

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR PROPOSED ADDITIONS & ALTERATIONS**

**LOCATED AT**

**NO 2A (NO 4) ALLEN AVENUE, BILGOLA BEACH**

**FOR**

**MR & MRS YARON REMEN**

**Prepared August 2004**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies details prepared by Arkitekton Pty Ltd, Drawings No DA -01 – 06, Issue A, dated July 2004 to construct additions and alterations to an existing property located at **4 Allen Avenue, Bilgola Beach**.

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.*
- *The Environmental Planning and Assessment Regulation 2000.*
- *Pittwater Local Environmental Plan 1993.*
- *Pittwater 21 Draft Local Environmental Plan*
- *Pittwater 21 Development Control Plan*

## 2.0 Property Description

The subject allotment is described as No 2A Allen Avenue, Bilgola Beach, being Lot 20 within Deposited Plan 11978 and Lot A in DP 37940 and is known as No 4 Allen Avenue. The property is zoned Residential 2(a) under the Pittwater Local Environmental Plan 1993.

The site is not listed as a Heritage Item nor is it within a Conservation Area.

The site has no identified hazards affecting the land.

## 3.0 Site Description

The property is located on the western (high) side of Allen Avenue, approximately 100m south of the cul-de-sac end of Allen Avenue. The property is irregular in shape, with a total site area of 878m<sup>2</sup> and a frontage of 18.29m to Allen Avenue and a site depth of between 45.72m and 51.08m.

The site rises gradually above the Allen Avenue frontage, with a total rise of approximately 6m from the road level to the area behind the existing dwelling.

As identified in the accompanying survey report prepared by D.P Surveying Services Pty Ltd, the subject site is currently developed by a two storey brick and stone dwelling with a garage under. Existing vehicular access is via a concrete driveway to Allen Avenue.



Fig 2: Street elevation of dwelling and tennis court, as viewed from Allen Avenue

## 5.0 Proposed Development

As detailed within the accompanying architectural plans, it is proposed to carry out alterations to the existing dwelling, together with the addition of a small roofed timber deck to the eastern facade of the elevated outdoor area adjoining the northern wall of the building at the upper floor level.

Internal modifications at the upper floor level will see the kitchen and living area re-configured, with internal stair access provided to the lower ground floor level.

The existing outdoor living space to the north of the dwelling will be increased through the addition of a small deck of 11.04m<sup>2</sup>. The deck will be roofed to provide for sun and weather protection.

At the lower floor level, an existing open undercroft area will be enclosed with construction to address the habitable construction requirements of the Building Code of Australia, to provide for an additional bedroom, guest bedroom with en-suite, bathroom, rumpus room and laundry/store room.

The dwelling is set to the rear of the site, with a tennis court located adjacent to the Allen Avenue frontage and forward of the dwelling.

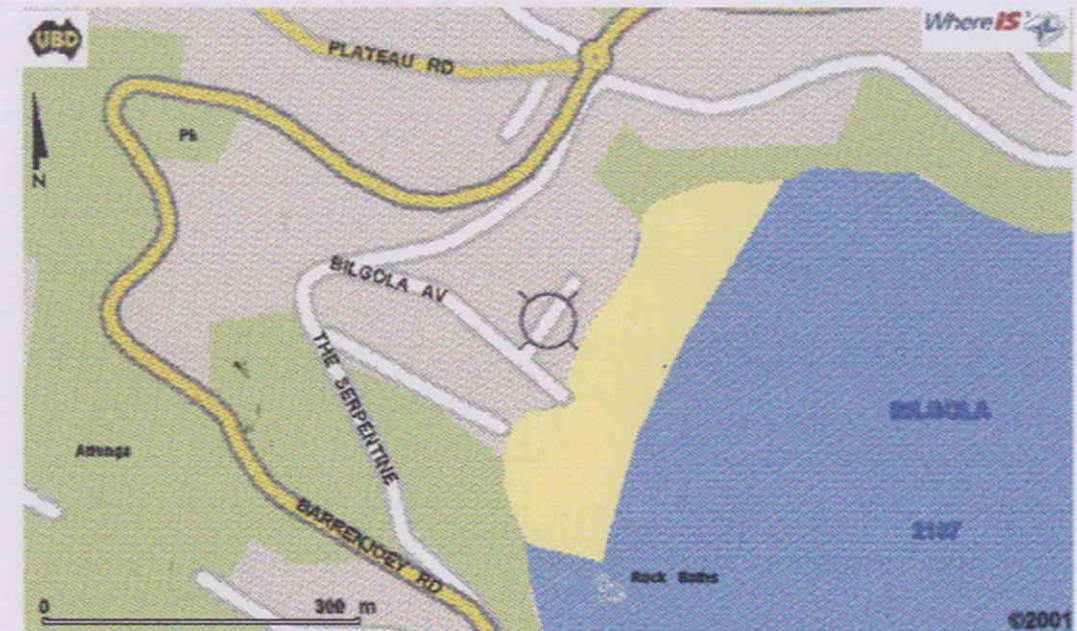


Fig 1: Location of Subject Site

## 4.0 The Surrounding Environment

The character of the immediate area is dominated by a ridgeline running north-south along the Barrenjoey Peninsula. This ridgeline forms a backdrop to the existing development within the Bilgola Beach area, with most properties enjoying ocean and beach views.

Due to the steep ridgeline topography of the area, development has been restricted to the lower front portion of these east facing allotments, which has resulted in a backdrop of densely vegetated slopes comprising of coastal trees and shrub endemic to the area.

The surrounding area is developed predominantly with dwellings containing two storeys with no distinct architectural theme. More recent developments have utilised contemporary designs incorporating varied roof forms with a mixture of external materials and finishes. Both of the adjoining allotments have been developed for residential purposes, and contain two storey developments which are of a similar scale to the subject dwelling.

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As encouraged by the Bilgola Locality controls of Pittwater21 DCP, the proposed additions have been designed to respect our neighbours amenity and privacy and to contribute to and enhance the built and natural environment of the area.

The above objectives have been achieved by maintaining the new floor space within the footprint of the existing dwelling and by utilising the existing undercroft area at the lower ground floor level.

The alterations and addition to the dwelling will have little discernible impact upon the existing bulk and scale of the dwelling and the neighbouring property owners will continue to enjoy the significant levels of amenity currently enjoyed as a result of the moderate scale of the dwellings in this portion of Bilgola Beach and the spatial separation between the dwellings.

The new deck extension will continue to maintain a separation in excess of 9m from the neighbouring dwellings, which will mitigate any direct overlooking of the outdoor living spaces of the neighbour to the north, which are generally oriented to the east of their dwelling.

The materials, finishes and roof form will match the existing dwelling, which itself is consistent with the general form and style of dwellings in the area.

The development of the site describes

The proposal describes the following indices:

**Site Area:** 878m<sup>2</sup>

Existing site cover:

Driveway	95.10 m <sup>2</sup>
Dwelling	252.4 m <sup>2</sup>
Tennis Court	457.50 m <sup>2</sup>

**Total:** 805 m<sup>2</sup> or 92%

Soft landscaped area 73 m<sup>2</sup>

Proposed new work: Nil increase in site cover as works over existing hard stand areas

Allowable site cover = 40% or 351.20 m<sup>2</sup>

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## **6.0. ZONING AND DEVELOPMENT CONTROLS**

### **6.1 Pittwater Local Environmental Plan 1993**

The site is zoned Residential 2(a) under the provisions of the PLEP 1993, gazetted on 4 February 1994. The site is also within the Dual Occupancy Area One and is therefore considered to be environmentally sensitive land.

The proposed additions and alterations are considered to be permissible with the consent of Council.

### **6.2. Pittwater 21 Development Control Plan**

Council's Pittwater 21 DCP Part B (General Controls), Part C (Design Criteria) and Part D3 Bilgola Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

#### **6.2.1 Section A Introduction**

##### ***A4.12 Bilgola Beach Locality***

*The Bilgola Locality, as one, will remain primarily a low-density residential area characterised by one and two storey residences in a natural landscaped setting, interspersed by compatible land uses where appropriate.*

*The three identified distinct areas (as identified in Map 2) will, by their unique differences, require differing and distinct degrees of control to ensure the individual characteristics and essence of each area are maintained and enhanced*

##### ***The Bilgola Beach Area:***

*is a visual catchment that is environmentally significant and extremely susceptible to degradation. Its unique local and regional significance requires protection, preservation and listing as an Environmental and/or Conservation Area. Strict development controls will apply to this area to ensure that its unique qualities are preserved through sensitive development. A Visual Protection Area, identified on Bilgola Locality Map 3, contains particular controls to minimise the impact of development that is visible from public places. The beach, valley and headlands represent a quiet uncrowded environment with no formal commercial activity. Its unique natural, unspoilt, non-commercial character makes it attractive to local residents and visitors alike and reflects the relaxed beach lifestyle. The local topography and natural features, notably the beachfront, headlands and stands of cabbage tree palms in the valley demand different sets of constraints on building design. All development controls should be interpreted in the context of the Desired Future Character for the Bilgola beach Area.*

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**The Plateau Area:**

*will provide for some dual occupancy development subject to environmental and other constraints. Medium-density housing will concentrate within and adjoining neighbourhood retail centres and transport nodes where appropriate. The plateau area will continue to be serviced by existing retail, community and recreational facilities.*

**The Pittwater Foreshore Area:**

*contains areas of visual significance when viewed from the public open space of Pittwater and therefore specific controls will apply to protect the visual amenity and natural flora and fauna of the area. Development within the original Wentworth Estate boundaries will require particular controls to preserve the significant heritage and social values of the Pittwater foreshore.*

*Future development will maintain distinct height limits, and reflect the predominant scale and setbacks of existing development. Buildings will be designed to address the street, waterway, beach, headland and valley aspects, integrate with the public domain, and be at a human scale.*

*Building colours and materials will harmonise with the natural environment and reflect the character of the individual areas. Development on hillsides, headlands and in the vicinity of ridge tops and public open spaces will be the subject of strict controls to ensure integration with the natural landscape and topography.*

*The indigenous tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to provide feed trees and undergrowth for koalas and other animals. The natural landscape, including rock outcrops, remnant bushland and natural watercourses, will be preserved.*

*Heritage items indicative of the early settlement in the Locality will be conserved.*

*Future development in the locality will be consistent with public infrastructure capacity and environmental constraints.*

*Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded and expanded where appropriate and consistent with the individual areas.*

*Existing and new development will be made safe from natural hazards without compromising the Desired Future Character.*

**Hazards, Natural Environment and Heritage**

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## **Hazards**

The Bilgola Locality is affected by various hazards. Land affected in the Bilgola Locality is shown on the Hazard Map held in the offices of Council.

## **Natural Environment**

The Bilgola Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Bilgola Locality is shown on the Natural Environment Map held in the offices of Council.

Endangered and vulnerable species of fauna exist within the Bilgola Beach Amphitheatre, such as the Squirrel Glider, Glossy Black Cockatoo, Powerful Owl, Koala, Long-nosed Bandicoot, Pigmy Possum and Common Bent-wing Bat.

## **Heritage**

The Bilgola Locality includes Heritage items and/or conservation areas. Land affected in the Bilgola Locality is shown on the Heritage Map held in the offices of Council.

It is considered that the proposal is consistent with the desired character of the locality by providing for additions and alterations to the existing dwelling which are consistent with the scale and style of development in the vicinity.

The proposal will have little impact on the existing tree canopy and minimal impact on the soft landscaped components of the site as the works are generally within the footprint of the dwelling and over existing paved areas.

### **6.2.2 Part B General Controls**

The General Controls applicable to the proposed additions and alterations are summarised as:

#### **B5.2 Stormwater Management – Rainwater tanks**

The controls seek to achieve the outcomes:

*There are no works proposed within the vicinity of the existing trees within the road reserve.*

*The conservation and recycling of water (EN)*  
*An alternative and safe water supply is provided for properties not connected to Sydney Water main. (S)*

The requirement for the provision of a water tank for the site occurs when the hard stand cover for the site is increased in excess of 25m<sup>2</sup>. The site indices note that there will not be any increase in site coverage in excess of 25m<sup>2</sup>. The only increase in the footprint of the dwelling is for the elevated deck, which will have a total area of 11.4m<sup>2</sup> and is predominantly located over paved and garden walled areas. Accordingly, stormwater from the proposed additional roofed



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areas will be directed to the existing system, which conveys roof waters to the street gutter.

#### **B5.5 Stormwater Discharge into waterways and coastal areas**

*The controls seek to achieve the outcomes:*

*All new development to be adequately and legally drained. (En, S)*

*Stormwater discharge not to have an adverse impact. (En, S)*

The requirements outlined in the controls seek to limit the extent and quality of stormwater run off to the waterway. As stated, the roof waters from the new roof areas are to be directed to the existing system, which directs all stormwater runoff from the site to the street gutter in Allen Avenue. It is considered that the existing system will adequately dispose of the stormwater run off from the hard stand areas of the site. The quality of the water entering the waterway will be acceptable as the water is essentially direct run off of stormwater flows.

#### **B 6.1 Access driveways – residential development up to 2 dwellings (single dwelling and dual occupancy)**

The controls seek to achieve the outcomes:

*To ensure safe and convenient access and parking is provided by all residential developments. (S)*

*Reduction of adverse visual impacts from driveways. (S)*

*To provide for pedestrian safety. (S)*

*To facilitate an effective road drainage system. (En,S)*

The site will continue to utilise the existing driveway access, which comfortably provides access for two vehicles to the existing under building parking.

#### **B6.4 Off-street Vehicle Requirements**

The controls seek to achieve the outcomes:

*To ensure safe, functional parking is provided by all residential developments that minimises rainwater runoff and adverse visual and environmental impacts. (En,S)*

The controls require a minimum of 2 parking spaces for each dwelling. The proposal provides for 2 parking spaces within the site, with access from the existing driveway.

#### **B8.1 Construction & demolition – excavation and landfill**

*The controls seek to achieve the outcomes:*

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*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 works will not necessitate any significant excavation of the site or disturbance to the ground levels. The works will see the enclosure and development of any existing undercroft area below the upper floor outdoor living area, with the existing heights within the void area such that it is not necessary for any significant excavation to facilitate the works.

## **6.2.2 Part C Design Criteria**

The Design Criteria applicable to Dwelling House (alterations and additions) and are summarised over as:

### ***C1.1 Landscaping***

The controls seek to achieve the outcomes:

*A built form dominated and complemented by landscaping. (En)*

*Landscaping that reflects the scale and form of development. (En)*

The required controls to achieve the outcomes are to ensure that the development will provide for the reasonable retention and protection of the existing significant trees and to provide for locally occurring species within any proposed replanting of the site. The proposal will not necessitate the removal of any significant trees and the majority of the existing perimeter planting will be maintained. The site has been developed with a dwelling, driveway and tennis court which currently occupy approximately 92% of the site. The new works will not see any significant further reduction in the landscaped area, with it being the intention of the owners to supplement and maximise the existing soft landscaped areas of the site.

As views for the neighbouring uphill property owners are an important element in the amenity they currently enjoy, the landscape improvements will primarily be in the form of low shrubs, with the use of indigenous species favoured.

### ***C1.2 Safety and Security***

The controls seek to achieve the outcomes:

*On going safety and security of the Pittwater Community. (S)*

The aim of this control is to ensure on-going safety and this is achieved by ensuring building design allows occupants to view who is approaching their

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dwelling; enabling views of the driveway, pathways and open space from within the dwelling and providing easily identifiable entrances.

The proposal retains the existing living areas to overlook the pathways, entry and driveway and enable views of visitors approaching the dwelling.

### **C1.3 View Sharing**

The controls seek to achieve the outcomes:

*Maintain reasonable sharing of views from public places and living areas. (S)*  
*No one development is sited to maximise the views of its occupants to the exclusion of adjoining residences. (S).*

*Public views and vistas are protected, maintained and where possible, enhanced. (S)*

*Canopy trees take priority over views (En, S)*

The required controls to achieve the outcomes are to ensure that building sight lines and building positioning and height maintain reasonable view sharing for neighbouring properties. The nature of the works being additions primarily to the lower floor level, with the alterations to the upper floor level being positioned below the existing ridge line of the dwelling, will ensure that the views over the site for the up slope neighbours will be generally unaffected.

### **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)*

*To minimise the need 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. The nature of the works with the primary increased height to the northern end of the building, together with the northern orientation of the properties in the vicinity is such that the neighbouring dwellings will maintain equitable solar access available in accordance with Council's minimum standards.

### **C1.5 Visual Privacy**

The controls seek to achieve the outcomes:

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*Habitable rooms and outdoor living areas of dwellings shall achieve and maintain 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 suitable protected to limit the effects of direct overlooking. The nature of the proposed additions and alterations is such that the main outlook for the habitable areas within the dwelling will continue to be primarily oriented to the east to enjoy the expansive ocean views.

It is not considered that the nearby dwellings will experience any unreasonable overlooking as a result of the proposed development.

### **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)*

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources. The location of the primary living spaces is largely unchanged in the proposed design. The additional upper floor areas will contain mainly passive living and bedroom areas. The rooms will be separated from the primary living rooms and will enjoy quiet and private amenity.

Given the nature of the works, there will not be any significant change to the existing site conditions.

### **C1.7 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 proposed works will not reduce the extent and quality of the existing primary open space areas for the site.

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### **C1.9 Accessibility**

The controls seek to achieve the outcomes:

*The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing. (S)*

*All members of the community enjoy equitable access to buildings to which the general public have access. (S)*

*Housing for older people and people with a disability are accessible, adaptable and safe. (S)*

*Equitable access in the public domain. (S)*

The required controls to achieve the outcomes are to ensure that reasonable and convenient access is maintained to the site and the development for the occupants and visitors. The works will not reduce the existing access which is consistent with the residential character of the site.

### **C1.11 Energy and water conservation**

The controls seek to achieve the outcomes:

*More efficient use of resources in Pittwater. (En)*

*The orientation, design, and siting of buildings makes the best use of natural ventilation, daylight and solar energy. (En)*

The required controls to achieve the outcomes are to ensure that the building will be energy and water efficient. The design and northerly orientation of the proposed additions will ensure that the primary habitable areas of the dwelling will enjoy good solar access for passive heating and cross flow ventilation and shading in summer for passive cooling. The location and form of the new floor areas, being primarily to the north eastern portion of the dwelling will ensure that there will be negligible impact upon the subject and neighbouring sites in terms of the energy efficiency of the adjacent dwellings.

### **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. The garage area and curtilage to the dwelling has adequate area for the on-site storage of waste and

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recyclables, with the waste removed by Council contractors via the household garbage service.

### 6.2.3 Part D Design Criteria

The **D3 Bilgola 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 stormwater runoff from the development will be contained and directed to the street gutter. There will not be any adverse siltation or water pollution impacts on the general drainage system of the area or to local waterways.
- 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 **D3 Bilgola Locality** is provided below:

#### **D3.1 Character As Viewed From A Public Place**

The control seeks to achieve the outcomes:

*Achieve the desired future character of the Locality.*

*The visual impact of the built form is secondary to landscaping and vegetation. (en, S)*

*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'. Within rural residential areas, buildings give the appearance of being two-storey maximum. (S)*

*Parking structures are minimised and secondary to the built form, landscaping and vegetation. (S)*

*Access to public places and spaces is clear and defined. (S)*

The required controls to achieve the outcomes are to ensure that the building which is located adjacent to the Bilgola Beach frontage 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.

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It is considered that the proposed additions and alterations to the dwelling will respect the desired outcomes by maintaining a compatibility with the existing style and range of building finishes in the locality, together with integrating the new works with the existing building. The proposal will blend with the existing dwelling through the use of compatible finishes and colours and complimentary materials.

The roof design, setbacks and overall height will allow for the retention of views for the up slope neighbouring properties and the public roadway above the site road way, given that the neighbouring properties to the west are substantially elevated above the property.

### **D3.3 Scenic Protection**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.  
Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)*

The required controls to achieve the outcomes are to ensure that the development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

It is considered that the proposal will respect the desired outcomes as the additions and alterations to the dwelling are consistent with the style, scale and form of the neighbouring residential developments. Views for the public and private properties in the area will be substantially maintained.

### **D3.4 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)  
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)*

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. It is considered that the development is appropriate as the works will utilise complimentary finishes and colours which have been detailed in the application submission.

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### **D3.5 Height**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality*

*Buildings and structures below the tree canopy level. (S)*

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

*The built form does not dominate the natural setting. (En., S)*

The required controls to achieve the outcomes are to limit the height of buildings and structures to a maximum of 8.5m. The proposed structure will comfortably comply with the maximum height control of 8.5m.

### **D3.6 Front Building Line**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality*

*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)*

*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)*

The new works are generally within the footprint of the existing dwelling, which is located in excess of 30m from the street boundary, and substantially further back than the neighboring buildings. The existing tennis court forward of the dwelling results in limited views to the dwelling and therefore the building does not dominate the street appearance of the site.

The minor nature of the new works will ensure that there will not be any significant impact on the streetscape character of this portion of Allen Avenue.

### **D3.7 Side and rear building line**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality*

*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)*

*A reasonable level of privacy, amenity and solar access is provided and maintained to the residential properties. (En,S)*



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*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)*

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.

The location and height of the new open deck will observe a setback of 1.5m to the northern boundary of the site, which will not present any significant issue for the neighbouring property in terms of the bulk of the new work, privacy loss or overlooking.

As the new works are an addition to an existing building, it is considered that the works will observe the objectives of the setback controls as they apply to in-fill development between the neighbouring residences.

### **D3.8 Building Envelope**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.*

*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)*

*A reasonable level of privacy, amenity and solar access is provided and maintained. (En, S)*

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

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°. Given the nature of the works being predominantly within and adjacent to the existing dwelling, the works will observe the building height plane controls and the building will continue to maintain appropriate levels of solar access in accordance with Council's policy for the primary living and outdoor recreation spaces for both the neighbouring and subject dwellings.

### **D3.10 Site Coverage – Environmentally Sensitive Land**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.*

*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)*

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*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)*

The required controls to achieve the outcomes are to limit residential development to a maximum site coverage of 40% of the site area.

As the site has been developed with the driveway, dwelling and tennis court, the 878m<sup>2</sup> site has an existing site cover of 805 m<sup>2</sup> or 92%. The proposal will not see any significant increase in the existing site cover. The existing soft landscaped areas will be supplemented and maximised where possible to contribute to the soft cover of the site.

The proposed works will not reduce the tree canopy in the area or the primary soft landscaped components of the site.

#### **6.4 Streetscape**

The proposed works will present a scale and form to Allen Avenue which is compatible with the adjoining residences and complimentary to the wider streetscape. The style and finish selection is in keeping with the varied nature of the areas and reflects the sites proximity to the waterway and the landscape quality of this portion of Bilgola Beach.

Importantly for the streetscape, views between the subject and neighbouring buildings will be maintained to retain public access to the ocean scenic area. The proposal will have a positive impact on the quality and integrity of the streetscape character of the area.

#### **6.5 Privacy**

The proposed additions and alterations are to primarily provide additional low use habitable spaces such as bedrooms and bathrooms areas to the dwelling. The primary living areas and outdoor recreation areas will be retained and largely unchanged.

It is not considered that the additions and alterations will be unreasonably diminishing the privacy of the adjoining allotments.

#### **6.6 Overshadowing**

As the new works are primarily to the lower ground floor areas and to the northern portion of the site, the effects of the additional shadows are limited. The primary north facing living and outdoor recreation areas of the neighbouring properties will be largely unaffected by the additional shadow and will continue to maintain good solar access in accordance with Councils policy.

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## **6.7 Drainage**

It is proposed to connect the roof drainage from the new works to the existing system which conveys the stormwater to the street gutter in Allen Avenue.

## **6.8 Views**

As previously discussed, the subject and surrounding sites enjoy panoramic water views, which will not be unduly compromised by this proposal. The design is sensitive to the locality and the compatibility with the neighbouring properties will ensure that equitable access to the available views for the surrounding public and private areas will be maintained.

## **6.9 Noise**

The proposed works will not introduce any significant noise issues for the subject or neighbouring properties and there are no significant noise issues anticipated as a result of the proposal.

## **7. MATTERS FOR CONSIDERATION UNDER SECTION 79C 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 1993 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 draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

Pittwater 21 Draft Local Environmental Plan (DLEP) is currently on exhibition and the proposal has been assessed having regard to the provisions of the DLEP. It is not considered that there are any areas of the development which will be in conflict with the draft document.

### **7.3 Any development control plan**

The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan.

The application has been prepared having regard to the requirements of Part B, Part C and Part D of the Pittwater 21 DCP.

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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 matter prescribed by the regulations that apply to the land to which the development relates.**

No matters of relevance are raised in regard to the proposed development.

**7.5 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 additions and alterations to the 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 1993, Pittwater 21 DLEP and Council's Codes and Policies, in particular the Pittwater 21 DCP and the Newport Locality Statement.

**7.6 The suitability of the site for the development**

The subject land is currently zoned Residential 2(a) under the Pittwater Local Environmental Plan 1993 and is considered suitable for the proposed development.

The subject site does not exhibit any significant constraint to the construction of the proposed development.

**7.7 Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

**7.8 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.

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## **8. CONCLUSION**

The principle objective of this development is to provide for additions and alterations to the existing dwelling, which respect and compliment the site's location and provide for functional living space to meet the needs of the owner.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbours amenity and by complimenting the existing style and character of the dwelling, 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