

30th October 2020

The General Manager
Northern Beaches Council
Attention: Maxwell Duncan
59A Old Barrenjoey Road
Avalon Beach NSW 2107

Statement of Environmental Effects and Schedule of Modification
Section 4.55 (1A) Environmental Planning & Assessment Act

Development Application No: DA 2020/0309
Date of Determination: 26th August 2020
Property address: 62 Riviera Ave Avalon Beach
Lot 19 DP 209443

1.Introduction

This submission has been prepared in support of an application seeking a minor modification to Development Consent No. DA2020/0309 pursuant to Section 4.55(1A) of the Environmental Planning & Assessment Act 1979

Consent for the development was granted on the 26.08.20

A Construction Certificate was issued on 21.10.20

The proposed modifications to the building are minor in nature and as proposed to better accommodate the site conditions encountered when the site was being prepared for commencement of work and as a result of additional structural engineering requirements.

There is no change to the environmental impact of the building. The original advice from Consultants including Arborist (no additional trees removed/affected), Ecologist, Geotechnical, Hydraulic and Waste Management is still relevant. As such those reports included in the original application have not been resubmitted but are available should they be required. Amended Driveway drawings prepared by consulting engineer Waterdesign Civil engineers are included Ref 2020-006 RevB.

This statement (which includes a written schedule of modifications to the original consent) is to be read in conjunction with the following attached architectural drawings and written documentation. The modifications sought are labelled and shaded on the drawings for clarity:

Type	Plan no:	Revision/ Issue No	Plan Date (as amended)	Duktig Design Pty Ltd
Drawing Register	A000	D	30.10.20	

Site Plan	A004	D	30.10.20	
Lower Ground Floor Plan	A005	D	30.10.20	
Ground Floor Plan	A006	D	30.10.20	
Elevations S & E	A009	D	30.10.20	
Elevations N & W	A010	D	30.10.20	
Sections	A011	D	30.10.20	

2. Schedule of Modifications to Development Application DA2019/211.

	Modification Description	Reason for Modification
Ground Floor Plan	<p>Window W13 overhead kitchen deleted</p> <p>Internal stair tread arrangement amended</p>	<p>Internal layout considerations</p> <p>Internal layout considerations AS compliance</p>
Lower Ground Floor	<p>Garage slab FFL to be lowered by 250mm and driveway RL's adjusted accordingly. (Refer Civil engineer drawing)</p> <p>Structural columns and associated footings required by engineer as indicated to support ground floor works.</p> <p>Nibs of external walls to be extended to align with ground floor over to provide additional structural support as required by engineer.</p>	<p>Site and budget consideration. Due to the fall of the land, thos slab lowering will result in a consistency to natural ground at the front and hence reduce the requirement for fill and retaining walls.</p> <p>Structural Engineering requirements and budget considerations</p> <p>Structural Engineering requirements and budget considerations,</p>
External Works	<p>Reinstatement of natural grade to rear of the property and associated landscaping.</p>	<p>Structural Engineering requirements and budget considerations, The straight retaining wall form is a more conventional construction. Construction will be in accordance with the structural engineers details.</p>

Assessment of Environmental Effect of modifications

COMPLIANCE WITH DEVELOPMENT STANDARDS

The modified proposal does not involve any changes to the overall design, height and scale of the building and will therefore be consistent with the relevant objectives and planning controls of the LEP and DCP. An assessment of the proposal against the main and relevant provisions of these standards is set out below.

1.0 ZONING AND DEVELOPMENT CONTROLS

The subject land is 62 Riviera Avenue, being Lot 19 within Deposited Plan 209443

1.1 *State and Environmental Planning Policy (Building Sustainability Index)*

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

The proposal is consistent with the objective of the zone.

1.2 *Pittwater Local Environment Plan 2014*

Land Use Zoning

The site is zoned as E4 Environmental Living according to Pittwater Local Environmental Plan 2014 (WLEP 2014).

The proposal is consistent with the objective of the zone.

Clause 4.3 Height of Buildings

MODIFICATION TO THE CONSENT: No change.

3.2.3 Tree Preservation

MODIFICATION TO THE CONSENT: No change.

3.2.4 Acid sulfate soils.

MODIFICATION TO THE CONSENT: No change.

3.2.5 Earthworks

MODIFICATION TO THE CONSENT- Refer Section B8.1 below

3.2.6 Biodiversity protection

MODIFICATION TO THE CONSENT: No change.

3.2.7 Geotechnical Hazards

MODIFICATION TO THE CONSENT: No change.

1.3 *Pittwater Development Control Plan 2014*

Council's Pittwater 21 DCP Part B (General Controls), Part C (Design Criteria) and Part 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.

6.3.1 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 Proposal remains consistent to this locality

1.3.1 *Part B General Controls*

This statement addresses the applicable general controls applicable to the proposed alterations and additions in this project, specifically

B 3.1 Landslip Hazard

MODIFICATION TO THE CONSENT: No change.

B3.2 Bushfire Hazard

MODIFICATION TO THE CONSENT: No change.

B4.6 Wildlife Corridors

MODIFICATION TO THE CONSENT: No change.

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

MODIFICATION TO THE CONSENT: No change.

B6.1 Access driveways and works on the Public Road Reserve – Low Density Residential

MODIFICATION TO THE CONSENT: No change.

B6.3 Internal Driveways – Low Density Residential

MODIFICATION TO THE CONSENT:

The controls seek to achieve the five main objectives:

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

The existing driveway is proposed to be modified in terms of the RL's at transition to the garage. There will be reduced impact as a result of this modification. The modification provides for a more site integrated and environmental sensitive solution while still ensuring provide a safer accesss to the proposed garage and carstand.

B6.5 Off-street Vehicle Requirements – Low Density Residential

MODIFICATION TO THE CONSENT: No change.

B8.1 Construction & demolition – excavation and landfill

MODIFICATION TO THE CONSENT:

The controls seek to achieve the three main outcomes:

- Site disturbance is minimized
- Excavation and construction not to have an adverse impact.
- Excavation operations not to cause damage on the development or adjoining property.

During site preparation it became apparent that the slope of land to the southern western garage would result in additional fill and retaining to be required to achieve the proposed FFL of garage. The proposed amended garage slab FFL and driveway adjustment is very minor in nature (250mm max) and is proposed to further reduce site impacts with improved integration to existing site RL's.. The proposed amendment is a more site sensitive approach. It is noted the existing entry/ store/ laundry and wet area FFL is retained.

The garage is situated carefully to provide acceptable gradient in the driveway and direct access via stairs or lift into the home.

There will be some additional minor excavation associated with footings for required additional structural columns nominated by Structural Engineer.

B8.2 Construction & Demolition – Erosion and Sediment Management

MODIFICATION TO THE CONSENT: No change.

Part C Design Criteria

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

C1.1 Landscaping

MODIFICATION TO THE CONSENT: No change.

C1.2 Safety and Security

MODIFICATION TO THE CONSENT: No change.

C1.3 View Sharing

MODIFICATION TO THE CONSENT: No change.

C1.4 Solar Access

MODIFICATION TO THE CONSENT: No change.

C1.5 Visual Privacy

MODIFICATION TO THE CONSENT: No change.

C1.6 Acoustic Privacy

MODIFICATION TO THE CONSENT: No change.

C1.7 Private Open Space

MODIFICATION TO THE CONSENT: No change.

C 1.12 Waste and Recycling Facilities

MODIFICATION TO THE CONSENT: No change.

D1.1 Character As Viewed From A Public Place

MODIFICATION TO THE CONSENT: No change.

D1.4 Scenic Protection – General

MODIFICATION TO THE CONSENT: No change.

D1.5 Building Colours, Materials and Construction

MODIFICATION TO THE CONSENT: No change.

D1.8 Front Building Line

MODIFICATION TO THE CONSENT: No change.

D1.9 Side and rear building line

MODIFICATION TO THE CONSENT: No change.

D1.11 Building Envelope

MODIFICATION TO THE CONSENT: No change.

D1.14 Landscaped Area – Environmentally Sensitive Land

MODIFICATION TO THE CONSENT: No change

D1.15 Fences – General

MODIFICATION TO THE CONSENT: No change

Various retaining walls are proposed in the development. Both the Arborist and Geotechnical Engineer have provided advice that has guided the design of the proposal and provided conditions to guide construction method.

D1.17 Construction, retaining walls, terraces and undercroft areas

During preparation of Construction documentation the structural engineer has nominated additional steel columns to support ground floor verandah, rear deck and bedroom 3.

To further assist with these structural requirements it was also requested to extend the nibs only of the external eastern walls to the underside of ground floor over.

There is no additional impact resulting from this modification as this does not result in an increase of floor space, overshadowing, setbacks or privacy.

The rear retaining wall is proposed to be modified to be simplified and straightened for structural integrity and efficiency as opposed to replacing the existing curved retaining wall currently approved. Both the Arborist, Structural and Geotechnical Engineer have provided advice that has guided the design of the proposal and provided conditions to guide construction method.

7.0 Matters for Consideration under Section 79c 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 draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

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 Part B, Part C and Part D of the Pittwater 21 DCP. The proposed design carefully considers 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 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

No relevant matters are raised in regard to the proposed development.

7.5 Any matter prescribed by the regulations that apply to the land to which the development relates. No relevant matters are raised in regard to the proposed development.

7.6 Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979).

No relevant matters are raised in regard to the proposed development.

7.7 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 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 consideration 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.

7.8 The suitability of the site for the development

The subject land is currently zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

7.9 Submissions made in accordance with this Act or the regulations

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

7.10 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.

Conclusion

The proposed amendments described above are minor in nature and modification of the consent as proposed will not involve any inconsistency with the aims and objectives of the LEP or the objectives and controls of the DCP. The amendments proposed will also have no adverse environmental impacts on the immediate surrounds and we therefore seek approval for the application in its current form.

Kind Regards

Alexandra Warrener

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