



Statement of Environmental Effects

Development Application (DA) proposing the *'demolition of the existing dwelling for the construction of a two-storey dwelling house and associated landscaping'* at No. 41 Wyadra Avenue, Freshwater

41 WYADRA AVENUE, FRESHWATER

June 2025

Sky Planning are an award-winning town planning company who offer a range of stakeholder and community engagement services, to ensure everyone is engaged in the planning journey.

We believe town planning represents a well-considered change which can positively impact our experiences of places and spaces.

A commitment to good planning, one that *delivers beyond expectations*, lies at the heart of everything we do.

We acknowledge the traditional owners of Country throughout Australia. We support a Country centred approach to urban planning, where humans support and respect the needs of all living and non- living entities in a balanced relationship with our own needs.

Proposal: Development Application (DA) proposing the 'construction of a two-storey dwelling house and pool' at No. 41 Wyadra Avenue, Freshwater.

Applicant: Sky Planning

Consent Authority: Northern Beaches Council

Date: June 2025

| | | Draft | Final |
|-------------|----|-------|-------|
| Prepared by | LC | ✓ | |
| Checked by | JB | | ✓ |

Contact

Web: www.skyplanning.com.au

Mail: PO Box 285, Drummoyne NSW 1470

Email: info@skyplanning.com.au

Disclaimer

This report comprises an assessment of the project with respect to S.4.15 of the Environmental Planning and Assessment Act, 1979. This report has been prepared on the basis of information available at the date of publication. While we have tried to ensure the accuracy of the information in this publication, Sky Property and Planning Trust accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication. No part of this document may be reproduced, distributed, or transmitted in any form or by any means without the prior written permission of Sky Planning, except in the case of brief quotations where authorship is acknowledged.

Copyright

This document and the information are solely for the use of the authorised recipient and this document may not be used, copied or reproduced in whole or part for any purpose other than that for which it was supplied by SkyPlanning makes no representation, undertakes no duty and accepts no responsibility to any third party who may use or rely upon this document or the information.

Table of Contents

| | | |
|---|---|----|
| 1 | Introduction | 6 |
| 2 | Site and Context Analysis | 7 |
| | 2.1 Locational Context | 7 |
| | 2.2 Site Description | 8 |
| | 2.3 Application History | 10 |
| | 3.1 Overview | 10 |
| | 3.2 Detailed Description | 13 |
| 4 | Statutory Planning Framework..... | 16 |
| | 4.1 State Environmental Planning Policies | 16 |
| | 4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021 | 16 |
| | 4.1.2 State Environmental Planning Policy - Building Sustainability Index (2004)..... | 16 |
| | 4.1.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021 | 16 |
| | 4.2 Warringah Local Environmental Plan 2011 | 17 |
| | 4.2.1 Zoning and Objectives..... | 17 |
| | 4.2.2 Height of buildings (LEP Clause 4.3) | 18 |
| | 4.2.3 Heritage conservation (LEP Clause 5.10)..... | 18 |
| | 4.2.4 Bush fire hazard reduction (LEP Clause 5.11)..... | 18 |
| | 4.2.5 Acid sulfate soils (LEP Clause 6.1) | 18 |
| | 4.2.6 Earthworks (LEP Clause 6.2)..... | 18 |
| | 4.2.7 Biodiversity protection (LEP Clause 6.3) | 18 |
| | 4.2.8 Riparian land and adjoining waterways (LEP Clause 6.4) | 18 |
| | 4.3 Warringah Development Control Plan 2011 | 19 |
| | 4.4 Numerical Compliance Table | 35 |
| 5 | Conclusion | 37 |

Supporting Documents

- **Architectural Plan set**, *Hall & Hart, Revision G, dated 19/06/2025.*
- **Landscape Plans**, *Step Outside Landscape Design, Revision A2, dated 26/06/2025.*
- **Arboricultural Impact Assessment**, *DJD Tree Consultancy, dated 10/04/2025.*
- **Preliminary Arboricultural Impact Assessment**, *DJD Tree Consultancy, dated 12/09/2025.*
- **Survey Plan**, *Intrax Land, dated 11/06/2024*
- **Stormwater Concept Plan**, *alw design, dated 23/06/2025*
- **Waste Management Plan**

1 Introduction

This Statement of Environmental Effects has been prepared as a component of a development application proposing the demolition of the existing dwelling and the construction of a two-storey dwelling house with pool and associated landscaping work at No. 41 Wyadra Avenue, Freshwater legally described as Lot 65 DP12072.

This Statement is based on and should be read in conjunction with, the architectural drawings and supporting technical documents submitted under separate cover with the DA.

It provides information on the following:

- Description of the site and locality;
- Description of the proposed development;
- Assessment of relevant environmental planning considerations under Section 4.15 of the EP&A Act including compliance with planning instruments, environmental impacts, site suitability and the public interest.

The following regulatory frameworks are applicable to the site and proposal:

- *The Environmental Planning & Assessment Act, 1979*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy - Building Sustainability Index (2004)*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan 2011*

This report provides the applicant's assessment against these provisions and requirements. It concludes that the development is appropriate, and generally consistent with current planning controls and with Council's intent for the area.

The proposed construction of the dwelling is not anticipated to contribute to adverse environmental impacts and the development application succeeds on its merits. Accordingly, Council's approval of the application is therefore sought, subject to relevant and reasonable conditions.

2 Site and Context Analysis

2.1 Locational Context

The subject site, located within suburb of Freshwater, is situated within the jurisdiction of Northern Beaches Council Local Government Area (LGA), and is situated approximately 12 kilometres north-east of the Sydney Central Business District (CBD).

Freshwater is a well-established coastal suburb bounded by Curl Curl to the north, Queenscliff to the south, and North Manly to the west. The locality forms part of the Northern Beaches region and is located within close proximity to Freshwater Beach, a popular recreational destination.

The immediate surrounding area comprises predominantly low-density residential development, generally consisting of detached one and two-storey dwellings. Streetscapes typically include vegetated front setbacks, established rear yards, and ancillary outdoor structures such as swimming pools, garages, and decks. Architectural styles in the locality are varied, ranging from modest post-war cottages to contemporary infill development.

Refer Figure 1 for the aerial view of the locale:

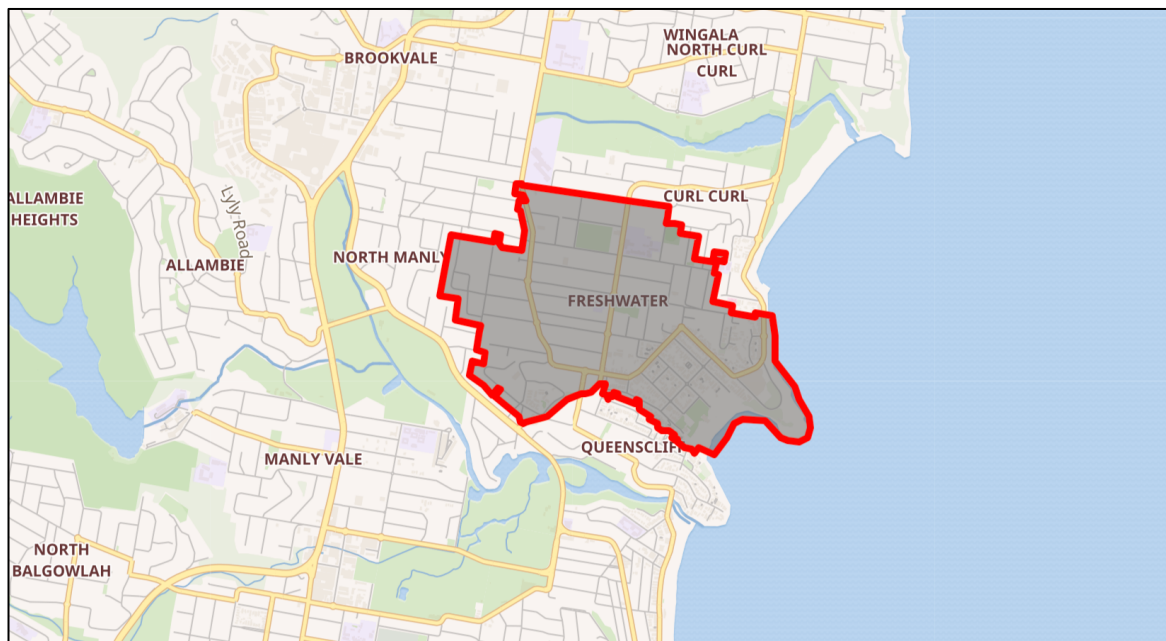


Figure 1: Aerial view of the locale –Freshwater (source: Wikimedia Maps)

2.2 Site Description

The subject site is a regular rectangular shaped allotment fronting Wyadra Avenue with a total site area of 645.6m².

The details of the site are included in the architectural drawings prepared by *Hall and Hart*, revision G, dated 19/06/2025 which accompanies the DA submission under a separate cover.

Key characteristics of the existing site include:

Existing development on site: The subject site consists of a single-storey brick residence with a tile roof, detached garage, and substantial front and rear grassed areas at within subject site.

Vehicular and pedestrian access: Both pedestrian access and vehicular access to the site is provided via Wyadra Avenue.

Topography: The site mildly slopes mildly from the sites south-eastern aspect to north-eastern boundary.

Views: The site overlooks low-density residential development to to the sites north-east and western aspects, and low-rise residential flat buildings to its southern aspect.

Services, easements and other restrictions on title: Services such as electricity, sewer and water are all available to the existing development.

Other site constraints: The site is not known to be contaminated and there are no other known site constraints such as flooding, landslide slip risk, groundwater or contamination. The site does include acid sulfate soil.

Heritage: The site is not a heritage item nor is it within a Heritage Conservation Area and it is not adjoining an item.

Refer to Figure 2 for the front view of the subject site.

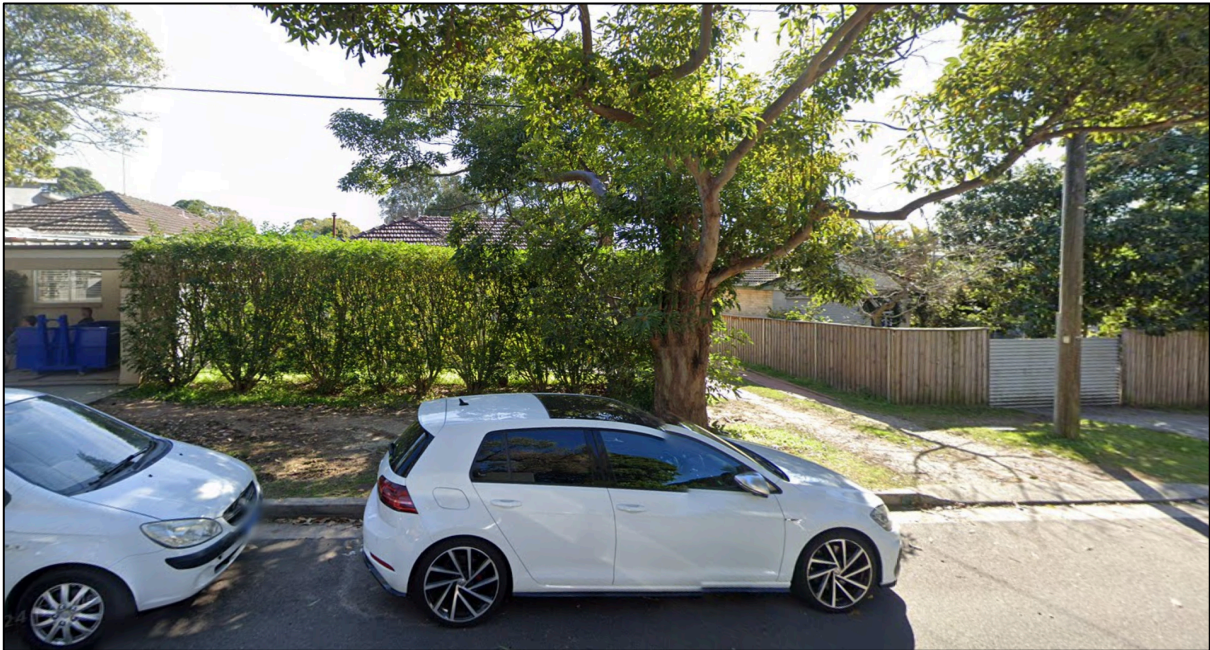


Figure 2: Front Street view of the subject site (source: Google Images)

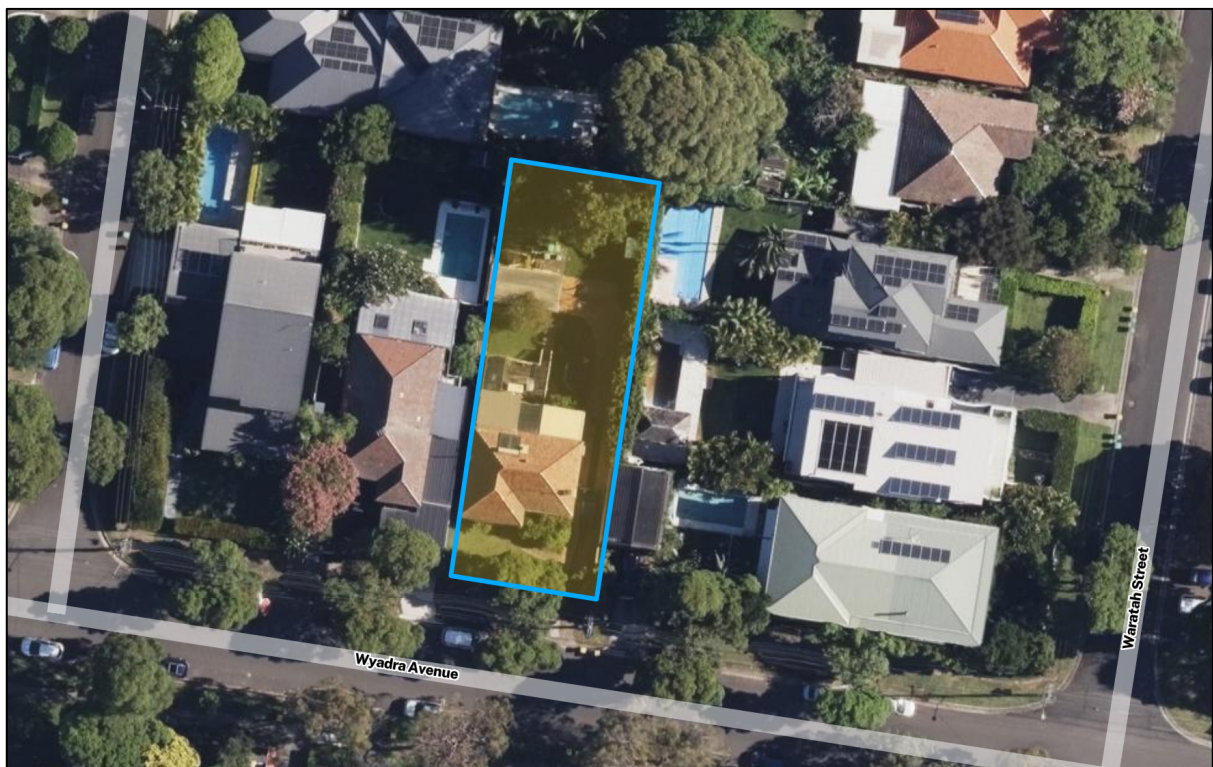


Figure 3: Aerial of the subject site (source: SixMaps)

2.3 Application History

According to the Northern Beaches Council website, there are no current or previous applications pertaining to the subject site.

3 The Proposal

3.1 Overview

The proposal seeks consent for the following works:

- Construction of a two-storey contemporary residential dwelling with 5 bedrooms, attached double garage and alfresco at the rear, which are accessible via the an open plan kitchen and living area;
- Associated landscaping at front and rear,
- New driveway and crossover to align with existing layback.

The application does proposes the removal of Trees T12 and T14 and a number of exempt species, and as such is accompanied by an Arboricultural Impact Assessment.

The proposed development has been designed in response to the controls set out in the Warringah Local Environmental Plan 2011 and the Warringah Development Control Plan 2011 to maximise the sites amenity and create a spacious, contemporary home. The proposed development responds to the context of the site while also minimising impacts to neighbouring properties, through careful placement of glazed entertaining areas and its articulated design.

Listed below is the breakdown of the composition of the proposed dwelling:

Site Level:

- Concrete driveway and crossover via from Wyadra Avenue;
- Associated landscaping works.

Ground Floor Level:

- Double garage;
- New entry with porch;
- Guest/Office room;
- Powder Room & Wash Closet;
- Laundry room;
- Storage Room;
- Wine Closet;
- Butlers Pantry;
- Open-plan kitchen;
- Open dining area;

- Open living area;
- Semi-enclosed alfresco at the rear end of the dwelling;
- Internal staircase to the access to the first floor.

First Floor Level:

- Internal staircase;
- 3 x Bedrooms (Bedroom 2, 3 & 4)
- Master bedroom with ensuite, walk-in-robe and associated balcony rear (north) facing;
- Wash Closet;
- 2 x Bathrooms (Bathroom 1 & 2);
- Study.

Roof:

- 13 x Solaredge system solar panels;
- 3 x Skylights.

The scope of the work is depicted in the Architectural Drawings prepared by Hall and Hart, Rev G, dated 19/06/25 submitted under separate cover.

The proposed new modern dwelling is intricately designed to align with the evolving character of the area while leveraging the site's context. The intention is to create a positive contribution to the neighbourhood. Emphasising a high standard of living for the occupants, this design focuses on a functional, contemporary layout tailored to cater to the needs of a growing family. Careful consideration has been given to ensuring privacy, optimizing solar access for neighbouring dwellings, and maintaining the streetscape's character.

The modern architectural approach of this dwelling aims to blend innovation and sustainability with respect for the surrounding environment, providing a home that both enhances the streetscape and meets the needs of its residents.

Figures 4 and 5 depict the snippets of the proposed ground-floor and first-floor plan.

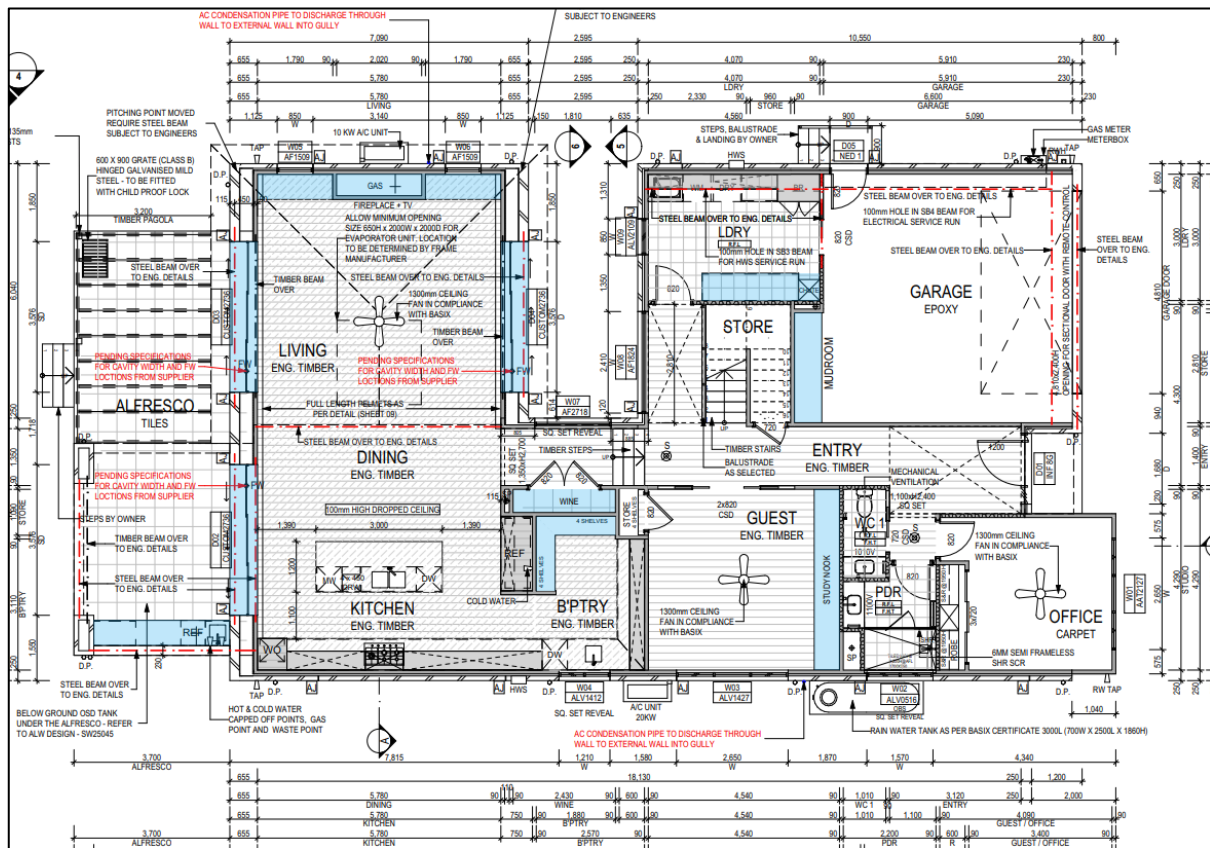


Figure 4: Proposed Ground Floor Plan (source: Hall and Hart, Rev G)

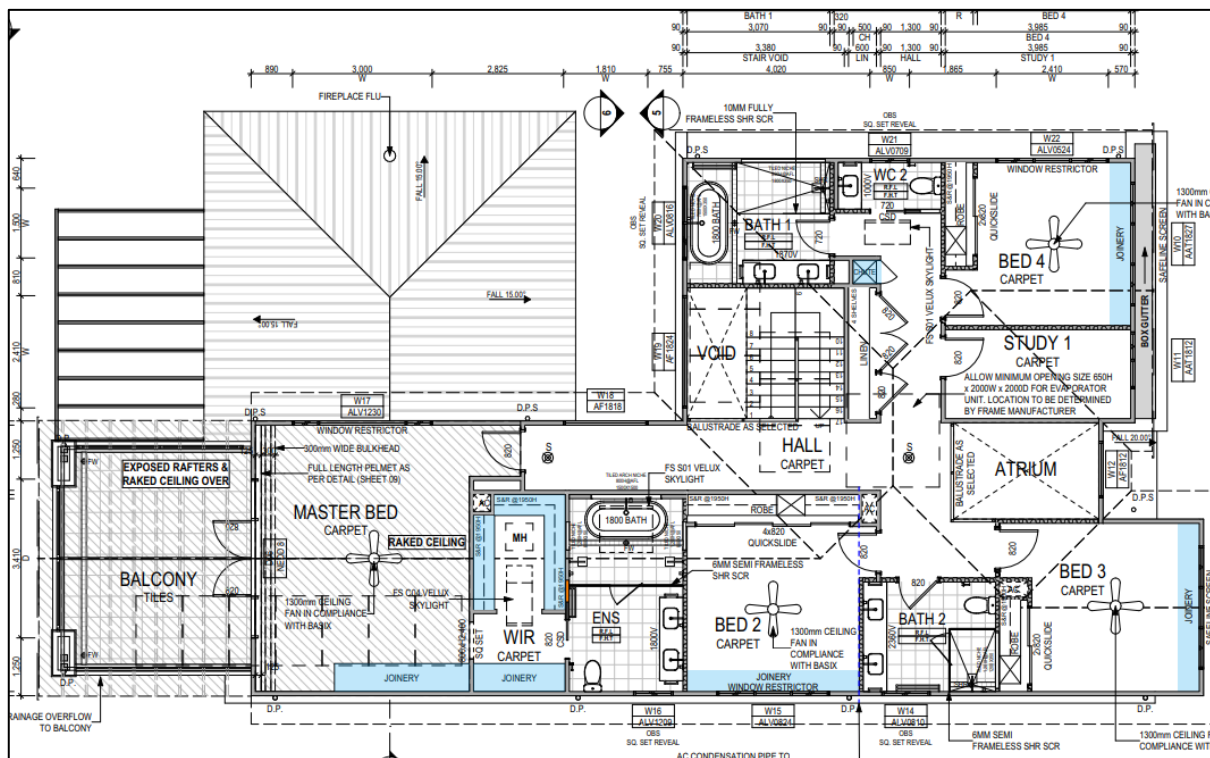


Figure 5: Proposed First Floor Plan (*source: Hall and Hart, Rev G*)

Civil and landscaping works:

- Proposed new driveway and crossover accessible from Wyadra Avenue;
- Significant landscaping works across the sites perimeters, with a number of exempt trees species to be removed and a total of 2 x trees (T12 & T14) to be removed that require consent.
- Replacement planting of 6 x trees and a variety of shrubs. See the accompanying Landscape Plan, prepared by Step Outside Landscape design, and the Arboricultural impact assessment for further details on the above.

3.2 Detailed Description

The proposed development involves the demolition of the existing residential dwelling and the construction of a new two-storey contemporary residence, designed to align with the evolving residential character of Freshwater. The new dwelling is thoughtfully planned to deliver a high standard of modern living, with a design that integrates functionality, architectural articulation, and a strong connection between indoor and outdoor spaces. The residence comprises five bedrooms, an attached double garage, and an open-plan living arrangement that promotes flexibility and family interaction. A semi-enclosed alfresco area at the rear connects directly to the kitchen, dining, and living zones, creating an ideal setting for entertaining and outdoor enjoyment.

The proposal also includes civil and landscaping works, including the installation of a new concrete driveway and crossover off Wyadra Avenue to facilitate safe and practical vehicular access to the garage. As part of these works, the application seeks consent for the removal of trees, as identified in the accompanying Arboricultural Impact Assessment, with compensatory planting and perimeter vegetation to be provided in accordance with the submitted Landscape Plan by Step Outside.

Internally, the ground floor includes a formal entry, guest bedroom or home office, powder room, laundry, butler's pantry, and generous open-plan kitchen, living, and dining areas. These spaces have been deliberately oriented to maximise solar access and promote seamless integration with the rear outdoor environment. The first floor comprises three secondary bedrooms, two bathrooms, a separate WC, a study, and a master bedroom with ensuite, walk-in robe, and a north-facing private balcony. The building also incorporates three skylights and a 13-panel Solaredge solar system to enhance natural light and improve energy efficiency.

Wholistically, the built form has been carefully designed to respond to site conditions and relevant planning controls under the Warringah Local Environmental Plan 2011 and the Warringah Development Control Plan 2011. Key considerations include maintaining appropriate side and rear setbacks to minimise overlooking, achieving passive surveillance through strategically positioned windows, and retaining visual cohesion with surrounding dwellings. The proposed works collectively aim to deliver a spacious, sustainable, and well-integrated home that complements the suburban context and makes a positive contribution to the residential streetscape.

Please refer to the enclosed plans by Hall and Hart Homes Pty Ltd, Rev D, dated 19.06.2025 for additional context regarding the dwelling's appearance from the street. Figure 7 below presents the front elevation showcasing the façade design:

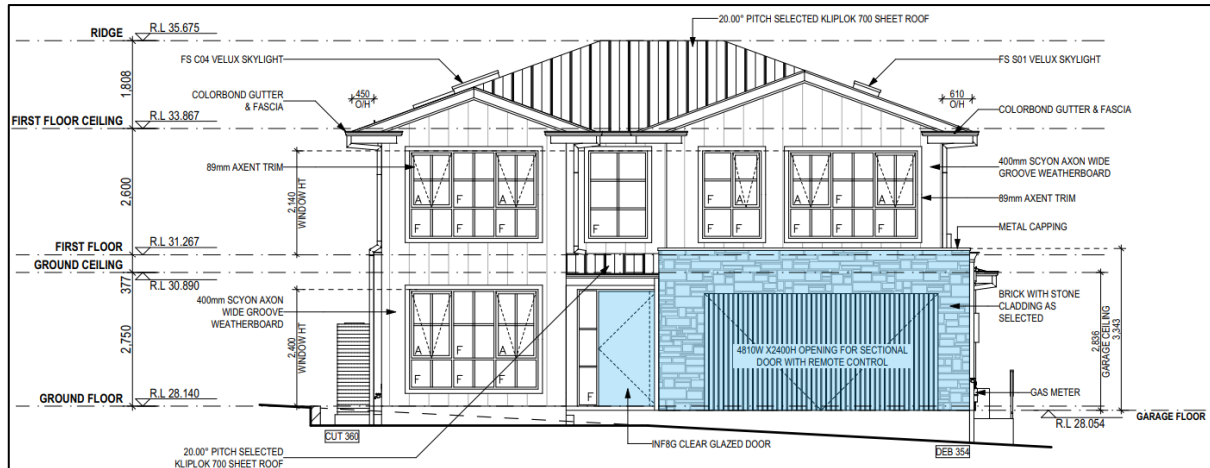


Figure 6: Southern Elevation (source: Hall and Hart, Rev G)

Trees

The Arborist has identified 39 (thirty-nine) existing trees that currently exist across the site.

Based on the arboricultural assessment and Council tree controls, a total of 32 trees or hedge elements are proposed to be removed from the site, the majority of which are of low significance and either fall within the Northern Beaches Council's Exempt Tree List or are not classed as trees under Council definitions, thus do not technically require approval for removal. These include Trees 3, 4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27 (hedge), 28–34.

Trees 1 and 39, located on the Council verge, and Tree 16, a high-significance palm on the subject site, are to be retained. Trees 2, 35, and 36 on neighbouring properties are also to be retained.

Trees 12 and 14 are the only trees which require formal consent for their removal, given their location and status under Council controls.

To mitigate the proposed removals, a comprehensive compensatory planting strategy is proposed. This will include:

- 5 advanced trees in 45L pots
- 45 shrubs and small trees in 300mm pots
- 70 mid-storey plantings in 200mm pots
- 49 groundcovers and smaller plants in 150mm pots

This results in a total of 169 new plantings, ensuring a robust landscape outcome that enhances biodiversity, reinstates canopy coverage over time, and contributes positively to the local streetscape and residential amenity. The planting scheme has been designed to align with the Northern Beaches Council's urban greening objectives and to ensure long-term environmental and visual benefits.

Stormwater

The stormwater management details associated with the development and site works are shown on the concept site drainage plan prepared by Alw Design Civil Engineering Consulting dated 26/06/2025 attached along with this submission.

Key features of the stormwater proposal include:

- 1x 3000L rainwater tank in accordance with the BASIX requirements, located along the sites western boundary line.
- Details including drains, pits, gutters, downpipes, absorptions trench and level spreader shown within the proposed stormwater plans.
- Below ground OSD tank at a capacity of almost 26,000L at 25.8m³ beneath the alfresco.

A formal request for permission to drain through these properties was issued on 30 April 2025. As of 10 June 2025, no response has been received from the affected landowners to either grant or deny consent. In accordance with the relevant procedures, this is considered an assumed refusal to the easement, and the application proceeds on that basis with an accompanying statutory declaration.

4 Statutory Planning Framework

4.1 State Environmental Planning Policies

The proposed development is subject to the following State Environmental Planning Policies.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

According to Clause 4.6 of this SEPP, Council may not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out.

Response: As the land has been continually used for residential purposes, the likelihood of contamination is low. In this regard, it is considered that the site is suitable for the proposed use and that no further investigation is warranted.

4.1.2 State Environmental Planning Policy - Building Sustainability Index (2004)

To encourage sustainable residential development, all new dwellings must comply with the provisions of the State Environmental Planning Policy – Building Sustainability Index (BASIX).

Response: The proposed development has achieved full compliance with the BASIX commitments. The schedule of BASIX Commitments is specified within the BASIX Certificate provided under separate cover.

4.1.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the Biodiversity and Conservation SEPP aims to ensure that the value of trees and other vegetation in non-rural area are protected. The SEPP outlines that consent is required for the clearing of certain vegetation in non-rural areas. Council's Development Control Plan (DCP) 2011 outlines that certain trees can be removed without requiring consent whilst consent is required for clearing of significant vegetation.

Response: Based on the arboricultural assessment and Council tree controls, a total of 32 trees or hedge elements are proposed to be removed from the site, the majority of which are of low significance and either fall within the Northern Beaches Council's Exempt Tree List or are not classed as trees under Council definitions, thus do not technically require approval for removal. These include Trees 3, 4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27 (hedge), 28–34.

Trees 1 and 39, located on the Council verge, and Tree 16, a high-significance palm on the subject site, are to be retained. Trees 2, 35, and 36 on neighbouring properties are also to be retained.

Trees 12 and 14 are the only specimens that require formal consent for removal under Council DCP controls. Given their location and significance, their removal is considered acceptable on balance. As compensatory planting, approximately 216 new plantings—including six trees—will be introduced on site to maintain and enhance the landscape character of Freshwater.

4.2 Warringah Local Environmental Plan 2011

The subject site is zoned R2 Low Density Residential pursuant to the Warringah Local Environmental Plan 2011, where *dwelling houses* are permissible in the zone with consent.

4.2.1 Zoning and Objectives

The stated objectives of the R2 zone are as follows:

- *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 ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Response:

The proposed development to demolish the existing dwelling and construct a new dwelling aligns with the objective of providing for the housing needs of the community within a low-density residential environment. Not only does this plan ensure the efficient use of the land, but it also ensures that the dwelling continues to contribute to the residential character of the area.

This opinion is justified on the basis that the proposed plan to substitute an existing ageing residence with a new, architecturally refined modern home, harmonizing with the evolving character of the locality. Additionally, the proposed new design will blend seamlessly and integrate sufficiently into Wyadra Avenue's wider landscape. The proposal is compatible with the zone objectives, surrounding character and intended use of the site and area. There are no legal zoning restrictions or objectives that pose an obstruction to the approval of the proposed development.

4.2.2 Height of buildings (LEP Clause 4.3)

Height of Building = 8.5m

Response: The proposed development has a maximum building height of 8.29m and as such, adequately complies with the prescribed building height requirement.

Please refer to the Elevations (Page 7 of 8) of the architectural plans. These illustrations provide a comprehensive height of the dwelling in elevational view showing the highest point, the NGL and the ridge line in greater detail, to clearly demonstrate compliance with the height control.

4.2.3 Heritage conservation (LEP Clause 5.10)

The Site is not listed as a heritage item, does not adjoin any heritage item, nor is it situated within a heritage conservation area.

4.2.4 Bush fire hazard reduction (LEP Clause 5.11)

The Site is not identified as Bushfire Bushfire-prone land area.

4.2.5 Acid sulfate soils (LEP Clause 6.1)

The site is identified as a class 5 Acid Sulfate soil. As such, no further investigations are warranted.

4.2.6 Earthworks (LEP Clause 6.2)

Given the predominantly flat and level nature of the Site, the proposal requires only minimal earthwork activities for cut and filling to provide a level platform for the dwelling.

4.2.7 Biodiversity protection (LEP Clause 6.3)

The subject site is not identified on the Council's Biodiversity sensitivity map.

4.2.8 Riparian land and adjoining waterways (LEP Clause 6.4)

There are no waterways traversing or existing within the boundaries of the subject Site

4.3 Warringah Development Control Plan 2011

Council's Development Control Plan 2011 provides the primary controls for development within the area. The following sections of the DCP are considered in relevance to the subject site.

The following sections of the DCP primarily outline the general and site-specific controls for development that are to be considered and applied, and the relevant principles are addressed below.

PART B:

Built Form Controls

| Criteria | Objective | Response | Complies |
|-------------------------|---|---|----------|
| B1. Wall Heights | 1. Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space). | <p>The proposed wall height of 6.85 metres complies with the maximum prescribed limit of 7.2m. It should be noted that there are no habitable areas located within the proposed roof space.</p> <p>As such, the design adequately remains within the allowable building envelope and appropriately manages bulk and scale in line with surrounding development.</p> <p>Please refer to the Architectural Drawings for further details on the above.</p> | Yes |

| | | | |
|-----------------------------------|--|--|-----|
| B5. Side Boundary Setbacks | <p>1. Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.</p> <p>2. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences</p> <p>- Note* The site falls under the Prescribed Side boundary Setback (B); stipulating a setback of 0.9m.</p> | <p>The proposed development complies with the prescribed minimum 0.9m side boundary setbacks under schedule (B).</p> <p>Along the ground floor, the proposed RHS setback of 1.285m and LHS setback of 1.685m adequately exceed the prescribed minimum of 0.9m.</p> <p>Furthermore, the proposed first floor level similarly comply, with 1.845m setback along the RHS and 1.845m along the LHS; all of which exceed the minimum required standard.</p> <p>As such, the adequate separation between the proposed dwelling and its adjacent properties ensures adequate spatial relief, enhances residential amenity, and maintains consistency with the low-density character of the area.</p> <p>Please refer to the Architectural Set for further details on the above.</p> | Yes |
|-----------------------------------|--|--|-----|

| | | | |
|------------------------------------|---|---|-----|
| B7. Front Boundary Setbacks | <p>1. Development is to maintain a minimum setback to road frontages.</p> <p>2. The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences.</p> <p>3. Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.</p> <p>- Note* The site falls under the Prescribed Front Setback (F); stipulating a setback of 6.5m</p> | <p>The proposed development provides a front setback of 7.11m, which exceeds the prescribed minimum requirement of 6.5m under the Prescribed Front Setback (F) control.</p> <p>It should be noted that the proposed setback area remains free of structures within this area.</p> <p>Furthermore, the font setback is proposed to be adequately landscaped through the integration of garden beds and stepped pathways, maintaining the established streetscape character and ensuring a compliant and visually cohesive frontage.</p> <p>Please refer to the Architectural Set and Landscape plans for further details on the above.</p> | Yes |
| B9. Rear Boundary Setbacks | <p>1. Development is to maintain a minimum setback to rear boundaries.</p> <p>2. The rear setback area is to be landscaped and free of any above or below ground structures.</p> <p>- Note* The rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any building on the allotment.</p> <p>- Note* The site falls under the Prescribed Rear Setback (D); stipulating a setback of 6m</p> | <p>The proposed development provides a rear setback of 10.521m to both the ground and first floor level rear setback, significantly exceeding the prescribed minimum requirement of 6.0m under the Prescribed Rear Setback (D) control.</p> <p>The rear setback has been measured perpendicularly from the boundary to the associated alfresco area to the northern rear of the dwelling.</p> <p>This generous rear setback ensures ample separation between built form and adjoining properties, supporting residential amenity, privacy, and open space character; which is further enhanced by the landscaped rear boundary.</p> | Yes |

PART C:**Siting Factors**

| Criteria | Objective | Response | Complies |
|---------------------------------------|--|--|-----------------|
| C2. Traffic, Access and Safety | <p>1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p> <p>2. Vehicle access is to be obtained from minor streets and lanes where available and practical.</p> <p>5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</p> | <p>Vehicular and pedestrian access to the site has been appropriately considered and will maintain its original point of entry from Wyadra Avenue.</p> <p>While the access location remains unchanged, a new driveway is proposed to facilitate improved functionality and integration with the new dwelling design.</p> <p>Wyadra Avenue is the site's primary street frontage, and no alternative access via rear lanes or minor streets is available or practical.</p> <p>The proposed access arrangement ensures safe and efficient vehicle movements with minimal disruption to pedestrian activity and the streetscape.</p> <p>As such, the proposal meets the relevant access objectives by providing practical, compliant, and safe entry to the site. Please refer to the Civil Plans for detailed driveway specifications.</p> | Yes |
| C3. Parking Facilities | <p>1. The following design principles shall be met:</p> <ul style="list-style-type: none"> • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site; • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. <p>4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for</p> | <p>The proposed development provides two off-street car parking spaces within the integrated double garage, thereby satisfying the minimum requirement of two off-street spaces for a dwelling house.</p> <p>The proposed development provides two off-street car parking spaces within an integrated double garage, thereby satisfying the minimum requirement of two off-street spaces for a dwelling house. The garage is wholly contained within the building envelope and is</p> | Yes |

| | | | |
|-----------------------|--|---|-----|
| | <p>various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</p> <p>Note* - Minimum off street parking prescribed; 2 Minimum.</p> | <p>seamlessly incorporated into the overall design of the front façade. The garage opening measures 4.810 metres in width, which is well below both the 6-metre maximum and 50% of the building's total width (12.27 metres), and therefore complies with the applicable control for street-facing garage openings.</p> <p>The location of the integrated garage has been sensitively positioned to ensure it does not visually dominate the streetscape, maintaining a proportional, balanced appearance along Wyadra Avenue.</p> <p>All parking is contained on-site, consistent with the objective of providing functional vehicle storage without compromising the visual or spatial quality of the development. As such, the proposal meets all relevant parking design requirements.</p> <p>Please refer to the Architectural Set for confirmation of garage dimensions and façade composition.</p> | |
| C4. Stormwater | <p>1. Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>2. The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy</p> | <p>The proposed development incorporates an integrated stormwater solution that includes an OSD located beneath the alfresco area, which captures and stores roof water. Surface runoff from the driveway and yard areas is directed via surface pits to an absorption trench located at the rear of the site. Overflow from the OSD tank is also discharged to this trench.</p> <p>As part of the stormwater design process, formal requests were made to the downstream properties at No. 23 and 25 Waratah Street for a drainage easement. No response was received from either landowner. As such, this is considered an assumed refusal. A signed</p> | Yes |

| | | | |
|--|---|---|-----|
| | | <p>statutory declaration confirming this has been included with the application.</p> <p>All drainage works will be designed, installed, and maintained in accordance with Council's Water Management Policy. The proposed stormwater strategy ensures the development does not increase runoff beyond pre-development levels and supports the long-term integrity of Council's stormwater network.</p> <p>Please refer to the Stormwater Plans submitted accompanying this application for further details.</p> | |
| C5. Erosion and Sedimentation | <p>1. All developments which involve the disturbance of land must install and maintain erosion and sediment controls until the site is fully stabilised.</p> <p>2. Any erosion and sedimentation is to be managed at the source.</p> <p>3. Erosion, sediment and pollution controls including water discharge from the site must comply with Council's Water Management Policy.</p> <p>4. An Erosion and Sediment Control Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of up to 2500m2 of land.</p> | <p>The proposed development involves a disturbance of less than 2,500m² and will therefore be supported by an Erosion and Sediment Control Plan.</p> <p>Please refer to the Erosion and Sediment Control plan submitted with this application for further details.</p> | Yes |
| C6. Building over or adjacent to Constructed Council Drainage Easements | <p>1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</p> <p>2. Excavation and landfill works must not result in any adverse impact on adjoining land. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</p> <p>4. Excavation and landfill shall not create siltation or pollution of</p> | <p>The proposed excavation is minimal, with a maximum depth of 0.484 metres, and has been designed to ensure no adverse impacts on adjoining properties or the surrounding environment. A minor amount of cut is inevitably required for the OSD tank beneath the alfresco however this is reasonable amount and isolated to the placement of the OSD tank.</p> | Yes |

| | | | |
|--|---|---|-----|
| | <p>waterways and drainage lines, or degrade or destroy the natural environment.</p> <p>5. Rehabilitation and revegetation techniques shall be applied to the fill.</p> <p>6. Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties.</p> | <p>All excavation works will be carried out using clean fill, ensuring geological stability is maintained throughout the site.</p> <p>The extent of excavation and fill has been carefully limited to support the construction of the new dwelling and associated site works, with no risk of siltation, pollution, or environmental degradation.</p> <p>Rehabilitation measures, including landscaping is proposed across the site where required to ensure the visual and environmental quality of the site is preserved.</p> <p>As such, the scale and nature of the works are consistent with residential development in the area and will not result in any detrimental visual or environmental impacts.</p> | |
| C8. Demolition and Construction | <p>1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.</p> | <p>The proposed development involves demolition and construction works and as such is accompanied by a Waste Management Plan.</p> <p>The plan outlines measures for the appropriate handling, recycling, and disposal of waste generated throughout the project. Please refer to the WMP for further details.</p> | Yes |
| C9. Waste Management | <p>1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.</p> | <p>As delineated above, the proposed development involves demolition and construction works and as such is accompanied by a Waste Management Plan.</p> <p>Please refer to the WMP for further details.</p> | Yes |

PART D:

| Design | | | |
|---------------------------|--|---|----------|
| Criteria | Objective | Response | Complies |
| D1. Landscaped Open Space | <p>1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting.</p> <p><u>Prescribed Landscaping Req:</u> <i>40% Minimum for typical residential Allotment</i></p> <p>To measure the area of landscaped open space:</p> <p>a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation;</p> <p>b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation;</p> <p>c) Landscaped open space must be at ground level (finished); and</p> <p>d) The minimum soil depth of land that can be included as landscaped open space is 1 metre.</p> | <p>The proposed development provides a total landscaped area of 259.14m², meeting the 40% prescribed requirement for a typical residential allotment.</p> <p>The landscaped area has been calculated in accordance with the DCP controls, excluding driveways, paved and roofed areas, and ensuring all contributing areas are at finished ground level with a minimum soil depth of 1 metre.</p> <p>The proposed landscaping contributes positively to the visual amenity of the site, assists in stormwater absorption, and provides a balance between built form and open space. The landscape design is consistent with the low-density residential character of the area and enhances the overall environmental quality of the development.</p> <p>Please refer to the Landscape Plan prepared by Step Outside Landscape Design for further detail.</p> | Yes |
| | <p>1. Residential development is to include private open space for each dwelling.</p> <p>2. The minimum area and dimensions of private open space are as follows;</p> <p><u>Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms:</u> <i>Total of 60m² with minimum dimensions of 5 metres.</i></p> <p>3. Private open space is to be directly accessible from a living</p> | <p>The proposed development provides a total of 60.00m² of private open space (POS), satisfying the minimum requirement for a dwelling containing three or more bedrooms. The POS comprises a combination of a semi-enclosed alfresco area and adjoining open space at the rear of the dwelling, all of which exceeds the minimum 5-metre dimension required.</p> <p>The private open spaces are directly accessible from the open-plan kitchen, dining, and</p> | |

| | | | |
|------------------|---|--|-----|
| | <p>area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.</p> <p>4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</p> <p>5. Private open space shall not be located in the primary front building setback.</p> <p>6. Private open space is to be located to maximise solar access.</p> <p>Private open space may include courtyards, terraces, balconies, verandahs, roof gardens, and hard and soft landscape areas.</p> | <p>living areas, enabling seamless indoor–outdoor connectivity and supporting its use as an extension of the internal living space.</p> <p>In line with the relevant controls, the alfresco area is considered a qualifying POS component as it is open-sided, and features a partially covered slatted beam roof for shade and comfort; designed to support outdoor dining and recreational use.</p> <p>Additionally, the open balcony on the first floor, accessible via the bedroom, further contributes to the proposed POS, featuring a private elevated area for occupants. The balcony also includes a privacy screen to protect the amenity of neighbours.</p> <p>As such, the proposals integration of the private open spaces and the surrounding landscaping further enhances usability, privacy, and amenity.</p> <p>Please refer to the Architectural set for further details on the above.</p> | |
| D3. Noise | <ul style="list-style-type: none"> • To encourage innovative design solutions to improve the urban environment. • To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors. <p>4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.</p> | <p>The proposed development has been designed to minimise noise impacts on both future occupants and surrounding properties through the strategic location of habitable areas of the dwelling.</p> <p>The primary private open space is appropriately located at the rear of the site; well separated from traffic and other potential noise sources, enhancing its usability and residential amenity.</p> <p>Thus, the proposed layout demonstrates thoughtful spatial planning and complies with the relevant noise minimisation objectives by protecting both</p> | Yes |

| | | | |
|-------------------------------|--|--|-----|
| | 5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact. | internal and external living environments from unreasonable noise intrusion. | |
| D6. Access to Sunlight | <p>1. Development should avoid unreasonable overshadowing any public open space.</p> <p>2. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.</p> | <p>The proposed dwellings southern orientation, predominantly casts shadow onto the subject site's own front yard during the morning hours between 9:00am and 12:00pm. It is only during the 3:00pm period that overshadowing extends to the adjoining private open space (POS) of the eastern neighbour. The POS and living area is oriented to the north which is beneficial for receiving sunlight access to main living areas of the dwelling.</p> <p>However, more than 50% of the neighbouring POS continues to receive direct sunlight during this time, thereby maintaining compliance with the relevant solar access provisions.</p> | Yes |
| D7. Views | 1. Development shall provide for the reasonable sharing of views. This control applies to land to which Warringah Local Environmental Plan 2011 applies. | <p>The subject site does not benefit from or obstruct any significant district, water, or scenic views. The proposed development is compliant and well within the maximum height limit of 8.5 metres and has been designed to respect the amenity of adjoining properties through appropriate building placement, articulated massing, and generous compliant setbacks.</p> <p>Given the absence of any established or iconic view corridors in the locality the proposal does not result in the loss of any existing significant outlook from neighbouring properties; thereby upholding the intent of the view sharing under the Warringah DCP 2011.</p> | Yes |
| D8. Privacy | 1. Building layout should be designed to optimise privacy for | The proposed development has been designed to protect the privacy of both future occupants | Yes |

| | | | |
|--------------------------|---|--|-----|
| | <p>occupants of the development and occupants of adjoining properties.</p> <p>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</p> <p>3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</p> <p>4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.</p> | <p>and adjoining properties through thoughtful orientation, window placement, and landscaping.</p> <p>Habitable room windows to Bedrooms 3 and 4 on the first floor, as well as the guest room on the ground floor, are street-facing, overlooking Wyadra Avenue and as such do not result in any direct overlooking of neighbouring private open space areas.</p> <p>Other habitable rooms, including Bedroom 2, which is located along the side elevation, features a high sill height to ensure privacy is maintained and no direct views into adjoining properties are created.</p> <p>The first-floor rear balcony is appropriately located to overlook the site's own private open space. The proposed balcony is 10.521m from the rear (northern boundary line) and is adequately setback; supported by significant proposed soft landscaping and profile canopy planting along the boundary line, which further mitigates any potential overlooking. The balcony is also largely covered by a lattice privacy screen to protect neighbours from the side.</p> <p>Thus, the proposed design demonstrates compliance with the relevant privacy objectives by ensuring that habitable spaces and external areas are appropriately oriented, while visual privacy between dwellings is preserved without reliance on excessive screening measures.</p> | |
| D9. Building Bulk | <p>1. Side and rear setbacks are to be progressively increased as wall height increases.</p> <p>2. Large areas of continuous wall planes are to be avoided by</p> | <p>The proposed development appropriately manages building bulk through maintaining compliant side and rear and front setbacks, material articulation, and thoughtful massing that</p> | Yes |

| | | | |
|--|--|--|-----|
| | <p>varying building setbacks and using appropriate techniques to provide visual relief.</p> <p>3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular: The amount of fill is not to exceed one metre in depth. Fill is not to spread beyond the footprint of the building. Excavation of the landform is to be minimised.</p> <p>4. Building height and scale needs to relate to topography and site conditions.</p> <p>5. Orientate development to address the street.</p> <p>6. Use colour, materials, and surface treatment to reduce building bulk.</p> <p>7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.</p> <p>8. Articulate walls to reduce building mass.</p> | <p>responds to the site's natural topography.</p> <p>Excavation has been kept to a minimum, with a maximum depth 0.484 metres, ensuring the development sits comfortably within the existing landform and avoids unnecessary disturbance to the site. As such, no excessive fill is proposed beyond the building footprint, demonstrating a responsible and compliant response to site conditions.</p> <p>The dwelling addresses Wyadra Avenue with a clearly defined frontage and utilises a balanced material palette and light architectural finishes to visually reduce its bulk. The proposed and compliant building height is congruent to the topography and overarching site conditions.</p> <p>Furthermore, strategic landscaping around the site boundaries further softens the presentation of the proposed dwelling and its built form; enhancing the relationship between the dwelling and its surrounding environment.</p> <p>As such, the proposed development aligns with the prescribed objectives in the WDCP 2011 through maintaining appropriate scale, reducing visual dominance, and respecting the character of the locality.</p> | |
| D10. Building Colours and Materials | <p>1. In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.</p> <p>A schedule of colours and materials is to be submitted with all development applications.</p> | <p>Refer to the accompanying materials and colour schedule, which demonstrates the use of natural, muted tones and recessive finishes. The selected palette has been carefully curated to ensure the development integrates with the surrounding built and natural environment.</p> | Yes |

| | | | |
|----------------------------------|---|--|-----|
| D11. Roofs | <p>2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.</p> <p>3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.</p> <p>4. Roofs shall incorporate eaves for shading. 5. Roofing materials should not cause excessive glare and reflection.</p> | <p>The proposed development features a traditional pitched roof form that reflects and reinforces the established character of Wyadra Avenue, where gabled and pitched roofs are a prominent feature of the streetscape. The roof design has been carefully considered to ensure visual cohesion with surrounding dwellings and contributes to the overall articulation and definition of the built form.</p> <p>The roof is articulated through varied planes and is complemented by integrated elements such as the rear-facing alfresco and upper-level balcony, which add visual interest and break up the overall roof mass.</p> <p>Eaves are incorporated throughout the perimeter of the proposed roof; providing functional shading.</p> <p>Moreover, the selected roofing materials are non-reflective, ensuring they do not result in glare or visual intrusion.</p> <p>Overall, the proposed roof design complements the surrounding built form, enhancing amenity, and maintaining consistency with the local residential character.</p> | Yes |
| D12. Glare and Reflection | <ul style="list-style-type: none"> • To ensure that development will not result in overspill or glare from artificial illumination or sun reflection. • To maintain and improve the amenity of public and private land. • To encourage innovative design solutions to improve the urban environment. | <p>The proposed development will not result in glare or reflective impacts.</p> <p>All external finishes and roofing materials are low-reflective and have been selected to minimise visual impact on neighbouring properties and the public domain.</p> <p>Refer to Schedule of Finishes for further details on the above.</p> | Yes |
| D13. Front Fences | <p>1. Fences, including side fences, located within the street setback</p> | <p>No new fences proposed. All existing fences to remain.</p> | Yes |

| | | | |
|-----------------------------|---|--|-----|
| and Front Walls | <p>area are to be compatible with the existing streetscape character.</p> <p>2. Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence.</p> <p>3. Fences located within the front building setback area are to complement the existing streetscape character.</p> <p>4. Fences are to be constructed to allow casual surveillance, except where there is excessive noise.</p> <p>5. Gates are not to encroach over the property boundary when opening or closing.</p> <p>6. Fences should complement the architectural period of the building.</p> | | |
| D14. Site Facilities | <p>1. Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places. In particular:</p> <ul style="list-style-type: none"> • Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection; • All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets; • Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers; • Landscaping is to be provided to reduce the impact of all garbage | <p>The proposed development includes appropriate site facilities that are both functional and visually discreet.</p> <p>Waste and recycling bins will be stored in a screened area, integrated into the side setback with appropriate landscaping surrounding to conceal; with convenient access for collection.</p> <p>Clothes drying area is to be located along the rear western boundary, screened from public view and appropriately positioned within the private open space.</p> <p>Mailboxes will be incorporated into the front boundary treatment (southern-side) for clear identification and easy access.</p> <p>Thus, the proposed dwellings site facilities are designed to maintain residential amenity and</p> | Yes |

| | | | |
|----------------------------------|---|---|-----|
| | <p>and recycling enclosures. They are to be located away from habitable rooms, bedrooms or living areas that may detract from the amenity of occupants; and</p> <ul style="list-style-type: none"> • Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable. | minimise any visual or acoustic impact on the public domain. | |
| D15. Side and Rear Fences | <p>1. Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.</p> <p>2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.</p> <p>3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.</p> | The proposal does not involve any changes to the side or rear fences. | Yes |
| D20. Safety and Security | <p>1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance.</p> <p>2. Service areas and access ways are to be either secured or designed to allow casual surveillance.</p> <p>3. There is to be adequate lighting of entrances and pedestrian areas.</p> <p>4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety.</p> <p>5. Entrances to buildings are to be from public streets wherever possible.</p> <p>6. For larger developments, a site management plan and formal risk assessment, including the consideration of the 'Crime</p> | <p>The proposed development incorporates key design features that promote safety, security, and passive surveillance. The main pedestrian entrance is clearly visible from Wyadra Avenue, well-lit, and defined by a covered entry and clear sightlines, ensuring ease of access and wayfinding.</p> <p>Habitable rooms (Guest bedroom/office, Bedroom 3 & 4) are positioned to overlook the street and private open space, enhancing casual surveillance of the public domain and surrounding property.</p> <p>Service areas, including the garage and bin storage, are located to the side of the dwelling and are screened without</p> | Yes |

| | | | |
|--|---|--|-----|
| | <p>Prevention through Environmental Design' principles may be required. This is relevant where, in Council's opinion, the proposed development would present a crime, safety or security risk. See Crime Prevention and Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979 prepared by the Department of Urban Affairs and Planning (now Department of Planning).</p> <p>7. Buildings are to be designed to allow casual surveillance of the street, for example by:</p> | <p>compromising visibility or access.</p> <p>The entry point is separated from vehicle movements to avoid pedestrian conflict, and the front boundary will include clear street numbering to assist in site identification.</p> <p>The overall layout of the proposed development promotes natural observation, reduces opportunities for concealment, and contributes to a safe residential environment consistent with CPTED (Crime Prevention Through Environmental Design) principles.</p> | |
| D21. Provision and Location of Utility Services | <ul style="list-style-type: none"> • To encourage innovative design solutions to improve the urban environment. • To ensure that adequate utility services are provided to land being developed. | <p>The proposed development will be connected to the existing essential utility services, including water, sewer, electricity, and telecommunications.</p> <p>All services will be appropriately located and integrated into the design to ensure functionality without impacting the visual amenity of the site or streetscape.</p> | Yes |
| D22. Conservation of Energy and Water | <p>1. The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.</p> <p>2. Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties.</p> <p>3. Buildings are to be designed to minimize energy and water consumption.</p> | <p>The proposed development has been designed to optimise solar access, natural daylight, and cross-ventilation through the orientation and layout of key living spaces.</p> <p>The dwelling incorporates a 13-panel solar system to support electricity generation and improve energy efficiency.</p> <p>A large 25.8m³ OSD and 1 x 3000L rainwater tank is proposed to enable on-site water reuse for irrigation and domestic purposes, supporting water conservation objectives in</p> | Yes |

| | | | |
|----------------------------------|---|--|-----|
| | <p>4. Landscape design is to assist in the conservation of energy and water.</p> <p>5. Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks.</p> <p>6. All development must comply with Council's Water Management Policy</p> | <p>accordance with BASIX requirements.</p> <p>Landscaping has been designed to provide shade, reduce heat gain, and minimise irrigation demand. The development maintains solar access to adjoining properties and complies with Council's Water Management Policy.</p> <p>Overall, the proposal reflects a commitment to sustainable design and efficient resource use.</p> | |
| E2. Prescribed Vegetation | <p>2. Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.</p> | <p>The proposed development has been designed to minimise impact on prescribed vegetation, including existing canopy trees and understorey plantings.</p> <p>An Arboricultural Impact Assessment accompanies this submission and outlines the extent of proposed tree removal, along with mitigation measures to protect retained vegetation and ensure compliance with the relevant controls.</p> | Yes |

4.4 Numerical Compliance Table

| Standard | Requirement | Proposed | Compliance |
|--|--------------------|------------------|------------|
| Warringah Local Environmental Plan 2011 | | | |
| Height | 8.5m | 8.295m | Yes |
| Warringah Development Control Plan 2011 | | | |
| Wall Height | 7.20m | 6.85m | Yes |
| No. of Storeys | 2 | 2 | Yes |
| Front Setback | 6.5m Min | 6.6m | Yes |
| Side Setback | GF – RHS: 0.9m Min | GF – RHS: 1.285m | Yes |

| | | | |
|--------------------|--|---|-----|
| Side Setback | GF – LHS: 0.9m Min | GF – LHS: 1.685m | Yes |
| Side Setback | FF – RHS: 0.9m Min | FF – RHS: 1.845m | Yes |
| Side Setback | FF – LHS: 0.9m Min | FF – LHS: 1.845m | Yes |
| Rear Setback | GF - 6.00m | 10.521m | Yes |
| Rear Setback | FF - 6.00m | 10.521m | Yes |
| Landscaping | Min 40% of Site Area = 258.24m ² Min Dimension > 2m | 40.13% (259.14m ²) Dimension > 2m | Yes |
| Private Open Space | Min. area – 60 m ² | 60 m ² | Yes |
| Width of Garage | Max. – 50% of frontage / Max. width of 6.0m | (37.7%) 4.180m | Yes |
| Car parking | Min 2 spaces | 2 spaces | Yes |
| Excavation | 1.00m | 0.484m (dwelling) | Yes |
| Filling | 1.00m | 0.765m | Yes |

The proposed development generally complies with all numerical requirements prescribed under the DCP.

4.5 EP&A Act 1979, Section 4.15 Evaluation – Matters for Consideration

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development, the subject of the development application and the provisions of any environmental planning instrument (EPI'S).

- *The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations [Section 4.15 (1) (a)]*

Response: The proposal is permissible and generally in accordance with the development standards contained within Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011.

- *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 [Section 4.15 (1) (b)]*

Response: The proposed development is of high architectural quality and will significantly improve the streetscape, regenerating the built environment with a more modern dwelling and updated appearance.

The proposed development does not obstruct existing views for the neighbours adjoining either side of the subject site, which will be retained. All efforts have been taken to reduce the negative impact on the adjoining buildings including ensuring that Council's controls have been met and the design objectives are successfully achieved. The dwelling has been thoughtfully designed to provide a reasonable outcome that enables the owner to build a modern, two storey home with minimal impact on the public domain.

The development will maintain a favourable bulk and scale relationship with other development in the vicinity. It is considered that the resultant development is compatible with and will complement the character of Freshwater.

- *The suitability of the site for the development [Section 4.15 (1) (c)]*

Response: The site meets all the Balgowlah Heights criteria, aims and objectives and generally meets the applicable development controls. Having regard to this assessment, it is considered that the land is suitable for the intended development.

- *The suitability of the development when considering public interest [Section 4.15 (1) (e)]*

Response: The proposed development is consistent with the objectives of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. The proposal will not unreasonably impact upon the environment, the character of the locality or the amenity of adjoining properties. As a result, it is considered that the development, subject to conditions, is consistent with the public interest.

5 Conclusion

The proposal is permissible and generally in accordance with the development standards contained within the *Warringah Local Environmental Plan 2011* as they relate to the improvements over the subject site and to the intent of built-form guidelines contained within the *Warringah Development Control Plan 2011*.

The design successfully provides a site-specific design response that takes advantage of the attributes of the site whilst respecting the environmental characteristics of the site and the amenity of adjoining residential properties. The outcome is an improved, modern dwelling that will increase the standard of living for the occupants of the site while providing appropriate spatial separation, landscape opportunity, view sharing, privacy and solar access.

The proposal succeeds when assessed against the Heads of Consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is our

professional opinion that the application should be granted development consent subject to conditions.