



5 ELVINA AVENUE AVALON BEACH

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING



Report prepared for
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March 2020

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1.0 Introduction

1.1 This is a statement of environmental effects for the alterations and additions to an existing two storey dwelling, being a double carport, at 5 Elvina Avenue, Avalon Beach.

1.2 The report describes how the application addresses and satisfies the objectives and standards of the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

1.3 This statement of environmental effects has been prepared with reference to the following:

- Site visit
- Architectural drawings prepared by Nvisage
- Survey prepared by Northwest Surveys
- Flood Report prepared by Waddington Consulting Pty Ltd

1.4 The proposed development is compliant with the objectives of Council controls, considerate of neighbouring residents, the topography of the site and streetscape and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1** The site is located on the south-east side of Elvina Avenue, approximately 20 metres south of its intersection with John Street in Avalon Beach.
- 2.2** It is parallelogram shaped lot with a frontage and rear boundary of 13.555 metres and side boundaries of 62.27 metres. The site has a total area of 843.75m².
- 2.3** The site is currently occupied by a two storey clad dwelling with a metal roof. The second storey of the existing dwelling is centrally located, with the dwelling being single storey at the front and rear.
- 2.4** The frontage of the site is relatively level with a 10m verge between Elvina Avenue and the site boundary creating a long concrete driveway. The driveway slopes towards the dwelling and contains two water collection drainage sites.
- 2.5** The neighbouring lot to north and some surrounding residential dwellings include carports at the front.
- 2.6** The site is surrounded by detached residential dwellings in all directions, with a small electricity substation lot to the rear and Barrenjoey Road to the south and east. Hitchcock Park and Careel Creek are to the north and west and the Avalon retail centre and beach to the south and east.

5 Elvina Avenue, Avalon Beach

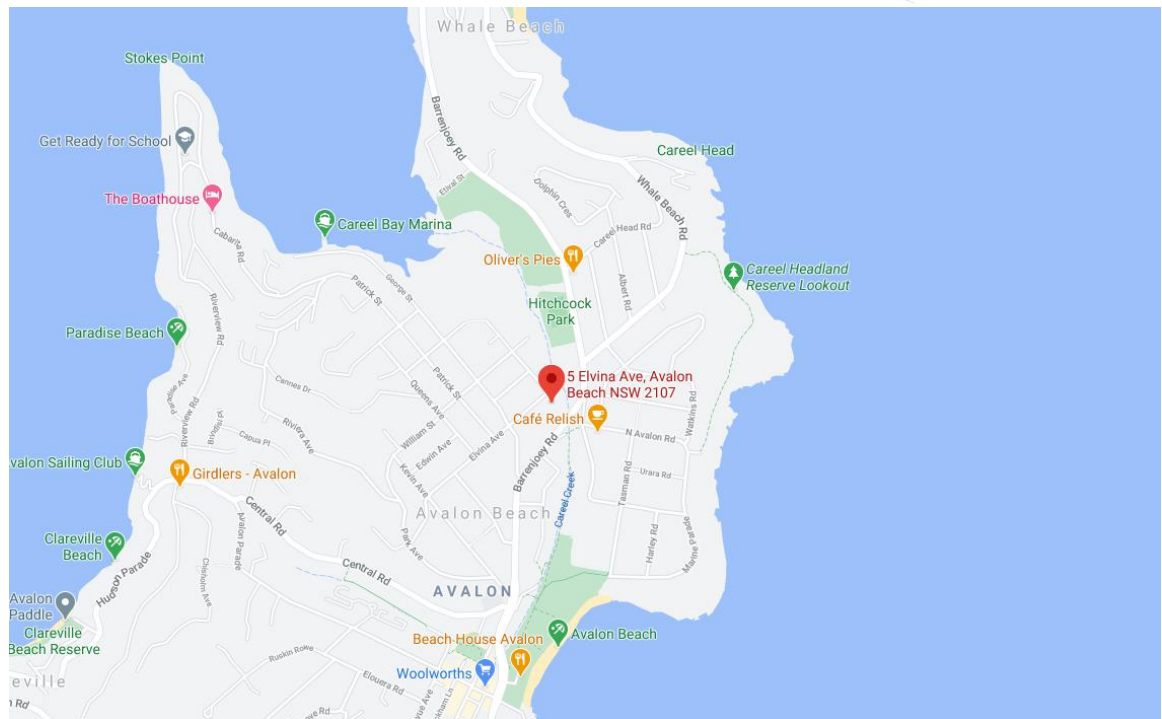


Figure 3 The site and it's immediate surrounds



Figure 4 The site viewed from Elvina Avenue



Figure 5 The existing driveway including the council verge



Figure 6 Carport on the adjoining property to the north



Figure 7 Existing carport on Elvina Avenue



Figure 8 Existing carport on Elvina Avenue

3. Proposed Development

- 3.1** The development is for a new double carport at the front of the dwelling and a new front fence and gate.

3.2 Carport

The proposed carport will be 6.5m in length and 5.8m in width. It will have an angled roof line consistent with the garage and be constructed of the same fascia and roof material of the dwelling.

- 3.3** The proposal also includes a new proposed path entry and a new 1.5m high timber, front fence and gate.

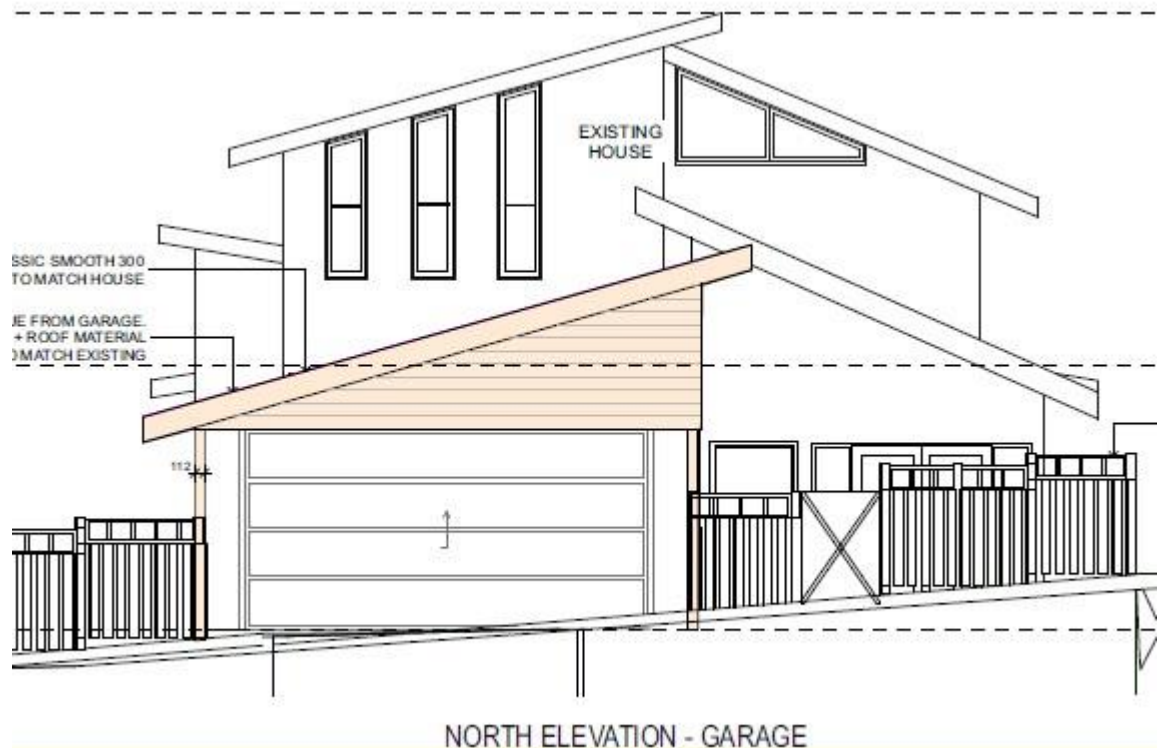


Figure 9 Perspective of proposed carport

- 3.4** The proposed alterations have been designed to complement the existing dwelling and are consistent with the streetscape character of the area as various surrounding sites contain similar carports. The design will also allow for off street and undercover parking for the additional family cars which currently don't fit in the garage.

4. Zoning

- 4.1** The zoning under the provisions of the Pittwater LEP 2014 is R2 Low Density Residential.

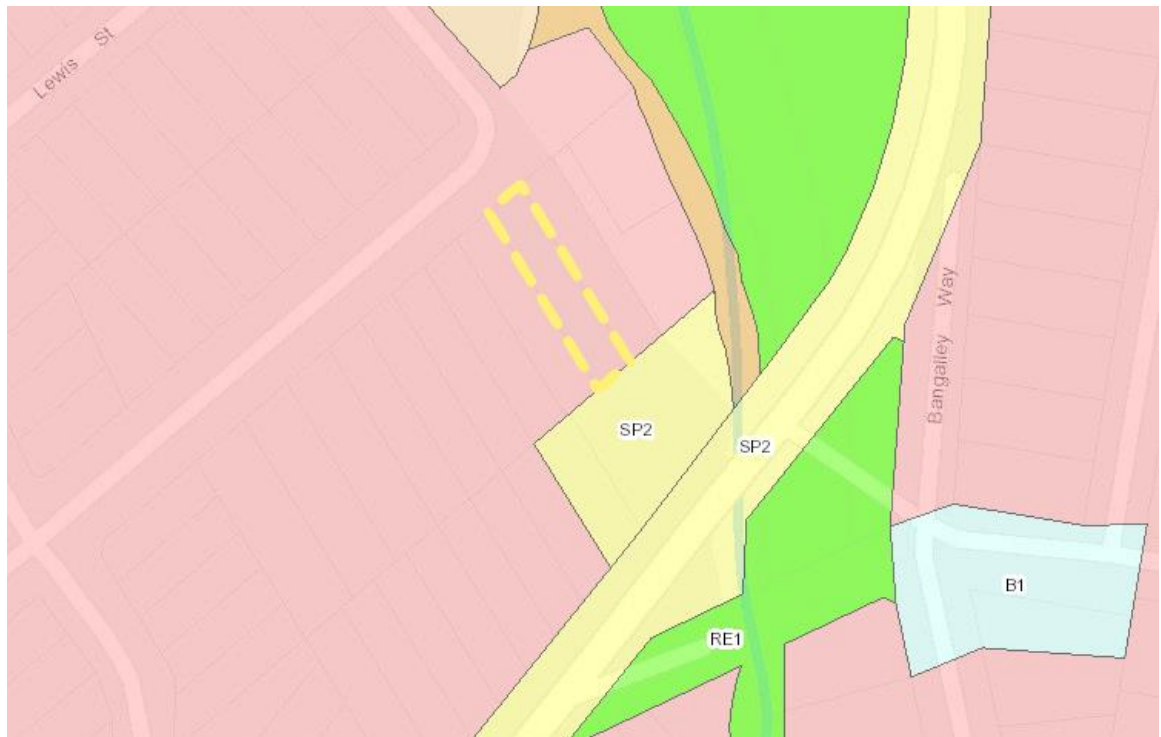


Figure 10 Extract from PLEP2014 zoning map

- 4.2** A residential dwelling and associated alterations and additions including a carport are permissible uses with Development Consent.

5. Statutory Framework

5.1 State Environmental Planning Policies

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

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development does not propose the removal of any vegetation and existing landscaping will be retained on the site.

State Environmental Planning Policy 55 – Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for recreational purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

State Environmental Planning Policy (Coastal Management) 2018

Clause 12 Development on land within the coastal vulnerability area

The subject land has not been included on the Coastal Vulnerability Area Map under State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP).

Clause 13. Development on land within the coastal environment area

The site is mapped as 'Coastal Environment Area' by State Environmental Planning Policy (Coastal Management) 2018, accordingly the consent authority must consider clause 13 of the SEPP.



Figure 11 Extract from SEPP Maps

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

The proposed development is located over the existing driveway and on disturbed areas of the site. It will not impact upon the biophysical, hydrological or ecological environments.

(b) coastal environmental values and natural coastal processes,

There will be no impact on environmental values or natural coastal processes.

(b) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

The proposal will not result in a decrease to water quality leaving the site.

(c) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

There will be no impact on vegetation, habitats, headlands or rock platforms.

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed development will not result in any change to the existing access to and along the foreshore and beach.

(f) Aboriginal cultural heritage, practices and places,

The location of the proposed addition is highly disturbed, there will be no impacts on Aboriginal cultural heritage, practices and places.

(g) the use of the surf zone.

There will be no impact on the surf zone.

Clause 14 Development on land within the coastal use area

The site is mapped as 'Coastal Use Area' by State Environmental Planning Policy (Coastal Management) 2018, accordingly the consent authority must consider clause 14 of the SEPP.

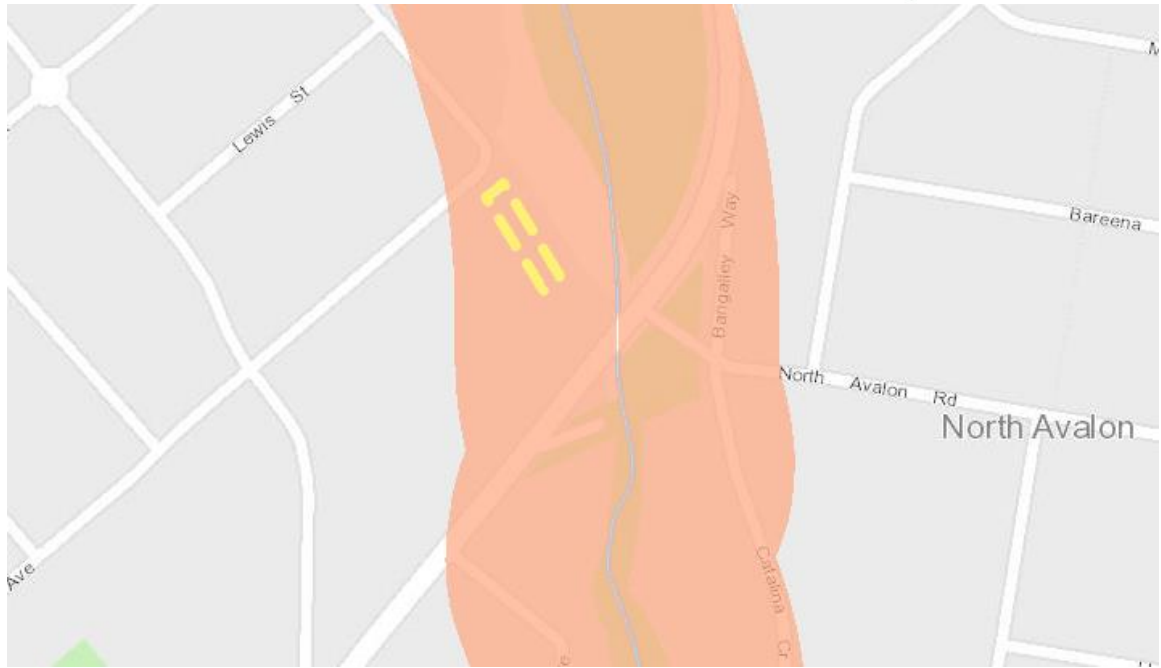


Figure 12 Extract from SEPP Maps

(1) *Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:*

(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed development will not result in any change to the existing access to and along the foreshore and beach.

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

The proposed development does not increase overshadowing or wind funnelling, with the development being typical of other residential works along the foreshore. There will be no loss of views from public places to foreshores.

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

The design and appropriate scale and siting of the proposal ensures scenic quality of the coast is maintained, with the scale, materials and colours consistent with existing development.

- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

The location of the proposed addition is highly disturbed, there will be no impacts on heritage.

(b) is satisfied that:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

As described above the proposed development is located on a highly disturbed area of the site and is an addition to an existing dwelling. It is concluded that there will be no adverse impacts as referred to in (a).

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

The appearance of the proposed extension is consistent with the surrounding coastal and built environment and is of an appropriate scale when considered against both the existing dwelling and surrounding properties.

5.2 Pittwater Local Environmental Plan 2014

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

Zoning

The site is zoned R2 pursuant to the provisions of the Pittwater Local Environmental Plan 2014. The proposed additions to the dwelling are permissible uses in the R2 zone which permits residential dwellings and carports with development consent.

Minimum Lot Size

A minimum lot size of 700m² applies to the site. No subdivision is proposed as a part of this development.

Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development complies with this with the maximum height of the new roof line being 3.05 metres and is in line with the existing garage.

Floor Space Ratio

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

Acid Sulphate soils

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

Earthworks

No earthworks are proposed.

Geotechnical Hazard

The site is not located within the geotechnical hazard zone mapped by Council's LEP.

Biodiversity

The site is not nominated on the biodiversity maps within the LEP though does adjoin sites mapped as terrestrial biodiversity.

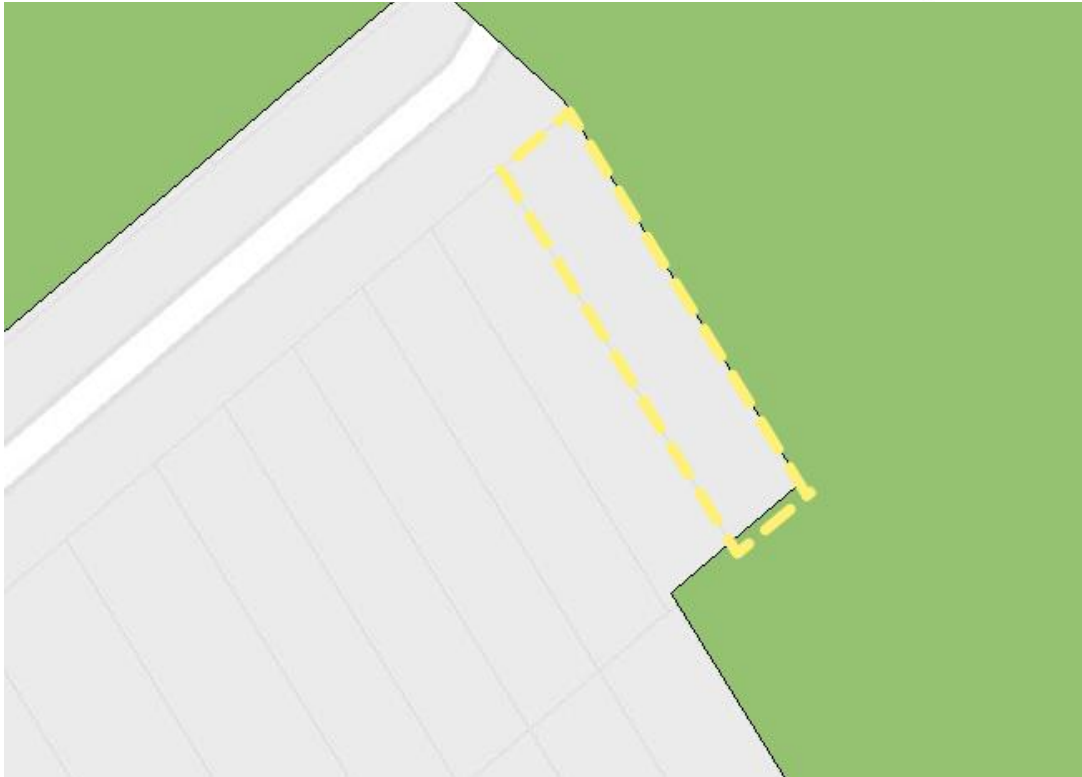


Figure 13 Extract from LEP Maps

As the site bounds the zone and is in close proximity to wetland areas, an assessment is provided below pursuant to the LEP considerations.

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

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

The proposed development will have a limited and appropriate impact on the existing environment, being of small scale and being constructed in an area which is primarily cleared land.

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

No significant vegetation will be impacted by the minimal development proposed on the already developed site.

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

Biodiversity will be unaffected by the proposed development which is within a cleared portion of the site and is minimal in scale.

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

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

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

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

Council must also consider and be satisfied of the following:

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

The design of the proposal is appropriate, minimal and well design for the site. It will not be to the detriment of the environmental qualities of the location.

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

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

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

There are no detrimental impacts.

Essential services

The dwelling is existing and is already serviced. We note that these services will be retained.

Flood Planning

The subject site is partly mapped as a medium and low-risk flood hazard precinct by the NBC Flood Hazard Map. No works are proposed within these zones and

works are not habitable floor area. The proposal has been designed to ensure the flow of flood waters will not be impeded. The proposal will not increase the risk to life from flooding and is therefore considered appropriate for the site. “

The flood report under separate cover concludes “The proposed works are not expected to have an impact on upstream or downstream flood levels, flow velocities or distribution, flood response or the safe evacuation of the property or neighbourhood. They are able to be constructed in full compliance with the LEP and DCP.

NBC Flood Hazard Map
 ■ High risk precinct
 ■ Medium risk precinct
 ■ Low risk precinct

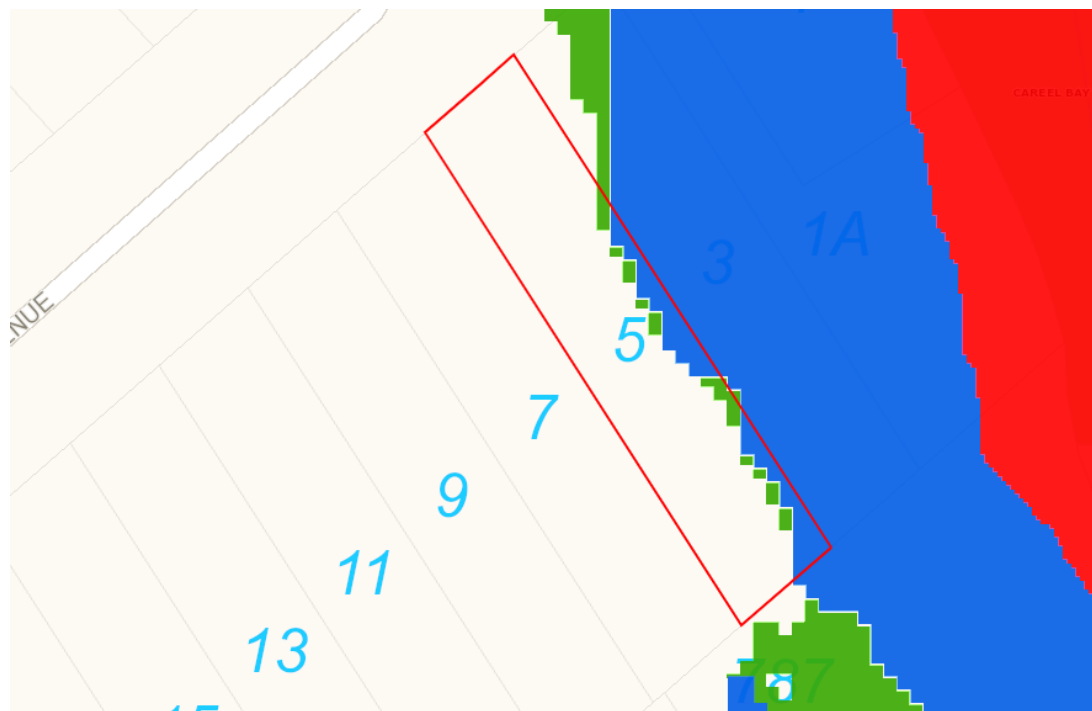


Figure 14: Extract NBC Flood Hazard Map

Geotechnical Hazard

The site is not identified on the LEP geotechnical hazard map.

5.2 Pittwater Development Control Plan

The relevant sections of the DCP are addressed below.

Objectives

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

Part A Localities

Avalon Beach Locality

The site is located within the Avalon Beach Locality. The proposed development has been designed taking into consideration the desired character of the location. The small proposal is well designed to ensure retention of the character sought by Council and enhance amenity for the site. The proposal is consistent with the streetscape of the area with various other sites containing similar carports.

Part B General Controls

Heritage Conservation

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

Aboriginal heritage Significance

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

Landslip Hazard

The subject site is not located in a geotechnical hazard zone.

Acid Sulphate Soils

The site is affected by Class 5 acid sulphate soils. This will have no impact for the proposed development.

Contaminated and potentially contaminated lands

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

Flood Hazard

The site abuts a flood prone zone as discussed above and in the Flood Report.

Bushfire Prone Land

The subject site is not located in a nominated bushfire zone.

Landscape and Flora and Fauna Habitat Enhancement Category 3

The proposal will have no impact on the flora and fauna of the locality, with no significant vegetation to be removed, or any development threatening the landscaped surrounds. The development has been designed to avoid all trees on the site and the area will ensure that native vegetation and wildlife corridors are retained and encouraged.

Water management

The site is connected to the sewer system.

Access and parking

Parking on site will be improved with a double carport proposed at the front of the existing garage. The proposed carport is similar to various other developments in the street. The proposed carport is significantly set back from the road due to a large grass verge. The proposal will fulfil the required dimensions to meet Council and Australian Standards dimensions.

The existing driveway will be retained and a new pathway from the front boundary to the existing pathway is proposed to provide safe pedestrian access to the dwelling.

Site works and management

All Council controls and conditions of consent will be complied with during the construction works. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

Part C Design Criteria for Residential**Landscaping**

A landscaped area of 60% is required for residential developments. The proposal will use the existing driveway and remove an existing path. The result is that the existing landscaped area of 40.56% is increased to 41.74%, which is a benefit to the site. No landscape area or vegetation will be lost.

Safety and Security

The additions to the existing dwelling (the carport) will be positive with regard to ensuring surveillance and security.

View Sharing

No views will be impacted by the proposed development.

Visual Privacy

The proposal will have no impact on visual privacy.

Acoustic Privacy

The proposal will have a negligible impact for neighbour's acoustic privacy, with the development typical of the residential environment.

Private Open Space

The proposal will have no impact on private open space.

Waste and Recycling Facilities

These will remain as required by Council.

Part D - Avalon Beach Locality

The site is located in the Avalon Beach Locality and will be appropriate within the desired character, built form and natural environment criteria as specified in the DCP. The extensions and alterations to the dwelling will be appropriate within the landscaped streetscape setting.

Character

The proposed additions (the carport) is of appropriate architectural design and colour to complement the existing dwelling and the streetscape and will be a positive addition when viewed from the public domain. The extensive grass verge allows for an appearance of greater setback and the carport will be consistent with the northern neighbour.

Scenic Protection

The site is not visible from a park or waterway.

Building colours, materials and construction

The carport is to be constructed with support posts painted to match the house colour, the gable will be weathertex – classic smooth 300 to match the dwelling and roof material and fascia will match the existing dwelling.

Front Building Line

A front setback of 6.5 metres or the established building line is required. The dwelling has a setback of 8.866 metres.

The proposed carport is setback 2.366 meters from the front site boundary but is setback approximately 12m from the street due to the large council verge between Elvina Avenue and the front boundary of 5 Elvina Avenue.

The proposed front setback for the carport is consistent with various other carports in the street with similar setbacks including the adjoining dwelling to the north-east (refer to Figure 11). The proposal is considered appropriate as proposed.

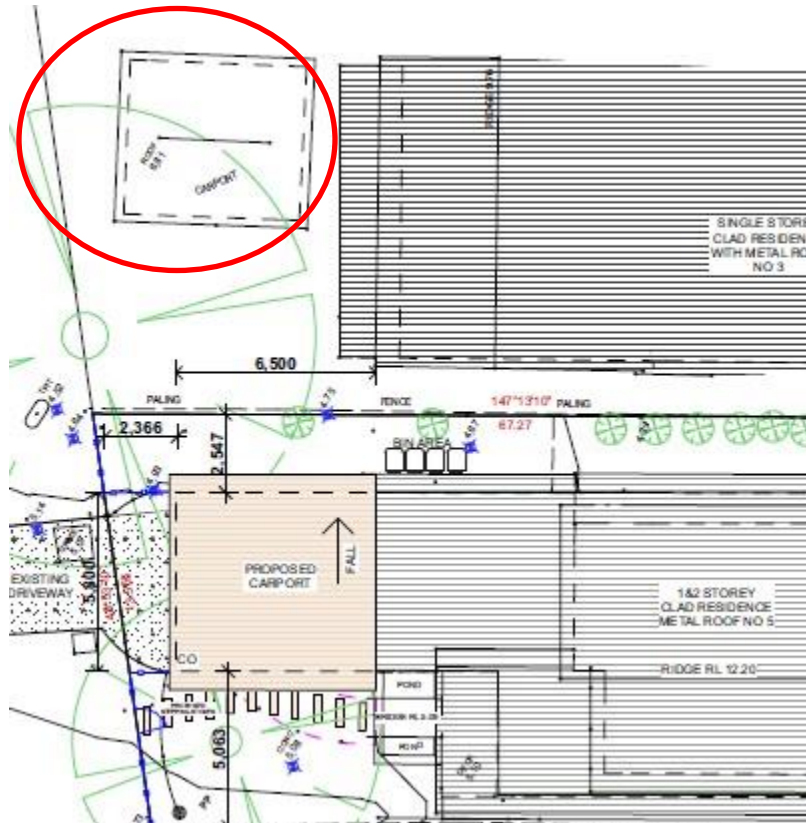


Figure 15 Location of adjoining carport with similar front setback

Side and Rear setbacks

Side setback of 2.5 metres on 1 side and 1 metre for the other side are required. The additions propose to retain the existing setbacks for the carport of 2.599m. This is easily compliant with Council's controls.

Building envelope

A building envelope of 45° and 3.5 metres applies to the site. There are no breaches which result from the proposed development.

Landscaped Area – Environmentally Sensitive Land

A landscaped area of 60% is required for residential developments. The proposal will use the existing driveway and remove an existing path. The result is that the

existing landscaped area of 40.56% is increased to 41.74%, which is a benefit to the site.

Fences - Flora and Fauna Conservation Areas

A new 1.5m high timber, front fence and gate is proposed. The structure is large open and has been designed to complement the dwelling, the streetscape and be compatible with flood waters.

6. Section 4.15 Considerations

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

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

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

The development is permissible in the R2 zone.

6.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality

Context and Setting

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

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

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

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

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

The proposed alterations and additions have been designed to complement the site and its surrounds. The addition is appropriate and will have appropriate and complementary impacts for adjacent properties.

Access, transport and traffic

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

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

Traffic will be unaffected by the proposed development. Improved parking will result with additional on-site spaces proposed.

Public domain

The proposed development will have positive impacts on the public domain (i.e. roads, parks etc.), with appropriate and attractive alterations proposed. The proposed carport is consistent, with regard to setback and design, with the public domain and streetscape of the area.

Utilities

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

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

No natural hazards impact the site.

Economic impact in the locality

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

Site design and internal design

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

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

The proposed alterations and additions are highly appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and the building on the site and the surrounding area. The proposed carport is consistent, with regard to setback, size and design, with the public domain and streetscape of the area.

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

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

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

Construction

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

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

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

6.3 The suitability of the site for the development

Does the proposal fit in the locality?

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

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the minimal additions proposed.

6.4 Any submissions received in accordance with this Act or the regulations

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

6.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate and positive additions to an existing dwelling.

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

7. Conclusions

- 7.1** The proposed development application for the alterations and additions to an existing dwelling at 5 Elvina Avenue, Avalon Beach is appropriate considering all State and Council controls.
- 7.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3** Considering all the issues, the development is considered worthy of Council's consent.