

An architectural rendering of a modern, two-story house with a steep, dark grey gabled roof and light-colored vertical cladding. The house features large glass windows and a covered outdoor area with white furniture. In the foreground, there is a rectangular swimming pool with a person swimming. The property is surrounded by lush greenery, including tall trees and various shrubs. The sky is clear and blue.

# GYDE

## Statement of Environmental Effects

Proposed Dwelling Houses  
121 Dove Lane, Warriewood

submitted to Northern Beaches Council  
on behalf of Morehuman Warriewood Pty Ltd

**This report was prepared by:**

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**Project:** 21-339  
**Report Version:** Final

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## ACCOMPANYING DOCUMENTATION

DOCUMENT	PREPARED BY
Architectural Plans	PopovBass
Landscape Plans	Habit8 Landscape Architecture & Urbanism
Civil Plans	Craig & Rhodes
Survey Plan	Craig & Rhodes
BASIX Certificate	Sustainable Thermal Solutions
Arboricultural Impact Appraisal and Method Statement	Naturally Trees
Acid Sulfate Soils Assessment	GeoEnviro Consultancy Pty Ltd
Bushfire Protection Assessment	Eco Logical Australia
Flora and Fauna Assessment	Eco Logical Australia
Remediation Action Plan	GeoEnviro Consultancy Pty Ltd
Water Management Report, DRAINS Modelling and MUSIC Modelling	Craig & Rhodes
Cost Summary Report	Mitchell Brandtman

## SUMMARY

<b>PROPOSED DEVELOPMENT</b>	Construction of two (2) x two-storey dwelling houses each with a two-car garage, a swimming pool for each dwelling, landscaping, stormwater drainage works and bulk earthworks.
<b>STREET ADDRESS</b>	121 Dove Lane, Warriewood
<b>LEGAL DESCRIPTION</b>	Lot 7 in Deposited Plan (DP) 1251955
<b>APPLICANT/ LAND OWNER</b>	Morehuman Warriewood Pty Ltd
<b>CAPITAL INVESTMENT VALUE</b>	\$2,092,713
<b>RELEVANT SECTION 4.15 MATTERS</b>	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Biodiversity Conservation Management Act 2016</li> <li>• Environmental Planning and Assessment Regulation 2021</li> <li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>• Pittwater Local Environmental Plan 2014</li> <li>• Pittwater 21 Development Control Plan</li> </ul>
<b>SUPPORTING DOCUMENTATION</b>	<ul style="list-style-type: none"> <li>• Architectural Plans</li> <li>• Landscape Plans</li> <li>• Civil Plans</li> <li>• Survey Plan</li> <li>• BASIX Certificate</li> <li>• Arboricultural Impact Appraisal and Method Statement</li> <li>• Acid Sulfate Soils Assessment</li> <li>• Bushfire Protection Assessment</li> <li>• Flora and Fauna Assessment</li> <li>• Remediation Action Plan</li> <li>• Water Management Report. DRAINS Modelling and MUSIC Modelling</li> </ul>

## 1. EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared for Morehuman Warriewood Pty Ltd by Gyde Consulting (Gyde) to accompany a Development Application (DA) to the Northern Beaches Council (Council). The DA seeks consent for the construction of two (2) dwelling houses at 121 Dove Lane, Warriewood (the site). Consent is also sought for landscaping, stormwater drainage works, earthworks and construction of swimming pools for each dwelling.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Section 24 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Reg) and seeks to:

- Describe the proposed development and its context;
- Assess the proposed development against the applicable planning controls and guidelines; and
- Assess the potential environmental impacts and mitigation measures.

The proposed development is defined as “*dwelling houses*” under Pittwater Local Environmental Plan 2014 (PLEP 2014). Dwelling houses are permitted with development consent in the R3 Medium Density Residential zone. The site is the subject of a 10.5 metre height of buildings development standard under Clause 4.3 of the PLEP 2014. The proposed development has a maximum height of 10.115 metres and therefore complies within this development standard. No maximum development standard for floor space ratio (FSR) applies to the site under the PLEP 2014. However, Clause 6.1 of the PLEP 2014 does provide dwelling density controls for the Warriewood Valley Release Area, which limits the site and surrounding properties to no more than 33 dwellings or less than 26 dwellings as a whole. With the recently approved development of thirty-one (31) dwellings on 101,111 and part 121 Dove Lane (DA2021/0053), the proposed development complies with the upper limit of the prescribed dwelling density control.

The proposed development has also been assessed against the *Pittwater Development Control Plan 2014* (PDCP 2014). This assessment found the proposed development generally complies with the controls within the PDCP 2014, including those controls relating to front, side and rear building lines (i.e., setbacks), landscaped area and solar access. A minor variation is proposed to the garage door width to one of the dwellings that is justified within this SEE.

This SEE concludes that the proposed development is of an appropriate bulk, scale and form for the site, is consistent with the desired future character of the area, is well designed and has no adverse amenity impacts. Therefore, the proposed development will deliver a suitable and appropriate development for the site and is worthy of consent.

### 1.1. Background

The site forms part of the wider Warriewood Valley Release Area as demonstrated within the map extract overleaf (Figure 1). With the first stage of the land release in this area occurring in 1997 and comprising 1,510 dwellings, Council now anticipates up to 2,544 dwellings and associated facilities and infrastructure across 195 hectares of land. Additionally, the Warriewood Valley Release Area includes 3.7 hectares of employment generating development.

Specifically, the site sits within Sector 901G of the Warriewood Valley Release Area as is shown in the map extract overleaf.

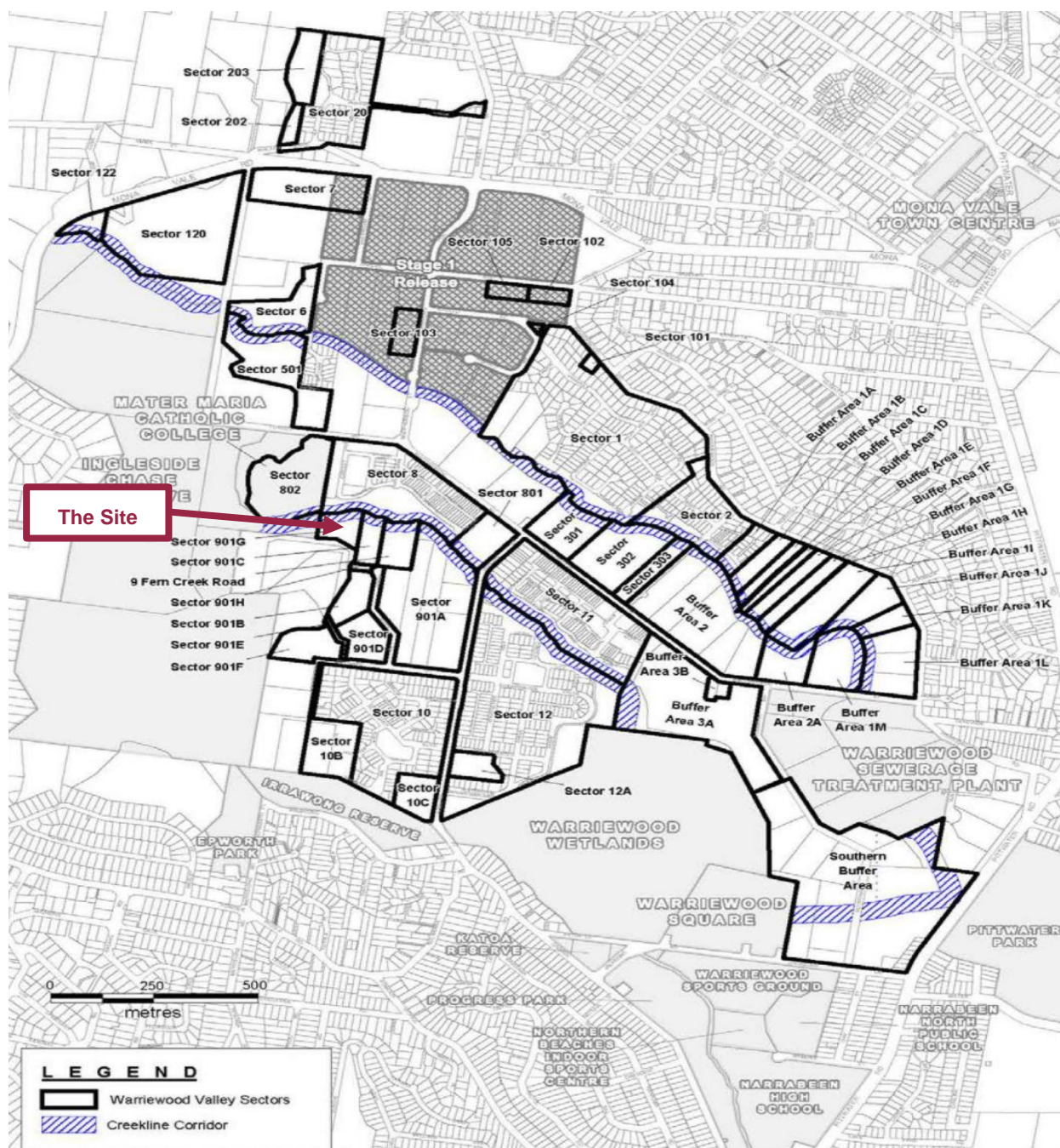


Figure 1: Warriewood Valley Release Area Map extract (Source: Northern Beaches Council)



The site was part of a larger land holding that has been the subject of various development applications over the years, and which have been consistent with the intended outcomes for the Warriewood Valley Release Area. A history of these development applications for which consent has been granted is included in the table provided below.

Table 1: History of past development applications.

DA NO.	LODGED	PROPOSED DEVELOPMENT	APPROVED
DA2018/1044	20 June 2018	Subdivision of Part Lots 11, 12 and 13 in Deposited Plan (DP) 1092788 and Part Lot 5 in DP 73961 into three (3) lots and construction of roads, drainage and associated infrastructure.	15 May 2021
DA2020/1727	18 February 2021	Subdivision of one of the lots approved under DA 2018/1044 into three (3) lots, being two (2) single residential lots (Lots 1 and 2) and a residual (super) lot.  Note: Lots 1 and 2 of this development form the site the subject of this application.	20 August 2021
DA2021/0053	25 February 2021	Construction of a staged medium density residential development comprising thirty-one (31) dwellings and community title subdivision on two of the lots approved under DA 2018/1044 and the residual (super) lot approved under the more recent DA2020/1727.  Note: As part of	7 September 2021

DA NO.	LODGED	PROPOSED DEVELOPMENT	APPROVED
		DA2021/0053, the subdivision layout of Lots 1 and 2 approved under DA2020/1727 was revised (see Figure 2 below for details).	

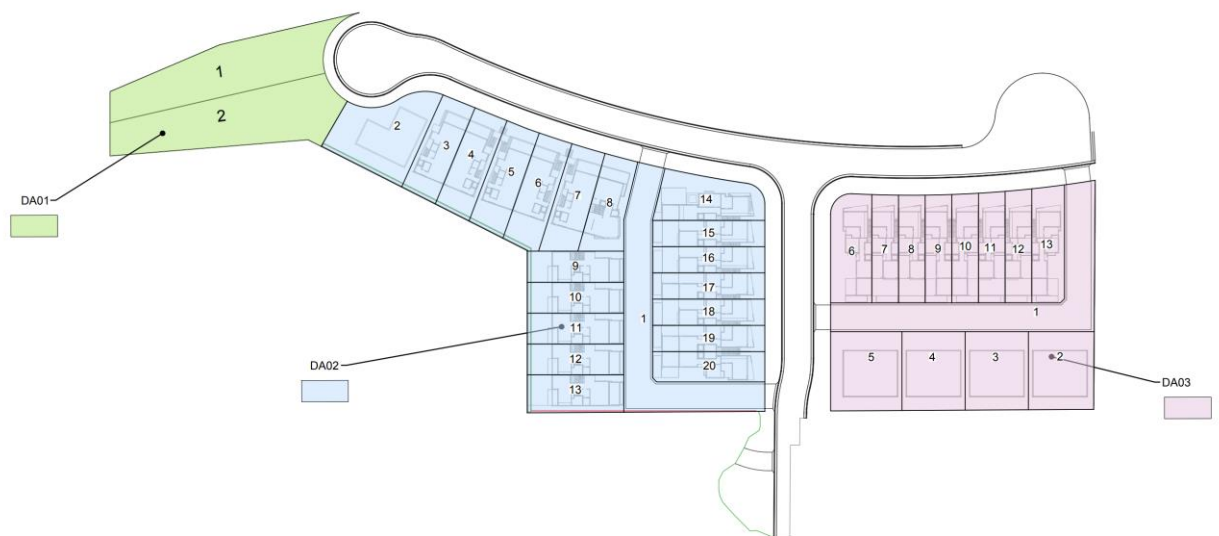


Figure 2: Approved staging plan for DA2021/0053 – site identified as DA01 and in green (Source: Craig & Rhodes)

## 2. SITE ANALYSIS

### 2.1. Site Description

The site is located at 121 Dove Lane, Warriewood and comprises part of a large single allotment of land. This allotment of land is legally described as Lot 7 in DP 1251955 as detailed on the accompanying detailed survey plan. However, approval was granted by Council to DA2020/1727 to subdivide this lot into three (3) lots on 20 August 2021, with the proposed development located on the two single residential lots created as part of this previous application. The site is located within the western end cul-de-sac of Dove Lane and forms an irregular shaped parcel. It currently comprises vacant land and has been subject to some of the previously approved works under DA 2018/1044.

The site of the proposed development has an approximate frontage of 20.328 metres (12.499 metres for Lot 1 and 7.829 metres for Lot 2) to Dove Lane, with Lot 1 having a site area of 612.21m<sup>2</sup> and Lot 2 having a site area of 667.48m<sup>2</sup> for a combined site area of 1,279.69m<sup>2</sup>.



Figure 3: Aerial view of site – approximate site outlined in red (Source: Nearmap/ Gyde)

## 2.2. Site Context

The site is located in the suburb of Warriewood within the Northern Beaches Local Government Area (LGA). Warriewood is located approximately 26 kilometres north of the Sydney Central Business District (CBD). Warriewood forms part of the Northern Beaches region of Sydney that extends from Manly in the south to Palm Beach in the north. It is a largely residential area with some commercial and industrial uses interspersed throughout, including along Pittwater Road, Warriewood Square, Flower Power Garden Centre and Warriewood Industrial Estate. Warriewood also includes beaches (Warriewood Beach and Turimetta Beach), public open spaces and various schools.

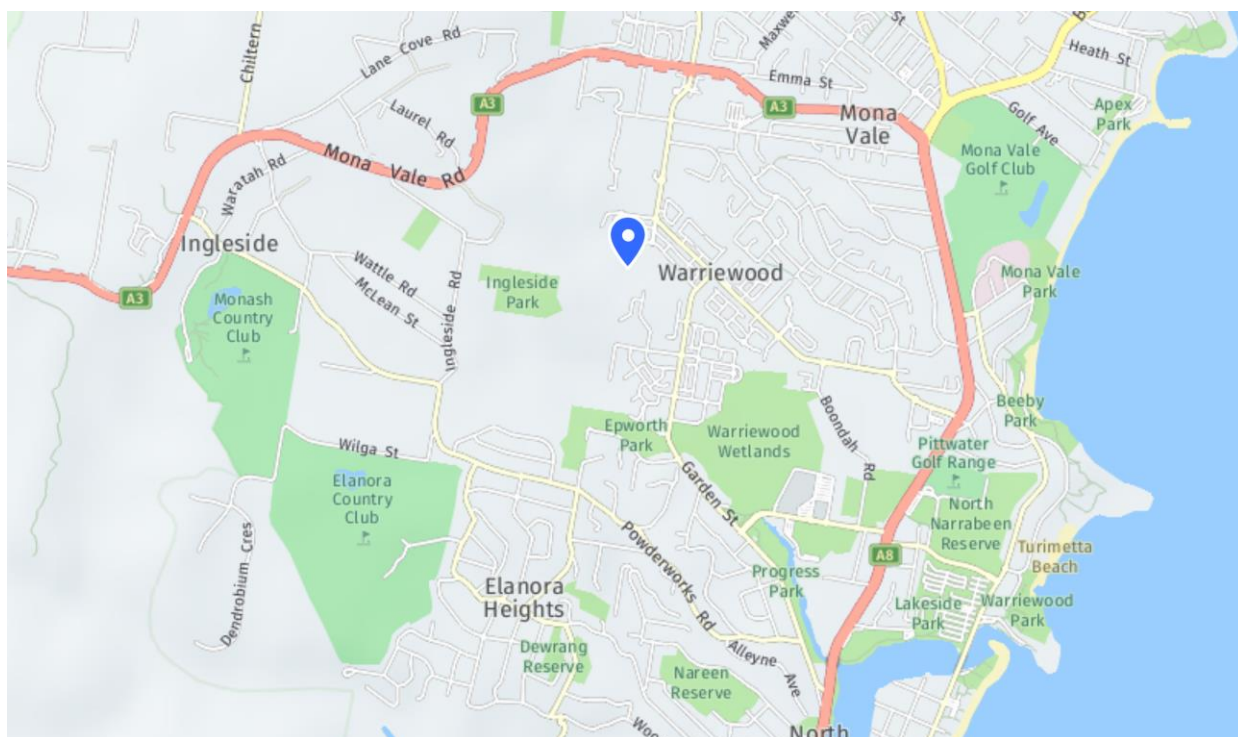


Figure 4: Location context map – site identified by blue marker (Source: Nearmap)



### 3. PROPOSED DEVELOPMENT

The proposed development seeks consent for the construction of two (2) dwelling houses at 121 Dove Lane, Warriewood. Consent is also sought for landscaping works, stormwater drainage works, earthworks and swimming pools.

The following provides a summary of the proposed development across each of the levels of the two dwellings houses.

Table 2: Level by level summary of the proposed development

LEVEL	USE
Level 1 (Ground Level)	<b>House 1</b> <ul style="list-style-type: none"> <li>Two-car garage (including bin storage)</li> <li>Entry</li> <li>Living</li> <li>Dining</li> <li>Kitchen</li> <li>Laundry</li> <li>Bathroom</li> <li>Outdoor terrace and kitchen</li> <li>Swimming pool</li> <li>Rear yard and landscaping</li> </ul> <b>House 2</b> <ul style="list-style-type: none"> <li>Two-car garage (including bin storage)</li> <li>Entry</li> <li>Bedroom 4 (with en-suite)</li> <li>Landscaping</li> </ul>
Level 2 (Second Storey)	<b>House 1</b> <ul style="list-style-type: none"> <li>Bedrooms 1 (with en-suite, walk-in-robe and balcony), 2, 3 and 4</li> <li>Bathroom</li> <li>Family</li> <li>Study</li> </ul> <b>House 2</b> <ul style="list-style-type: none"> <li>Living</li> <li>Dining</li> <li>Kitchen</li> <li>Butler's kitchen</li> <li>Laundry</li> <li>Bathroom</li> <li>Family (with balcony)</li> <li>Swimming pool</li> <li>Rear yard and landscaping</li> </ul>

LEVEL	USE
Level 3 (Third Storey)	<b>House 2</b> <ul style="list-style-type: none"> <li>• Bedrooms 1 (with en-suite, walk-in-robe and balcony), 2 and 3 (with balcony)</li> <li>• Bathroom</li> <li>• Study</li> </ul>

The front and side perspectives of each of the proposed dwelling houses can be viewed in the figures provided below.



Figure 5: House 1 front perspective (Source: PopovBass)



Figure 6: House 1 side/ rear perspective (Source: PopovBass)



Figure 7: House 2 front perspective (Source: PopovBass)



Figure 8: House 2 side/ front perspective (Source: PopovBass)

Each of the proposed dwelling houses is uniquely designed and an easily identifiable part of this larger development area. This is consistent with the village environment that the architect's sought to create under this previous approval, being a human-scaled environment with easy access and in walking distance to the park and other adjacent open spaces.

The highly articulated facades are used to clearly identify each unique dwelling house within the proposed

development, including angled roofs and a series of high-quality materials and finishes that also create visual interest. Landscaping rather than fencing is proposed along the northern boundary of Lot 1 of the proposed development, providing a “natural” transition between the adjacent public open space and residential development.

Refer to the Architectural Plans prepared by PopovBass that accompany this DA for further details of the proposed development.

The key development statistics for this proposed dwelling house development are summarised in the following table.

*Table 3: Development statistics*

ELEMENT	PROPOSED DEVELOPMENT
Site Area	1,279.69m <sup>2</sup> (Lot 1 – 612.21m <sup>2</sup> and Lot 2 – 667.48m <sup>2</sup> )
Total Dwellings	Two (2)
Maximum Height	House 1 – 10.072 metres House 2 – 10.115 metres
Total Parking	Four (4) (i.e., two (2) spaces per dwelling)
Private Open Space	House 1 – 134.11m <sup>2</sup> House 2 – 123.34m <sup>2</sup>
Landscaped Area	House 1 – 293m <sup>2</sup> (47.86%) House 2 – 335.7m <sup>2</sup> (50.29%)

## 4. ASSESSMENT

The proposed development has been assessed against the following relevant State and local planning controls, including:

- *Environmental Planning and Assessment Act 1979*;
- Environmental Planning and Assessment Regulation 2021;
- Biodiversity Conservation Act 2016;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Pittwater Local Environmental Plan 2014; and
- Pittwater 21 Development Control Plan.

This detailed assessment against the above relevant State and local planning controls is included in the following sections.

### 4.1. Environmental Planning and Assessment Act 1979

#### 4.1.1. Section 4.15

Section 4.15(1) of the EP&A Act specifies that matters that a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 of the EP&A Act are addressed within Table 4 below.

*Table 4: Assessment of the proposed development against the relevant provisions of the EP&A Act*

SECTION	COMMENT
Section 4.15(1)(a)(i) Any environmental planning instrument (EPI)	Consideration of relevant EPIs is discussed in Section 4.
Section 4.15(1)(a)(ii) Any draft EPI	There are no draft EPIs that have been publicly exhibited that would affect the outcomes of the proposed development.
Section 4.15(1)(a)(iii) Any development control plan	An assessment of the proposed development against the relevant provisions of the PDGP 2014 is included in Section 4.6.
Section 4.15(1)(a)(iia) Any planning agreement	N/A
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Consideration of the various matters that are prescribed by the regulations is included within Section 4.2 of this SEE.
Section 4.15(1)(b) The likely impacts	The proposed development will not result in any significant adverse impacts on the environment, noting



SECTION	COMMENT
	<p>many of these issues were considered as part of past approvals, including tree removal, biodiversity and contamination. The residential nature of the proposed development is such that it will not generate any emissions, and dust during the construction phase will be managed by implementing erosion and sediment control measures. The proposed development also meets the relevant stormwater quantity and quality requirements as detailed within the accompanying Water Management Report.</p> <p>The proposed development has been designed and will be constructed in accordance with the bushfire protection measures identified within the Bushfire Protection Assessment. This will ensure there are no unacceptable bushfire impacts on the proposed development and vice versa. This is discussed in detail within Section 5.1 below.</p> <p>The proposed development will also not result in any significant overshadowing on neighbouring properties. It is setback from surrounding development and designed to maximise acoustic and visual privacy of its neighbours, while also maximising the amenity for the future residents of the proposed development, including direct solar access to living rooms and private open spaces.</p> <p>The proposed development provides double garages for each of the dwelling houses, and therefore will not impact on available on-street parking.</p> <p>The proposed development also provides a positive impact on housing supply and choice within close proximity of public transport, parks, beaches and schools while also providing surveillance of the public domain.</p> <p>The proposed development will have a positive economic impact, providing employment opportunities during the excavation and construction phases of the proposed development.</p>

SECTION	COMMENT
<p>Section 4.15(1)(c) The suitability of the site</p>	<p>The site is zoned R3 Medium Density Residential with a 10.5-metre building height limit under Council's planning controls. Dwelling houses are a permissible form of development within the R3 Medium Density Residential zone. The proposed development complies with the height limit and density controls prescribed by the PLEP 2014.</p> <p>The site has an area and dimensions that are capable of accommodating residential development of this type and scale, that generally comply with the PDCP 2021 controls, and maximise the internal and external amenity.</p> <p>The site is suitable for its proposed development's residential use as is detailed within the table in Section 4.4.</p> <p>As demonstrated below in Section 5.1 of this SEE, the proposed development is compatible with the bushfire risk associated with the site and surrounding properties, with bushfire protection measures to be implemented.</p>
<p>Section 4.15(1)(d) Any submissions</p>	<p>It is understood that the DA for the proposed development will be publicly notified as is statutorily required. Any submissions that are received during the notification period will need to be considered by Council and addressed within their assessment of the proposed development.</p>
<p>Section 4.15(1)(e) The public interest</p>	<p>The proposed development will increase housing choice by developing the remaining two (2) lots in a residential subdivision. This subdivision includes a mix of housing types, mainly comprising semi-detached and attached dwellings. The provision of dwelling houses with four (4) bedrooms will contribute to the housing mix in this locality. It will also increase the number of dwellings that are near public transport, services and facilities without resulting in significant environmental impacts. The proposed development is in the public interest.</p>

## 4.2. Environmental Planning and Assessment Regulation 2021

### 4.2.1. Section 61 – Additional matters that consent authority must consider

Section 61 of the EP&A Reg prescribes those additional matters that are to be taken into consideration by a consent authority in assessing and determining a DA for the purposes of Section 4.15(1)(a)(iv) of the EP&A Act. None of the additional matters that are prescribed under Section 61 of the EP&A Reg relate to the proposed development.

### 4.2.2. Section 69 – Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

Any building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA), pursuant to Section 61 of the EP&A Reg and can be conditioned as part of any development consent granted for the DA.

## 4.3. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) commenced on 25 August 2017 and applies to all NSW. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and in the future, consistent with the principles of ecologically sustainable development. Subsequently, it lists and protects threatened species, populations, habitats and ecological communities. Impacts to any threatened species and endangered ecological communities listed under the BC Act are required to be taken in account for determining a DA for a proposed development or activity in accordance with section 7.3 of the BC Act. Applicants must also consider if their development will exceed any of the following biodiversity offset scheme thresholds:

1. Exceeding the clearing threshold of an area of native vegetation;
2. Carrying out development on land included in the Biodiversity Values Land Map; or
3. Having a 'significant effect' on threatened species or ecological communities.

A Flora and Fauna Assessment was prepared by Eco Logical Australia Pty Ltd to accompany DA2021/0053. This assessment concluded that the approved development would not trigger entry into the biodiversity offset scheme and therefore a Biodiversity Development Assessment Report (BDAR) was not required to be submitted with the DA. The proposed development the subject of this DA does not alter the conclusions of this Fauna and Flora Assessment. A copy of the assessment previously prepared by Eco Logical Australia Pty Ltd accompanies this DA for information purposes.

## 4.4. State Environmental Planning Policies

An assessment of the proposed development against the relevant State Environmental Planning Policies is at Table 5.

Table 5: Assessment of the proposed development against the relevant SEPPs

SEPPS	COMMENT	COMPLIANCE
SEPP (Biodiversity and Conservation) 2021	<p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (Biodiversity and Conservation SEPP) consolidates, transfers and repeals provisions of the 11 SEPPs (or deemed SEPPs), including but not limited to, <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>.</p> <p>Chapter 2 of the Biodiversity and Conservation SEPP relates to vegetation in non-rural areas and aims to protect the biodiversity values of trees and other vegetation and preserve the amenity of non-rural areas through tree preservation. Consent for the removal of trees from the site was obtained under DA2021/0053 that included the site, consent for the removal of sixteen (16) trees were sought as part of the DA, of which replacement planting was required for five (5) of these trees. An Arboricultural Impact Assessment was prepared to support this tree removal, and a copy of this report prepared by Naturally Trees accompanies this DA.</p> <p>As shown on the Tree Management Plan included at Appendix 8 of this report, Tree 46 along the site's western boundary was proposed to be retained, as were Trees 42 and 44 towards the site's southern boundary. Only Tree 43 along the site's eastern boundary was proposed for removal. The proposed development does not include any additional tree removal, and the trees to be retained have been incorporated into the landscape design. The Arboricultural Impact Assessment includes tree protection measures, which will be implemented during construction of the proposed development. The implementation of such measures can be imposed as a condition.</p>	Yes
SEPP (BASIX) 2004	<p><i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> (BASIX) applies to all residential dwelling types (including dwelling houses) and is therefore applicable to the proposed development. Overall, its aim is to deliver equitable, effective water and greenhouse gas emissions.</p> <p>The BASIX SEPP requires the submission of a BASIX certificate to accompany an application for a development consent for any "BASIX affected building" being a building that contains one or more residential dwellings. A BASIX Certificate for the proposed development has been prepared and forms part of the accompanying documentation that is submitted to Council with this DA, demonstrating its compliance with targets for energy, water and thermal comfort.</p>	Yes
SEPP (Resilience and Hazards) 2021	<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) consolidates and repeals the following	Yes



SEPPS	COMMENT	COMPLIANCE
	<p>SEPPs:</p> <ol style="list-style-type: none"> <li>1. SEPP (Coastal Management) 2018 (Coastal Management SEPP);</li> <li>2. SEPP 33 – Hazardous and Offensive Development (SEPP 33); and</li> <li>3. SEPP 55 – Remediation of Land (SEPP 55).</li> </ol> <p>Section 4.6 of this SEPP requires that a consent authority must not grant consent to any development on land unless it has considered whether a site is contaminated land or potentially contaminated land, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation). Preliminary (phase 1) and detailed (phase 2) contamination investigations were undertaken for the previous subdivision application (i.e., DA2018/1044). These investigations found the site had a low risk of contamination. However, they also found it to be impacted by some rubbish fill. Two areas of environmental concern (AEC) were identified within the site.</p> <p>A Remediation Action Plan (RAP) has been prepared and is required to be implemented in accordance with the development consent for DA2018/1044. The proposed development will occur after this approval and Council can be satisfied that the site will be suitable for the proposed development.</p> <p>A copy of the RAP prepared by GeoEnviro Consultancy accompanies this DA.</p>	

#### 4.5. Pittwater Local Environmental Plan 2014

The PLEP 2014 is the main EPI that applies to the site and therefore the proposed development the subject of this DA. An assessment of the proposed development against the relevant provisions of the PLEP 2014 is at Table 6 below.

Table 6: Assessment of the proposed development against the relevant provisions of the PLEP 2014

CLAUSE	PROVISION	COMMENT	COMPLIANCE
<b>Part 4 Principal Development Standards</b>			
Cl 4.3 Height of Buildings	10.5 metres	10.115 metres	Yes
<b>Part 6 Urban Release Areas</b>			
Cl 6.1 Warriewood Valley Release	The site is located within Sector 901G of the Warriewood Valley Release Area as identified on the	Thirty-one (31) dwellings were approved across Sectors 901C, 901G and 9 Fern Creek Road under	Yes

CLAUSE	PROVISION	COMMENT	COMPLIANCE
Area	<p>PLEP 2014 Urban Release Area Map.</p> <p>Not more than 33 dwellings or less than 26 dwellings are to be erected across Sectors 901C, 901G and 9 Fern Creek Road of the release area.</p>	<p>the most recent DA for the site (i.e., DA2021/0053).</p> <p>The proposed development includes the construction of two (2) dwellings on the lots approved under DA2021/1727.</p> <p>The proposed development, combined with the approved development, provides for a total of thirty-three (33) dwellings in Sectors 901C, 901G and 9 Fern Creek Road.</p>	
<b>Part 7 Additional Local Provisions</b>			
CI 7.1 Acid Sulfate Soils	The site is identified as being affected by Class 5 acid sulfate soils on the PLEP 2014 Acid Sulfate Soils Map.	An Acid Sulfate Soils Assessment was prepared by GeoEnviro Consultancy to accompany DA2018/1044. It concludes that the upper sandy soils are not significantly impacted by acid sulfate soils. The proposed development does not alter GeoEnviro Consultancy's conclusion, and therefore an Acid Sulfate Soils Management Plan is not required. However, the Acid Sulfate Soils Assessment does note that the site should be monitored for acid sulfate soil reaction if excavation works are undertaken deeper than 2 metres.	Yes
CI 7.2 Earthworks	Earthworks are not to have a detrimental impact on environmental functions or processes, neighbouring uses, cultural or heritage items or features of the surrounding environment.	The proposed development seeks consent for some earthworks to facilitate the proposed development. This includes cut (640m <sup>3</sup> ) and fill (26m <sup>3</sup> ), with an excess cut balance (614m <sup>3</sup> ). Refer to the Bulk Earthworks Plan prepared by Craig & Rhodes for further details of the earthworks proposed as part of this DA.	Yes

CLAUSE	PROVISION	COMMENT	COMPLIANCE
		The proposed development relies on typical construction methods that are not expected to significantly alter existing environmental functions or processes or impact on surrounding land. This includes the implementation of an Erosion and Sediment Control Plan to be implemented during construction, which is included in the Civil Plans prepared by Craig & Rhodes for this DA.	
CI 7.6 Biodiversity	Terrestrial, riparian and aquatic biodiversity are to be maintained by protecting native flora and fauna, protecting the ecological processes necessary for their continued existence and encouraging the conservation and recovery of native fauna and flora and their habitats.	<p>A narrow strip along the site's southern boundary is identified as 'Biodiversity' on the Biodiversity Map.</p> <p>A Flora and Fauna Assessment was submitted with DA2018/1044, which found the subdivision and future development of the lots created is unlikely to have a significant impact on any threatened flora or fauna species and does not have an impact on any areas mapped as having biodiversity. A copy of this report accompanies this DA for ease of reference.</p> <p>It is important to recognise that the site was formerly part of a larger allotment that included higher value ecological lands that were located within the Fern Creek riparian corridor, which were placed in a separate allotment in DA2018/044 for protection, leaving the unconstrained portions of that larger allotment for development.</p>	Yes
CI 7.10 Essential Services	Services essential for the development must be available, or adequate arrangements must be	All services are available to the site or have been planned as part of the development.	Yes

CLAUSE	PROVISION	COMMENT	COMPLIANCE
	made to make them available for the development		

#### 4.6. Pittwater 21 Development Control Plan

An assessment of the proposed development against the relevant provisions of the PDCP 2014 is at Table 7 below.

Table 7: Assessment of the proposed development against the relevant provisions of the PDCP 2014

PROVISIONS	COMMENTS	COMPLIANCE
<b>Section B General Controls</b>		
<b>B3 Hazard Controls</b>		
<b>B3.2 Bushfire Hazard</b>	A Bushfire Protection Assessment was prepared by Eco Logical Australia for DA2021/0053. This report remains relevant to the proposed development and therefore a copy of this report is part of the documentation accompanying this DA. This assessment was prepared in accordance with <i>Planning for Bushfire Protection</i> , and identifies various bushfire protection measures to be implemented, which have been adopted for the purpose of the proposed development. Refer to Section 5.1 of this SEE for further details regarding bushfire.	Yes
<b>B3.6 Contaminated Land and Potentially Contaminated Land</b>	Refer to the Section 4.4 of the SEE for the assessment of the proposed development in accordance with the new Resilience and Hazards SEPP, which seeks to consolidate and repeal the provisions of SEPP 55 and two other SEPPs.	Yes
<b>B4 Controls Relating to the Natural Environment</b>		
<b>B4.22 Preservation of Trees and Bushland Vegetation</b>	Refer to Section 4.4 of the SEE for the assessment of the proposed development in accordance with the new Biodiversity and Conservation SEPP, which consolidates and repeals the Vegetation SEPP and various other SEPPs.	Yes
<b>B6 Access and Parking</b>		
<b>B6.3 Off-Street Vehicle Parking Requirements</b>	Dwellings with 2 or more bedrooms are required to provide two (2) car parking spaces. Each of the dwellings that form part of the proposed development includes a two-car garage as is evident on the accompanying Architectural Plans.	Yes

PROVISIONS	COMMENTS	COMPLIANCE
<b>B8 Site Works Management</b>		
<b>B8.1 Construction and Demolition – Excavation and Landfill</b>	The proposed development involves bulk earthworks (refer to Bulk Earthworks Plan), which includes cut of approximately 640m <sup>3</sup> and fill of approximately 26m <sup>3</sup> . The maximum excavation depth proposed is approximately 2.5-3 metres and is associated with the construction of the swimming pools for each dwelling. The maximum fill depth proposed is approximately 2 metres. Further details of the proposed bulk earthworks will be submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the Construction Certificate documentation, demonstrating compliance with the requirements of the Geotechnical Risk Management Policy for Pittwater that has been adopted by Council.	Yes
<b>B8.3 Construction and Demolition – Waste Minimisation</b>	A detailed Waste Management Plan for the excavation and construction phases of the proposed development will be prepared at the Construction Certificate stage once a contractor has been engaged and prior to construction works commencing. In accordance with the controls of this part of the PDCP 2014, waste materials generated during these phases will be minimised by re-using or recycling or disposed of at an appropriate waste facility as approved by Council.	Yes
<b>B8.4 Construction and Demolition – Site Fencing and Security</b>	A sediment fence is proposed to be constructed around the perimeter of the site for the duration of the construction of the proposed development as detailed on the accompanying Civil Plans (Drawing Nos. 251-20C-DA01-0901 and 251-20C-DA01-0902. Included in the design of the fence is a lockable gate for site access. This fencing and gate will provide security for the site during construction.	Yes
<b>B8.5 Construction and Demolition – Traffic Management Plan</b>	A Construction Traffic Management Plan (CTMP) will be provided and approved by Council prior to the commencement of works. The preparation of the CTMP prior to the issuing of a Construction Certificate can be imposed as a condition of any development consent granted for the proposed development.	Yes
<b>Section C Development Type Controls</b>		
<b>C1 Design Criteria for Residential Development</b>		
<b>C1.2 Security and Safety</b>	Crime Prevention Through Environmental Design (CPTED) provides that if development is appropriately designed it can minimise the opportunities for crime. There are four identified principles of CPTED that include surveillance, access control, territorial reinforcement and space management. These principles have been incorporated into the overall design of the proposed development, including the provision of windows, balconies and terraces fronting the street and public recreation zoned land to the north of the site, and landscaping that minimises any potential opportunities for concealment, while	Yes



PROVISIONS	COMMENTS	COMPLIANCE
	also providing safe pedestrian access and delineating the boundaries of the site.	
<b>C1.3 View Sharing</b>	The site sits at the bottom of a valley below much of the surrounding sites. The proposed development will not inhibit any significant views from surrounding development.	Yes
<b>C1.9 Adaptable Housing and Accessibility</b>	Each dwelling has level access from the garage to the ground floor level. Further details of the dwellings' adaptable features in accordance with AS 4299:1995 can be provided for the detailed design at the Construction Certificate.  An Access Report can be prepared prior to the provision of a Construction Certificate.	Yes
<b>C1.12 Waste and Recycling Facilities</b>	Refer to response provided above within this table to Part B8.3 of the PDCP 2014.	Yes
<b>C1.13 Pollution Control</b>	The proposed development has been designed to fit within the site and requires limited modification to its environmental conditions to enable its construction. The proposed dwellings are designed for comfort and to minimise energy use, maximising solar access and cross ventilation and complying with BASIX targets.  Refer to the Civil Plans prepared by Craig & Rhodes (Drawing No. 251-20C-DA01-0901 for further detail of mitigation measures to prevent pollution during construction.	Yes
<b>C1.17 Swimming Pool Safety</b>	A swimming pool is proposed for each of the dwelling houses as part of this DA. Each swimming pool is surrounded by a minimum 1.2-metre-high fence as evident on the accompanying architectural plans prepared by PopovBass. Warning notices (resuscitation chart) will be provided in the swimming pool areas. The likely location for these warning notices is the swimming pool fencing.  Additionally, the swimming pools will be manufactured, designed, constructed, located and maintained in accordance with the Swimming Pools Act 1992 and regulations. This can be imposed as a condition of any development consent granted.	Yes
<b>C6 Design Criteria for Warriewood Valley Release Area</b>		
<b>C6.1 Integrated Water Cycle Management</b>	Refer to the accompanying Water Management Report prepared by Craig & Rhodes.	Yes

PROVISIONS	COMMENTS	COMPLIANCE
<b>C6.2 Natural Environment and Landscaping Principles</b>	Refer to the Landscape Plans prepared by Habit8 Landscape Architecture and Urbanism.	Yes
<b>C6.3 Ecologically Sustainable Development, Safety and Social Inclusion</b>	<p>The proposed development has been designed to meet the energy, water and thermal comfort targets set by BASIX as demonstrated by the BASIX Certificate.</p> <p>The proposed development has been designed in accordance with the CPTED principles as identified above in this table in response to Part C1.2 of the PDCP 2014.</p>	Yes
<b>C6.4 The Road System and Pedestrian and Cyclist Network</b>	The roadway, pedestrian and cycling network will be delivered in accordance with approved development (i.e., DA2018/1044) and this DA does not change this.	Yes
<b>C6.5 Utilities, Services and Infrastructure Provision</b>	The proposed development will be serviced by electricity, reticulated water and sewer, gas and communications to be delivered under already approved development.	Yes
<b>C6.7 Landscape Area (Sector, Buffer Area or Development Site)</b>	The landscaped area for each of the proposed dwellings exceeds 35% of site area. Refer to the Architectural Plans prepared by Popov Bass for further details.	Yes
<b>Section D Locality Specific Development Controls Warriewood Valley Locality</b>		
<b>D16.1 Character as viewed from a public place</b>		
<b>Presentation to a public place</b>	The facades of the proposed development are well designed, high-quality and highly articulated to positive contribute to the streetscape and create visual interest. The front façade design specifically includes angled roof forms and balconies. Windows and balconies are also proposed to the northern elevation of House 1 to provide a visual connection/ surveillance to the RE1 zoned land. Landscaping is proposed within the front setback areas of each dwelling house, as well as along the shared boundary to the adjacent public open to the site's north.	Yes
<b>Concealment of building plant or communications</b>	Bins will be stored in the garages of the dwellings when it is not bin collection day. Relevant services have also been appropriately integrated within the overall design.	Yes

PROVISIONS		COMMENTS				COMPLIANCE
equipment, services and servicing areas						
Parking structures presentation						
Garage door widths are to be in accordance with the following:						
TYPE OF LOT	LOT DIMENSION	GARAGE TYPE	WIDTH OF GARAGE DOOR PRESENTED TO THE STREET	PROPOSED DWELLING	PROPOSED GARAGE DOOR WIDTH (M)	COMPLIANCE
Front loaded lots	Area ≥225m² or 9m to 12.5m wide	Single with a second hardstand area in front of the garage	≤3m or not exceeding 40% of the lot width, whichever is the less.	House 1	6m	Minor variation proposed, as justified in detail within Section 5.3 of SEE.
	≥12.5m wide	Double	≤6m or not exceeding 40% of the lot width, whichever is the less.	House 2	5m	Yes
D16.5 Landscaped Area for Newly Created Individual Allotments						
The total landscaped area on individual allotments is to be in accordance with the following requirements:						Yes
RESIDENTIAL DEVELOPMENT	MINIMUM PERCENTAGE (%) OF SITE AREA	MINIMUM DIMENSIONS IN METRES	PROPOSED DWELLING	PROPOSED LANDSCAPED AREA (%)		
All other dwellings on lots 9m to 14m wide	35	4m	House 1 House 2	47.86% 50.29%		

PROVISIONS		COMMENTS		COMPLIANCE	
D16.6 Front Building Lines					
Front Building Line Planning Controls					
PROPOSED DEVELOPMENT		MINIMUM FRONT SETBACK TO ARTICULATION ZONE (METRES) FROM FRONT BOUNDARY	MINIMUM FRONT SETBACK TO GARAGE/CARPORT (METRES) FROM FRONT BOUNDARY	MINIMUM FRONT SETBACK TO DWELLING (METRES) FROM FRONT BOUNDARY	
All other dwellings but not Residential Flat Buildings or Multi Dwelling Housing fronting all other streets.		1.5	4	3*	
Proposed Front Building Lines					
PROPOSED BUILDING	MINIMUM FRONT SETBACK TO ARTICULATION ZONE FROM FRONT BOUNDARY	MINIMUM FRONT SETBACK TO GARAGE/CARPORT FROM FRONT BOUNDARY	MINIMUM FRONT SETBACK TO DWELLING FROM FRONT BOUNDARY	COMPLIANCE	
House 1	3m	4m	3m	Yes	
House 2	1.5m	4m	3m	Yes	
D16.7 Side and rear building lines					
The following minimum side building lines are to apply to the following residential development within Warriewood Valley:					
HOUSING TYPOLOGY (BASED ON LOT WIDTH)	MINIMUM SIDE BUILDING LINE	PROPOSED DWELLING	PROPOSED SIDE BUILDING LINE	COMPLIANCE	
Detached dwelling <9m wide	0.9m on both sides.	House 1 House 2	1.3m-1.5m 1.3m-3m	Yes	
The minimum rear building line for residential development measured from the rear boundary is to be in-line with the following:					
DEVELOPMENT	MINIMUM REAR BUILDING LINE IN METRES (M)	PROPOSED DWELLING	PROPOSED REAR BUILDING LINE IN METRES (M)	COMPLIANCE	
Front loaded lots greater than or equal to 20 m deep.	4m to ground level and 6m to upper level.	House 1 House 2	26m (approx.) 24m (approx.)	Yes	

PROVISIONS		COMMENTS		COMPLIANCE	
D16.9 Solar Access					
Solar access received by the proposed residential development					
All dwellings achieve a minimum of two hours solar access to the principal living areas and private open space area.					
DEVELOPMENT		MIN SOLAR ACCESS TO WINDOWS TO THE PRINCIPAL LIVING AREA BETWEEN 9AM AND 3PM ON JUNE 21		MIN. SOLAR ACCESS TO PRIVATE OPEN SPACE AREA* BETWEEN 9AM AND 3PM ON JUNE 21	
Residential development not elsewhere defined in this table		House 1 – 6 hours House 2 – 6 hours		House 1 – 5 hours House 2 – 5 hours	
Refer to the accompanying Sun Eye Diagrams prepared by PopovBass (Drawing No. 0574-DA115) for further details.					
Impact of proposed development on existing adjoining residential development					
The proposed development will not impact on solar access to the principal living area of the approved adjacent dwelling, noting that the living room for this dwelling fronts Dove Lane to maximise direct sunlight from the northerly aspect. At 9am on 21 June the proposed development does not overshadowing the private open space of this dwelling. At 12pm there is some minor overshadowing in the south-west corner of the principal private open space area. However, the majority of the private open space area receives direct solar access as per the shadow diagrams. At 3pm on 21 June the proposed development does result in the overshadowing of most of this open space. Refer to the Shadow Diagrams included in the Architectural Plans prepared by PopovBass for further details.					
D16.10 Private and Communal Open Space Areas					
The minimum private open space area and dimension are to be in accordance with the requirements in the following table:					
DEVELOPMENT	MINIMUM AREA OF PRIVATE OPEN SPACE	MINIMUM DIMENSION OF PRIVATE OPEN SPACE IN METRES	PROPOSED DWELLING	PROPOSED AREA OF PRIVATE OPEN SPACE	COMPLIANCE
Development on lots between 9m and 14m wide not specified elsewhere in the table	20m <sup>2</sup>	4m	House 1 House 2	134.11m <sup>2</sup> 123.34m <sup>2</sup>	Yes
D16.12 Fences	Fencing to a height of 1.8 metres is proposed around the rear yards of each dwelling, required to provide security and safety for the swimming pools. Most of House 1’s northern boundary is separated from the public recreation zoned land by landscaping and existing vegetation as evident on the Landscape Plans.				Yes



PROVISIONS	COMMENTS	COMPLIANCE
<b>D16.13 Building colours and materials</b>	As detailed in the Architectural Elevations and External Finishes Schedule the proposed external colours and materials comprise natural tones to enhance the visual character of the dwellings' location within the natural landscapes of Pittwater.	Yes



standards. Access, water supplies, electricity and gas services and staging are to be completed as part of DA2021/0053. The proposed development will occur after this previously approved development and therefore Council can be satisfied that these bushfire protection measures will be implemented prior to this development.

An APZ of 24 metres was identified by Eco Logical Australia for the site the subject of this DA as shown in the figure below.

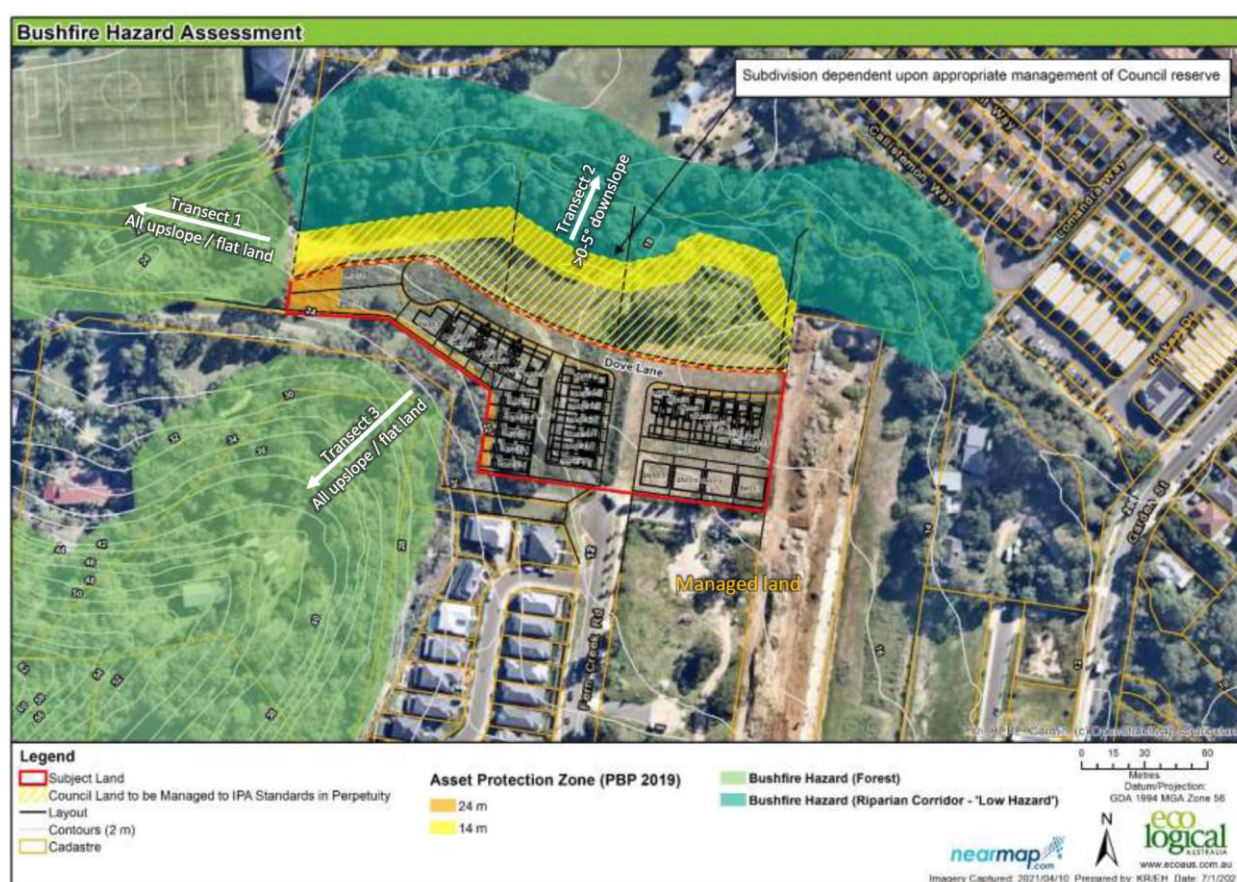


Figure 10: Bushfire hazard assessment extract (Source: Eco Logical Australia)

The proposed development has been designed in accordance with the APZ as demonstrated in the figures overleaf, with the orange dashed line on the architectural plans indicating the 24-metre APZ in the context of the proposed development.

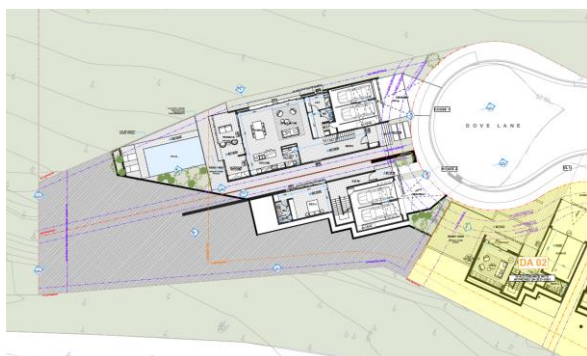


Figure 11: Level 1 plan extract (Source: PopovBass)



Figure 12: Level 2 plan extract (Source: PopovBass)

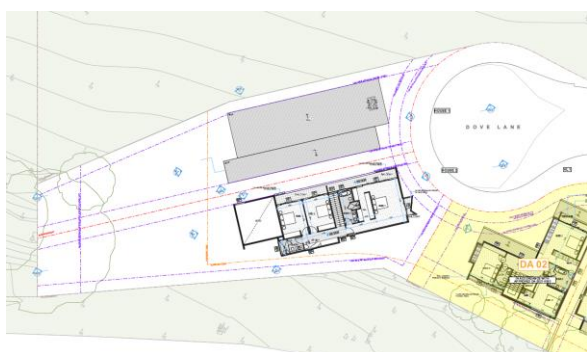


Figure 13: Level 3 plan extract (Source: PopovBass)



Figure 14: Roof plan extract (Source: PopovBass)

The proposed landscaping has been designed in accordance with the requirements set out in the Bushfire Protection Assessment. Refer to the accompanying Landscape Concept Plan Report prepared by Habit8 for further details, including the detailed planting strategy for the site as bushfire prone land that is included on Drawing No. L02 (Rev B).

The construction standards for the proposed development are determined by its Bushfire Attack Level (BAL). The proposed development has a BAL ranging from BAL-19 to BAL-40 as identified in BAL plan extract included overleaf. It will be constructed in accordance with the requirements set out within Eco Logical Australia's Bushfire Protection Assessment. This can be conditioned as part of any development consent that is granted for the proposed development.





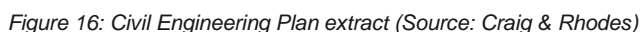
Figure 15: Bushfire Attack Level extract (Source: Eco Logical Australia)

## 5.2. Stormwater

Stormwater drainage works are included as part of the proposed development that is the subject of this DA. Accordingly, Civil Plans, a Water Management Report and DRAINS and MUSIC modelling accompany this application. The proposed stormwater drainage concept plan is extracted at Figure 16 overleaf and summarised as follows:

- Roof water is captured by internal pits & pipes and firstly discharge into rainwater tanks on each lot and then reused for toilet flushing, garden irrigation, car washing and laundry cold water.
- Lot 1 bypasses the OSD/WSUD system and drain into Dove Lane via kerb outlet (Area of developed lot 1 included in DA01 & DA02 OSD/WSUD Tank 1 & 2).
- Lot 2 has its own OSD/WSUD Tank "H2" under its driveway designed to cater for roof stormwater runoff (Landscaped area and driveway bypass) and discharge into existing drainage approved under DA2020/0053.





ITEM	LOT BURDENED	LOT BENEFITED	NOTES
Restriction of the Use of Land	Lot 1 (Stage 2 Community)	Council	The lot burdened can't modify, remove or interfere with the operation of the OSD (reason; the system operates at the capacity it has been designed for)
Positive Covenant	Lot 1 (Stage 2 community)	Council	The lot burdened must maintain the OSD (reason; the system must be cleaned out in accordance with its design to operate

ITEM	LOT BURDENED	LOT BENEFITED	NOTES
			properly)

### 5.3. Parking Structure Presentation

Lot 1 has a nominal width of 9.94 metres as is evident on the accompanying Architectural Plans prepared by PopovBass. Therefore, the under Section 4.6 for the specific requirements of Part D16.1 of the PDCP 2014 the proposed development is to provide single garage with a second hardstand area in front.

The proposed development for House 1 provides a double garage as shown on the accompanying Architectural Plans. However, this variation is considered acceptable given the site's width of approximately 12.5 metres at the street, noting Part D16.1 of the PDCP permits double garages on sites with a width equal to or greater than 12.5 metres. The proposed development also allows for landscaping within the front setback area north and south of the driveway, and articulation and modulation of the façade ensures that the garage does not dominate the site's frontage.

## 6. CONCLUSION

The DA seeks consent for the construction of two (2) dwelling houses with swimming pools at 121 Dove Lane, Warriewood, as well as associated landscaping, stormwater drainage works and bulk earthworks,

This SEE has undertaken an environmental assessment of the proposed development and has concluded that it provides a built form that is consistent and compatible with the desired future character of the site and the surrounding locality, will contribute to housing choice.

In summary, the proposal is considered to:

- be an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the EP&A Act;
- provide a built form consistent with and appropriate to the desired future character of the site and which will not adversely impact on the amenity of neighbouring residential properties or adjacent public open space;
- be in the public interest as it provides unique, high-quality and contemporary dwelling houses in a highly accessible location that is well serviced area and compatible with the locality's streetscape character;
- provide short term demolition and construction employment opportunities; and
- have no adverse impacts on the environment, traffic, parking, drainage or other external features or services.

The benefits provided by the proposed development outweigh any potential impacts and is it is therefore considered to be in the public interest. The proposal will deliver a suitable and appropriate development and is worthy of approval.