

STATEMENT OF ENVIRONMENTAL EFFECTS

134C ELIMATTA ROAD, MONA VALE

**USE OF EXISTING STRUCTURE AS A NON-HABITABLE
OUTBUILDING**

**PREPARED ON BEHALF OF
Mr Kim Piper**

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1. INTRODUCTION

This application seeks approval for the use of an existing structure as a non-habitable outbuilding upon land at Lot 4 in DP 243757 which is known as **No. 134C Elimatta Road, Mona Vale**.

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

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

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

- Survey Plan prepared by Waterview Surveying Services, Ref No. 2040ident 1, Issue B and dated 10/09/2025.
- Architectural Plans prepared by Peter Formosa, DWG No. 134 A- 1 and dated 08/07/2025.

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 subject site is identified as Lot 4 in DP 243757 which is known as 134C Elimatta Road, Mona Vale. The site is battle axe allotment located on the southern side of Elimatta Road. Access to the site is via a shared bitumen driveway located within the reciprocal rights of way servicing the subject site and No. 134A, 134B and 138 Elimatta Road. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a single storey clad dwelling house and a detached clad outbuilding with metal roof. A separate Building Information Certificate (BC2025/0265) has been submitted to authorise the construction of the detached outbuilding.

The outbuilding is located towards the eastern corner of the site and was constructed over an existing concrete driveway.

The site falls from the driveway towards the rear boundary.

The site is depicted in the following photographs:



View of Existing Structure from Driveway



**View of Site from the Accessway to No. 134B –
structure screen by existing vegetation**

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on similar sized allotments.

The subject site and existing surrounding development are depicted in the following aerial photograph:



Aerial Photograph of Locality

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the use of an existing structure as a non-habitable outbuilding.

This works does not propose any physical works.

A separate Building Information Certificate (BC2025/0265) has been submitted to authorise the construction of the detached outbuilding. This structure was constructed over an existing concrete driveway and as such there is no reduction in landscaped area.

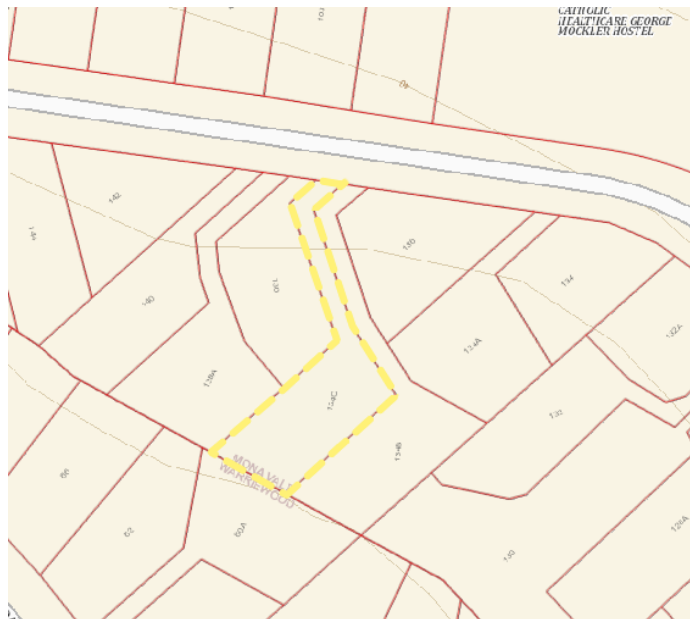
There are no other works associated with this application.

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 Northern Beaches Council.

4.1 Planning for Bushfire Protection 2006

The subject site is not identified as bushfire prone vegetation buffer on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

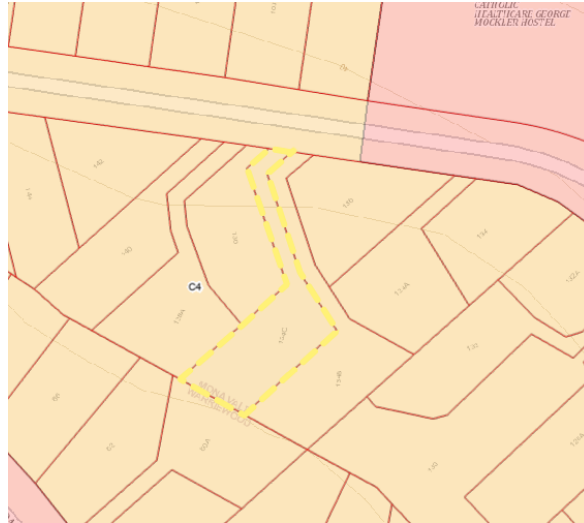


Extract of Bushfire Map

4.2 Pittwater Local Environmental 2014

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.

The site is zoned C4 Environmental Living under the provisions of the PLEP 2014. Dwelling houses and associated development are permissible in this C4 zone. Use of an existing structure as a non-habitable ancillary to an existing dwelling is permissible in this zone with the consent of Council.



Extract of Zoning Map

Clause 4.3 (Height of Buildings) specifies a maximum building height of 8.5m. The detached outbuilding is single storey with a maximum building height of 2.5m which complies with this clause.

There are no other provisions of the Pittwater Local Environmental Plan 2014 that apply to the proposed development.

4.3 Pittwater Development Control Plan 2011

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D9 Mona Vale Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

Part B General Controls

The General Controls applicable to the proposed non-habitable are summarised as:

B4.5 Landscape Flora and Fauna Habitat Enhancement Category 3 Land

This application is for the use of an existing structure as a non-habitable outbuilding. The proposal does not require the removal of any vegetation.

B5.15 Stormwater

All stormwater collected from the as constructed building will be discharged to the existing stormwater system.

B6.3 Off-Street Vehicle Parking Requirements

The proposal maintains sufficient area on site for parking of two vehicles on the existing driveway ways. The proposal complies with this clause.

Part C Design Criteria

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

C1.1 Landscaping

The works were constructed predominantly over an existing hard surface area and did not require the removal of or impact on any protected trees.

C1.3 View Sharing

The subject and adjoining properties do not currently enjoy any significant views. Notwithstanding, the outbuilding is a single storey structure with a low pitched roof which has a maximum height of less than 3.0m and does not obstruct any significant views. The proposed use of the existing structure does not affect any views from surrounding properties or the public domain.

C1.4 Solar Access

The structure is single storey with a flat roof and does not result in any significant overshadowing. This application is only for the use of the existing structure and does not have any impact on solar access of the adjoining property.

C1.5 Visual Privacy

This application seeks to use the existing outbuilding as a non-habitable structure. The structure does not provide for any windows on the side southeast elevation. There are no views into the adjoining property. Further, the structure is adjacent to a hardstand parking area. The proposed use will not reduce privacy of the adjoining property.

The proposal complies with this clause.

C1.6 Acoustic Privacy

The structure will be utilised as a non-habitable outbuilding and will not have any impact on existing acoustic privacy to surrounding properties.

C1.7 Open Space

The works were constructed over an existing hard paved area and does not impact on the existing private open space, which is located in the rear southwest yard.

Part D Design Criteria

A summary of the DCP controls for the **D9 Mona Vale Locality** is provided below:

D9.1 Character as Viewed from a Public Place

The site is a battle axe lot and the structure is not visible from the public domain. Notwithstanding, the structure, which is single storey with a flat roof is a not dominant when viewed from the shared accessway. The existing vegetation obscures the majority of the structure from the accessway and adjoining properties.

D9.2 Scenic Protection

The works were constructed predominantly over an existing hard stand area and did not require the removal of any protected vegetation. The use of the structure does not have any impact on the scenic protection of the locality. The works complied with this clause.

D9.11 Landscaped Area – Environmentally Sensitive Land

The works were constructed over an existing hard surface area and did not reduce landscaped area. This application does not provide for any physical works.

There are no other provisions of the DCP that apply 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 2011. The site is zoned C4 Environmental Living under the provisions of the LEP. Use of an existing structure as a non-habitable outbuilding ancillary to an existing dwelling is permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

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

The Likely Impacts of the Development

It is considered that the development which seeks approval for the use of an existing structure as a non-habitable outbuilding without any detrimental impact on the environment, social and economic status of the locality. The proposal does not require the removal of any vegetation, there are no physical works and there is no detrimental impact on the adjoining properties.

The Suitability of the Site for the Development

The subject site is zoned C4 Environmental Living and the use of an existing structure for a non-habitable outbuilding ancillary to an existing dwelling in this zone is permissible with the consent of Council.

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 use of an existing outbuilding as a non-habitable structure that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the use of an existing structure as a non-habitable outbuilding ancillary to an existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Pittwater Local Environmental Plan 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 use of an existing structure as a non-habitable outbuilding ancillary to an existing dwelling at **No. 134C Elimatta Road, Mona Vale** is worthy of the consent of Council.

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