

Heritage Referral Response

Application Number:	DA2022/1494
Proposed Development:	Demolition works and construction of a dwelling house including swimming pool
Date:	29/09/2023
To:	Adam Croft
Land to be developed (Address):	Lot 20 DP 11978 , 2 A Allen Avenue BILGOLA BEACH NSW 2107 Lot A DP 379490 , 2 A Allen Avenue BILGOLA BEACH NSW 2107

Officer comments

HERITAGE COMMENTS
Discussion of reason for referral
<p>The proposal has been referred to Heritage as the subject property adjoins a heritage item:</p> <p>Street Trees - Norfolk Island Pines (<i>Araucaria heterophylla</i>) and Canary Island Date Palms (<i>Phoenix canariensis</i>) - Bilgola Avenue and Allen Avenue road reserve, Bilgola Beach</p> <p>To the South West is another heritage item:</p> <p>Ocean Rock Pool - Bilgola Beach</p>
Details of heritage items affected
<p>Street Trees</p> <p><u>Statement of Significance</u></p> <p>The Street Trees - Norfolk Island Pines (<i>Araucaria heterophylla</i>) and Canary Island Date Palms (<i>Phoenix canariensis</i>) are a defining landscape element for Bilgola Beach, but also for many ocean beaches in Pittwater and along the coast of NSW and southern QLD. These pines are significant for their historic association with early settlement and as local cultural plantings, in some instances dating from the 1930's period. The Norfolk Island Pine plantings also have a high level of visual, environmental and aesthetic value.</p> <p><u>Physical Description</u></p> <p>Many trees have achieved dramatic proportions and scale although many are threatened by recreational and erosional pressures. In this location they have been planted in association with the exotic Canary Island Date Palm.</p> <p>Ocean Rock Pool</p> <p><u>Statement of Significance</u></p> <p>This Ocean rock pool a representative ocean pool created during the Depression years. It is a social meeting place for the local community. Its position, on the shore at the edge of the sea, gives it high aesthetic appeal. It is important for the recreational activity of swimming.</p> <p><u>Physical Description</u></p> <p>The pool is roughly rectangular in shape running in a north/south direction. The western side is broadly curved outwards to create a shallow wading area which is sectioned off from the main part of the pool by a simple chain and stainless steel post fence. The main part of the pool</p>

accommodates an eight-laned 50 metre long swimming course. The pool has been located on a flattened rock shelf with mass concrete walls used to create sufficient depth. A broad concrete concourse has been provided along the western side which separates the pool from the nearby rock face. A 3 metre high chain wire fence has been erected to afford protection for people using the pool from falling rocks. Ramped access into the wading area is provided at the northern end of the pool. The pool is filled using an electric pump which feeds from a channel located at the southern end of the pool. A release valve empties the pool from its northern end. Stainless steel uprights and interconnecting chains create a simple safety barrier to the three exposed edges of the pool. The pool is well maintained with evidence of periodic repairs to the concrete. No separate amenities exist for the pool.

Other relevant heritage listings

SEPP (Biodiversity and Conservation) 2021	No	
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register	Yes	The ocean pool is on the trust's register
RAIA Register of 20th Century Buildings of Significance	No	
Other	N/A	

Consideration of Application

The proposal seeks consent for the construction of a new dwelling including an excavated driveway to an underground garage with three levels of accommodation above. The proposal also includes a new driveway and cross over that runs between two Canary Island Date Palms in the road reserve outside this property. This driveway is both raised to address flood impacts and then excavated to provide access to the underground garage. Others works around this area include storm water pits and pipes, a rainwater tank, and the construction of a new pedestrian access area and landscaping works.

Heritage notes the comments from Landscape around the lack of an arborist report addressing the impact of the proposal on trees such as those on adjoining properties and in the road reserve. Heritage concurs with the need for an arborist report to assess the impact of the entire total proposal (driveway, excavation/filling, storm/rainwater, pedestrian access, landscaping, fencing etc) on adjoining heritage trees and provide tree protection measures. This must also include a tree root investigation around the Canary Island Palms that establishes the extent of their root system with subsequent protection measures. Without this report, the impact of the proposal on the heritage significant street trees cannot be completed and Heritage cannot be satisfied under Clause 5.10(4) of the Pittwater LEP 2014 that the impact has been fully assessed and considered. Heritage is subsequently not satisfied that the outcomes of the Heritage Conservation clauses B1.1 and B1.2 of the Pittwater 21 DCP to minimise impacts on heritage items have been met.

Heritage notes that the proposed building will have an impact on the streetscape containing the heritage street trees due to its design and appearance. The dwelling will be significantly raised above the level of the adjoining lower scale properties at 2 and 4B Allen Avenue and the opportunities for screening vegetation to soften its impact are reduced by the tennis court. In this regards the proposal is considered to not respond to control B1.2 Heritage Conservation in the Pittwater DCP as the proposal has not been designed to respect and complement the heritage street trees in terms of the building's height, envelope and proportions and its relationship to the

streetscape and views through the trees to the site. A more skillful design that better reflects the heritage tree streetscape and height limits is required. Such a building will also reduce the view loss impacts for adjoining residents to the heritage listed street trees and views beyond to the heritage listed Bilgola Beach Ocean Rock Pool and better reflect the controls of B1.2 and B1.1 in the Pittwater DCP.

Therefore Heritage is unable to support the proposal due to the unknown impact on the trees from the works proposed in the road reserve and nearby on the property as well as the impacts on the streetscape and views to heritage items.

Consider against the provisions of CL5.10 of PLEP.

Is a Conservation Management Plan (CMP) Required? No

Has a CMP been provided? No

Is a Heritage Impact Statement required? No

Has a Heritage Impact Statement been provided? No

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Heritage Advisor Conditions:

Nil.