


DCP Compliance Table

Proposed Residential Flat building
71-71a Queenscliff Road, Queenscliff

Warringah Development Control Plan 2011 (WDCP2011) Assessment		
Clause and Control	Compliance	Planning Assessment Comment
Part B – Built Form Controls		
B2 Number of Storeys Requirements <i>1. Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys.</i>	ON MERIT	<p>The Warringah DCP Map shown on the left indicates a maximum number of storeys as 3.</p> <p>The number of storeys proposed is 4. However, the building is designed with a principal frontage of 3 storeys with an additional level recessed and an attic level above which is further recessed.</p> <p>The proposed scheme is a design solution to the Site constrained from a steep topography that falls from the rear of the Site to Queenscliff Road.</p> <p>The proposal is considered appropriate for the Site as the bulk of the building especially when viewed from Queenscliff Road is predominantly 3 storeys. The additional level and attic floor are proposed with only minor exceedances of the 11 metre Warringah LEP height limit.</p>
 <p>(DCP Map Number of Storeys – 3 Storeys, 2019)</p> <p>Note: <i>Maximum height of buildings is determined by reference to the WLEP</i></p>		

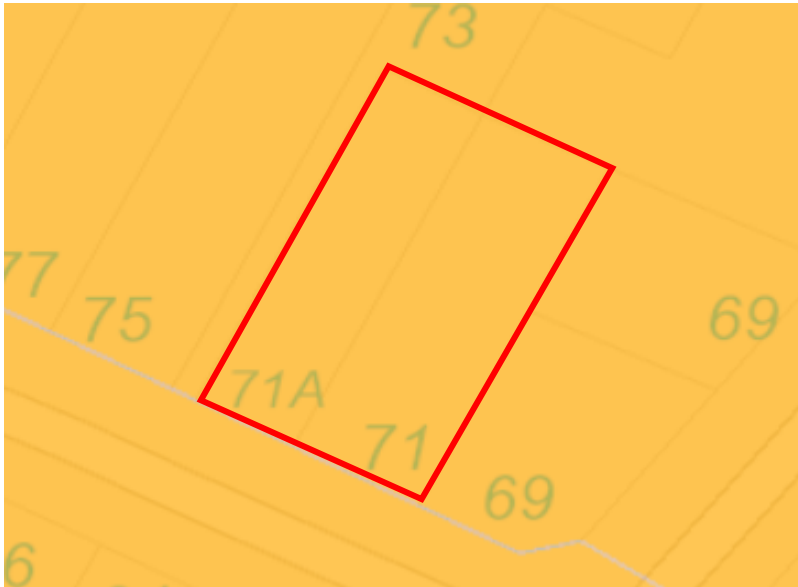
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<p><i>Too measure the height in storeys:</i></p> <p><i>The number of storeys of the building are those storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building; and</i></p> <p><i>Storeys that are used for the purpose 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</i></p>		
<p>B3 Side Boundary Envelope Requirements</p> <p>1. <i>Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of:</i></p> <ul style="list-style-type: none">• 4 metres, or• 5 metres <p><i>as identified on the map.</i></p>	<p>ON MERIT</p>	<p>3 sections are cut through the building and a building height envelope applied confirming the building is within the required DCP building envelope.</p> <p>Section A (refer to Sections – 01, DA300 A) is taken towards the front portion of the building facing Queenscliff Road and the building is within the envelope apart from a minor protrusion of the non trafficable roof parapet. This element is insignificant not representative of the bulk of the building and considered an exception not constituting a non compliance.</p> <p>Section B (refer to Sections – 01, DA300 A) is taken at the central part of the Site and confirm the building does not protrude beyond the building envelope.</p> <p>Section C (refer to Sections – 02 DA301 A) taken to towards the rear of the building also confirms compliance with the building envelope.</p>

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(DCP Map Side Boundaries Envelope – 5m, 2019)

2. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.

Exceptions

Land Zoned R3

Fascias, gutters, downpipes, eaves, masonry chimneys, flues pipes or other services infrastructure may encroach beyond the side boundary envelope.

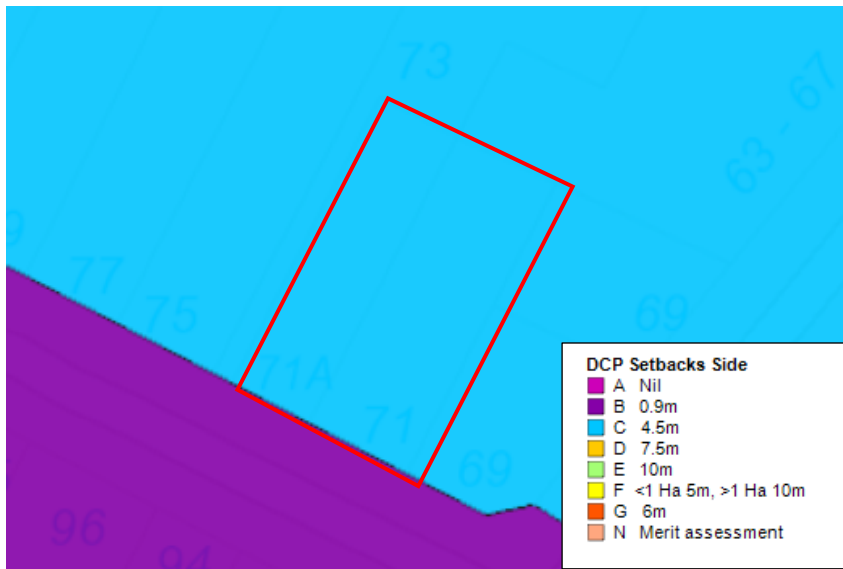
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<p>B4 Site Coverage</p> <p>Requirements</p> <p>1. <i>Development on land shown coloured on the DCP Map Site Coverage shall not exceed the maximum site coverage shown on the map. Where shown on the map as:</i></p> <ul style="list-style-type: none">• 33.3% - the total building footprint(s) must not cover more than 33.3% of the site area, and• 20% = 3,500m² or 30% <3,500m² - the total building footprint(s) must not cover more than 20% of the site area except on allotments having an area of less than 3,500m² where the total building footprint/s must not cover more than 30% of the site area.	<p>N/A</p>	<p>The DCP Map Site Coverage control does not apply to the Site. The Northern Beaches Mapping does not map the Site is either subject to the 33.3% or 20% requirement.</p>
<p>B5 Side Boundary Setbacks</p> <p>Requirements</p> <p>1. <i>Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.</i></p> <p>2. <i>Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.</i></p> <p>3. <i>On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, basement car parking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side setback except as provided for under Exceptions below.</i></p>	<p>ON MERIT</p>	<p>For the first 3 levels the side setback is 3.5 metres representing a non compliance of 1 metre.</p> <p>Despite the non compliance the building is designed to minimise openings from habitable rooms that overlook the side boundaries and the curvature of the building creates setback compliance with greater openings reserved for compliant aspects of the side elevations.</p> <p>A concession to the side setback requirement is sought on this occasion.</p> <p>Level 3 is setback 5.3 metres to ensure the upper level with potentially greater views is provided with increased separation. The attic level is also setback by 5.3 metres with limited side</p>

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<div data-bbox="203 256 1043 826"><table border="1" data-bbox="763 600 1043 799"><thead><tr><th colspan="2">DCP Setbacks Side</th></tr></thead><tbody><tr><td>A</td><td>Nil</td></tr><tr><td>B</td><td>0.9m</td></tr><tr><td>C</td><td>4.5m</td></tr><tr><td>D</td><td>7.5m</td></tr><tr><td>E</td><td>10m</td></tr><tr><td>F</td><td><1 Ha 5m, >1 Ha 10m</td></tr><tr><td>G</td><td>6m</td></tr><tr><td>N</td><td>Merit assessment</td></tr></tbody></table></div> <p data-bbox="203 826 728 858">(DCP Map Setbacks Side – 4.5m, 2019)</p> <p data-bbox="203 895 280 922">Note:</p> <p data-bbox="203 959 1043 1050"><i>On corner allotments, to measure the side setback and side boundary envelope, the side boundaries are taken to the boundaries that do not have frontage to a public street</i></p> <p data-bbox="203 1086 353 1114">Exceptions</p> <p data-bbox="203 1150 405 1177">Land Zoned R3</p> <p data-bbox="203 1214 405 1241"><i>All development:</i></p> <ul data-bbox="203 1278 1043 1377" style="list-style-type: none">• <i>Light fittings, electricity or gas meters or other services infrastructure and structures not more than 1 metre above ground level (existing) (including steps, landings, pedestrian ramps and</i>	DCP Setbacks Side		A	Nil	B	0.9m	C	4.5m	D	7.5m	E	10m	F	<1 Ha 5m, >1 Ha 10m	G	6m	N	Merit assessment	<p data-bbox="1279 231 2047 300">openings and large predominant openings to the front and rear of the Site.</p> <p data-bbox="1279 336 2047 411">The side setbacks are reserved for landscaping and free of above or below ground structures, car parking and facilities.</p> <p data-bbox="1279 448 2047 560">Part of the side setback would be dedicated as private open space for Units 1.01 & 1.02 (DA103 Issue A). This is not in accordance with requirement 3 of “B5 Side Boundary Setbacks”</p> <p data-bbox="1279 596 2047 927">Utilising part of the side setback as a courtyard would not impact on the privacy between the Subject Site and neighbouring building to the rear as confirmed by Section C (Sections – 02 DA301 Issue A). The side courtyard serving Unit 1.02 would be screened to the side boundary through a combination of raised planters and a side boundary fence. Tree planting and landscaping would along the western boundary combined with a side boundary fence will ensure ideal separation and prevent a loss between the adjoining western building and Unit 1.01.</p> <p data-bbox="1279 963 2047 1075">The courtyards will not be subject to structures or any built form and reserved for soft landscaping only ensuring the deep soil allocation is retained.</p> <p data-bbox="1279 1112 2047 1224">Utilising the side setback as additional private open space is beneficial in providing a sense of openness for ground floor residents and ensures the Site is not underutilised.</p> <p data-bbox="1279 1260 2047 1377">The use of side setbacks for private open space in this instance is acceptable achieving the objectives for Control “B5 Side Boundary Setbacks”.</p>
DCP Setbacks Side																			
A	Nil																		
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<p><i>stormwater structures) may encroach beyond the required setback up to 2 metres from a side boundary; and</i></p> <ul style="list-style-type: none"> • <i>Entrance and stair lobbies at ground floor level may encroach the required setback up to 2 metres from a side boundary.</i> <p><i>Basement carparking structures, and private open space:</i></p> <ul style="list-style-type: none"> • <i>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.</i> • <i>Basement car parking may extend:</i> <ul style="list-style-type: none"> • <i>Up to 2 metres from the side boundary, and</i> • <i>No more than 1 metre above ground level (existing)</i> • <i>Private open space may extend:</i> <ul style="list-style-type: none"> • <i>Up to 3.5 metres from a side boundary</i> 		
<p>B7 Front Boundary Setbacks</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. <i>Development is to maintain a minimum setback to road frontages.</i> 2. <i>The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, <u>garbage</u> storage areas and fences.</i> 3. <i>Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.</i> 4. <i>For land zoned E3 and not having frontage to Kamber Road or Kimbriki Road the minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.</i> 	<p>YES</p>	<p>The proposed development has a front setback of 6.5m measured from the front boundary to the courtyards of ground floor units G.01 and G.02.</p> <p>The setback complies with the DCP Setbacks mapping requirement.</p> <p>The front setback is generally free of structures reserved for landscaping. A hydraunt booster and garbage holding area would be located in the front setback but designed to integral designs providing a point of interest when viewed from the road. Sandstone cladding would enclose the garbage holding area and hydraunt booster not detracting from the character of the front setback but through utilising a high quality material local to the</p>


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 <p>(DCP Map Setbacks Front – 6.5m, 2019)</p> <p>Note:</p> <p><i>Some properties may be subject to a setback control under the Front Boundary Setbacks Map, and also to an increased setback requirement to main roads under the Main Roads Setbacks Map</i></p>		<p>geology of the locality the sandstone structures would become a point of interest and aesthetically pleasing addition.</p>
<p>B9 Rear Boundary Setbacks</p> <p>Requirements</p>	<p>ON MERIT</p>	<p>The proposed development proposes a rear setback of 6m.</p>

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<p>1. <i>Development is to maintain a minimum setback to rear boundaries.</i></p>  <p>(DCP Map Setbacks Rear – 6m, 2019)</p> <p>2. <i>The rear setback area is to be landscaped and free of any above or below ground structures.</i></p> <p>3. <i>On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and private open space, including basement carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the rear building setback.</i></p>	<p>The rear setback is landscaped and free of any above or below ground structures.</p> <p>It is noted that Requirement 3 of Control B9 "Rear Boundary Setbacks" does not permit private open space within the rear boundary setback.</p> <p>Part of the rear setback would be dedicated as private open space for Units 1.01 & 1.02 (DA103 Issue A). This is not in accordance with requirement 3 of "B9 Rear Boundary Setbacks"</p> <p>Utilising part of the rear setback as a courtyard would not impact on the privacy between the Subject Site and neighbouring building to the rear as confirmed by Section E (Sections – 03 DA302 Issue A). The rear courtyards would be screened from the to the rear through a combination of raised planters and a rear boundary fence.</p> <p>The courtyards will not be subject to structures or any built form and reserved for soft landscaping only ensuring the deep soil allocation is retained.</p> <p>The use of rear setbacks for private open space in this instance is acceptable achieving the objectives for Control "B9 Rear Boundary Setbacks".</p>
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<p>Note:</p> <p><i>The rear setback is the distance measured perpendicular to the boundary furthest from a public street up to any building on the allotment</i></p> <p>Exceptions</p> <p>Land Zoned R3</p> <p><i>On land zoned R3 Medium Density Residential, where the minimum rear setback is 6 metres:</i></p> <ul style="list-style-type: none"> <i>Light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) including steps, landings, pedestrian ramps and stormwater structures, may encroach beyond the required setback to within a minimum of 2 metres of a rear boundary; and</i> <i>Entrance and stair lobbies at ground floor level may encroach beyond the required setback to within a minimum of 2 metres of a rear boundary</i> 		
Part C Siting Factors		
<p>C2 Traffic, Access and Safety</p> <p>Requirements</p> <p>Vehicular Access</p> <ol style="list-style-type: none"> <i>Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</i> <i>Vehicle access is to be obtained from minor streets and lanes where available and practical.</i> 	<p>YES</p>	<p>The proposed vehicular access is off Queenscliff Road. This access will be constructed in accordance with Councils minor works specification and with Councils vehicle Crossing Policy.</p>

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<p>4 <i>Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315.</i></p> <p>5 <i>Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</i></p> <p>On-Site Loading and Unloading</p> <p>3. <i>Facilities for the loading and unloading of service, delivery and emergency vehicles are to be:</i></p> <ul style="list-style-type: none"><i>• appropriate to the size and nature of the development;</i><i>• screened from public view; and</i><i>• designed so that vehicles may enter and leave in a forward direction.</i>	<p>YES</p>	<p>Vehicles are able to enter and exit the basement in a forward direction.</p>
<p>C3 Parking Facilities</p> <p>Requirements</p> <p>1. <i>The following design principles shall be met:</i></p> <ul style="list-style-type: none"><i>• Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.;</i><i>• Laneways are to be used to provide rear access to carparking areas where possible;</i><i>• Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments;</i><i>• Parking is to be located so that views of the street from front windows are not obscured; and</i><i>• Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser.</i>	<p>YES</p>	<p>The design principles outlined in requirement 1 are met.</p> <p>The garage door is integrated and set back slightly from the principal elevation. The garage door will serve the basement and be concealed partially from the streetscape.</p> <p>Car parking is provided underground.</p> <p>No carport is proposed as part of the development. The width of the garage door does not exceed 6 metres or 50% of the building width.</p>

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<p><i>2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:</i></p> <ul style="list-style-type: none"> <i>the land use;</i> <i>the hours of operation;</i> <i>the availability of public transport;</i> <i>the availability of alternative car parking; and</i> <i>the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.</i> 	YES	<p>The residential flat building will provide off street parking. There are no hours of operation restrictions applicable to a residential flat building. There is alternative transport including access to bus services and the building provides parking facilities for resident and visitor bicycles.</p>
<p><i>3. Carparking, other than for individual dwellings, shall:</i></p> <ul style="list-style-type: none"> <i>Avoid the use of mechanical car stacking spaces;</i> <i>Not be readily apparent from public spaces;</i> <i>Provide safe and convenient pedestrian and traffic movement;</i> <i>Include adequate provision for manoeuvring and convenient access to individual spaces;</i> <i>Enable vehicles to enter and leave the site in a forward direction;</i> <i>Incorporate unobstructed access to visitor parking spaces;</i> <i>Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places;</i> <i>Provide on site detention of stormwater, where appropriate; and</i> <i>Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.</i> 	YES	<p>The basement parking does not include mechanical car stacking spaces. Pedestrian access is separated from vehicular access and access to the basement for pedestrians will be from a lift. Key basement provisions such as bicycle parking and storage will be positioned centrally in the basement adjoining the lift and fire stairs to minimise conflict between pedestrian travel and vehicular movement.</p> <p>Car park layout including car parking dimensions are to be in accordance with Standard (AS2890.1).</p>
<p><i>4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</i></p>	YES	<p>The car parking rates are as follows:</p> <ul style="list-style-type: none"> 1 space per 1 bedroom unit 1.2 spaces per 2 bedroom unit 1.5 spaces per 3 bedroom unit 1 visitor space per 5 units <p>According to the above rates a total of 23 car parking spaces is required.</p>

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		The proposal provides 31 car parking spaces including three visitor spaces.
<i>C3(A) Bicycle Parking and End of Trip Facilities</i> <i>Requirements</i> 1. <i>Bicycle parking facilities must be provided for new buildings and for alterations or additions to existing buildings. In the case of alterations or additions to existing buildings bicycle parking facilities are required for the additional floor area only.</i>	YES	The minimum bicycle parking requirements are 1 per dwelling and 1 per 12 dwellings for visitors. The proposed development includes a total of 16 bicycle spaces in Basement 1.
2. <i>Bicycle parking shall be designed and constructed in accordance with Australian Standard AS 2890.3 – Bicycle Parking Facilities.</i>	YES	Noted – to be complied with.
3. <i>Bicycle parking facilities shall be designed to be an integral part of the development and where visible from public places or streets, will complement the visual quality of the public domain.</i>	YES	The bicycle parking is integral to the development located within Basement 1.
4. <i>Bicycle parking shall be provided in accordance with the generation rates in the following table and is determined by adding Column 1 and Column 2 requirements and rounding up.</i>	YES	The minimum bicycle parking requirements are 1 per dwelling and 1 per 12 dwellings for visitors. The proposed development includes a total of 16 bicycle spaces in Basement 1.
<i>C4 Stormwater</i> <i>Requirements</i> 1. <i>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</i>	YES	Refer to Martens Engineers Stormwater Management Plans that addresses stormwater drainage.

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<p>2. <i>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.</i></p> <p>Exceptions</p> <ul style="list-style-type: none">• <i>Refer to Council's Water Management Policy for exceptions.</i>		
<p>C5 Erosion and Sedimentation</p> <p>Requirements</p> <ol style="list-style-type: none">1. <i>All developments which involve the disturbance of land must install and maintain erosion and sediment controls until the site is fully stabilised.</i>2. <i>Any erosion and sedimentation is to be managed at the source.</i>3. <i>Erosion, sediment and pollution controls including water discharge from the site must comply with Council's Water Management Policy.</i>4. <i>An Erosion and Sediment Control Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of up to 2500m² of land.</i>5. <i>Soil and Water Management Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of more than 2500m² of land.</i>	YES	<p>Martens Consulting Engineers have prepared an erosion and sediment control plan for the disturbance from excavation and construction until the Site is stabilised.</p>
<p>C7 Excavation and Landfill</p> <p>Requirements</p> <ol style="list-style-type: none">1. <i>All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</i>2. <i>Excavation and landfill works must not result in any adverse impact on adjoining land.</i>	YES	<p>A Geotechnical Assessment has been prepared by Martens Consulting Engineers and is attached in Appendix 13.</p> <p>Martens outlines measures to ensure excavation and rock support during excavation and construction including battered back soils deeper than 0.75 metres, excavation of medium or higher strength rock to be inspected and approved by a geotechnical engineer on Site and geotechnical mapping to be</p>

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<ol style="list-style-type: none"> 3. <i>Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</i> 4. <i>Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.</i> 5. <i>Rehabilitation and revegetation techniques shall be applied to the fill.</i> 6. <i>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.</i> 		conducted in 1.5m height increments to identify potential weaknesses.
C8 Demolition and Construction Requirements <ol style="list-style-type: none"> 1. <i>All development that is, or includes a 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.</i> 	YES	A Waste Management Plan has been prepared including an operational WMP by Elephants Foot. See Appendix 10 .
C9 Waste Management Requirements <ol style="list-style-type: none"> 1. <i>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 <u>Waste Management Plan</u>.</i> 	YES	A demolition, construction and operational Waste Management Plan is provided within Appendix 10 .
Part D Design		
D1 Landscaped Open Space and Bushland Setting Requirements	ON MERIT	The proposed development proposes 510m ² of landscaping accounting for 40.5% of the total site area. The proposed landscape area still achieves the objectives of the landscape provision as the site contains adequate space for appropriate planting in order to enhance streetscape, planting trees and


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<p>1. <i>The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and <u>Bushland</u> Setting. To measure the area of landscaped open space:</i></p> <ul style="list-style-type: none">a) <i>Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation;</i>b) <i>The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation;</i>c) <i>Landscaped open space must be at ground level (finished); and</i>d) <i>The minimum soil depth of land that can be included as landscaped open space is 1 metre.</i>		<p>shrubs in the rear yard and along the side of the proposed development to soften the appearance of the proposed building and allow for screen planting to enhance privacy between the neighbouring properties. The proposed development also allows for adequate private open space to allow for passive recreational use and provides adequate space for clothes drying in the rear yard of the site.</p>
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 <p>(DCP Map Landscaped Open Space and Bushland Setting – 50%, 2019)</p>		
<p>D2 Private Open Space</p> <p>Requirements</p> <ol style="list-style-type: none">1. Residential development is to include private open space for each dwelling.2. The minimum area and dimensions of private open space are as follows:	<p>ON MERIT</p>	<p>The majority of balconies have a very generous provision of private open space greater than 10m². There are instances where some 2 bed units have a provision of 9m² and a depth of 2 metres not in accordance with the area and minimum dimensions required by the DCP. This is applicable to Unit 2.01 and 2.03 but to compensate both Units have generous internal living accommodation of 80m².</p>

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DWELLING Type	Areas and Minimum Dimensions Per Dwelling		
<i>Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms</i>	<i>A total of 35m2 with minimum dimensions of 3 metres</i>		
<i>Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms</i>	<i>A total of 60m2 with minimum dimensions of 5 metres</i>		
<i>Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing</i>	<i>A total of 10m2 with minimum dimensions of 2.5 metres</i>		
<ol style="list-style-type: none"> 3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play. 4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development. 5. Private open space shall not be located in the primary front building setback. 6. Private open space is to be located to maximise solar access. 			<p>Each unit has the provision of private open space accessible from the living areas. Privacy measures include intertenancy walls separating respective units. No balconies are designed to face another balcony with outlook orientation to the rear or front of the property.</p> <p>No private open space is located within the front setback of the Site.</p> <p>The residential flat building is designed to ensure the majority of units have a northern orientation to maximise capture of solar access.</p>
D3 Noise Requirements		YES	<p>Renzo Tonin & Associates state in the acoustic report that where necessary noise amelioration treatment will be incorporated.</p> <p>The acoustic consultants state an acoustic assessment of mechanical services equipment will need to be undertaken during the detail design phase of the development.</p>

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<p><i>receiving boundary of residential and other noise sensitive land uses.</i></p> <p><i>See also NSW Industrial Noise Policy Appendices</i></p>		
<p>2. <i>Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.</i></p>	YES	Recommended glazing treatment is provided by Renzo Tonin & Associates in Table 5 of their report dated 20 June 2019.
<p>3. <i>Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.</i></p>	YES	Council waste collection services will manage waste collection.
<p>4. <i>Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.</i></p>	YES	Noise sensitive rooms are not located near openings that front the streetscape.
<p>5. <i>Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.</i></p>	YES	Bedrooms are integrated more in the apartment and the living rooms are reserved for locations that are more affected by noise sources.
<p>D6 Access to Sunlight</p> <p>Requirements</p> <p>1. <i>Development should avoid unreasonable overshadowing any public open space.</i></p> <p>2. <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>	YES	<p>The Subject Site does not front public open space.</p> <p>The solar compliance check table in the Architectural Plan DA601 A confirms that a significant proportion of units would have an excess of 3 hours sunlight. 73% of Units private open space achieve 3 or more hours solar access.</p> <p>The shadow diagram (DA602 Issue A) confirms most of the shadow in mid-winter would fall on the Subject Site or Queenscliff Road with shadow affecting the eastern property, 69 Queenscliff Road at 3pm.</p>
<p>D7 Views</p> <p>Requirements</p> <p>1. <i>Development shall provide for the reasonable sharing of views.</i></p> <p>Note</p>	YES	A thorough view analysis is provided within the SEE. Findings confirm views can be retained to the western Units 5 and 7 from their respective balconies.

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<p><i>Assessment of applications will refer to the Planning Principle established by the Land and Environment Court in Tenacity Consulting v Warringah Council (2004) NSWLEC 140.</i></p>		<p>It is unreasonable to expect retaining side views from habitable rooms according to Part 2 of the Planning Principle established by the Land and Environment Court in Tenacity Consulting v Warringah Council (2004) NSWLEC 140.</p>
<p>D8 Privacy</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. <i>Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</i> 2. <i>Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</i> 3. <i>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> 4. <i>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> 5. <i>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>YES</p>	<p>The requirements of D8 "Privacy" are incorporated with living areas and large openings orientated to private open space areas or to the street.</p> <p>The Architectural Floor Plans show effective use of openings minimising side openings and where necessary incorporating louvres.</p>
<p>D9 Building Bulk</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. <i>Side and rear setbacks are to be progressively increased as wall height increases.</i> 2. <i>Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</i> 	<p>YES</p>	<p>Side and rear setbacks are progressively increased as height of building increases.</p> <p>Level 3 has additional side and front setbacks and the attic level has additional setbacks to all boundaries.</p>

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<p>3. <i>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> <ul style="list-style-type: none"> • <i>The amount of fill is not to exceed one metre in depth.</i> • <i>Fill is not to spread beyond the footprint of the building.</i> • <i>Excavation of the landform is to be minimised.</i> <p>4. <i>Building height and scale needs to relate to topography and site conditions.</i></p> <p>5. <i>Orientate development to address the street.</i></p> <p>6. <i>Use colour, materials and surface treatment to reduce building bulk.</i></p> <p>7. <i>Landscape plantings are to be provided to reduce the visual bulk of new building and works.</i></p> <p>8. <i>Articulate walls to reduce building mass.</i></p>		<p>The building complies with the Council 11 metre height requirement apart from minor roof encroachments.</p> <p>The building is orientated to address the street with large openings facing the street and vehicular and pedestrian access from Queenscliff Road.</p> <p>A varying high quality palette of materials and finishes are proposed reducing the building bulk.</p> <p>Landscaping is dedicated to all setbacks including the front setback helping to balance the presence of built form on Site.</p> <p>Walls are articulated adding to the visual interest of the building and reducing the building bulk.</p>
<p>D10 Building Colours and Materials</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. <i>In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.</i> 2. <i>The colours and materials of development on sites adjoining, or in close proximity to, <u>bushland</u> areas, waterways or the beach must blend in to the natural landscape.</i> 3. <i>The colours and materials used for <u>alterations and additions</u> to an existing structure shall complement the existing external building façade.</i> <p>Note</p>	<p>YES</p>	<p>A schedule of colours and materials (DA400 A & DA401 A) is provided.</p> <p>The building is highly visible as it fronts the street. Significant detail is proposed to all frontages especially the elevation facing Queenscliff Road.</p> <p>The pallet of finishes are light entwined with selective building materials such as sandstone and timber appropriate for the residential coastal locality.</p>

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<i>A schedule of colours and materials is to be submitted with all development applications</i>		
<p>D11 Roofs</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs. 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. 6. Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building. 	YES	<p>Lift overruns, plant and other mechanical equipment would not detract from the appearance of the roof.</p> <p>The roof is representative of a modern residential flat building.</p> <p>The roof is curved with mono pitch design to minimise its built form and provide visual interest.</p> <p>The roofing comprises composite panel cladding in a Pigmento Brown finish not causing excessive glare or reflection.</p>
<p>D13 Front Fences and Front Walls</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character. 2. Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence. 3. Fences located within the front building setback area are to complement the existing streetscape character. 4. Fences are to be constructed to allow casual surveillance, except where there is excessive noise. 5. Gates are not to encroach over the property boundary when opening or closing. 6. Fences should complement the architectural period of the building. 	YES	<p>A metal with a dark grey finish is proposed for the front of the Site. The fence would be open not solid allowing casual surveillance. An image of the proposed fencing can be found in drawing number DA400 Issue A.</p>

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<p>D14 Site Facilities</p> <p>Requirements</p> <p>1. Site facilities including <u>garbage</u> and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places. In particular:</p> <ul style="list-style-type: none"> • <u>Waste</u> and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection; • All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets; • <u>Garbage</u> areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers; • Landscaping is to be provided to reduce the impact of all <u>garbage</u> and recycling enclosures. They are to be located away from habitable rooms, bedrooms or living areas that may detract from the amenity of occupants; and • Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable. 	<p>YES</p>	<p>The proposed waste enclosure is durable surrounded by sandstone walls. The waste enclosure is screened from the street.</p> <p>Dwellings has potential space within the large private open spaces to include open air clothes drying facilities.</p> <p>Landscaping is proposed to surround the garbage and recycling enclosure.</p> <p>The mail boxes are into a side sandstone wall located behind the fire hydrant enclosure.</p>
<p>D15 Side and Rear Fences</p> <p>Requirements</p> <p>1. Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.</p>	<p>YES</p>	<p>Side fencing is not to be higher than 1.8 metres.</p>

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<p>2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.</p> <p>3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.</p>		
<p>D16 Swimming Pools and Spa Pools</p> <p>Requirements</p> <p>1. Pools are not to be located in the front building setback.</p> <p>2. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.</p> <p>3. Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.</p>	YES	2 spa pools are proposed for the private open space of Unit 3.03 and 3.04.
<p>D19 Site Consolidation in the R3 and IN1 Zone</p> <p>Requirements</p> <p>1. Development shall not result in adjacent allotments that have areas or dimensions, or are constrained in other ways, that would render such allotment(s) incapable of being developed in accordance with Warringah Local Environmental Plan.</p> <p>2. Lots are to be consolidated where necessary to ensure the development of one allotment will not render an adjoining one unsuitable for future development.</p> <p>3. For residential development in the R3 zone private open space may extend to a minimum of 3.5 metres from a side boundary.</p> <p>4. For residential development in the R3 zone basement carparking structures may be positioned up to a minimum of 2 metres from the side boundary but not be more than 1 metre above ground level.</p>	YES	<p>Consolidation of 71 & 71A Queenscliff Road will not render an adjoining Site as unsuitable for future development.</p> <p>The proposed provision of private open space within the side setbacks has been previously addressed in the compliance table.</p> <p>The basements are designed to be setback from the side boundaries.</p>

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D20 Safety and Security		
Requirements	YES	The building is designed to maximise overlooking to Queenscliff Road. Generous private courtyards are provided for Unit G.02 and Unit G.03 and the front facing is not blank ensuring casual surveillance.
1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	YES	
2. There is to be adequate lighting of entrances and pedestrian areas.	YES	Pedestrian entrances will be adequately lit.
3. Entrances to buildings are to be from public streets wherever possible.	YES	Entrance to the building will be from Queenscliff Road.
4. Buildings are to be designed to allow casual surveillance of the street, for example by: <ul style="list-style-type: none"> a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved; b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance; c) Locating high use rooms to maximise casual surveillance; d) Clearly displaying the street number on the front of the building in pedestrian view; and e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters. 	YES	As outlined in requirement openings are maximised from the building to ensure overlooking of the streetscape.
5. Design entrances to buildings from public streets so that: <ul style="list-style-type: none"> a) Building entrances are clearly identifiable, defined, lit and visible; b) Main entrances are clearly identifiable; c) Pavement surfaces and signage direct pedestrian movements; and d) Potential conflict between pedestrians and vehicles is avoided. 	YES	The pedestrian entrance is clearly identifiable, and separation is provided from vehicular and pedestrian access.

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<p>D21 Provisions and Location of Utility Services</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. If a proposed development will involve a need for them, <u>utility services</u> must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage. 2. Service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets. 3. Where possible, underground <u>utility services</u> such as water, gas, telecommunications, electricity and gas are to be provided in a common trench. The main advantages for this are: <ol style="list-style-type: none"> a) A reduction in the number of trenches required; b) An accurate location of services for maintenance; c) Minimising the conflict between services; Minimising land required and cost; 4. The location of <u>utility services</u> should take account of and minimise any impact on natural features such as <u>bushland</u> and natural watercourses. 5. Where natural features are disturbed the soil profile should be restored and landscaping and <u>tree</u> planting should be sited and selected to minimise impact on services, including existing overhead cables. 6. Where utilities are located above ground, screening devices should include materials that complement the streetscape, for example fencing and landscaping. The location of service structures such as electricity substations should be within the site area. 7. Habitable buildings must be connected to Sydney Water's sewerage system where the density is one dwelling per 1050 square metres or greater. 8. On land where the density is less than one dwelling per 1050 square metres, and where connection to Sydney Water is not 	<p>YES</p>	<p>Services are located in the basement with a designated mechanical room in Basement 1 (DA101 Issue A).</p>
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<p><i>possible, Council may consider the on-site disposal of effluent where the applicant can demonstrate that the proposed sewerage systems or works are able to operate over the long term without causing unreasonable adverse effects.</i></p>		
<p>D22 Conservation of Energy and Water</p> <p>Requirements</p> <ol style="list-style-type: none"> 1. The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy. 2. Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties. 3. Buildings are to be designed to minimize energy and water consumption. 4. Landscape design is to assist in the conservation of energy and water. 5. Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks. 6. All development must comply with Council's Water Management Policy. 	<p>YES</p>	<p>The building is sited to ensure 73% solar access and 80% cross ventilation.</p> <p>The majority of the units are north facing.</p> <p>Landscaping is proposed throughout every setback including on upper levels to conserve water and energy.</p> <p>Large parts of the Site are designated as deep soil increasing stormwater retention.</p>
<p>Part E The Natural Environment</p>		
<p>E1 Preservation of Trees or Bushland Vegetation</p> <p>Requirements for Vegetation Clearing Permits</p> <ol style="list-style-type: none"> 1. A person shall not ringbark, cut down, top, lop, remove, poison, injure, or wilfully destroy any <u>tree</u> or <u>bushland</u> vegetation that requires a Vegetation Clearing Permit under the provisions of Part 3 of the Vegetation SEPP. This includes damage to a <u>tree</u> or <u>bushland</u> vegetation by: 	<p>YES</p>	<p>The Development Application is accompanied by an Arboricultural Report by Naturally Trees.</p> <p>The proposed Development Application will require removal of 7 trees which are exempt from the Northern Beaches Council Tree Preservation Order.</p>

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<ul style="list-style-type: none">• <i>Damaging or tearing live branches and roots;</i>• <i>Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in a detrimental impact on <u>tree</u> health;</i>• <i><u>Tree</u> topping, where large branches and/or the trunk of the <u>tree</u> is removed from the top of the trees canopy;</i>• <i><u>Tree</u> lopping, where branches are removed to reduce the height and spread of the <u>tree</u>.</i>• <i>Damaging the root zone of a <u>tree</u> by way of compaction, including storage and stockpiling materials;</i>• <i>Changing of ground levels within the root zone of a <u>tree</u> by way of excavation, trenching, filling or stockpiling;</i>• <i>Underscrubbing of <u>bushland</u> vegetation;</i>• <i>Burning of vegetation (not part of a <u>Hazard</u> Reduction Certificate); or</i>• <i>Any other act or activity that causes the destruction of, the severing of trunks or stems of, or any other substantial damage to, some or all of the native vegetation in an area.</i> <p><i>Where such activities are required as part of other works for which a Development Application (DA) is required, the works will be assessed as part of the DA.</i></p>		<p>Replacement planting including trees are proposed as outlined in the Landscape Plans.</p> <p>One tree at the rear corner of the Site (<i>Araucaria heterophylla</i>) will be retained and protective measures as detailed in the Arborist Report are to be abided by.</p>
<p>E10 Landslip Risk</p> <p>1. <i>The applicant must demonstrate that:</i></p> <ul style="list-style-type: none">• <i>The proposed development is justified in terms of geotechnical stability; and</i>	<p>YES</p>	<p>Martens Consulting Engineers in the Geotechnical Assessment found no evidence of former or current large-scale slope movement (landslip).</p> <p>Martens identify the rock strength as medium to high.</p> <p>Excavation and rock support methods are proposed.</p>

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<ul style="list-style-type: none"> <i>The proposed development will be carried out in accordance with good engineering practice.</i> 		
2. <i>Development must not cause detrimental impacts because of stormwater discharge from the land.</i>	YES	Stormwater provisions are included within the Development Application.
3. <i>Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.</i>	YES	Groundwater inflow was not encountered during investigatory drilling of boreholes. Martens contend that basement excavations are unlikely to intercept the permanent groundwater table.
<p>4. <i>To address Requirements 1 to 3:</i></p> <p><i>i) For land identified as being in Area B or Area D:</i></p> <p><i>A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application.</i></p> <p><i>If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application.</i></p> <p><i>Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably</i></p>	YES	A Geotechnical Assessment by Martens Consulting Engineers is included in the Development Application package. The report dated June 2019 (P1907159JR01V02). The report addresses both groundwater and surface water management.

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<i>qualified geotechnical/ hydrological engineer, must be submitted with the development application.</i>		
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