

Planning Direction Pty. Ltd.
Town Planning & Development Services

STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed alterations and upper level addition
to an existing dwelling**

At

No 184 Plateau Road Bilgola Plateau

Prepared by: Nigel White - Bachelor of Applied Science
(Environmental Planning) - May 2025

A.B.N 60 074 291 615
Office Address: Suite 10, 241 – 245 Pennant Hills Road, Carlingford NSW
2118 - Telephone: 9871 4988
Email: admin@planningdirection.com.au

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1.0 INTRODUCTION

This statement of environmental effects (SEE) has been prepared to accompany a development application that is being submitted to Northern Beaches Council. The applicant seeks development consent to undertake the following development on land known as No 184 Plateau Road, Bilgola Plateau:

Construct an upper-level addition comprising of:

- Two bedrooms;
- A bathroom and a separate WC; and
- An open plan living and wet bar area opening out onto a rear deck.

Alterations to the ground floor of the existing dwelling include:

- Demolish a few internal walls to create an open plan living and dining room area and a separate open plan family room and kitchen area opening out on to an existing rear deck. Provide additional structural support for the upper level and install an internal staircase accessing the upper level.

The proposal has been prepared in accordance with the provisions of Pittwater Local Environmental Plan 2014 and Pittwater 21 DCP. This SEE is intended to assist Northern Beaches Council in its assessment of the development application and includes:

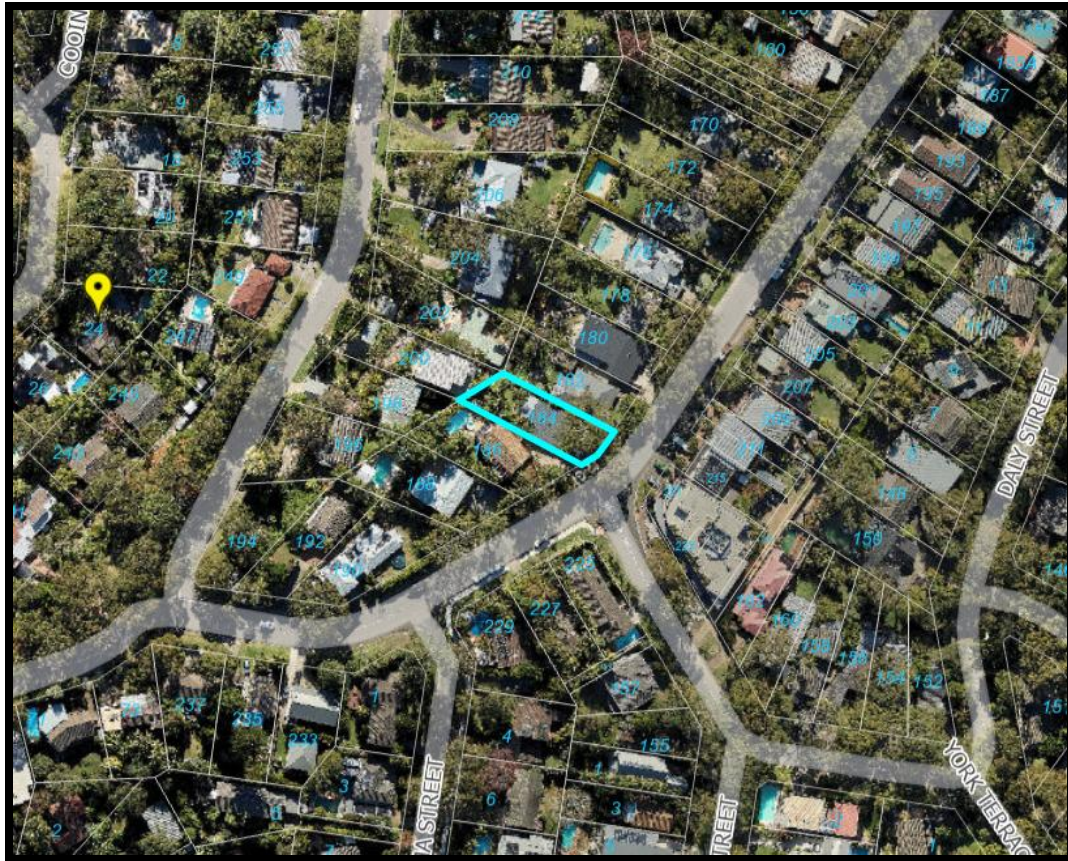
- A description of the site and the locality and a description of the proposed development; A description of the statutory framework in which the development application will be assessed inclusive of the local planning instruments and the provisions of the Environmental Planning and Assessment Act 1979; and
- Conclusions in respect of the proposed development.

This statement of environmental effects should be considered in conjunction with the development plans prepared by *Add Style Home Additions*.

2.0 SITE AND CONTEXT

2.1 Subject Site

The subject site is situated on the western side of Platea Road and is known as No 184 Plateau Road, Bilgola Plateau.



Subject Site

The subject site is legally identified as Lot 64 in Deposited Plan 12838.

The subject site is irregular in configuration with an angled front and rear boundary. The subject site has a gradual fall from the front boundary towards the rear of approximately 4m. The existing building platform experiences a fall in ground level of approximately 1m from the front of the dwelling to the rear of the dwelling. The subject site has a total site area of approximately **604.3m²**.

Existing improvements on the subject site consists of a well-presented single storey clad dwelling with a metal roof and a detached double

carport. The subject dwelling is situated within a landscaped environment and is largely obscured from vision when viewed from the street. The existing improvements are in good condition but offer limited amenity for the existing residents and limited streetscape appeal.



Subject Site

No trees require removal as part of the subject application.

The applicant proposes to connect into the existing drainage system on-site. No additional hard surfacing is proposed on-site. Ample green space exists at the around the dwelling to assist with natural absorption.

The subject site is not heritage listed or within a conservation zone, is not prone to flooding, is distant from bushland, coastline hazards and estuarine hazards. The subject site is situated within a recognised biodiversity area.

2.2 Site Context

The subject site is situated within an established low density residential precinct characterised by large single and two storey dwellings. The dwellings in the precinct are generally well presented and are designed to take advantage of potential district views towards Pittwater to the west of the subject site.

The subject site is relatively well-serviced by public transport, being within proximity to the single bus service travelling from Bilgola Plateau to Manly CBD.

Existing development on the immediately adjoining properties comprises of the following:

- Adjoining the subject site to the north is a two storey clad residence with a metal roof known as No 182 Plateau Road. This adjoining dwelling is set closer to the street frontage and has its orientation to the front and rear of the site.



Adjoining northern dwelling – 182 Plateau Road

There will be no additional overshadowing of the adjoining northern property because of the proposed addition.

No privacy loss arises in this instance given the use of highlight type and obscure glass windows in the upper-level side elevation.

- Adjoining the subject site to the south is a large two storey dwelling of brick and tile construction known as No 186 Plateau Road. This southern adjoining dwelling is substantively setback from the subject site with its driveway situated adjacent to the common boundary. This

adjoining dwelling is orientated away from the subject property. The extent of separation between the properties, the orientation of the property and the modest scale of the proposed upper-level addition ensures that there will be minimal issues arising in terms of privacy loss. Some additional minor overshadowing will occur across the frontage of this adjoining property. The extent of additional overshadowing is minor and falls in the main over hard surfacing. Privacy issues are well resolved using highlight type windows in the proposed upper-level addition.



View of the adjoining southern dwelling – 186 Plateau Road

The subject site benefits from access to local shopping facilities across the road.



3.0 PROPOSED DEVELOPMENT

The applicant seeks development consent to undertake the following at No 184 Plateau Road, Bilgola Plateau:

Construct an upper level addition comprising of:

- Two bedrooms;
- A bathroom and a separate WC; and
- An open plan living and wet bar area opening out onto a rear deck.

Alterations to the ground floor of the existing dwelling include:

- Demolish a few internal walls to create an open plan living and dining room area and a separate open plan family room and kitchen area opening out on to an existing rear deck. Provide additional structural support for the upper level and install an internal staircase accessing the upper level.

The works proposed on the existing lower level of the dwelling involve opening up existing rooms and providing support for the proposed upper level. The proposed upper level has been centred over the lower level and is to incorporate similar finishes to the lower level.



Artists Impression

3.1 Design Approach

The proposed alterations and addition to the dwelling will improve the quality of living space on-site to meet the growing needs of the residents. The proposed addition is modest in size when compared to other large dwellings in the immediate vicinity of the subject site. The proposed addition has been suitably designed to integrate with the existing dwelling.

The proposed addition is contained over the lower-level footprint and articulated to present well to the street frontage. The proposal includes a low profile pitched roof and the upper-level addition maintains a consistent roof profile with that of the lower level.

The proposed addition is likely to benefit from views from the proposed rear deck to the west towards Pittwater.

The proposed upper-level addition will maintain a low profile when viewed from the street. The subject dwelling is not situated within a recognised view corridor and won't detract from any nearby views from adjoining dwellings particularly as the dwelling is positioned on the low side of the street.

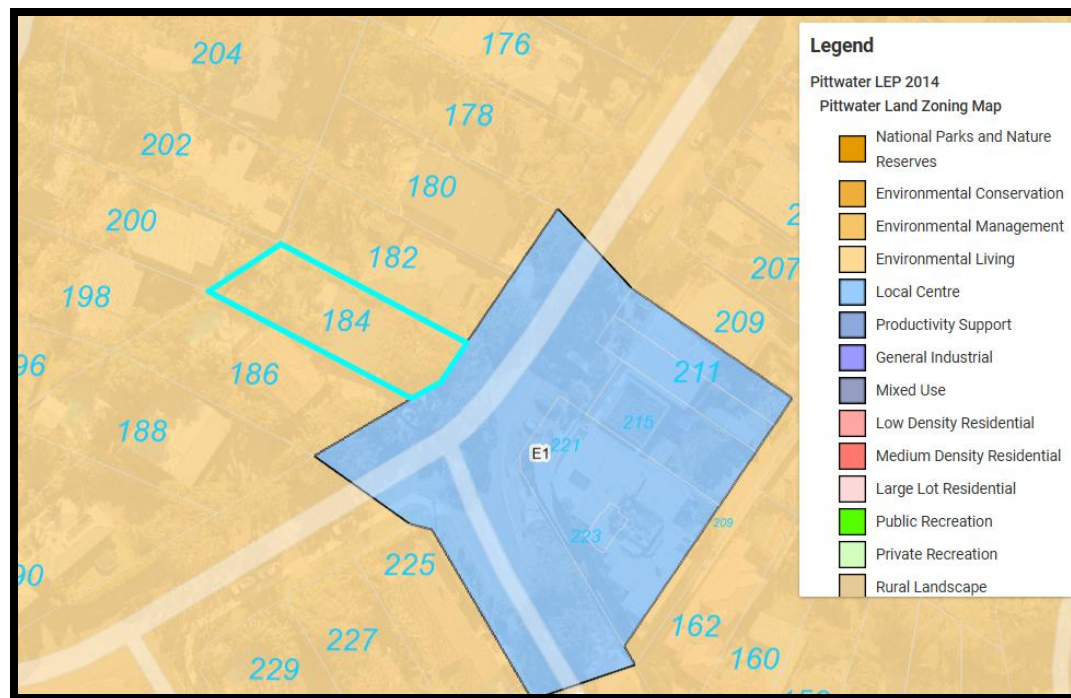
The design solution ensures that privacy issues are well resolved through design initiatives. The outlook from the proposed addition is oriented towards the street front and rear yard only.

Shadows cast by the proposed addition will generally fall in a sweeping motion within the site and partially projected towards the frontage of the adjoining southern dwelling. The existing separation between dwellings will ensure that privacy and overshadowing is well resolved.

4.0 PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

4.1 Zoning and Zone Objectives

The subject land is zoned C4 Environmental Living pursuant to Pittwater LEP 2014.



Extract from the zoning map

A dwelling is defined to mean *a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.*

The proposed works/use are ancillary to a dwelling and complies with the above definitions. The proposal is permissible in the zone with development consent.

The specified zone objectives for the C4 zone are as follows:

- *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.*

Comment:

The salient elements of this assessment follow:

- The proposed development provides an enhanced level of amenity to the residents on-site by providing additional floor space on an underutilised parcel of land. No change in intensification of the use of the dwelling is proposed. A low impact residential development is proposed on-site. Ample green space will be retained on-site, particularly in the rear yard.
- The issues of external amenity and the relationship of the development to the adjoining properties have been addressed previously in this statement of environmental effects. The proposal is appropriate in this regard.
- The urban design, streetscape and residential character issues relating to the development of the site have also previously been considered, the proposal is appropriate in respect of such considerations.
- There are no trees requiring removal to facilitate the proposed development ensuring that the low scale nature of the proposal is in keeping with the zone objectives which seek to lessen impacts in areas of high aesthetic appeal and to minimise disruption to the environment and existing landscape.
- The proposed development will contribute to the quality of housing stock in the precinct and act as a catalyst for future home improvements in the locality. The proposal will therefore be consistent with desired future development character of the locality and will establish an appropriate form of housing, which is in harmony with the environment. The current application does not propose an alternate land use.

Having regard to the above, the proposal is consistent with the zone objectives and represents a form of development that by virtue of the objectives is encouraged in the locality.

4.3 Relevant Clauses of the LEP

Clause 4.3 of the LEP sets a maximum height for development in accordance with the building height map.

The building height map specifies a maximum height limit within the zone of 8.5m. The proposed development accords with the building height standard as it sits well within the 8.5m height limit.

Clause 4.4 of the LEP relates to **FSR**:

There is no floor space ratio control applicable to the site.

Clause 4.6 relates to Exceptions to development standards.

1. *The objectives of this clause are as follows:*
 - a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Comment:

The applicant is not seeking to vary a development standard as part of this application.

5.10 Heritage conservation

The subject site is not identified as being of heritage significance nor is it situated within a recognised conservation area.

Clause 7.1 of the LEP relates to Acid Sulfate Soils:

The subject site is identified as being within a Class 5 acid sulphate soils area.

Accordingly acid sulphate soils do not constitute a constraint to the development of the subject site.

Clause 7.2 of the LEP relates to **Earthworks**:

As the proposal relates to an upper-level addition contained within the footprint of the existing dwelling, no excavation of the subject site is required to facilitate the development.

Fill will not be imported onto the subject site. The extent of earthworks proposed will be negligible in this instance.

7.5 Coastal risk planning

(1) The objectives of this clause are as follows—

- (a) to avoid significant adverse impacts from coastal hazards,
- (b) to ensure uses of land identified as coastal risk are compatible with the risks presented by coastal hazards,
- (c) to enable the evacuation of land identified as coastal risk in an emergency,
- (d) to avoid development that increases the severity of coastal hazards.

7.6 Biodiversity

(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.

Comment:

The subject site is identified as being subject to biodiversity considerations. The proposal will not adversely impact on the biodiversity of the area as no vegetation requires removal to facilitate the proposed development. The existing treed environment will be maintained ensuring the biodiversity of the area is not impacted upon.

Clause 7.7 of the LEP relates to Geotechnical hazards:

(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:

- (a) matches the underlying geotechnical conditions of the land, and*
- (b) is restricted on unsuitable land, and*
- (c) does not endanger life or property.*

(2) This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks:

- (a) site layout, including access,*
- (b) the development’s design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) waste water management, stormwater and drainage across the land,*
- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

(4) Development consent must not be granted to development on land to which this clause applies unless:

(a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and

(b) the consent authority is satisfied that:

- (i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*
- (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or*
- (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk.*

Comment:

The subject site is not situated within an area identified as a Geotechnical Hazard. Accordingly, the development is not constrained by geotechnical hazards.

4.4 LEP Summary

Map	Control
Additional Permitted Uses	N/A
Acid Sulfate Soils	Class 5
Biodiversity	N/A
Coastal Risk Planning	N/A
Foreshore Building Line	N/A
Floor Space Ratio	N/A
Geotechnical Hazard	N/A
Heritage	N/A
Height	8.5m – complies
Land Application	N/A
Land Reservation Acquisition	N/A
Lot Size	604.3sqm
Land Zoning	C4 Environmental Living
Urban Release Area	N/A

5.0 PITTWATER 21 DEVELOPMENT CONTROL PLAN

Pittwater 21 DCP was first adopted by Council on the 8th December 2003 and came into force on the 1st February 2004.

The DCP provides complimentary controls and considerations to the Pittwater Local Environmental Plan (LEP) 2014.

The DCP is to be read in conjunction with Pittwater LEP 2014.

5.1 Context and Site Analysis

A site analysis plan accompanies the architectural plans. A written analysis of the site and context supplements the site analysis plan under section 2 of this statement of environmental effects.

5.2 Part A- Introduction

Section D – Locality Specific Development Controls – Bilgola Locality

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.

To enhance the existing streetscapes and promote a scale and density that is in keeping 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.

High quality buildings designed and built for the natural context and any natural hazards. Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum.

To preserve and enhance district and local views which reinforce and protect the 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.

Comment:

The proposed development is consistent with the desired character of the Bilgola locality by providing a proportionate upper-level addition which will be suitably integrated with the main dwelling in terms of architectural treatment and finishes. The proposed works are modest in the context of the locality which generally includes large dwellings of two storeys in height and the three storey commercial development across the road.

The proposed upper-level addition is positioned within the existing footprint of the dwelling. Minor encroachments are proposed into the side building envelope. The encroachments are unavoidable and occur because of the fall in the existing building platform.

There are no plans to alter or modify the existing parking facilities on site.

The applicant does not seek to remove trees from the subject site to facilitate the proposal.

The subject site does not have heritage significance and is significantly distant from any heritage items.

The subject site is not situated within a recognised view corridor however nearby dwellings and those opposite on the higher side of the road would potentially benefit from coastal views. The existing dwelling is positioned on the low side of the road. The proposed upper-

level addition is not likely capture or interfere with any existing views from nearby or adjoining dwellings. Existing established trees across the frontage of the subject site also assist in screening the dwelling and reducing viewing opportunities.

The proposed development is compliant with the desired character established for the locality by providing a conservative design in a landscaped setting.

5.3 Part B – General Controls

B1 Heritage Controls

B1.1 – Heritage items, heritage conservation areas and archaeological sites listed in Pittwater Local Environmental Plan 2014.

Outcomes

- *Conservation of items and areas of local heritage significance*

B1.2 – Development in the vicinity of a heritage item, heritage conservation areas, archaeological sites listed in Pittwater Local Environmental Plan 2014.

Outcomes

- *Conservation of heritage items, heritage conservation areas, archaeological sites and areas of heritage significance.*

B1.3 – General

Outcomes

- *Conservation of items and areas of heritage significance.*

B1.4 – Aboriginal heritage significance

Outcomes

- *Provide protection for Aboriginal place of heritage significance or Aboriginal object.*
- *Potential Aboriginal places of heritage significance and Aboriginal objects are identified and protected.*

Comment:

The subject site does not have heritage value and is suitably distant from other known heritage items.

B2 Density Controls

B2.2 – Subdivision: Low density residential areas

- Land to which this control applies: Land zoned R2 Low Density Residential, E3 Environmental Management or **C4 Environmental Living**

Outcomes

- *Achieve the desired future character of the locality.*
- *Maintenance of the existing environment.*
- *Equitable preservation of views and vistas to and/or form public/private places.*
- *The built form does not dominate the natural setting.*
- *Population density does not exceed the capacity of local and regional infrastructure and community services.*
- *Population density does not exceed the capacity of local and regional transport facilities.*

Comment:

Subdivision is not sought as part of this application.

B4 Controls Relating to the Natural Environment

B4.22 Preservation of trees or bushland vegetation

Outcomes

- *To protect and enhance the amenity that trees and/or bushland vegetation provide*
- *To protect and enhance the scenic value and character that trees and/or bushland vegetation provide*
- *To protect, enhance and account for the contribution trees and/or bushland vegetation provide to the ecological value and biodiversity of Pittwater, including habitat for locally native plant and animal species, threatened species populations and endangered ecological community.*
- *To promote the benefits that corridors of trees and/or bushland vegetation provide for the movement of flora and fauna.*

Comment:

No trees require removal to facilitate the proposal.

B5.15 Stormwater

Requirements 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. The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.

Comment

The applicant does not seek to alter the existing stormwater arrangements on site. The proposed upper level will link into existing drainage systems.

B6 Access and Parking

B6.1 – Access driveways and works on the public road reserve – Low density residential

Outcomes

- *Safe and convenient access*
- *Adverse visual impact of driveways is reduced.*
- *Pedestrian safety*
- *An effective road drainage system.*
- *Maximise the retention of trees and native vegetation in the road reserve.*

B6.3 - Internal driveways – Low density residential

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 runoff from driveways.*

Comment:

The applicant does not seek to alter the existing parking arrangements on site as part of this application.

B6.5 - Off-street vehicle parking requirements – Low density residential

Outcomes

- *Safe and convenient parking.*

Comment:

Noted. The existing on-site car parking is safe, conveniently located and appropriate for the subject site.

B8 Site Works Management

B8.1 - Construction and demolition – excavation and landfill

Outcomes

- *Site disturbance is minimised*
- *Excavation, landfill and construction not to have an adverse impact*
- *Excavation and landfill operates not to cause damage on the development or adjoining property*

Comment:

Minimal excavation is required on-site to facilitate the proposed addition and to shore up the existing dwelling. As the proposed works are centred on-site, no adverse impacts to neighbours are envisaged. The importation of fill onto the site is not required.

B8.3 – Construction and 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.*

Comment:

Appropriate waste management procedures will be implemented during the construction phase.

B8.4 – Construction and demolition – Site fencing and security

Outcomes

- *Ensuring public safety*
- *Protection of public domain*

Comment: Noted.

B8.5 – Construction and demolition – Works in the public domain

Outcomes

- *Protection of Infrastructure.*
- *Ensuring Public Safety.*
- *Compliance with the Roads Act 1993.*

B8.6 – Construction and demolition – Traffic management plan

Outcomes

- *Minimal disturbance to the residential community*
- *Protection of roads*

Comment: Not applicable.

5.4 Part C – Development Type Controls

C1 Design Criteria of Residential Development

C1.1 – Landscaping

Outcomes

Achieve the desired future character of the Locality. The bulk and scale of the built form is minimised. A reasonable level of amenity and solar access is provided and maintained.

Vegetation is retained and enhanced to visually reduce the built form. Conservation of natural vegetation and biodiversity.

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area. Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

Comment:

The proposed development does not erode existing landscaping on-site or adversely affect native vegetation.

No trees are proposed to be removed as part of the application. The extent of green space on-site remains substantial given the large lot size.

C1.2 – Safety and Security

Outcomes

- *Ongoing safety and security of the Pittwater community*
- *Opportunities for vandalism are minimised.*
- *Inform applicant's of Council's requirements for crime and safety management for new development*
- *Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements*
- *Identify crime and safety priority areas in Pittwater LGA*
- *Improve community safety and reduce the fear of crime in the Pittwater LGA*
- *Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety*

Comment:

The proposed development introduces improved safety and security on-site with the inclusion of the proposed upper-level addition and rear deck. The residents on-site will be able to see the street frontage from the proposed upper level thereby being able to monitor visitors to the site and people at street level.

The proposed development provides enhanced surveillance opportunities by introducing the proposed upper-level.

The entrance to the building is easily identified and well lit.

C1.3 – View sharing

Outcomes

- *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*

Comment:

The subject site is not situated within an existing view corridor. The proposed addition will not impact on any views enjoyed by adjoining or nearby dwellings.

Views from the adjoining properties will not be impacted upon given the low-lying nature of the site and established trees around its perimeter. Views will be available from the proposed upper level but will not detract from existing views from nearby adjacent properties or the commercial area opposite.

C1.4 – Solar access

Outcomes

- *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*

Comment:

The adjoining properties will continue to benefit from reasonable sunlight access to their rear yard and living space in the context of site orientation and in the context of the small-scale nature of the proposed addition. Some additional overshadowing will occur to the adjoining southern property frontage.

Appropriate design measures have been incorporated into the design to ensure solar access is reasonably maintained on-site and to the adjoining properties.

C1.5 – Visual privacy

Outcomes

- *Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design*
- *A sense of territory and safety is provided for residents*

Comment:

The proposed development does not result in any significant loss of privacy to adjoining dwellings.

The proposed upper-level addition to the dwelling is suitably designed to direct outlook towards the street and the rear yard. Privacy is well maintained between sites. Highlight type windows are proposed along the side elevations. The adjoining dwellings are orientated away from the subject dwelling and are well setback.

The proposal is consistent with the privacy provisions of the DCP, which seek to protect the amenity of residents.

C1.6 – Acoustic privacy

Outcomes

- *Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.*
- *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.*

Comment:

The proposed upper-level addition is reasonably distant from adjoining dwellings.

No adverse noise is anticipated from a typically domestic use.

C1.7 – Private open space

Outcomes

- *Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.*
- *Private open space is integrated with, and directly accessible from, the living areas of dwellings.*
- *Private open space receives sufficient solar access and privacy.*

Comment:

The proposal will not impact on the existing levels of private open space on site.

C1.10 - Building facades

Outcomes

- *Improved visual aesthetics for building facades.*

Comment:

The proposed upper-level addition improves the overall appearance of the dwelling and streetscape presentation. The façade is well articulated and will complement the existing lower level of the dwelling. The roof design and consistent colour scheme will add further visual interest to the property when viewed from the street.

C1.15 – Storage facilities

Outcomes

- *Provision of convenient storage with the development.*

Comment:

Opportunity for storage exists in the rooms of the dwelling and under the stairway.

D11.6 Front Building Line

Outcomes

Achieve the desired future character of the Locality. Equitable preservation of views and vistas to and/or from public/private places.

The amenity of residential development adjoining a main road is maintained.

Vegetation is retained and enhanced to visually reduce the built form. Vehicle manoeuvring in a forward direction is facilitated. 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.

Controls

The minimum front building line shall be in accordance with the following table.

Comment:

The proposed addition maintains the current consistent building line in the street. No further encroachment is proposed.

D11.7 – Side and rear building line*Outcomes*

To achieve the desired future character of the Locality. The bulk and scale of the built form is minimised. Equitable preservation of views and vistas to and/or from public/private places.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping. To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access. Vegetation is retained and enhanced to visually reduce the built form.

To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

2.5 to at least one side; 1.0 for other side

6.5 rear (other than where the foreshore building line applies)

Comment:

The proposed upper-level is setback 2.06m from the northern side boundary and 1.2m from the southern boundary. Despite a minor non-compliance with the northern setback, the proposal meets the intent of the control as no impacts to the northern adjoining property arises.

The rear setback is compliant.

The proposed built form is compatible with existing dwellings and minimal impacts arise because of the design.

The proposed upper-level addition is proportionate to its boundaries and presents well to the street. The proposed side setbacks are reasonable in this instance.

D 11.9 – Building envelope

Outcomes

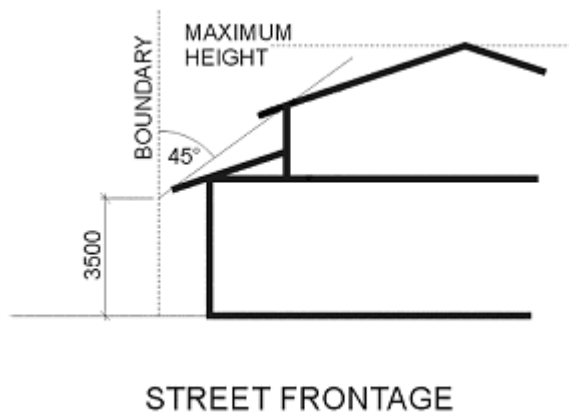
*To achieve the desired future character of the Locality.
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised.
Equitable preservation of views and vistas to and/or from public/private places.*

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Vegetation is retained and enhanced to visually reduce the built form.

Controls

Buildings are to be sited within the following envelope:



Comment:

The proposed upper level will present as a suitable two storey dwelling to the street. The proposed addition will encroach into the building envelope. The encroachment is minor and partly due to the fall in the land.

The encroachment does not add to the bulk and scale of the development which remains a modest sized dwelling despite the addition when compared to other dwellings in the locality. The proposed addition is comfortably contained over the footprint of the existing lower level and the dwelling will not appear as bulky or out of character when viewed from the street frontage. The encroachment into the building envelope is appropriate in this regard particularly as the proposed addition complies with other density and bulk controls and the height limit for the site.

D11.10 Landscaping

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.

Vegetation is retained and enhanced to visually reduce the built form. Conservation of natural vegetation and biodiversity. Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area. Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Comment:

There will be no loss of green space because of the proposal and no increase in site coverage.

A high proportion of existing landscaped and recreation area will remain to service the site.

6.0 SECTION 4.15 CHECKLIST

The following provides an assessment of the proposal against the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

(1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

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

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Comment:

The proposal is permissible pursuant to the Pittwater LEP 2014.

The proposed development will significantly improve the visual presentation of the built form on-site by providing a high-quality design and upgrade to the existing dwelling.

The proposal is consistent with the aims and objectives of the accompanying DCP.

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

Comment:

No significant adverse visual or acoustic privacy issues arise as no intensity of use is proposed. Outlook from the addition is directed towards the street and the rear and not towards adjoining properties.

The proposed addition does not give rise to any significant overshadowing impacts or privacy loss.

The proposal has favourable social and economic implications by minimising impacts and provides a quality dwelling alterations and addition to the benefit of the streetscape.

(c) The suitability of the site for the development.

Comment:

The subject site is suitably large and capable of accommodating the proposed development. The proposed addition will retain privacy levels between properties given the reasonable separation between dwellings.

(d) Any submissions made in accordance with the Act or the regulations.

Comment: Nil.

(e) The public interest

Note.

See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Comment:

No adverse matters relating to the public interest are expected to arise.

(2) Compliance with non-discretionary development standards—development other than complying development If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

(a) is not entitled to take those standards into further consideration in determining the development application, and

(b) must not refuse the application on the ground that the development does not comply with those standards, and

(c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

(3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:

(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and

(b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

Comment:

The application has merit and is consistent with the intent of the controls given the site context.

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
 - (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
 - (c) may consider those provisions only in connection with the assessment of that development application.*
- In this subsection, standards include performance criteria.*

Comment:

The provisions of the development control plan have been considered as part of the application. The proposal is reasonable in this regard.

- (4) Consent where an accreditation is in force A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.*
- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).*
- (6) Definitions In this section:*
 - (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and*
 - (b) non-discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.*

Comment: Not applicable.

7.0 CONCLUSION

The proposal is consistent with the zoning and zone objectives. The proposal is satisfactory in consideration of the design principles prescribed under the DCP and in the main relates to improving the quality of living space on-site.

The applicant has specifically sought to provide a development with a high-quality design, which reflects contemporary planning and design initiatives.

The proposed development provides for an improved level of amenity for the residents. The proposal has been designed to enhance the appearance of the dwelling without compromising the amenity enjoyed by adjoining residents.

The proposed development does not give rise to adverse overshadowing or loss of privacy in the context of site circumstances. The proposal is reasonable pursuant to the provisions of the LEP and DCP.

In view of the above, the proposed development is appropriate, and Council approval is recommended.