



northern
beaches
council

MEMORANDUM

DATE: 8 November 2023
TO: Development Determination Panel (DDP)
FROM: Megan Surtees, Planner
SUBJECT: Item No. 3.5 17 Edwin Avenue AVALON BEACH - Review of Determination of Application DA2023/0057 for demolition works and construction of a dwelling house

The purpose of this memo is to advise the Panel that the assessment has been updated to include the proposed car space sited along the south-western boundary. In this instance, the built form control table has been updated and a merit consideration D1.9 Side and rear building line has been undertaken below.

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	6.5m	Ground Floor 6.5m - 8.21m	N/A	Yes
		First Floor 6.5m - 8.43m	N/A	Yes
		<i>Car space</i> 7.25m	N/A	Yes
Rear building line	6.5m	Ground Floor 15.5m	N/A	Yes
		First Floor 19.08m	N/A	Yes
		<i>Car space</i> 32.11m	N/A	Yes
Side building line	2.5m	South-west Boundary <i>Ground Floor</i> 2.5m	N/A	Yes
		<i>First Floor</i> 2.5m	N/A	Yes
		<i>Car space</i> Nil	100%	No
	1.0m	North-east Boundary <i>First Floor</i> 1.1m	N/A	Yes
		<i>First Floor</i>	N/A	Yes

		2.42m		
Building envelope	South-west Elevation 3.5m	Outside envelope for a length of 4.88m, with a maximum height of 0.35m	N/A	No
	North-east Elevation 3.5m	Outside envelope for a length of 11.51m, with a maximum height of 0.67m	N/A	No
Landscaped area	60% (326.28m ²)	Existing: 42.5% (231.2m ²)	29.1%	No
		Proposed: 55.1% (299.7m ²)	8.1%	No
		Proposed with variations: 61.11% (332.33m ²)	N/A	Yes

D1.9 Side and rear building line

As the proposed car space is sited within the prescribed 2.5 metre side setback area, a merit assessment has been undertaken below.

- *To achieve the desired future character of the Locality. (S)*

Comment:

Under A4.1 Avalon Beach locality within the P21 DCP, the proposal is generally consistent with the objectives of the desired future character of Avalon Beach. The proposed car space is a hardstand with no roof structure. As such, there is no unreasonable bulk and scale that would give rise to adverse amenity impacts upon the adjoining property or public spaces.

- *The bulk and scale of the built form is minimised. (En, S)*

Comment:

As detailed above, the car space is a hardstand space that has no roof structure, and by virtue of this, the built form has been minimised, and there are no unreasonable amenity impacts upon adjoining properties and public spaces.

- *Equitable preservation of views and vistas to and/or from public/private places. (S)*

Comment:

As there is no roof structure to the car space, there remains the equitable preservation of views and vistas to and/or from public/private places.

- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

Comment:

As above, there remains the equitable preservation of views notwithstanding the side setback non-compliance.

- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)*

Comment:

The car space will be adjacent to a boundary fence. In this instance, and notwithstanding the side setback non-compliance, there remains a reasonable level of privacy, amenity and solar access between properties.

- *Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)*

Comment:

Notwithstanding the side setback non-compliance, the proposal provides a reasonable level of landscaping throughout the subject site. The proposed landscape plan indicates planting within the front setback area which will continue to provide an attractive streetscape.

- *Flexibility in the siting of buildings and access. (En, S)*

Comment:

There remains ample flexibility throughout the site, notwithstanding the non-compliance to this control.

- *Vegetation is retained and enhanced to visually reduce the built form. (En)*

Comment:

The proposal retains, and proposes additional, planting throughout the site. Regardless, the proposed car space is only a hardstand with no roof structure and therefore has no substantial built form that requires visual relief through vegetation.

- *A landscaped buffer between commercial and residential zones is achieved. (En,S)*

Comment:

The subject site is located within, and surrounded by, a residential zone. Therefore, this outcome does not apply.

In this instance, the proposed variation is considered reasonable and can be supported on its merits.

Additionally, the wording of Condition 15 is to be amended to remove reference to 'BCA classification M and D', as this classification no longer applies within the BCA.

Recommendation –

The recommendation within the assessment report remains as an **approval**, subject to the amended wording of **Condition 15. External Finishes to Walls** to read as follows:

'The external finish to the walls are not to be the following colours:

- *white*
- *light blue*
- *red*
- *orange*
- *light grey*
- *beige*

The chosen colour shall have a medium to dark range in order to minimise solar reflections to neighbouring properties and appropriately integrate into the surrounding natural environment.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.'