

STATEMENT OF ENVIRONMENTAL EFFECTS

**Demolition and
development of multi-
unit housing**

**27 Gulliver Street,
Brookvale**

RESPONSIBLE FOR THIS REPORT:

Michael Haynes

Director - BBF Town Planners

Master Urban and Regional Planning Sydney University

July 2022

NOTE: This document is Copyright. Apart from any fair dealings for the purposes of private study, research, criticism or review, as permitted under the Copyright Act, no part may be reproduced in whole or in part, without the written permission of Boston Blyth Fleming Pty Ltd, 1/9 Narabang Way Belrose, NSW, 2085.

TABLE OF CONTENTS

TABLE OF CONTENTS.....	3
1 Introduction.....	5
1.1 Description of the Proposed Development.....	5
1.2 Pre-lodgement consultation (PLM 2021/0362)	5
1.3 Statement of Environmental Effects	6
2 Site Analysis	8
2.1 Site description.....	8
2.2 Location description.....	8
2.3 DA2017/1285 and Council's development assessment report.....	8
3 Environmental Assessment	14
3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979	14
4 Section 4.15 (1)(i) the provisions of any environmental planning instrument	15
4.1 Warringah Local Environmental Plan 2011 – Zoning.....	15
4.2 Other relevant provisions of the LEP.....	16
4.3 State Environmental Planning Policy	19
4.3.1 State Environmental Planning Policy – BASIX.....	19
4.3.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021...	19
4.3.3 State Environmental Planning Policy (Resilience and Hazards) 2021	19
4.4 State Environmental Planning Policy 65 Design Quality of Residential Apartment Development.....	20
4.5 Building and access – design compliance	20
5 Development Control Plan	21
5.1.1 Part B – Built Form Controls.....	21
5.2 Variation to numerical aspect of built form controls.....	22
5.2.1 Number of storeys - control B2	22
5.2.2 Side boundary envelope B3	24
5.2.3 Side boundary setbacks	25
The proposal provides the following variations to the numerical requirements of the side setback control:.....	25
5.2.4 Parts C, D, & E - DCP compliance assessment.....	29
5.2.5 Landscaped Open Space D1.....	37
The proposal provides a landscaped area of 39.2% or 33m ² , whereas the DCP control seeks 50% or 297.2m ² . The exception with the numerical aspect of the control is acknowledged and the objectives of the control are repeated and responded to below:.....	37
5.2.6 Part E - DCP compliance assessment.....	39
5.2.7 Conclusion - variations to numerical aspects of the DCP	40
6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary ...	41

TABLE OF CONTENTS

7 Conclusion42

1 Introduction

1.1 Description of the Proposed Development

This report is a Statement of Environmental Effects (SEE), pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.

The development application seeks consent for the demolition of the existing dwelling house and development of multi dwelling housing comprising 3 dwellings of equal size over 2 storeys, 7 car parking spaces (2 per dwelling and 1 visitor space) at 27 Gulliver Street, Brookvale.

The proposal is depicted in the accompanying architectural plans by Walsh Architects. In summary, the key aspects of the proposal are noted as follows:

- The demolition of the existing dwelling and structures.
- Development of residential multi dwelling housing comprising the following:
 - 3 dwellings of equal size over 2 storeys with internal access from each to the basement, containing 3 bedrooms
 - Basement level containing 7 car parking spaces with waste storage at the front
 - Private open spaces to the eastern side of the building
 - Landscape areas surrounding the proposed building
- The construction of a new driveway and basement car parking and storage level containing 7 car parking spaces (being 6 for residents and 1 for visitors) plus 3 storage bays.
- A garbage bin storage area is located within the basement level at the front of the proposed building with direct access from the street frontage. The rooms will be accessible to all future residents of the property and waste collectors.
- 3 separate internal stairs for access within each dwelling, between the basement, ground and first floor levels.
- Proposed landscaping works are depicted in the accompanying plans by Plot Design Group. Landscaping works include (but are not limited to) vegetation removal, excavation, retaining walls, various plantings and private courtyard areas.
- All stormwater disposal has been designed to meet the relevant standards and Council policy as detailed in the accompanying documentation prepared by Rise consulting engineers.
- The car parking and vehicle access configuration has been designed to satisfy the appropriate standards. The proposal is accompanied and supported by a traffic and parking impact assessment prepared by TTPA traffic consultants.

1.2 Pre-lodgement consultation (PLM 2021/0362)

A Pre-DA lodgement meeting was held with Council officers in relation to proposed development of the site on 24 February 2022. There was also a series of follow up submissions to Council providing further information following the meeting. The application

has been prepared in response to the issues raised by Council. The following design changes and information responses are noted:

- The driveway has been lowered to satisfy 1:20 requirement for the first 6 metres.
- The townhouse style dwellings have been lowered to optimise the privacy of the neighbouring properties; translucent windows are incorporated with 1550mm sill heights to all bathrooms, the majority of the 'service' spaces are located on the western side.
- Landscaped areas are optimised within the side setbacks.
- The impacts upon trees along the eastern boundary is addressed within the arborist report.

In these ways the application has addressed the issues raised by Council during the Pre-DA lodgement discussions.

1.3 Statement of Environmental Effects

This Statement of Environmental Effects (SEE) is prepared in response to Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal has been considered under the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

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

- Environmental Planning and Assessment Act, 1979
- Local Environmental Plan
- Relevant State Environmental Planning Policies
- Development Control Plan

The proposal is permissible and generally in conformity with the relevant provisions of the above planning considerations.

Overall, it is assessed that the proposed development is satisfactory, and the development application may be approved by Council.



Image A – architectural image of the proposal's streetscape presentation

2 Site Analysis

2.1 Site description

The site is located at 27 Gulliver Street, Brookvale and is legally described as Lot 25 in DP 11209. It is rectangular in shape with the following measurements: 12.19m (front and rear boundaries) and 48.77m side (as per survey). The site has an area of 594.6m².

The site slopes from the rear to the front by 4.3 approx. (RL 34.98 to RL 30.64) It also slopes from the western side to the eastern side with a 'crossfall of upto approx. 1m.

Medium density housing is to the west and east of the site and within the local context.

The allotment is an isolated site that is restricted in width and area. There is no opportunity for the site to amalgamate with adjoining properties within the R3 zone to form a larger development site in accordance with DCP control D19.

The proposed development provides a similar development outcome to figure x in terms of the proposed development footprint, setbacks, landscaped area, with further design and refinement of the building envelope.

The proposal generally follows the pattern (footprint, location, and extent) of the adjoining development at 29 Gulliver Street and 25.

2.2 Location description

Like the subject site, the land to the east, west and north is zoned R3 medium density under the WLEP 2011. The land to the south is zoned R2 low density.

Residential flat buildings are generally characterised by basement level parking, rendered / painted / clad facades, and metal roofs within a long-established medium density residential setting.

The visual catchment of the site is characterised by a mix of buildings and land uses including, residential flat buildings, schools, stadia (Brookvale Park), dwelling houses, a centre based childcare centre facility (at 38 Federal Pde) and Brookvale Oval (stadium and sports ground).

The figures on the following pages depict some of the features of the property and the local context.

2.3 DA2017/1285 and Council's development assessment report

DA2017/1285 for the adjoining property at 29 Gulliver Street contained conceptual plans demonstrating that the subject site could be developed for a medium density development in accordance with the local planning controls. Council's development assessment report on page 22, in response to DCP control D19, responded to the conceptual plans acknowledging the circumstances and the reasonableness of the indicative development footprint (Council's development assessment report provided within figure 1 below).



Figure 1 - Excerpt from architectural plans for 29 Gulliver Street showing conceptual development of the subject site

D19 Site Consolidation in the R3 and IN1 Zone

The subject site and the adjoining site to the east (No. 27 Gulliver Street, Brookvale) are two of the last remaining undeveloped sites within the R3 zoned area of Gulliver Street. The two allotments could, and ideally should, be amalgamated to facilitate a more efficient use of land.

The principles set out by Brown. c in the Land and Environment Court Case *Melissa Grech v Auburn Council* [2004] NSWLEC 40 require that the developer of a property must make reasonable and genuine attempts to purchase adjoining land that could become isolated by this development. In this particular circumstance the owner of No. 29 has approached the owner of No. 27 in an attempt to purchase the land, however attempts have been unsuccessful.

Given that purchasing the adjoining land has failed, the NSWLEC decision of *Cornerstone Property Group v Warringah Council* [2004] NSWLEC 189 requires that it be demonstrated that both two sites can achieve development that is consistent with the planning controls.

Both the subject site and No. 27 Gulliver Street are similar in size, if not identical. No. 29 is capable of being developed in a reasonable manner as evident by the assessment of this application, and the architectural plans accompanying the proposal include a schematic of how No. 27 could be developed in a similar manner.

It is found that the proposed development provides an outcome that is consistent with the objects of this clause, the zone objectives and is contextually appropriate for the attributes of the site. By virtue of being restricted to a lesser site area through not amalgamating the subject development is required to be smaller in scale than other R3 developments on Gulliver Street, thereby providing a visual and contextual transition between the R2 and R3 zoning that would unlikely be achieved if the two allotments were to have been amalgamated.

Accordingly, it is considered that the matters required to be demonstrated regarding site amalgamation

Figure 2 - Excerpts relating to the subject site and 29 Gulliver Street

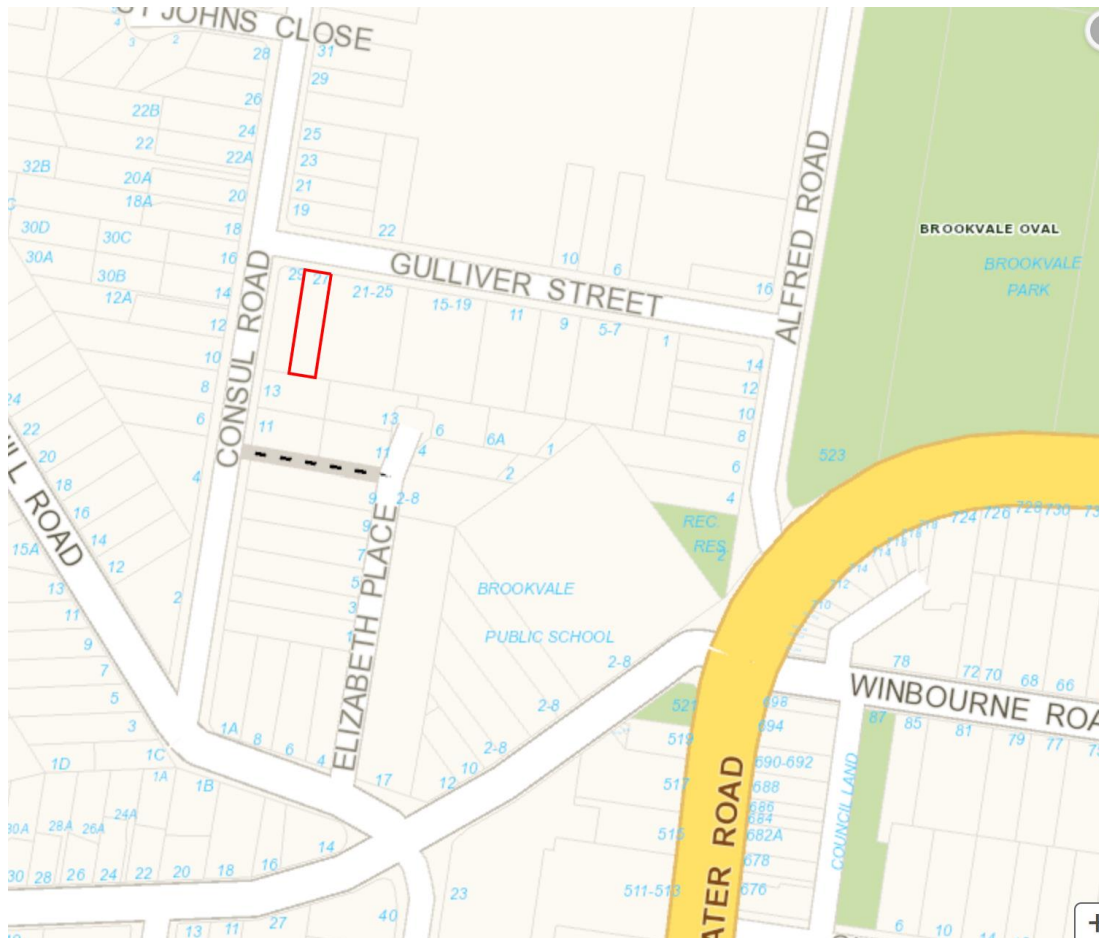


Figure 3– Location of the site within its local context (courtesy: Northern Beaches Council)



Figure 4 – Alignment, orientation, and spatial layout of the subject site (courtesy Six Maps)



Figure 5 – streetscape presentation of the existing property at 27 Gulliver St



Figure 6 – the character of the existing building within 29 Gulliver St



Figure 7– adjoining development character at 21-25 Gulliver Street



Figure 8 – nearby development character in Gulliver Street

3 Environmental Assessment

3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979

The following section of the report assesses the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended.

Under the provisions of the Environmental Planning and Assessment Act 1979 (the Act), the key applicable planning considerations, relevant to the assessment of the application are:

- Warringah Local Environmental Plan 2011
- State Environmental Planning Policies – as relevant
- Warringah Development Control Plan

The application of the above plans and policies is discussed in the following section of this report.

The application has been assessed against the relevant heads of consideration under Section 4.15 of the Act; a summary of these matters are addressed within Section 7 of this report, and the town planning justifications are discussed below.

4 Section 4.15 (1)(i) the provisions of any environmental planning instrument

4.1 Warringah Local Environmental Plan 2011 – Zoning

The property is zoned R3 Medium Density Residential under the Warringah Local Environmental Plan 2011 (LEP) as is most of the surrounding land.

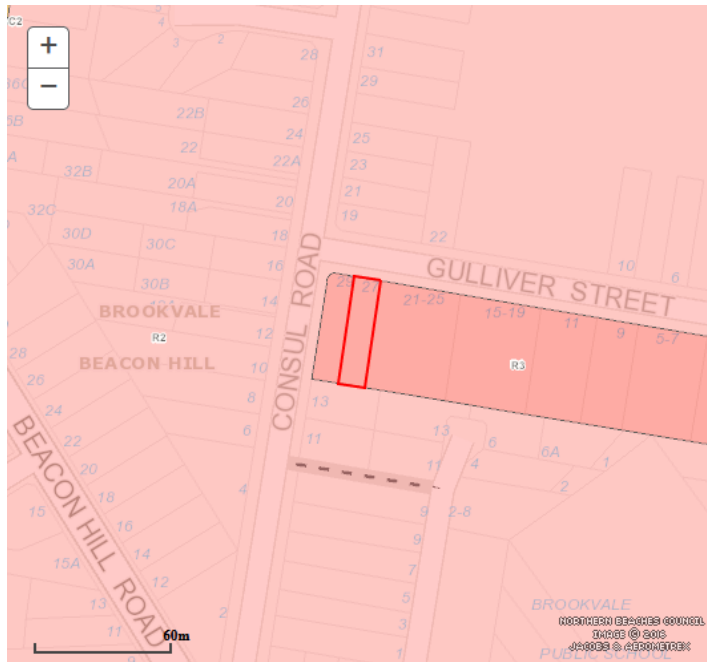


Figure 9 – zone excerpt (Northern Beaches Council website)

The proposal constitutes demolition and construction of multi dwelling housing which is defined as ‘3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building’.

The proposal is permitted within the zone with Development Consent.

Clause 2.3(2) of the LEP requires the consent authority to ‘have regard to the objectives for development in a zone’ in assessing the proposal. The objectives of the zone are stated as follows:

To provide for the housing needs of the community within a medium density residential environment.

To provide a variety of housing types within a medium 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 medium density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.

It is assessed that the proposed development is consistent with the zone objectives as it will:

- Increase the supply of *multi dwelling* housing thereby, providing for the housing needs of the community;
- be positioned within a landscaped setting;
- present a characteristic building form to adjoining properties and be of high visual quality in its presentation to adjoining land and public spaces;
- be compatible with the mix of development within the local area.

Accordingly, the proposal has had sufficient regard to the zone objectives and there is no statutory impediment to the granting of consent.

4.2 Other relevant provisions of the LEP

Other provisions of the LEP that are relevant to the assessment of the proposal are noted and responded to as follows:

LEP Provision	Response	Complies
Part 4 of LEP – Principal Development Standards		
LEP Clause 4.1 Minimum subdivision lot size	NA	NA
LEP Clause 4.3 – Height of Buildings, 8.5m	Complies, as shown of the architectural plans.	Yes
LEP Clause 4.4 – Floor space ratio	NA	NA
LEP Clause 4.6 – Exceptions to development standards	NA	NA
Part 5 of LEP – Miscellaneous Provisions		
LEP Clause 5.4 Controls relating to miscellaneous permissible uses	NA	NA
LEP Clause 5.10 Heritage Conservation	The property is not identified as having heritage significance under the LEP.	NA
LEP Clause 5.21 Flood Planning	Council's maps do not identify the site as being flood affected.	NA
Part 6 of LEP – Additional Local Provisions		
LEP Clause 6.1 Acid sulfate soils	The site is identified as being within a Class 5 area on the LEP acid sulfate soils Maps. Excavation for a basement car parking level is proposed below the existing site levels (being at	Yes

LEP Provision	Response	Complies
	<p>approx. AHD RL 33.95 for the basement level) which is above RL 5.00.</p> <p>The proposal is accompanied by a geotechnical assessment that concludes that the proposal is appropriate for the site.</p> <p>Based on the above the proposed development satisfies the considerations within clause 6.1 and the site is suitable for the development proposed.</p>	
LEP Clause 6.2 Earthworks	<p>Excavation for a basement car parking level is proposed below the existing site levels.</p> <p>The proposal is accompanied by a geotechnical assessment that concludes that the proposal is appropriate for the site.</p> <p>A stormwater management plan accompanies the application and makes appropriate provision for the management of stormwater.</p> <p>A landscape plan accompanies the application and makes appropriate provision for the design of cut, fill, and treatment of the site's external areas.</p> <p>The siting and design of the proposed development has considered the matters within clause 6.2(3) of the LEP and results in appropriate outcomes against these criteria.</p> <p>Based on the above the proposed development satisfies the considerations within clause 6.2 and the site is suitable for the development proposed.</p>	Yes
LEP Clause 6.4 Development on sloping land	<p>The site is identified as being within Area B on the LEP landslip risk maps. The proposal is accompanied by a geotechnical assessment that concludes that the proposal is appropriate for the site.</p> <p>The siting and design of the proposed development has considered the matters within clause 6.4(3) of the LEP and results in appropriate outcomes against these criteria noting that:</p> <ul style="list-style-type: none"> ▪ no significant change to the nature or extent of fill is proposed by the development no significant extent of fill is proposed by the development ▪ drainage patterns and soil stability are not adversely impacted, and stormwater will be managed in accordance with the stormwater management plan 	Yes

LEP Provision	Response	Complies
	<ul style="list-style-type: none">the proposed development is unlikely to adversely impact on amenity of adjoining properties and these matters are addressed in detail within section 5 of this report.there are no further matters for assessment relating to earthworks triggered by the proposed development.appropriate measures are proposed to avoid, minimise, or mitigate the impacts of the development including appropriate stormwater management, siltation control, geotechnical input, and structural engineering.heritage is not relevant to the proposed development. <p>Based on the above the proposed development satisfies the considerations within clause 6.4 and the site is suitable for the development proposed.</p>	

4.3 State Environmental Planning Policy

4.3.1 State Environmental Planning Policy – BASIX

The proposed development is BASIX affected development as prescribed. A BASIX assessment report accompanies the application and satisfies the SEPP in terms of the DA assessment.

4.3.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The following aspect of State Environmental Planning Policy (Biodiversity and Conservation) 2021 is applicable to the land and the proposed development:

- Chapter 2 - Vegetation in Non-Rural Areas

This matter is addressed below.

Chapter 2 - Vegetation in Non-Rural Areas

Vegetation is prescribed under Warringah DCP for the purposes of the SEPP. An arborist report accompanies and supports the proposed development. Based on the above, the provisions of this policy are satisfied by the proposal.

4.3.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The following aspect of State Environmental Planning Policy (Resilience and Hazards) 2021 is applicable to the land and the proposed development:

- Chapter 4 - Remediation of Land

This matter is addressed below.

Chapter 4 – Remediation of Land

Chapter 4 – Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. Council is required to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is low given the following:

- Council's records indicate that site has only been used for residential uses.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of the SEPP, Council can consent to the carrying out of development on the land.

4.4 State Environmental Planning Policy 65 Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) aims to improve the design quality of residential flat developments.

In accordance with the provisions of Clause 4 (copied below), SEPP 65 is to the proposed development because it comprises 2 storeys and 3 dwellings.

(1) This Policy applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component if—

(a) the development consists of any of the following—

(i) the erection of a new building,

(ii) the substantial redevelopment or the substantial refurbishment of an existing building,

(iii) the conversion of an existing building, and

(b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and

(c) the building concerned contains at least 4 or more dwellings.

4.5 Building and access – design compliance

The application is accompanied and is supported by an assessment of the design against the key provisions of the Building Code of Australia. The report assesses the design compliance of the proposed building identifying matters for further consideration at detailed design and construction certificate stage. The report concludes that the proposal is capable of achieving compliance.

5 Development Control Plan

In response to Section 4.15(1)(iii) of the Act, the Warringah Development Control Plan (DCP) is applicable to the property. Relevant provisions of the Warringah DCP are addressed below.

5.1.1 Part B – Built Form Controls

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows.

Control	Requirement	Proposed	Complies
B1 Wall heights	NA	NA	NA
B2 Number of storeys	2 storeys	2 storeys A minor exception by the basement level at the front of the site. Addressed separately within the section the below table.	No
B3 Side Boundary Envelope	4m at 45 degrees	As shown on the architectural plans (DA400) modest exceptions are proposed. Addressed separately within the section the below table.	No
B5 Side Boundary Setbacks	4.5m to the RFB Exception provisions allow for: <ul style="list-style-type: none">▪ 2m to basement▪ 3.5m to Private open space▪ 2m to pedestrian access paths and elements	Basement level – 0m Habitable levels: East- 3.5m West- 2.0m The following structures are located within the side setbacks: <ul style="list-style-type: none">▪ courtyards▪ Egress stairs from the basement to the ground floor level▪ The basement level▪ Pedestrian entry pathway (west side) These exceptions are assessed as reasonable, without significant adverse impact and satisfactory in addressing the objectives of the controls having regard to the circumstances of the site and the development context.	No No No

Control	Requirement	Proposed	Complies
		Addressed separately within the section the below table.	
B7 Front Boundary Setbacks	6.5m	Building: 6.5m	Yes
B9 Rear boundary setbacks	6m	6m	Yes

5.2 Variation to numerical aspect of built form controls

As identified within the above table, numerical exceptions are exhibited by the proposal with the following aspects of DCP built form controls:

- Number of storeys B2
- Side boundary envelope B3
- Side setback B5

These are addressed below.

5.2.1 Number of storeys - control B2

A portion of the basement protrudes above the ground level due to the slope of the land and the site's constrained physical proportions. The basement protrusion ranges from approximately 1m to 1.8m exceeding 1 metre and is therefore defined as a storey.

The method of measuring a storey is described in a 'note' within Part B2 of the DCP and states:

'The number of storeys of the building are those storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building; and Storeys that are used for the purposes of garages, workshops, store rooms, foundation spaces or the like, that do not project, at any point, more than 1 metre above ground level (existing) are not counted'.

The protruding element of the basement forms a third storey of the proposed building and results in a numerical exception to the control.

The proposed additional storey is a direct result of the sloping topography and constrained size (proportions and area) of the site. The site slopes from the rear to the front by 4.3 approx. (RL 34.98 to RL 30.64) and also from the western side to the eastern side with a 'crossfall of upto approx. 1m.

The numerical exception is acknowledged, and justification of the exception is provided in response to the objectives of the control which are repeated and responded to below:

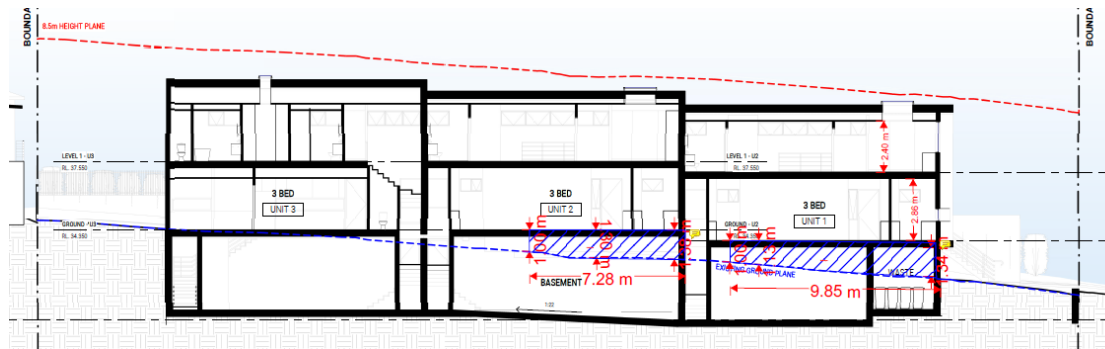


Figure 10 – location and extent of protruding basement level at long section 1, which is 8.4m from the eastern boundary

To ensure development does not visually dominate its surrounds.

The proposed development will not dominate its surrounds. The proposed additional storey is located at the base of the building and will be obscured by dividing fencing and the landscaping treatments proposed to the surrounding building setbacks. Furthermore, this storey does not inappropriately elevate the height of the building noting the proposed development has a height that is compatible with the adjacent developments.

With the established development context being characterised by a mix of two to three storey developments, a casual observer would not view the height and scale of the proposed development as visually dominant.

To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

The proposed additional storey minimises its visual impact when it is viewed from adjoining properties and street noting that it is located at the base of the proposed building and will be obscured by dividing fencing and the landscaping treatments proposed to the areas surrounding the building. The following key characteristics are noted:

- The site's street frontage is proposed to be landscaped with deep soil landscaped area.
- The proposed basement level incorporates a step within its ceiling level as shown in the cross sections (plan DA021) to minimise its height to the eastern side boundary interface. The stepped basement form minimises the height of the basement level at the eastern boundary interface, enables the provision of deep soil planting along the eastern side, and ensures that the development responds appropriately to the topography of the land including the crossfall from west to east.
- The planting of 3 trees, ranging in mature growth height from 8m to 15m, are proposed around the building as shown on the landscape plan. The extent and quality of the proposed landscaped areas/planting will enhance the visual amenity of the property.
- The proposed building is of good design, appropriately articulated, and comprises high quality materials and incorporates a visually concealed basement car parking level. The proposed building will sit comfortably within its context.

To provide equitable sharing of views to and from public and private properties.

The proposed number of storeys exception, being of modest scale (one third to half of a typical 3 metre storey) will not adversely impact upon views to and from public and private properties.

To ensure a reasonable level of amenity is provided and maintained to adjoining and nearby properties.

The proposal complies with privacy, overshadowing, and view sharing. The amenity of adjoining residential properties is not in contention in this matter.

To provide sufficient scope for innovative roof pitch and variation in roof design.

The roof form is characterised by its low profile and stepped form. The roof design is assessed as appropriate in providing a complementary compatible and contemporary designs. The planter and low profile of the roof minimises its impacts upon the amenity and visibility from surrounding land.

To complement the height of buildings control in the LEP with a number of storeys control.

The proposal complies with the 8.5m and therefore the proposal is assessed as complementary to the height of buildings control in the LEP.

5.2.2 Side boundary envelope B3

As identified within the table above, the proposal displays a numerical exceedance of the side boundary envelope control. the exception is acknowledged an justification provided in response to the objectives of the control which are repeated and responded to below:

To ensure that development does not become visually dominant by virtue of its height and bulk.

To ensure adequate light, solar access and privacy by providing spatial separation between buildings.

To ensure that development responds to the topography of the site.

In response to the first objective -

The proposal is under the maximum building height permitted on the land.

The proposal appropriately responds to the topography through the stepping of its floors and roof levels and provides an appropriate bulk and scale.

The proposal will not be visually dominant. The building footprints are modest and designed in a modulated form which responds to the existing topographic conditions.

Each of the 3 dwellings step in response to the topography minimising the building's visual scale and ensuring the proposal responds appropriately to the adjoining development levels.

Sufficient areas for deep soil landscape are proposed upon the site to enhance, the properties landscape character and topography.

The landscape plan that accompanies the proposal provides for the planting of 3 trees, ranging in mature growth height from 8m to 15m, are proposed around the building as shown on the landscape plan. The extent and quality of the proposed landscaped areas/planting will enhance the built form and visual amenity of the property.

In response to the second objective -

The envelope variations are assessed as minor and without any significant corresponding impacts on amenity (views, sunlight, or privacy), bulk, or scale.

Appropriate light, view sharing, solar access and privacy is afforded to the adjoining land as further detailed under separate headings below.

In response to the third objective -

The proposal results in an appropriate scale and bulk of building along its elevations, noting the stepped building form (responsive to the site slope).

The proposed basement level incorporates a step within its ceiling level as shown in the cross sections (plan DA021) to minimise its height to the eastern side boundary interface. The stepped basement form minimises the height of the basement level at the eastern boundary interface, enables the provision of deep soil planting along the eastern side, and ensures that the development responds appropriately to the topography of the land including the crossfall from west to east.

The building mass and bulk have been broken down through a series of smaller scale dwelling floorplates and roof forms, which step in response to the topography minimising the building's visual scale and ensuring the proposal responds appropriately to the surrounding scale and character. Facades are further refined through careful material consideration.

Sufficient areas for deep soil landscape would be maintained upon the site making sufficient allowance for landscape elements.

For these reasons it is assessed that the objectives of the control are satisfied by the design.

5.2.3 Side boundary setbacks

The proposal provides the following variations to the numerical requirements of the side setback control:

- side setbacks to the 3 dwellings
- basement level, the large majority of which is concealed, proposes a zero setback
- private open spaces to the east side
- access pathways west side

These are each addressed in-turn below.

East and west side setback to dwellings

The proposal provides an east side setback to townhouses of 3.6m and a west side setback of 2m, whereas the DCP control seeks 4.5m. The exception with the numerical aspect of the control is acknowledged and the objectives of the control are repeated and responded to below:

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 public and private properties.

Response -

The following justifications in response to the objectives of the control, merits of the proposal and circumstances of the site are provided in support of the design:

As demonstrated on plan sheets DA020 and DA030, the narrow 12.19m width of the site makes strict compliance with the numerical control difficult in this instance.

Deep soil landscape

Despite the lot's constrained size, sufficient areas for deep soil landscape will be maintained on the site (further addressed in response to control D1). Landscape planting is proposed along the sides of the property above the basement structure. Deep soil planting of a minimum 1 metre depth is proposed to these landscape spaces.

The landscape quality and character of the site will be improved through the removal of the existing structures and development of a coordinated and integrated planting regime. Additional planting is proposed within the boundary setbacks. The proposed landscaping regime will ensure the building sits within a landscape setting and enhance the proposed built form.

Visual dominance

The proposal will not result in the development becoming visually dominant. The building footprints are modest and designed in a modulated form which responds to the existing topographic conditions.

Each of the 3 dwellings step in response to the topography minimising the building's visual scale and ensuring the proposal responds appropriately to the adjoining development levels.

The landscape plan that accompanies the proposal provides for the planting of 8 trees, ranging in mature growth height from 6m to 15m, are proposed around the building as shown on the landscape plan. The extent and quality of the proposed landscaped areas/planting will enhance the built form and visual amenity of the property.

The proposed building height is compatible with the established height of adjacent medium density developments and will achieve a characteristic streetscape presentation.

Scale and bulk of the proposed building

The proposal results in an appropriate scale and bulk of building along its elevations, noting the stepped building form (responsive to the site slope).

The building mass and bulk have been broken down through a series of smaller scale dwelling floorplates and roof forms, which step in response to the topography minimising the building's visual scale and ensuring the proposal responds appropriately to the surrounding scale and character. Facades are further refined through careful material consideration.

Materials have been chosen to give a human scale to the proposal, as well as ensuring longevity of the design. Varying material selections serve to further articulate the facades.

Amenity

Appropriate privacy and solar access is achieved by the design as further detailed under separate headings below.

The proposal would not result in the loss of views and therefore provides for the reasonable sharing of view as further detailed under separate headings below.

For these reasons it is assessed that the objectives of the control are satisfied by the design.

Basement level setbacks

Zero side boundary setbacks are proposed to the basement level and eastern side entry stairs. The basement level, the large majority of which is fully concealed, proposes a zero setback. The exception with the numerical aspect of the control is acknowledged and the objectives of the control are repeated and responded to below:

In relation to basement carparking and private open space the DCP states:

Variations will be considered for existing narrow width allotments, where compliance is unreasonable in the context of surrounding medium density development for basement carparking and private open space.

Basement car parking may extend:

Up to 2 metres from the side boundary, and

No more than 1 metre above ground level (existing)

Private open space may extend: Up to 3.5 metres from a side boundary

Response

The circumstances enliven the variation provisions noting:

- The site is an existing narrow width allotment.
- Compliance is unreasonable in the context of surrounding medium density development.
- The exceptions relate to basement carparking and private open spaces.

The proposed development outcome is assessed as appropriate in the circumstances of the site end in satisfying the objectives of the control noting:

- Provision is made for landscape planting along the sides of the site to soften its residential interfaces, provide visual amenity and enhance the separation between the proposed private open spaces and number 21-25 Gulliver Street. The proposal will be set down below the level of the adjoining property at 29 Gulliver St and not impact on its amenity.
- The proposed basement walls contain no windows. They will not exceed (approx.) 2.5m in height and will be mostly concealed below the existing ground level. For the majority of its length, the side walls to the basement will be below natural ground level (see sections 1 to 4 on DA201).
- The proposed development follows the pattern established by the development at 29 Gulliver Street. The proposed development is appropriate in the circumstances that are outlined in section 2.3 of this report.
- Private open spaces are limited to the eastern side at ground level. Further addressed below in relation to privacy.
- The proposed basement level incorporates a step within its ceiling level as shown in the cross sections (plan DA021) to minimise its height to the eastern side boundary interface. The stepped basement form minimises the height of the basement level at the eastern boundary interface, enables the provision of deep soil planting along the

eastern side, and ensures that the development responds appropriately to the topography of the land including the crossfall from west to east.

- Sufficient deep soil coverage of the basement is provided. The majority of the proposed basement level is submerged; provision is made for soft landscape spaces around the building and at its street interfaces.
- There remains deep soil and sufficient space within the setback to support landscaping and screen planting.
- The amenity (privacy, sunlight access and view loss) of the eastern and western neighbours is not unreasonably impacted by the proposed basement setback exceptions as under separately addressed headings below the proposal.
- No existing significant natural site features are proposed to be removed as a result of this aspect of the design.
- The proposed access pathways to the west side will be set down below the level of the adjoining property at 29 Gulliver St and not cause inappropriate amenity impacts on this property.

For these reasons it is assessed that the objectives of the control are satisfied by the design and it is appropriate to allow for flexibility in the siting of this component of the proposal.

5.2.4 Parts C, D, & E - DCP compliance assessment

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows.

Clause	Compliance with Requirement	Consistent with aims and objectives
Part C - Siting Factors		
C1 Subdivision	NA	NA
<p>C2 Traffic, Access and Safety</p> <p>The proposal appropriately responds to the provisions of Part C2 and C3 of the DCP. The proposed vehicle access and parking arrangement is supported by an assessment prepared by TTPA consultants. It concludes as follows:</p> <p><i>'An assessment of the proposed residential development scheme at 27 Guliver Street, Brookvale, has concluded that:</i></p> <p><i>the proposed parking provision will meet the DCP criteria</i></p> <p><i>the vehicle access and internal circulation arrangements will comply with the requirements of AS2890.1</i></p> <p><i>there will not be any unsatisfactory traffic outcome resulting from the proposed development.'</i></p> <p>Based on the above the proposal is assessed as satisfactory in addressing vehicle access and parking considerations.</p>	Previously addressed	Previously addressed
<p>C3 Parking Facilities</p> <p>The proposed parking arrangement is addressed within the accompanying assessment prepared by TTPA consultants.</p>	Yes	Yes
<p>C3(A) Bicycle Parking and End of Trip Facilities</p> <p>Required: 1 space per dwelling and 1 space per 12 for visitors. Provision is available for bicycle parking within the garage and storage areas allocated to each dwelling within the basement level. This provision is assessed as satisfying the provisions of the control because the proposal will:</p> <ul style="list-style-type: none"> assist in meeting the transport needs of the community provide bicycle storage areas that are undercover, secure, convenient to access, and connected to the adjoining roadway by safe egress 	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<ul style="list-style-type: none"> through convenience and safety for bicycle users, facilitate bicycle usage and help reduce reliance on private motor vehicles. 		
C4 Stormwater The proposal has satisfactorily addressed the provisions relating to stormwater. A stormwater management plan supports the proposal, and these details accompany the Development Application. Based on the above the proposal is assessed as satisfactory in addressing the stormwater drainage considerations of the DCP.	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to constructed Council drainage easements	Yes	Yes
C7 Excavation and landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management Waste management is provided for by the proposed development as shown on the architectural plans. General waste and recycling A garbage bin storage area is located within the ground floor level of the proposed building with direct, level, (at grade) access from the street frontage. The garbage bin area will be accessible to all future residents of the property. Based on the above, operational waste management provisions are satisfied by the proposal.	Yes	Yes
Part D - Design		
D1 Landscaped open space and bushland setting Required: 50% (min dimension of 2m) Proposed: 39% (233m ²). Addressed separately within the section the below table.	No	Yes
D2 Private Open Space Required: residential flat buildings – 10m ² with minimum dimensions of 2.5 metres.	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>Response:</p> <p>Unit 1- 32m²</p> <p>Unit 2- 42m²</p> <p>Unit 3- 115m²</p>		
<p>D3 Noise</p> <p>Pursuant to Clause D3 of the DCP the potential for acoustic impacts have been considered in the design and the following aspects are noted:</p> <p>Internal vehicle noise from the car parking area/driveway is not anticipated to be significant, noting that the parking area is enclosed by masonry perimeter walls and the majority of the level is below ground.</p> <p>As a residential development within a residential zone no excessive or inappropriate noise is anticipated from the proposed development.</p> <p>Based on the above, the proposal is assessed as satisfactory in addressing potential acoustic impact considerations.</p>	Yes	Yes
D4 Electromagnetic radiation	Yes	Yes
D5 Orientation and energy efficiency	Yes	Yes
<p>D6 Access to Sunlight</p> <p>The proposal is accompanied by shadow diagrams demonstrating the extent of proposed shading to adjoining land. The proposal is also accompanied by view-from-the sun diagrams to enable assessment of solar access into the proposed and adjoining dwellings.</p> <p>The DCP requires that:</p> <p><i>Development should avoid unreasonable overshadowing any public open space.</i></p> <p><i>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.</i></p> <p>In response:</p>	Previously addressed	Previously addressed

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>The design of the building form, comprises narrow dwelling footprints, terraced into the slope and are appropriately setback from the site edges.</p> <p>The site and the adjoining properties have a north / south orientation to Gulliver Street. As a result, shade will be evenly shared between the eastern neighbouring property at 21-25 Gulliver Street (afternoon time period) and western neighbouring property at 29 Gulliver Street (morning time period) respectively.</p> <p>Shading will not impact the neighbouring property at 27 Gulliver Street during the morning time period, providing the required solar access extent to satisfy the control.</p> <p>It is concluded that the proposal will not significantly or unreasonably reduce the available sunlight to the adjoining properties and the provisions of the control have been satisfied.</p>		
<p>D7 Views –</p> <p>The DCP aims to provide for view sharing for both the existing and proposed development and existing and future residents. New development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p> <p>Minor district outlook from this location may be available from the surrounding land.</p> <p>There are no non-compliances proposed/foreseen that give rise to unreasonable view impacts. We have not gained access to adjoining properties in assessing this aspect; this may be undertaken when the DA is publicly exhibited to neighbouring properties.</p> <p>At this stage, it is our opinion that the proposal will not significantly or unreasonably impede on any established views from surrounding residential properties or public vantage points.</p>	Yes	Yes
<p>D8 Privacy –</p> <p>In relation to privacy, the DCP requirements state:</p> <p><i>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</i></p>	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<p><i>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>5. Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.</i></p> <p>In response:</p> <p>The proposed town house style dwellings are appropriately designed, orientated and separated from each other and adjoining developments. They will not unreasonably impact the visual privacy of the neighbouring properties. The following features of the design are noted:</p> <ul style="list-style-type: none"> ▪ The proposal contains no upper floor living spaces. ▪ The proposal contains no upper level balconies. ▪ The upper level of the proposal is principally for sleeping and bathroom amenities, not living spaces, reducing potential privacy impacts from this level. In this way the proposed housing form presents a lesser potential privacy impact than a 2-storey residential flat building containing living rooms and balconies within the upper level. ▪ The proposed windows will be offset (at different levels to those contained within the adjacent developments) avoiding direct lines-of-sight. ▪ Appropriate separation, boundary fencing, and landscaping provide a satisfactory privacy outcome to the rear adjoining properties to the south. ▪ Side boundary fencing and courtyard landscaping are proposed to screen the private open space area of each townhouse. ▪ Deep soil landscaping is provided along the eastern side of the site and will support appropriate vegetation along this site boundary. <p>Noting these characteristics, the proposal is satisfactory in addressing the objectives of the control and the court's planning principles as they relate to privacy.</p>		

Clause	Compliance with Requirement	Consistent with aims and objectives
<p>D9 Building Bulk</p> <p>The requirements of the control repeated and responded to below.</p> <p><i>Requirements</i></p> <ol style="list-style-type: none"> <i>1. Side and rear setbacks are to be progressively increased as wall height increases.</i> <i>2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</i> <i>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:</i> <p><i>The amount of fill is not to exceed one metre in depth.</i></p> <p><i>Fill is not to spread beyond the footprint of the building.</i></p> <p><i>Excavation of the landform is to be minimised.</i></p> <i>4. Building height and scale needs to relate to topography and site conditions.</i> <i>5. Orientate development to address the street.</i> <i>6. Use colour, materials and surface treatment to reduce building bulk.</i> <i>7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.</i> <i>8. Articulate walls to reduce building mass.</i> <p>The proposal is appropriately designed and articulated noting that:</p> <ul style="list-style-type: none"> ▪ Large areas of continuous wall planes are avoided by the development being 'broken down' into 3 separate buildings with significant 6.2m setbacks between each building. ▪ LEP compliant building height is proposed. ▪ The building floorplates, incorporate appropriate fenestration, use of materials, and articulation. The proposed design treatments are considered effective in reducing the building mass and providing a visually interesting design. ▪ A compatible building footprint and development extent is proposed. 	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
<ul style="list-style-type: none"> ▪ A balance of 'cut-and-fill' is achieved in resolving the natural 2m (approx.) crossfall displayed between the eastern and western side boundaries. ▪ The design presents an articulated building form within a landscape setting noting its relatively narrow (12.19m) width and articulated townhouse style building forms. ▪ The proposed building height and scale relates to the site conditions including the cross fall of the land and the pattern of medium density development (multi-dwelling housing & residential flat buildings) within the local context. ▪ The landscaped quality and character of the site will be improved through the removal of the existing structures and development of a coordinated and integrated planting regime. Additional planting is proposed within the boundary setbacks. The integrated site landscaping regime will ensure the building sits within a landscape setting and that its 3-dimensional form will not be perceived as inappropriate or jarring when viewed from adjoining land. ▪ The street frontage of the building contains pedestrian egress an articulated façade, high quality materials and presents appropriately to the street. <p>Overall, it is assessed that the proposed building form is appropriately articulated, ensuring that the bulk, and scale of the proposed building is appropriate.</p>		
<p>D10 Building Colours and Materials</p> <p>The proposal will renew and improve the site's existing built form quality.</p> <p>The proposal will employ appropriate materials and finishes to achieve a compatible streetscape presence to blend with the site's existing setting.</p>	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D13 Front fences and front walls	Yes	Yes
D14 Site facilities	Yes	Yes
D15 Side and rear fences	Yes	Yes
D16 Swimming Pools and Spa Pools	NA	NA

Clause	Compliance with Requirement	Consistent with aims and objectives
D17 Tennis courts	NA	NA
<p>D18 Accessibility</p> <p>The application is accompanied and is supported by an assessment of the design against the key access provisions of the Building Code and other relevant legislation. The report finds that the proposal is capable of satisfying access requirements subject to further detailed design and documentation at the Construction Certificate stage. In conclusion, the relevant accessibility considerations are appropriately addressed and satisfied by the proposal.</p>		
<p>D19 Site consolidation in the R3 and IN1 zone</p> <p>D19 is satisfied noting:</p> <ul style="list-style-type: none"> ▪ Medium density housing is to the west and east of the site and within the local context. ▪ The allotment is an isolated site that is restricted in width and area. ▪ There is no opportunity for the site to amalgamate with adjoining properties within the R3 zone to form a larger development site in accordance with DCP control D19. ▪ Separately addressed in section in section 2.3. 	Yes	Yes
D20 Safety and security	Yes	Yes
D21 Provision and location of utility services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes

5.2.5 Landscaped Open Space D1

The proposal provides a landscaped area of 39.8% or 236m², whereas the DCP control seeks 50% or 297.2m². The exception with the numerical aspect of the control is acknowledged and the objectives of the control are repeated and responded to below:

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 size and density to mitigate the height, bulk and scale of the building.

To enhance privacy between buildings.

To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.

To provide space for service functions, including clothes drying.

To facilitate water management, including on-site detention and infiltration of stormwater.

Response -

The proposal will maintain a compliant front setback area to its street frontage. Landscape planting is proposed within this space that will increase the extent of planting within the front setback. Currently there is minimal vegetation within the site. The proposal will enhance the property's landscape character and streetscape presentation.

The proposal is accompanied and supported by a landscape plan that incorporates endemic indigenous plant species that will enhance the indigenous vegetation on the property.

The landscape plan provides for the planting of 8 trees, ranging in mature growth height from 6m to 15m, are proposed around the building as shown on the landscape plan. The extent and quality of the proposed landscaped areas/planting will enhance the visual amenity of the property.

The proposal contains appropriate retaining structures with landscaping incorporated in response to the topography of the land. The design of these aspects will facilitate privacy to neighbouring properties without adverse bulk and amenity impacts.

The proposal addresses considerations in relation to landscape character, and streetscape noting that:

- The property will maintain effective deep soil landscape areas for planting in the appropriate locations.
- The proposed built form and landscaped area outcome is contextually appropriate noting the character of development on the adjoining properties.
- The proposal will relate to the site's landform, stepping in accordance with the slope of the site.
- The proposed structure minimises its height which provides opportunity for deep soil areas and planting above the basement and achieves an appropriate interface to adjacent dwellings.

Landscape planting is proposed along the sides of the property above the basement structure. Deep soil planting of a minimum 1 metre depth is proposed to these landscape spaces. Also, appropriate provision is made for side boundary fencing. Appropriate privacy is achieved by the design as further detailed under separate heading below.

The design provides appropriate quantity and quality of private open spaces (separately addressed). Adequate, high amenity private recreational spaces are accommodated on the eastern side of the proposed ground floor living space.

Sufficient provision for clothes drying can be accommodated by the design and satisfies the objective.

Stormwater drainage will be integrated within the proposal and satisfies the objective.

For these reasons it is assessed that the objectives of the control are satisfied by the design.

5.2.6 Part E - DCP compliance assessment

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows.

Clause	Compliance with Requirement	Consistent with aims and objectives
Part E - The Natural Environment		
<p>E1 Preservation of Trees or Bushland Vegetation Pursuant to Clause E1 of the DCP 'Private Property Tree Management', the application proposes building within proximity to established trees located on of the property.</p> <p>The application is accompanied and supported by an arborist report. It assesses the impact of the proposed development upon existing vegetation.</p> <p>The arborist makes recommendations for the management and mitigation of tree impacts which may reasonably form conditions of development consent.</p> <p>Based on the above, the proposed development has made appropriate assessment of vegetation impacts and the provisions of this clause are satisfied by the proposal.</p>	Yes	Yes
E2 Prescribed Vegetation Previously addressed.	NA	NA
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	NA	NA
E4 Wildlife Corridors	NA	NA
E5 Native Vegetation	Yes	Yes
E6 Retaining unique environmental features	NA	NA
E7 Development on land adjoining public open space	NA	NA
E8 Waterways and Riparian Lands	NA	NA
E9 Coastline Hazard	NA	NA
E10 Landslip Risk	NA	NA
E11 Flood Prone Land	NA	NA

5.2.7 Conclusion - variations to numerical aspects of the DCP

Based on the above, it is concluded that the proposed variation is modest and contextually reasonable, satisfying the objectives of the planning controls.

Under clause (3A)(b) of Section 4.15 of the Act, it is appropriate for the consent authority to be flexible in applying the controls where the objectives of those controls have been satisfied.

Accordingly, it is assessed that this aspect of the proposal is worthy of support, in this particular circumstance.

6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary

The proposal has been assessed having regard to the matters for consideration pursuant to S.4.15 of the Act and to that extent Council can be satisfied of the following:

- There will be no significant or unreasonable adverse built environment impacts arising from the proposed physical works on the site.
- The site is appropriate for accommodating the proposed development. The proposal has sufficiently addressed environmental considerations. There will be no significant or unreasonable adverse environmental impacts arising from the proposal.
- The proposal will result in positive social and economic impacts, noting:
 - Employment during the construction phase of the works;
 - Economic benefits, arising from the investment in improvements to the land;
 - Social (and environmental) benefits arising from the increased housing in a suitable location near the Brookvale strategic centre, jobs, services, public transport, and recreation areas.
- The proposal is permissible and consistent with the objectives of the zone, pursuant to the LEP. The proposal satisfies the relevant provisions of council's DCP.
- It is compatible with the current and likely future character of development within the local context.
- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.
- The proposal will have an acceptable impact when considering key amenity issues such as visual impact, views, overshadowing, noise, and privacy.
- Given the site's location and established function, the site is assessed as being entirely suitable for the proposed development.
- The public interest is best served through the approval of the application.

7 Conclusion

The application seeks development consent for the demolition existing structures and development of multi-unit housing at 27 Gulliver Street, Brookvale.

The proposed development has been assessed with consideration to the relevant statutory policies. In summary:

- The proposal is a permissible land use and is consistent with the zoning objectives of the LEP
- The proposal will facilitate the consolidation renewal of the land and increased housing in a manner anticipated by the applicable local planning policies.
- The proposal satisfies the development standards under the Warringah LEP
- The proposal satisfies the principal built-form controls under the Warringah DCP.
- The proposal is appropriately separated from neighbouring dwellings. The proposal will not result in any unacceptable physical or amenity impacts.
- The proposal design is responsive to its context and is compatible with the local built form character.
- The proposal has minor environmental impacts, which can be mitigated in accordance with recommendations from the supporting reports.
- The development is in the public interest.

In view of the above, we conclude that the proposed development will provide a significantly positive impact and should be approved.



Michael Haynes
Director BBF Town Planners