

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED DEMOLITION OF AN EXISTING DWELLING AND CONSTRUCTION OF A NEW
DWELLING INCLUDING A SWIMMING POOL**

LOCATED AT

327 McCARRS CREEK ROAD, TERREY HILLS

FOR

DAVID & JOANNE LLOYD



**Prepared
June 2025**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared by Playoust Churcher Architects, Project No 23-844, detailing the proposed demolition of the existing dwelling and the construction of a new two storey dwelling with garage and carport and including a new swimming pool at **327 McCarrs Creek Road, Terrey Hills**.

The architectural plans which comprise the DA submission are noted as Revision A dated 23 May 2025 and include:

DA A100-A	Site Analysis/Site Plan
DA A101-A	Existing/Demolition Plan
DA A102-A	Ground Floor Plan
DA A103-A	First Floor Plan
DA A104-A	Roof Plan
DA A200-A	Street Elevation (Site Images)
DA A201-A	Elevations Sheet 1
DA A202-A	Elevations are Sheet 2
DA A210-A	Sections
DA A1000-A	Finishes Selections

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.

The proposal was subject to a Pre-Lodgement meeting (PLM2024/0110) with Council on 8 October 2024. The proposal has been prepared to take into account the matters raised at the pre-lodgment discussion.

Issue from PLM	Comment from Council PLM	Development Application as lodged
<i>Tree Impacts</i>	<p><i>As discussed within the prelodgement meeting Council is not supportive of the removal of the proposed trees for the additional driveway access.</i></p> <p><i>Council recommends exploring design alternatives that will not remove existing native trees.</i></p> <p><i>Please refer to the comments provided by Council's Biodiversity and Landscape Officers for further information.</i></p>	<p>An Aboricultural Impact Assessment report has been prepared by Joanne Willis Consultant Arboriculturalist, Revision D dated 20 June 2025 and accompanies the development application, indicating that three protected trees (or groups of trees) are to be removed for the construction of the proposed works. The tree impacts are discussed further within this submission.</p> <p>The driveway has been designed to minimise impacts to trees through the proposed suspended grated driveway structure. This will minimise impacts to the surrounding trees and allow for further tree retention and protection.</p>

		<p>A Landscape Plan has been prepared by Woodside Plants and Design, Job Reference 23.472 dated 30 May 2025 which notes that three (3) replacement native trees are proposed within the front setback area between the new works and McCarrs Creek Road.</p>
New Driveway	<p><i>The proposed additional driveway is not supported due to the proposed tree removal to provide for the driveway access.</i></p> <p><i>Council recommends utilising the existing driveway. Please refer to the comments provided by Council's Biodiversity and Landscape Officers for further information.</i></p>	<p>The new secondary driveway will not require the removal of any protected trees, with only a dead tree and exempt species to be removed to accommodate the second driveway crossing.</p> <p>The new driveway has been designed to be suspended to minimise tree impacts and ensure tree protection for the longevity of existing trees. In addition, new replacement plantings have been proposed within the front setback area.</p>
Setback Variation	<p><i>The proposed new dwelling currently presents a variation to the 20m minimum front setback requirement and the 10m side boundary setback requirement under the Warringah Development Control Plan 2011.</i></p> <p><i>The variation proposed for the dwelling house to the front and side boundary setbacks could be supported subject to significantly reducing the proposed paving within the front setback area.</i></p> <p><i>Council recommends deleting the carport which is currently located within the front and side setback area and maximising landscaped area within the front setback.</i></p>	<p>Proposed paving and structures within the front setback area have been minimised as recommended by Council within the prelodgement meeting. Replacement native trees have been proposed within the front setback between the repaved existing driveway and the road to aid in reducing the visual impact when viewed from McCarrs Creek Road. A large number of the existing trees within the road reserve and front setback area will be retained and will continue to provide a landscape buffer to the new works.</p> <p>The proposed carport has been maintained given its minor variation to the front setback control and the single storey modest built form.</p> <p>The existing dwelling and the recently constructed shed, approved under DA2019/1325 are within the front setback. The existing dwelling is currently setback approximately 12.8m and the approved shed is setback approximately 9m from the front boundary.</p> <p>The development as proposed will result in a better planning outcome for the site as additional soft landscaping and trees are provided in the front setback area, the new dwelling is mostly compliant with the setback</p>

		and the location of the carport is not expected to have any amenity impacts. In addition, the carport is setback approximately 18m from the front boundary which is sufficient to allow for natural screening and is not expected to visually dominate the streetscape.
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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 20210*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as **327 McCarrs Creek Road, Terrey Hills**, being Lot 417 within Deposited Plan 752017 and is zoned RU4 Primary Production Small Lots within the provisions of the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

The site has been identified on the Landslip Risk Map as being within Area B. This matter will be discussed further within this statement.

The site is not identified on NSW Planning Spatial Viewer, Biodiversity Values Map, and to assist Council in its assessment, the proposal is accompanied by a Flora and Fauna Assessment prepared by Ecologically Consultants Pty Ltd TA Kingfisher Urban Ecology and Wetlands, dated 30 April 2025.

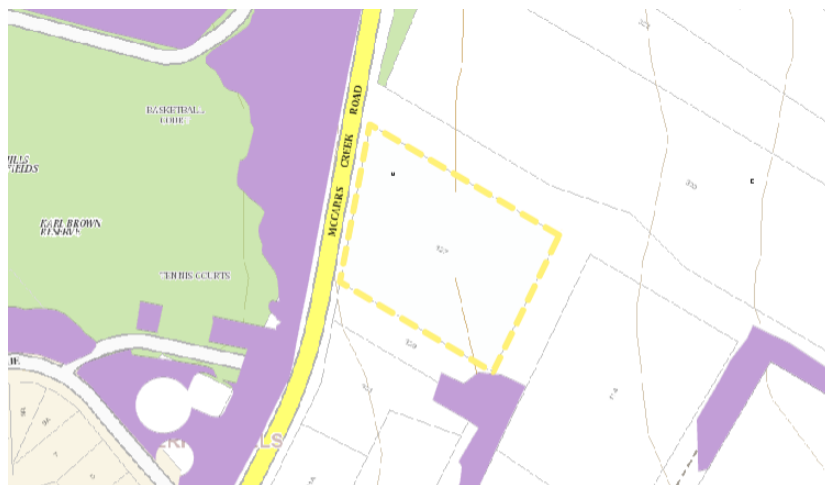


Fig 1: Biodiversity Values Map
(Source: NSW Planning Spatial Viewer)

The site has also been identified as Bushfire Prone Land. Accordingly, a Bushfire Report has been prepared by Bush Fire Planning Services, dated 3 December 2024 and accompanies this submission. The works are classified as BAL 12.5 and therefore no referral to the NSW Rural Fire Service is required.

There are no other known hazards affecting the land.

3.0 Site Description

The property is located on the eastern side of McCarrs Creek Road. The north-eastern and south-western side boundaries measure 116.435m and 94.005m respectively, and the rear boundary has a total length of 80.97m. The site has a general fall to the east, with a total fall of approximately 15.26m over the site's length. The site has a total area of 8486m².

The site is currently developed with an existing dwelling, swimming pool and shed.

The details of the site are as indicated on the survey plan prepared by Pinnacle Land Surveyors dated 16 January 2025, which accompanies the DA submission.

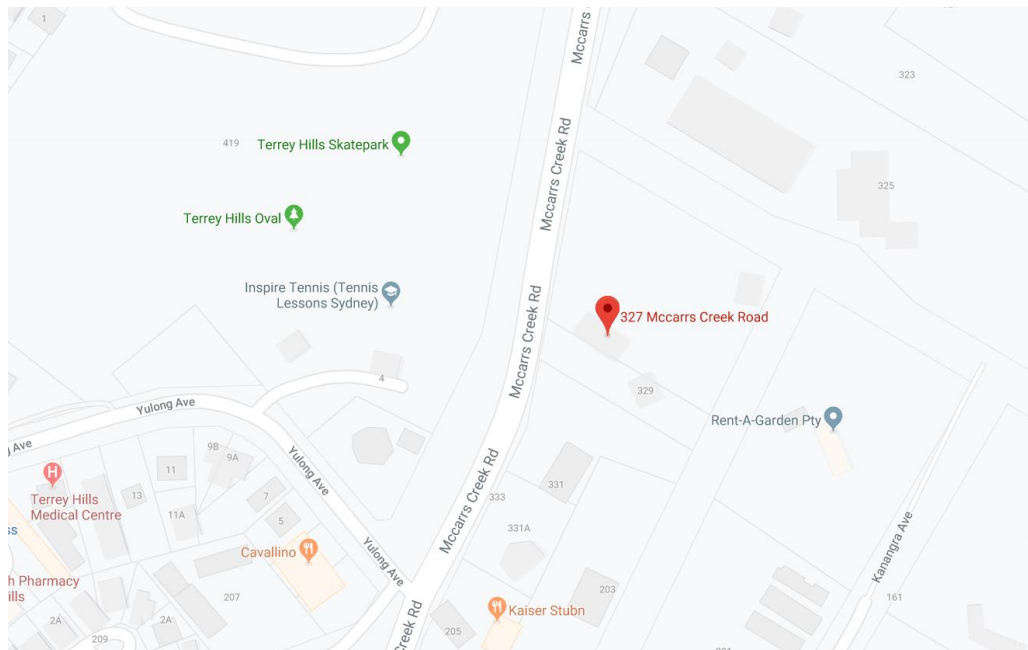


Fig 2: Location of Subject Site
(Source: Google Maps)



Fig 3: View of entry driveway to the subject site, looking east from McCarrs Creek Road



Fig 4: View of existing dwelling, looking north-east from McCarrs Creek Road



Fig 5: View of location of existing shed and relationship with the street, looking north-east from McCarrs Creek Road

4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of single and two storey residential dwellings and a range of low scale commercial uses on larger, non-urban lots. The varying age of development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a varied scale and form, with no consistent setback to the public domain.



Fig 6: Aerial view of locality
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks approval for the demolition of an existing dwelling and the construction of a new dwelling and a swimming pool.

The proposal also includes a new attached garage, carport and an additional driveway. The works comprise of the following:

Ground Floor

- New double garage
- Entry foyer, internal access stairs, three bedrooms with walk in robes and ensuites, laundry, cellar, games room with kitchenette (no consent sought for any form of separate occupancy or secondary dwelling) multipurpose room, WC

First Floor

- Hardstand and carport with separate driveway access from McCarrs Creek Road
- One bedroom with an ensuite and walk in robe, study, laundry, WC, open plan kitchen, living and dining room
- Outdoor terrace including a sauna, spa and swimming pool

External works

- Demolition of existing dwelling
- New driveway
- Repave existing driveway
- Tree removal and some earthworks
- Associated landscaping

The external finishes of the new dwelling will comprise of brickwork, metal sheeting and stone which have been selected to complement the existing structures on site, together with the natural landscape of the locality. The proposed external finishes are detailed within Drawing No DA A1000.

The proposal seeks to remove eight (8) trees or groups of trees to accommodate the proposed development. Of the trees to be removed, five are noted as exempt species.

The proposal is accompanied by an Arboricultural Impact Assessment Report prepared by Joanne Willis dated 20 June 2025 to address the proposed tree removal and protection measures.

Notwithstanding the proposed tree removal, a substantial number of trees will be retained throughout the site. A generous area of soft landscaping is maintained with supplementary tree planting and landscape planning detailed in the Landscape Plan prepared by Woodside Plans and Design, Job Reference 23.472, Issue C dated 30 May 2025.

As discussed, the site is not identified on NSW Planning Spatial Viewer, Biodiversity Values Map. A portion of front boundary area of the site is noted as being within a Wildlife Corridor.

To further assist Council in its assessment, the proposal is accompanied by a Flora and Fauna Assessment prepared by Ecologically Consultants Pty Ltd TA Kingfisher Urban Ecology and Wetlands,

dated 30 April 2025. The report considers the proposed development and offers recommendations for mitigation measures to ensure that the impact of the development is minimised.

The proposal is accompanied by a Stormwater Management Plan prepared by Amuna Civil Engineering, Project No ACE24116, Revision 3 dated 30 May 2025. The design provides for the collected stormwater to be dispersed in the area below the dwelling to the east, by way of a combination of a dispersion trench and a landscape swale with a level spreader.

The development indices for the site are:

Site Area	8486m²
Required Landscaped Area	30% or 2545.8m ²
Proposed Landscaped Area	75.8% or 6664m ²

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

Clause 4.6(1)(a) of SEPP (Resilience and Hazards) prescribes that the 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.

6.2 State Environmental Planning Policy (Sustainable Buildings) 2022

The proposal meets water, thermal and energy standards required by BASIX. A Basix Certificate has been prepared to support the proposed development and the BASIX Commitments have been detailed within the architectural plans.

6.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Biodiversity

The property is not located within the Biodiversity Values Map designated by the NSW State Government (Department of Planning, Industry and Environment).

The proposal will require the removal of the following trees or groups of trees (tree no. 9, 20, 21, 22a, 22b, 23, 24, 25, 26) in order to accommodate the proposed new dwelling and driveway. Five (5) of these trees are exempt species and do not require Council approval for removal.

Accordingly, an Arboricultural Impact Assessment has been prepared by Joanne Willis, dated 20 June 2025, and accompanies the DA submission.

Subject to compliance with recommendations contained within the arboricultural report including tree protection measures, the proposal is considered to be consistent with the aims of the SEPP.

As discussed, the proposal is accompanied by a Flora and Fauna Assessment prepared by Ecologically Consultants Pty Ltd TA Kingfisher Urban Ecology and Wetlands, dated 30 April 2025.

The recommendations within the report for mitigation measures to ensure that the impact of the development is minimised will be observed during the construction.

6.4 Warringah Local Environmental Plan 2011

The land is zoned RU4 Primary Production Small Lots under the provisions of the WLEP 2011.

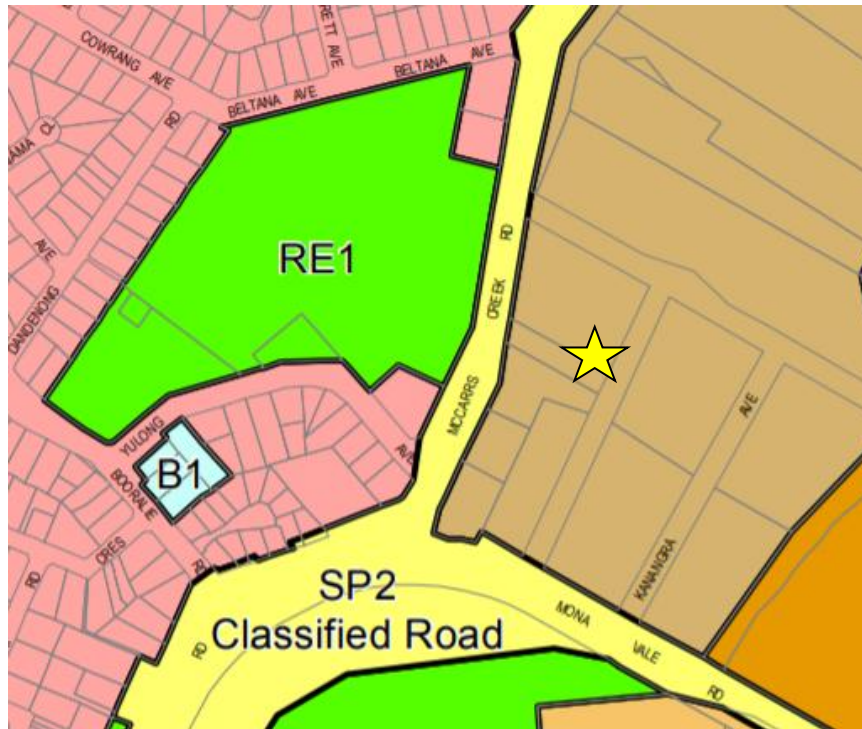


Fig 7: Extract of Warringah Council Local Environmental Plan 2011

The proposed development and the continued use of the land for rural residential purposes is consistent with the zone objectives, which are noted as:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To minimise the impact of development on long distance views of the area and on views to and from adjacent national parks and bushland.*
- *To maintain and enhance the natural landscape including landform and vegetation.*
- *To ensure low intensity of land use other than land uses that are primary industry enterprises.*
- *To maintain the rural and scenic character of the land.*

It is considered that the proposed new dwelling including a swimming pool will be consistent with the zone objectives and desired future character of the surrounding locality for the following reasons :

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other rural-residential structures in the vicinity and therefore complements the locality. The proposal provides for construction of

a dwelling which is residential in scale and form, and by being located and designed to reduce unreasonable amenity impacts, will not result in any significant impacts to the adjoining premises.

- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any impact on long distance views.

Clause 4.3 – Height of Buildings

The dictionary supplement to the LEP notes building height to be:

***building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

The building height limit for development in this portion of Terrey Hills is 8.5m. The proposed new dwelling provides a maximum height of 8.03m as measured from existing ground level to the maximum RL. The proposal therefore complies with this control.

Clause 6.2 – Earthworks

The Clause seeks to achieve the following objectives:

- *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- *to allow earthworks of a minor nature without requiring separate development consent.*

The proposal will not see any substantial disturbance of the existing site conditions. The works will be carried out in accordance with the recommendations of the consulting Structural & Geotechnical Engineers and will therefore satisfy the provisions of this clause.

Clause 6.4 – Development on sloping land

The site has been identified on the Landslip Risk Map as being within Area B.

Accordingly, a Geotechnical Investigation has been prepared by White Geotechnical Group, Reference J5837A, dated 29 May 2025. Subject to compliance with recommendations contained within the report, the proposal is considered to be consistent with the aims of this clause.

Accordingly, the proposal is considered to satisfy the provisions of this clause.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

6.5 Warringah Development Control Plan

The relevant numerical and performance based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	7.193m	Yes
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope and Side Setback	No requirement identified on map		N/A
B4 – Site Coverage	N/A	N/A	N/A
B5 – Side Boundary setbacks	Min 10m	<p>Minimum proposed south western side boundary setback is 1.859m to the hardstand parking associated with the new carport and 8.64m to the dwelling.</p> <p>The objectives of this control are as follows:</p> <ul style="list-style-type: none"> • To provide opportunities for deep soil landscape areas. • To ensure that development does not become visually dominant. • To ensure that the scale and bulk of buildings is minimised. • To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained. • To provide reasonable sharing of views to and from 	Yes – on merit

		<p><i>public and private properties.</i></p> <p>The proposal seeks to provide for a new dwelling and associated hardstand and car parking in a similar location to the existing dwelling on site. The existing dwelling on the site encroaches within the 10m setback area and the new dwelling has been located on a similar footprint with an increased side boundary setback.</p> <p>The south western side boundary adjoins the driveway access to the dwelling at 329 McCarrs Creek Road and therefore sufficient separation is provided to ensure a reasonable level of privacy will be maintained.</p> <p>The side boundary adjoining the proposed dwelling maintained as deep soil, and is capable of accommodating additional plantings.</p> <p>The proposed dwelling is modest in bulk and scale, readily complies with the statutory height limit, and will not be overbearing within the locality. The dwelling has also been</p>	
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		<p>recessed to reduce bulk and scale when viewed from adjoining sites.</p> <p>The north-eastern side boundary adjoins an unformed road, and the proposed dwelling will therefore not result in any adverse impacts for the adjoining properties.</p> <p>The proposal is accompanied by a Confirmation of Shadow Compliance prepared by Playoust Churcher Architects, dated 2 June 2025 and Shadow Diagrams prepared by Deneb Design, ref 2243, Sheets S0.01 – S0.08 which confirms that there will be no shadow cast by the proposed dwelling that will impact on neighbouring residences during any time of the daylight hours throughout the year.</p> <p>The submission notes that the adjoining properties will maintain full solar access in accordance with Council's requirements.</p> <p>Notwithstanding the variation to the side setback control, the proposal meets the</p>	
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		desired outcomes of this clause and is worthy of support on merit.	
B7 – Front Boundary Setbacks	Min 20m	<p>Minimum proposed front setback 13.998m and therefore does not comply with this control.</p> <p>The objectives of this control are as follows:</p> <ul style="list-style-type: none"> • <i>To create a sense of openness.</i> • <i>To maintain the visual continuity and pattern of buildings and landscape elements.</i> • <i>To protect and enhance the visual quality of streetscapes and public spaces.</i> • <i>To achieve reasonable view sharing.</i> <p>Whilst the siting of the proposed new carport and garage do not comply with the front setback control, the new dwelling is generally compliant with the front setback control. It is not unusual for carports and garages to be located forward of the dwelling and within the front setback area to reduce the overall length of the driveway required and to maximise soft landscaped area within the front setback area.</p>	Yes – on merit

		<p>The proposed carport is a single storey open structure and will not present an unreasonable bulk or scale when viewed from the street. In addition, the proposed garage will be located mostly below existing ground level and will not be visible from McCarrs Creek Road.</p> <p>The front setback area is generally free of structures to maximum soft landscaped area and provide opportunities for future plantings. In addition, existing gravel hardstand within the front setback area has been removed and new trees proposed to soften the built form of the new dwelling. See landscaped plans provided for further detail.</p> <p>The proposed dwelling is modest in bulk and scale, and is considered to provide suitable separation from the front boundary.</p> <p>The proposed dwelling will not result in any adverse impacts for neighbouring properties, and maintains a sense of</p>	
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		<p>openness as it presents to the street.</p> <p>All new works, including the carport, garage and dwelling are further setback from the existing shed on site which has been previously approved by Northern Beaches Council. Given the location of the shed as approved by Northern Beaches Council, the minor variation to the dwelling house is not out of character within the context of the site and the surrounding locality.</p> <p>Notwithstanding the variation to the front setback control, the proposal meets the desired outcomes of this clause and is worthy of support on merit.</p>	
B8 – Merit assessment of front boundary setbacks	N/A	N/A	N/A
B9 – Rear Boundary Setbacks	Min 10m rear setback	Minimum proposed rear setback >10m	Yes
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A

Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	<p>The proposed new driveway to provide vehicle access to the new carport and garage associated with the dwelling, together with a widening of the existing crossing which provides access to the existing shed and associated parking areas, are detailed within the civil works plans prepared by Aumuna Civil Engineering, Project ACE24116, Sheets 01-013 dated 11 June 2025, described as <i>"Dual Driveway Access Design"</i></p> <p>The civil works plans detail the design of the proposed new driveway, including sections and plan view of the driveway access to the new carport and new garage directly associated with the dwelling.</p> <p>In response to the safety concerns of the owner regarding their ability to access their site via the existing driveway crossing, the proposal seeks to widen the existing driveway crossing at the street to a minimum width of 8m to allow for vehicles to swing from both sides of the</p>	N/A

		<p>McCarrs Creek Road into the site.</p> <p>Currently, the narrow width of the driveway entry results in the owner's vehicles having to cross to the "wrong" side of the roadway to make an entry or exit movement and the widening of the driveway will assist with safe access into the McCarrs Creek Road carriageway.</p> <p>The details of the proposed road widening are contained within the Dual Driveway Design Plan and Council's support of the modified driveway entry width will provide a safer alternative for the owners in accessing the site, without any direct impacts to the public domain.</p> <p>In the immediate locality, the narrow width of the roadway and road reserve area limits the opportunity for on street car parking and in this instance, there is no loss of public access to the roadway or loss of on street parking as a consequence of the widening of the driveway crossing.</p>	
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		Both new vehicle crossings have been designed in accordance with AS/NZS 2890.1:2004	
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	New carport, hardstand and garage proposed as part of this development application. The garage is located mostly below existing ground level and the carport is an open modest single storey structure, therefore neither will visually dominate the façade.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	The submitted Stormwater Plan prepared by Aumuna Civil Engineering details the proposed stormwater arrangements for the site and has been designed in accordance with Council's Water Management Policy.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	Erosion and sediment control measures to be provided as required.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A	N/A	N/A
C7 – Excavation and Landfill	Site stability to be maintained	The site has been identified on the Landslip Risk Map as being within B. A Geotechnical Investigation has been prepared by White Geotechnical Group and accompanies the DA submission.	Yes

		In addition, works will be carried out in keeping with the advice of a qualified Structural Engineer.	
C8 – Demolition and Construction	Waste management plan required	A Waste Management Plan has been provided as part of the development application. Waste management measures to be employed.	Yes
C9 – Waste Management – Residential accommodation	Waste storage area to be provided	Bin storage available.	Yes
Part D – Design			
D1 – Landscaped Open Space and Bushland	Min landscaped area 30%	<p>The proposal will provide for a landscaped area of 78.5% or 6664m², which complies with the control.</p> <p>The new works have been designed to achieve the Objectives of the controls, which are noted as:</p> <p>Objectives</p> <ul style="list-style-type: none"> • To enable planting to maintain and enhance the streetscape. • To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife. • To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a 	Yes

		<p><i>size and density to mitigate the height, bulk and scale of the building.</i></p> <ul style="list-style-type: none"> <i>• To enhance privacy between buildings.</i> <i>• To accommodate appropriate outdoor recreational opportunities that meets the needs of the occupants.</i> <i>• To provide space for service functions, including clothes drying.</i> <i>• To facilitate water management, including on-site detention and infiltration of stormwater.</i> <p>The proposal will retain sufficient area for the private open space and recreational requirements of the owners, whilst maintaining good areas of deep soil planting within the setback areas.</p>	
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	The existing private open space is to be maintained.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	No new mechanical equipment to be provided.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A

D5 – Orientation and Energy Efficiency	N/A	N/A	N/A
D6 – Access to sunlight	This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 3 hours between 9am and 3pm on the winter solstice.	The proposed dwelling has been further setback from the side boundary than the existing dwelling and has been recessed and stepped with the topography of the site to ensure a reasonable level of solar access is retained for adjoining sites, with most shadows being located within the boundaries of the subject site. The subject site will also retain a sufficient level of solar access to private open space.	Yes
D7 – Views	View sharing to be maintained	The controls require that development should enable the reasonable sharing of views. It is not considered that the proposal will have a significant impact on any existing views currently enjoyed by surrounding properties. The site and surrounding properties enjoy a district outlook.	Yes
D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties	The works will not unreasonably reduce privacy for the neighbouring properties. The dwelling is further setback from the side boundaries than existing dwelling and windows along this elevation have been minimised to further	Yes

		reduce any privacy impacts. In addition, the proposed location of the new swimming pool is centrally located on the site and is not expected to result in any privacy impacts.	
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces	The existing surrounding development comprises a mix of one and two level dwellings and a range of commercial uses. The design of the new dwelling will maintain the general scale and retain a height and scale which compares favourably with other developments in the area.	Yes
D10 – Building Colours and materials	The DCP requires colours and materials of new or altered buildings and structures to be sympathetic to surrounding environment.	The new works will be provided with recessive colours and finishes to respect the surrounding residential locality. The proposed external finishes are detailed within Drawing No DA A1000.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposal will provide for a new skillion roof, which is modest bulk and scale, and will not dominate the skyline. The new roof form will not have any impact on views for adjoining properties.	Yes

D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The external finishes and colours will be selected to reflect the surrounding residential locality. No significant glare impacts will result from proposed new works.	Yes
D13 – Front Fences and Front Walls		N/A	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities	No change to existing site facilities.	Yes
D15 – Side and Rear Fences	N/A	N/A	N/A
D16 – Swimming Pools and Spa Pools	Pools are not to be located in the front building setback. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage. Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.	The swimming pool is located behind the front building setback. An arboricultural impact assessment accompanies the development application to confirm tree protection measures.	N/A
D17 – Tennis Courts	N/A	N/A	N/A
D18 – Accessibility	N/A	N/A	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A	N/A	N/A

D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from the proposed dwelling to the street over and through the front landscaped area.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	A BASIX Certificate is provided to support the new development.	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	Yes

Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	<p>Accordingly, an Arboricultural Assessment & Development Impact Report has been prepared by Joanne Willis, dated 20 June 2025 and accompanies the DA submission.</p> <p>Subject to compliance with recommendations contained within the report including tree protection measures, the proposal is considered to be consistent with the aims of the SEPP.</p>	Yes
E2 – Prescribed Vegetation			N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Identified on map	<p>A Flora & Fauna Assessment has been prepared by Ecological Consultants Australia Pty Ltd, dated 30 April 2025 and accompanies the DA submission. No threatened flora or fauna was found on site.</p> <p>Subject to compliance with recommendations contained within the report, the proposal is considered to be consistent with the provisions of this clause.</p>	N/A
E5 – Native Vegetation	Not identified on map		N/A

E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area B.	<p>The site has been identified on the Landslip Risk Map as being within Area B.</p> <p>A Geotechnical Investigation accompanies this development application.</p> <p>The proposal is considered to satisfy the provisions of this clause.</p>	Yes
E11 – Flood Prone Land	Not identified on map		N/A

7.0 Matters for Consideration under Section 4.15(1) of the EP&A Act

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the WLEP 2011. 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.

This report has also given due consideration to the relevant SEPPs, specifically SEPP (Resilience and Hazards), SEPP (Sustainable Buildings) and SEPP (Biodiversity and Conservation).

7.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

There are no draft environmental planning instruments applicable to this application.

7.3 Any development control plan

The development has been designed to comply with the requirements and objectives of Warringah Development Control Plan.

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

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

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 the development, including environmental impacts on both the natural and built environments, and the social and economic impacts within the locality.

It is considered that the proposal, which seeks consent for the for the demolition works and construction of a new dwelling including a swimming pool, together with the associated earthworks and landscaping, which will not unreasonably impact upon the amenity of adjoining properties. The proposal replaces an existing dwelling and the new design is considered to complement the existing rural/residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and DCP.

7.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

The proposal will provide for the demolition works and construction of a new dwelling including carparking with new driveway access to McCarrs Creek Road and also utilising an extension to the existing driveway, together with a swimming pool and associated earthworks and landscaping.

The size and shape of the rural/residential lot does not present any significant challenges to the proposed development. The natural hazards and characteristics of the site have been adequately addressed in the new design.

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

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

7.9 The public interest

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

8.0 Conclusion

The proposal provides for the proposed demolition of the existing dwelling and the construction of a new dwelling with associated driveway, parking and landscaping, which will not have a detrimental impact on the adjoining properties or the locality.

The proposal is a site-specific design response which takes advantage of the property's superior locational attributes whilst respecting the environmental characteristics of the site and the amenity of adjoining development.

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

The building height remains comparable to surrounding dwellings, with the building massing, location of the proposed car parking parable with other similar development in the immediate this entity and this portion of McCarrs Creek Road.

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

The internal design and arrangement will afford exceptional amenity and functionality to future occupants without unreasonably compromising the amenity of surrounding residential properties or the foreshore scenic attributes of the precinct.

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.

VAUGHAN MILLIGAN

Development Consultant

Grad. Dip. Urban and Regional Planning (UNE)