which will facilitate outdoor private recreation. The proposal retains the existing areas of private open space which enjoy good solar access.

C1.11 Secondary Dwellings and Rural Worker's Dwelling

The controls seek to achieve the outcomes:

Limitation of the visual bulk and scale of development. (En, S)

Provision of design flexibility for second storey development.

Restriction of the footprint of development site. (En)

Retention of natural vegetation and facilitation planting of additional landscaping. (En)

Provision of rental accommodation. (S)

The proposal is compliant with Council's DCP control, in so far as:

- The development of the secondary dwelling will result in not more than two (2) dwellings being erected on an allotment of land.
- The proposal will not be visually prominent within the locality.
- The site will retain suitable areas of perimeter planting.
- The detached secondary dwelling will only see 1 storey height and scale

C1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

Waste facilities are accessible and convenient, and integrate with the development. (En)

Waste facilities are located such that they do not adversely impact upon amenity of the land adjoining development or natural environment. (En, S)

The required controls to achieve the outcomes are to ensure that adequate area remains for the storage of waste and recyclable materials. There is sufficient area within the site for on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

6.4.4 Section D Locality Specific Controls

The **D1 Avalon Beach Locality Statement** contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

In support of the proposal, it is considered that this proposal is well designed, comprehensive and consistent with the community's vision for development in Pittwater in that it is:

- Proposing a form of development which is compatible with the existing residential character of the area by maintaining an appropriate development scale which is compatible with the vicinity.
- The proposal maintains existing views and amenity to adjoining properties.
- The proposal will not result in additional run-off to adjoining properties or public spaces.
- The development will not place additional demands on local infrastructure or on the sewage disposal system for the site.

A summary of the DCP controls for the **D1 Avalon Beach Locality** is provided below:

D1.1 Character as Viewed from A Public Place

The control seeks to achieve the outcomes:

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote 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, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'.

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

The required controls to achieve the outcomes are to ensure that the building maintains a compatibility with the locality through appropriate design relief including roof forms textures, materials, the arrangement of windows, modulation of wall and roof planes, spatial separation, landscaping etc.

The proposal will provide for alterations and additions to the existing outbuildings which will maintain a modest height and scale.

Views over and to the side of the buildings will be retained for the neighbouring dwellings.

The proposed minor alterations and addition to the outbuilding are considered to be consistent in terms of bulk and scale to the existing surrounding development and similar detached

structures. The setbacks provided reflect the setbacks of the adjoining properties.

The proposed additions to the outbuildings are well articulated to provide visual interest and reduce bulk when viewed from the public domain. In addition, the existing landscaping will ensure that the proposed works will be interspersed with the natural landscape setting.

D1.4 Scenic Protection - General

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (En, S)

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment (En, S)

The proposal will see existing soft landscaped area and plantings maintained.

The proposed alterations are in keeping with the desired future character of the locality, with the overall height of the dwelling to comply with the statutory height limit.

The proposal will not see the removal of any significant vegetation.

The modest bulk and scale of the proposal will ensure that the development is consistent with the bushland setting of the locality and that the visual impact of the development on the natural environment is minimised.

D1.5 Building Colours, Materials and Construction

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)
To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

An informal beachside appearance of the Avalon Beach Village. (S, Ec)

The required controls to achieve the outcomes are to ensure that the external colours and materials shall be dark and earthy tones as indicated within the DCP.

It is considered that the development is appropriate as the proposal will utilise finishes and colours which are compatible with the DCP, existing building finish and the surrounding properties.

D1.8 Front Building Line

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (S)
The amenity of residential development adjoining a main road is maintained. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Vehicle maneuvering in a forward direction is facilitated. (S)
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

The control to achieve this outcome is to provide a setback of 6.5m, or the established building line to the street frontage.

The proposed alterations and additions to the rear outbuilding are well setback from the front boundary and therefore readily comply with this control.

D1.9 Side and rear building line

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
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. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established. (En, S)

The relevant controls to achieve this outcome are to maintain a minimum side boundary setback of 2.5m for at least one side and a minimum of 1.0m setback for the other side.

The existing side building lines of the outbuilding will be retained. The existing minimum setbacks of 1.04m and 8.2m will readily comply with the side setback controls.

The articulated form of the design and the proposed setbacks which exceed Council's controls are considered to be adequate in this instance and will achieve the outcomes of Clause D1.9.

D1.11 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. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

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 proposed alterations and additions will not alter the compliance of the dwelling with the building envelope control.

The buildings will continue to maintain appropriate access to the available views and levels of solar access in accordance with Council's policy for the primary living and outdoor recreation spaces for both the neighbouring and subject dwellings.

D1.14 Landscaped Area – Environmentally Sensitive Land

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

The required controls to achieve the outcomes are to limit residential development in order to maintain a minimum landscaped area of 60% of the site area.

The proposal currently provides for a soft landscaped area of 566.1m² or 61.5% of the site area. The works readily comply with this control.

D1.15 Fences – General

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

The existing fencing will be retained.

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 proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan.

The application has been prepared having regard to the requirements of Section B, Section C and Section D of the Pittwater 21 DCP.

It is considered that the proposed new dwelling respects the desired character objectives of the DCP in that they reinforce the existing residential character of the area and are 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, and

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

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

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 the proposed construction of alterations and additions to the existing detached outbuilding and a change of use to a detached secondary dwelling you, 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 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 R2 Low Density Residential 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 the proposed construction of alterations and additions to the existing detached outbuilding and a change of use to a detached secondary dwelling, which respects and complements the site's location.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbours amenity and by complementing 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.

VAUGHAN MILLIGAN

Town Planner

Grad. Dip. Urban and Regional Planning (UNE)