

STATEMENT OF ENVIRONMENTAL EFFECTS

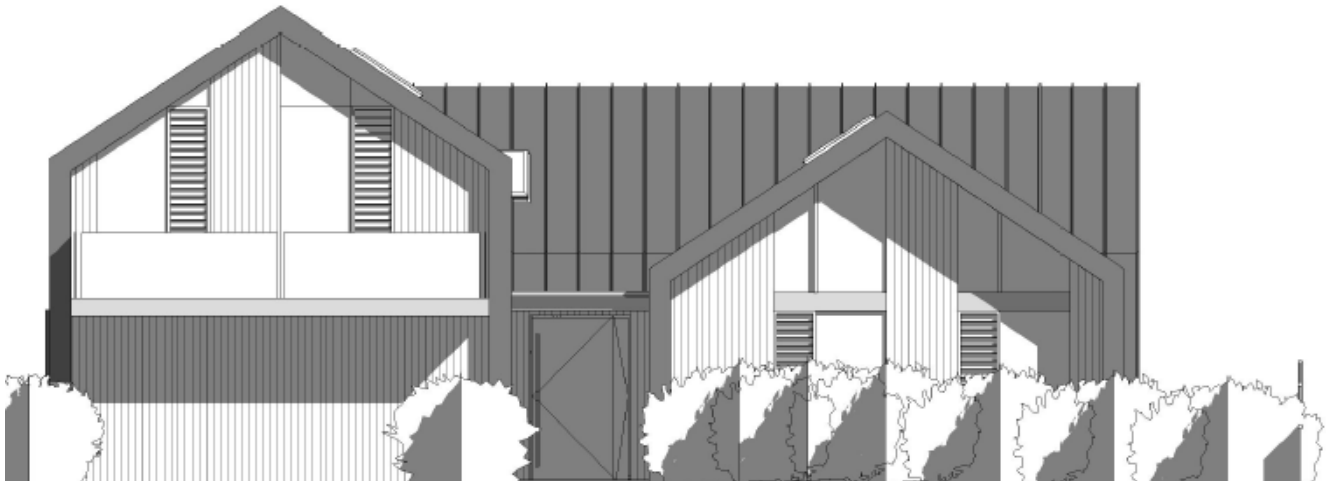
**FOR THE PROPOSED DEMOLITION OF THE EXISTING DWELLING & GARAGE &
THE CONSTRUCTION OF A NEW DWELLING,
ATTACHED SECONDARY DWELLING AND GARAGE**

LOCATED AT

96 AVALON PARADE, AVALON BEACH

FOR

TIM & FIONA WEST



**Prepared
September 2021**

TABLE OF CONTENTS

1.0	Introduction	3
2.0	Property Description	3
3.0	Site Description	3
4.0	The Surrounding Environment.....	7
5.0	Proposed Development	8
6.0	Zoning and Development Controls	9
6.1	State Environmental Planning Policy No. 55 – Remediation of Land	9
6.2	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	9
6.4	Pittwater Local Environmental Plan 2014	9
6.6	Pittwater 21 Development Control Plan 2014	12
6.6.1	Shaping Development – Desired Character	12
6.6.2	Section B General Controls	14
6.6.3	Section C Development Type Controls	17
6.6.4	Section D Design Criteria.....	21
7.0	Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979.....	26
7.1	The provisions of any environmental planning instrument	26
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	26
7.3	Any development control plan.....	26
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.....	26
7.5	The regulations (to the extent that they prescribe matters for the purposes of this paragraph),	26
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.	26
7.7	The suitability of the site for the development.....	27
7.8	Submissions made in accordance with this Act or the regulations	27
7.9	The public interest.....	27
8.0	Conclusion.....	27

1.0 Introduction

This Statement of Environmental Effects accompanies details prepared by THW Architects Pty Ltd, Sheet No. A 00-1, A 01-1, A 02-1, A 10-1, A 11-1, A 20-1, A 100-1, A 200-1, A 201-1, A 250-1, A 251-1, A 252-1, Job No. 001, dated 26 July 2021 for the proposed construction of a new dwelling and secondary dwelling on land at **96 Avalon Parade, Avalon Beach** on behalf of Tim & Fiona West.

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 96 Avalon Parade, Avalon Beach, being Lot 8 within Deposited Plan 11545 and is zoned R2 Low Density Residential under the Pittwater Local Environmental Plan 2014.

The site is identified as Low and Medium Risk on Council's Flood Risk Map. Accordingly, a Flood Report has been prepared by Barrenjoey Consulting Engineers Proprietary Ltd, Job No 210804 dated September 2021. This issue will be discussed further within this report.

The site is identified within the Class 4 Acid Sulfate Soils Area. This matter will be 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-eastern side of Avalon Parade and is regular in shape. The site has a width of 18.4m and a depth of 48.4m. The total site area is 892m².

The site is relatively flat. Stormwater from the site is to be dispersed within the rear yard with a new rainwater storage and on-site detention facility to be provided.

The land is currently developed with an existing single storey dwelling, together with a detached garage which is sited within the rear yard and accessed via an existing paved driveway from Avalon Parade.

The details of the existing site levels are indicated within the Survey Plan prepared by Daw & Walton Consulting Surveyors, Reference Job No. 2106-14, dated 20 May 2015 and revised 15 July 2021.

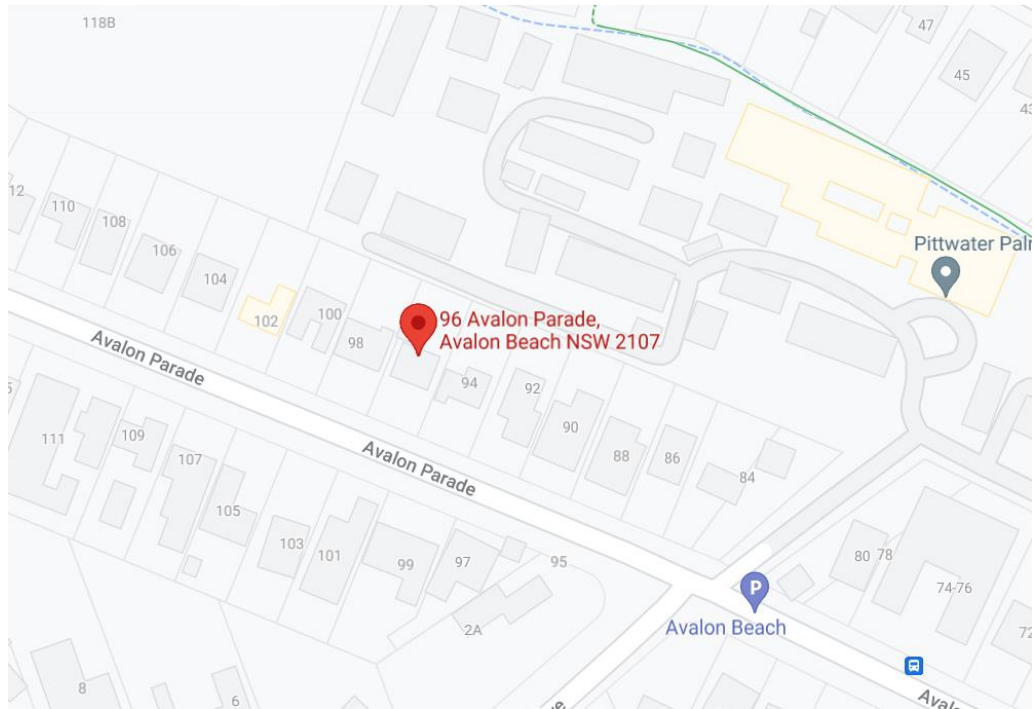


Fig 1: Location of Subject Site
(Source: Google Maps)



Fig 2: View of the subject site, looking north-east from Avalon Parade



Fig 3: View of the subject dwelling and driveway, looking north-east from Avalon Parade



Fig 4: View of the existing driveway to the subject site and looking north towards the adjoining neighbour at No 98 Avalon Parade



Fig 5: Streetscape view of the existing driveway to the subject site and looking north towards the adjoining neighbour at No 98 Avalon Parade



Fig 6: Streetscape view looking north-east towards the adjoining dwelling at No 94 Avalon Parade

4.0 The Surrounding Environment

The general vicinity of the site is characterised by one and two storey residential developments within landscaped settings.

Surrounding the sites are single residences, with a variety of styles and scales of development. An existing low density retirement village is located to the rear of the site.

Properties in the immediate vicinity are undergoing change, with new dwellings and associated recreational facilities replacing the existing building stock.



Fig 7: Aerial Photograph
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans prepared by THW Architects, the proposal involves the demolition of the existing single storey dwelling and associated structures and the construction of a new dwelling and attached secondary dwelling.

The new works will comprise the following:

Dwelling

Ground Floor

- Proposed new ground floor level to provide for open plan living, dining and kitchen with pantry, three bedrooms, bathroom, WC, laundry, master bedroom with walk-in robe and ensuite, and rear deck

Attic Floor

- Proposed new attic floor level to provide for construction of a new attic space with bedroom, ensuite and study

External Works

- New double garage including mud room and internal stairs to upper level
- New driveway

Secondary Dwelling

- Secondary dwelling over the proposed garage to provide for open plan living and kitchen, two bedrooms, bathroom/laundry and balcony

The proposed new dwelling is complementary in bulk and scale to the existing locality. The proposal will utilise compatible external colours and finishes to complement the landscaped character of the locality.

The proposal is supported by an Arboricultural Impact Assessment Report, prepared by SAS Landscape and Tree Services.

The development indices for the proposal are summarised as:

Site Area:	892m ²
Required soft landscaped area:	60% or 535m ²
Proposed soft landscaped area:	54% or 488m 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 submitted with the development application.

6.4 Pittwater Local Environmental Plan 2014

The site is zoned R2 Low Density Residential under the provisions of the PLEP 2014.



Fig 8: Zoning extract – Pittwater LEP 2014

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

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

It is considered that the proposed new 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 a new 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 proposal provides for a maximum height of up to approximately 6.8m in height and therefore readily complies with this control.

Clause 7.1 – Acid Sulfate Soils

The site is identified as being within the Class 4 Acid Sulfate Soils Area. The proposal does not seek to provide for any works more than 2m below the natural ground surface, and no further investigation is deemed necessary.

Clause 7.2 – Earthworks

The proposal will not see any disturbance to the existing site conditions. The works will be carried out in accordance with the consulting Structural Engineer, and therefore satisfy the provisions of this clause.

Clause 7.3 – Flood Planning

The site is identified as Low Risk on Council's Flood Risk Map, with a small portion of the north-eastern corner of the site being identified as Medium Risk. Accordingly, a Flood Report has been prepared by Barrenjoey Consulting Engineers Pty Ltd, Job No 210804 dated September 2021.

The report concludes:

The proposed works if carried out in accordance with recommendations within this Flood Inundation & Risk Assessment Report by Barrenjoey Consulting dated July 2021 will satisfy the intent of Northern Beaches Councils Water Management for Development Policy Section 10 Flood Risk Management and Pittwater 21 DCP Section B3.11 Flood Prone Land. Noting the following measures are to be implemented into the works –

- ***All occupants are to be informed of the sites flooding potential / impact and available warning services (ie : Councils Floodwatch, SES services etc).***

- ***All occupants are to be informed of the sites flooding potential / impact and the residences 'shelter in place' capacity.***
- ***All structures must be designed and constructed to ensure structural integrity up to the Flood Planning Level***
- ***All occupants are to be informed of the sites flooding potential and requirements for goods / valuables storage etc.***

It is to be noted that, due to the many complex factors that can affect a site, the subjective nature of a risk analysis, and the imprecise nature of the science of flood analysis, the risk of persons being injured, to life and property cannot be completely removed. The recommendations within this Report do not remove the risk associated with the predicted flooding event, though lower those risks to an acceptable level reasonably anticipated by the community in everyday life.

There are no other provisions of the Pittwater LEP 2014 that are relevant to the proposed works.

6.6 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.

6.6.1 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 demolition of the existing structures and the construction of a new 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 to accommodate the new works. The existing significant vegetation on the site will be retained.

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.

6.6.2 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 proposal will not require any major earthworks.

Subject to compliance with the recommendations of the consulting Structural Engineer, the proposal is considered to satisfy the provisions of this clause.

B4.4 Landscape and Flora and Fauna Enhancement Category 3 Land

The controls seek to achieve the outcomes:

- The long-term viability and enhancement of locally native flora and fauna and their habitats. (En)*

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

The existing significant trees on site will be retained and protected. Additional plantings will be provided as detailed in the submitted Landscape Plan prepared by SAS Landscapes, Project No 24921 dated 20 September 2021.

Subject to compliance with the recommendations contained within the report, the proposal will satisfy the provisions of this clause.

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.

The new works will be connected a dispersal trench within the rear yard, in accordance with the proposed Stormwater Management Plan prepared by Barrenjoey Consulting Engineers, Job No 210804 dated 27 September 2021. As the stormwater comprises roofwater only, there is not anticipated to be any adverse impact on the waterway. The proposal is therefore considered to satisfy the provisions of this clause.

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

The controls seek to achieve the outcomes:

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

The proposal will provide for the construction of a new dwelling and attached secondary dwelling. The proposed driveway crossing arrangements will provide suitable access to the property in accordance with Council's 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 retain the existing driveway and crossing which will facilitate access to the new garage. The proposed driveway is considered to provide safe access for the dwelling's occupants.

B6.3 Off-street Vehicle Parking Requirements

The controls seek to achieve the outcomes:

Safe and convenient parking (En, S)

The controls require a minimum of 2 parking spaces for a dwelling with 2 bedrooms or more. The proposal seeks to provide for a new double garage which complies with the provisions of this clause.

B8.1 Construction & Demolition – Excavation and Landfill

The controls seek to achieve the outcomes:

Site disturbance is minimised. (En)

Excavation and construction not to have an adverse impact. (En)

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

The proposal will not require any substantial disturbance of the site to accommodate the new works. The works will be carried out in accordance with the consulting Structural Engineer, and 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 the Avalon Beach locality.

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.

6.6.3 Section C Development Type Controls

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

C1.1 Landscaping

The controls seek to achieve the outcome:

- A built form softened and complemented by landscaping. (En)*
- Landscaping reflects the scale and form of development. (En)*
- Retention of canopy trees by encouraging the use of pier and beam footings. (En)*
- Development results in retention of existing native vegetation. (En)*
- Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)*
- Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)*
- Landscaping enhances habitat and amenity value. (En, S)*
- Landscaping results in reduced risk of landslip. (En, Ec)*
- Landscaping results in low watering requirement. (En)*

The proposal will not require the removal of any significant trees in order to accommodate the proposed works.

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 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 proposal provides for the construction of a new dwelling, including attached secondary dwelling and garage, which is modest in bulk and sale.

As the site and surrounding properties are relatively flat, the surrounding properties do not receive any significant views. The surrounding properties will largely retain their existing views.

C1.4 Solar Access

The controls seek to achieve the outcomes:

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

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter.

The proposal is accompanied by shadow diagrams (Drawing No's A251-1 & A252-1) which demonstrate the proposed overshadowing which occurs as a result of the new works.

Due to the northerly orientation of the subject site, the proposal will not unreasonably reduce solar access to the adjoining neighbours.

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 primary living areas are maintained at the ground floor level, which assists with minimising opportunities for overlooking.

The proposed rear ground floor deck provides ample separation to the eastern side boundary and is not substantially elevated above ground level, with the proposed privacy screening to minimise overlooking to the eastern neighbour.

The proposed attic level is incorporated in to the roof form, and does not comprise any side-facing windows.

The new works to the dwelling will not unreasonably overlook the neighbours, with the existing levels of amenity enjoyed by the neighbours to 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 works will maintain ample separation to living areas of adjoining properties, thereby maintaining suitable levels of acoustic privacy.

C1.7 Private Open Space

The controls seek to achieve the outcomes:

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)

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

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

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

6.6.4 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 alterations and additions which will maintain a bulk and scale which is in keeping with existing surrounding development.

The surrounding properties do not currently receive any significant views, and the modest works are not considered to result in any view impacts for nearby properties.

The setbacks provided reflect the setbacks of the adjoining properties.

The proposed new dwelling is well articulated to provide visual interest and reduce bulk 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.

D1.5 Building Colours, Materials and Construction

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

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

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

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

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

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

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

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

D1.8 Front Building Line

The controls seek to achieve the outcomes:

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

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

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

Vehicle manoeuvring 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 minimum front setback to the proposed garage and secondary dwelling will be from 6.5m and therefore complies with this control.

D1.9 Side and rear building line

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality. (S)*
- The bulk and scale of the built form is minimised. (En, S)*
- Equitable preservation of views and vistas to and/or from public/private places. (S)*
- To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
- To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)*
- Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)*
- Flexibility in the siting of buildings and access. (En, S)*
- Vegetation is retained and enhanced to visually reduce the built form. (En)*
- To ensure a landscaped buffer between commercial and residential zones is established. (En, S)*

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

The proposed new works will stand 2.5m and 1m from the eastern and western side boundaries respectively and therefore readily comply with this control.

The proposed dwelling will stand 11.8m from the rear boundary and therefore readily complies with the rear setback control.

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 proposal presents a minor variation to the building envelope for the western extremity of the new secondary dwelling over the garage, as indicated Sheets A 100-1.

The proposed alterations and additions result in a development which is in keeping with the architectural expression of the current building and will present a bulk and scale which complements the current dwelling. The development presents a one and two story form which is not visually prominent in the locality and through the articulation of the building form, disperses the visual bulk of the dwelling.

The proposal will maintain suitable solar access, amenity, and privacy for occupants of the adjoining dwellings.

Notwithstanding the minor variation with the building envelope control, the proposal will be in keeping with the desired outcomes of this clause and is worthy of support on merit.

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 additions and alterations to the current dwelling and associated works will provide for a soft landscaped area of 488m² or 54%, excluding the impervious area allowance.

With Council's 6% allowance for functional open space, a landscaped area of 60% is provided and therefore complies with this control.

D1.15 Fences – General

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality. (S)*
- To ensure fences compliment and conserve the visual character of the street and neighbourhood*
- To define the boundaries and edges between public and private land and between areas of different function.*
- To contribute positively to the public domain.*
- An open streetscape that allows casual surveillance of the street. (S)*
- Fences, where provided, are suitably screened from view from a public place. (S)*

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

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

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

New fencing is to be provided in accordance with the Dividing Fences Act 1991.

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 proposed demolition of the existing structures and the construction of a new dwelling and secondary dwelling, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 and Council's Codes and Policies, in particular the Pittwater 21 DCP 2014 and the Avalon Beach Locality Statement.

7.7 The suitability of the site for the development

The subject land is currently zoned R2 Low Density Residential under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

7.8 Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the proposed demolition of the existing dwelling associated structures and the proposed construction of a new dwelling and secondary dwelling, 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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