

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE PROPOSED CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO AN EXISTING
DWELLING INCLUDING A NEW GARAGE, DRIVEWAY, SWIMMING POOL AND ASSOCIATED
LANDSCAPING**

LOCATED AT

16A RUSKIN ROWE, AVALON BEACH

FOR

NICK & JENNY THOMPSON



**Prepared
December 2021**

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1.0 Introduction

This Statement of Environmental Effects accompanies details prepared by RAMA, Drawing No. DA-000, DA-001, DA-100, DA-101, DA-300 – DA-303, DA-400 – DA-402, DA-500 – DA-502, DA-900 – DA-902, Issue 01, dated 23 November 2021, prepared on behalf of Nick & Jenny Thompson to detail the construction of additions and alterations to the existing dwelling, including a new garage, driveway, swimming pool and associated landscaping at **16A Ruskin Rowe**.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

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

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

2.0 Property Description

The subject allotment is described as 16A Ruskin Rowe, Avalon Beach, being Lot 1 within Deposited Plan 504413 and is zoned E4 (C4) Environmental Living under the Pittwater Local Environmental Plan 2014.

The site has been identified by Council as being affected by Low, Medium and High Risk Flood Prone Land and Land within Risk to Life H3 & H5 Category. This matter is addressed further within this statement and as the works are not within the area of the site which is noted as being affected by the flood hazard, no further investigation is considered to be necessary at this stage.

The site is identified within the Class 5 Acid Sulfate Soils and Biodiversity Areas. These matters will be discussed further within this submission.

The subject site does not contain any heritage items, however it is located within the Ruskin Rowe Heritage Conservation Area (Area No. C5). This matter has been assessed within the Heritage Impact Statement prepared by Ruth Daniell and will be discussed further within this statement.

The proposal involves some excavation of the site to accommodate the new garage and swimming pool and therefore a Geotechnical Investigation has been prepared by White Geotechnical Group, under Report Reference J3879 dated 13 December 2021 and as discussed further within this submission.

There are no other identified hazards affecting the land.

3.0 Site Description

The property is located on the north-western, higher side of Ruskin Rowe and is irregular in shape. The site has an arc-shaped frontage to Ruskin Rowe of 20.765m, and the north-eastern and south-western side boundaries measuring 81.110m and 64.530m respectively. The angled rear boundary measures 22.860m and the total site area is 1461m².

The land falls towards the street, with a total fall of approximately 9.5m over its length. Stormwater from the site is directed to Ruskin Rowe.

The land is currently developed with an existing brick and part weatherboard residence with a metal roof. An attached garage is located forward of the dwelling and is accessed via an existing paved driveway from Ruskin Rowe.

The details of the existing site levels are indicated within the Survey Plan prepared by Adam Clerke Surveyors Pty Ltd, Reference No. 2821, dated 16 April 2021.

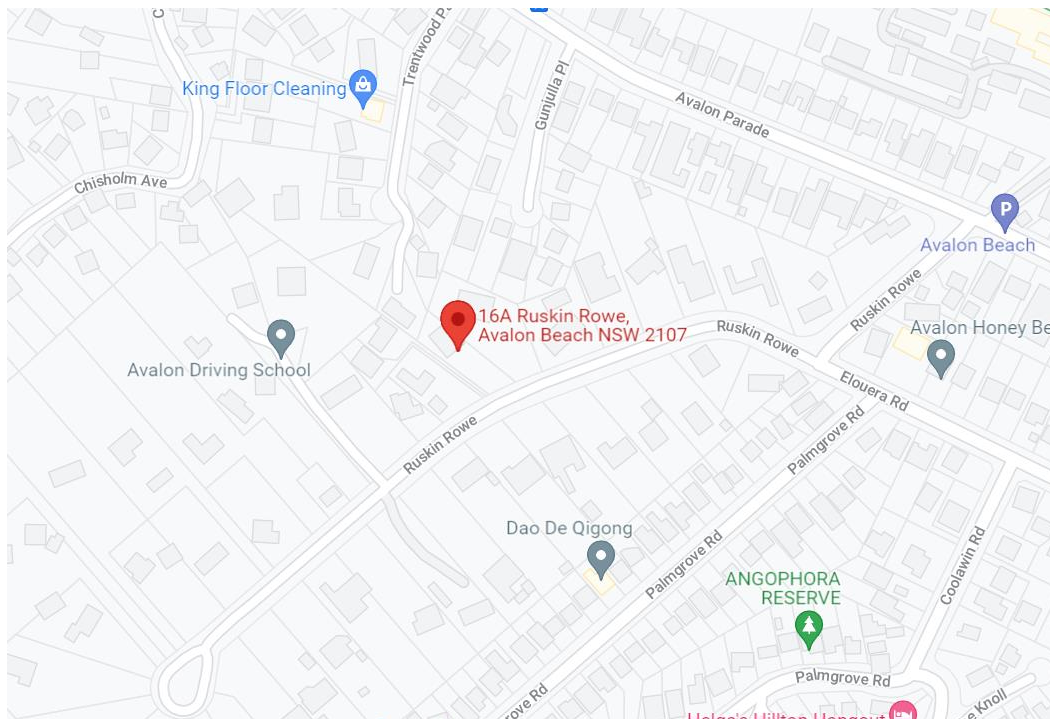


Fig 1: Location of Subject Site
(Source: Google Maps)



Fig 2: View of subject site, looking north-west from Ruskin Rowe



Fig 3: View of the adjoining dwelling at 16 Ruskin Rowe and driveway access, looking north-west



Fig 4: View of the access handle to the adjoining site to the south-west of the site at No 18 Ruskin Rowe, looking west

4.0 The Surrounding Environment

The general vicinity of the site is characterised by one and two storey residential developments within landscaped settings. The surrounding dwellings receive limited local views.

Surrounding the sites are single residences, with a variety of styles and scales of development. As indicated on the aerial photograph, swimming pools are not uncommon in the locality.

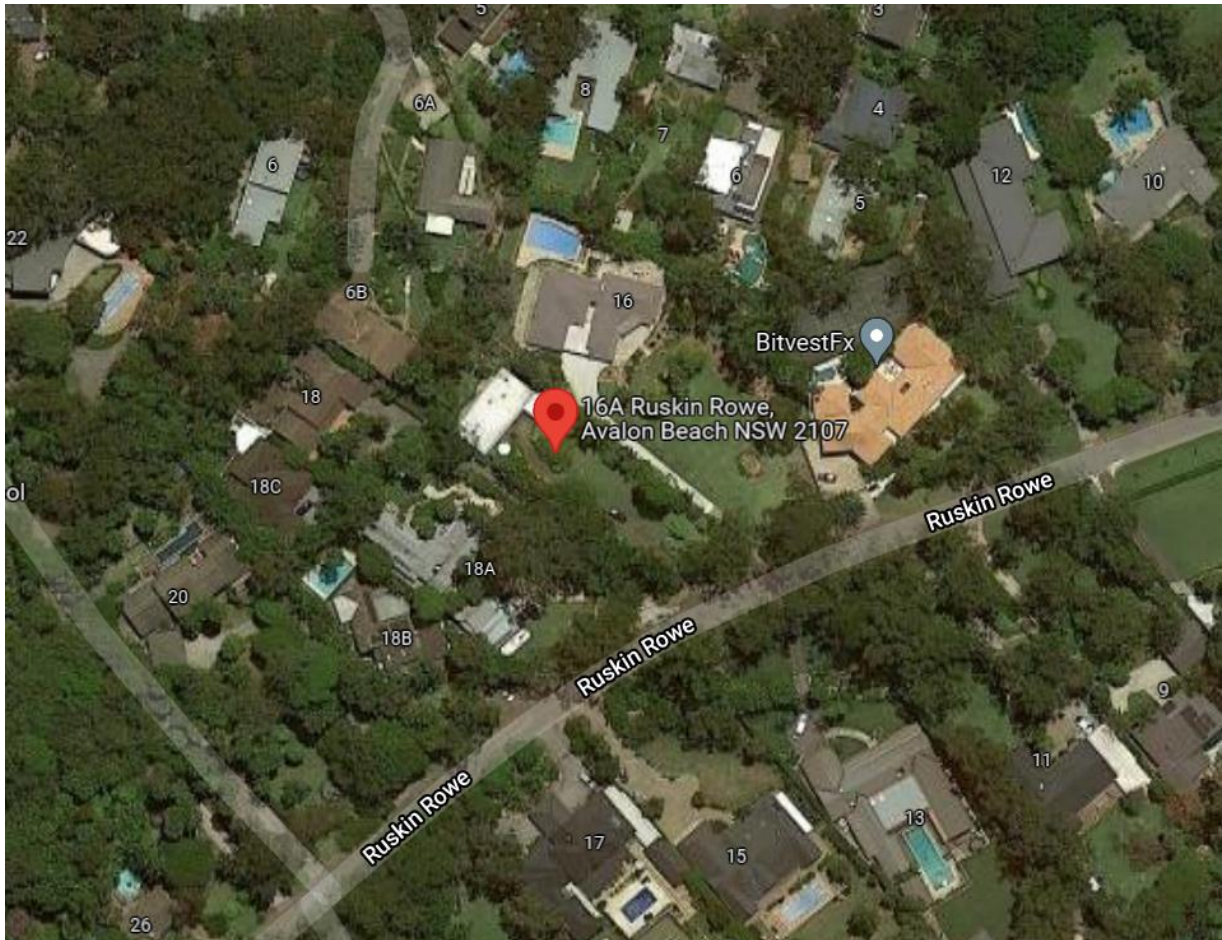


Fig 5: Aerial Photograph
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans, it is proposed to provide for the construction of alterations and additions to the existing dwelling including the construction of a new garage, driveway, swimming pool and associated landscaping.

Lower Ground Floor

- New lower ground floor level to provide for new entry, double garage, storage, service room, internal lift and internal access stairs to proposed ground floor addition

Ground Floor

- Alterations and additions to existing ground floor level to provide for new master bedroom with ensuite and deck, and lift shaft

External

- New pool
- Extension of existing outdoor terrace and external stairs
- Existing driveway to be resurfaced and extended

The proposed works are modest in bulk and scale and will complement the existing locality. The proposal will utilise complementary external colours and finishes to complement the existing dwelling.

The proposal will require the removal of a number of trees to accommodate the new works, and accordingly a statement has been provided by “Growing My Way” Tree Consultant, dated 29 November 2021. The statement concludes that *“there are no trees within the subject site or any adjoining common boundary property that require retention based on species.”*

The Arborist’s supporting statement is considered to be sufficient information to support the proposal as it confirms that there are no protected species affected by the works.

The development indices for the proposal are summarised as:

Site Area:	1461m ²
Required soft landscaped area:	60% or 876.6m ²
Proposed soft landscaped area:	58.17% or 849.93m ² (excl. 6% impervious surfaces area allowance – see DCP discussion)

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 prepared and accompanies this submission.

6.3 Pittwater Local Environmental Plan 2014

The site is zoned E4 (C4) Environmental Living under the provisions of the PLEP 2014.



Fig 6: Zoning extract – Pittwater LEP 2014

The development of and use of the land for residential purposes within the E4 (C4) Environmental Living Zone is consistent with the zone objectives, which are noted as:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*

- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors*

It is considered that the proposed alterations and additions to the existing dwelling 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 the construction of ancillary works and a recreational facility to support the existing dwelling, which will not have any substantial impact to the neighbouring properties.
- 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 is 8.5m. The proposed new roof alterations will provide for a height of up to approximately 4.93m and therefore readily complies with this control.

Clause 5.10 – Heritage conservation

The site has been identified as being within the Ruskin Rowe Heritage Conservation Area (C5).

In accordance with Clause 5.10 of the PLEP 2014, consent is required for

- (a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
- (i) *a heritage item,*
 - (ii) *an Aboriginal object,*
 - (iii) *a building, work, relic or tree within a heritage conservation area,*

This application provides for alterations and additions to an existing dwelling, and consent is sought in accordance with the provisions of this clause.

Clause 5.10 notes as its Objectives:

- *to conserve the environmental heritage of Pittwater,*
- *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- *to conserve archaeological sites,*
- *to conserve Aboriginal objects and Aboriginal places of heritage significance*

A Heritage Impact Statement has been prepared by Ruth Daniell, dated December 2021 and accompanies this submission.

The conclusion to the SOHI notes:

“The existing house is a contributory item in the Ruskin Rowe Conservation Area dating from the late 1960s. The design for the small addition continues the architectural design of the late 1960s house which a sympathetic response as the house is well designed and has architectural merit as a coastal house of its era.

.....

The proposal is not located in the vicinity of any heritage items does not affect the views to and from a heritage item. The proposal has an acceptable impact on the Ruskin Rowe Conservation Area.”

The HIS recommends that proposed works be approved.



Fig 7: Extract of Pittwater Local Environmental Plan 2014 Heritage Map

Clause 5.21 – Flood Planning

The site has been identified by Council as being affected by Low, Medium and High Risk Flood Prone Land and Land within Risk to Life H3 & H5 Category.

The proposed works are located up slope of the area that is affected by the medium and high hazard flooding and at the perimeter of the low hazard flooding.

Given that the works are not affected by the area noted as high or medium flooding, no further investigation is considered to be necessary at this stage.

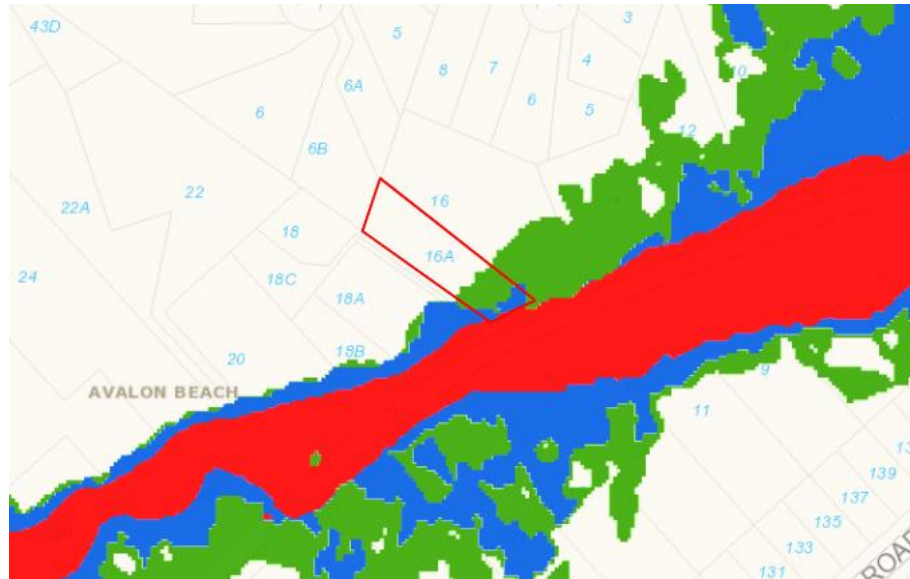


Fig 8: Extract of NBC Flood Hazard Map

The proposed works are wholly contained within the rear, north-western portion of the site and are well separated from the flood prone land.

The proposal is not considered to increase the flood risk for the subject site or the locality, and maintains consistency with the provisions of this clause.

Clause 7.1 – Acid Sulfate Soils

The site is identified as being within an area affected by acid sulfate soils (Class 5). Whilst excavation is required to accommodate the proposed works, it is not anticipated that the water table will be affected and no further investigation is considered necessary. Appropriate sediment and erosion measures will be installed prior to the commencement of works to ensure disturbance of the site is minimised.

Clause 7.2 – Earthworks

The proposal will require some excavation to accommodate the proposed new garage. Appropriate sediment and erosion measures will be installed prior to the commencement of works to ensure disturbance of the site is minimised. The works will be carried out in accordance with the recommendations of the consulting Structural Engineer.

Clause 7.6 – Biodiversity Protection

The subject site is identified as being within the Biodiversity Area on Council's Mapping. The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:

1. *protecting native fauna and flora, and*
2. *protecting the ecological processes necessary for their continued existence, and*
3. *encouraging the conservation and recovery of native fauna and flora and their habitats.*

The proposal maintains a suitable area of soft landscaping, and will not require the removal of any significant vegetation.

The modest ancillary works are contained within the existing disturbed area of the site and are not considered to result in any unreasonable impacts on the biodiversity within the locality.

There are no other clauses within the PLEP that apply to the subject 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 the construction of alterations and additions to an existing dwelling, which is consistent with the scale and style of the newer development in the vicinity.

The proposal will not require the removal of any significant vegetation. A suitable area of soft landscaping will be maintained, and the existing plantings will be retained which assist with softening and screening the built form of the development.

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 works are summarised as:

B3.11 Flood Prone Land

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 site has been identified by Council as being affected by Low, Medium and High Risk Flood Prone Land and Land within Risk to Life H3 & H5 Category.

The proposed works are located up slope of the area affected by the medium and high flood hazard category and at the perimeter of the low hazard flooding zone. On the basis that the works are not affected by medium or high flood hazard, no further investigation is considered to be necessary at this stage.

The proposal is not considered to increase the flood risk for the subject site or the locality, and maintains consistency with the provisions of this clause.

B4.6 Wildlife Corridors

The controls seek to achieve the outcomes:

Retention and enhancement of wildlife corridors ensuring/providing the connection of flora and fauna habitats. (En)

The proposal will require the removal of a number of trees to accommodate the new works, and accordingly a statement has been provided by "Growing My Way" Tree Consultant, dated 29 November 2021. The statement concludes that "there are no trees within the subject site or any adjoining common boundary property that require retention based on species." The proposed tree removal is therefore considered appropriate.

The proposal is therefore not considered to result in any adverse impacts on wildlife corridors.

B5.15 Stormwater

The controls seek to achieve the outcomes:

Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;

Minimise the risk to public health and safety;

Reduce the risk to life and property from any flooding and groundwater damage;

Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.

Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle

Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources

Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.

A Stormwater Design has been prepared by Stellen Consulting, dated 15 December 2021 which provides for the collected stormwater to be directed to the street gutter in accordance with the current arrangement.

A 2000 L rainwater tank will be provided for rainwater re-use within the site and the stormwater design will comply with Council's requirements.

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 site will seek to resurface and extend the existing driveway.

The existing driveway crossing will be retained which will continue to provide suitable access to the property in accordance with these controls.

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 will provide for the resurfacing and extension of the existing driveway.

B6.3 Off-street Vehicle Parking Requirements

The controls seek to achieve the outcomes:

Safe and convenient parking (En,S)

The proposal will provide for a new garage which accommodates parking for two cars and therefore complies with Council's parking requirements.

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 require some minor excavation to accommodate the additions at the lower floor level. The works will be carried out in accordance with the recommendations of the consulting Structural Engineer and will therefore satisfy the provisions of this clause.

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)

As required, appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment to adjoining properties and Pittwater.

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 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 will not require the removal of any significant vegetation.

The proposal will retain a suitable area of soft landscaping on site, and the site will maintain its contribution to the landscaped character of the locality and is considered to maintain consistency with the provisions of this clause.

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 existing 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 proposed new works are modest in bulk and scale and will not result in any loss of views for neighbouring properties.

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 is accompanied by shadow diagrams which demonstrate that as a response to the large size of the site and the extent of the spatial separation to neighbouring properties, the new works will not result in any substantial change to the existing levels of solar access received by 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 new works have been designed to minimise opportunities for overlooking. The proposed pool is suitably located to minimise any potential privacy impacts. The existing plantings along the south-western side boundary assist with minimising opportunities for overlooking.

In addition, the proposed pool is well separated from the neighbouring dwellings.

The proposed extension will not result in any unreasonable privacy impacts for neighbouring properties.

The existing levels of amenity enjoyed by the neighbours will be largely 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 proposed pool equipment will be contained in a sound attenuating enclosure.

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.

C1.12 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 surrounding the garage for on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

C1.17 *Swimming Pool Safety*

The controls seek to achieve the outcomes:

The promotion of personal safety. (S)

Compliance with Swimming Pools Act 1992 and Regulations (En, S)

Swimming pool fencing and warning notices are to be provided in accordance with the *Swimming Pools Act 1992* and regulations. Suitable fencing is to be provided in accordance with the relevant requirements.

6.4.4 Section D Design Criteria

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 the construction of modest works which will maintain a bulk and scale which is in keeping with existing surrounding development.

The existing views and solar access will be retained for the neighbouring dwellings.

The proposed new works are modest in bulk and scale and will not be visually dominant when viewed from the streetscape. In addition, the existing and proposed landscaping will ensure that the proposed works will be interspersed with the natural landscape setting.

The proposed new works observe Council's required 6.5m front setback control. There is no viable alternative location within the rear yard to reposition swimming pool, with the rear yard constrained in its depth and construction of the pool would have an adverse impact on the tree canopy surrounding the rear yard. Additionally, the rear yard receives limited solar access and the proposed position for the pool is considered to be the most appropriate location that will provide for good amenity and solar access.

The architectural submission notes the provision of additional screening planting to the front yard and the perimeter of the pool which will further assist in integrating the swimming pool within the landscaped front yard of the site

D1.4 Scenic Protection - General

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.
Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)*

The proposal provides for additions and alterations to the existing dwelling, including a new garage, driveway, swimming pool and associated landscaping.

The proposal will not require the removal of any significant vegetation. New plantings will be provided to the perimeter of the pool which assist with softening and screening the built form of the new works.

The proposal is in keeping with the bushland character of the locality.

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 outlined in the Heritage Impact Statement accompanying the application, the existing building finishes complement the heritage conservation area and the proposed works are intended to match the current building finishes of the subject property 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 new works will stand 36m from the front setback 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. A setback of 1m applies for swimming pools and spas.

The new works stand a minimum of 1.24 and 2.5m from the south-western and north-eastern

side boundaries respectively and therefore comply with the side setback control. The siting of the pool complies with the setback requirement.

The existing rear setback remains unchanged.

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 new works will comply with the building envelope control.

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 proposed new works will provide for a soft landscaped area of 58.17% or 849.93m² excluding impervious area allowance.

With Council's 6% allowance for functional open space, a landscaped area of 64% is provided. The introduction of the proposed pool and associated decking, will substantially improve the amenity enjoyed by the dwelling's occupants.

As the works achieve the objectives of this clause, the available area of soft landscaping is considered acceptable on merit.

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 proposal will not see any change to the existing fencing.

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 2014.

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

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

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

7.5 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 construction of additions and alterations to the existing dwelling, including a new garage, driveway, swimming pool and associated landscaping, 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 E4 (C4) Environmental Living under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

7.8 Any 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 construction of additions and alterations to the existing dwelling, including a new garage, driveway, swimming pool and associated landscaping, which respect and complement the site's location.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbour's 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.

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