

# STATEMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR

**STELA & GERRY WILKINS**

FOR THE PROPOSED

**NEW DWELLING**

AT

**24 SIR THOMAS MITCHELL DRIVE, DAVIDSON**

**31 July 2019**

## Introduction

This statement of environmental effects has been prepared by Envirotecture for Stela and Gerry Wilkins, and describes a proposal for the demolition of existing house and construction of a new dwelling at 24 Sir Thomas Mitchell Drive, Davidson.

This statement should be read in conjunction with:

- the architectural, stormwater and landscape drawings prepared by Envirotecture;
- Survey Plan prepared by Survey Plus

The design of this dwelling proposal and preparation of this report has been developed in consideration of the following:

- Environmental Planning and Assessment (EP&A) Act, 1979;
- Warringah Local Environmental Plan 2014;
- Warringah Development Control Plan 2014.

In this statement only the relevant clauses of the WLEP and WDCP have been discussed.

## Site

### Description and location

The subject site is Lot 28, Section 165, DP 242262 No. 24 Sir Thomas Mitchell Drive, Davidson. The site is rectangular in shape with a surveyed area of 714.5m<sup>2</sup>. The site consists of an existing two storey brick and timber framed, steel roof dwelling located on the northern side of Sir Thomas Mitchell Drive.

The site is orientated north to south and slopes steeply up from the street. There is an existing rock platform at the rear of the block.

Development within the immediate proximity of the site is characterized by one, two and three storey detached dwelling houses of varying age, scale and design with a regular lot pattern and domestic landscaped setting.



*(figure 1 – source Six Maps)*

### Zoning and key environmental considerations

The site is zoned R2 Low Density Residential pursuant to Warringah Local Environmental Plan 2014.

## Description of Proposed Development

The application proposes the demolition of the existing two storey dwelling and construction of a new residential three storey dwelling including garage on the ground floor as depicted on plans prepared by Envirotech. Specifically, the application provides for the following built form outcome:

### Ground Floor

- Garages with space for 2 cars;
- Store room;
- Rumpus room;
- Guest bedroom and bathroom
- Associated rain water tanks (external).

### First Floor

- Bed 1, 2 & 3;
- Study;
- Bathroom, WC & Ensuite;
- Balcony

### Second Floor

- Kitchen;
- Living;
- Dining;
- Laundry & WC;
- Balcony & Deck

The site which was within the area of the former Warringah Council is now within the area of the Northern Beaches Council pursuant to the Local Government (Council Amalgamations) Proclamation 2016.

### **The Warringah Local Environmental Plan 2014 (WLEP)**

The Warringah Local Environmental Plan 2014(WLEP) is the principle planning instrument applicable to the land. The relevant provisions of the WLEP and the manner in which they relate to the site and the proposed development are discussed below.

#### **Zoning and permissibility**

The site is zoned R2 Low Density Residential. Dwelling houses are permitted with consent in the zone.

The specific objectives of the zone are outlined & identified below:

- 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.

***The proposal is considered to satisfy these objectives.***

#### **Height of Buildings**

Pursuant to clause 4.3 of the HLEP the height of any building on the land is not to exceed a maximum height of 8.5m as defined. The objectives of this clause are:

- to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
- to minimise visual impact, disruption of views, loss of privacy and loss of solar access,
- to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,
- to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.

***The proposal is a maximum of 7.9 meters above natural ground level and is therefore considered to satisfy these objectives.***

### **Warringah Development Control Plan 2014 (WDCP)**

#### **Wall Heights**

Pursuant to Part B1 of the WDCP this control applies to land identified on the Warringah Local Environmental Plan 2014- Land Zoning map as R2 Low Density Residential and to which an 8.5m maximum height of building control applies under WLEP 2014.

#### *Requirements*

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).

#### *Exceptions*

This control may be varied on sites with slopes greater than 20% within the building footprint (measured at the base of the external walls), provided the building:

- does not exceed the 8.5 metre height development standard;
- is designed and located to minimise bulk and scale; and
- has a minimal visual impact when viewed from the downslope sides of the land.

***The maximum wall height of the dwelling is 7.6m from existing ground level and therefore is non-compliant with the maximum permissible wall height of 7.2m. However, since the site has a slope of greater than 20% within the building footprint an exception may be considered.***

***The building is designed and located to minimise bulk and scale and has a minimal visual impact when viewed from the downslope sides of the land. This was discussed at the prelodgement meeting held on 29/01/2019 with Phil Lane and Catriona Shirly and considered an acceptable design solution. Please refer to the notes issues subsequently.***

***The proposed dwelling is under the 8.5m height limit at 7.9m.***

***The proposal breached this control however is considered to satisfy the objectives of the clause.***

#### **Side Boundary Envelope**

This control applies to land shown coloured on the DCP Map - Side Boundary Envelopes. The building must be sited within the minimum side setback of 0.9m and within a building envelope by projecting planes at 45° from a height of 4m above existing ground level.

***The proposal is set beyond the minimum 0.9m side setback. 1.4 and 1.2m, being the minimum side setbacks with plenty of articulation along each side boundary. The proposed dwelling does not fit entirely within the side boundary envelope as shown on drawing W35-40 sections, as it protrudes at two points, shown.***

***The bulk of the building has been minimised as much as possible at the point of the biggest non-compliance. The roof over the stairwell has been dropped to minimise non-compliance.***

***The point over the living room where the wall protrudes has also been minimised by stepping back the wall from the boundary 3.16m and providing an open terrace to the front the proposal also to minimise bulk as much as possible.***

***. This was discussed at the prelodgement meeting held on 29/01/2019 with Phil Lane and Catriona Shirly and considered an acceptable design solution. Please refer to the notes issues subsequently. The proposal breached this control however is considered to satisfy the objectives of the clause.***

### **Side Boundary Setbacks**

As outlined in Clause B5 of the WDCP, the desired outcomes of the clause are to create setbacks that:

- 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.

The Side Setback Map indicates a 900mm side setback is required.

***To reduce the bulk of the dwelling a side setback of 1.49m from the western boundary and 1.2m from the eastern boundary are proposed.***

***The proposal satisfies this control.***

### **Front Boundary Setbacks**

As outlined in Clause B7 of the WDCP, the desired outcomes of the clause are to create setbacks that:

- create a sense of openness.
- maintain the visual continuity and pattern of buildings and landscape elements.
- protect and enhance the visual quality of streetscapes and public spaces.
- achieve reasonable view sharing.

The front setback Map indicates a 6.5m front setback is required.

***The building footprint of the existing dwelling adjoining Sir Thomas Mitchell Drive currently has a setback of 14.58m. The proposed dwelling will move forward slightly and the setback is proposed at 10.41m.***

***The proposal satisfies this control.***

### **Rear Boundary Setbacks**

As outlined in Clause B9 of the WDCP, the desired outcomes of the clause are to create setbacks that:

- To ensure opportunities for deep soil landscape areas are maintained.
- To create a sense of openness in rear yards.
- To preserve the amenity of adjacent land, particularly relating to privacy between buildings.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.
- To provide opportunities to maintain privacy between dwellings.

The Rear Setback Map indicates a 6m setback is required.

***The proposed rear setback is 17.23m top the back of the dwelling and 10.35m to the back of the deck at ground level.***

***The proposal satisfies this control.***

## **Traffic, Access and Safety**

As outlined in Clause C2 the objectives are:

To minimise:

- a) traffic hazards;
- b) vehicles queuing on public roads
- c) the number of vehicle crossings in a street;
- d) traffic, pedestrian and cyclist conflict;
- e) interference with public transport facilities; and
- f) the loss of “on street” kerbside parking.

The relevant requirements are:

1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.
2. Vehicle access is to be obtained from minor streets and lanes where available and practical.

***The proposed garage is accessed from Sir Thomas Mitchell Drive which is unchanged from the current situation promoting vehicular access.***

***The proposal seeks to maintain the current vehicle access crossing.***

***The proposal is deemed to satisfy the controls.***

## **Parking Facilities**

As outlined in Clause C3 the objectives are:

- To provide adequate off street carparking.
- To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.
- To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.

***The proposal seeks to maintain current off street off-street parking without reducing kerbside parking. The existing under-house carport is to be demolished along with the rest of the existing house.***

***A new double garage is proposed for the ground floor of the new proposed dwelling. Due to the steep slope the position of the garage is inflexible. The garage does not dominate the street frontage as it is up, away from direct sight from the street and as it is the ground floor of three stories it is a small portion of the front façade overall.***

***The proposal is deemed to satisfy the controls.***

## **Stormwater**

As outlined in Clause C4 Stormwater the objectives of the clause are to:

- To protect and improve the ecological condition of Warringah’s beaches, lagoons, waterways, wetlands and surrounding bushland;
- To minimise the risk to public health and safety;
- To reduce the risk to life and property from flooding;
- Integrate Water Sensitive Urban Design measures into the landscape and built form to maximise amenity.



- To manage and minimise stormwater overland flow, nuisance flooding and groundwater related damage to properties.
- To protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised.
- To minimise the quantity of stormwater runoff from new development on Council's drainage system.

***The proposed dwelling has a total roof area of 139m<sup>2</sup> which is actually a reduction in area from the existing roof by 36m<sup>2</sup> as the existing dwelling has a roof area of approximately 175m<sup>2</sup>.***

***To minimise the quantity of stormwater runoff from the proposed dwelling, all roof water from the proposed dwelling will connect to 6 new 3150 litres (totaling 18,900 litres) landscape retaining wall rain water tanks as shown on the Ground Floor Plan.***

***The total amount of rainwater storage will be 18900 litres. The overflow from the rainwater tanks will connect to the existing stormwater drainage system that runs to the street system.***

***The proposal is deemed to satisfy the controls.***

## **Erosion and Sedimentation**

As outlined in **Clause C5 Erosion and Sedimentation** the objectives of the clause are:

- To reduce the potential for soil erosion and adverse sedimentation impacts upon the environment.
- To prevent the migration of sediment off the site onto any waterway, drainage systems, public reserves, road reserve, bushland or adjoining private lands.
- To prevent any reduction in water quality downstream of the development site.

***A sediment erosion fence will be installed through the construction stage as shown on drawing 60 Demolition and Waste Management.***

***The proposal is deemed to satisfy the controls.***

## **Excavation and Landfill**

As outlined in Clause C7 Excavation and landfill the objectives of the clause are:

To ensure any land excavation or fill work will not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties.

- To require that excavation and landfill does not create airborne pollution.
- To preserve the integrity of the physical environment.
- To maintain and enhance visual and scenic quality.

The requirements are:

1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.
2. Excavation and landfill works must not result in any adverse impact on adjoining land.
3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.
4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.
5. Rehabilitation and revegetation techniques shall be applied to the fill.

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.

***The house will sit approximately on the existing footprint of the existing house to be demolished. The house is proposed to be moved forward to minimise excavation. The minimal excavation proposed will be used as fill on site.***

***Please refer to the geotechnical report prepared by Ascent dated 14<sup>th</sup> February 2019. The proposal is deemed to satisfy the controls.***

## **Demolition and Construction**

As outlined in Clause C8 Demolition and Construction, the objectives of the clause are:

- To manage demolition and construction sites so that there is no unreasonable impact on the surrounding amenity, pedestrian or road safety, or the natural environment.
- To promote improved project management by minimising demolition and construction waste and encouraging source separation, reuse and recycling of materials.
- To assist industry, commercial operators and site managers in planning their necessary waste management procedures through the preparation and lodgement of a Waste Management Plan
- To discourage illegal dumping.

The requirements are:

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.

***Please refer to drawing 60 Demolition and Waste Management Plan.***

***The proposal is deemed to satisfy the controls.***

## **Waste Management**

The project is aiming to reduce, re-use and recycle building materials through the demolishing and construction phases, and therefore reducing waste to landfill, and reducing embodied energy and its associated greenhouse gas emissions.

***The front yard will be made available for recycling bins during construction to facilitate appropriate sorting of materials by the Contractor. See drawing 60 Demolition and Waste Management.***

***The proposal is deemed to satisfy the controls.***

## **Landscaped Open Space and Bushland Setting**

Pursuant to Part D1 of the WDCP this control applies to land identified on the DCP Map Landscaped Open Space and Bushland Setting. As outlined the objectives of the clause are:

- 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.

The required minimum area of landscaped open space is 40% which equates to 285.8m<sup>2</sup>.

***As shown on accompanying drawings, reports and below in the 'Compliance Table' the proposed landscaped open space is 437m<sup>2</sup>.***

***The proposal seeks to retain much of the existing landscaping which is well established and suitable to the site and context.***

***The proposal is deemed to satisfy the controls.***

### **Private Open Space**

As outlined in **Clause D2 Private Open Space** the objectives of the clause are:

- To ensure that all residential development is provided with functional, well located areas of private open space.
- To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.
- To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.
- To ensure that private open space receives sufficient solar access and privacy.

**The DCP requires a minimum of 60m<sup>2</sup> of Private Open Space with a minimum dimension of 5m for a 5 bedroom dwelling house.**

***The proposed dwelling has a total of 83m<sup>2</sup> private open space directly accessible from the proposed dwelling:***

- ***65m<sup>2</sup> at the rear of the dwelling:***
  - ***29m<sup>2</sup> at the rear of the first floor and***
  - ***36m<sup>2</sup> on the second floor rear deck, and***
- ***23m<sup>2</sup> at the front of the dwelling:***
  - ***8m<sup>2</sup> from the first floor balcony, and***
  - ***15m<sup>2</sup> on the second floor balcony.***

***The proposal seeks to provide multiple private open spaces for the occupants to make the most of the rear, northern, sunny and weather protected aspect, as well as providing space to be outside to take advantage of the southerly views over the National Park.***

***The proposal is deemed to satisfy the controls.***

### **Access to Sunlight**

As outlined in **Clause D6 Access to Sunlight** the objectives of the clause are:

- To ensure that reasonable access to sunlight is maintained.

- To encourage innovative design solutions to improve the urban environment and public open space.
- To promote passive solar design and the use of solar energy.

The requirements are:

1. Development should avoid unreasonable overshadowing any public open space.
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.

***The development does not overshadow public open space.***

***65m2 (78%) of the private open space faces north and will receive the minimum 3 hours of sunlight between 9am & 3pm on June 21.***

***The private open space of the adjoining dwellings also face north and will receive the minimum 3 hours of sunlight between 9am & 3pm on June 21.***

***The proposal is deemed to satisfy the controls.***

## **Views**

As outlined in **Clause D7 Views** the objectives of the clause are:

- To allow for the reasonable sharing of views.
- To encourage innovative design solutions to improve the urban environment.
- To ensure existing canopy trees have priority over views.

***As views are directly to the south, the proposal continues the equitable sharing of district views. The new roof line is only 200mm higher than the current dwelling and sits well downslope of its rear neighbor and so will not impact on their southerly views.***

***The proposal is deemed to satisfy the controls.***

## **Privacy**

As outlined in **Clause D8 Privacy** the objectives of the clause are:

- To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.
- To encourage innovative design solutions to improve the urban environment.
- To provide personal and property security for occupants and visitors.

The requirements are:

1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.
2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.
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.

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.
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.

***The proposal balances occupant privacy with occupant comfort. The living area and Private Open Space have been deliberately located facing north to ensure good solar access and south to make the most of district views.***

***There are minimal windows that face towards each neighbor and the few windows that are proposed have either a high sill or are proposed to be obscure glass. These windows are needed to maintain natural light and ventilation to those rooms.***

***On the ground floor WG04 is directly across from a neighboring window and is proposed as obscure glass.***

***On the first floor W108 & W109 are directly across from a neighboring window and are proposed as obscure glass. Appropriate landscaping is also proposed which is detailed on the landscape plan.***

***The proposal is deemed to satisfy the controls.***

## **Building Bulk**

As outlined in **Clause D9 Building Bulk** the objectives of the clause are:

- To encourage good design and innovative architecture to improve the urban environment.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

The requirements are:

1. Side and rear setbacks are to be progressively increased as wall height increases.
2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.
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.
4. Building height and scale needs to relate to topography and site conditions.
5. Orientate development to address the street.
6. Use colour, materials and surface treatment to reduce building bulk.
7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.
8. Articulate walls to reduce building mass.

***The proposed dwelling steps up the site to minimise cut and fill and minimise an imposing front façade.***

***The proposed dwelling is an innovative building optimized for the tight site constraints yet providing a family sized home including off street parking. The building sits comfortably within the building height plane.***

***The cantilevering of the first floor over the ground level garage breaks up the form of the building, adds visual interest and allows the garage to remain as set back and compact as possible.***

***The side setback is stepped in with each new storey to minimise bulk as viewed from the street.***

***The materials palette proposed reduces the apparent bulk. The façade is broken up using articulation, planters with overhanging plants, as well as different materials, colours and textures.***

***The proposal is deemed to satisfy the controls.***

### **Building Colours and Materials**

As outlined in **Clause D10 Building Colours & Materials** the objectives of the clause are:

- To ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.

The relevant requirements are:

3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.

***The proposed dwelling has a mixture of cladding types and colours to break up the façade and soften the appearance. The materials chosen are contemporary in look and feel and sympathetic in colour to the surrounding environment.***

***The planter boxes along the first and second level of the front façade will integrate the proposed house with the new landscaping. This will soften the appearance of the home as viewed from the public realm and provide privacy to the residents in their south facing living area and bedrooms.***

***The proposal is deemed to satisfy the controls.***

### **Roofs**

As outlined in **Clause D11 Roofs** the objectives of the clause are:

- To encourage innovative design solutions to improve the urban environment.
- Roofs are to be designed to complement the local skyline.
- Roofs are to be designed to conceal plant and equipment.

The relevant requirements are:

2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.
3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.
4. Roofs shall incorporate eaves for shading.
5. Roofing materials should not cause excessive glare and reflection.

***The proposed roof to the house is a simple gable roof which is constrained in design by the Side Boundary Envelope and the height limit.***

***There is a large proportion of roof which faces north for PV panels and the rest of the roof faces south.***

***There are deep eaves over the southerly aspect to help protect the house against the weather and appropriate eaves over the northerly aspect to shade the windows and doors on summer and let the sun penetrate in the winter.***

***The roof is proposed as Colorbond in a medium colour as per the finishes and materials schedule.***

***All roofing materials have low reflectivity.***

***The proposal is deemed to satisfy the controls.***

## **Site Facilities**

As outlined in **Clause D14 Site Facilities** the objectives of the clause are:

- To provide for the logical placement of facilities on site that will result in minimal impacts for all users, particularly residents, and surrounding neighbours.
- To encourage innovative design solutions to improve the urban environment.
- To make servicing the site as efficient and easy as possible.
- To allow for discreet and easily serviceable placement of site facilities in new development.

***Clothes drying facilities will be provided in the outdoor areas.***

***Garbage bins will be located behind the front building line of the house along the easterly façade.***

***The proposal is deemed to satisfy the controls.***

## **Conservation of Energy & Water**

As outlined in **Clause D22 Conservation of Energy & Water** the objectives of the clause are:

- To encourage innovative design solutions to improve the urban environment.
- To ensure energy and water use is minimised.

***The proposed design delivers a high level of energy efficiency to the proposed dwelling. Northern orientation, high performance glazing, appropriate shading and high levels of insulation will maintain thermal comfort for the occupants and reduce energy use.***

***The house has had thermal simulation modeling done in both NatHERS (BERS) and Passive House Planning Package (PHPP), as it is intended to achieve Certified Passive House standard.***

***Note that NSW Dept of Planning has not yet approved PHPP as a BASIX compliant tool, and thus both BERS and PHPP have been used. Note also that PHPP requires better overall integrated thermal performance, and considers thermal bridging and condensation where the various NatHERS tools do not. Its overall performance is superior, which is not reflected in the NatHERS star band result.***

***Water efficient fittings and fixtures will be used in both dwellings, included in the BASIX commitments. Rainwater storage is also proposed for the subfloor area.***

***The proposal is deemed to satisfy the controls.***

### **Preservation of Trees or Bushland Vegetation**

As outlined in **Clause E1 Preservation of Trees or Bushland Vegetation** the objectives of the clause are:

- To protect and enhance the urban forest of the Northern Beaches.
- To effectively manage the risks that come with an established urban forest through professional management of trees.
- To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
- To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.
- To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.
- To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.

***The proposal seeks to retain as much of the existing landscape as it is viable and provide new plantings. Refer to Landscape drawing.***

***The proposal is deemed to satisfy the controls.***



## Compliance Table

	<b>LEP/DCP requirement</b>	<b>Proposed</b>	<b>Compliance</b>
Height of Building	8.5m maximum	7.9m	Yes
Wall height	7.2m maximum	7.6m	No
Side Boundary Envelope	45° plane from 5m	Part breach	No– see pre-lodgement notes
Side setback	900mm minimum	1.4 & 1.2m	Yes
Rear Setback	6m	10.35m	Yes
Landscape Open Space	40% (285.5m <sup>2</sup> )	437m <sup>2</sup>	Yes
Private Open Space	60m <sup>2</sup> minimum 5m minimum dimension	65m <sup>2</sup> at rear 23m <sup>2</sup> at front Minimum dimension 5.5m	Yes

## Summary

***The proposal has been designed to comply with the provisions of the WLEP and WDCP as far as practicable.***

***Where it does not comply with the numerical controls in the DCP in a small number of instances, it has been designed to optimize the balance between compliance and practical or functional outcomes in the building, whilst fully satisfying the objectives of each control.***

***These non-compliances were raised at the pre-lodgment meeting, and as shown in the response notes from Council, were considered to be valid.***

***Therefore, in assessing the detail of the application against the applicable statutory controls we have formed the considered opinion that the proposed works are permissible, consistent with the zone objectives and other statutory considerations applicable to a dwelling on this particular site.***

***We have formed the considered opinion that the proposed development will not give rise to any unacceptable streetscape, residential amenity or environmental impacts and will be complimentary and compatible with the existing and desired future character of the area.***

END STATEMENT