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Design Statement

Statement of Environmental Effects

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C H A M B E R L A I N

58 Whale Beach Rd, Avalon Beach NSW 2107

1) Design Statement

58 Whale Beach Rd is located on the western side of Whale Beach Road.

The existing dwelling is sited on the leeward side of Bangalley Headland and is directly opposite the entry to Careel Bay Headland reserve that adjoins Whale Beach Road.

The property is near rectangular in shape and the site falls from east to west, with site dimensions of Eastern street front boundary 12.05m and Western rear boundary of 12.05m. The Northern side boundary of 57.34m and Southern side boundary of 54.7m are flanked by 2 storey neighbouring residences.

Given the landform and fall of the site, both of the existing neighbouring properties extend beyond councils building height plane, albeit appear to sit within the 8.5m DCP height limit.

The proposal looks to maintain the majority of the existing house structure and to extend the first floor of the existing house to the rear of the site.

A new swimming pool and outdoor entertaining deck area is located directly adjacent to the ground floor living, dining and kitchen area, with a new secondary dwelling proposed to be located at the rear of the site in place of an existing garden structure to be demolished.

The existing metal Shed and timber Carport within the rear of the site are proposed to be demolished. The existing concrete driveway is to be reduced in size, with the driveway to the north and west of the existing house to be demolished. This reduction in the overall size of the existing driveway will still allow for the accommodation of 2 x vehicle carparks for the main residence and 1 x secondary dwelling carport to the east of the existing dwelling, as well as providing additional landscaping to the rear and northern edge of the property.

The program of both floors of the existing dwelling is to remain mostly unchanged, with bedrooms to the first floor and living spaces to the ground floor. The existing ground floor laundry and bathroom are to be relocated to the south-eastern corner of the plan. This will allow for a greater penetration of northern and western light into the proposed Family and Dining areas, and direct connection between Living areas & outdoor spaces.

The maximum ridge height of the existing dwelling is to be maintained, as is the Dutch gable roof at the east of the Existing Dwelling. The existing roofline is simply proposed to extend to the West and ending in an open gable. The existing terracotta tiles are to be replaced with dark metal roof sheeting.

We request consideration for the minor encroachment of the Building Envelope at the West Elevation as seen in drawing DA 07. Both No. 56 and No.60 exceed the building envelope to a greater degree, particularly No. 60. In addition to this, both neighbouring properties have ridge heights significantly higher than that of No. 58.

A secondary dwelling has been proposed. This dwelling is intended primarily for immediate family occupation, and to encourage multi-generational living on the property. The secondary dwelling is single-level, with an open plan kitchen and living area separated from a single bedroom and adjoining ensuite-cum-laundry. High-level glazing along the north, east, and west elevations allows for ample natural lighting within the dwelling, in addition to the windows shown. High level glazing allows natural daylighting whilst protecting visual privacy.

Although located close to the northern and western boundaries of the site, the privacy of both the neighbours and the secondary dwelling's occupants is maintained. There are no proposed windows on the southern elevation of the proposed secondary dwelling. The north-facing sliding windows to the living space opens toward the solid brick carport wall of property No.60, with vertical garden for relief. Whereas the west facing windows look towards heavy vegetation and fencing between the properties of No.58 and No.17 Alexander Rd. Additionally, the distance between the dwelling on No.17 Alexander Rd and the proposed secondary dwelling exceeds 25 metres.

2) Statement of Environmental Effects

Site Details

Address: 58 Whale Beach Rd, Avalon Beach NSW 2106
Lot No: 106
DP No: 17189
Site Area: 674.1m² (by survey)

Existing Site Description

The property of 58 Whale beach Rd, Avalon Beach currently holds a two-level double-brick, rendered dwelling with a tiled roof. It is a sloping block which falls from the east (at the street) down to the western boundary. It has a rear carport, with an extensive concrete driveway running from the street to the rear. The western end of the property is lawned, with a metal shed erected over a Sydney water asset. Immediately to the North is the 2 storey dwelling of No.60, with a large south-facing timber privacy screen running from the ground floor to the roofline at the rear of the dwelling. At the rear of No. 60 is a large brick carport which directly abuts the property boundary of No. 58. Directly to the West is the property of no.17 Alexander Rd. The single-level dwelling of this property is located more than 25 metres away from the shared boundary between it and No. 58. To the south of No.58 is a 2 storey dwelling at No. 56. The rear of this property is heavily vegetated, with many tall trees.

Proposed Development

The proposed development is for alterations & additions to the existing dwelling, with a new detached secondary dwelling proposed.

Planning

Pittwater LEP 2014

The site is zoned R2: Low Density Residential
The site is identified as Area 3 on the Landscaped Area Map
The site is identified as Acid Sulphate Soils Map – Class 5
Height of Buildings Map - I Maximum 8.5m
Lot Size Map - Q Minimum 700 sqm There are NO heritage items associated with this land.
The Site is zoned as Vegetation Buffer on the Northern Beaches Bushfire Prone Land map 2020

Hazards

No hazard is identified on the Geotechnical Hazard Map.

The nature of the proposed alterations & additions at 58 Whale beach Rd, Avalon Beach, aims to respect the current zoning of the property, the site and neighbouring properties.

Analysis of Proposal
Pittwater 21 Development Control Plan – 2014 & Pittwater Local Environment Plan 2014

B1 HERITAGE CONTROLS

B1.2 Heritage Conservation – Development in the vicinity of Heritage items...			
Outcomes	Controls	Proposal	Compliance
<p>Conservation of the environmental heritage of Pittwater LGA in accordance with the principles contained in the Burra Charter.</p> <p>Enhancement of the identified heritage values and significant character of the heritage conservation areas and encourage contemporary design that responds appropriately to their character.</p> <p>Development respectful of environmental heritage, undertaken in a manner that is sympathetic to, and does not detract from, any heritage significance.</p>	<p>Any development application involving work likely to impact the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site is to be accompanied by a Statement of Heritage Impact prepared by an appropriately qualified heritage professional.</p> <p>Guidance on preparing a Heritage Impact Statement (Statement of Heritage Impact) is available at NSW Office of Environment & Heritage in the NSW Heritage Manual or superseding publication.</p> <p>Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.</p> <p>Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to minimise the impact on the heritage significance by providing an adequate buffer zone, and maintaining and respecting significant views to and from the heritage item, heritage conservation area, archaeological site or potential archaeological site.</p>	<p>The subject property being 58 Whale beach Rd, Avalon Beach, is not in the vicinity of a heritage item.</p>	<p>Not applicable.</p>

B1.4 Aboriginal Heritage Significance			
Outcomes	Controls	Proposal	Compliance
<p>Provide protection for Aboriginal place of heritage significance or Aboriginal object. Potential Aboriginal places of heritage significance and Aboriginal objects are identified and protected.</p>	<p>If a property, the subject of a development application is identified as possibly meeting any of the criteria for being a potential Aboriginal place or containing an Aboriginal object then additional independent information on the potential heritage significance may be requested.</p> <p>If a property, the subject of a development application, is in the vicinity of an identified or potential Aboriginal place of heritage significance or Aboriginal object then additional independent information on the potential heritage significance may be requested.</p> <p>The additional information requested may take the form of a report prepared by a suitably qualified person as defined by the NSW Office of Environment and Heritage, as well as consultation with the NSW Office of Environment and Heritage and appropriate Aboriginal groups.</p> <p>If an Aboriginal site or relic is discovered, it must be reported to the NSW Office of Environment and Heritage and all works stopped.</p> <p>Development must conserve the significance of any Aboriginal place of heritage significance or Aboriginal object.</p>	<p>The subject property being 58 Whale beach Rd, Avalon Beach, does not meet any of the criteria for being a potential aboriginal place, nor is it in the vicinity of any identified or potential Aboriginal place of heritage significance.</p>	<p>Not applicable.</p>

B3 HAZARD CONTROLS

<p>B3.1 Landslip</p> <p>Outcomes</p> <ul style="list-style-type: none"> • Protection of people. (S) • Protection of the natural environment. (En) • Protection of private and public infrastructure and assets. (S) 	<p>Controls</p> <p>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater.</p> <p>Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater for the life of the development.</p> <p>The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</p>	<p>Proposal</p> <p>Refer to Figure 02 in this document.</p> <p>Although the property is listed as containing Geotechnical Hazard H2, this hazard occurs only at the front of the site, hard against the Whale Beach Road adjacent site boundary.</p> <p>The majority of the proposed development takes place to the west of the existing building, with no development proposed within the area occupied by the Geotechnical hazard.</p> <p>Therefore we request that council consider that a geotechnical report is not required. Please refer to a letter from Markham Lee Architecture dated the 20.12.21 included with the application.</p>	<p>Compliance</p> <p>YES</p>
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<p>B3.2 Bushfire Hazard</p> <p>Outcomes</p> <ul style="list-style-type: none"> • Protection of people. (S) • Protection of the natural environment (En) • Protection of private and public infrastructure and assets. (S) 	<p>Controls</p> <p>All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development.</p> <p>Development land to which this control applies must comply with the requirements of:</p> <ul style="list-style-type: none"> • Planning for Bushfire Protection (2006) • Australian Standard AS 3959:2009 - <i>Construction of a building in a bushfire-prone area</i> 	<p>Proposal</p> <p>A Bushfire Assessment Report and certified forms are provided. Refer to the Bushfire Report as prepared by Peterson Bushfire.</p>	<p>Compliance</p> <p>YES</p>
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B3.6 Contaminated Land and Potentially Contaminated Land			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> • Protection of public health. (S) • Protection of the natural environment. (En) • Successful remediation of contaminated land. (En, S) 	<p>Council shall not consent to the carrying out of any development on land unless it has considered <i>State Environmental Planning Policy No. 55 Remediation of Land</i>.</p> <p>In particular, Council shall consider:</p> <ul style="list-style-type: none"> • whether the land is contaminated; and • if the land is contaminated, • whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and • if the land requires remediation, whether the land will be remediated before the land is used for that purpose. <p>Where a development would involve a change of use on land listed below, Council must consider a preliminary investigation report prepared in accordance with the contaminated land planning guidelines.</p> <p>The land concerned is land:-</p> <ul style="list-style-type: none"> • on which development for a purpose referred to in the table below is being, or is known to have been, carried out; or • on which it is proposed to carry out development for residential, educational, recreational or child care purposes, or for the purposes of a hospital, and there is no or incomplete knowledge as to whether development for a purpose referred to in the table below has been carried out, and on which it would have been lawful to carry out; or <p>that is within an investigation area (as declared under Division 2 Part 3 of the <i>Contaminated Land Management Act 1997</i>).</p>	<p>The subject property is a dwelling and has not been used in the past for any purpose that might cause contamination.</p> <p>If asbestos is present, it will be removed to Code & Council requirements.</p>	<p>YES</p>

B4 CONTROLS RELATING TO THE NATURAL ENVIRONMENT

B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> • Conservation of intact Pittwater Spotted Gum Forest EEC. (En) • Regeneration and/or restoration of fragmented and / or degraded Pittwater Spotted Gum Forest EEC. (En) • Reinstatement of Pittwater Spotted Gum Forest to link remnants. (En) • Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors. (En) 	<ul style="list-style-type: none"> • Development shall not have an adverse impact on Pittwater Spotted Gum Endangered Ecological Community. • Development shall restore and/or regenerate Pittwater Spotted Gum Endangered Ecological Community and provide links between remnants. • Development shall be in accordance with any Pittwater Spotted Gum Forest Recovery Plan. • Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees. • Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations. • Caretakers of domestic animals shall prevent them from entering wildlife habitat. • Fencing shall allow the safe passage of native wildlife. • Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community). • Development shall ensure any landscaping works are outside areas of existing Pittwater Spotted Gum Endangered Ecological Community and do not include Environmental Weeds. 	Not applicable.	Not applicable.

B5.15 Stormwater			
Outcomes	Requirements	Proposal	Compliance
<ul style="list-style-type: none"> • 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 <p>Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.</p>	<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</p>	<p>The proposed alterations and additions lead to a 46% reduction of hard surface area.</p> <p>Therefore, as per section 9.3.1 of the 2020 Waste Management for Development Policy, no OSD facility is required to be installed.</p>	<p>YES</p>

B6 ACCESS & PARKING

B6.3 Off-Street Vehicle Parking Requirements			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none">• 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.	<p>The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dwelling houses -</p> <p>2 bedrooms or more: 2 spaces.</p> <p>For a Secondary Dwelling a minimum of 1 space is required in addition to existing requirement for the principal dwelling (based on number of bedrooms in principal dwelling).</p>	<p>The existing driveway is to be significantly reduced in size, yet it will still accomodate sufficient parking space, with 1x parking spot for the Secondary Dwelling and 2x parking spots for the principal dwelling.</p>	YES

B8 SITE WORKS MANAGEMENT

B8.1 Construction and Demolition - Excavation and Landfill			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> • Site disturbance is minimised. (En) • Excavation, landfill and construction not to have an adverse impact. (En) • Excavation and landfill operations not to cause damage on the development or adjoining property. (S) 	<ul style="list-style-type: none"> • Excavation and landfill on any site that includes the following: • Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation; • Any excavation greater than 1.5 metres deep below the existing surface; • Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property; • Any landfill greater than 1.0 metres in height; and/or • Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate. 	<p>The proposed alterations to the existing dwelling is contained within the existing building footprint, with the extension of the dwelling occurring on the first floor level, and thus not requiring additional excavation.</p> <p>The pool will effectively be above ground.</p> <p>The Secondary Dwelling to the rear of the property will require no fill or excavation.</p> <p>Minor fill is proposed to the 'Lawn' area (north of the pool) only to a max of 800mm depth, and contained by a sandstone garden wall.</p>	<p>YES</p>

B8.3 Construction & Demolition – Waste Minimisation 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.	Controls 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.	Proposal The Contractor shall ensure all possible re-use and/or recycling of demolished materials. All demolition items are shown dotted red on the drawings.	Compliance YES
B8.4 Construction & Demolition – Site Fencing & Security Outcomes <ul style="list-style-type: none"> • Ensuring public safety. • Protection of public domain. 	Controls All sites are to be protected by site fencing for the duration of the works. Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the <i>Roads Act 1993</i> .	Proposal The Contractor shall ensure the site is safely secured during the works.	Compliance YES

C1 DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT

<p>C1.1 Landscaping</p> <p>Outcomes</p> <ul style="list-style-type: none"> • 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. 	<p>Controls</p> <p>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community (EEC). Note if the land is within an EEC there will be a Development Control specifically covering the requirements for Landscaping in an EEC.</p> <p>In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.</p> <p>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.</p> <p>Each tree planted is to have a minimum area of 3m x 3m and a minimum 8m² within this area to ensure growth is not restricted.</p>	<p>Proposal</p> <p>Refer to DA01 Site, Roof and Landscape Plan and DA11 Site Coverage Diagrams.</p> <p>The existing site has no canopy trees, albeit they do surround the site. A particularly large canopy tree is located near the south west site boundary on the property of No.56. The primary existing vegetation type on the property consists of large palms.</p> <p>Given the new building works are predominantly working within either the existing building footprint or within the existing concrete driveway footprint, the existing hard surface areas are not exceeded. In fact, there is an overall reduction in hard surface area of 46sqm. The Secondary dwelling is designed to feature an unenclosed subfloor. Therefore the existing landscaping is mostly retained as per existing, with the additional of a new lawn area. The proposed design also incorporates new planting between the secondary dwelling and the western site boundary.</p>	<p>Compliance</p> <p>YES</p>
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C1.2 Safety and Security			
<p>Outcomes</p> <ul style="list-style-type: none"> On-going safety and security of the Pittwater community. (S) Opportunities for vandalism are minimised. (S, Ec) Inform applicant's of Council's requirements for crime and safety management for new development.(S) Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S) Identify crime and safety priority areas in Pittwater LGA (S, Ec) Improve community safety and reduce the fear of crime in the Pittwater LGA (S) Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S) 	<p>Controls</p> <p>There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:</p> <ul style="list-style-type: none"> Surveillance Access Control Territorial Reinforcement Space Management 	<p>Proposal</p> <p>The existing dwelling had no defined entry point. The proposal provides for a separate landscaped path, to a proposed covered entry deck symbolising a safe defined entrance point.</p> <p>The Entry will retain the existing sidelight glazing next to the front door, through which the occupants can see who is outside the property from within.</p> <p>Movement down the southern site boundary will be controlled by a lockable gate.</p>	<p>Compliance</p> <p>YES</p>

C1.3 View Sharing			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> A reasonable sharing of views amongst dwellings. 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. Canopy trees take priority over views. 	<p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p> <p>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</p> <p>Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.</p> <p>Views are not to be obtained at the expense of native vegetation.</p>	<p>The property of No.58 and the neighbouring properties of No.60 and No.56 run approximately on an east-west axis, and are relatively narrow. Due to this, balconies and windows on all properties are concentrated to eastern and western elevations, with minimal glazing on the southern and northern elevations.</p> <p>There are no views to the east (road) and western views are distant, of the hillside.</p> <p>Given the proposed works at No.58 will occur directly west of the existing dwelling, views from the surrounding properties will not be effected.</p> <p>The sloping nature of the site means that views from the site are restricted. Although bushland at Bangalley Head is directly to the east of the property, views to the area are restricted as the site slopes most steeply from the street to the principal dwelling. This is made clear in Drawing DA 08, where the finished ceiling level of the first floor is roughly equivalent to the highest point of the existing driveway.</p>	YES

C1.4 Solar Access			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> Residential development is sited and designed to maximise solar access during mid-winter. A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. Reduce usage and/dependence for artificial lighting. 	<p>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.</p> <p>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 at least 50% of the glazed area of those windows).</p> <p>Variations General Where the following constraints apply to a site, reasonable solar access to the main private open space and to windows to the principal living area will be assessed on a merit basis: where the orientation or shape of a lot precludes northerly orientation (20° west to 30° east of north),</p> <p>where there is adverse slope or topography, where there is existing vegetation, obstruction, development or fences that overshadow, or where other controls have priority, e.g. heritage and landscaping considerations.</p> <p>Subject to a merit assessment, consent may be granted where a proposal does not comply with the standard, provided the resulting development is consistent with the general principles of the development control, the desired future character of the locality and any relevant State Environmental Planning Policy.</p>	<p>Refer Drawing DA11 - Shadow Diagrams, produced by Markham-Lee Architects using information as per Survey.</p> <p>As shown on DA11, the majority of proposed new shadows cast do not affect neighbouring dwellings, as existing shadows already occur. Morning shadow is principally cast upon the backyard of property No. 56, with minimal overshadowing between 12pm and 3pm. Also, the backyard of No. 56 includes a very large canopy tree - the shadows of which have not been included on the drawing DA11. As No.60 is located to the north of No.60, it is not overshadowed at any time.</p> <p>The properties of No 15 and 17 Alexander Rd are only overshadowed by the proposed in the morning. The principal dwellings of both of these properties are not located in the rear areas.</p> <p>As the principal Living Area of No.56 is located on the upper floor, overshadowing to this space is minimal at 12pm.</p> <p>Solar Access is otherwise as per existing and compliant with Councils requirements. The additional overshadowing is minor in nature. It is compliant with Council's requirements for adjoining dwellings to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p>	YES

C1.5 Visual Privacy			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. A sense of territory and safety is provided for residents. 	<p>Private open space, recreation areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation.</p> <p>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</p> <p>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.</p> <p>Direct views of private open space or any habitable room window within 9m can be restricted by:</p> <ul style="list-style-type: none"> a window sill height 1.7m above floor level, or offset windows fixed translucent glazing in any part below 1.7m above floor level, or solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are: <ul style="list-style-type: none"> permanent and fixed; made of durable materials; and designed and painted or coloured to blend in with the dwelling. 	<p>The proposal carefully considers visual amenity and privacy between neighbouring properties.</p> <p>No 58 and the immediate neighbours at No. 56 and No. 60 have a predominantly western outlook. Due to the sloping nature of the site and presence of tall boundary fencing, ground level southern windows at No. 58 pose no risk of overlooking. On the first floor, the 2 proposed southern windows W04 and W05 are obscured glazing, and both located lower and offset to windows of No. 56.</p> <p>No. 60 has a large timber privacy wall and tall vegetation which predominantly prohibits No. 60 from overlooking the proposed deck and pool area. It is proposed to provide tall planting along the southern edge of the pool to assist with overlooking from No. 56 deck.</p> <p>The Secondary dwelling is designed with well located windows to negate privacy issues, both on site & from neighbouring properties. Overlooking of the yard of No. 17 Alexander Rd will be blocked by increasing the existing vegetation.</p>	<p>YES</p>

C1.6 Acoustic Privacy			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited. <p>Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or recreation areas (S)</p>	<p>Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and recreation areas and the like.</p> <p>Walls and/or ceilings of attached dwellings shall have a noise transmission rating in accordance with <i>Part F(5) of the Building Code of Australia</i>. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the <i>Building Code of Australia</i>).</p>	<p>The proposal aims to provide for sensible Acoustic Privacy for the inhabitants and neighbouring properties.</p> <p>The proposed bedrooms are all located on the first floor of the principal dwelling, away from the ground floor principal living areas.</p> <p>The upper level extension to No. 56 purely allows for larger bedrooms to replace the 3 existing small bedrooms already there. Thus affect of acoustics towards neighbours is unchanged in that respect.</p> <p>The outdoor ground floor Deck already exists, although is slightly enlarged. The pool is located in the middle of the block, westwards of the neighbour's homes. The pool equipment is located underneath the decking to contain noise.</p>	<p>YES</p>











































C1.7 Private Open Space			
Outcomes	Controls	Proposal	Compliance
<ul style="list-style-type: none"> 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) 	<p>Private open space shall be provided as follows:-</p> <p><u>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</u></p> <p>Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard. Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%). Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas. Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access). Private open space should be located to the rear of the dwelling to maximise privacy for occupants. Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private. A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties. Private open space areas should include provision of</p>	<p>Refer to drawing DA01, 02 and 03;</p> <p>The proposed ground floor deck provides 35sqm of private open space, directly off living spaces. The proposed terraced lawn below also provides an additional 28sqm of private open space. The Pool Area also provides 50sqm of recreational space to the principal dwelling.</p> <p>Between the secondary and principal dwellings, a Lower Lawn area provides for an additional 55sqm of open private space. This is directly accessed off the Entry deck.</p> <p>As the majority of the private open space is located at the rear (west) of the property, good solar access is provided to these areas by the midday and afternoon sun, as seen in drawing DA 11.</p> <p>Privacy is further provided to the deck by a new privacy screen located on the southern edge of the deck, as well as the decks location under the first floor extension.</p> <p>An area for outdoor clothes drying is designated on the lower lawn.</p>	<p>YES</p>

<p>C1.7 Private Open Space</p> <p>Outcomes</p> <p>Limitation of the visual bulk and scale of development. (En, S) Provision of design flexibility for second storey development. Restriction of the footprint of development site. (En) Retention of natural vegetation and facilitation planting of additional landscaping. (En) Provision of rental accommodation. (S)</p>	<p>Controls</p> <p>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.</p> <p>A secondary dwelling or rural worker's dwelling contains not more than two (2) bedrooms and not more than one (1) bathroom.</p> <p>Where the secondary dwelling or rural worker's dwelling is separate from the principal dwelling, only one storey will be allowed.</p> <p>A secondary dwelling above a detached garage is not supported.</p>	<p>Proposal</p> <p>The proposed secondary dwelling is detached and single-level, with 1 bedroom and an adjoining ensuite.</p> <p>The secondary dwelling will be partially obscured from neighbouring properties by existing fencing and additional proposed planting.</p>	<p>Compliance</p> <p>YES</p>
<p>C1.12 Waste and Recycling Facilities</p> <p>Outcomes</p> <ul style="list-style-type: none"> Waste and recycling facilities are accessible and convenient, and integrate with the development. (En) Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment. (En, S) 	<p>Controls</p> <p>Waste and recycling receptacles are to be stored within the property boundaries.</p> <p>Separate bins are to be provided for waste (garbage), paper recyclables and container recyclables.</p>	<p>Proposal</p> <p>Bin storage is in an existing location on the driveway.</p>	<p>Compliance</p> <p>YES</p>

D01 AVALON BEACH LOCALITY


D1.1 Character as viewed from a public place			
Outcomes	Controls	Proposal	Compliance
<p>To achieve the desired future character of the Locality.</p> <p>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)</p> <p>To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.</p> <p>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)</p> <p>High quality buildings designed and built for the natural context and any natural hazards. (En, S)</p> <p>Buildings do not dominate the streetscape and are at 'human scale'.</p> <p>To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.</p>	<p>Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.</p> <p>Any building facade to a public place must incorporate at least two of the following design features:</p> <ul style="list-style-type: none"> • entry feature or portico; • awnings or other features over windows; • verandahs, balconies or window box treatment to any first floor element; • recessing or projecting architectural elements; • open, deep verandahs; or • verandahs, pergolas or similar features above garage doors. <p>The bulk and scale of buildings must be minimised.</p> <p>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. Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.</p>	<p>The existing street frontage of the dwelling and property will be maintained as is.</p>	<p>YES</p>

D1.4 Scenic protection - General			
Outcomes	Controls	Proposed	Compliance
<p>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)</p>	<p>Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.</p>	<p>As stated above, the existing street frontage of the dwelling and property will be maintained as is.</p> <p>Within the vicinity of the property, the predominant bushland landscape is the Bangalley Headland Reserve, which remains unobstructed by the development.</p>	<p>YES</p>

D1.5 Building colours and materials																		
Outcomes 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) An informal beachside appearance of the Avalon Beach Village. (S, Ec)	Controls External colours and materials shall be dark and earthy tones as shown below: <table><tr><td> Black ✓</td><td> Dark grey ✓</td><td> Dark green ✓</td></tr><tr><td> Dark brown ✓</td><td> Mid grey ✓</td><td> Green ✓</td></tr><tr><td> Brown ✓</td><td> Dark blue ✓</td><td></td></tr></table> White, light coloured, red or orange roofs and walls are not permitted: <table><tr><td> White ✗</td><td> Light blue ✗</td><td> Red ✗</td></tr><tr><td> Orange ✗</td><td> Light grey ✗</td><td> Beige ✗</td></tr></table> Finishes are to be of a low reflectivity.	 Black ✓	 Dark grey ✓	 Dark green ✓	 Dark brown ✓	 Mid grey ✓	 Green ✓	 Brown ✓	 Dark blue ✓		 White ✗	 Light blue ✗	 Red ✗	 Orange ✗	 Light grey ✗	 Beige ✗	Proposal Refer drawing DA-00 for the Materials Schedule, and the elevations. The proposal aims to enhance the visual quality of the property. Much consideration has been undertaken for each facade to be well articulated, using simple but beautiful materials in a controlled manner. The eastern elevation of the principal dwelling is largely retained, as is the majority of the north & south. The retained external portions of the original dwelling are proposed to be repainted to better coordinate it with the new roof colour & new cladding colour. The design intent is return the home towards a beach / coastal cottage aesthetic. Integration of new lightweight cladding to the extension areas softened with timber battens & with timber deck structure. Repainting the existing orange/beige external walls with a softer grey colour to subdue the appearance of the home. And the red terracotta roof tiles will be replaced with grey metal roof. Given the home is looked down upon from an upper vantage point on Whale Beach Rd, we feel this will greatly help the home recede behind soft landscaping.	Compliance YES
 Black ✓	 Dark grey ✓	 Dark green ✓																
 Dark brown ✓	 Mid grey ✓	 Green ✓																
 Brown ✓	 Dark blue ✓																	
 White ✗	 Light blue ✗	 Red ✗																
 Orange ✗	 Light grey ✗	 Beige ✗																

D1.8 Front building line Outcomes	Controls	Proposal	Compliance
<p>To achieve the desired future character of the Locality. (S) The amenity of residential development adjoining a main road is maintained. (S) Vegetation is retained and enhanced to visually reduce the built form. (En) Vehicle manoeuvring in a forward direction is facilitated. (S) To encourage attractive street frontages and improve pedestrian amenity. To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.</p>	<p>The minimum front building line for land zoned R2 - Low Density Residential shall be 6.5m or the established Building Line, whichever is greater.</p> <p>Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.</p> <p>Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:</p> <ul style="list-style-type: none"> • considering established building lines; • degree of cut and fill; • retention of trees and vegetation; • where it is difficult to achieve acceptable levels for building; • for narrow or irregular shaped blocks; • where the topographic features of the site need to be preserved; • where the depth of a property is less than 20 metres. <p>Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable. On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).</p>	<p>The proposed alterations and additions do not impact the minimum front building line of the property.</p>	<p>YES</p>

D1.9 Side and rear building line Outcomes	Controls	Proposal	Compliance
<p>To achieve the desired future character of the Locality. (S)</p> <p>The bulk and scale of the built form is minimised. (En, S)</p> <p>Equitable preservation of views and vistas to and/or from public/private places. (S)</p> <p>To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.</p> <p>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)</p> <p>Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)</p> <p>Flexibility in the siting of buildings and access. (En, S)</p> <p>Vegetation is retained and enhanced to visually reduce the built form. (En)</p> <p>A landscaped buffer between commercial and residential zones is achieved.(En,S)</p>	<p>The minimum side and rear building line for built structures including pools and parking structures other than driveways, fences and retaining walls for land zoned R2 - Low Density Residential shall be:</p> <p>2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)</p> <p>The same restrictions apply to secondary dwellings</p> <p>Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.</p>	<p>The proposed alterations and additions retain the existing southern line of the existing dwelling, which well outside of the DCP 1m setback. The secondary dwelling maintains this same setback line.</p> <p>The 2.5m setback along the northern boundary has been maintained for the proposed alterations and additions of the principal dwelling, with exception of the new entry deck.</p> <p>A 1m setback from the north boundary has maintained at the secondary dwelling. The secondary dwelling does not maintain the 6.5m rear setback, but is located 4.7m away from the rear boundary.</p> <p>The proposed secondary dwelling has been placed over the rear setback in order to minimise depth of the development. This also allows for the bulk of the buildings to be better separated by useful gardens.</p> <p>Despite the closer proximity to the rear boundary, a good level of privacy and solar access is still maintained between No. 58 and No. 17 Alexander Road. Noting that the principal dwelling at No. 17 is located more than 25 metres from the shared boundary, and screen planting is proposed along the boundary.</p> <p>We refer to immediate precedence showing many secondary & structures located similarly to the rear setback (see Figure 1in addendum below).</p>	<p>We request consideration</p>

D1.11 Building Envelope Outcomes	Controls	Proposal	Compliance
<p>To achieve the desired future character of the Locality. (S)</p> <p>To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.</p> <p>To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.</p> <p>The bulk and scale of the built form is minimised. (En, S)</p> <p>Equitable preservation of views and vistas to and/or from public/private places. (S)</p> <p>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)</p> <p>Vegetation is retained and enhanced to visually reduce the built form. (En)</p>	<p>Buildings are to be sited within the following envelope:</p>  <p>Variations</p> <p>Where the building footprint is situated on a slope over 16.7 degrees (ie 30%), variation to this control will be considered on a merits basis.</p> <p>Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.</p> <p>Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.</p> <p>Council may consider a variation for the addition of a second storey where the existing dwelling is retained.</p>	<p>Due to careful design consideration the proposed alterations & additions aim to comply with building envelope requirements, minimising any adverse additional overshadowing, bulk & scale.</p> <p>A very minor break of the building envelope is present at the rear (west) elevation. However - as seen in the west elevation in drawing DA 07 - both of the immediate neighbouring dwellings exceed the building envelope to a far greater degree.</p> <p>This is particularly true at No. 60, which although down hill from No. 58 is of far greater height. No. 58 will still sit lower in height than the immediate neighbours in the proposed scheme.</p> <p>The proposed west-projecting section of the first floor that primarily breaks the building envelope will also provide significant shading and weather protection to the proposed outdoor deck, and to Living room spaces due to western sun.</p> <p>We request consideration for the minor encroachment of the Building Envelope.</p>	<p>Generally YES</p>

D1.13 Landscaped Area – Environmentally Sensitive Land			
Outcomes	Controls	Proposal	Compliance
<p>Achieve the desired future character of the Locality. (S)</p> <p>The bulk and scale of the built form is minimised. (En, S)</p> <p>A reasonable level of amenity and solar access is provided and maintained. (En, S)</p> <p>Vegetation is retained and enhanced to visually reduce the built form. (En)</p> <p>Conservation of natural vegetation and biodiversity. (En)</p> <p>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)</p> <p>To preserve and enhance the rural and bushland character of the area. (En, S)</p> <p>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)</p>	<p>The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p> <p>Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.</p> <p>Variations</p> <p>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</p> <ul style="list-style-type: none"> • impervious areas less than 1 metre in width (e.g. pathways and the like); • for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)). <p>The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying: existing hard surface area, hard surface area to be retained, proposed hard surface area, total site area, existing landscaped area (%), proposed landscaped area (%), impervious area to be retained.</p>	<p>Please refer to drawing DA 10.</p> <p>The proposed alterations and additions greatly increase the total landscaped area of the property, bringing it up to 52% of the site area.</p>	<p>YES</p>

D1.15 Fences – General			
Outcomes	Controls	Proposal	Compliance
<p>To achieve the desired future character of the Locality. (S)</p> <p>To ensure fences compliment and conserve the visual character of the street and neighbourhood</p> <p>To define the boundaries and edges between public and private land and between areas of different function.</p> <p>To contribute positively to the public domain.</p> <p>An open streetscape that allows casual surveillance of the street. (S)</p> <p>Fences, where provided, are suitably screened from view from a public place. (S)</p> <p>Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)</p> <p>To ensure heritage significance is protected and enhanced. (S)</p> <p>To ensure an open view to and from the waterway is maintained. (S)</p>	<p>Front and side fences (within the front building setback) shall:</p> <ul style="list-style-type: none"> • not exceed a maximum height of 1 metre above existing ground level, • shall be compatible with the streetscape character, and • not obstruct views available from the road. <p>Front fences and landscaping should allow people in their homes to view street activity.</p> <p>Fences are to be constructed of open, see-through, dark-coloured materials.</p> <p>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</p> <p>Original stone fences or stone fence posts shall be conserved.</p> <p><u>b. Rear fences and side fences (to the front building line)</u></p> <p>Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.</p>	<p>The existing site has typical timber paling fences to the west, north, and south site boundaries to be retained.</p> <p>No fencing is proposed along the front - eastern - boundary. Existing garden and retaining walls within the front setback are to be demolished.</p>	<p>YES</p>



Figure 1: Precedents - Structures within rear setbacks

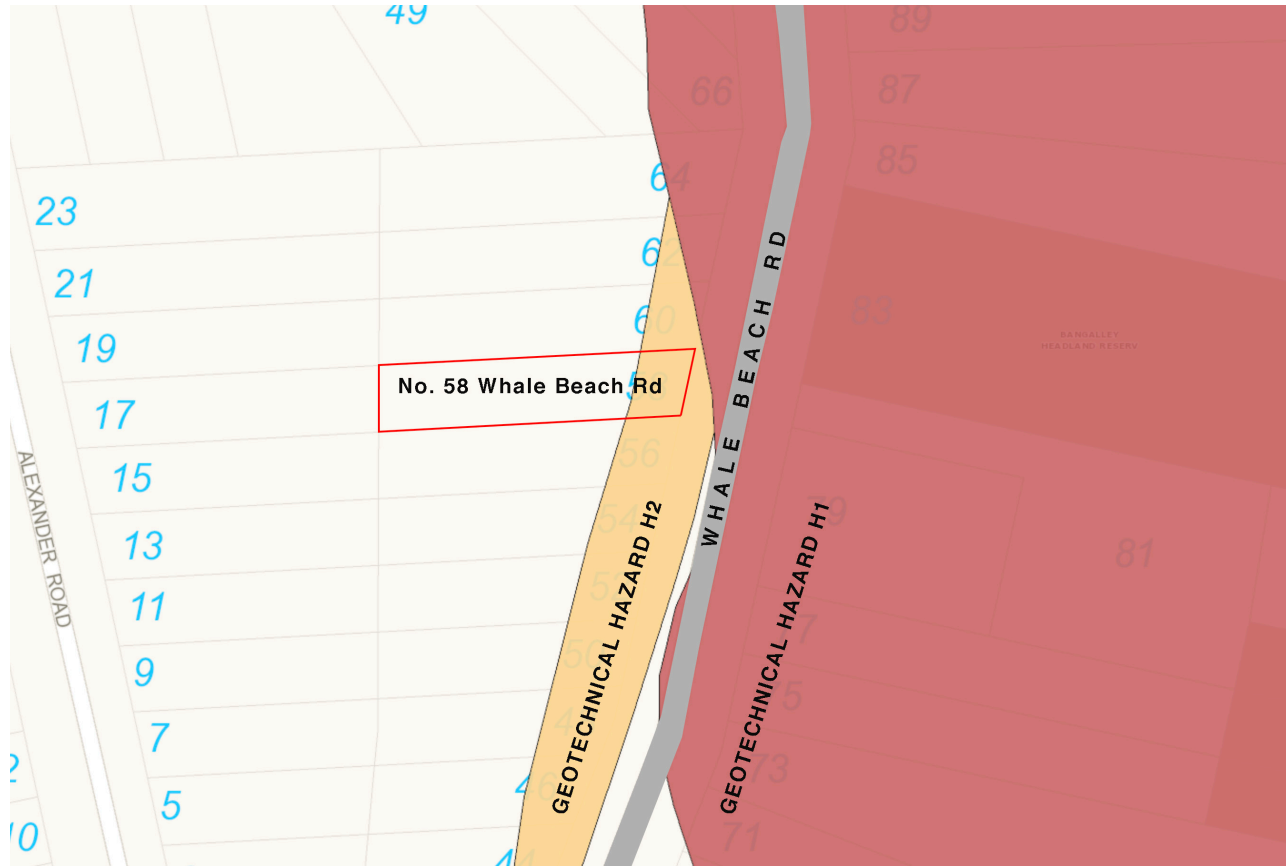


Figure 2 : Site in relation to Geotechnical Hazards