

STATEMENT OF ENVIRONMENTAL EFFECTS



Prepared for:
Clarendon Homes
August 2019
Report No.: 9022127

Site Address:
Lot 7 DP23583
602 Warrindah Road
FORESTVILLE NSW 2087

Construction and use of an Exhibition Home and on-site Parking.

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INTRODUCTION

This report is prepared at the request of Clarendon Homes (NSW) Pty Ltd in support of the proposed construction and use of a residential display home, sales office, parking and signage located Lot 7 DP23583, known as 602 Warringah Road, Forestville.

The aim of this report is to identify and respond to the applicable statutory planning controls and Council policies which apply to site, as well as identify potential natural and built environmental impacts of the development.

The development has regard to the requirements of the Warringah Local Environmental Plan 2011 (WLEP 2011) and Warringah Development Control Plan 2011 (WDCP 2011), being the principal environmental planning instrument for the site. The development also has regard to the provisions of the applicable State Environmental Policies.

The proposed residence forms the basis for the display of housing stock available from Clarendon Homes (NSW) Pty Ltd that includes a sales office. The surrounding area is an established residential area with aging housing stock that is currently progressing through an urban renewal phase.

Based upon the unique nature of the activity as a display home with a sales function, the landuse activity caters to the future urban renewal of the area, in which Development Consent is required for this purpose. This purpose will be limited to a small period of time as required by Clarendon Homes to display housing stock. Following expiry of this timeframe it is envisaged for the built form to be reverted back to a single residential dwelling for market sale including removal of the signage.

It is demonstrated within this statement that the proposed development is able to generally satisfy the intent of policy.

This document has been prepared in support of an application under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP & A Act 1979) and reviews the applicable environmental planning instruments and development control plans that apply to the subject property as well as the natural and built environmental impacts of the proposal.

The subject development is not integrated development or designated development for the purpose of the EP & A Act 1979.

Therefore, it is with confidence that the subject application is submitted for a favourable determination.

DESCRIPTION OF SITE AND LOCALITY

The site is located within an existing residential area and is identified as Lot 7 DP23583, known as 602 Warringah Road, Forestville. This site is located within an established residential area that is currently undergoing an urban renewal phase.



Source: NearMaps 2019

The subject site is a rectangular allotment with a primary frontage to Warringah Road of 30.95m and a total land area of 820m². The land is currently vacant and is of an east / west orientation and requires the removal of a number of small trees to site the dwelling and associated parking area.

Neighbouring sites are of a similar nature being established homes, with a variety of uses within the vicinity, given the adjoining land zones.

The subject site is accessed via a main transport corridor of Warringah Road and is within proximity to shopping centres and the main town centre of Forestville. The site is connected to services of telecommunications, power, water and sewer as would be anticipated within an established residential area.

DESCRIPTION OF PROPOSAL

The proposal is for the construction of a residential display home, sales office and signage located at Lot 7 DP23583, 602 Warringah Road, Forestville.

The proposed display home, sales office, parking and signage is intended to operate from the site for the purpose of displaying housing stock in an area currently progressing through an urban renewal phase. An existing display home currently operates at No. 653 Warringah Rd, this will be reverted to a residential home. This proposal is envisaged to last for up to seven (7) years. Following expiry of this time period, the dwelling will revert back to a purely residential purposes with the signage removed. In detail, the proposed development consists of the following works:

Landuse

- Hours of operation are Monday to Sunday 10am – 5.00pm.
- Two (2) full time sales staff present on site at all times.
- Sales office located within the garage of the dwelling, to be converted into garage following expiry of display home.
- Car parking area that is ancillary to the use of the site and adjoining site at Lot 8, 600 Warringah Rd, Forestville.
- Paper display information and non-fixed office furniture within the sales office.

This type of activity works as a point of call to interested homebuyers allowing them to walk through the display home and inspect features whilst also providing an area for a sales function.

Site works – Dwelling construction, sales office, parking and exhibition home identification signage

- Construction of two storey residence with garage to be used as a sales office during use as an exhibition home.
- Construction of an asphalt parking area, including line marking, directional arrows and associated signage.
- Driveway and pathways between the proposed display home and the adjoining display home at Lot 8, 600 Warringah Rd Forestville.
- Minor land clearance.
- Landscape treatment and fencing.
- Signage at street level of a low intensification in order to identify sales office and the display home. Details have been provided with the subject application.

The proposed development is detailed on the accompanying plans prepared by Clarendon Homes Pty Ltd.

ASSESSMENT OF PLANNING CONTROLS

There are a number of State and Local Environmental Planning Instruments that may apply to any given development. In providing this assessment of the proposed development, consideration has been given to the following statutory and non-statutory controls.

- Section 4.15 of the Environmental Planning & Assessment Act 1979
- State Environmental Planning Policy No. 64 – Advertising and Signage
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011

The following discussion explores the compliance of the subject development with the relevant EPI's.

Section 4.15 of the Environmental Planning and Assessment Act 1979

The assessment of a development application is required to address the matters for consideration listed under section 4.15 of the Environmental Planning and Assessment Act, 1979, as amended. The following matters must be considered:

- (a) the provisions of:
 - i. any environmental planning instrument;
 - ii. any draft local environmental planning instrument that is or has been placed on exhibition and details of which have been notified to the consent authority;
 - iii. any development control plan;
 - iv. any matters prescribed by the regulations,
 - v. that apply to the land to which the development application relates.
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- (c) the suitability of the site for the development;
- (d) any submission made in accordance with the Act or the regulations;
- (e) the public interest.

The relevant issues are addressed in broad terms through the assessment provided below.

State Environmental Planning Policy No. 64 – Advertising and Signage

Part 2 – Signage Generally

The proposed signage is considered to be in keeping with the objectives of SEPP64 as it predominantly relates to business identification signage and will not have any adverse impact upon the amenity and visual character of the area. Please refer to the below assessment of Schedule 1.

The assessment of the proposed signage with respect to the Schedule 1 criteria demonstrates the suitability of the proposed signage at the subject site.

The proposed signage is considered to improve traffic flow of persons attending the site as it provides clear direction to the property entrance, directing vehicles off the arterial road.

Part 3 – Advertisements

This part does not relate to business identification signs.

Schedule 1 – Assessment Criteria

Requirement	Provision	Compliance
(a) The character of the area.		
(i) Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The existing character of the locality is predominately a residential precinct catering for many varying land uses. The proposed signage is well balanced with the scale of the site while being of sufficient size for the site to be appropriately identified by passing motorists. The landuse is a permissible activity within the zone. The proposed signage unifies the landuse activity and business identification. The signage is not contradictory to the desired future character of the area.	Yes
(ii) Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The area is not located within a town centre that would contain themed signage. Signage throughout the area is varied due to the nature of the varying landuses and the differing size, scale and form of the buildings. The proposed signage is not considered to be excessive as the proposed size of the sign allows it to be read by passing motorists without detracting from their ability	Yes

	to drive safely. The signage is not considered to have a detrimental impact on the area.	
<p>(b) Special areas.</p> <p>(i) Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</p>	Signage will not detract from any environmentally sensitive surrounding areas, due to the appropriate size and location of the signs.	Yes
<p>(c) Views and vistas.</p> <p>(i) Does the proposal obscure or compromise important views?</p> <p>(ii) Does the proposal dominate the skyline and reduce the quality of vistas?</p> <p>(iii) Does the proposal respect the viewing rights of other advertisers?</p>	<p>No loss of important views.</p> <p>No vistas to be impacted upon, signage of a similar scale and nature of other exhibition homes and villages. The signs will not impact upon the amenity of the street.</p> <p>Viewing rights of other potential advertisers respected.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>(d) Streetscape, setting or landscape.</p> <p>(i) Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	Scale, proportion and form considered appropriate for the site in terms of streetscape and setting. The size and scale is such that the signage appropriately identifies the site without creating a safety hazard along the roadway. If the signage was to be of a smaller scale it may create a traffic hazard as motorists strain to read the content. The open nature of the area	Yes

(ii) Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	ensures that the signage does not appear excessive. Signage not anticipated to have any negative impacts on the streetscape, and will be within the scale appropriate to the street and to compliment the use of the site without dominating the streetscape.	Yes
(iii) Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Signage relates to a proposed business use.	N/A
(iv) Does the proposal screen unsightliness?	No unsightliness to screen.	N/A
(v) Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	Signage does not protrude above the building or tree canopies.	Yes
(vi) Does the proposal require ongoing vegetation management?	No	N/A
(e) Site and building.		
(i) Is the proposal compatible with the scale, proportion and other characteristics of the site or building or both on which the proposed signage is to be located?	Signage considered compatible with the building in terms of scale, proportion and siting.	Yes
(ii) Does the proposal respect important features of the site or building, or both?	Signage proposed creates interest without detracting from any features.	Yes
(iii) Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The freestanding signs are appropriately located on the site providing direction to the display home entry and carparking area. The signs ensure minimal confusion for persons attending the site.	Yes
(f). Associated devices and logos with advertisements and advertising structures.		

children by obscuring sightlines from public areas?		
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Warringah Local Environmental Plan 2011

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Warringah Local Environmental Plan 2011.

The proposed development is defined as an “exhibition home” meaning “a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays”.

The construction of an ‘exhibition home’ is permissible in the identified zone, subject to development consent.

Clause 2.3 Zone objectives and land use table

The objectives of the R2 Zone are as follows:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

The proposed development is for a low-density residential dwelling, being compatible with the existing and future character of the locality. The dwelling and proposed temporary use as an exhibition home is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site. The proposed dwelling is considered to meet the relevant objectives of the R2 zone.

Clause 4.3 Height of Buildings

Requirement	Provision	Compliance
R2 Zone = 8.5m ridge height	9.194m	No*

Clause 4.6 Exceptions to Development Standards

The proposal provides for a maximum height of 9.194m and a minimum maximum height of 8.894m at the front of the dwelling, exceeding the maximum permitted control of 8.5m. It would be appreciated if Council would consider the following request for a variation under the provisions of Clause 4.6 of Warringah Local Environmental Plan 2011 during further assessment of this application:

Clause 4.6 Exceptions to development standards

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Director-General has been obtained.
- (5) In deciding whether to grant concurrence, the Director-General must consider:
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

In order to clarify the extent of the matters required to be addressed within a request for a variation under Clause 4.6, consideration has been given to the following case law:

Wehbe v Pittwater [2007] NSWLEC827

Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC90

Randwick City Council v Micaul Holdings Pty LTD [2016] NSWLEC7

Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSW LEC118

Review of these cases indicates that a request for a variation under the provisions of Clause 4.6 is more onerous than previously required under SEPP 1. The case of Randwick v Micaul indicates that Council, as the consent authority, maintains a high level of discretion with regard to the level of justification required in order to support a variation request. The following must be demonstrated to Council's satisfaction within the justification provided:

- Compliance with the objectives of the development standard;

- Compliance with the objectives of the zone;
- That the development is unreasonable or unnecessary in the circumstances of the case;
- Sufficient environmental planning grounds that are particular to the circumstances of the proposed development.

This submission individually addresses each of the above requirements below as per the cited case law.

Compliance with the objectives of the development standard

The proposed two storey dwelling has a maximum height of 9.194m, which reduces to 8.894m at the front of the dwelling, the maximum permitted height of building within Clause 4.3 of Warringah Local Environmental Plan 2011 is 8.5m. The proposed design of the roof therefore exceeds Councils requirement by 8.16% at the rear and 4.6% at the front, these variations are not anticipated to be highly noticeable from the streetscape or surrounding properties.

The proposed maximum height does not impact upon the dwelling being able to achieve the objectives of the zone or the objectives of the development standard. The proposal is considered to have a positive impact on the streetscape character of the area as the contemporary dwelling will enhance the streetscape.

The dwelling continues to meet objectives of the building height controls as it is considered consistent with the site constraints, will not detract from the prevailing building height or desired future streetscape character of the area. The bulk and scale of the building is broken up through articulation and stepped design and no significant views are lost as a result of the height increase.

In this instance it is believed that the proposed maximum building height provision is capable of achieving the objectives of the development control despite the variation in the following manner:

- (a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,

The proposed dwelling is surrounded by development of differing scales and form. It is not anticipated that the proposed height of the dwelling will likely have any detrimental impact upon the adjoining development and will remain compatible in terms of bulk and scale.

Whilst numerically the dwelling exceeds the maximum building height, the proposed dwelling will remain in keeping with the streetscape character, through the appropriate pitch and design.

- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,

The dwelling is capable of complying with the relevant solar access provisions as shadows will be predominantly cast over the increased side setback and will not have any impact upon the adjoining neighbor to the south. Solar access is well maintained despite the increased height of the dwelling and will allow suitable sunlight into the POS and living areas.

Minimal windows are proposed to the upper floor, and where provided have been suitably treated and are not likely to provide opportunities for overlooking as they are appropriately designed, setback and offset from adjoining properties.

The proposed dwelling is suitably setback from adjoining POS areas and the increased height will not have any detrimental impact upon solar access into the POS areas of the adjoining properties. The articulation provided to the dwelling will ensure the visual amenity of adjoining residents will be maintained through ensuring the dwelling does not have excessive visual bulk.

Due to the topography of the area, no impact is anticipated on views and the proposed dwelling will not have any detrimental affect upon views to or from the adjoining public place.

(c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,

The proposed dwelling is located within a residential area and will not impact upon the scenic quality of the coastal or bush environments.

(d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.

The proposed dwelling is well articulated and provides a stepped design and to ensure the visual bulk and scale of the dwelling is minimised when viewed from surrounding properties and public areas. The high quality design and appropriate colours and materials ensure the dwelling is a suitable addition to the street.

Compliance with the objectives of the zone

The objectives of the R2 Zone are:

- 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 proposed two storey dwelling will remain in keeping with the scale and character of the surrounding developments and has been designed to retain a high level of amenity for adjoining residents. The dwelling remains consistent with other low density dwellings.

Residents will still be able to carry out a range of activities provided by the appropriate landscape area and private open space, without affecting adjoining properties.

The detached dwelling is in keeping with the low residential environment and provides a contemporary design with sufficient landscaping to retain the landscape character of the area. The extent of the variation is not considered to be detrimental to the surrounding area and the high level of articulation through the front façade and secondary elevation of the dwelling reduces the visual bulk as viewed from the street.

As the dwelling remains to meet the requirements for low density residential living without any detrimental impact on the amenity of the surrounding sites, the development is found to achieve the objectives of the R2 Low Density Residential Zone.

Development is unreasonable or unnecessary in the circumstances of the case

The requested variation to the maximum building height provision is considered to be a reasonable and appropriate design outcome for the following reasons:

- The development is noted to generally achieve Council's controls. The dwelling (once converted to a residential dwelling) will provide a suitable design that is appropriate for future residents.
- The variation relates to exceedance in building height that does not have any impact upon the dwellings ability to meet with the objectives of the Height of Buildings development standard or the R2 Low Density zone.
- The proposed height is the direct result of providing a suitable floor level in the event of a flood and as such, the floor level cannot be lowered to accommodate the dwelling, however, minimum ceiling heights and a reduced roof pitch has been provided to minimize the impact of the development as much as possible.
- The increase in height will not have an excessive impact upon the streetscape or adjoining properties and is considered to result in an appropriate outcome for the residents needs. It would seem unreasonable and unnecessary to require compliance with the height of building control in this instance.

Sufficient environmental planning grounds that are particular to the circumstances of the proposed development

Variations under the provisions of Clause 4.6 are understood to be permitted in circumstances where the non-compliant development is found to be able to meet with the objectives of the zone, but does not expressly need to result in a better outcome than a compliant proposal (Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSW LEC118). In this case, the proposed dwelling is considered to meet with the objectives of the zone, and it is trusted the Clause 4.6 request has been adequately addressed in this instance.

The proposed height variation will not result in any detrimental impact beyond that of a compliant proposal and in this case, the design prepared by Clarendon Homes is considered suitable and the overall ridge height will not appear as out of place between the adjoining properties.

* * * * *

Numerical provisions such as building height are considered to be in force as a guide to achieve the objectives of the control. In this instance the objectives of the building height control are achieved, despite the increase in building height.

It is requested that Council favourably consider this variation due to the minimal impact upon the surrounding properties and the public places. The proposed height will not have any detrimental impact beyond that of a compliant proposal.

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or being within proximity of a heritage item.

Clause 5.11 Bush fire hazard reduction

The land is not identified as being bushfire prone land in accordance with Council's 10.7 Certificate.

Clause 6.1 Acid Sulfate Soils

The subject site is not known to be affected by Acid Sulphate Soils.

Clause 6.3 Flood planning

The subject site has been to be burdened by a stormwater catchment and as such the impacts of a 1 in 100 year flood must be considered. Please refer to the Overland Flow Path Assessment Report prepared by J & F Designs, dated 16 December 2019.

* * *

Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy all the relevant development standards relating to dwelling houses as contained within WLEP 2011.

Warringah Development Control Plan 2011

The DCP is divided into several parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

PART B BUILT FORM CONTROLS

Requirement	Provision	Compliance
B1 – Wall heights Max. wall height 7.2m existing ground to upper ceiling.	<7.2m max. wall height.	Yes
B2 - Number of Storeys Max. no. storeys shown on DCP No. Storeys map.	Two Storey.	Yes
B3 - Side Boundary Envelope Side boundary envelope 45° & 4m or 5m from existing ground (refer DCP Map) Encroachment of the fascia, gutters, eaves permitted.	Minor encroachment of the gutters at the front of the dwelling is permitted as per the DCP and will not have any detrimental impact upon the adjoining properties.	Yes
B4 - Site Coverage Site coverage as per Site Coverage Map	N/A	N/A
B5 – Side Boundary Setbacks As per DCP Side Boundary Setbacks map: - 0.9m.	Min. 1.5m	Yes
B6 - Merit Assessment of Side Boundary Setbacks for sites shown on map.	N/A	N/A
B7 – Front Boundary Setbacks As per DCP Front Boundary Setbacks map: - 6.5m. Corner allotments in R2 and R3 Zones: Where the min. front setback is 6.5m on both frontages the secondary street setback can be reduced to 3.5m	5.117m to articulation, 6.664m to garage. N/A	No* .

*Front setback – The minimum front setback proposed is 5.117m, which does not meet with Councils controls to provide a front setback of 6.5m to lots located on a R2 Zone as per the DCP Map. The proposed setback is not anticipated to have any impact upon the street however, as the setback relates to the articulation feature, with the garage and dwelling setback appropriately at 6.664m.

The proposed front setback is not anticipated to result in any detrimental impact upon the street or adjoining properties, given the appropriate design and setbacks provided. The open-style design of the porch and high degree of articulation provided within the front façade ensures the dwelling does not have excessive visual bulk when viewed from adjoining properties and will ensure any minor views from the street result in a quality design.

Landscaping within the front setback will maintain the landscape buffer between the roadway and the dwelling and adjoining properties, ensuring the setback would not result in a visually dominant dwelling design and would compliment the existing streetscape.

The development provides a quality design that complies with the objectives of the control despite the numerical non-compliance. The proposed front setback will not have a detrimental impact to the amenity of neighbouring properties be that through maintaining solar access or visual privacy, due to the orientation of the sites. The development will maintain the scale and visual appearance of the streetscape and therefore request a compliant proposal in this instance.

B8 - Merit Assessment of Front Boundary Setback for sites shown on map.	N/A	N/A
B9 - Rear Boundary Setbacks As per DCP Rear Boundary Setbacks map: - 6m.	6m	Yes
Corner lots on R2/R3 Zones with 6m rear boundary requirements not applicable.	N/A	N/A
B10 - Merit Assessment of Rear Boundary Setback for sites shown on map.	N/A	N/A
B11 - Foreshore Building Setback As per the map - 15m	N/A	N/A
B12 - National Parks Setback As per the map - 20m	N/A	N/A

B13 - Coastal Cliffs Setback as per map.	N/A	N/A
B14 - Main Roads Setback as per map.	N/A	N/A

PART C SITING FACTORS

Requirement	Provision	Compliance
C2 – Traffic, Access and Safety Suitable vehicular access from a public road.	Access from public road provided.	Yes
C3 – Parking Facilities Garage/carport integrated into house design.	Garage integrated into the dwelling design and orientated to the street. Garage to be utilised as sales office during the use as an exhibition home.	Yes
Laneways to provide rear access where possible.	N/A	N/A
Parking not to obscure views from dwelling to street.	Visitor parking provided to the side of the site is not anticipated to obscure views to the street.	Yes
Garage/carport opening max. 6m or 50% building width, whichever lesser.	Double garage door (following conversion to a dwelling) width 4.81m or 45.9%	Yes
2 spaces per dwelling.	Visitor car parking provided on site, providing seven (7) spaces, two to be utilised by staff, with the remaining spaces for visitors. Additional parking can be found throughout the surrounding areas of Emperor Place, Currie Road (outside of school hours) and along Warringah Road (outside of clearway hours). The provision of some parking on the site provides areas for parking during school and clearway hours, with the peak times for people attending	For Councils Consideration

	<p>the site largely occurring on weekends and outside of school and clearway hours.</p> <p>Please refer to the attached Traffic Report, prepared by TAR Technologies, dated 11 August 2019, reference number: 2019570RP2.DOCX.</p>	
C4 – Stormwater Suitable stormwater system for each site.	Stormwater as per Hydraulic Engineers Details.	Yes
C5 – Erosion and Sedimentation Erosion and Sedimentation controls to be in place.	Provided for consideration.	Yes
C7 – Excavation and Landfill Cut and fill not to impact neighbours.	Cut and fill appropriately minimised through stepping of dwelling to minimise impact on neighbours.	Yes
Clean fill only.	No imported fill proposed.	N/A
C9 Waste Management Waste Management Plan to be provided.	Provided.	Yes
Bin storage area to be allocated.	Adequate area available on site out of public view.	Yes

PART D DESIGN

Requirement	Provision	Compliance
<p>D1 – Landscape Open Space and Bushland Setting Landscaped open space as per map soft landscape with min 2m width.</p> <p>Subject site = 40%</p>	41.1%	Yes

<p>D2 – Private Open Space POS area = 1-2 bedrooms – 35m² min 3m width.</p> <p>3+ bedrooms – 60m² min 5m width.</p> <p>Direct access from living area.</p> <p>POS located behind building line.</p> <p>Maximise solar access & privacy.</p>	<p>N/A</p> <p>>60m², with min width 5m</p> <p>Accessible from open family/meals rooms.</p> <p>Behind building line.</p> <p>Appropriate level of solar access and privacy provided through the design, given the orientation of the lot and appropriate setbacks to living spaces.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>D6 – Access to Sunlight Consider solar access & ventilation in siting of dwelling.</p> <p>3hrs sunlight to 50%POS and glazed areas to living rooms between 9am & 3pm.</p>	<p>Dwelling appropriately sited for the orientation of the allotment.</p> <p>Proposed and adjoining POS and living areas to receive appropriate level of solar access due to appropriate setbacks, height and articulation.</p>	<p>Yes</p> <p>Yes</p>
<p>D7 – Views View sharing to be considered.</p>	<p>No loss of views is anticipated.</p>	<p>Yes</p>
<p>D8 – Privacy Maintain privacy to adjoining properties.</p>	<p>First floor leisure room and balcony suitably setback and offset to maintain privacy between the dwellings following conversion of the exhibition homes. The increased setbacks provided will ensure privacy between the residents is maintained. The balcony proposed to the rear of the site has been provided with a privacy screen to ensure privacy to adjoining properties is maintained.</p>	<p>Yes</p>

	Ground floor living areas provided with suitable setbacks and landscaped area provided to maintain privacy.	
D9 – Building Bulk Avoid large areas of continuous wall planes. Max. fill 1m and to remain within building footprint. Minimise excavation. Orientate dwelling to street. Use articulation and materials to reduce building mass.	Dwelling is not considered to have an excessive visual bulk. Fill contained within building footprint <1m. Excavation not considered excessive for site. Dwelling addresses street. Suitable articulation and materials considered to have been provided for the site.	Yes Yes Yes Yes Yes
D10 – Building Colours and Materials Colours finishes to blend with natural setting.	Earth tones provided.	Yes
D11 – Roofs Pitch to compliment streetscape. Varied roof forms to be provided. Eaves required.	Pitch in keeping with surrounding area. Varied roof forms provided. Eaves provided.	Yes Yes Yes
D12 – Glare and Reflection Materials to minimise glare.	Non-reflective materials proposed.	Yes
D13 – Front fences and Front walls Front fences 1.2m. Solid fences to be articulated and setback for landscaping. Provide casual surveillance (unless excessive noise requires blocking). Gates to remain in boundary when open.	N/A	N/A

D14 – Site facilities Site Facilities – bin storage, clothes drying etc. to be provided	Proposed dwelling provides adequate area for site facilities.	Yes
D15 – Side and Rear Fences Side & Rear boundary fencing max. 1.8m measure from low side (can be averaged for sloping sites to allow regular steps).	Boundary fencing to be provided in accordance with Council's requirements.	Yes
D16 - Swimming Pools & Spas Not within primary setback (2ndry setback OK for corner sites). Appropriate setback from trees.	N/A	N/A
D19 - Site Consolidation requirements for the R3 & IN1 Zones	N/A	N/A
D20 Safety and Security Casual surveillance of street & suitable lighting.	Casual surveillance of the street able to occur. View to entry approach available from study, large open entry, and upper habitable rooms.	Yes
D22 – Conservation of Energy and Water Design for water and energy conservation.	BASIX Certificate provided.	Yes
D23 – Signs Sited and designed to not adversely impact amenity of the streetscape. Compatible with design, scale and character of the building or site to be placed. Not to obscure views, or be confused with traffic control.	Provided. Scale, proportion and form considered appropriate for the site in terms of streetscape and setting. The signs do not have an excessive height and are not located on a ridgetop. The signage is located within the site boundaries and are considered to	Yes Yes Yes

	be of an appropriate size to ensure motorist looking for the site are provided with direction to the entry point without having to slow down to read the sign. It is considered that the signage would increase the safety along the public road.	
Freestanding Signs		
Max. 2m high;	1.22m	Yes
Max. 4sqm;	<4sqm	Yes
Not project beyond the boundary of the premises;	Provided.	Yes
Not be illuminated.	No illumination proposed.	Yes
Pylon Signs		
Min. 2.6m high;	3m	Yes
Max. 6m above NGL;	3m	Yes
Max. 4sqm face;	3.2sqm face	Yes
Not project beyond the boundary of the premises.	Entirely within the boundary.	Yes

PART E THE NATURAL ENVIRONMENT

Requirement	Provision	Compliance
E3 – Threatened species, population, ecological communities Minimise tree removal and protect remaining trees.	A number of minor trees are required to be removed in order to site the proposed dwelling. Other mature vegetation is to remain on the site, with replacement planting to occur to maintain the landscape character of the area.	For Councils Consideration
Flora & Fauna assessment if native veg >100m ² to be removed or veg removed from site in last 5 years.	N/A	N/A

E7 – Development on land adj. public open space Development adj public reserve to compliment character of reserve. Casual surveillance of public reserve. Landscaping to screen development	N/A	N/A
E8 - Waterways and Riparian Land Waterway Impact Statement for works in waterway. Riparian Land Group A & Group B have specific requirements. APZ not to extend into such land.	N/A	N/A
E9 - Coastline Hazard	N/A	N/A
E10 - Landslip Risk As per the map. Geotech required where indicated in DCP.	Landslip Risk identified as Area A. Preliminary assessment to be provided if requested by Council.	For Council's consideration.
E11 – Flood Prone Land Flood Risk map indicates level. Requirements outlined in DCP.	N/A	N/A

* * *

Conclusion with respect to DCP Requirements

The proposed dwelling is considered to be appropriately designed and sited to achieve the objectives of the design provisions with Warringah DCP 2011.

The Likely Impacts of the Development and Suitability of the Site

The following matters are considered relevant when considering onsite impacts.

Amenity

The impacts on the natural and built environments are of a level considered acceptable for a display home and its sales function and ancillary signage and parking which is ideally located within a residential area.

The site is ideally suited to the proposed use, which is permissible and satisfies the broad objectives of the WLEP 2011 and WDCP 2011 taking into consideration variation to the rear setback and signage that are unique to the land use activity as the proposal provides for a showcase of housing stock available to the general public.

This statement also demonstrates that the proposed signage is of a low scale, aesthetically designed and blends well with the built form and envisaged residential character.

Given the above and the discussion of the matter within the report, the proposed development is considered suitable for the site.

Siting and Design

The proposed two storey development will be compatible with the envisaged surrounding development and is considered consistent with a suburban / residential location.

The siting of the dwelling provides suitable boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade comprises of different building elements to appropriately articulate the front façade, including a central entry. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Sedimentation Control

Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application. Any submissions will be reviewed by the applicant and Council during the assessment process and duly considered.

Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

CONCLUSION

The proposed development has been considered in respect of the relevant Environment Planning Instruments and is deemed to be satisfactory with respect to those requirements.

The exceptional design qualities, minimal impact and appropriateness of the development has been evidenced within this statement and within the supporting documentation submitted to Council. The signage and parking area appropriate identify and relate to the sites use as a residential house for display purposes with a sales function.

Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activities and ancillary works are considered acceptable and maintain the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under 4.15 of the EP and A Act 1979.

Given the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed use and signage is on balance worthy of approval.



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