

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR PROPOSED ALTERATIONS AND ADDITIONS

LOCATED AT

17 ARGYLE STREET, BILGOLA PLATEAU

FOR

BRUNO AND JEAN FLAMBARD



**Prepared
April 2024**

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1.0 Introduction

This Statement of Environmental Effects accompanies plans prepared on behalf of Bruno and Jean Flambard by Upstairs Design and Building Co, Project No. 2504, Drawings No's DA1-DA15, dated 10 April 2025 detailing the proposed alterations and additions to an existing dwelling at **17 Argyle Street, Bilgola Plateau**.

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 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Housing) 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 No. 17 Argyle Street, Bilgola Plateau, being Lot 279 in DP 16327. The property is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site is identified within the Class 5 Acid Sulfate Soils area, and also mapped within the area identified as 'Biodiversity' of the Biodiversity Map of PLEP 2014. These matters will be addressed in further detail within the report.

The site does not contain any heritage items, nor is it within a conservation area.

No other hazards have been identified.

3.0 Site Description

The property is regular in shape, with a width of 12.9m and a depth of 40.235m. The total site area is 490.5m².

The land has a slope of over 7m from the eastern front boundary to the rear western boundary. Stormwater from the site is currently drained to the rear of the site.

The site is currently developed with a one and two storey brick and weatherboard dwelling with a tile roof. Vehicular access is currently available to the site via a concrete driveway from Argyle Street with parking provided within the northern side setback adjoining the dwelling.

The site currently contains no significant trees, however manicured lawns and garden areas are located throughout the site. The main recreational areas are located to the west of the dwelling to take advantage of the district views.

The details of the site are included on the survey prepared by Adam Clerke Surveyors Pty Ltd, Reference No. 6524, dated 15 November 2024, which accompanies the DA submission.

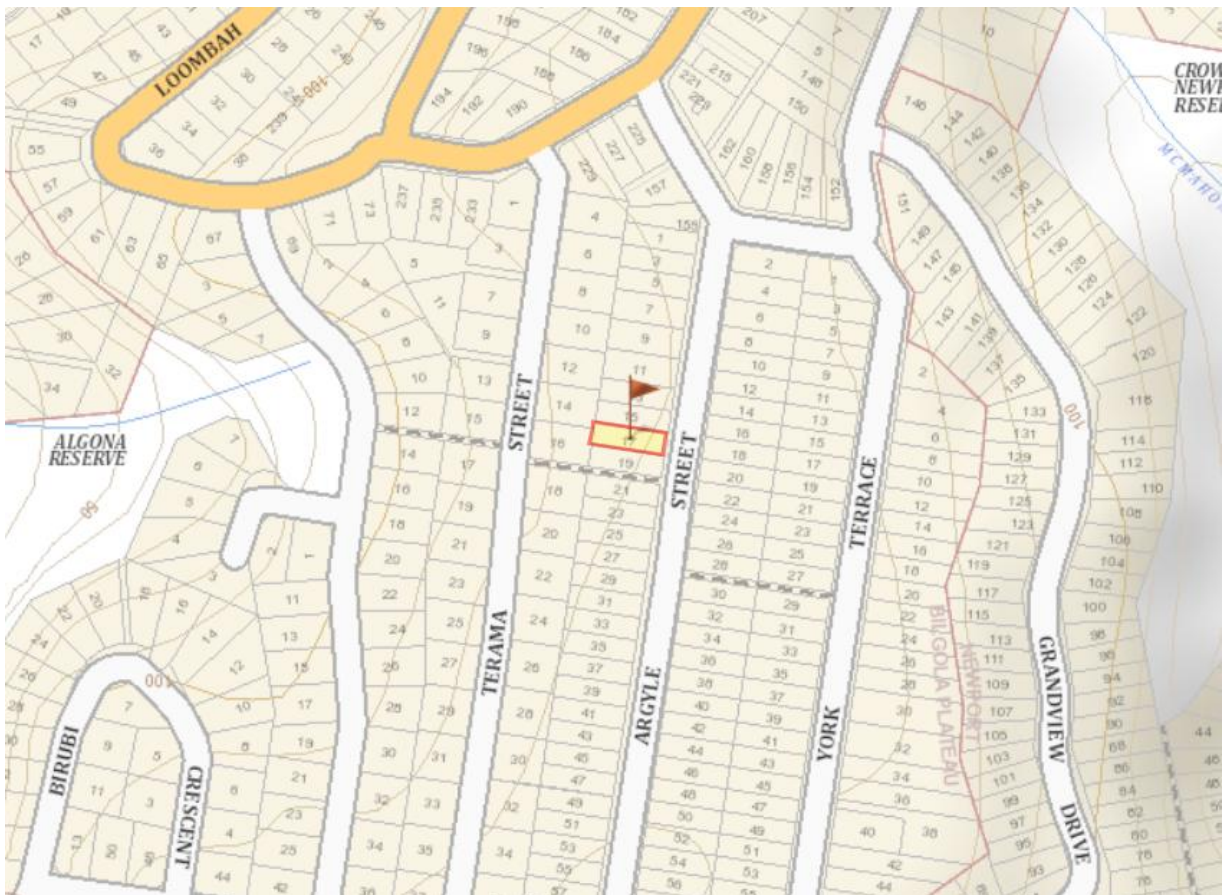


Fig 1: Location of subject site
(Source: Six Maps)



Fig 2: View of the subject site, looking west from Argyle Street



Fig 3: View of the subject site and neighbouring property to the north at No 15 Argyle Street



Fig 4: View of the neighbouring dwelling to the south at No 19 Argyle Street, looking west



Fig 5: View of the rear elevation of the subject dwelling, looking west



Fig 6: View of the neighbouring development to the north, looking north-east



Fig 7: View of the southern neighbour at No 19 Argyle Street, looking south

4.0 The Surrounding Environment

The general vicinity of the site is characterised by residential dwellings and a range of detached outbuildings, of a variety of architectural styles.

The varying age of development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a consistent setback to the public domain.

The surrounding properties comprise a range of original style dwellings with an emergence of modern dwellings and additions. The surrounding dwellings comprise a mix of dwellings between one and three storey dwellings.

The development in the area is heavily influenced by the sloping topography, with dwelling stepped to follow the slope of the land.



Fig 8: Aerial view of locality
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks to provide for alterations and additions to the existing dwelling.

The new works will comprise:

- Minor addition to lower ground floor rear deck and the inclusion of external access stairs to the ground floor level
- Reconfiguration of the ground floor plan to provide for the access stairs to the first floor, new kitchen/pantry and external access stairs from the rear deck
- New first floor to provide for a master bedroom, bathroom, second bedroom and access stairs.

The proposed works represent a high-quality architectural design solution that will provide a significant enhancement to the amenity and usability of the site and provide minor additions to an existing dwelling that corresponds with the topography of the site.

The height and setbacks maintain the rhythm of development within the existing streetscape and provides appropriately for spatial separation, landscape opportunity, privacy, solar access and view sharing.

The design and arrangement will afford exceptional amenity to the current occupants without unreasonably compromising the amenity of surrounding residential properties or the bushland attributes of the area.

The proposal maintains an appropriate area of soft landscaping and will not require the removal of any significant vegetation.

The existing development indices for the site are:

Site Area	490.5m ²
Required Building Height	8.5m
Proposed Building Height	8.5m
Required Landscaped Area	60% or 294.3m ²
Proposed Landscaped Area	59.3% or 290.77m ² (Excl 6% variation or 320.2m ² /65.3% incl. 6% variation)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the 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 nonrural areas of the State through the preservation of trees and other vegetation.

There are no trees located within the site, with all works being generally within the existing building footprint, except for the external access stairs in the northern setback. Accordingly, the proposal does not impact on vegetation on the site, neighbouring properties or the surrounding public domain.

It is considered the works do not impact the biodiversity value for the site or the locality. No further consideration under the SEPP is required.

6.2 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.

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort, and energy efficiency requirements of the 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.

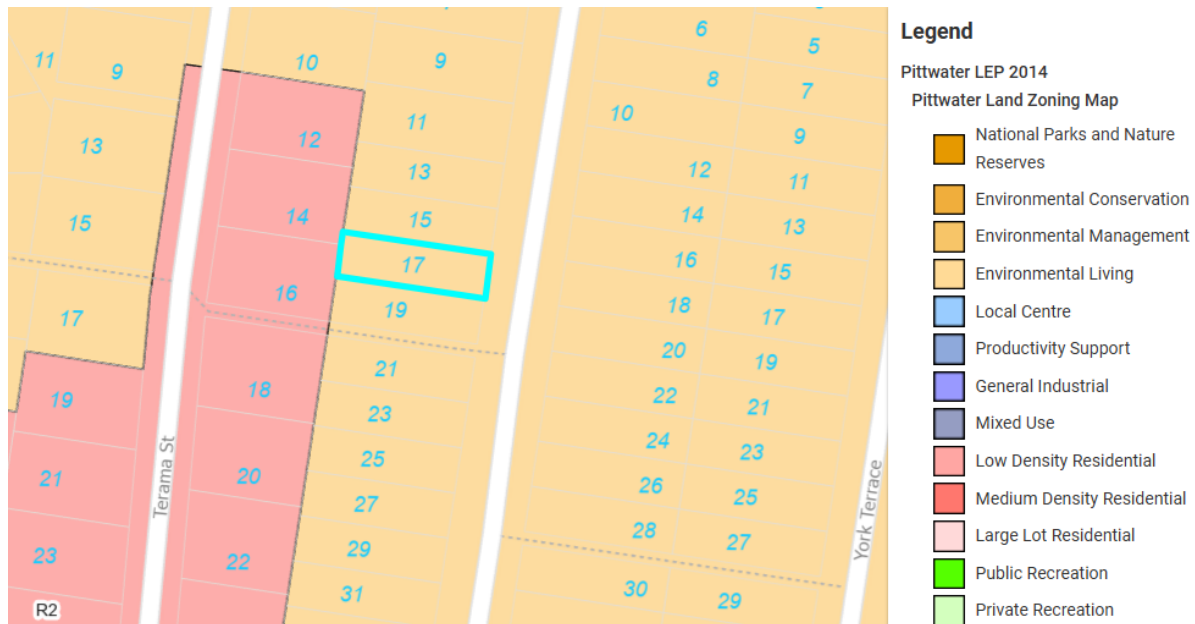


Fig 9: Extract of Pittwater Local Environmental Plan 2014 Zoning Map

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 new 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 detached style housing within the locality.
- The proposed development respects the scale and form of other new developments in the vicinity and therefore complements the locality.
- The proposal provides for a new first floor which will not have any substantial impact to the neighbouring properties.
- The setbacks are compatible with the existing surrounding development.

- The proposed new works will provide for increased residential amenity, together with improved functionality through the introduction of new external access stairs.
- As discussed in this submission, it is considered that the proposal does not have any unreasonable impact on long distance views for the nearby properties.

Clause 4.3 – Height of Buildings

Development in this locality is subject to a maximum height of up to 8.5m. The proposed new works will present a height of up to approximately 8.5m, and therefore complies with this provision.

Notwithstanding that the site has been previously partially excavated for the lower ground floor level, the modest height of the additions and the low pitched nature of the rear skillion roof form ensure that the development will not exceed Council's 8.5 m height control measured above the lower ground floor level.



Fig 10: Extract of Pittwater Local Environmental Plan 2014 Height of Buildings Map

Clause 7.1 relates to acid sulfate soils. The site has been identified in the Class 5 Acid Sulfate Soils areas. As no significant excavation is proposed with the exception of the works to accommodate the new footings for the access stairs, the proposed works are not anticipated to lower the water table, and therefore no further investigation is required in this instance.



Fig 11: Extract of Pittwater Local Environmental Plan 2014 Acid Sulfate Soils Map

Clause 7.2 relates to earthworks. The proposal will not require any significant excavation of the site with the exception of the works to accommodate the new footings for the access stairs.

The proposal is unlikely to unreasonably disrupt existing drainage patterns and soil stability in the locality, nor will it result in unreasonable amenity impacts on adjoining properties. The earthworks will also not generate any adverse impacts on surrounding bushland environment or waterway.

The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and will therefore satisfy the provisions of this clause.

Clause 7.6 relates to 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:*
- (a) protecting native fauna and flora, and*
 - (b) protecting the ecological processes necessary for their continued existence, and*
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

The proposal will not require the removal of any significant vegetation to accommodate the works. The proposal will not see any significant change to the existing total landscaped area. In this instance, the Objectives of Clause 7.6 will be achieved.

Clause 7.10 relates to **Essential Services**. The proposal will see the existing essential services to the site being maintained.

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 Section B (General Controls), Section C (Development Type Controls) and Section D Bilgola Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

6.5.1 Shaping Development – Desired Character

The desired outcomes for the Bilgola Locality, in which this site falls, are as follows:

A4.3 Bilgola Locality

The Bilgola 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. Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

The three distinct areas within the Bilgola locality (as identified in Bilgola Locality 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 Plateau Area: Will provide for some dual occupancies, on land that does not have tree canopy coverage, species and habitat diversity, or other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

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 the development. 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.

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.

Natural scenic views from the Bicentennial Walkway will be preserved.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

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.

The design quality and visual aesthetic of development on this site is significantly enhanced as a consequence of the contemporary design, natural material treatments and maintenance of the existing landscaping onsite.

The height, form and massing of the development is complementary and compatible with that established by adjoining dwelling houses, and other dwellings within the site's visual catchment. The proposal has been designed to reflect the existing setbacks provided to all boundaries existing in the immediate area.

The proposed external stairs will provide for increased residential amenity, while providing improved and safe site access functionality.

The height, bulk and scale of the development will not give rise to any adverse streetscape impacts and will enhance the scenic amenity/ built form quality of the area when viewed from surrounding public and private land.

The building materials and colours will harmonise with the natural environment and will not detract from the existing locality.

It is therefore considered that the proposal will achieve the desired future character of the locality.

6.5.2 Section B General Controls

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

B4.6 Wildlife Corridors

The controls seek to achieve the outcomes:

Retention and enhancement of wildlife corridors ensuring/providing the connection of flora and fauna habitats. (En)

The proposed alterations and additions are contained generally within the existing building footprint and will not see the removal of any significant trees or vegetation. The existing vegetation on site will be retained and protected.

Accordingly, the proposal is not considered to detract from any wildlife corridors and is considered to be in keeping with the provisions of this clause.

B5.15 Stormwater

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 proposal will not see any substantial change to the balance of impervious areas within the site. Stormwater from the new roof areas will be connected to the existing stormwater system which directs stormwater to the rear of the site. The proposal will therefore satisfy the provisions of this clause.

B6.2 Internal Driveways

The controls seek to achieve the outcomes:

Safe and convenient access.

Reduce visual impact of driveways.

Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation.

Reduce contaminate run-off from driveways.

The proposal will continue to utilise the existing driveway.

B6.3 Off-Street Vehicle Parking Requirements

The controls seek to achieve the outcomes:

An adequate number of parking and service spaces that meets the demands generated by the development.

Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.

Safe and convenient parking.

The proposal provides no change to the existing car parking arrangements.

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 will not require any significant excavation of the site or disturbance to the exterior ground levels.

The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and will therefore satisfy the provisions of this clause.

B8.3 Construction and Demolition – Waste Minimisation

The controls seek to achieve the following outcomes:

Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)

The construction works will seek to minimise waste by re-using material where possible or recycling appropriate materials. All construction waste will be removed from the site to an approved waste facility.

6.5.3 Section C Development Type Criteria

The Development Type 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 proposal will not see any significant change in the existing built upon area for the site and will not require the removal of any significant vegetation. The existing vegetation on site will be

maintained and protected.

The site maintains boundaries which are capable of accommodating future plantings.

The existing plantings assist with softening and screening the built form of the development and maximising privacy for occupants of the subject dwelling and neighbouring properties. The proposal will maintain consistency with the landscaped character of the locality.

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)

Sites in the immediate vicinity enjoyed district views to the west of the site. The new works will not remove any substantial views for the surrounding properties.

The proposal is therefore not considered to result in any unreasonable view loss for neighbouring properties and will satisfy the provisions of this clause.

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 orientation of the subject and neighbouring properties, the proposed works will not unreasonably impact upon solar access to the primary living spaces or private open space areas of any neighbouring properties.

Shadow diagrams have been prepared which confirm that the rear living areas and rear yard of the adjoining neighbours will continue to receive access to at least three hours of solar access between 9.00am – 3.00pm. The majority of the additional shadows are noticeable over the neighbouring roof at 12.00pm and 3.00pm, however the neighbouring property will retain the existing solar access enjoyed from late morning throughout the afternoon.

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.

The proposal provides for a new first floor that contains bedrooms and a bathroom, all considered low usage rooms. New window openings are orientated towards the eastern frontage and western rear boundary, with limited openings on the northern and side elevations. The window openings on the northern elevation service the stairwell, bathroom and bedroom and are located 2.537m – 3.159m from the boundary. The new window on the southern elevation services bedroom 2 and is located 5.694m from the southern side boundary.

Given the new window openings display more than compliant setbacks, and do not directly adjoin neighbouring windows or private open space areas the impact to the amenity levels of the neighbour sites are considered reasonable.

The new works to the dwelling will not unreasonably overlook the neighbours, with the existing levels of amenity enjoyed by the neighbours to be largely 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 private open space 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. No unreasonable noise impacts are anticipated given the residential nature of the proposed works.

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 with suitable private open space with an area and grade which will facilitate outdoor private recreation.

The site will retain the existing rear and front decks for private open space, while the rear yard will continue to be used for private recreation.

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 proposed alterations and additions will retain suitable area for on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

C1.23 *Eaves*

The controls seek to achieve the outcomes:

Housing that reflects the coastal heritage and character of Pittwater. (S)
Optimise roof forms. (S)
Appropriate solar access and shading is achieved. (En)

The first floor addition will contain appropriate eaves to provide weather protection of the occupants of the dwelling.

6.5.4 Section 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 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 **D3 Bilgola Locality** is provided below:

D3.1 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 scale 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'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

The required controls to achieve the outcomes are to ensure that the building maintains a compatibility with the locality through appropriate design relief including textures, natural materials, spatial separation, landscaping etc.

The proposal will provide for the construction of alterations and additions which will maintain a bulk and scale which is in keeping with existing surrounding development.

View sharing corridors will be retained for the neighbouring dwellings to the north and south of the subject site.

The generous setbacks provided reflect the setbacks of the adjoining properties.

The proposed addition of a first floor is considered appropriate and is compatible with the existing dwelling design to provide visual interest and reduce additional bulk when viewed from Argyle Street.

The visual impact of the first floor on neighbouring properties will be minimised through the use of muted colours, natural materials where suitable, and the preservation of the existing landscaped area, ensuring the proposed works remain secondary to the surrounding landscaping.

It is therefore considered that the proposal will achieve the desired future character of the locality.

D3.2 Scenic Protection – General

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.
Scenic bushland and geographical landforms are the predominant features of Bilgola with the built form being the secondary component of the visual catchment. (En, S)
Preserve scenic quality as part of the recreational amenity. (S)*

The proposal will not see the removal of any significant vegetation.

The first floor and external access stairs improves the usability of the site, with the dwelling house to result in a modernised style presentation that is consistent with other more newly developed sites along this particular area and will not detract from consistency with the outcomes of this development control.

The existing vegetation is to be retained onsite meaning the visual impact will be lessened over time with the further growth of the existing landscaping, and ultimately, there will be a significant improvement in the presentation to the Bilgola locality.

D3.3 Building colours and materials

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 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)

The materials and finishes include cladding and natural finishes consistent with the existing colour palette, which will complement the external finishes of the existing dwelling. While it is acknowledged that the external colours are lighter in colour as demonstrated on plan DA1, it is considered that the lighter coastal look palette is appropriate as it is intended to utilise consistent tones and finishes to match the primary dwelling house and surrounding properties.

D3.6 Front Building Line

The controls seek to achieve the outcomes:

Achieves the desired future character of the Locality.

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)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

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 front setback of the ground floor remains as existing, with the proposed first floor displaying a minimum setback of 8.06m to the street boundary, which is not in-consistent with the front setback to other neighbouring dwellings and dwellings on this side of Argyle Street.

D3.7 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.

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 proposed new first floor will stand from 2.537m – 3.159m to the northern boundary, and 3.773 – 5.694m to the southern boundary, compliant with the requirements of the control.

The new first floor is located 7m from the rear boundary.

Accordingly, the compliant setbacks and generous areas of open space and landscaping provide a sufficient special distance and buffer in order to visually screen and soften the new built form.

D3.9 Building Envelope

The controls seek to achieve the outcomes:

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

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 proposal will comply with Council's building envelope control as it applies to the northern boundary.

The control anticipates departures to the numerical requirements on lots that experience a steep topography, slope of more than 16.7 degrees specifically allows a merit assessment (rather than strict numerical assessment). Such a scenario is the case for this proposal.

As a result of the sloping topography of the site, a portion of the northern (up to 1.163m) and southern side elevation (up to 1.255m) will encroach on the side boundary envelope control. See Figure X and X below.

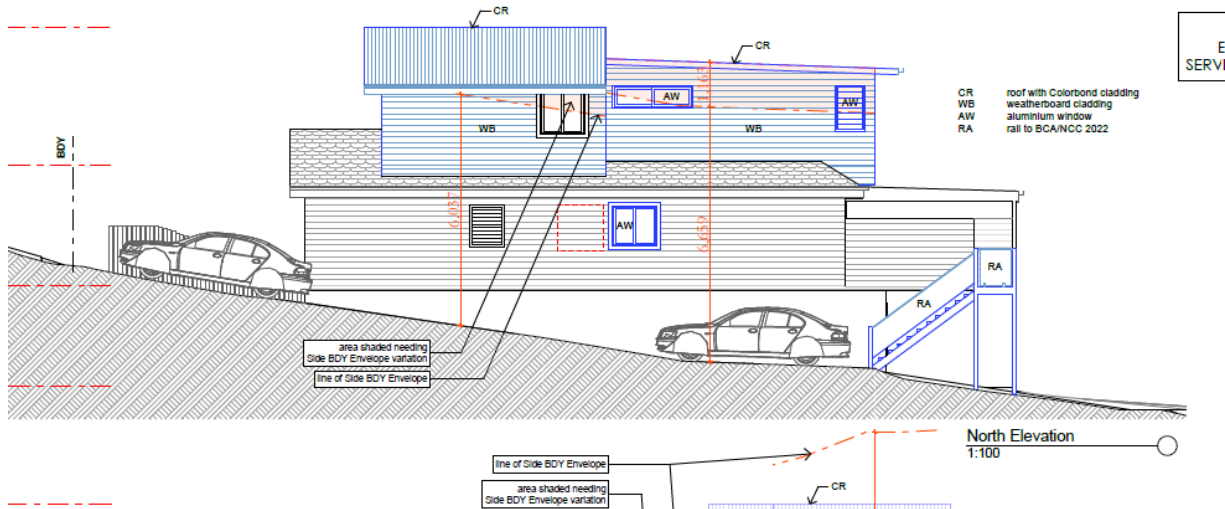


Fig 12: Building envelope variation on the northern elevation shaded in red

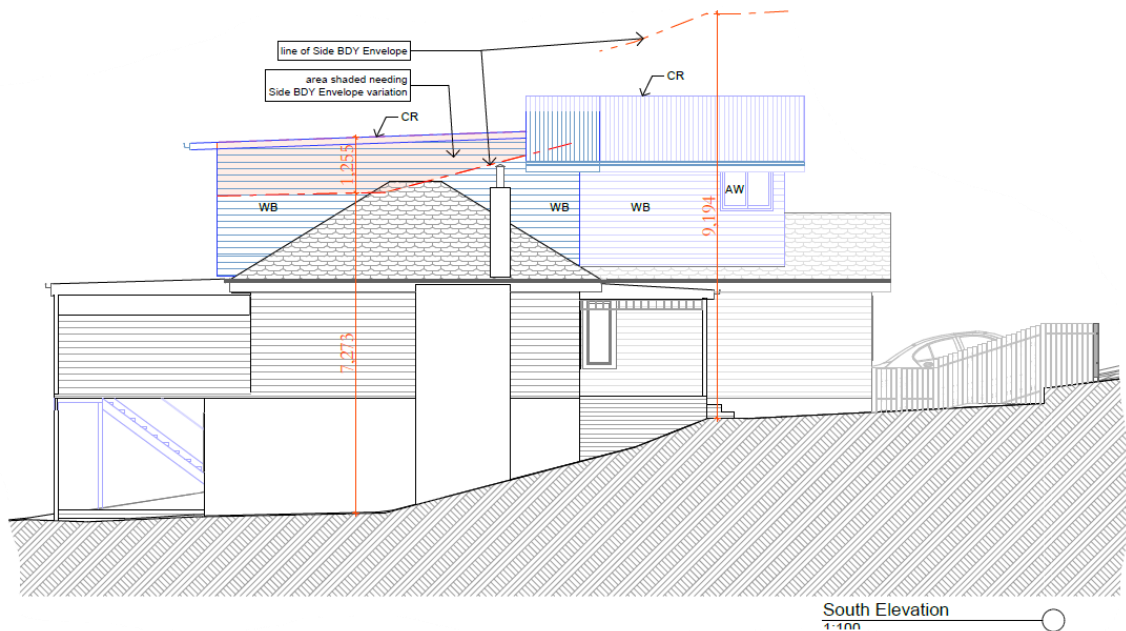


Fig 13: Building envelope variation on the southern elevation shaded in red

The variations sought to the northern and southern side boundary envelope are not uncommon with those variations experienced on other surrounding dwelling houses, or for recent approvals.

The extent of encroachment is limited to the upper portion of the first floor. The articulated nature of the side elevations of the building assists in distributing the bulk of the building and with views and reasonable solar access being retained for the neighbours, the objectives of the control are respected.

The proposed encroachment to the building envelope is not visually identifiable from the Argyle Street and does not materially alter the streetscape. The overall height and scale of the encroachment areas are below the maximum building height and surrounding existing tree heights, meaning the trees will continue to tower over the built form.

Landscape areas are to be retained and improved as part of the proposal.

It is therefore considered the proposal is consistent with the requirements of the clause and acceptable on merit.

D3.11 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 will provide a landscape area of 290.77m² or 59.3% excluding any consideration of the 6% variation for functional landscaped open space.

With inclusion of the variation, the landscaped area comfortably complies with Council's requirement on the site will maintain a significant soft landscaped area surrounding the dwelling.

The proposal will maintain a significant soft landscaped area of % or insertm2 (excluding 6% allowance for functional open space)

The proposed development is consistent with the desired future character of the Bilgola Locality, as the development is designed to ensure that the visual impact of the development remains secondary to landscaping.

In addition, it can be said that the proposal has been effectively integrated within the landform, through ensuring a considerable landscape buffer areas in the front, sides, and rear of the site remain.

The proposal will not result in any unreasonable impact on light, solar access or privacy. This is as a result of the sufficient orientation and separation of the proposed dwelling.

A considerable proportion of the site remain permeable, maximising water infiltration. Furthermore, stormwater will be appropriately managed on the site.

The proposed minor landscaped area non-compliance does not result in any adverse impacts upon the amenity of adjoining properties and overall, the proposal is considered to be consistent with the outcomes of the clause, and acceptable on merit.

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 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.

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, and

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 proposed construction of alterations and additions to 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 Bilgola 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 Any 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 construction of alterations and additions to existing dwelling, which respects and complements the site's location.

The outcome is a modernised design 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 provides a complementary and compatible building form when compared to the existing dwelling, other development located along this section of Argyle Street and within the site's visual catchment generally.

The articulated side boundary setbacks maintain the rhythm of development and building setbacks within the street and provide appropriately for spatial separation, landscape opportunity, privacy, solar access and view sharing.

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.

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