

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR THE PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

LOCATED AT

24 RUSKIN ROWE, AVALON BEACH

FOR

MR JAMIE AND MRS FIONA PULLEN



**Prepared
November 2025**

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Appendix 1: Heritage Statement

1.0 Introduction

This Statement of Environmental Effects accompanies plans prepared by Greg Jones Architect, Drawings, Revision B dated 15 October 2025 to detail the proposed alterations and additions to an existing dwelling at **24 Ruskin Rowe, Avalon Beach**.

The following architectural plans accompany the development application:

DA-001	Cover Sheet
DA-002	Site Plan
DA-003	Site Plan Analysis Plan
DA-101	Existing Plan – Lower Ground
DA-102	Existing Plan – Ground Floor
DA-103	Existing Plan – First Floor Demolition
DA-104	Existing Plan – Roof Demolition
DA-105	Proposed Plan – First Floor
DA-106	Proposed Plan – Roof
DA-201	Elevations – North & West
DA-202	Elevations – South & East
DA-301	Sections
DA-401	Shadows – June 21 st 9am
DA-402	Shadows – June 21 st 12noon
DA-403	Shadows – June 21 st 3pm
DA-501	Finishes

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 (EP&A Act)*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Pittwater Local Environmental Plan 2014 (PLEP 2014)*
- *Pittwater 21 Development Control Plan (P21 DCP)*

2.0 Property Description

The subject allotment is described as 24 Ruskin Rowe, Avalon Beach, being Lot 1 within Deposited Plan 575884. The property is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site is not listed as a Heritage Item however it is with a Conservation Area. This issue will be discussed further within this submission.

The site is noted as being affected by Category 1/High Hazard Flooding and is identified as Bushfire Prone Land. The site is also located within the Biodiversity Values Map.

The hazards affecting the site are discussed in further detail within this submission.

3.0 Site Description

The property is located on the north-western side of Ruskin Rowe and is generally rectangular in shape, reducing in width from the southern corner at the Ruskin Rowe frontage.

The site has a frontage of 19.05m and north-eastern and south-western side boundaries of 228.64m and 227.615m respectively. The land has an area of 8520m².

The existing dwelling is located in the central portion of the land.

A driveway from Ruskin Rowe provides access to the existing car spaces.

Stormwater from the site is currently directed to an OSD system in the lower portion of the site.

The site is currently developed with a one and two storey level timber and rendered dwelling with a flat metal roof.

The details of the site are included on the survey plan prepared by Adam Clerke Surveyors Pty Ltd, dated 19 March 2025, which accompanies the DA submission.

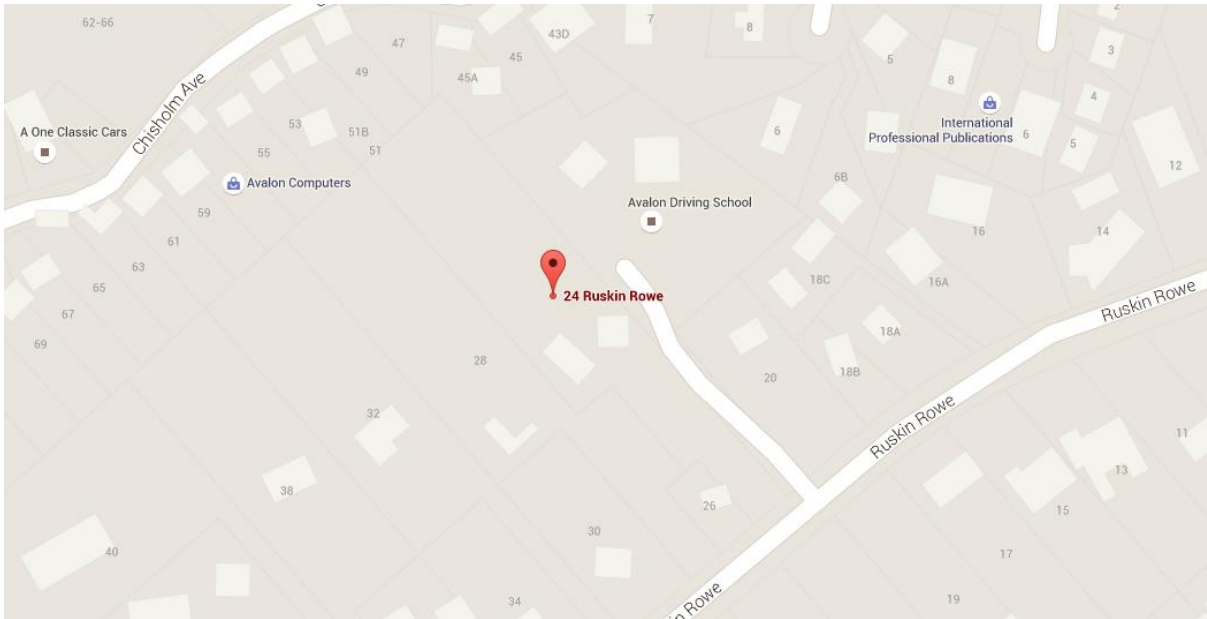


Fig 1: Location of subject site
(Source: Google Maps)



Fig 2: Location of subject site



Fig 3: View of the existing dwelling, looking south-east from rear yard



**Fig 4: Architectural montage of dwelling incorporating new first floor addition
(Source – Greg Jones Architecture)**

4.0 The Surrounding Environment

The general vicinity of the site is characterised by low density residential development of typically one and two storeys, located within large lots characterised by landscape settings and low-density development with dwellings in the area providing for significant setbacks from neighbouring properties.

The neighbouring properties are one and two storey dwellings, of a similar size and scale to the subject dwelling. There are a number of parking structures located forward of the dwelling structures.

The site and its neighbours enjoy a pleasant local outlook.

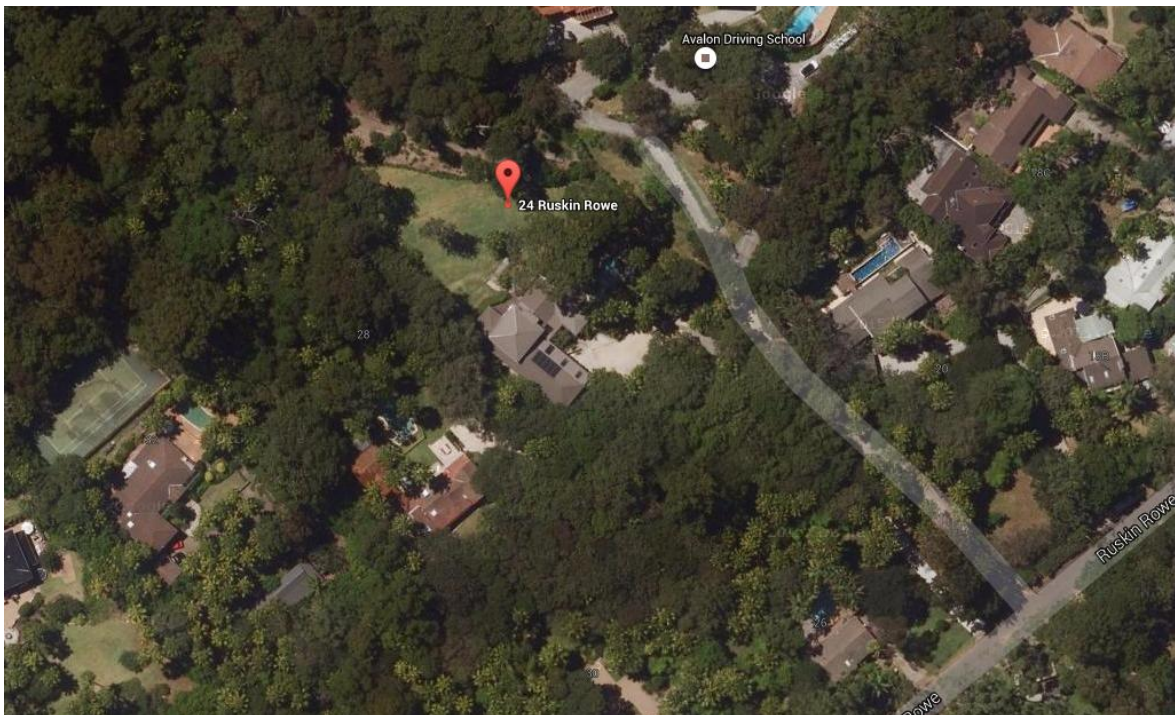


Fig 5: Aerial view of locality
(Source: Google Maps)

5.0 Proposed Development

The new works will provide for alterations and additions to an existing dwelling comprising:

- Replacement of existing windows on the first floor
- Refurbishment of the existing master bedroom ensuite on the first floor
- New walk-in robe attached to the master bedroom
- New roof to the proposed floor addition to match existing colour bond metal roof.
- New 600mm awning over the north-western north-eastern perimeter of the ground floor rear Bedroom 1.

The external finishes will be consistent with the existing dwellings' finishes, the proposed external finishes schedule included in Sheet DA – 501 .

The new works are within the existing developed footprint and comprise of a minor extension to the existing first floor. As a result there are no changes to the numerical total site cover or soft landscaped area than previously approved.

The works will not see any increase in the existing disturbed area within the site. The proposed additions over the existing dwelling are located in the proximity of an existing tree along the common boundary with the adjoining property at number 28 Ruskin Rowe.

Accordingly, an Arboriculture Impact Assessment with Preliminary Site – Specific Tree Plan of Management has been prepared by Growing My Way Tree Consultants, dated August 2025.

The Assessment notes that the works will not have a significant impact on the tree, Noted as Tree # 1 being a Cheese Tree, with only some pruning of the canopy necessary for tree clearance from the proposed work.

The Assessment confirms the tree will be retained, with protection measures recommended to ensure that the tree is otherwise unaffected by the proposed works.

The proposal results in the following indices:

Site Area:	8520m ²
Proposed total site cover:	1798m ² or 21.1% (no changes)
Soft landscaped area:	6722m ² or 78.8% (no changes)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Sustainable Buildings) 2022

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

6.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Part 7 of the *Biodiversity Conservation Act 2016 (BC Act)*, identifies the subject site as being located within the Biodiversity Values (BV) Map, meaning the site has high biodiversity value that is particularly sensitive to impacts from development and clearing.

The map forms part of the Biodiversity Offsets Scheme threshold, which is one of the entry requirements for determining whether the Biodiversity Offset Scheme (BOS) applies to a clearing or development proposal.

No significant or high value vegetation is proposed to be removed as part of the proposed development, nor does the works impact any surrounding significant or high valued trees. The proposed alterations and additions are not located on any part of the site mapped as being Biodiversity Values. No further consideration of the SEPP is required.



Fig 6: Extract of the NSW Biodiversity Values Map (NSW Planning Portal Spatial Viewer)

6.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Site Contamination

SEPP (Resilience and Hazards) 2021 and in particular Part 4.6(2) 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.

The proposal is consistent with the provisions of Chapter 4 of this policy.

6.4 Pittwater Local Environmental Plan 2014

Clause 2.3 Zone objectives and land use table

The subject site is zoned C4 Environmental Living under the Pittwater LEP 2014, gazetted on 27 July 2014.

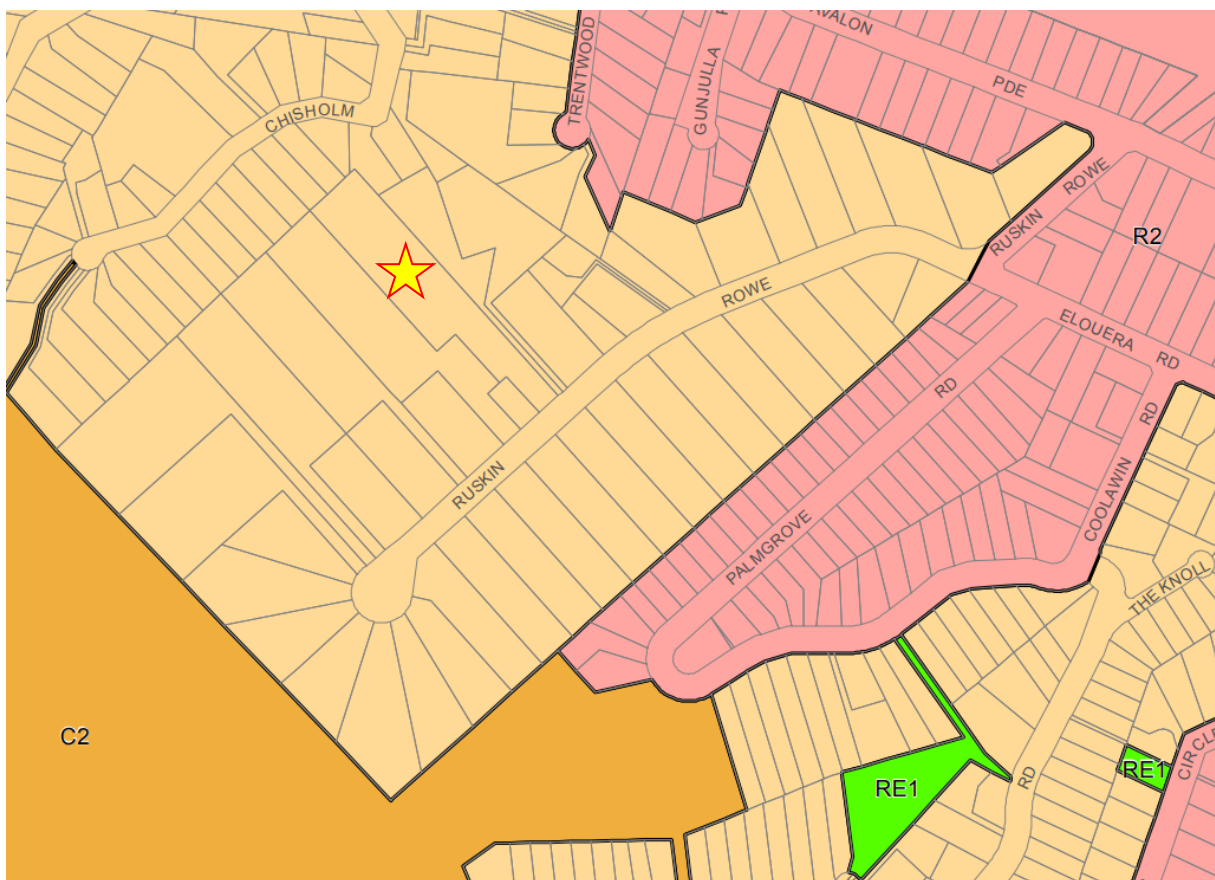


Fig 7: Extract of Pittwater Local Environmental Plan 2014 Zoning Map

The development of and use of the land for residential purposes within the C4 Environmental Living Zone is consistent with the zone objectives, which are noted as:

- *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*

It is considered that the proposed alterations and additions 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 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 minor alterations and additions, 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 comprises modest first floor addition, located to the rear of the existing dwelling. The new works will have a height of up to 7.0m above the existing ground level, complying with Council height control.

Clause 5.10 relates to Heritage Conservation. The site has been identified as being within the Ruskin Rowe Heritage Conservation Area (C5).

Clause 5.10 notes as its Objectives:

- *to conserve the environmental heritage of Pittwater,*
- *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- *to conserve archaeological sites,*
- *to conserve Aboriginal objects and Aboriginal places of heritage significance*

The definition of the “heritage conservation area” is noted as:

heritage conservation area means an area of land of heritage significance:

- (a) *shown on the Heritage Map as a heritage conservation area, and*
- (b) *the location and nature of which is described in Schedule 5, and includes any heritage items situated on or within that area.*

Accordingly, the significance of the buildings and trees within the site has been considered in formulating the proposed design for the alterations and additions to the existing dwelling.

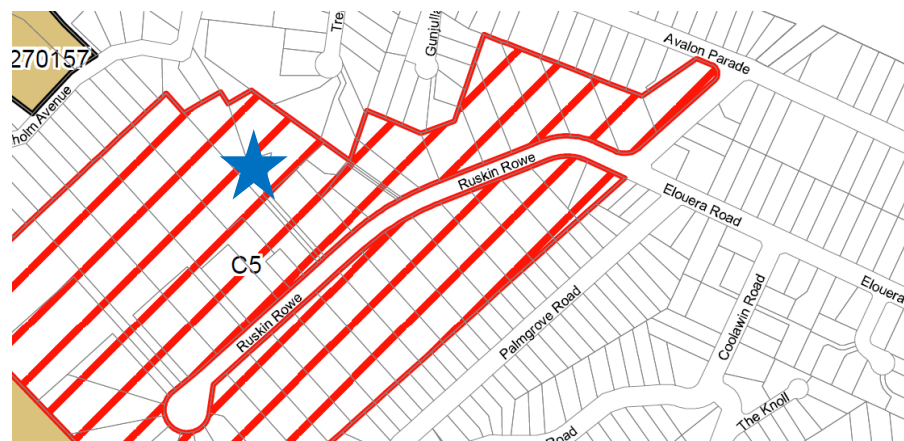


Fig 8: Extract of Pittwater Local Environmental Plan 2014 Heritage Map

In accordance with **Clause 5.10** of the PLEP 2014, consent is required for:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
 - (i) a heritage item,*
 - (ii) an Aboriginal object,*
 - (iii) a building, work, relic or tree within a heritage conservation area,*

This application will seek consent for the alterations and additions of an existing dwelling. Whilst the subject property is not individually listed as a heritage item; the dwelling is within the Ruskin Rowe Heritage Conservation Area and is consistent with the PLEP requirement.

Clause 5.10 (2) of the PLEP 2014 requires that *“The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

It is understood that there are no studies to date to identify the specific heritage issues that identify the Ruskin Rowe Conservation Area; however a Statement of Heritage Impact prepared in accordance with the NSW Heritage Office guidelines is attached as Appendix 1.

Clause 7.1 relates to Acid sulfate soils. The site has been identified as Acid sulfate soil (Class 5). The proposal does not comprise of any earth works. All works are limited to the footprint of the first floor and existing disturbed portion of the site.

Clause 7.2 relates to earthworks. The proposal will not see any other significant disturbance of the site and therefore a Minor Works Assessment has been prepared by White Geotechnical Group, Reference No J6004 dated 3 November 2025. The report concludes that the property has an ‘Acceptable Risk

Level' in accordance with the 2009 Geotechnical Risk Management Policy Pittwater and no further investigation is considered necessary.

Clause 7.3 Flood Planning

The site is noted as being partly affected by high, medium and low flood hazard, however the area where the works are to be carried out is free of any flood affectation and therefore no further assessment is considered necessary.

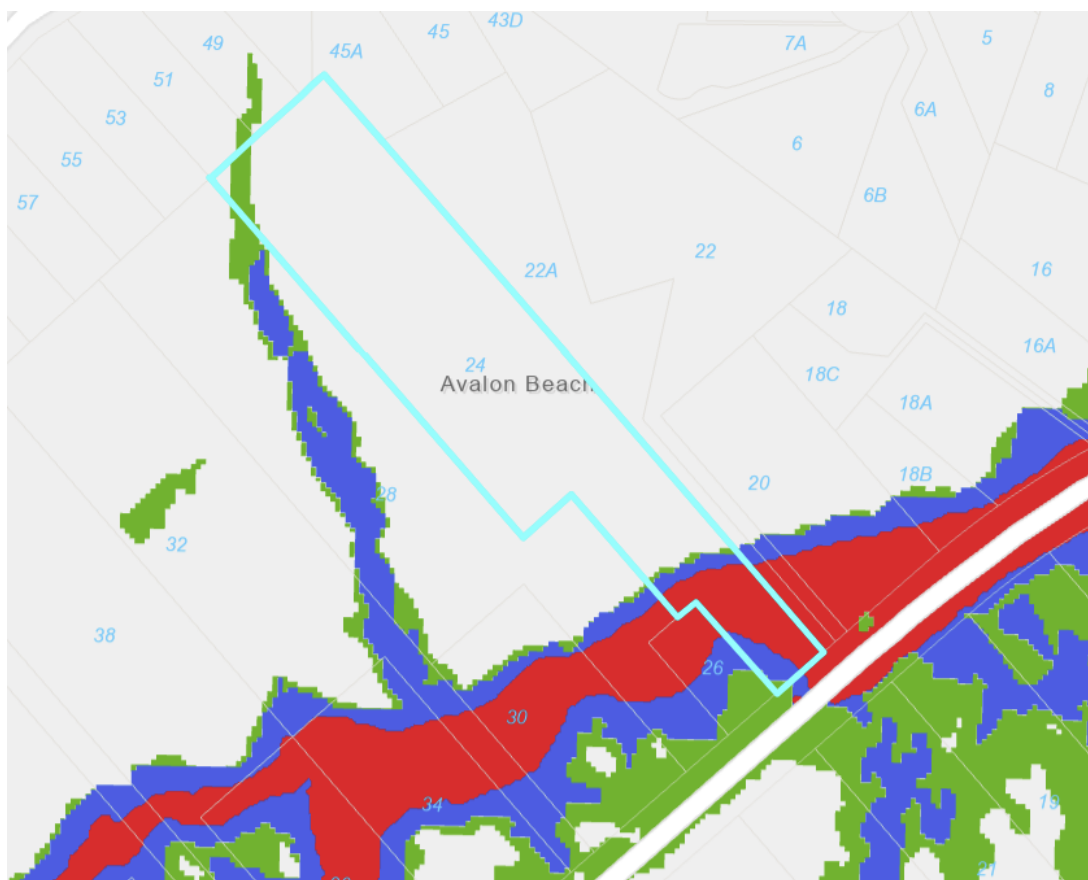


Fig 8: Extract of NBC Flood Hazard Map

Clause 7.6 – Biodiversity protection

The land is noted within Council's Biodiversity mapped area.

(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:

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

The development will see minimal disturbance to the existing flora and fauna.

An Arboriculture Impact Assessment with Preliminary Site – Specific Tree Plan of Management has been prepared by Growing My Way Tree Consultants, dated August 2025.

The Assessment notes that the works will not have a significant impact on the tree, Noted as Tree # 1 being a Cheese Tree, with only some pruning of the canopy necessary for tree clearance from the proposed work.

The Assessment confirms the tree will be retained, with protection measures recommended to ensure that the tree is otherwise unaffected by the proposed works.

As the works will not see any substantial reduction in the landscaped area and the proposal will not have an adverse impact on the terrain of the site, with the Objectives of Clause 7.6 will be achieved.

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

6.5 Pittwater 21 Development Control Plan 2014

Council's Pittwater 21 DCP Part B (General Controls), Part C (Development Type Controls) 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.

6.5.1 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 alterations and additions, which are consistent with the scale and style of the existing and newer development in the vicinity.

The proposal will have little impact on the existing tree canopy and will provide an appropriate area of soft landscaping.

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 existing building and the varied nature of the Ruskin Rowe Heritage Conservation Area.

6.5.2 Part B General Controls

The General Controls applicable to the proposed works are summarised as:

B3.1 Landslip Hazard

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. (Ec)

The proposal will not see any other significant disturbance of the site and therefore a Minor Works Assessment has been prepared by White Geotechnical Group, Reference No J6004 dated 3 November 2025.

The report concludes that the property has an 'Acceptable Risk Level' in accordance with the 2009 Geotechnical Risk Management Policy Pittwater and no further investigation is considered necessary.

B 3.2 Bushfire Hazard

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. (Ec)

The site is identified as bushfire prone land.

A Bushfire Risk Assessment Report has been prepared by Control Line Consulting, Reference No 14.07.152, dated 14 July 2015t and as revised 4 November 2015.

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 site is noted as being affected by high, medium and low hazard flooding, however the area of the site where the new works are to be carried out is not affected by any flood hazard and therefore no further investigation is considered necessary.

B3.6 Contaminated Land and Potentially Contaminated Land

The controls seek to achieve the outcomes:

Protection of public health. (S)

Protection of the natural environment. (En)

Successful remediation of contaminated land. (En, S)

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.

B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community

The controls seek to achieve the outcomes:

Conservation of intact Pittwater Spotted Gum Forest EEC. (En)

Regeneration and/or restoration of fragmented and / or degraded Pittwater Spotted Gum Forest EEC. (En)

Reinstatement of Pittwater Spotted Gum Forest to link remnants. (En)

Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors. (En)

The proposed development will not require the removal of any trees, with only some minor lopping of a Cheese Tree adjacent to the work.

The proposal is considered within the Arboriculture Impact Assessment with Preliminary Site – Specific Tree Plan of Management prepared by Growing My Way Tree Consultants, dated August 2025.

The Assessment notes that the works will not have a significant impact on the tree, noted as Tree # 1 being a Cheese Tree, with only some pruning of the canopy necessary for tree clearance from the proposed work.

The Assessment confirms the tree will be retained, with protection measures recommended to ensure that the tree is otherwise unaffected by the proposed works.

The proposal is not considered to unreasonably impact on the Pittwater Spotted Gum Forest Ecological Community and meets the objectives of this clause.

B5.15 Stormwater Management

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 proposed works will not see any significant change to the existing built upon area as the new works are largely at the first floor level of the existing dwelling and therefore stormwater from the roof areas will be directed to the existing system.

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 site will retain the existing carparking spaces and access driveway from Ruskin Rowe. The current driveway crossing arrangements provide suitable access to the property in accordance with these controls.

B6.5 Off-street Vehicle Requirements

The controls seek to achieve the outcomes:

Safe and convenient parking (En,S)

The controls require a minimum of 2 parking spaces for each dwelling. The site will retain the existing two off street parking spaces.

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 intends to provide for a first floor addition over the existing building footprint and therefore there will be no further significant to the site disturbance. A Minor Works Assessment has been prepared by White Geotechnical Group, Reference No J6004 dated 3 November 2025. The report concludes that the property has an 'Acceptable Risk Level' in accordance with the 2009 Geotechnical Risk Management Policy Pittwater and no further investigation is considered necessary.

6.5.3 Part C Development Type Controls

The Development Controls 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 proposed works are located over the existing disturbed footprint and therefore will retain the generous areas of soft landscaping and canopy trees, which softens the built form on site. The site will maintain its contribution to the landscaped character of the locality.

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 access to the main entry to the dwelling from the street is maintained. The dwelling is significantly set back from the street frontage, and therefore does not provide any direct views to the street. The proposed alterations and additions ensure causal surveillance can be maintained.

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 subject and adjoining properties currently enjoy a local outlook. Given the relatively large size of the lots in the Conservation Area, the primary outlook for the neighbours will be largely unaffected given the modest scale of the works.

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.

Given the size of the land and its neighbours and their northerly aspect, together with the substantial side setbacks to the side and rear boundaries and the neighbours, the new works will not unreasonably remove solar access to the primary living spaces of any neighbouring properties, as indicated in the shadow diagrams accompanying the architectural plans.

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.

No new windows are provided in south-western facing the neighbouring property. The new windows to the walk in robe area are located on the north western and north-eastern side overlooking the subject property.

There is sufficient setback from the new windows to the side boundary to ensure no unreasonable privacy impacts. The proposed alterations and additions will not unreasonably overlook the neighbours, with the existing levels of amenity enjoyed by the neighbours to be 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 existing 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 retains the existing areas of private open space, which are largely provided as garden areas at ground floor level.

C 1.12 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 dwelling for

on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

6.5.4 Part 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 alterations and additions to a new dwelling which are minor and seek to replace existing elements of the dwelling, including windows and roof.

Views over and to the side of the works will be retained for the neighbouring dwellings.

The proposed works are considered to be consistent in terms of bulk and scale to the existing surrounding development, which generally comprises one and two storey dwellings. The minor

extension to the first floor to provide for a walk-in robe will be located behind the existing first floor and within the footprint of the existing ground floor.

The setbacks provided reflect that of the subject site and neighbouring properties, maintaining appropriate separation between adjoining dwellings.

The proposed additions to the dwelling are well articulated to provide visual interest and reduce bulk. In addition, the existing 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. The proposed material schedule is provided within Sheet DA – 501

It is considered that the development is appropriate as the proposal will utilise finishes and colours which complement the existing dwelling, which whilst predominantly light tones, is an attractive element within the existing streetscape of the Ruskin Rowe Conservation Area.

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 proposed alterations and additions are setback behind the existing front building line and sufficiently setback from the Ruskin Rowe frontage. The proposal 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 min 1.0m setback for the other side. A rear setback of 6.5m applies to the site.

The existing first floor is setback greater than 2.5m from the north-eastern side boundary and 1m from the south western side boundary. The proposed first floor addition to provide for a walk-in robe is setback greater than 1m from the side boundary and therefore complies with the 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 proposed extension to provide for a walk-in robe presents a minor variation to the building envelope along the south-western elevation. The non-compliance is a result of the sloping topography of the site. The new extension does not comprise of any windows and as such will not result in any privacy impacts to adjoining properties. The works reasonably setback from the side boundary and will therefore achieve the desired outcomes.

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 proposal comprises of alterations and additions to the existing first floor and therefore there are no changes to the existing compliant landscaped area.

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 Planning 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 Part B, Part C and Part 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 alterations and additions to an existing 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 C4 Environmental Living 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 alterations and additions to an existing dwelling which respect and complement the site's location.

The outcome is for an addition which provides for increased amenity and functionality for the occupants through a highly articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

The proposal is fully compliant with the building height standard and the proposed works display a complementary and compatible building form when compared with the surrounding development located along this section of Ruskin Rowe and within the site's visual catchment generally.

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.

VAUGHAN MILLIGAN
Development Consultant

APPENDIX ONE

STATEMENT OF HERITAGE IMPACT FOR:

ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

24 RUSKIN ROWE, AVALON BEING LAND WITHIN THE RUSKIN ROWE CONSERVATION AREA

This statement forms part of the statement of environmental effects for the proposal for the alterations and additions to an existing dwelling for Mr Jamie and Mrs Fiona Pullen.

The subject allotment is described as 24 Ruskin Rowe, Avalon, being Lot 1 within Deposited Plan 575884 and is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The land is identified under Schedule 5 of the PLEP 2014 as being within the Ruskin Rowe Heritage Conservation Area. The dwelling and associated structures are not however individually noted as being heritage items.

This statement is prepared by:

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October 2025

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

- The style and form of the existing dwelling contributes to the existing character and streetscape of the Ruskin Rowe Conservation Area. The proposal seeks minor alterations and additions that are of a sympathetic form that respects the style and scale of the existing dwelling. The proposed works will not be visible from Ruskin Rowe, and therefore respect the significance of the conservation area.
- Properties within the Ruskin Rowe area are noted for their low density form within a landscaped and treed setting. The proposal will retain the significant plantings and tree cover.

The alterations and additions will blend the new development with the existing development pattern of Ruskin Rowe.

- The materials and finishes selection sees the re-use of compatible finishes and colours to reflect the existing built form.

The following aspects of the proposal could detrimentally impact on the heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts.

- The development generally comprises a minor internal refurbishment of the existing master bedroom at first floor level and in addition to provide for a new walk in robe. The materials and finishes of the addition will complement and respect the existing dwelling and its current materials. The proposed new works are well articulated, and stepped with the topography of the site. The colours and finishes are discreet and in keeping with the natural environment.
- Particular regard has been given to presenting a complementary form to match the existing dwelling and integrate the new works with the existing built form and the wider Conservation Area.

The following sympathetic solutions have been considered and discounted for the following reasons.

- The new works have been designed to reflect the style and form of the existing building, along with the topography and natural landscape of the site. The works will not be visible from Ruskin Rowe, and are sympathetic to the Ruskin Rowe Heritage Conservation Area.
- The proposed works maintain a significant tree canopy and soft landscaping surrounding existing dwelling and are therefore suitable screened and sympathetic to the conservation area and natural landscape.