

STATEMENT OF ENVIRONMENTAL EFFECTS

for

Alterations & additions to dwelling

At

8 Williams Street, Avalon

For

Ms. Elaine Austin

prepared by
Kim Burrell

Kim Burrell Town Planning Consultant

phone: 0400 80 13 14
email: kim@btpplan.com.au

October 2021

1. INTRODUCTION

This Statement of Environmental Effects accompanies an application to carry out alterations and additions to the existing dwelling at 8 Williams Street, Avalon, as shown in the drawings numbered A06-A13, prepared by Justin Long Design and dated 22.10.21.

- Detail survey, prepared by Azimuth Surveyors Pty Ltd, Ref. No. 1775-21 Det and dated 10.09.21
- BASIX certificate
- Title page with BASIX notes/materials and finishes schedule, Dwg No A00, prepared by Justin Long Design and dated 22.10.21
- Existing floor plans, Dwg No A01-A05, prepared by Justin Long Design and dated 22.10.21
- Proposed roof & concept stormwater plan, Dwg No A06, prepared by Justin Long Design and dated 22.10.21
- Site Analysis & Proposed Landscape Plan, Drawing No A14, prepared by Justin Long Design and dated 22.10.21
- Sediment & erosion control plan, Dwg No A15, prepared by Justin Long Design and dated 22.10.21
- Floor space ratio calculation plan, Dwg No A16, prepared by Justin Long Design and dated 22.10.21
- Shadow diagrams, Dwg No A17-19, prepared by Justin Long Design and dated 22.10.21
- Bushfire report, prepared by Bushfire Planning and design and dated October 2021

The statement addresses the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act* (the Act) as well as matters relating to environmental impacts required by Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. It should be read in conjunction with the following documents that accompany the application:

2. LOCALITY AND SITE

The site, known as 8 Williams Street, Avalon, is located on its northern side, a short distance north of its junction with Park Avenue and Kevin Avenue (See locality plan overleaf).

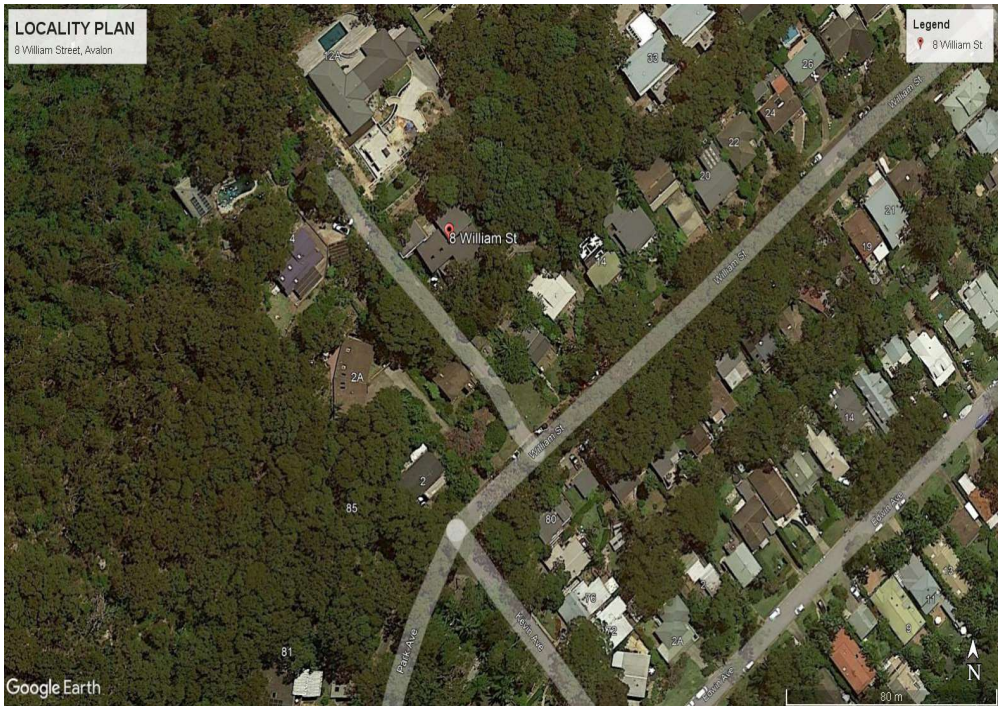
The site, comprising Lot 1 in DP 1128673 is battle-axe in shape, having a 15.205-metre frontage to William Street, an axe-handle 43.725-metre deep on its north-eastern side and 75.08-metres on its southern side, a 30.14-metre rear boundary and a 29.28-metre axe-head, a site 1454.1m² in size. The site rises approximately 25-metres from front to rear.

The property is currently occupied by a contemporary styled two-storey split level timber and mini-orb clad dwelling with a pitched colorbond roof. The site has vehicle access to Williams Street via the existing axe-handle (see street view overleaf). There is a large variety of trees and shrubs scattered across the site (see photos overleaf).

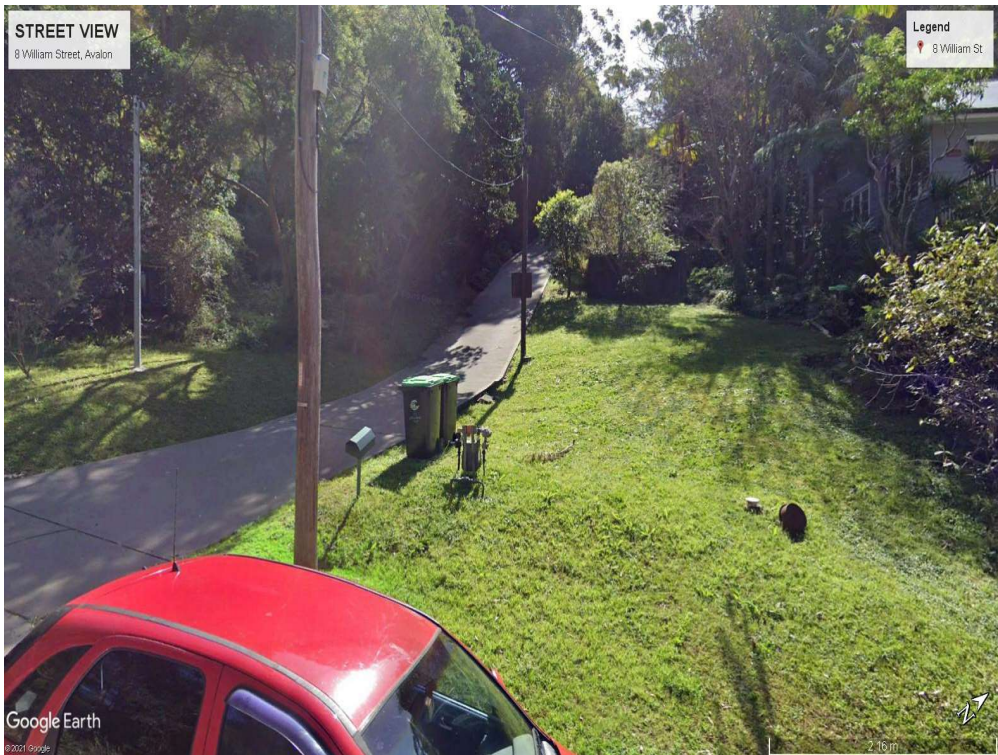
Adjoining development in the vicinity is predominantly single detached dwellings in a variety of styles and forms.



Locality Plan



Street view



3. PROPOSAL

The proposal involves alterations and additions to the existing dwelling including a living room extension on the upper ground floor level in front of Bedroom 1 (master bedroom) in lieu of the existing void space and a new metal roof over this room and the existing lower-level dining room.

Materials used in the additions include horizontal mini-orb aluminium cladding (woodland grey), prefinished custom orb metal sheet roofing (woodland grey), colorbond gutters and downpipes and aluminium framed windows and doors (anodised).

4. STATUTORY CONTROLS

4.1 Environmental Planning and Assessment Act, 1979

Clause 4.14, Consultation and development consent—certain bush fire prone land, states that development consent cannot be granted for the carrying out of development for any purpose on bush fire prone land unless the consent authority—

- (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (**the relevant specifications and requirements**), or*
- (b) *has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The application has been accompanied by a Bushfire report prepared by an appropriately qualified consultant in bush fire risk assessment that states that the proposal conforms to the relevant specifications and requirements.

4.2 Environmental Planning and Assessment Regulation 2000

The following information additional to that on the development application form is provided in accordance with clause 50 and Schedule 1 of the *Environmental Planning and Assessment Regulation*:

The land the subject of the application is not critical habitat or part of critical habitat. The site is within a built-up suburban locality and no threatened species, populations or ecological communities or their habitats are likely to be significantly affected by the proposal. The proposed development is not subject to the concurrence of any authority and does not require any of the approvals referred to in section 91(1) of the *Environmental Planning and Assessment Act*.

The application is accompanied by this Statement of Environmental Effects and the additional documents listed under 1.

4.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) aims to encourage sustainable residential development. The BASIX Scheme established under the Regulation to the Act requires an application for certain kinds of residential development to be accompanied by a list of commitments as to how the development will be carried out. The BASIX SEPP overrides any provision of another environmental planning instrument that would otherwise modify any sustainability commitments required for residential development under the BASIX Scheme.

The application is accompanied by a BASIX Certificate in accordance with the requirements of the Scheme.

4.4 Pittwater Local Environmental Plan 2014

Under *Pittwater Local Environmental Plan 2014* (the LEP) the site is zoned E4 Environmental Living. It is subject to a development standard for height of buildings and the proposal is permissible with Council consent.

Clause 1.2(2), Aims of Plan, provides the following aims of the plan:

- (aa) *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) *to promote development in Pittwater that is economically, environmentally and socially sustainable,*
- (b) *to ensure development is consistent with the desired character of Pittwater's localities,*
- (c) *to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,*
- (d) *to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,*
- (e) *to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,*
- (f) *to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,*
- (g) *to protect and enhance Pittwater's natural environment and recreation areas,*
- (h) *to conserve Pittwater's European and Aboriginal heritage,*
- (i) *to minimise risks to the community in areas subject to environmental hazards including climate change,*
- (j) *to protect and promote the health and well-being of current and future residents of Pittwater.*

The following assessment of the proposal against the relevant standards and matters for consideration as well as the DCP confirms its consistency with the aims of the plan.

Clause 2.1, Land use zones provides land use zones under the plan. The property is located within an E4 Environmental Living zone and the erection of a dwelling house is permissible with consent.

Clause 2.3, Zone objectives and Land use table requires the consent authority to have regard to the objectives of the zone. The objectives of the E4 zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

As discussed in detail in the following parts of this Statement, the proposed dwelling additions will, consistent with the relevant objectives, provide a modest extension to the dwelling, resulting in a low impact dwelling having no adverse effect on the environmental living zone. It is also a form of low-density residential development with a scale integrated with the landform and landscape while maintaining the amenity of the area.

Clause 4.3, Height of buildings, provides objectives for height of buildings and sets a maximum height limit of 8.5m from existing ground level to the highest point of the building in the zone. The objectives are:

- (a) *to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- (b) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (c) *to minimise any overshadowing of neighbouring properties,*
- (d) *to allow for the reasonable sharing of views,*
- (e) *to encourage buildings that are designed to respond sensitively to the natural topography,*
- (f) *to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

The plans illustrate the 8.5-metre height limit over the building in section. The architect has calculated that the proposal has a maximum height of 8.5-metres (RL67.8 – RL 59.3 = 8.5m) (see section Dwg No. A.06). Therefore, the proposal **complies with the standard**.

Clause 7.1, Acid sulfate soils, provides objectives and matters consideration with respect to acid sulfate soils. The objective for the clause is:

to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The property is identified on the acid sulfate soil map as land within Class 5. The proposal does not involve any excavation and, therefore, the water table will not be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land and, therefore, an acid sulfate management plan is not required.

Clause 6.2, Earthworks, provides an objective for earthworks and matters for consideration. The objective of the clause is:

to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

This matter of consideration is not relevant as there is no site excavation. The proposal only involves bridging a floor between existing and adequately supported structures.

Clause 7.6, Biodiversity, provides an objective for biodiversity and matters for consideration. The objective of the clause *is to maintain terrestrial, riparian and aquatic biodiversity by—*

- (a) *protecting native fauna and flora, and*
- (b) *protecting the ecological processes necessary for their continued existence, and*
- (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*

The site is identified on as “Biodiversity” on the Biodiversity Map.

Before determining a development application for development on land, the consent authority must consider—

- (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*

Comment: The alterations and additions are confined within the existing building footprint. The proposal will result in minor additional site coverage; however, it will not significantly reduce the site’s available landscaped area and, therefore, it will not result in *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land.*

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

Comment: See above comments.

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

Comment: See above comments.

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

Comment: See above comments.

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

Comment: No appropriate measures are considered other than ensuring the materials proposed for use in the building work are sited on the land and managed appropriately during construction works via standard condition.

- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*

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

Comment: As discussed earlier, the proposed additions are sited generally within the existing building footprint and therefore in conjunction with appropriate site management any significant adverse impact from the proposal will be avoided.

- (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*

Comment: See above comments. Impacts will be minimised.

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

Comment: See above comments.

Clause 7.7, Geotechnical hazards provides an objective for geotechnical hazards and matters for consideration. The objective of the clause is:

- to ensure that development on land susceptible to geotechnical hazards:*
- (a) *matches the underlying geotechnical conditions of the land, and*
 - (b) *is restricted on unsuitable land, and*
 - (c) *does not endanger life or property.*

The land is identified as a Geotechnical Hazard H1.

Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—

- (a) *site layout, including access,*

Comment: Site layout and access currently exists. No change to existing arrangements.

- (b) *the development's design and construction methods,*

Comment: The development's design and construction methods complement the existing house. The proposal only involves bridging two existing structures utilising existing post support.

- (c) *the amount of cut and fill that will be required for the development,*

Comment: None required.

- (d) *waste water management, stormwater and drainage across the land,*

Comment: No change to existing arrangements.

- (e) *the geotechnical constraints of the site,*

Comment: There are not geotechnical constraints on the site applicable to the proposal.

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

Comment: As discussed previously, the proposal's bridging of two existing structures means that its impacts are avoided, minimised or mitigated.

Development consent must not be granted to development on land to which this clause applies unless—

(a) *the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and*

Comment: No change to the existing arrangements. The additional roof area will be connected to the dwelling's existing drainage system.

(b) *the consent authority is satisfied that—*
(i) *the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*

Comment: See discussion earlier in this statement.

(ii) *if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or*

Comment: No unreasonable risks or impacts that cannot be managed by appropriate conditions.

(iii) *if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.*

Comment: Not applicable.

There are no other relevant development standards.

5. POLICY CONTROLS

5.1 Pittwater 21 Development Control Plan

Pittwater 21 Development Control Plan came into force effect 14 November 2015 (the DCP) supplements the provisions of the LEP and sets out objectives and provisions, including numerical controls, for types of development, specific issues and specific areas. The relevant provisions are addressed in turn.

The following table summarises the compliance or otherwise of the proposed development with the relevant numerical controls of the DCP.

COMPLIANCE TABLE

Control	Required	Proposed	Compliance
C1.1 Front Landscape	60%	705% (449m ²) Existing & proposed	YES
C.1.7 Private open space	80m ²	>270m ²	YES
D12.5 Front Building Line	6.5m or established building line	47m (approx)	YES
D12.6 Side & building line Rear setback	1.0m one side & 2.5m other 6.5m	6.3m (no change) 10.5	YES YES
D12.10 Landscaped Area Environmentally sensitive land	60% landscaping	68% (existing) 67% (proposed)	YES

* see text

PART B B3 HAZARD CONTROLS

B3.1 Landslip Hazard

As the proposal only involves bridging two existing structures that are currently independently supported, the development will not adversely affect or be adversely affected by geotechnical processes nor will it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.

B3.2 Bushfire Hazard

The application is accompanied by a Bushfire report prepared under separate cover to ensure that any risks associated with bushfire for the site are appropriately managed.

PART C1 DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT

Landscaping

The control requires the front of buildings (between the front boundary and any built structures) to have 60% landscaping. The architect advises that the existing dwelling currently is provided with 75% or 605m² of the front yard as landscaped area is not altered and it complies.

Safety and Security

The existing dwelling is well removed from the street front however it maintains clear pedestrian entry to and from the street frontage. Casual surveillance of the locality will be maintained.

Existing doors and windows are currently fitted with appropriate locks.

The existing dwelling has a street number.

View Sharing

The proposal will not result in any unreasonable view loss for the adjoining neighbours.

Solar Access

The proposal will not have any unreasonable shading impacts on the site as well as adjoining neighbours because it is generally contained within the existing building envelope.

Visual Privacy

The architect has carefully considered the location, design and treatment of windows in the proposed addition. The extension to the living room includes high level windows which will generally provide a south-easterly outlook down the line of subdivision (the long axe-handle) rather than private open space or habitable rooms of adjoining neighbours and, therefore, the proposal will maintain an acceptable standard of visual privacy.

Acoustic Privacy

The proposed additions to the dwelling are designed and will be constructed to comply with council's DCP for acoustic amenity.

The proposed additions are designed to reasonably minimise noise transmission between rooms and adjoining dwellings.

The plans confirm that windows and doors are located away from external noise sources.

Private Open Space

The controls require a minimum private open space area of 80m² at ground level. The proposal provides in excess of 270m² of private open space in the backyard, which is directly accessible from the main living areas of the dwelling and complies.

Waste and Recycling Facilities

The dwelling has adequate storage arrangements for garbage and recycling bins (not visible in the street) and bins can be conveniently placed in the street for collection in William Street in the current manner.

Pollution Control

The proposal is designed and will be constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution. Measures to control waste and pollution during construction stage can be addressed by standard conditions.

Eaves

No change to existing arrangements.

Plant, Equipment Boxes and Lift Over-Run

Any plant and equipment boxes and any air-conditioning can be easily accommodated within the existing building.

DCP Part D1 AVALON BEACH LOCALITY

D1.1 Character as viewed from a public place

In relation to the relevant controls –

- The house as proposed to be extended addresses the street and its roof form, materials, fenestration, modulation and landscaping are compatible with the desired future character for the locality.
- The maximum unarticulated length of wall facing the street is not altered in the proposal.
- The bulk and scale of the proposed addition has been reasonably minimised.

The proposal will retain the existing landscape planting to the front boundary, which appropriately screens any perceived visual impact of the built form.

D1.4 Scenic Protection

The proposal minimises any visual impact on the natural environment when viewed from any waterway or public reserve.

D1.5 Building colours and materials

The proposal achieves the desired future character of the Locality.

The proposal enhances the visual quality and identity of the streetscape.

The proposal provides attractive building facades which establish identity and contribute to the streetscape.

The proposed building colours and materials complement the visual character of its location with the natural landscapes of Avalon Beach as confirmed by Dwg NoA00.

The colours and materials of the development harmonise with the natural environment.

The visual prominence of the development is minimised.

Damage to existing native vegetation and habitat is minimised as a result of utilising space within the existing building envelope.

D1.8 Front building line

The minimum front building line is 6.5 metres or established building line, whichever is the greater. The proposal does not alter the existing 48-metre front building line and it complies.

D1.9 Side and rear building line

The controls require a side setback of 2.5 metres to at least one side; 1.0-metre for the other side and a 6.5-metre rear (other than where the foreshore building line applies).

The proposal provides a 6.5-metre northern side setback and a 1.9-metre southern side setback. Although essentially one side setback does not comply, the proposal maintains the existing setbacks and, in this regard, they are considered to be acceptable.

D1.11 Building envelope

The building envelope is established from a plane projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height.

Drawing No A10 illustrates the building envelope and the proposal complies.

D1.14 Landscaped area - Environmentally Sensitive Land

The proposal is located within environmentally sensitive land and the control requires 60% of the site area (872.4m²) to be landscaped area. The existing dwelling currently has 68% or 989m² of landscaped area. The proposal results in a marginal reduction in landscaped area as a result of building out the existing internal courtyard, however, it remains in compliance with 971m² or 67% of landscaped area.

6. OTHER MATTERS FOR CONSIDERATION

Other relevant matters for consideration not addressed above are –

6.1 Applicable Regulations

6.1.1 DEMOLITION

The demolition of parts of the existing dwelling required to implement the proposal will be carried out in accordance with the provisions of *Australian Standard AS 2601 – 1991: The Demolition of Structures*.

6.2 Likely Impacts

6.2.1 CONTEXT & SETTING

Potential impacts on adjacent properties and the locality are addressed earlier in this statement.

6.2.2 ACCESS, TRANSPORT & TRAFFIC

The dwelling addition may marginally increase the potential for traffic generation from the site, but this would have no appreciable impact on the performance of nearby intersections or the surrounding street system.

6.2.3 PUBLIC DOMAIN

Streetscape issues are addressed earlier in this statement. The proposed development will have no impact on public recreational opportunities, on the amount, location, design, use or management of public spaces, or on pedestrian linkages.

6.2.4 UTILITIES

The proposed additions will have no impact on the capacity of water, sewer, and electricity or gas services.

6.2.5 HERITAGE

No applicable heritage issues.

6.2.6 LAND RESOURCES

No productive or valuable land resources will be affected.

6.2.7 WATER

The application is accompanied by a BASIX Certificate in accordance with the requirements of the BASIX Scheme.

6.2.8 SOILS

The proposed addition will have no impact on the site's existing soil conditions.

6.2.9 AIR & MICROCLIMATE

The proposal will have no appreciable impact on air quality or microclimatic conditions.

6.2.10 FLORA & FAUNA

The proposal will have no impact on the maintenance of biodiversity or on remnant native plants or animals.

6.2.11 WASTE

The existing dwelling currently provides acceptable arrangements for the storage and collection of garbage and recycling containers.

6.2.12 ENERGY

The application is accompanied by a BASIX Certificate and the proposal incorporates natural ventilation as well as insulation to the relevant Australian Standard.

6.2.13 NOISE & VIBRATION

The proposed additions to the dwelling are not expected to generate more than the normal level of noise for residential development.

6.2.14 NATURAL HAZARDS

The site is identified as Landslip hazard however there is minimal risk associated with the proposal in relation to landslip.

The application is accompanied by a bushfire report (see report under separate cover).

6.2.15 TECHNOLOGICAL HAZARDS

The risk to residents of the house from industrial processes or land contamination is negligible and if there is any asbestos-cement sheeting in the existing building will be removed in accordance with WorkCover guidelines.

6.2.16 SAFETY, SECURITY & CRIME PREVENTION

The design will enhance natural surveillance of the property and doors and windows will be fitted with appropriate locks.

6.2.17 SOCIAL IMPACT

The proposal will have no appreciable social impact.

6.2.18 ECONOMIC IMPACT

The proposal will have a small positive economic impact through the generation of construction activity.

6.2.19 SITE DESIGN & INTERNAL DESIGN

Potential impacts due to site design and built form are addressed earlier in this statement.

The proposed additions will provide safe and healthy residential space in accordance with the provisions of the *Building Code of Australia*.

6.2.20 CONSTRUCTION

Construction in accordance with current best practice and Council's standard conditions of approval will incorporate appropriate safety measures and will have no unreasonable impacts on the local environment.

6.2.21 CUMULATIVE IMPACTS

Visual impacts are addressed elsewhere in this Statement and the proposal will not generate any other cumulative impacts.

6.3 Suitability of the Site

There are no physical, environmental, heritage or service utility constraints that would make the site unsuitable for the proposed development.

6.4 Public Interest

The applicant is not aware of any Government policy statements, planning studies or strategies, management plans, planning guidelines, advisory documents, research findings, covenants, easements or agreements, issues raised in public meetings or inquiries or public health and safety issues relevant to the proposal that are not referred to elsewhere in this Statement.

7. CONCLUSION

The proposed dwelling is permissible in the E4 Environmental Living zone under *Pittwater Local Environmental Plan 2014* and is subject to a development standard for building height and it complies.

The proposal is generally consistent with the qualitative provisions of *Pittwater Development Control Plan 21* in particular the Avalon Beach Locality and it performs well.

The proposal will provide family accommodation to a reasonable contemporary standard of amenity without adverse impacts on the aesthetic values of the locality or neighbouring properties.

In summary, the proposed development will, consistent with the principal relevant planning objectives of the E4 Environmental Living zone, *to provide for low-impact residential development in areas with special ecological, scientific or aesthetic values, to ensure that residential development does not have an adverse effect on those values, to provide for residential development of a low density and scale integrated with the landform and landscape, and, to encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The proposal is therefore suitable for approval.

Kim Burrell B. App Sc. DURP MPIA CPP
Town Planner

25 October 2021