

STATEMENT OF ENVIRONMENTAL EFFECTS

19 DRESS CIRCLE ROAD, AVALON BEACH

**PROPOSED ALTERATIONS AND ADDITIONS TO AN
EXISTING DWELLING AND DETACHED GARAGE WITH
HOME OFFICE OVER**

**PREPARED ON BEHALF OF
Mr & Mrs Hayward**

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling and detached garage with home office over upon land at Lot 72 in DP 11462 which is known as **19 Dress Circle Road, Avalon Beach**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Pittwater Local Environmental Plan 2014.
- Pittwater Development Control Plan 2014.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Survey Plus, Ref No. 21679_DET_1a and dated 21/10/2022.
- Architectural Plans prepared by Action Plans, Drawing No. DA00 to DA20, Revision A and dated 24/06/2024.
- BASIX Certificate No. A1752018 and issued 18 June 2024.
- Geotechnical Assessment prepared by AscentGeo Geotechnical Consulting, Ref No. AG23052 and dated 8 August 2024.
- Preliminary Arboricultural Assessment Report prepared by Hugh the Arborist and dated 22 August 2022.
- Stormwater Management Plan and Certification prepared by Hyten Engineering, Project No. 23 H 325, Revision A and dated 22/07/2024.
- Biodiversity Value Map and Threshold Report dated 23/08/2024.
- Estimate Development Cost Report prepared by Raihanul Islam – Registered Quantity Surveyor, Ref No. DC19/2407 and dated 24/07/2024.

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. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that 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.

2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 72 in DP 11462 which is known as 19 Dress Circle Road, Avalon Beach. The site has an area of 1,220m² which is a rectangular shaped allotment located on the southern side of Dress Circle Road. The site has a frontage of 20.115m to Dress Circle Road and a depth of 60.96m. The locality is depicted in the following map:



Site Location Map

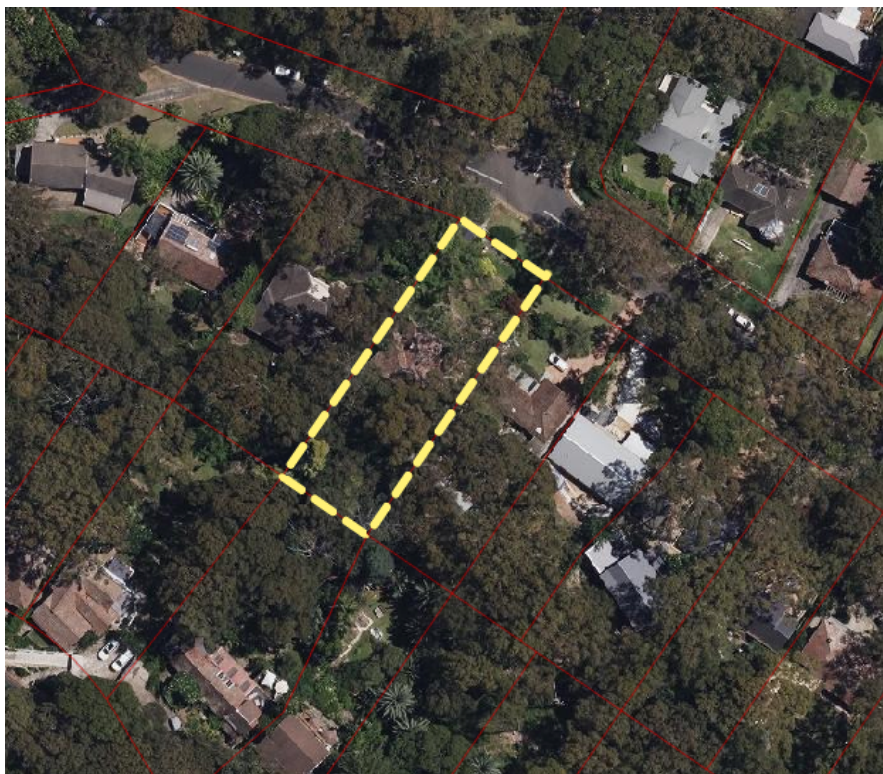
The site has significant slope from the rear boundary (approx RL52.0) towards the street frontage (RL32.74). The site currently comprises a part single and part two storey brick and clad dwelling with pitched metal roof. The dwelling is located centrally on site. A detached single clad garage with metal roof is located towards the front northwest corner of the site. There are a number of trees on site, however the proposal does not require the removal of any trees. A Preliminary Arborist Report has been submitted with the application.

The site is depicted in the following photographs:



View of Subject Site from Dress Circle Road

The existing surrounding development comprises of a mix of original housing stock interspersed between larger more modern two storey dwellings. The sites relationship with the surrounding properties is depicted in the following aerial photograph:



Aerial Photograph of the Subject Site

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling including new detached garage with home office over.

Demolition

The existing detached garage, pedestrian pathways from street frontage and retaining walls as to be depicted on the plans are to be demolished.

Dwelling Additions/Alterations

Lower Ground Floor Level

- Addition forward of the existing dwelling to provide for three bedrooms (master with ensuite), bathroom and new entry.

Ground Floor Level

- New terrace along front elevation and over proposed lower ground floor additions.
- Internal alterations to delete existing bedroom and increase lounge area.

Detached Garage/Home Office

A new detached two storey garage structure will be constructed towards the front northwest corner of the site, in a similar location to the existing garage. The garage structure is provided with a nil setback to the front boundary and is setback 1.0m to the western side boundary. The structure provides parking for two cars with additional storage to the rear at the lower level with a home office (with bathroom and wet bar) over.

Stormwater

All collected stormwater will continue to be discharged to the existing stormwater system in Dress Circle Road as depicted in the Stormwater Management Plan prepared by Hyten Engineering.

The proposal results in the following development indices

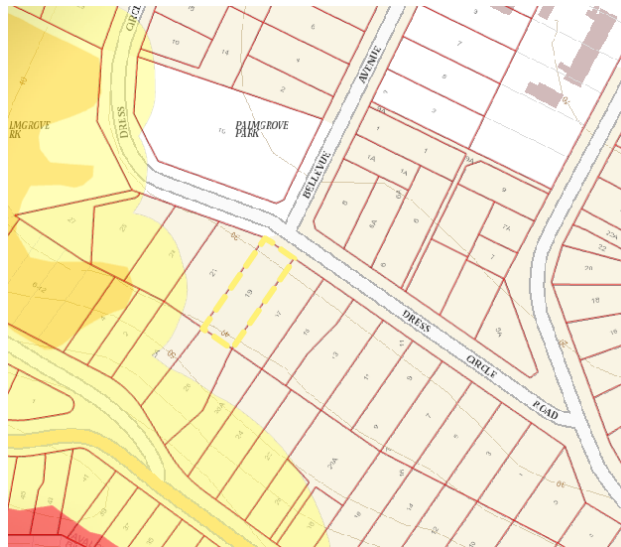
Site Area: 1,220m²
Existing Landscaped Area: 944.45m² or 77.41%
Proposed Landscaped Area: 790.27m² or 64.77%

4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Pittwater Council.

4.1 Planning for Bushfire Protection

The subject site is not identified as bushfire prone land and therefore the provisions of Planning for Bushfire Protection does not apply.



Extract of Bushfire Map

4.2 Pittwater Local Environmental Plan 2014

The site is zoned C4 Environmental Living under the provisions of the PLEP 2014. Development for the purposes of alterations and additions to an existing dwelling house and ancillary works are permissible with the consent of Council within the C4 zone.

The relevant provisions of the PLEP which relate to the proposed development are detailed in the attached table:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5 metres	Refer to plans – work do not exceed 8.5m	Yes

The following clause also applies:

Clause 7.1 Acid Sulfate Soils

The site is identified as 5 on Council's Acid Sulfate Soil map. The proposal does not result in any significant excavation. A Geotechnical Assessment has been submitted with the application. No further information is required in this regard.

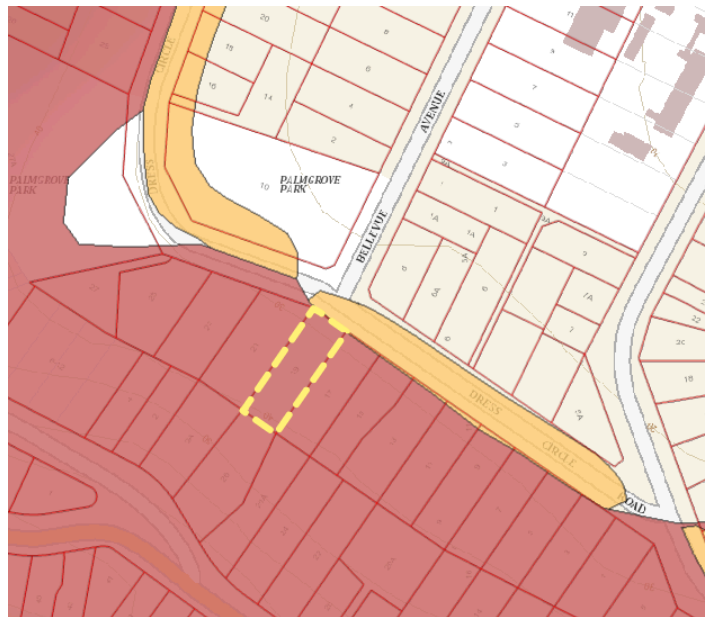
Clause 7.6 Biodiversity



Extract of Biodiversity Map

The site is identified on the NSW BDAR map (purple), and is also identified as an area of terrestrial biodiversity on Council's Biodiversity Map (green). The proposal does not require the removal of any protected trees and the works proposed do not encroach in the area identified on the NSW BDAR Map. A Biodiversity Values Map and Threshold Report has been submitted which identifies that the Biodiversity Offset Scheme (BOS) Threshold has not been exceeded. A Preliminary Arborist Report has also been submitted with the application. There is no further information required in this regard.

Clause 7.7 Geotechnical Hazards



Extract of Geotechnical Hazards Map

The site is identified on Council's Geotechnical Hazard map. A Geotechnical Assessment has been prepared by AscentGeo Geotechnical Consulting and is submitted with the application.

There are no specific other provisions of the LEP that apply to the proposed development.

4.2 Pittwater Development Control Plan 2014

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D1 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.

4.2.1 Section A Introduction

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.

It is considered that the proposal is consistent with the desired character of the locality. The proposal provides for alterations and additions to an existing dwelling which will not be dominant in the public domain and does not require the removal of any significant vegetation. The proposal provides for a new garage structure located forward of the dwelling in a similar location to the existing garage on site. The alternative parking would require excessive excavation and impact on surrounding vegetation which is not compatible in this locality. The proposed works do not have any detrimental impact on the amenity of the surrounding properties.

4.2.2 Part B General Controls

The General Controls applicable to the proposed dwelling are summarised as:

B4.1 Landslip Hazard

The site is identified on Council's Geotechnical Hazard map. A Geotechnical Assessment has been prepared by AscentGeo Geotechnical Consulting and is submitted with the application.

B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community

The proposal does not requires the removal of any trees on site. A Preliminary Arborist Report has been submitted with the application.

B5.15 Stormwater

All collected stormwater will continue to drain to the existing stormwater system in Dress Circle Road as detailed in the Stormwater Management Plan prepared by Hyten Engineering.

B6.1 Access Driveways and Works on the Public Road Reserve

The proposal retains the existing vehicular crossing with a new driveway to provide access to the double hardstand parking area. The driveway requires the removal of one tree which can be replaced in a more suitable location.

6.3 Off-Street Vehicle Parking Requirements

The subject site requires 2 parking spaces on site. The subject site currently provides for a single garage located towards the northwest corner of the site. This existing garage is of insufficient width and height to accommodate modern vehicles and as such is utilised as storage. It is therefore proposed to demolish the existing garage structure and provide for garage capable of providing parking for two cars within the front setback. This complies with the numerical requirements of this clause.

B8.1 Construction & demolition – excavation and landfill

The controls seek to achieve the outcomes:

Site disturbance is minimised.

Excavation and construction not to have an adverse impact.

Excavation operations not to cause damage on the development or adjoining property.

The proposal does not result in any significant excavation or fill. Appropriate sedimentation and erosion measures will be implemented prior to works commencing on site.

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)

Erosion and Sediment controls, as depicted in the architectural plans, will be implemented prior to works commencing on site.

4.2.3 Part C Design Criteria

The Design Criteria applicable to the proposed development and are summarised over as:

C1.1 Landscaping

The controls seek to achieve the outcome:

*A built form dominated and complemented by landscaping.
Landscaping that reflects the scale and form of development.
Retention of canopy trees by encouraging the use of pier and beam footings.
Development does not result in significant loss of the urban forest.
Reduced risk of landslip.*

The proposal does not require the removal of any vegetation. A Preliminary Arborist Report has been submitted with the application. The proposal provides for 790.27m² (64.77% of site area) for landscaping.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community.
Opportunities for vandalism are minimised.*

The additions to the existing dwelling will continue to provide good surveillance of the site and the dwelling approach. The entry and windows to habitable areas are located on the front elevation. The proposal complies with this clause.

C1.3 View Sharing

The controls seek to achieve the outcomes:

*A reasonable sharing of views amongst dwellings.
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.
Canopy trees take priority over views.*

The proposed dwelling complies with the maximum building height. The existing surrounding properties do not currently enjoy any significant views. The proposal does not result in any view loss.

C1.4 Solar Access

The controls seek to achieve the outcomes:

Residential development is sited and designed to maximise solar access during mid-winter.

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

Minimal need for artificial lighting.

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.

Shadow diagrams have been provided which indicate only minimal additional overshadowing to 17 Dress Circle Road at 3pm on the winter solstice. The proposal continues to ensure that at least 3 hours of solar access is provided to the habitable areas and private open space of the adjoining properties.

The proposal complies with the requirements of this clause.

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.

A sense of territory and safety is provided for residents.

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 provides additions to the front of the dwelling. A new terrace is proposed along the front elevation and which is orientated towards the street frontage. The terrace is provided with ample setbacks (4.902m to the east and 2.178m to the west) to both side boundaries which ensure appropriate visual separation. The view from this terrace is towards the street and district views and does not provide any views into private open space of living areas of the surrounding properties.

The proposal complies with this clause.

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.

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

The proposed development will not have any impact on existing acoustic privacy to surrounding properties.

C1.7 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.

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

Private open space receives sufficient solar access and privacy.

The required controls to achieve the outcomes are to ensure that dwellings are provided with suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The development retains the existing private open space in the rear yard which is directly accessible from the secondary entry on the eastern elevation. A new terrace on the front elevation will serve as an alternative area of outdoor living with a northerly aspect directly accessible from the existing internal living areas. The proposal complies with this clause.

C1.9 Adaptable Housing and Accessibility

The controls seek to achieve the outcomes:

The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.

All members of the community enjoy equitable access to buildings to which the general public have access.

Housing for older people and people with a disability are accessible, adaptable and safe. (S)

Equitable access in the public domain.

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

C1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

Waste and recycling facilities are accessible and convenient, and integrate with the development.

Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.

There is sufficient area for the storage of waste and recycling bins. The proposal complies with the requirements of this clause.

C1.23 Eaves

The controls seek to achieve the outcomes:

*Housing that reflects the coastal heritage and character of Pittwater.
Optimise roof forms.
Appropriate solar access and shading is achieved.*

This clause requires dwellings to be provided with eaves having a minimum width of 450mm. The proposal complies with this clause.

4.2.4 Part D Design Criteria

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

D1.1 Character as Viewed from a Public Place & D1.4 Scenic Protection - General

The proposal provides for additions to the front of the existing dwelling and new detached garage structure with home office over. The additions to the dwelling are provided with ample setback to the street frontage and provide articulation and improve the aesthetics of the existing dwelling. The new garage structure replaces an existing garage in a similar location. Requiring an increase front setback for the garage would require excessive excavation and impact on surrounding vegetation and therefore is not the preferred option. The proposal does not require the removal of any vegetation. The proposal complies with this clause.

D1.5 Building Colours and Materials

The proposal incorporates natural tones which are recessive and will harmonise with the natural environment and complement the surrounding development.

D1.8 Front Building Lines

The controls seek to achieve the outcomes:

*To achieve the desired future character of the Locality.
The amenity of residential development adjoining a main road is maintained.
Vegetation is retained and enhanced to visually reduce the built form.
Vehicle manoeuvring in a forward direction is facilitated.
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.*

This clause requires a minimum setback of 6.5m or the established building to the primary street frontage.

The proposed additions to the dwelling comply with the numerical requirements and achieve the objectives of this clause.

The proposal provides for a new garage structure with home office over with nil setback to the street frontage. It is considered that it is appropriate in this instance for the following reasons:

- The existing garage is inaccessible due to inadequate width and height to accommodate modern vehicles.
- Providing a garage which complies with the setback provisions would require excessive excavation and impact on existing vegetation on the subject and adjoining sites.
- The proposal replaces an existing single garage in a similar location.
- The proposal is generally located over the existing driveway and garage footprint.

D1.9 Side and Rear Building Lines

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

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

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.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

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

A landscaped buffer between commercial and residential zones is achieved.

The numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A setback of 6.5m is required to the rear boundary.

The proposal complies with this clause.

The proposal achieves the objectives of this clause.

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

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 proposal results in a minor non-compliance at the front northwest corner of the additions. This non-compliance is considered justified in this instance for the following reasons:

- The non-compliance is a result of the slope of the site.
- The proposal complies with the required side boundary setbacks.
- The area of non-compliance relates only to the front terrace, with the additions to the dwelling complying. The terrace provides for articulation and improves the presentation to the streetscape.
- The portion of the additions that encroach the envelope provide for a low pitched roof form and do not result in unreasonable bulk or scale.
- The proposed additions do not extend beyond the existing building envelope.
- The terrace is an open structure that does not result in unreasonable bulk when viewed from the adjoining property.

D1.14 Landscaped Area – Environmentally Sensitive Land

The controls seek to achieve the outcomes:

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

This clause requires a landscaped area of 60% of the site. The proposal provides for the following:

Existing Landscaped Area:	944.45m ² or 77.41%
Proposed Landscaped Area:	790.27m ² or 64.77%

The proposal complies with this clause.

There are no other provisions of the DCP that are relevant to the proposed development.

5. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and Pittwater Development Control Plan 2014. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

It is considered that the development provides for the construction of alterations and additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal has been designed to retain privacy and amenity to the adjoining properties through considered orientation and location of windows. The proposal does not result unreasonable overshadowing. The proposal does not require the removal of any tree and there is ample vegetation on site.

The Suitability of the Site for the Development

The subject site is zoned C4 Environmental Living and the construction of alterations and additions to an existing dwelling and associated works in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for the construction of alterations and additions to an existing dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain. The proposal will enable parking on site to assist in alleviating on street parking.

6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling and associated work as demonstrated in this report the proposal is consistent with the aims and provisions of the Pittwater LEP 2014 and Pittwater DCP 2014. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction alterations and additions to an existing dwelling and associated works upon land at **No. 19 Dress Circle Road, Avalon Beach** is worthy of the consent of Council.

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August 2024