



76 PATRICK STREET AVALON BEACH

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS TO A DWELLING.**



Report prepared for
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August 2021

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1. Introduction

- 1.1** This is a statement of environmental effects for alterations and additions to an existing dwelling at 76 Patrick Street Avalon Beach.
- 1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan 2014 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3** This statement of environmental effects has been prepared with reference to the following:
- Site visit
 - Site survey prepared by Adam Clerke Surveyors Pty Ltd
 - DA Plans prepared by Tatjana Rakic
 - BASIX Certificate
 - Waste Management Plan
 - Geotechnical Report prepared by White Geotechnical
- 1.4** The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1** The subject site is located on the north-eastern side of Patrick Street, approximately 25 metres south of its intersection with Elizabeth Street. It is legally described as Lot 13 DP 21990.
- 2.2** It is a generally rectangular shaped lot, with boundaries of 20.32 metres (southwest – Patrick Street frontage), 37.405 metres (northwest), 20.34 metres (north east) and 37.84 metres (southeast). The site has an area of 764.8m² and slopes to the northeast, towards the rear of the lot.
- 2.3** The site is currently occupied by a one and two storey (with basement) brick and hardiplank dwelling with a metal roof, a detached weatherboard garage and retaining walls in the rear yard. A sewer main traverses the rear yard from northwest to southeast.
- 2.4** The property is surrounded by detached residential dwellings in all directions and is located in close proximity to shops and services on Barrenjoey Road. The subject site and surrounding properties enjoy water views to the north and northeast.

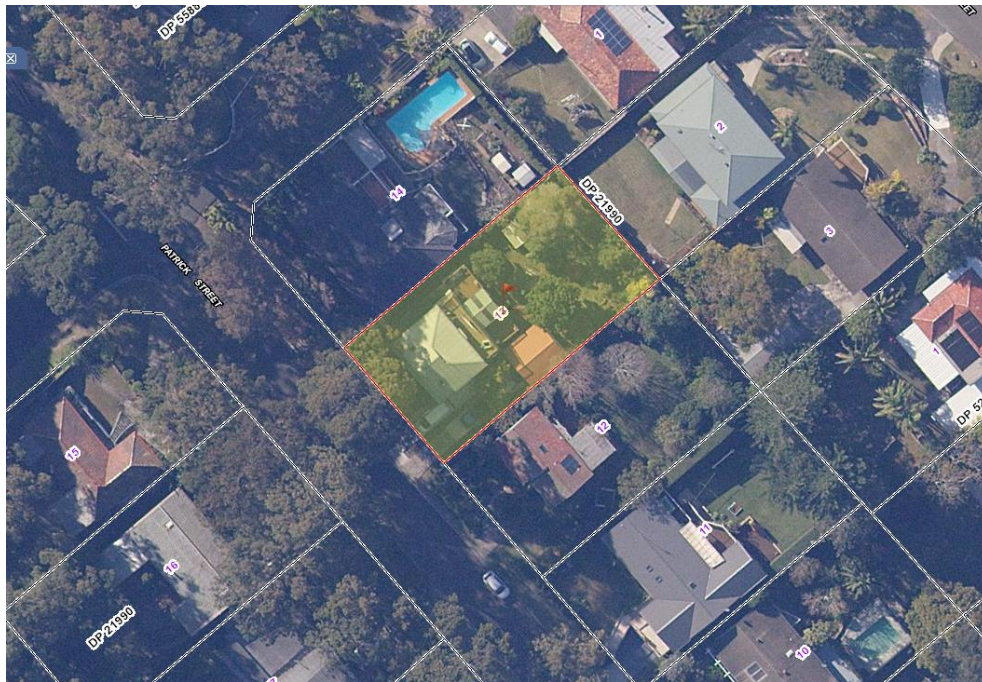


Figure 1. The site and its immediate surrounds

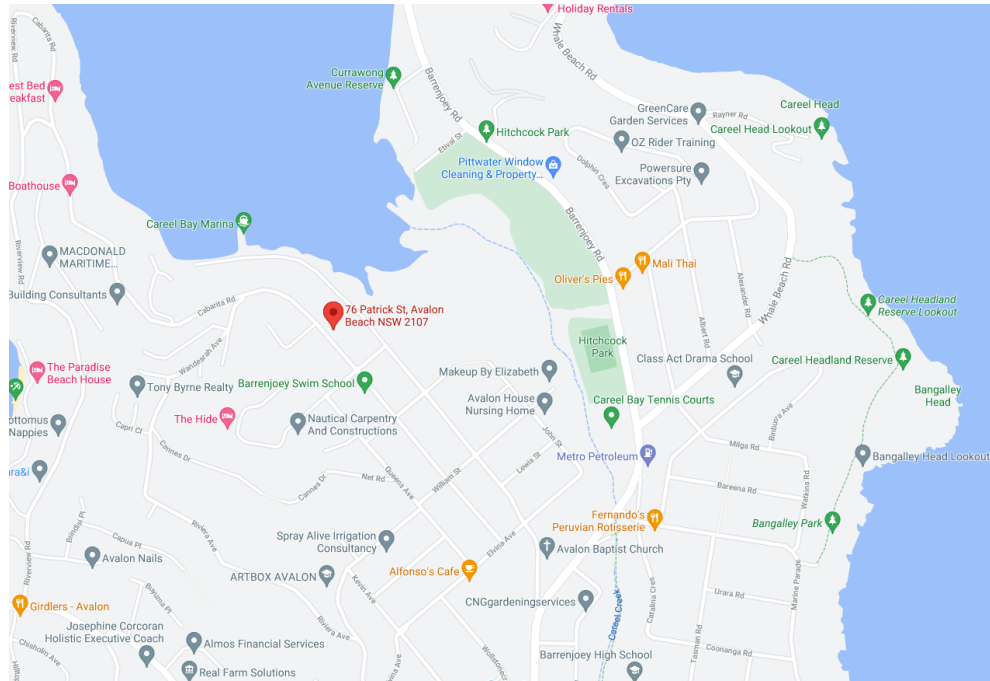


Figure 2. The site within the locality

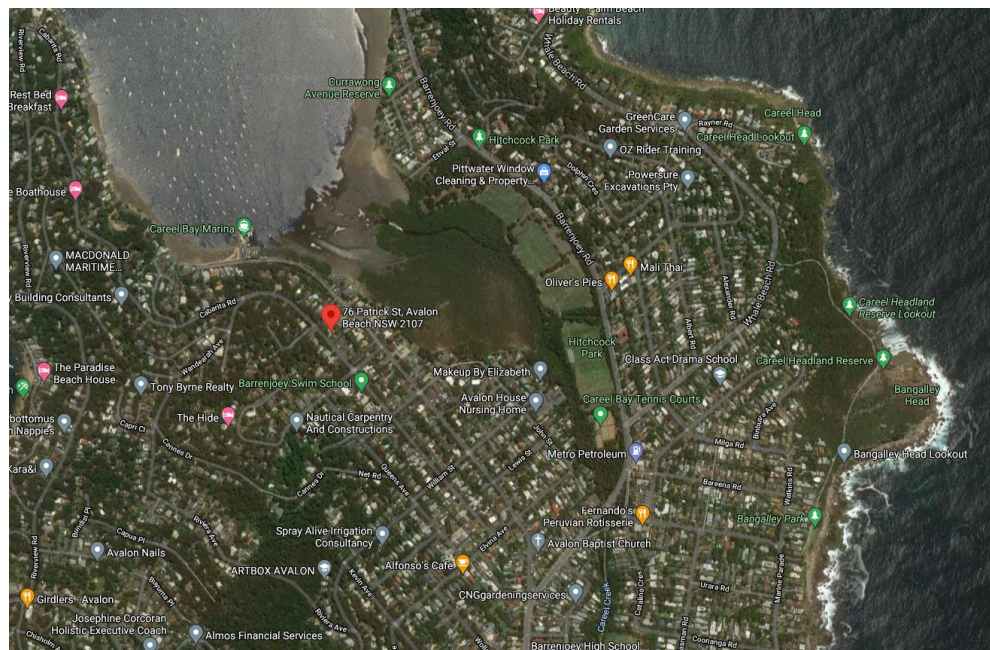


Figure 3. Aerial Image of the site within the locality

3. Site Photos



Figure 4: The existing dwelling, looking north from Patrick Street.



Figure 5: The existing entry, looking north east.



Figure 6: Water views to the north.



Figure 7: The rear of the existing dwelling, looking southwest towards Patrick Street.



Figure 8: The rear of the dwelling and garage, looking south east.



Figure 9: The rear of the garage and rear yard, looking southwest.



Figure 10: The rear yard, looking northeast.



Figure 11: The adjoining dwelling to the northwest.

4. Proposed Development

4.1 The proposed development is for alterations and additions to the existing dwelling, including a rear addition to the lower ground floor and new verandah's, to create a 4-bedroom dwelling

4.2 The alterations and additions have been designed to ensure that the functionality of the dwelling is improved, maintaining a scale consistent with the locality and has been designed to minimise impacts on surrounding properties.

4.3 The proposed alterations and additions will be made up as follows:

Lower Ground Floor

- Demolish the internal wall and convert the existing studio and bedroom 5, to a rumpus room, including a 1.5m extension to the rear of the lot,
- A new staircase to access the ground floor,
- Demolish the rear timber deck and tile the existing concrete slab,
- Retain the existing bathroom,
- Convert existing kitchenette to laundry.

Ground Floor

- Demolish the entry porch and balcony and construct a new balcony and entry,
- New windows and doors on the property frontage and rear elevation,
- Retain the existing bathroom / laundry, bedrooms 3 & 4, kitchen, dining and living room,
- A new staircase to access the lower ground floor.

First floor

- Reduce the width of the first-floor rear balcony,
- New windows and doors on the property frontage and rear elevation,
- Retain the master bedroom with ensuite, bedroom 2, void and staircase.

Garage

- Demolish the internal wall,
- Enclose the rear window and add a new side entry door.

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as no tree removal is proposed.

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy No. 55 – Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

5.2 Pittwater Local Environmental Plan 2014

The relevant clauses of the Pittwater Local Environmental Plan 2014 are addressed below.

Zoning

The site is zoned R2 Low Density Residential pursuant to the provisions of the Pittwater Local Environmental Plan 2014. The proposed development is a permissible use in the R2 zone which permits dwelling houses with development consent.

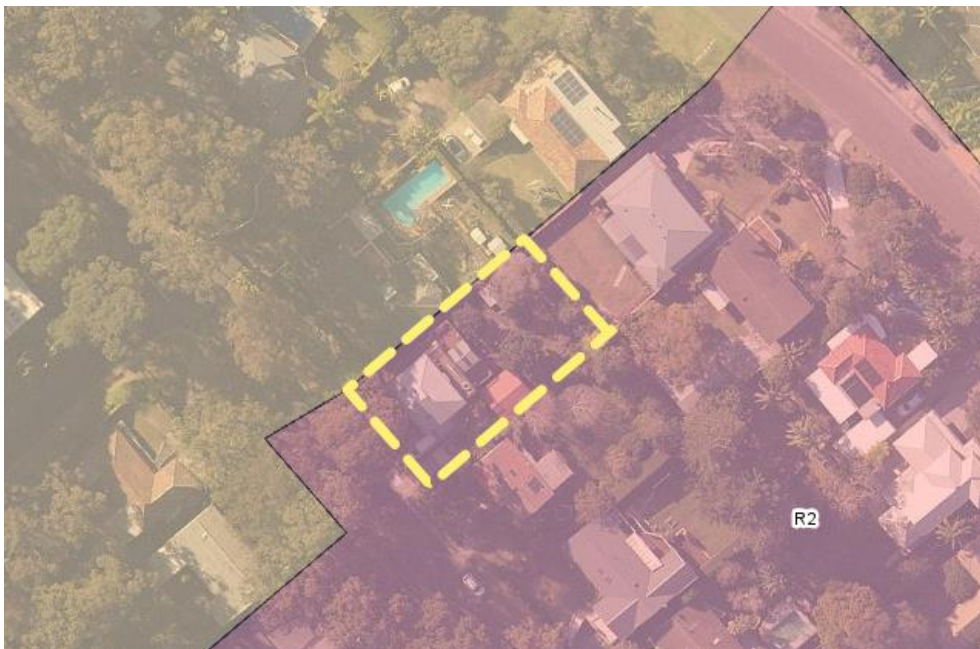


Figure 12: Extract from Pittwater LEP 2014 Zoning Map

Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum lot size of 700m². The subject site comprises of a compliant area of 764.8m² and no subdivision is proposed.

Height of Buildings

The subject site is mapped with a maximum building height of 8.5 metres. The existing dwelling has an architectural roof feature breaching the maximum permitted height at 8.92m. This will be unchanged, with the proposed new works having a compliant maximum height of 8.2 metres.

Floor Space Ratio

The floor space ratio development standard has not been adopted for the subject site.

Heritage Conservation

The site is not a heritage item, is not located in close proximity to a heritage item and is not located within a heritage conservation area.

Acid Sulfate Soils

The site is nominated as Class 5 Acid Sulfate soils. The proposed works are minor and are not likely to lower the watertable more than 1 metre below the natural ground surface.

Earthworks

Minor earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed.

Biodiversity

The site is identified on the biodiversity maps. Accordingly, the following must be considered with regard to the site:

(a) *whether the development is likely to have:*

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

The proposed development will have a minimal and appropriate impact on the existing environment, as it will be located predominantly within the footprint of the existing dwelling and on the disturbed portion of the site and no tree removal is proposed.

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

There will be no impact on important vegetation, habitat, or fauna.

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function, and composition of the land, and

Biodiversity will be unaffected by the proposed development as it is predominantly limited to the areas of the site that are already disturbed.

(iv) any adverse impact on the habitat elements providing connectivity on the land, and

No adverse impact on habitat connectivity will result from the proposed development.

(b) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.

With no adverse impact resulting from the proposal, there is no requirement for any mitigation measures. The development is appropriate as proposed.

Council must also consider and be satisfied of the following:

(a) the development is designed, sited, and will be managed to avoid any significant adverse environmental impact, or

The design of the minor proposal is appropriate for the already disturbed site. It will not be to the detriment of the environmental qualities of the location.

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited, and will be managed to minimise that impact, or

There are no detrimental impacts as a result of the proposed development.

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

There are no detrimental impacts.

Geotechnical Hazard

The site is located within the geotechnical hazard zone H1. Accordingly, clause 7.7 of Councils LEP must be considered with regard to the site:

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks:

- (a) site layout, including access,*
- (b) the development's design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) wastewater management, stormwater, and drainage across the land,*
- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.*

(4) Development consent must not be granted to development on land to which this clause applies unless:

- (a) the consent authority is satisfied that the development will appropriately manage wastewater, stormwater, and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and*
- (b) the consent authority is satisfied that:*
 - (i) the development is designed, sited, and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*
 - (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited, and will be managed to minimise that risk or impact, or*
 - (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.*

A geotechnical report demonstrating compliance with this clause accompanies the application.

Essential services

All essential services are existing on the site.

5.3 Pittwater 21 Development Control Plan

The relevant sections of the DCP are addressed below.

Section A Shaping Development in Pittwater

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social, and economic objectives as specified in the DCP. The proposed development is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

A4 Localities

Avalon Beach Locality

The site is located within the Avalon Beach Locality.

The desired character statement is:

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, verandah's 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.

The proposed development has been designed taking into consideration the desired character of the location, in particular the addition of a new verandah will provide façade modulation and the new natural external colours will be consistent with the 'seaside-village' character.

The appropriate scale of the proposal is well designed to ensure retention of the character sought by Council, whilst being mindful of the landform and landscape.

Section B General Controls

B1 Heritage Conservation

The site is not located in a heritage conservation area or immediately adjacent any heritage items.

Aboriginal heritage Significance

The site is not known or anticipated to be home to any aboriginal relics. Should any objects be discovered during construction, appropriate measures will be taken according to NSW Office of Environment and Heritage.

B3 Hazard Controls

Landslip Hazard

The subject site is located in a H1 geotechnical hazard zone. A geotechnical report demonstrating compliance with the Geotechnical Risk Management Policy for Pittwater accompanies the application.

Acid Sulphate Soils

The site is located in an area nominated as Acid Sulphate soils Class 5. No additional information is required for the proposed development.

Bushfire Hazard

The subject site is not mapped as bushfire prone land.

Coastline (Beach) Hazard

The site is not mapped as Coastline (Beach) Hazard

Contaminated and potentially contaminated lands

The site is not known to be contaminated and to our best knowledge has only ever been developed for low density residential uses.

Flood prone land

The site is not located within a flood prone zone.

B4 Controls relating to the natural environment

The proposed development will have a minimal and appropriate impact on the natural environment, as it will be located predominantly within the footprint of the existing dwelling, on the disturbed portion of the site. No tree removal is proposed.

B5 Water management

The site is connected to the reticulated sewer system.

The architectural plans demonstrate that the proposed development will not increase the impervious roof area of the site by more than 50m² and therefore does not trigger the requirements for OSD.

Stormwater from the site will be managed in accordance with Councils controls, with water directed to existing drainage infrastructure on the site.

B6 Access and parking

The development proposes to retain the existing driveway crossover from Patrick Street and the existing double garage, providing a compliant 2 onsite carparking spaces.

B8 Site works and management

All site works will be undertaken as required by Council controls and compliant with any relevant conditions of consent. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

Section C Development Type Controls

Design Criteria or Residential Development

Landscaping

No canopy trees are removed as a result of the proposed development. The area of landscaping within the front setback is reduced slightly to make way for the new verandah and entry, resulting in an overall improvement in street presentation.

Safety and Security

An ability to view the street frontage is retained allowing for casual surveillance which is to the benefit of the safety and security.

View Sharing

The subject site and surrounding properties enjoy water views to the north and north-east.

A site visit has been undertaken and it is concluded that the proposed development will not result in any view loss impacts, as properties to the

southwest are located upslope and will retain views over the proposed verandah roof. In addition, the majority of works are located within the existing building footprint and to the rear of the lot.

Solar Access

The DCP requires 3 hours of solar access is maintained for the windows of principal living areas, solar collectors and private open space of the site and adjoining properties on 21 June.

The shadow diagrams provided with this application illustrate that the development will not result in any increase in shadowing to the subject site or adjoining properties.

It is concluded that the subject site and adjoining properties maintain compliant solar access.

Visual Privacy

Privacy will be retained for neighbours with compliant setbacks to new work and no direct overlooking into any key living areas. The location of the windows and doors, as well as side and rear verandah on the ground first floors remain unchanged.

New windows to the lower ground floor are visually separated from neighbouring properties by the existing garage, side boundary fencing and landscaping.

Acoustic Privacy

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in close proximity to a noise generating activity.

Private Open Space

The minimum private open space requirement of 80sqm is easily accommodated in the rear yard, as required by the DCP.

Waste and Recycling Facilities

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible. This is detailed further in the accompanying Waste Management Plan. The existing

dwelling has appropriate waste storage areas which will be retained with the alterations and additions proposed.

Section D – Avalon Beach Locality

The site is located in the Avalon Beach locality and will be appropriate within the desired character, built form and natural environment criteria as specified in the DCP. The alterations and additions proposed will be appropriate within the residential and coastal setting.

Character

The proposed development is an appropriate architectural design for the locality. The materials and colours complement the streetscape and present a pleasing façade when viewed from the public domain. The resulting dwelling is a modern design enhancing the site and streetscape, while sitting comfortably in the coastal locality.

Scenic Protection

The site is visible from Patrick Street. The proposed works are consistent with the built form in the locality and remain secondary to the bushland landscape of the site.

Building colours and materials

The development proposes to retain the existing cladding, repainted in silver twilight (or similar) and metal roof, repainted in surf mist or shale grey (or similar). New timber doors, aluminium windows, and timber verandah rails are proposed, providing an enhanced presentation to the streetscape in this location. A full schedule of materials and colours provided with the DA plan set.

Front Building Line

The DCP requires a front setback of 6.5 metres or the established building line (whichever is greater) to Patrick Street. No change is proposed to the existing, compliant front building line setback of 7.027 metres.

The new verandah proposes a front setback of 5.408 metres. A variation to the front setback is considered appropriate as the addition of an entry feature and verandah on the property frontage, assists in reducing the overall bulk and improving the aesthetic amenity of the existing dwelling.

In addition, the proposal remains consistent with the objectives of the control, despite the variation, as assessed below:

To achieve the desired future character of the Locality.

Comment

Consistent. The proposed development has been designed taking into consideration the desired character of the location. The addition of a new verandah will provide façade modulation and the new natural external colours will be consistent with the 'seaside-village' character. The appropriate scale of the proposal is well designed to ensure retention of the character sought by Council, whilst being mindful of the landform and landscape.

The amenity of residential development adjoining a main road is maintained.

Comment

Consistent. The principal building line to the dwelling remains unchanged and compliant at 7.027 metres, ensuring amenity is maintained for the residents.

Vegetation is retained and enhanced to visually reduce the built form.

Comment

Consistent. No canopy trees are removed as a result of the proposed development and the vast majority of landscaping is retained, including the large street tree on the property frontage, resulting in an overall improvement in street presentation.

Vehicle manoeuvring in a forward direction is facilitated.

Comment

Consistent. No change is proposed to the existing driveway from Patrick Street and double garage on the site.

To encourage attractive street frontages and improve pedestrian amenity.

Comment

Consistent. The new verandah, entry feature and repainting will result in a dwelling more in keeping with the desired character of the location, by providing

façade modulation and more natural external colours, consistent with the 'seaside-village' character and coastal landscape.

To ensure new development responds to, reinforces, and sensitively relates to the spatial characteristics of the existing urban environment.

Comment

Consistent. The development remains consistent with the spatial characteristics of the surrounding natural environment, with works well below the tree canopy level in this location.

Side and Rear setbacks

Side setbacks of 2.5 metres on 1 side and 1 metre for the other side (or maintenance of existing setbacks) are required by the DCP. The development is easily compliant.

	North west	South east
<i>Lower Ground</i>	3.1m (existing) 5m (existing) 5m (extended rumpus)	7.7m (existing) 7.7m (extended rumpus)
<i>Ground</i>	1.1m -1.5m veranda (existing)	7.6m
<i>First</i>	3.1 m (existing & new balcony)	6.7m (Existing and new balcony)

A rear setback of 6.5 metres is required by the DCP and a compliant rear setback of 11 metres is proposed to the replacement rear ground floor balcony and 16 metres to the proposed small first floor balcony.

Building envelope

A building envelope of 45° measured at a height of 3.5 metres, at the side boundaries, applies to the site.

A minor breach to the side boundary envelope control is proposed, when viewed from the rear, however the development complies when viewed from the Patrick Street frontage.

A variation to the building envelope control is considered appropriate, as the breach is very minor and applies to a small section of the existing first floor roof

and the eaves at the rear of the new ground floor verandah. In addition, the development remains consistent with the objectives of the control, despite the variation, as assessed below:

To achieve the desired future character of the Locality.

Comment

Consistent. The proposed development has been designed taking into consideration the desired character of the location. The development retains the existing first floor roof and proposes a minor breach to the ground floor verandah roof. The resulting development and new natural external colours are consistent with the 'seaside-village' character and remains an appropriate scale for the site.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

Comment

Consistent. The dwelling presents with a compliant building envelope to Patrick Street and sits well below tree height in the locality. The scale and density of the dwelling remains largely unchanged by the addition of the ground floor verandah, and the overall development will provide a dwelling more in keeping with the locality.

To ensure new development responds to, reinforces, and sensitively relates to spatial characteristics of the existing natural environment.

Comment

Consistent. The development remains consistent with the spatial characteristics of the surrounding natural environment, with works well below the tree canopy level in this location.

The bulk and scale of the built form is minimised.

Comment

Consistent. The development remains consistent with the bulk and scale of other dwellings in the locality and presents as a 2-storey dwelling, with a complaint building envelope to the street.

Equitable preservation of views and vistas to and/or from public/private places.

Comment

Consistent. The subject site and surrounding properties enjoy water views to the north and north-east. A site visit has been undertaken and it is concluded that the proposed development will not result in any view loss impacts, as properties to the southwest are located upslope and will retain views over the proposed verandah roof.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Comment

Consistent. Privacy and amenity will be retained for neighbours with compliant setbacks to new work and no direct overlooking into any key living areas. The location of the windows and doors, as well as the side and rear verandah on the ground first floors remain unchanged. New windows to the lower ground floor are visually separated from neighbouring properties by the existing garage, side boundary fencing and landscaping.

Compliant solar access is achieved, with the shadow diagrams illustrating that the development will not result in any increase in shadowing to the subject site or adjoining properties.

Vegetation is retained and enhanced to visually reduce the built form

Comment

Consistent. No vegetation removal is proposed.

Landscaped Area – Environmentally Sensitive Land

A landscaped area of 60% is required for land mapped as Landscape Area 2, which equates to 458.88m² for the site area of 764.8m². The development proposes a total landscaped area of 58% or 443.61m², comprising of a landscaped area of 397.73m² plus 6% of the site area (permitted impervious area) of 45.89m².

A minor variation to the landscaped area control is considered appropriate, as the variation is very minor at just 15.27m². In addition, the development remains consistent with the objectives of the control, despite the variation, as assessed below:

Achieve the desired future character of the Locality.

Comment

Consistent. The proposed development has been designed taking into consideration the desired character of the location. The development largely retains the existing landscaped area on the site, with the new verandah providing practical private outdoor space for the enjoyment of the residents. The resulting development and retained landscaping are consistent with the 'seaside-village' character of the locality.

The bulk and scale of the built form is minimised.

Comment

Consistent. The development remains consistent with the bulk and scale of other dwellings in the locality and presents as a 2-storey dwelling to the street.

A reasonable level of amenity and solar access is provided and maintained.

Comment

Consistent. Privacy and amenity will be retained for neighbours with compliant setbacks to new work and no direct overlooking into any key living areas. The location of the windows and doors, as well as the side and rear verandah on the ground first floors remain unchanged. New windows to the lower ground floor are visually separated from neighbouring properties by the existing garage, side boundary fencing and landscaping.

Compliant solar access is achieved, with the shadow diagrams illustrating that the development will not result in any increase in shadowing to the subject site or adjoining properties.

Vegetation is retained and enhanced to visually reduce the built form.

Comment

Consistent. No vegetation removal is proposed.

Conservation of natural vegetation and biodiversity.

Comment

Consistent. No native vegetation will be impacted by the proposal.

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

Comment

Consistent. Stormwater from the site will be managed in accordance with Councils controls, with water directed to existing drainage infrastructure on the site.

To preserve and enhance the rural and bushland character of the area.

Comment

Consistent. The proposal retains the rural and bushland character of the area, with no vegetation removal proposed.

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

Comment

Consistent. The soft landscaped area on the site remains largely unchanged, with an area of 321.92m² available in the rear yard for the infiltration of water.

7. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Pittwater LEP 2014 and the Pittwater 21 DCP 2014.

	Standard	Proposed	Compliance
Pittwater LEP 2014			
Lot Size	700m ²	764.8m ²	Yes
Building Height	Mapped as 8.5m	8.92m (existing) 8.2m (new works)	Yes
Floor Space Ratio	Not identified	-	-
Pittwater 21 DCP 2014			
Parking	2 spaces	2 spaces	Yes
Solar Access	3 hours sunlight to windows of principal living areas, solar collectors and POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliant.	Yes
Private Open Space	80m ²	382.28m ²	Yes
Front Boundary Setback	6.5 metres or established building line	7.027m primary building line. 5.408m to verandah	Yes, no change. Merit assessment
Side Boundary Setbacks	2.5 metres one side and 1 metre on other side	NW. 1.1m SE. 6.7m	Yes
Rear Boundary Setbacks	6.5 metres	11m	Yes
Building Envelope	3.5 metres / 45 degrees.	-	Merit assessment
Landscaped Area	Area 2 - 60% (458.88m ² for the site area of 764.8m ²)	58% or 443.61m ²	Merit Assessment

7. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

7.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed development is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the zone.

7.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Context and Setting

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density, and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed alterations and additions have been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

Access, transport, and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

Public domain

There will be no impact.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no significant impact, with works proposed on the already disturbed portion of the lot.

Waste

There will be no impact.

Natural hazards

The natural hazard of acid sulfate soils can be effectively mitigated.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is highly appropriate to the site with regard to all of the above factors. The proposed development fits well within the context of the surrounds and is an appropriate scale.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia and all relevant Council controls.

Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures, compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

7.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the proposed alterations and additions.

7.4 Any submissions received in accordance with this Act or the regulations.

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

7.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

8. Conclusions

- 8.1** The proposed development for the alterations and additions to an existing dwelling at 76 Patrick Street Avalon Beach, is appropriate considering all State and Council controls.
- 8.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3** Considering all the issues, the development is considered worthy of Council's consent.