

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions to Dwelling
and Proposed
Secondary Dwelling

6 Net Road, Avalon

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Statement of Environmental Effects

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at 6 Net Road, Avalon

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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared in support of a development application proposing alterations and additions to the existing dwelling as well as a new secondary dwelling.

The proposed alterations and additions are a superior architectural design that is appropriately responsive to the constraints of the site, the desired future character of the Avalon Locality and has regard for the amenity of surrounding properties. The proposed works provides a high level of internal and external amenity for the occupants of the dwelling and contributes positively to the natural environment. The secondary dwelling will provide valuable affordable rental housing opportunities in the area. The existing swimming pool is to be filled and replaced with lawn. A landscape plan is provided which will see a significant enhancement of the site in terms of native trees, shrubs and grasses.

The proposed works have been refined based on advice received via a pre-lodgement meeting (PLM2022/0238) with Northern Beaches Council. The secondary dwelling has design has ensured that compliance is achieved with regard to permissible floor space. The existing vehicle crossover to Net Road is to be removed and relocated to the new carport/garage location.

In addition to this SEE, the application is also accompanied by the following:

- Architectural Plans by Andy Lehmann Design
- Survey
- Stormwater Management Plans
- Bushfire Risk Assessment
- Geotechnical Report
- BASIX Certificate
- Waste Management Plan
- Arborist Report
- Landscape Plan

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act 1979 (**EP&A Act**),
- Environmental Planning and Assessment Regulation 2021,
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Pittwater Local Environmental Plan 2014 (**PLEP 2014**), and
- Pittwater 21 Development Control Plan 2012 (**P21 DCP**).

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) of the EP&A Act. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent.

2 Site Analysis

2.1 Site Description and location

2.1.1 The Site

The site has a legal description of Lot 8 in DP 232257 and is commonly referred to as 6 Net Road, Avalon. The site is an irregular shaped allotment with an access handle provided from Gunyah Place.

An aerial location photograph is at Figure 1 below.

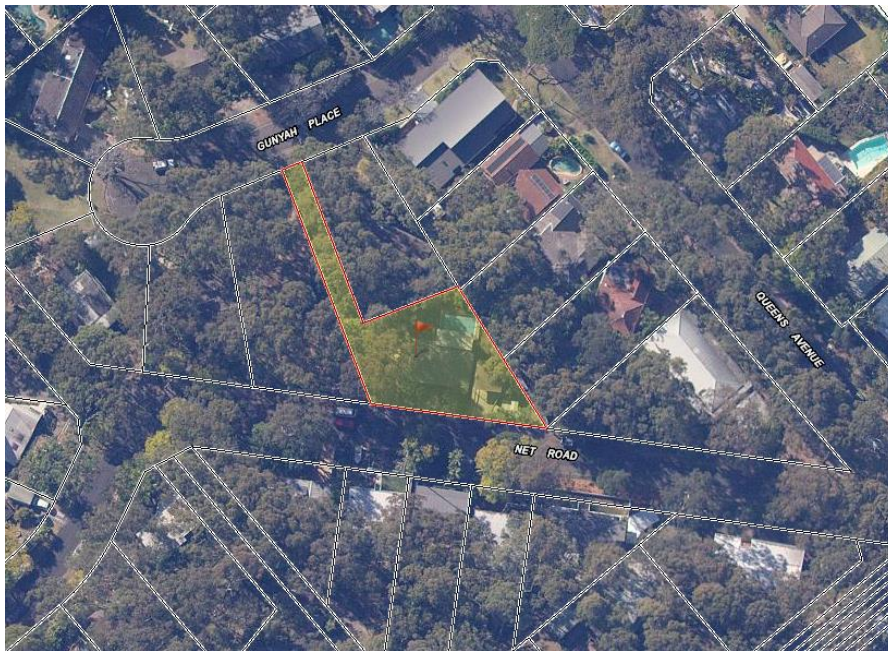


Figure 1: Aerial photograph of the subject site

The subject site measures 1030.7m². Access to the site is provided via an access handle from Gunyah Place with a crossover also provided from Net Road. The existing development comprises a two storey dwelling with detached garage with carport above and a swimming pool.

The site sits on the low side of Net Road and has a northern aspect. The natural slope falls across the property at an average angle of 14°. Several trees are located on or adjacent to the site which are detailed within the arborist report provided.

Development in the local area contain predominately single residential dwellings within informal landscape settings.

3 Description of Proposed Development

3.1 Details of the proposed development

The works will require some partial internal and external demolition of the existing dwelling. Specifically, this application provides for:

Works to the Dwelling:

- Ground floor extension and internal reconfigurations
- First floor internal reconfiguration
- 2 level garage. The upper level provides for 2 car spaces and will be accessed via a new vehicle crossover. The upper level will provide boat storage.
- Existing Net Road crossover to be removed
- Existing swimming pool to be filled and replaced with lawn
- The existing pitched roof form will be replaced with an angled skillion roof

Secondary Dwelling:

- The existing garage with carport above is to be converted into a 2 storey secondary dwelling.

The application is supported by a Geotechnical Risk Management Report by White Geotechnical Consultants that confirms that the proposed works can be constructed to be safe from the geotechnical hazard that affects the site.

A landscape plan by Volker Klemm Landscape Design details the enhancement of landscaping across the site. The existing swimming pool is to be filled and lawned over.

An arborist report is provided by Treeism which assessing the trees on site and recommendations for tree protection for those trees to be retained.

A BASIX Certificate supports the application confirming that the building performs well with regard to sustainability and meets and/or exceeds relevant industry standards.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the EP&A Act, as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Pittwater Local Environmental Plan 2014

An assessment of the relevant provisions of PLEP 2014 is undertaken, below.

4.1.1 Zoning

PLEP 2014 applies to the subject site and this development proposal. The subject site is located within the R2 low density residential zone. Dwelling houses and secondary dwellings are permissible with consent.

The objectives of the R2 zone are considered as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

Council can be satisfied that the proposed works are consistent with the objectives of the zone. Accordingly, there is no statutory zoning or zone objective impediment to the granting of approval to the proposed development.

4.1.2 Height of Buildings

Pursuant to clause 4.3(2) and the Height of Buildings Map of PLEP 2014, the site has a maximum building height limit of 8.5m. The objectives of the clause are as follows:

- (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 proposed works are consistent with the 8.5m height development standard as detailed on the elevation and section drawings provided. Section AA, provided below, shows that the angled skillion roof will extend to 8.5m in height.

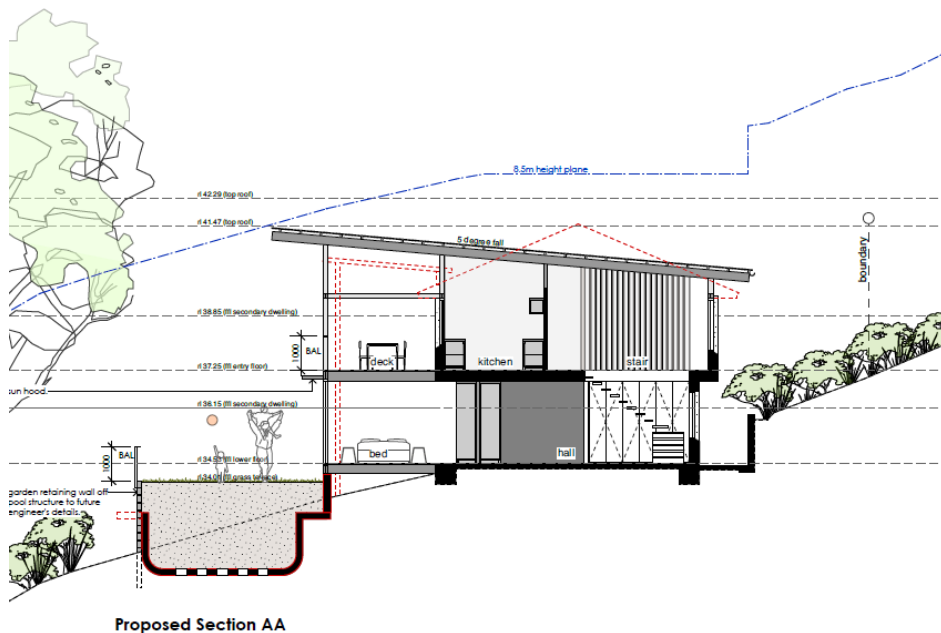


Figure 2: Section Drawing

4.1.3 Acid Sulfate Soils

The site is identified within Class 5 on the Acid Sulfate Soils Map of PLEP 2014. The proposed development does not involve works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

4.1.4 Biodiversity

The site is identified as “Biodiversity” on the Biodiversity Map of PLEP 2014. The site is also identified on the biodiversity values map. The consent authority can be satisfied that the proposed development has been designed, sited and will be managed to avoid any significant adverse environmental impact, consistent with the provisions of clause 7.6 of PLEP 2014.

The works will see an enhancement of native species on site which will contribute to the biodiversity value of the site. A landscape plan is provided with this application.

The arborist report assessed 16 trees that were in proximity to the development which are proposed to be retained. None of the assessed trees were identified as endangered or threaten under State or Federal Legislation. It is noted that some species of trees not assessed are consistent with the of Pittwater & Wagstaff Spotted Gum Forest and will not be impacted by the development.

4.1.5 Geotechnical Hazards

The site is identified as being within Geotechnical Hazard H1 on the Geotechnical Hazard Map of PLEP 2014. The application is supported by a Geotechnical Risk Management Report by White Geotechnical Consultants that considers each of the matters prescribed by clause 7.7(3) of PLEP 2014, and confirms that the development has been design, sited and will be constructed to minimise risk, consistent with the provisions of clause 7.7(4) of PLEP 2014.

4.1.6 Bushfire Prone Land

The site is identified as being bushfire prone land and a bushfire risk assessment has been provided with this application. The report has been prepared and provides recommendations which will ensure a reasonable and satisfactory level of bushfire protection.

4.1.7 Essential Services

Pursuant to clause 7.10 of PLEP 2014, development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable vehicular access.

The consent authority can be satisfied that these services will be available prior to occupation, and if necessary, conditions of consent can be imposed in this regard.

4.1.8 Controls relating to miscellaneous permissible uses

Clause 5.4(9) of the LEP states that:

(9) Secondary dwellings on land other than land in a rural zone *If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—*

- (a) 60 square metres,

(b) 25% of the total floor area of the principal dwelling.

The proposed floor space in the secondary dwelling is measured at 60m² and consistent with this control.

4.2 Pittwater 21 Development Control Plan

4.2.1 Avalon Beach Locality

The site is located within the Avalon Locality, which is described as follows:

The locality has developed into a predominantly low-density residential area, with dwellings built along valley floor, slopes, and ridges. The locality is characterised mainly by one and two-storey dwelling houses on 600-1,000 square metre allotments (some smaller blocks may exist), increasing to 950-1,600 square metres on the plateau and slopes, and up to 8,000 square metres in Ruskin Rowe. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. The dominant feature of the Avalon Beach locality is houses setback from the street with low and no front fencing and vegetation used extensively to delineate boundary lines. Medium-density housing is located around the Avalon Beach Commercial Centre and neighbourhood retail centres.

The locality is serviced by the Avalon Commercial Centre at the intersection of Old Barrenjoey Road and Avalon Parade, and neighbourhood retail centres at the intersection of Hudson Parade and Hilltop Road, Elvina Avenue, North Avalon Road, and Careel Head Road. The locality also contains Avalon Primary School, Maria Regina Primary School, Barrenjoey High School, Avalon Surf Life Saving Club, Careel Bay Wetlands, and recreational facilities including Hitchcock Park, Avalon Golf Course, tennis courts, beaches, and several bushland reserves.

Houses, built structures, and vegetation in the vicinity of Cabarita Road, Chisholm Avenue, Hilltop Road, Net Road, Old Barrenjoey Road, Whale Beach Road, Avalon Golf Course, and Stapleton Park, indicative of early settlement in the locality, have been identified as heritage items. Land in Ruskin Rowe, primarily the subdivision pattern, domination of vegetation over built form, wildlife corridor and lack of fences, has been gazetted as a heritage conservation area.

The locality is characterised by steep slopes to the south, northwest, and east of Careel Bay, leading down to the valley floor. Due to the topography, some significant views can be obtained to the north, east and west. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the indigenous vegetation has been retained, particularly where there are large areas of open space, and there are significant wildlife habitats and corridors within the locality. The locality is well serviced by areas of open space including several large parks or bushland areas as well as many smaller reserves. These areas vary greatly from

structured golf courses and playing fields to beaches, headlands, and natural bushland (such as Angophora Reserve).

4.2.2 DCP Compliance Table

A table demonstrating compliance with the relevant provisions of the P21 DCP is detailed as follows:

Control	Requirement	Proposed	Compliance
Part B General Controls			
B3.1 Landslip Hazard	All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater.	The application is supported by a Geotechnical Risk Management Report by White Geotechnical Consultants, consistent with Council's Geotechnical Risk Management Policy for Pittwater.	Yes
B4.2 Flora and Fauna Conservations Category 1 and Wildlife Corridor	Development shall result in no significant onsite loss of canopy cover and no net loss in native canopy trees	No canopy trees will be lost with the proposed works. The site will be enhanced with native species with new planting proposed as shown on the landscape plan.	Yes
B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor	Development shall not negatively impact on threatened species, endangered populations or endangered ecological communities.	The proposal will not have an adverse impact on the biodiversity value of the site. No threatened species or endangered ecological communities will be impacted and no trees to be removed.	Yes
B5.15 Water Management	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.	The application is accompanied by Stormwater Management Plans which demonstrate consistency with Council's Water Management for Development Policy.	Yes

Control	Requirement	Proposed	Compliance
B6.3 Off-Street Vehicle and Parking Requirements	2 spaces (minimum)	A minimum of 2 spaces will be provided via the new garage proposed.	Yes
B8.1 Construction and Demolition - Excavation	All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater.	The application is supported by a Geotechnical Risk Management Report by White Geotechnical Consultants, consistent with Council's Geotechnical Risk Management Policy for Pittwater. A waste management plan is provided with this application also.	Yes
B8.3 Construction and Demolition – Waste Minimisation	Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.	The application is supported by a Construction and Demolition Waste Management Plan.	Yes
B4.22 Preservation of Trees and Bushland Vegetation	To protect and enhance the urban forest of the Northern Beaches. To effectively manage the risks that come with an established urban forest through professional management of trees.	An arborist report by Treeism has been prepared and accompanies this application. 16 Trees were assessed by the Arborist. The report provides recommendations to minimise impacts on the 16 remaining trees and is anticipated that they will form part of the development consent should this application be approved. Pittwater & Wagstaff Spotted Gum Forest was identified however will not be impacted by the proposal and not required to be assessed.	Yes

Control	Requirement	Proposed	Compliance
C1 Design Criteria for Residential Development			
C1.1 Landscaping	A built form softened and complemented by landscaping. Landscaping that reflects the scale and form of development.	The proposal will retain the significant trees and landscape features on site. New native plantings are proposed and detailed on the landscape plan provided. The removal of the existing swimming pool will see an increase to soft landscaping on site and contribute positively to the local environment.	Yes
C1.2 Safety and Security	The development is to be designed in accordance with the four CPTED principles.	The primary and secondary dwelling provides appropriate casual surveillance of the street.	Yes
C1.3 Views	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	No views will be impacted.	Yes
C1.4 Solar Access	The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st. Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to	The application is supported by Shadow Diagrams which are provided within the architectural set. The additional overshadowing is considered minor with adjoining properties still receiving compliant levels of solar access. The shadows cast predominately towards and onto Net Road.	Yes

Control	Requirement	Proposed	Compliance
	at least 50% of the glazed area of those windows).		
C1.5 Visual Privacy	Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation (measured from a height of 1.7 metres above floor level).	The development does not give rise to any unreasonable visual privacy impacts. Adjoining dwellings are significantly spatially separated from the site with extensive tree coverage providing additional screening. The visual privacy outcome will not significantly alter from the existing circumstance with the works proposed.	Yes
C1.6 Acoustic Privacy	Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.	The proposed development is unlikely to result in any adverse acoustic privacy impacts above that of a typical residential dwelling.	Yes
C1.7 Private Open Space	Minimum 80m ² of private open space per dwelling at ground level, with no dimension less than 3 metres.	More than 80m ² of private open space is provided across the site.	Yes
C1.11 Secondary Dwellings and Rural Worker's Dwellings	The development of a secondary dwelling or rural worker's dwelling will result in not more than two (2) dwellings being erected on an allotment of land. A secondary dwelling or rural worker's dwelling contains not more than two (2) bedrooms and	The proposal seek to create a secondary dwelling from the existing garage/studio which has a carport above. The secondary dwelling will provide for 2 bedrooms and 1 bathroom in consistency with the control. The secondary dwelling will be 2 storey in nature which is	No - 2 storey secondary dwelling worthy on merit

Control	Requirement	Proposed	Compliance
	not more than one (1) bathroom. Where the secondary dwelling or rural worker's dwelling is separate from the principal dwelling, only one storey will be allowed. A secondary dwelling above a detached garage is not supported.	acknowledged not to conform with Council controls however it is considered reasonable in this instance. The topography of the site slopes down from Net Road and the secondary dwelling will only appear as single storey within the streetscape. In this regard, the two storey form does not give rise to any unreasonable bulk and scale or visual impact concerns. Such variations succeed pursuant to section 4.15(3A)(b) of the EP&A Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development. We note that one of the objectives of this clause is '<i>limitation of the visual bulk and scale of development</i>' which is achieved by maintaining a single storey street presentation.	
Part D1 Avalon Locality			
D1.1 Character as viewed from a public place	The facades of buildings presenting to any public place must address these public places, provide visual interest, have a street presence and incorporate design elements that are compatible with any design themes existing in the immediate vicinity.	The site slopes down from street level which results in the structures presenting as single storey to the street. The existing streetscape will not be significantly impacted by the development. The application is supported by a landscape plan which will see an enhancement of native	Yes

Control	Requirement	Proposed	Compliance
	Blank facades that front public places are not supported. The bulk and scale of buildings must be minimised. Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.	species on site. This will be a positive contribution to the local environment as well as the character of the locality.	
D1.5 Building Colours	Dark and earthy tones	The proposed development incorporates natural materials and finishes to blend with the surrounding natural environment.	Yes
D1.8 Front Building Line	6.5m	The existing garage to be converted to a secondary dwelling will maintain its existing front setback. The front setback to the dwelling is unchanged. The carport above the proposed garage will be setback 6.5m with the ground floor garage matching the setback of the dwelling.	No - worthy on merit given context of existing structures on site
D1.9 Side and Rear Building Lines	1m to one side, 2.5m to the other.	1.02m side setback proposed of the garage to the western boundary.	Yes

Control	Requirement	Proposed	Compliance
	6.5m to rear.	Secondary dwelling is setback 2.56m from the eastern boundary.	
D1.11 Building envelope	Development is to be maintained below planes projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height.	A section of roof eaves to the secondary dwelling will encroach into the building envelope. This is considered a minor non-compliance and does not give rise to any unreasonable amenity impacts or bulk and scale concerns.	No - minor breach
D1.13 Landscaped Area	50% minimum	The proposal seek to demolish the existing pool which will see a decrease in hard surface area across the site. An existing and proposed site coverage plan has been provided which demonstrates an 8.2% decrease in hard surface area which will be replaced with soft landscaping. As such, there is an increase to soft landscaping above the existing circumstance. A landscape plan is provided which details the proposed planting schedule. The site will see an enhancement of landscaping which will contribute positively to the bushland character of the area.	Yes

4.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

4.3.1 Vegetation in non-rural areas

The provisions of Chapter 2 of this policy are applicable to all non-rural land across the state and aim to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural areas through the preservation of trees and other vegetation.

The proposed development will not remove any trees and will increase the amount of native vegetation on site.

4.4 State Environmental Planning Policy (BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the proposed alterations and additions and aims to encourage sustainable residential development.

A BASIX Assessment accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.5 State Environmental Planning Policy (Housing) 2021

Part 1 of the Housing SEPP relates to secondary dwellings:

Division 1 - Preliminary

50 – Application of Part

This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.

Response:

The land is zoned R2 Low Density Residential.

Division 2 – Secondary dwellings permitted with consent

52 Development may be carried out with consent

(1) Development to which this Part applies may be carried out with consent.

(2) Development consent must not be granted for development to which this Part applies unless—

(a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and

(b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and

(c) the total floor area of the secondary dwelling is—

(i) no more than 60m², or

(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.

Response:

The proposed secondary dwelling floor area is measured at 60m² and will result in the site only having a primary and secondary dwelling.

53 Non-discretionary development standards—the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—

(a) for a detached secondary dwelling—a minimum site area of 450m²,

(b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.

Response:

The site area is 1030.7m². No reduction in existing levels of off-street parking proposed.

4.6 Matters for Consideration pursuant to section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the EP&A Act (as amended):

(i) any environmental planning instrument

The proposed dwelling is permissible and consistent with the objectives of PLEP 2014 and P21 DCP as they are reasonably applied to the proposed works given the constraints imposed by the site's location, environmental and topographical characteristics.

(ii) 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 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 that are applicable in relation to the proposed development.

(iii) Any development control plan

P21 DCP applies and the relevant provisions have been considered in this statement.

(iiia) 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, and

N/A

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,

[The assessment considers the Guidelines (in italics) prepared by the Department of Planning and Environment in this regard].

Context and Setting

i. 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 the body of this report.

ii. 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*

These matters have been discussed in detail earlier in this report.

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*

The development provides adequate carparking facilities in conformity with the objectives of P21 DCP.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

This matter has been discussed in detail in the body of this report.

Flora and Fauna

The proposal will result not result in any unreasonable impacts upon flora and fauna. A landscape plan is provided which will be an enhancement of the site.

Waste Collection

The proposed development provides appropriate onsite waste storage, with waste to be collected from the street weekly by Council's contractors.

Natural hazards

The application is supported by technical reports addressing the natural hazards that affect the site.

Economic Impact in the locality

The proposed development will generate temporary employment during construction, which is appropriate given the residential nature of the site.

Site Design and Internal Design

i) *Is the development design sensitive to environmental considerations 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*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) *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. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *The environmental planning issues listed above*
- *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development 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*
- *Are the site attributes conducive to development*

The adjacent development does not impose any unusual or impossible development constraints. The site is well located with regards to utility services. The development will not cause excessive or unmanageable levels of transport demand.

The development responds to the topography and constraints of the site, is of adequate area, and is a suitable design solution for the context of the site.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The proposed works are permissible and consistent with the intent of the PLEP 2014 and P21 DCP standards and controls as they are reasonably applied to the proposed development. The development would not be contrary to the public interest.

5 Conclusion

The proposal is permissible and in conformity with the objectives of PLEP 2014 as they reasonably relate to this form of development on this particular site, and the guidelines contained within the P21 DCP.

The proposed development responds positively to the desired future character of the Avalon Locality and is appropriately located on the site. The works will provide a high level of amenity for occupants of the dwelling, without any adverse impacts upon the amenity of adjoining residences or the natural environment. A secondary dwelling will contribute to the availability of affordable rental housing in the area.

The identified non-compliances DCP non-compliances have been acknowledged and appropriately justified. Such variations succeed pursuant to section 4.15(3A)(b) of the Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

Having given due consideration to the matters pursuant to Section 4.15(1) of the EP&A Act as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance, and that the development is appropriate on merit and worthy of approval.

Boston Blyth Fleming Pty Limited

William Fleming

Director