

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE PROPOSED CONSTRUCTION OF ALTERATIONS AND ADDITIONS
TO AN EXISTING DWELLING**

LOCATED AT

14 BASSETT STREET, MONA VALE

FOR

**JENNIFER DARIN, DENNIS COOPER,
ALAN GREEN & LAURA GREEN**



**Prepared
April 2024
(As revised August 2024)**

Table of Contents

1.0	Introduction	3
2.0	Property Description	4
3.0	Site Description	5
4.0	The Surrounding Environment.....	10
5.0	Proposed Development	11
6.0	Zoning and Development Controls	12
6.1	State Environmental Planning Policy (Biodiversity and Conservation) 2021	12
6.2	State Environmental Planning Policy (Resilience and Hazards) 2021.....	12
6.3	State Environmental Planning Policy (Sustainable Buildings) 2022	14
6.4	Pittwater Local Environmental Plan 2014	15
6.5	Pittwater 21 Development Control Plan	17
6.5.1	Section A Introduction	17
6.5.2	Section B General Controls	19
6.5.3	Section C Development Type Controls	22
6.5.4	Section D Locality Specific Development Controls	27
7.0	Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979.	32
7.1	The provisions of any environmental planning instrument	32
7.2	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	32
7.3	Any development control plan.....	32
7.4	Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.....	33
7.5	The regulations (to the extent that they prescribe matters for the purposes of this paragraph),	33
7.6	The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.	33
7.7	The suitability of the site for the development.....	33
7.8	Any submissions made in accordance with this Act or the regulations	33
8.0	Conclusion	34

1.0 Introduction

This Statement of Environmental Effects accompanies revised architectural plans details prepared on behalf of Jennifer Darin, Dennis Cooper, Alan Green and Laura Green by Northern Beaches Designs, Drawing No's. DA1 – DA25, dated 8 August 2024, to detail the proposed construction of alterations and additions to existing dwelling at **14 Bassett Street, Mona Vale.**

The revised architectural details respond to issues raised in Council's correspondence dated 9 July 2024, prepared following the assessment of DA 2024/0534.

The amended architectural plans note the following design changes to respond to Council's concerns:

- *Balcony non trafficable areas increased as per discussions with Council's officer*
- *1 metre high balustrade located 1.2m & 3m respectively from alfresco walls.*
- *North west and south east walls adjusted in position and height and are now in full compliance with envelope controls.*

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan 2014*

Pre-Lodgement Meeting No. 2022/0028 of written advice was provided on 14 February 2022, to discuss the proposal for renovation of the fairway greens. Preparation and advice from Northern Beaches Council was provided by Council's Planner.

The subject submission addresses the matters raised by Council in the meeting.

Key issues identified in the Pre-lodgement process and the response to these in the DA, are outlined in Table 1 below.

Table 1 – Pre-Lodgement Discussions summarised (PLM2022/0075)

Discussion – Council Advice	Response
Building Height	

Discussion – Council Advice	Response
<i>If the development exceeds 8.5m in height. a Clause 4.6 Variation Statement demonstrating that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard must be submitted for further consideration of any variation to the development standard.</i>	The proposal is accompanied by a Clause 4.6 written document request.
Lift Access and Internal Stairs	
<i>The deletion of the internal staircase adjacent to the lift would reduce the bulk and scale of proposal along the western elevation and provide an increased setback reducing the visibility of the structure when viewed from Bassett Street.</i>	The submitted design removed in internal staircase.
Privacy	
<i>Whilst there is potential to currently overlook the deck at No. 12, the addition is to maintain an adequate setback from the eastern wall of the subject dwelling as indicated in the proposed floor plan (Plan - Level 3_Proposed). Any windows located along the western elevation are to incorporate a minimum 1.7m sill height or be obscure glass to mitigate any potential overlooking issues to adjoining properties.</i>	The side setbacks for the first floor on the north-eastern façade are generous, with varied sill heights for all window openings incorporated within the design.

2.0 Property Description

The subject allotment is described as 14 Bassett Street, Mona Vale, being Lot 23, Section B within Deposited Plan 6195 and is zoned R2 Low Density Residential under the Pittwater Local Environmental Plan 2014.

The site is identified as being within the Class 5 Acid Sulfate Soils Area. This matter will be discussed further within this submission.

The site displays a minor portion noted as 'W Hazard H1' on Council's Geotechnical Hazard Map.

The subject land has been included on the 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021. This matter be discussed in further detail within this report.

There are no other known hazards affecting the site.

3.0 Site Description

The site is located on the north-eastern side of Bassett Street and is generally regular in shape with an angled frontage to Bassett Street of 17.365m, and south-eastern and north-western side boundaries which measure 88.315m and 80.01m respectively. The rear boundary measures 15.24m and the total site area is 1283m² (by survey).

The site has sloping topography of over 6.8m from the rear boundary to the front boundary.

The site is currently developed with a two storey residence with existing lift access to a terrace area on the first level. A detached one storey stone secondary dwelling is located at the rear. A number of outbuildings and a swimming pool are also located at the rear.

Vehicular access to the site is provided via a concrete driveway from Bassett Street with parking available within the attached garage.

Stormwater from the roof areas is to be directed to the street gutter in accordance with the current stormwater management arrangements.

The site consists of manicured tiered lawn and gardens, with Norfolk pine trees located along the south-eastern boundary and within the front setback of the site.

The details of the lots which comprise the parcel are contained within the survey report prepared by Waterview Surveying Services, Reference No. 1834, dated 19 January 2024, which accompanies the DA submission.

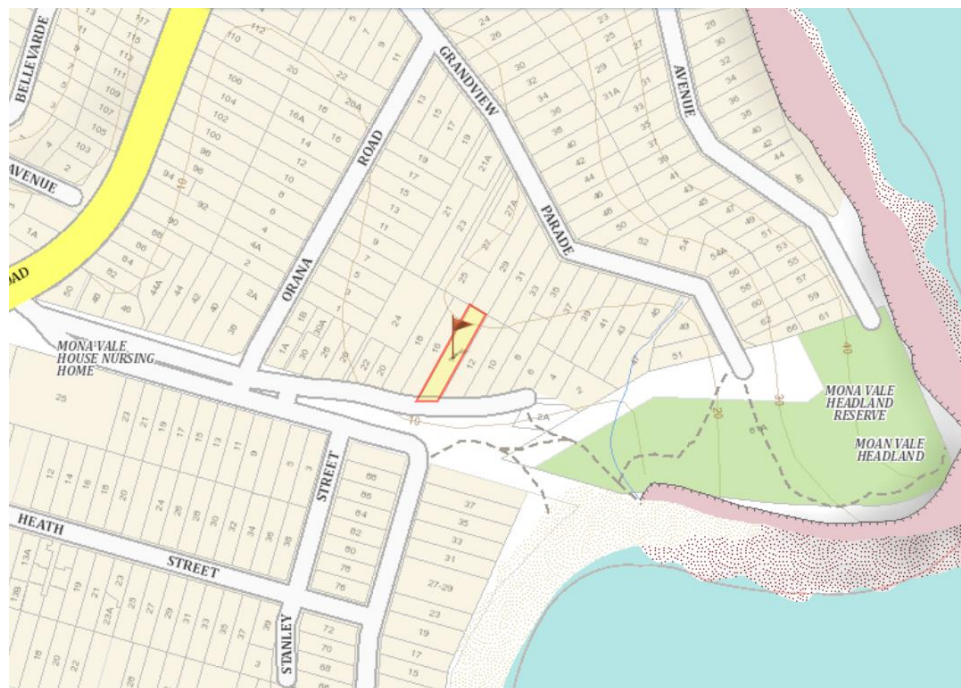


Fig 1: Location of Subject Site
(Source: Six Maps)



Fig 2: View of the subject site, looking north-east from Bassett Street



Fig 3: View of the subject site, looking north-west from Bassett Street



Fig 4: View of the subject dwelling (RHS of view) and neighbouring dwelling at No 16 Bassett Street, looking north-west



Fig 5: View of the subject dwelling (LHS of view) and neighbouring dwelling at No 12 Bassett Street, looking north



Fig 6: View of the rear yard of the site and the ancillary detached secondary dwelling, looking north



Fig 7: View of the adjoining properties to the west and north-west of the site

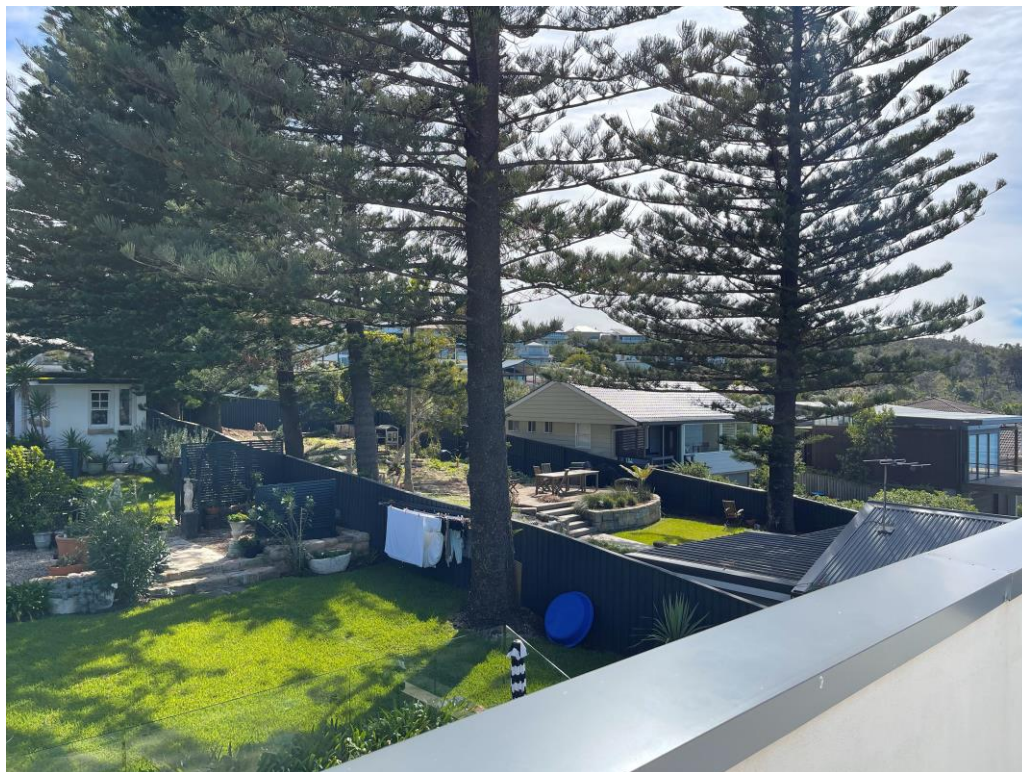


Fig 8: View of the adjoining properties to the north-east and east of the site



Fig 9: View of the existing roof top conditions, looking south

4.0 The Surrounding Environment

The area surrounding the site is represented by a mix of multi-level dwellings within a landscape setting, with many orientated to enjoy expansive views of the scenic views and nearby coastline.

The subject site and properties adjoining to the east and west are within the R2 Low Density Residential zone. Adjoining the site to the north-west is No. 16 Bassett Street a 2 storey dwelling house and to the south-east is No. 12 Bassett Street, being a one and storey residential dwelling.

There are also a number of community and recreational open space areas nearby, Mona Vale Beach and associated Council recreational reserves are located within walking distance to the site.



Fig 10: Aerial Photograph
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying plans prepared by Northern Beaches Designs, the proposal seeks to provide for the construction of alterations and additions to an existing dwelling.

The new works will comprise:

First Floor

- Construction of a new first floor addition to provide for primary bedroom with ensuite, walk in robe, retreat, wet bar and attached alfresco area.
- Refurbishment of the existing first floor terrace area
- Removal of the existing concrete parapet along the south-east elevation and replacement with a glass balustrade.

The proposed works represent a high-quality architectural design solution that will provide a significant enhancement to the amenity and usability of the existing dwelling. The resultant development is a skilful design for a sensitive coastal site, with use of screening devices, varied glazing, sill heights, and materiality to reduce bulk and scale.

The new internal design will afford exceptional amenity to the occupants without unreasonably compromising the amenity of surrounding residential properties or attributes of the locality.

The proposed external finishes comprise of complementary materials that will complement surrounding development.

The existing plantings within the site will be retained and can be further supplemented. The existing plantings will assist in screening the built form of the new works from the Bassett street view.

The development indices for the development are summarised as:

Site Area	1283m ²
Building Height	8.5m
Proposed Building Height	9.87m (existing)
Required Landscaped Area:	50% or 641.5m ²
Proposed Landscaped Area:	61.96% or 795m ² (no change)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

No significant or high value vegetation is proposed to be removed as part of the proposed development, nor does the works impact any surrounding significant or high valued trees. No further consideration of the SEPP is required.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal management

The subject site is identified as being within the coastal use area and therefore SEPP (Resilience and Hazards (2021) is applicable to the proposed development.

The stated Aim of this Chapter as outlined in clause 2.1 is to:

The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

The objects set out in Clause 3 of the Coastal Management Act 2016 are:

- (a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*
- (b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and*
- (c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and*
- (d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and*
- (e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and*
- (f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and*

- (g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and*
- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and*
- (i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and*
- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and*
- (k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and*
- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and*
- (m) to support the objects of the Marine Estate Management Act 2016.*

It is submitted that the proposal, as considered in this Statement of Environmental Effects, is consistent with the objects of the SEPP (Resilience and Hazards), as set out in Clause 3 of the Coastal Management Act 2016. The relevant provisions of this Chapter are addressed as follows:

Division 4 Coastal use area

2.11 Development on land within the coastal use area

- (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:*
 - (a) has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) Aboriginal cultural heritage, practices and places,*
 - (v) cultural and built environment heritage, and*
 - (b) is satisfied that:*
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
 - (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*
- (2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

Comment

The proposal will not result in the removal of any existing public access along the waterway.

The site is substantially separated from the waterway foreshore and will not result in any substantial overshadowing to the foreshore area.

The proposed development has compatible height and scale and will not result in any loss of views to the foreshore area. By maintaining a reasonable scale, the proposal will protect the visual amenity of the locality.

The site does not contain any heritage items, nor is it within a conservation area. The site has been previously cleared, and it is not anticipated that any items of Aboriginal heritage will be encountered.

Division 5 General

2.12 Development in coastal zone generally — development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment: The proposed new works are not considered to increase the risk of coastal hazards for the subject property or adjoining land.

Chapter 4 – Site Contamination

SEPP (Resilience and Hazards) 2021 and in particular Part 4.6(2) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

The proposal is consistent with the provisions of Chapter 4 of this policy.

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

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

6.4 Pittwater Local Environmental Plan 2014

Clause 2.2 Zone objectives and Land Use Table

The site is zoned R2 Low Density Residential under the provisions of the PLEP 2014.



Fig 11: Extract of Pittwater Local Environmental Plan 2014 Zoning Map

The proposal, which seeks to provide for the proposed construction of alterations and additions to existing dwelling is considered to be permissible with the consent of Council.

The development of and use of the land for residential purposes within the R2 Low Density Residential is consistent with the zone objectives, which are noted as:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

It is considered that the proposed additions and alteration to the existing dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal provides for a residential development in an area with special coastal aesthetic values and does not have an adverse effect on the values in terms of foreshore scenic protection.
- The development does not negatively impact on nearby foreshores, significant geological features and bushland, including loss of natural vegetation.
- The proposal maintains consistency with the existing varied residential within the locality.
- The proposed new works will provide for increased residential amenity, together with improved functionality through the introduction of new functional recreation areas.

- The proposal does not have any unreasonable impact on views, solar access or amenity for the neighbouring properties.
- The site is utilised as housing and will continue to maintain the residential use.
- The bulk and scale of the street façade of the existing dwelling remains largely unchanged, with the new first-floor works being setback from the front alignment and presenting a more modern and compatible built form to complement the existing development in this portion of Bassett Street.
- The proposal is not considered to have any significant or unreasonable impact on any scenic or long-distance views the surrounding properties.

Clause 4.3 – Height of Buildings

The maximum building height in this portion of Mona Vale is 8.5m. The existing dwelling (lift shaft) stands at a maximum height of 9.87m (RL 26.89).

The proposed additions and alterations to the first floor level will see a new skillion roof form which encompasses the existing lift to integrate it within the new first floor level. The height to the roof level will be up to 9.870m, which presents a 1.37m or 16.1% variation to the building height development standard, when measured to the existing ground level within the site which is an artificially lowered level through previous excavation for the garage.

Accordingly, a clause 4.6 written document submission accompanies the DA in relation to the additional area of the dwelling house over the building height.

Clause 7.1 – Acid Sulfate Soils

The site falls within Class 5 of the Acid Sulfate Soils Map of PLEP 2014. The proposed development does not involve the works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. Accordingly, it is not anticipated that acid sulfate soils will be disturbed.

Clause 7.2 – Earthworks

The proposal will not require excavation of the site to accommodate the proposed works as all works are to be undertaken on the upper level of the dwelling.

While there is no excavation, the works will be carried out in accordance with the recommendations of the consulting Structural Engineer and will therefore satisfy the provisions of this clause.

Clause 7.10 – Essential Services

The proposal will see the existing essential services to the site being maintained.

There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

6.5 Pittwater 21 Development Control Plan

Council's Pittwater 21 DCP and Section D9 Mona Vale Locality Statement provide a range of outcomes and controls which form the primary criteria control for development within the subject locality.

6.5.1 Section A Introduction

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

A4.9 Mona Vale Locality

The Mona Vale locality will contain a mix of residential, retail, commercial, industrial, recreational, community, and educational land uses.

Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities.

Retail, commercial and light industrial land uses will be employment-generating. The Mona Vale commercial centre status will be enhanced to provide a one-stop convenient centre for medical services, retail and commerce, exploiting the crossroads to its fullest advantage and ensuring its growth and prosperity as an economic hub of sub-regional status. The permissible building height limit is increased to promote economic growth within the centre. The Mona Vale Hospital, as a regional facility servicing the Peninsula, is an essential part of the future local economy.

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

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the Mona Vale commercial centre will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

Light industrial land uses in Darley and Bassett Streets will be enhanced as pleasant, orderly, and economically viable areas.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

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

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. Improved public transport, pedestrian accessibility and amenity, carparking and an efficient surrounding local network will support the commercial centre, moving people in and out of the locality in the most efficient manner. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

It is considered that the proposal is consistent with the desired character of the locality by providing for the proposed construction of alterations and additions to existing dwelling.

The proposed design incorporates varied elements including new glazing, decking areas and fenestration details which minimise the visual bulk of the dwelling as it presents to adjoining properties and the public domain.

The proposal has been designed to follow the slope of the land with the works being setback into the existing building footprint, corresponding with the slope of the topography to minimise unnecessary solar impact and protrusion into existing scenic view lines. The proposal will maintain scenic view opportunities for neighbouring properties.

The proposal will maintain vegetation within the front setback, with the opportunity to incorporate further plantings if required to soften the built form of the new works and continue to provide for a dwelling within the required bushland setting.

The works will be finished in a range of textures and finishes which will complement the existing surrounding development and the use of earthy tones will harmonise with the landscaped setting of the locality.

The proposed development has been designed to be safe from hazards.

It is considered that the proposal is consistent with the desired character of the Mona Vale Locality.

6.5.2 Section B General Controls

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

B3.1 Landslip Hazard

The controls seek to achieve the outcomes:

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

The site has a very minor portion of Geotechnical Hazard H1 mapped area within the front portion of the site. The proposed works are located outside of the Geotechnical Risk mapped area, entirely within the existing building footprint to create a new first floor level. There is no excavation to be undertaken on the site. Therefore, no further detail assessment is considered to be necessary for these works.

B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land

The controls seek to achieve the outcomes:

The long-term viability and enhancement of locally native flora and fauna and their habitats. (En)

The proposal will not require the removal of any significant vegetation, with the existing significant vegetation within the site to be retained.

The proposal is therefore not considered to result in any adverse impacts on landscaped corridors.

B5.15 Stormwater

The controls seek to achieve the outcomes:

Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;

Minimise the risk to public health and safety;

Reduce the risk to life and property from any flooding and groundwater damage;

Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.

Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle

Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources

Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.

Roof water from the new roof areas will be connected to the existing system which directs stormwater to the street gutter in Bassett Street.

As the stormwater is direct runoff from the roof, there will not be any significant issue in terms of water quality. Any further requirements for additional information relation to the stormwater management can be provided with the Construction Certificate documentation.

The proposal therefore satisfies Council's stormwater requirements.

B6.1 Access Driveways and Works on the Public Road Reserve – Low Density Residential

This control seeks to achieve the outcomes:

Safe and convenient access. (S)
Adverse visual impact of driveways is reduced. (En)
Pedestrian safety. (S)
An effective road drainage system. (En, S)
Maximise the retention of trees and native vegetation in the road reserve. (En, S)

The existing driveway and crossing will be retained. The proposal will not see any change to the on-street parking arrangements in the area.

B6.3 Internal Driveways – Low Density Residential

This control seeks to achieve the outcomes:

Safe and convenient access. (S)
Reduce visual impact of driveways. (S)
Pedestrian safety. (S)
An effective road drainage system. (En, S)
Maximise the retention of trees and native vegetation.
Reduce contaminate run-off from driveways.

The proposal seeks no change to existing driveway.

The driveway will continue to provide appropriate access to the garage and will continue to allow for suitable sight distances for vehicles to safely enter and exit the site.

B8.1 Construction & Demolition – Excavation and Landfill

The controls seek to achieve the outcomes:

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)

The proposal will not require excavation in order to accommodate the proposed first floor. All works will be carried out in accordance with the consulting Structural Engineer.

Appropriate soil and sedimentation measures will be implemented during the construction phase.

B8.2 Construction and Demolition – Erosion and Sediment Management

The controls seek to achieve the outcomes:

Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)

Reduction of waste throughout all phases of development. (En)

Public safety is ensured. (S)

Protection of the public domain. (S, En)

This clause requires that erosion and sediment controls are installed on site to prevent the migration of sediment to adjoining properties, roads or waterways.

Appropriate erosion and sediment barriers will be installed prior to the commencement of any works on site.

B8.3 Construction and Demolition – Waste Minimisation

The controls seek to achieve the outcomes:

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

All demolition material will be removed and recycled off site where possible or taken to an approved waste disposal facility.

6.5.3 Section C Development Type Controls

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

C1.1 Landscaping

The controls seek to achieve the outcomes:

- A built form softened and complemented by landscaping. (En)*
- Landscaping reflects the scale and form of development. (En)*
- Retention of canopy trees by encouraging the use of pier and beam footings. (En)*
- Development results in retention of existing native vegetation. (En)*
- Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)*
- Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)*
- Landscaping enhances habitat and amenity value. (En, S)*
- Landscaping results in reduced risk of landslip. (En, Ec)*
- Landscaping results in low watering requirement. (En)*

The required controls to achieve the outcomes are to ensure that the development will provide for the reasonable retention and protection of the existing significant trees and to provide for locally occurring species within any proposed replanting of the site.

The works will not require the removal of any significant trees or amendment to the existing landscaped areas on the site. The front and rear yard area will be preserved for generous areas of open space and recreation, with a suitable area of soft landscaping and canopy trees retained.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

- On-going safety and security of the Pittwater community. (S)*
- Opportunities for vandalism are minimised. (S, Ec)*
- Inform applicants 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)*

The dwellings' internal living area and new front alfresco area will allow for sufficient casual surveillance of persons entering the site and the street area.

C1.3 View Sharing

The controls seek to achieve the outcomes:

A reasonable sharing of views from public places and living areas. (S)
Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)
Canopy trees take priority over views (En, S)

The required controls to achieve the outcomes are to ensure that building sight lines and building positioning and height maintain reasonable view sharing for neighbouring properties.

Neighbouring sites enjoy coastal and district views to Mona Vale beach.

As the dwelling house at No.14 Bassett is sited well forward of the proposed building line of the proposed first floor of the subject dwelling, meaning the proposed first floor does not intrude into the existing view lines for the properties to the north and north-west. Views from these properties are generally maintained across the rear yard and the placement of the first floor works over the existing building footprint will ensure that appropriate sharing of the views is maintained.

The development has no unreasonable impact upon the existing views from further upslope of the site due to the higher placement/vantage point of these properties.

The proposal is therefore not considered to result in any unreasonable view loss for neighbouring properties.

The modest overall bulk and scale of the first floor will have no impacts on existing view lines and allow a reasonable sharing of views to be maintained.

Accordingly, it is considered that equitable access to the available views and outlook for the neighbouring dwellings is largely maintained.

C1.4 Solar Access

The controls seek to achieve the outcomes:

Residential development is sited and designed to maximise solar access during mid-winter. (En)
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)
Reduce usage and/dependence for artificial lighting. (En)

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter.

Shadow diagrams have been prepared to support the development (Drawing No. 16 - 18). Due to the south-eastern and north-western orientation of the subject site and neighbouring

properties, the proposal will result in minor change to the existing solar access received by neighbouring properties.

However, the comprehensive solar access analysis presented confirms that there is no unreasonable impact to the adjacent north-west neighbour or south-east neighbouring outdoor entertaining space or primary living rooms with these particular spaces retaining suitable access for sun during the day. Accordingly, the subject and neighbouring dwellings will continue to enjoy excellent solar access to their internal and external living areas during the day.

It is considered that the proposal has appropriately considered the principal areas of the neighbouring property and the shadow analysis provided with the application confirms that the development has maintained reasonable regional solar access in accordance with Council's requirements.

C1.5 Visual Privacy

The controls seek to achieve the outcomes:

Habitable rooms and outdoor living areas of dwellings shall achieve and maintain visual privacy through good design. (S)

A sense of territory and safety is provided for residents. (S)

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitable protected to limit the effects of direct overlooking.

New window openings are proposed on all elevations. The new window openings on the north-east elevation are low usage rooms being a bedroom and a parents retreat. The windows of the first floor are located at a higher placement when compared to the neighbouring site, meaning the direct line of site is over the neighbouring property towards the ocean view lines, not downwards. The window and door openings are also sufficiently setback between 3.5m and 5.95m from the side boundary to reasonably minimise downward viewing and privacy impacts.

The window design on the north-west elevation are of varied sill heights as advised by Council in the Pre-lodgement meeting in order to ensure privacy impacts are mitigated.

The majority of the first floor terrace area footprint is as existing, with the additional terrace area adjoining low usage rooms of a parents retreat and bedroom. While the concrete parapet is to be removed and replaced with a glazed balustrade, this is not considered to contribute to unreasonable privacy impacts as the terrace is recessed into the existing building footprint with generous setbacks to ensure view lines are maintained over the existing neighbouring dwelling. Accordingly, the thought-out design ensures there no unreasonable privacy impact to the neighbouring dwelling or its private open space areas.

The new external access stairs will allow for improved accessibility for the occupants to the first floor at the rear of the site are a transitory area this is orientated within the site, meaning there is no unreasonable privacy impacts to the adjoining neighbour.

The proposal is therefore considered to maintain suitable privacy for the adjoining neighbours.

C1.6 Acoustic Privacy

The controls seek to achieve the outcomes:

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

Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas (S)

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

Given the residential nature of the works, it is suggested that there will not be any significant change to the existing site conditions.

C1.7 Private Open Space

The controls seek to achieve the outcomes:

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)

Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)

Private open space receives sufficient solar access and privacy (En, S).

The required controls to achieve the outcomes are to ensure that dwellings are provided suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The site maintains the existing private open space area at the rear of the site, and existing elevated terrace area on the ground floor orientated to the front setback is also maintained.

The proposal includes additional elevated private open space terrace area that services a bedroom and parents retreat area of the dwelling, meaning the private open space and recreational opportunities are increased as part of this works. The proposal also maintains suitable solar access to all areas of private open space throughout the site.

C 1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

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)

The required controls to achieve the outcomes are to ensure that adequate area remains for the storage of waste and recyclable materials.

A suitable area is available for the on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

C1.23 Eaves

The controls seek to achieve the outcomes:

Housing that reflects the coastal heritage and character of Pittwater. (S)

Optimise roof forms. (S)

Appropriate solar access and shading is achieved. (En)

Eaves are proposed which complement the character of the existing dwelling and provide for weather protection.

6.5.4 Section D Locality Specific Development Controls

The **D9 Mona Vale Locality Statement** contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

In support of the proposal, it is considered that this proposal is well designed, comprehensive and consistent with the community's vision for development in Pittwater in that it is:

- Proposing a form of development which is compatible with the existing residential character of the area by maintaining an appropriate development scale which is compatible with the vicinity.
- The proposal maintains existing views and amenity to adjoining properties.
- The development will not place additional demands on local infrastructure or on the sewage disposal system for the site.

A summary of the DCP controls for the **D9 Mona Vale Locality** is provided below:

D9.1 Character as Viewed from a Public Place

The control seeks to achieve the outcomes:

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.

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

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at human scale. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

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

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

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

The required controls to achieve the outcomes are to ensure that the building maintains compatibility with the locality through appropriate design relief including roof forms, materials, the arrangement of windows, modulation of wall, spatial separation, and maintenance of existing landscaping etc.

The elevations provided with the DA submission demonstrate that the articulated form of the proposed additions to the dwelling and the proposed varied overall height will be complementary in terms of bulk and scale to the existing surrounding development.

The proposed first floor is sufficiently recessed into the site, and located well above the road level, meaning the dwelling will continue to present as predominantly as a two storey dwelling when viewed directly from Bassett Street.

Although the design of the first floor is more contemporary and architecturally unique when compared to the more traditional style of surrounding dwelling houses, the residential nature of the development is considered to be consistent with the objectives of the zone and the urban context of the local area.

D9.3 Building Colours & Materials

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

The required controls to achieve the outcomes are to ensure that the external colours and materials shall be dark and earthy tones which complement the existing dwelling and surrounding development.

It is considered that the development is appropriate as it is intended to utilise existing tones and finishes to match the existing and surrounding development.

D9.6 Front Building Line

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (S)

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

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

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

Vehicle manoeuvring in a forward direction is facilitated. (S)

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

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment

The control to achieve this outcome is to provide a setback of 6.5m, or the established building line to the street frontage.

The new first floor elements are located well behind the building line of No. 16 Bassett Street and well over the required 6.5m front boundary setback at 20.5m, therefore readily complying with the requirements of the control.

D9.7 Side and rear building line

The controls seek to achieve the outcomes:

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

The bulk and scale of the built form is minimised. (En, S)

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

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

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

Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)

Flexibility in the siting of buildings and access. (En, S)

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

To ensure a landscaped buffer between commercial and residential zones is established. (En, S)

The relevant controls to achieve this outcome are to maintain a minimum side boundary setback of 2.5m for at least one side and min 1.0m setback for the other side, and a minimum of 6.5m from the rear boundary.

The proposed new works will stand a minimum of 3.9m – 5.95m from the south-eastern setback and 2.37m to 3.52m from the north-western side setback. The complaint setbacks do not attribute to any unreasonable impacts upon adjoining properties are largely mimic the footprint of the existing dwelling and are well setback from the street. As such, the setbacks are generous and the design response is reasonable in this instance.

The rear setback of the dwelling maintains a rear setback of 39.75m, compliant with the rear setback requirement.

D9.9 Building Envelope

The controls seek to achieve the 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. (En, S)

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

To ensure a reasonable level of privacy, amenity and solar access is provided within the

development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°. It is important to note that the existing lift shaft also was approved within the building envelope, therefore the assessment below is for the additional area within the building envelope.

The proposal is constrained by the sloping topography and existing location of the dwelling on the subject site. The revised design has reconsidered the wall treatment of the eastern and western elevations for the new works at the existing roof level and through design modifications to lower wall heights and increase setbacks, the proposal is now considered to comply the Council building envelope control, with only permitted either overhangs within the building envelope plane

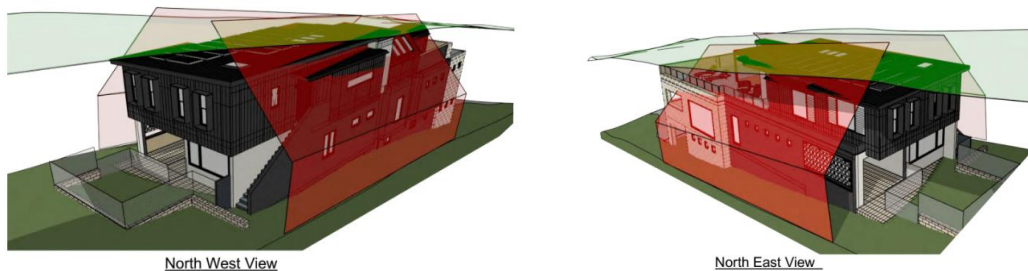


Figure 12: Minor building envelope non-compliant areas within the blue circle.

The innovative design of the first floor is recessed within the existing building footprint, provides generous front and side setbacks along with a low pitch roof design to minimise bulk and scale. The design of the proposed upper floor level and building façade is not visually prominent or jarring when looking at the dwelling as a whole, and do not contribute to any adverse impacts for neighbouring properties in terms of views, overshadowing or general amenity.

The proposal is considered to be in keeping with the objectives of this clause and is worthy of support on merit.

D9.11 Landscaped Area – Environmentally Sensitive Land

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise

runoff and assist with stormwater management .(En, S)

The required controls to achieve the outcomes are to limit residential development in order to maintain a minimum landscaped area of 50% of the site area.

The proposal will retain the existing soft landscaped area of 759m² or 61.96% of the site area and therefore readily comply with this control.

D10.18 Scenic Protection Category One Areas

The controls seek to achieve the outcomes:

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

To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as ridges, upper slopes and the waterfront. (En, S)

Maintenance and enhancement of the tree canopy. (En, S)

Colours and materials recede into a well vegetated natural environment. (En, S)

To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)

To preserve and enhance district and local views which reinforce and protect Pittwater's bushland landscape and urban form to enhance legibility.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to the natural environment.

Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

It is considered proposed first floor maintains the required level of scenic protection of the locality. The proposed first floor will provide a modest bulk and scale relative to the topography of the land and surrounding newer development, and will not be highly visible from Bassett Street.

There is no change to the existing view opportunities for the neighbouring properties, and by being located well above the road level, and recessed within the site there is not anticipated to be amenity, solar or view impacts to neighbouring sites.

The proposed works fall predominantly within the footprint of the existing dwelling and will retain the existing significant vegetation on site. The new external access stairs will allow for improved accessibility for the occupants to the first floor at the rear of the site.

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

Although the design of the first floor is more contemporary and architecturally unique when compared to the more traditional style of surrounding dwelling houses, the residential nature of the development is considered to be consistent with the objectives of the zone and the urban context of the local area.

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

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

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan 2014.

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

It is considered that the proposed design respects the aims and objectives of the DCP however we note that the Environmental Planning and Assessment Amendment Act 2012 No 93 (Amendment Act) which received assent on 21 November 2012 commenced on 1 March 2013.

Key amongst the amendments are requirements to interpret DCPs flexibly and to allow reasonable alternative solutions to achieve the objectives of DCP standards.

The new section 4.15(3A) provides that the 'principal purpose' of DCPs is to 'provide guidance' on: -

- giving effect to the aims of any applicable environmental planning instrument
- facilitating permissible development
- achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 4.15 (3A) which:

- prevents the consent authority requiring more onerous standards than a DCP provides,
- requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying DCP provisions with which a development application does not comply,
- limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that Council applies considered flexibility where the application seeks variations to numerical development controls in the DCP as justified in this report.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site and which will make a positive contribution to the area.

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.

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

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

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

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

It is considered that the proposal, which seeks consent for the proposed construction of alterations and additions to existing dwelling, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 & the Pittwater 21 DCP and the Mona Vale Locality Statement.

7.7 The suitability of the site for the development

The subject land is currently R2 Low Density Residential under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

The design manages the challenges presented by the slope of the subject site and otherwise there is no significant constraint to the construction of the proposed development.

7.8 Any submissions made in accordance with this Act or the regulations

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

7.9 The public interest

The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered not to be contrary to the public interest.

8.0 Conclusion

The principal objective of this development is to provide for proposed construction of alterations and additions to an existing dwelling.

The outcome is a modernised first floor addition of exceptional design quality which displays a highly articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

The proposal provides a complimentary and compatible building form when compared to the existing dwelling, other development located along this section of Bassett Street and within the site's visual catchment generally.

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

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls and reinforce the residential character of the area.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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