

STATEMENT OF ENVIRONMENTAL EFFECTS

Four self-contained
dwellings pursuant to
SEPP (Housing for
Seniors or People with
a Disability 2004)

58 Forest Way
Frenchs Forest

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Statement of Environmental Effects

Four (4) Self-contained dwellings pursuant to SEPP (Housing for Seniors or People with a Disability) 2004

58 Forest Way, Frenchs Forest

Prepared under instructions from

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&

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1 INTRODUCTION

This statement has been prepared for Mr David Attai & HAO Design as part of the supporting documentation for a Development Application in relation to the redevelopment of the site located at 58 Forest Way, Frenchs Forest.

The application comprises the demolition of the existing dwelling, carport and outbuildings situated on the site and the construction of 4 senior's living dwellings pursuant to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, situated within a townhouse style development, each with their own garages accessed via a driveway from Forest Way.

The design outcome provides for a highly articulated and a contextually responsive townhouse development which takes advantage of the sites superior locational attributes whilst providing high levels of amenity for future occupants. In this regard, the scheme has been developed through detailed site and contextual analysis to identify the constraints and opportunities associated with the development of this site having regard to the height, scale, proximity, shadowing impact and orientation of surrounding dwellings and townhouse developments.

Particular attention has been given to ensuring that the development not only responds to its immediate built form context, and the form of development anticipated within the Frenchs Forest locality, but importantly to ensure that appropriate residential amenity is maintained to the adjacent residential properties.

This submission will demonstrate that such outcomes have been achieved whilst providing for a highly articulated, modulated and visually stimulating building form which will provide diversity in housing choice within a precinct ideally suited to increased residential densities. The proposal has been designed to reflect the predominant character of the local area and is in general compliance with the built form controls pursuant to SEPP (HSPD), Warringah LEP 2011 and DCP 2011.

In addition to this Statement of Environmental Effects, the application is also accompanied by the following:

- Survey Plan prepared by Bee & Lethbridge;
- Proposed plans, elevations, sections, shadow diagrams, perspectives prepared by HAO Design Pty Ltd;
- Stormwater drainage plan prepared by Rise Consulting Engineers;
- Erosion and Sediment Control plan prepared by Rise Consulting Engineers;
- Arborist Report prepared by Hugh The Arborist;
- Landscape Plans prepared by Zenith Landscape Designs;
- Traffic Assessment prepared by McLaren Traffic Engineers;
- BASIX Assessment prepared by Building Sustainability Assessments;

- Accessibility Report including BCA Assessment prepared by BCA Logic;
- Waste Management Plan prepared by Khosrow Ataii.

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

- Environmental Planning and Assessment Act, 1979
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
- Seniors Living Policy Urban Design Guidelines for Infill Development.
- State Environmental Planning Policy (Building Sustainability Index: BASIX 2004)
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No.55 Remediation of Land

It is noted that *SEPP 65 – Design Quality of Residential Flat Building* is not applicable to the subject development as proposed.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed development is consistent with the desired future character of the locality.
- The proposed development will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant considerations pursuant to the SEPP (Housing for Seniors or People with a Disability) 2004.

2 SITE ANALYSIS

2.1 SITE DESCRIPTION AND LOCATION

2.1.1 THE SITE

The subject properties are described as Lots 38 in DP 20461, No. 58 Forest Way, Frenchs Forest. The lot area comprises 1012sqm. A location map is included as **Figure 1**.



Figure 1: Site Location (Source: Six Maps)

Number 58 Forest Way comprises a rectangular allotment with a splayed rear boundary. The site contains a single storey dwelling with carport and detached outbuilding and shed structures. The site has a frontage of 21.46 metres to Forest Way, a rear western boundary of 16.335 metres, northern side boundary of 59.88m and southern side boundary 51.32 metres. The site is relatively flat across the site.



Figure 2: Photo of the site and existing dwelling as viewed from Forest Way. A pedestrian footpath exists on Forest Way providing level access to the nearest bus stops on Forest Way.

2.1.2 THE LOCALITY

Development in the vicinity of the site generally comprises a mix of single and two storey detached dwellings, with a townhouse development located immediately to the north west at 27-33 Adams Street containing 11 x two storey townhouses. See photograph at Figure 3.



Figure 3: Townhouse Development at 27-33 Adams Street.

A detached dual occupancy development (17 & 17A Grace Avenue) and townhouse development (19 Grace Avenue) containing four townhouses is also located directly to the rear (west) of the site. See Figures 4 and 5 below.



Figure 4: Townhouse Development at 27-33 Adams Street.

The site is well located with respect to services and facilities. The site is located approximately 420 metres walking distance to Forestway Shopping Centre. The shopping centre contains a wide variety of services including a Woolworths Supermarket and an Aldi Supermarket, pharmacy, post office, ANZ, NAB, St George banks, with Northern Beaches Hospital located approximately 1km away on Frenchs Forest Road West. The site is also located within close proximity to a number of recreational parks and reserves.

Two bus stops, located on each side (east and west sides) of Forest Way. The bus stop opposite the site on the eastern side of Forest Way is accessible via a level footpath with traffic signal pedestrian intersections crossing Adams Street to the north of the site and across Forest Way. Two bus stops on the western side of Forest Way are also located to the north and south of the site, with level footpath access. These bus stops on Forest Way provide bus service connections to the Forestway Shopping Centre, Warringah Mall, Chatswood and the City. The bus stop to the north on Adam Street provides access to Glenrose and Chatswood Shopping Centres.

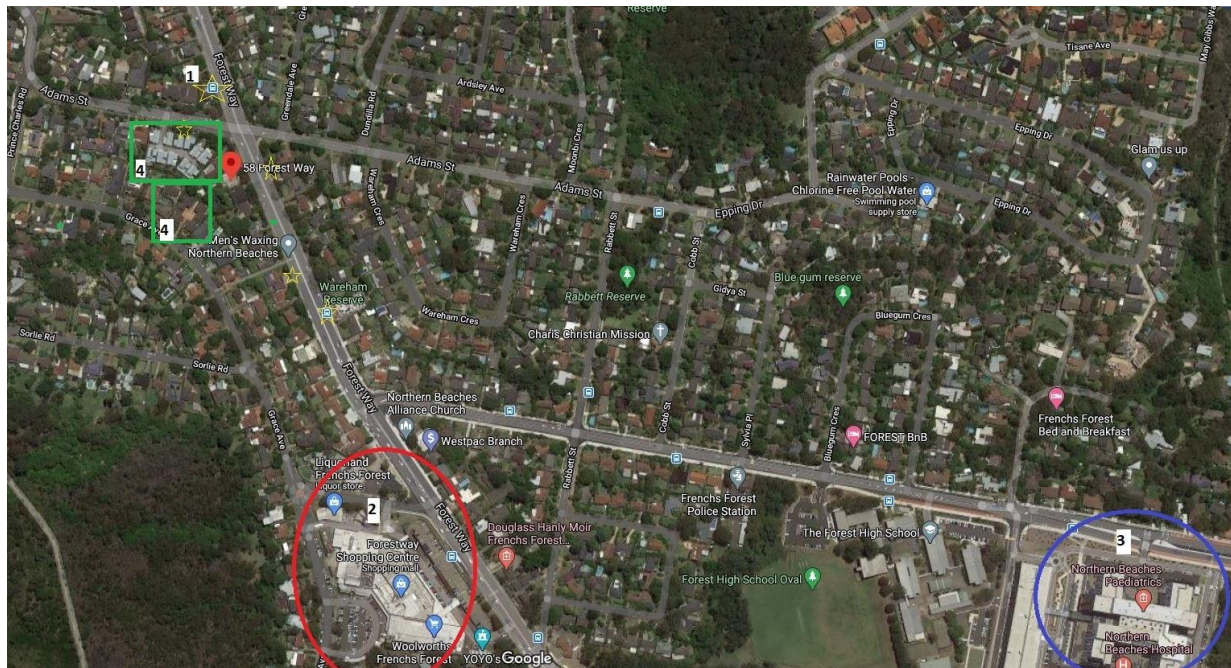


Figure 5: Site Context Plan (Source: Google Maps)

Key Figure 5:

1. Nearest Bus Stops on Forest Way and Adams Street
2. Forest Way Shopping Centre
3. Northern Beaches Hospital
4. Townhouse developments at 27-33 Adams Street; detached dual occupancy development (17 & 17A Grace Avenue) and townhouse development (19 Grace Avenue)

2.1.3 SITE ANALYSIS

There are no topographical constraints impacting the site relevant to the development as proposed. These details are all included on the site survey submitted with the DA. The site is mapped as flood prone land or bushfire prone land. The site is located within Area A landslip designation however no substantial excavation works is proposed.

The relationship of the proposed development to the adjacent sites provides for appropriate dwelling separation, with the limited building height and scale mitigating any impacts to established views or outlooks from the properties.

The development design splits the development into two x two semi detached dwellings, with the front doors to each dwelling facing the internal central access driveway. Each dwelling is two storeys in height, with pitched roofs. The design has sought to tie in the character and style of detached housing within the immediate locality. Each dwelling is afforded with its own internal single car garage, with a new driveway access via Forest Way.

Having regard to the urban design guidelines for infill development as published by the Urban Design Advisor Service of the NSW Department of Planning & Natural Resources the following observations are made:

Context

The development provides for four townhouses situated in two storey dwellings in a locality typically comprising detached dwellings to a maximum of two storeys, set in informal landscaped settings. The configuration and arrangement of the dwellings is similar to the existing town house developments located to the north west on Adams Street and directly to the rear of the site on Grace Avenue.

Site Planning and Design

The design of the development has sought to tie into the character and style of detached housing within the immediate locality, through the creation of a two storey townhouse style development, with pitched roofs, similar in layout and style to surrounding townhouse developments. The layout of three of the town houses is north south in orientation with the rear townhouse being east west in orientation, with private open space in the form of patios and gardens to each dwelling.

Impacts on the Streetscape

The development presents as a two storey townhouse style development with driveway access situated to the southern boundary. The proposal provides for the landscaping works throughout the site consistent with the applicable form of building contemplated for the locality. The form of building provides for a contemporary infill outcome that is consistent with the intentions of the SEPP and the setting is augmented by the landscape detail as proposed by this application.

Impacts on the Neighbours

The limited building height combined with recessed first floor levels to three of the townhouses with ground floor patios and gardens with an enhanced site landscaping regime will ensure that the privacy and amenity of adjacent sites are retained. The shadow diagrams submitted with the application demonstrate that there are limited shadow impacts to neighbouring properties.

Internal site amenity

All of the units are afforded with generous rear gardens and outdoor entertaining patios accessed off the main living areas to each of the townhouses.

Significant enhancements to the landscaping and planting is proposed throughout the site (as depicted in the landscape plan prepared by Zenith Landscape Designs), with the incorporation of additional tree planting, deep soil zones and dense screen shrub planting.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 DETAILS OF THE PROPOSED DEVELOPMENT

This application provides for the following components:

- Demolition of the existing dwelling and structures on the site;
- Construction of 4 townhouses (dwellings) '*in-fill self-care housing*' pursuant to the definition of that terms at clause 13 of SEPP (Housing for Seniors or People with a Disability) comprising 4 x 2 bedroom plus study townhouses;
- Removal of the existing driveway and crossing to Forest Way and creation of a new driveway and vehicle crossing to Forest Way;
- Integrated single car garages to each of the townhouses;
- Landscaping provided throughout the site;

The development is depicted in the proposed drawings, elevation and sections prepared by HAO Design. The plans provide for 4 self-contained dwellings; comprising two bedrooms with accessible bedrooms and bathroom, living area and kitchen and study areas. Each townhouse is afforded with its own garage containing a car parking space. All individual units are provided with private open space in the form of gardens and patios. A schedule of external building materials and colours is included on the architectural drawings together with images of the proposed development.

4 STATUTORY PLANNING FRAMEWORK

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 79C of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

The following section of this report assesses the proposed development against the relevant provisions of the SEPP 2004 (as amended).

4.1.1 AIMS OF POLICY

The stated aims of the SEPP at clause 2 are to encourage the provision of housing that will:

- a) *Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and*
- b) *Make efficient use of existing infrastructure and services, and*
- c) *be of good design.*

The policy indicates that these aims will be achieved by:

- a) *setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in the policy, and;*
- b) *setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and*
- c) *ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.*

The architectural details submitted with the Development Application demonstrate that the development is of high design quality. The site locational and physical attributes facilitate its use as proposed and contextually the housing outcome is appropriate particularly given the character of the housing, density and spatial relationship of the adjoining developments.

4.1.2 LAND TO WHICH THE SEPP APPLIES

Clause 4 of the SEPP states that this policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:

a) development for the purpose of any of the following is permitted on the land:

- i) dwelling houses;*
- ii) residential flat buildings;*
- iii) hospitals;*
- iv) development of a kind identified in respect of land zoned special uses.*

The subject allotment is zoned primarily for urban purposes (R2 Low Density Residential) on which dwelling houses are a permissible with consent. As the sites are not classified as environmentally sensitive land as identified in Schedule 1, or zoned for industrial purposes, the provisions of SEPP (SEPP – Housing for Senior or People with a Disability) 2004 apply.

4.1.3 KEY CONCEPTS

The development proposes the provision of self-contained townhouse dwellings to be used permanently for seniors or people with a disability. The proposed dwellings are self-contained as defined in clause 13 of the SEPP.

4.1.4 SITE COMPATIBILITY CRITERIA

The subject application is not one to which the application of a site compatibility certificate applies pursuant to clause 25 of the SEPP.

4.1.5 SITE RELATED REQUIREMENTS

Location and access to facilities

Pursuant to clause 26 a consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access to:

- a) shops, banks and other retail and commercial services that residents may reasonably require, and*
- b) community services and recreational facilities, and*
- c) the practice of a general medical practitioner.*

The application is accompanied by an Accessibility Report, prepared by BCA Logic. The report concludes that the development is situated where residents can access necessary services in line with the requirements of clause 26 of the SEPP.

The site is located directly on a bus transport corridor on Forest Way that is served by 4 bus routes that provide numerous services daily from Belrose to Forest Way, Chatswood, Warringah Mall and the City.

Forestway Shopping Centre is located approximately 420 metres from the site. This shopping centre, combined with Chatswood, Warringah Mall and the City provide a comprehensive range of services to readily satisfy Clause 26(1) and 26(5) of the SEPP.

Forestway Shopping Centre is within a 2 minute bus ride of the site, containing a wide number of services including:

- Supermarkets;
- Retail Shops;
- Bank Service Providers;
- Post Office;
- General Medical Practitioners;
- Dentists;
- Chiropractors and physiotherapists;
- Library and Community Centre;
- Cafes and Restaurants;
- Gymnasium.

The proposed development meets the location and access to facilities requirements as outlined above and further detailed in the Accessibility Report prepared by BCA Logic.

Bush Fire Prone Land

Pursuant to Clause 27 a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as “Bush fire prone land – vegetation category 2” or “Bush fire prone land – vegetation buffer” unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bushfire Protection, dated December 2001.

The subject site is not identified as bushfire prone land.

Water and Sewer

Pursuant to clause 28 a consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.

The subject site currently contains a dwelling house that is connected to a reticulated water and sewage system. The proposed development will connect to these existing systems. The location of the sewer line is indicated on the site survey. The proposal can comply with the water and sewer provision requirements as outlined.

4.1.6 DESIGN REQUIREMENTS

Site Analysis

Pursuant to clause 30 of the SEPP a site analysis plan accompanies this application. The relevant issues are discussed as follows:

a) Site Dimensions

Comment: The site dimensions have been detailed in Section 2.0 of this report.

b) Topography

Comment: Please refer to the survey plan and description of the site provided in Section 2.0 of this report. The site has no physical impediments to the land use outcome anticipated on this site.

c) Services

Comment: Please refer to the detail survey.

d) Existing Vegetation

Comment: Please refer to the Arborist Report and accompanying landscape plans prepared by Outdoor Interests.

e) Micro Climates

Comment: Please refer to the commentary provided within Section 2.1.3 (site analysis) regarding the orientation of dwellings to an east west axis and access to solar and natural ventilation outcomes.

f) Location of Site Features

Comment: Please refer to the survey detail and description of the site in Section 2.0 of this report.

g) Views

It is considered that the proposed development will not impede upon any established views from neighbouring properties. The proposed development is a maximum of two storeys in height.

h) Overshadowing

Comment: Please refer to the shadow diagrams prepared by HAO Design. The shadow diagrams indicate that the neighbouring dwelling at 56 Forest Way will retain adequate sunlight in mid-winter (June 21st).

Surrounds of the Site

a) Neighbouring buildings

Comment: The neighbouring buildings are shown on the site survey and site analysis plan and floor plans prepared by HAO Design.

b) Privacy

Comment: Appropriate spatial separation and privacy measures is provided between the proposed development and neighbouring dwellings as detailed on the architectural drawings.

c) Walls built to the site's boundaries

Comment: Please refer to the architectural and landscape details for the proposed boundary treatments.

d) Difference in levels

Comment: Site levels are shown on the site survey.

e) Views and solar access

Comment: The height and scale of the development as proposed does not impede upon any established views from neighbouring properties. Good levels of solar access will be retained to all neighbouring properties.

f) Major Trees

Comment: Please refer to the Arborists Report prepared by Hugh The Arborist and proposed landscape plans prepared by Zenith Landscape Designs.

g) Street frontage features

Comment: Please refer to the site survey and commentary in Section 2.0 of this report.

h) Built form and character of adjoining development

Comment: The proposed development provides for a compatible building form within the context of the locality. Development within the visual catchment of the site comprises a diverse mix of dwellings and townhouse style developments set within informal landscaped settings.

The locality anticipates housing as a permitted land use including senior housing. The form of housing proposed by this application satisfies the development definition as per clause 13 of the SEPP.

The locality benefits from a plethora of open space and recreational areas.

i) *Heritage features*

Comment: N/A

j) *Direction and distance to local facilities*

Comment: The site is situated within close proximity to Forest Way Shopping Centre which contains a number of local facilities as described in Section 4.2.5.

k) *Public open space*

Comment: the site is conveniently located to a range of recreational and sporting venues.

l) *Adjoining bushland and environmentally sensitive land*

Comment: N/A

m) *Sources of nuisance*

Comment: The site is located within a residential context, however is situated on Forest Way which is a Classified Road. The orientation of the proposed townhouses combined with tree planting and landscaping providing and boundary treatments a substantive acoustic barrier between the site and Forest Way.

Design of in-fill self-care housing

Pursuant to clause 31 of the SEPP the consent authority is to have regard to the Urban Design Guideline for Infill Development in its consideration of the application. An assessment pursuant to this guide is set out in the following table:

Issue	Key Requirement	Comment
Responding to context	Street and Lot Layout	The proposal responds to the established street and lot layout, through presenting the development as a two storey town house style development with pitched roofs, similar in height and scale to the detached style of housing in the locality and existing town house developments on Adams Street and Grace Avenue.
	Subdivision Layout	The existing dwelling houses is sited on an existing allotment. It

Issue	Key Requirement	Comment
	<p>Consistency of built form – massing and scale</p> <p>Trees</p>	<p>is anticipated that the development will be strata subdivided.</p> <p>The proposed development contains two storey townhouses of the same height and scale to dwelling houses in the immediate locality.</p> <p>Whilst six trees are identified for removal to facilitate the proposed development, six trees will be retained with one to be transplanted.</p> <p>The loss of these trees will be compensated by replacement tree planting and enhanced landscape regime throughout the site. Please refer to the Arborist Report prepared by High The Arborist and proposed landscape plan prepared by Zenith Landscape Designs providing for the retention and enhancement of the trees and landscape features of the site.</p>
Site Planning & Design	<p>Dwellings to address the street</p> <p>Rear dwellings should be</p>	<p>The site is located on a busy classified road. The front townhouse will address the street, with the other three facing internally within the site. Independent access is provided to each dwelling.</p> <p>The rear dwelling is single</p>

Issue	Key Requirement	Comment
	<p>more modest in form</p> <p>Maximise solar access and access to private open space</p> <p>Centralised parking in car parking courts are preferred to reduce the amount of space occupied by driveways, garages, etc. Retain existing crossings if possible.</p>	<p>storey.</p> <p>Living areas and private open space areas are orientated either to the northern or eastern sides in order to maximise solar access to these areas.</p> <p>Spatial separation between neighbouring dwellings is maintained by the provision of boundary setbacks and substantial boundary edge landscaping.</p> <p>Each townhouse is afforded with its own internal garage arrangements. The existing driveway crossing to Forest Way will be closed and moved towards the southern side boundary of the site.</p>
Impacts on the Streetscape	Built Form; trees; amenity; parking and garaging and vehicular circulation.	These matters have been addressed in term of the comments on context and site planning.
Impact on neighbours	Minimise impacts to by maintaining a consistency in the pattern of building.	<p>The height and scale of the built form conforms to the standards of the SEPP.</p> <p>The relationship of the siting of</p>

Issue	Key Requirement	Comment
	Landscaping	<p>the townhouses to the neighbouring dwellings south and north, maximises the opportunity for spatial separation between dwellings.</p> <p>Edge condition planting augments planting on the adjacent sites and increases privacy by screening in conjunction with the established fencing.</p>
Internal Site Amenity	Maximise Solar Access	The siting of patios and living areas maximises the opportunities for solar access on natural light and ventilation to the individual townhouses.
	Clearly define and identify individual dwellings	The design of the development clearly defines the dwelling entries so that they are easily identifiable and legible, providing a sense of address to each individual townhouse.

It is considered that the proposal pays due regard to the design code.

Neighbourhood Amenity and Streetscape

Pursuant to clause 33 of the SEPP, the proposed development should:

- a) recognise the desirable elements of the location's current character so that new buildings contribute to the quality and identity of the area, and*

Comment: The site analysis and assessment pursuant to the Urban Design Guidelines (refer to the table above) has dealt with this issue.

- b) retain, compliment and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in the local environmental plan, and*

Comment: Not Applicable.

- c) maintain reasonable neighbourhood amenity and appropriate residential character by*
i) providing building setbacks to reduce bulk and overshadowing, and

Comment: The proposed setbacks accord with the built form standards of the Warringah DCP 2011.

- ii) using building form and siting that relates to the site's land form, and*

Comment: The height, scale and form of the development relates to the topography of the site and that of the neighbouring sites. The development breaks down the scale and form of the development through the townhouse style design response and integration of part single storey, part two storey elements, with pitched roofs and recessed top floors.

- iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and*

Comment: The proposal conforms to the building height standard of the SEPP (8 metres) and is compatible with the height and scale of the neighbouring dwellings, the majority of which are two storeys, with pitched roofs. The height is also compliant with the building height standard in the WLEP 2011 (8.5 metres).

- iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and*

Comment: No buildings are located on the boundaries of the site.

- d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and*

Comment: The proposal accords with the front and rear boundary setbacks pursuant to the Warringah DCP 2011.

- e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and*

Comment: A landscape concept plan is included as a component of the works proposed.

- f) retain, wherever reasonable, major existing trees, and*

Comment: A detailed Arborist Assessment accompanies the DA and considers the removal and retention of existing trees on the site.

- g) be designed so that no building is constructed in a riparian zone*

Comment: The proposed buildings are not situated within a riparian zone.

Visual and Acoustic Privacy

Pursuant to clause 34 of the SEPP the proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:

- a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and*

Comment: The design and orientation of individual dwellings has been developed through appropriate site analysis to ensure that the development anticipates and appropriately addresses any potential amenity impacts to adjoining developments, particularly 56 and 60 Forest Way to the side boundaries of the site. The location of the windows and enhanced landscaping regime has sought to address and retain privacy and amenity to these properties. The living areas and private open space of the proposed dwellings are positioned at the ground floor and precluding direct overlooking of private open space areas to adjacent neighbouring properties, furthermore neighbouring dwellings are augmented by spatial separation, landscape elements and boundary fencing.

- b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.*

Comment: This design principle has been considered and is incorporated into the layout and design of the proposed dwellings.

Solar Access and Design for Climate

Pursuant to clause 35 the proposed development should:

- a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and*

Comment: Shadow diagrams accompanies the DA prepared by HAO Design. The shadow diagrams indicate that adequate solar access will be maintained to neighbouring properties, particularly 56 Forest Way to the southern side of the site.

- b) involving site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.*

Comment: These design principles have been considered and incorporated in conjunction with detailed site analysis into the design of the proposed development.

Stormwater

Pursuant to clause 36 the proposed development should:

- a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by finishing driveways surfaces with semi impervious material, minimising the width of paths and minimising paved areas, and*

Comment: Detailed hydraulic and stormwater plans accompanies the application documentation.

- b) Include where practical on-site stormwater detention or re-use for second quality water uses.*

Comment: These design principles have been incorporated and detailed with the Development Application.

Crime Prevention

Pursuant to clause 37 the proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

- a) site planning that allows, from inside each dwelling, general observation of the street, the site and approaches to the dwellings entry, and*

Comment: The design of the development enables casual observation of Forest Way including the approaches to the individual townhouses. The individual townhouse entries are well located centrally within the site, so that they are easily identifiable, providing a sense of address to each townhouse and passive surveillance. The opportunity for seclusion within the approaches to the site is minimised as a consequence.

- b) where shared entries are required, provide shared entries that serve a small number of dwellings and that are able to be locked, and*

Comment: N/A The development does not provide shared entries.

- c) Providing dwellings designed to allow residents to see who approaches their dwelling without the need to open the front door*

Comment: This design principle has been incorporated into the detailed design of the proposed development.

Accessibility

Pursuant to clause 38 the proposed development should:

- a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and*

Comment: These matters have been addressed in detail in the Accessibility Report submitted in support of the application.

- b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.*

Comment: These matters have been addressed in detail in the Accessibility Report submitted in support of the application.

Waste Management

Pursuant to clause 39 the proposed development is provided with waste facilities that maximise recycling.

4.1.7 DEVELOPMENT STANDARDS TO BE COMPLIED WITH

Pursuant to clause 40 a consent authority must not consent to a development application unless the proposed development complies with the standards specified in this clause:

Site Size

The size of the site is at least 1,000 square metres, and

Comment: The total area of the consolidated allotment is 1012sqm and satisfies the development standard.

Site Frontage

The site frontage is at least 20 metres wide measured at the building line, and

Comment: Measured at the building line, the site frontage is 21 metres wide, which satisfies the development standard.

Height in zones where residential flat buildings are not permitted

a) the height of all buildings in the proposed development must be 8 metres or less, and

Comment: The proposal conforms to the maximum building height of 8 metres, as depicted on the proposed drawings.

b) a building that is adjacent to a boundary of the site must be not more than 2 storeys in height, and

Comment: The buildings do not exceed two storeys in height.

c) a building located in the rear 25% area of the site must not exceed 1 storey in height

Comment: The rear townhouse which is located in the rear 25% of the site is 1 storey in height.

Self-Contained Dwellings

Schedule 3 of the SEPP specifies standards that self-contained dwellings must be designed to accord with. It is normal for these requirements to form conditions of development consent. The self-contained dwellings are able to comply with the relevant provisions and it is usual for the Council to condition certification of the finished dwellings to conform to these standards.

4.1.8 STANDARDS THAT CANNOT BE USED TO REFUSE DEVELOPMENT CONSENT FOR SELF CONTAINED DWELLINGS

Clause 50 of the SEPP requires that a Consent Authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling on any of the following grounds:

a) **building height:** *if all proposed buildings are 8 metres or less in height*

Comment: The buildings comply with this control.

b) **density and scale:** *if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,*

Comment: The development provides for a total floor space of 504m² and a FSR of 0.498:1, which is compliant with this control.

c) **Landscaped Area:** *a minimum of 30% of the area of the sites is to be landscaped,*

Comment: The proposed development incorporates 306m² soft landscaped area equating to 30.3% of the site area. The outcome provides for an appropriate placement of deep soil landscaping and good levels of spatial separation to adjoining development.

d) **Deep Soil Zones:** *if, in relation to that part of the site that is not built upon, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site. Two thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres*

Comment: The proposal incorporates 306sqm (30.3%) deep soil landscaping, which is in excess of this control.

e) **solar access:** *Living rooms and private open spaces for a minimum of 70% of the dwellings of the development must receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter;*

Comment: All four townhouses (100%) receive a minimum of 3 hours direct sunlight to living rooms and private open spaces between 9am and 3pm in mid-winter, which is compliant with this control.

f) **private open space for in-fill self-care housing:**

i) *in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and*

ii) *In the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is*

not less than 2 metres in either length or depth and that is accessible from a living area.

Comment: The ground floor patios and associated garden spaces all exceed the minimum prescriptive standards associated with SEPP and comprise functional spaces, extending from the living/dining room areas.

*g) **Parking:** at least the following is provided:*

i) 0.5 car spaces for each bedroom where the development application is made by a person other than the Department of Housing or a local government or community housing provider.

Comment: The development provides 8 bedrooms at 0.5 spaces per bedroom equates to 4 parking spaces. 4 accessible car parking spaces (1 to each dwelling) are provided which is compliant with the standard.

4.1.9 COMPLIANCE TABLE

The table below provides a summary of details in respect to compliance with standards that apply to this development proposal.

Standard	Requirement	Proposal	Complies
Location, Facilities & Support Services	Site within 400m of transport that can provide access to Facilities and Support Services	Site is located within 400m of bus stops on Forest Way and Adams Street.	Yes
Site Frontage	The site frontage is 20 metres wide measured at the building line.	The site frontage is 21 metres wide to Forest Way	Yes
Wheelchair Access	100% access to road or internal driveway; 10% access to adjoining road; 100% access to common areas and facilities; 100% adaptable to disabled persons requirements.	100% access to road or internal driveway; greater than 10% access to adjoining road; 100% access to common areas and facilities; 100% adaptable to disabled persons requirement.	Yes

Standard	Requirement	Proposal	Complies
Height	8 metres	8 metres	Yes
	2 storeys	2 storeys	Yes
	Single Storey in rear 25% of the total site area	Rear 25% single storey	Yes
FSR	0.5:1	0.498:1	Yes
Landscaped Area	Minimum 30% of site as landscaped area.	30.3% of site landscaped.	Yes
	Deep soil zone –15% of site area.	30.3% of site is deep soil zone.	Yes
Parking	0.5 car parking spaces for each bedroom = 8 bedrooms x 0.5 spaces per bedroom = 4 parking spaces	4 accessible car parking spaces are provided.	Yes
Neighbour amenity and streetscape	Attractive residential environment is achieved	The proposed development maintains acceptable levels of privacy and amenity to surrounding properties and the streetscape	Satisfactory
Visual and Acoustic Privacy	Appropriate site planning and acceptable noise levels	The development provides acceptable visual and acoustic privacy levels.	Satisfactory
Solar Access	Adequate daylight to living areas of neighbours and solar access to	The shadow diagrams indicate that adequate solar access provided	Satisfactory

Standard	Requirement	Proposal	Complies
	neighbouring private open space	to neighbouring properties.	
Stormwater	Minimise Stormwater Run-off	Achieved – see hydraulic and stormwater drawings.	Satisfactory
Crime Prevention	Personal property security for residents and visitors and encourage crime prevention & passive surveillance.	The development has been designed to accord with the CPTED principals.	Satisfactory
Accessibility	Access to public transport, parking and disabled access to all aspects of the development.	The proposal accords with the accessibility requirements as demonstrated in the accessibility report.	Yes
Waste Management	Waste facilities that maximise recycling.	The proposal provides adequate waste & recycling facilities.	Satisfactory

4.2 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The land is zoned R2 Low Density Residential. Seniors housing as defined by the LEP is a prohibited use in the zone. However, the use remains permissible with consent via the operation of SEPP (HS&PD) 2004 and the operation of Clause 1.9 of the LEP. SEPP (HS&PD) 2004 is not omitted from operation by Clause 1.9(2) of the LEP and accordingly is the operative planning instrument.

The height of building map anticipates building to a maximum height of to 8.5m not including chimneys, flues, lift overruns or the like. The proposed townhouses conform with the 8.5 metre height limit and the 8 metre height limit (to the ceiling of the uppermost floor) pursuant to the standard of the SEPP.

The site is not within a mapped Acid Sulphate Soil area; with the majority of the site falling within the lowest risk landslip designation (Area A) and is not an identified heritage item. The site is not within a mapped bushfire zone and is not within a flood risk locality as per the WDCP maps. There are no physical constraints impacting the site to preclude the development contemplated.

4.3 WARRINGAH DEVELOPMENT CONTROL PLAN 2011

The following relevant DCP 2011 controls have been addressed with respect to consideration of the proposed Seniors Housing Development.

Control	Requirement	Proposed	Compliance
Side Boundary Envelope DCP Control B3	<p>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 4 metres.</p> <p>Objectives:</p> <ul style="list-style-type: none"> •To ensure that development does not become visually dominant by virtue of its height and bulk. •To ensure adequate light, solar access and privacy by providing spatial separation between buildings. •To ensure that development responds to the topography of the site. 	<p>The development complies with the building envelope control as demonstrated on the architectural drawings.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
Side Boundary Setbacks DCP Control B5	Side boundary setbacks 0.9m. Objectives <ul style="list-style-type: none"> •To provide opportunities for deep soil landscape areas. •To ensure that development does not become visually dominant. •To ensure that the scale and bulk of buildings is minimised. •To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained. •To provide reasonable sharing of views to and from public and private properties. 	The development provides a minimum side setback of between 900mm to both the northern and southern side boundaries.	Yes
Front Boundary Setbacks DCP Control B7	6.5 metres. Objectives: <ul style="list-style-type: none"> •To create a sense of openness. •To maintain the visual continuity and pattern of buildings and landscape elements. 	The proposal primarily accords with the front boundary setback of 6.5 metres to Forest Way, notwithstanding a minor protrusion of a bay window.	Yes

Control	Requirement	Proposed	Compliance
	<ul style="list-style-type: none"> •To protect and enhance the visual quality of streetscapes and public spaces. •To achieve reasonable view sharing. 		
Rear Boundary Setback DCP Control B9	6 metres.	Accords with the 6 metre requirement	Yes
Traffic, Access and Safety DCP Controls C2	To minimise: <ul style="list-style-type: none"> a) traffic hazards; b) vehicles queuing on public roads c) the number of vehicle crossings in a street; d) traffic, pedestrian and cyclist conflict; e) interference with public transport facilities; and f) the loss of “on street” kerbside parking. 	<p>A Traffic and Parking Assessment Report has been prepared by McLaren Traffic Engineering.</p> <p>The traffic and parking report demonstrates that the proposed development has no unacceptable traffic implications. The proposed development will only generate 2 additional vehicle trips during the peak periods, which will not have any noticeable or unacceptable effect on the road network serving the site or nearby intersections.</p> <p>Vehicular access to the site is via a new 5.5 metre wide left in, left out driveway to Forest Way.</p>	Yes

Control	Requirement	Proposed	Compliance
Bicycle Parking DCP Control C3A	<p>Objectives</p> <ul style="list-style-type: none"> • To help meet the transport needs of the Warringah community • To encourage healthy active lifestyles and help reduce reliance on private motor vehicles • To provide convenience and safety for bicycle users 	<p>Bicycle Parking Spaces can be incorporated for residents within the individual garages.</p>	Yes
Stormwater DCP Control C4	<p>To ensure the appropriate management of stormwater.</p> <p>To minimise the quantity of stormwater run-off.</p> <p>To incorporate Water Sensitive Urban Design techniques and On-Site Stormwater Detention (OSD) Technical Specification into all new developments.</p> <p>To ensure the peak discharge rate of stormwater flow from new development is no greater than the Permitted Site Discharge (PSD).</p>	<p>Please refer to Stormwater Drainage Plans prepared by Rise Consulting Engineers.</p> <p>All run-off from the development is to be directed to the OSD Control Pit. The OSD is designed in accordance with Warringah Councils "On Site Stormwater Detention Technical Specification".</p>	Yes
Erosion and	<ul style="list-style-type: none"> •To reduce the potential for soil erosion and 	<p>Please refer to the erosion and sediment control plan</p>	Yes

Control	Requirement	Proposed	Compliance
Sedimentation DCP Control C5	<p>adverse sedimentation impacts upon the environment.</p> <ul style="list-style-type: none"> •To prevent the migration of sediment off the site onto any waterway, drainage systems, public reserves, road reserve, bushland or adjoining private lands. •To prevent any reduction in water quality downstream of the development site. 	<p>prepared by Rise Consulting Engineers.</p>	
Excavation and Landfill DCP Control C7	<p>Excavation and landfill works must not result in any adverse impact on adjoining land.</p>	<p>No major excavation works proposed.</p>	<p>N/A</p>
Demolition & Construction DCP Control C8	<p>A demolition and waste management plan must be satisfactorily completed and submitted.</p>	<p>A demolition and waste management plan accompanies the application.</p>	<p>Yes</p>
Waste Management DCP Control C9	<p>Each development must include, or have access to Waste/Recycling Storage Rooms and Areas.</p> <p>a) where the number of dwellings/units is 29 or less, the</p>	<p>The proposal incorporates a dedicated residential enclosed waste storage area to Forest Way, within 6.5 metres walking distance from the adjacent roadway, compliant with this control.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>Waste/Recycling Storage Rooms or Areas must be located at the front of the development within 6.5 metres walking distance to the front boundary adjacent to the roadway. If a Waste/Recycling Storage Room or Area is to be provided at another suitable location within the building, a complementary Waste/Recycling Storage Room or Area must be provided within 6.5 metres walking distance to the front boundary adjacent to the roadway; or</p> <p>b) where the number of dwellings/units is 30 or more, the Waste/Recycling Storage Rooms or Areas must be located within 6.5 metres walking distance of the service area.</p>		
Landscape Open Space and Bushland Setting DCP Control D1	<p>40% of the site area should be provided as landscaped open space as shown on the DCP Map.</p> <p>Objectives:</p> <p>To enable planting to</p>	<p>The proposed development provides 30% of the site as landscaped open space, which falls slightly under the 40% DCP requirement.</p> <p>However the proposal accords with the landscaped area and deep soil zone planting</p>	<p>Yes complies with the SEPP landscaping and open space provisions which prevail</p>

Control	Requirement	Proposed	Compliance
	<p>maintain and enhance the streetscape.</p> <ul style="list-style-type: none"> • To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife. • To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building. • To enhance privacy between buildings. • To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants. • To provide space for service functions, including clothes drying. • To facilitate water management, including on-site detention and infiltration of stormwater. 	<p>requirements of the SEPP (Housing for Seniors or People with a Disability) 2004, which prevail over the DCP requirements.</p>	<p>over the DCP requirement.</p>

Control	Requirement	Proposed	Compliance
Private Open Space DCP Control D2	<p>Multi dwelling housing (not located at ground level) residential flat buildings and shop top housing, to provide 10sqm of private open space with a minimum dimension of 2.5 metres.</p> <p>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.</p> <p>Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</p> <p>Private open space shall not be located in the primary front building setback.</p> <p>Private open space is to be located to maximise solar access.</p>	<p>As demonstrated on the proposed floorplans prepared by HAO Design. Each townhouse is afforded with a ground floor terrace and substantial garden area in excess of 10 sqm, accessed directly from the living room/dining areas to each individual townhouse. Each of the terrace areas has been positioned to maximise solar access.</p>	Yes
Access to Sunlight DCP Control	<p>Pursuant to these provisions development is not to unreasonably reduce sunlight to</p>	<p>Shadow diagrams have been prepared by HAO Design and are submitted with the application documentation.</p>	Yes

Control	Requirement	Proposed	Compliance
D6	<p>surrounding properties. In the case of housing:</p> <ul style="list-style-type: none"> Development should avoid unreasonable overshadowing any public open space. 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. 	<p>The shadow diagrams demonstrate that there are no significant overshadowing impacts to neighbouring properties as a result of the proposed development.</p> <p>The shadow diagrams also confirm that more than 50% of the proposed units private deck areas and the private open space of neighbouring residential dwellings will receive a minimum of three hours direct sunlight between 9am and 3pm on June 21.</p>	
Views DCP Control D7	<p>Development is to allow for the reasonable sharing of views, encourage innovative design solutions and ensure existing canopy trees have priority over views.</p>	<p>The proposed development will not impact upon any established views.</p>	Yes
Privacy DCP Control	<p>Ensure the siting and design of buildings provides a high level of</p>	<p>The development has been designed through detailed site analysis to ensure that</p>	Yes

Control	Requirement	Proposed	Compliance
D8	visual and acoustic privacy for occupants and neighbours.	<p>appropriate privacy is maintained to neighbouring residential properties through the design and orientation of the townhouses, the appropriate use and placement of fenestration.</p> <p>The first floor level of the townhouses has been recessed to ensure visual privacy to neighbouring dwellings is retained.</p>	
Building Bulk DCP Control D9	Encourage good design and innovative architecture to improve the urban environment. Minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.	<p>The development has been designed through detailed site context analysis to provide through a contextually responsive building form maintaining appropriate amenity to neighbouring properties and a high level of amenity to future occupants.</p> <p>The development has regard to the scale and proportion of existing dwellings in the locality and the existing town house development at in Adams Street to the north and Grace Avenue directly to the rear of the site. The highly articulated building form and use of pitched roofs provides appropriate facade treatment and visual interest to the streetscape.</p> <p>The scale and footprint of the townhouse development is entirely compatible with the</p>	Yes

Control	Requirement	Proposed	Compliance
		design themes established by neighbouring dwellings in the locality.	
Building Colours and Materials DCP Control D10	Ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.	<p>The proposed materials and finishes are indicated on the elevation plans prepared by HAO Design.</p> <p>The materials and finishes are considered to be sympathetic to the style of the surrounding development and complementary to natural environment.</p>	Yes
Roofs DCP Policy D11	Roofs are to be designed to complement the local skyline.	The development incorporates pitched roof elements which is typical of the detached dwellings in the locality.	Yes
Glare and Reflection DCP Policy D12	Ensure that development will not result in overspill or glare from artificial illumination or sun reflection.	The proposed window glazing and roof finishes will not give rise to any unacceptable glare or reflection.	Yes
Accessibility DCP Policy D18	To ensure convenient, comfortable and safe access for all people including older people, people with prams and strollers and people with a disability.	The proposed development has been designed to ensure a convenient, comfortable and safe access for all people including wheelchair accessibility.	Yes

Control	Requirement	Proposed	Compliance
Safety and Security DCP Policy D20	<p>Buildings are to overlook streets as well as public and communal places to allow casual surveillance.</p> <p>2. Service areas and access ways are to be either secured or designed to allow casual surveillance.</p> <p>3. There is to be adequate lighting of entrances and pedestrian areas.</p> <p>4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety.</p> <p>5. Entrances to buildings are to be from public streets wherever possible.</p> <p>6. For larger developments, a site management plan and formal risk assessment, including the consideration of the 'Crime Prevention through Environmental Design' principles may be required. This is relevant where, in Council's opinion, the proposed development would present a crime,</p>	<p>The design of the development enables casual observation (from inside the townhouses) to Forest Way. Entrances to each townhouse is located centrally within the site. The opportunity for seclusion within the approaches to the site is minimised as a consequence.</p>	Yes

Control	Requirement	Proposed	Compliance
	safety or security risk. See Crime Prevention and Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979 prepared by the Department of Urban Affairs and Planning (now Department of Planning).		
Private Property Tree Management DCP Policy E1	Development is to be situated and designed to minimise the impact on remnant native vegetation including canopy trees and understorey vegetation on remnant native ground cover species.	An arboricultural impact assessment has been prepared by High The Arborist. This report considers the trees required for removal and to be retained and protected on the site.	Yes
Landslip Risk DCP Policy E10	<p>The site is identified as falling within Landslip Risk Area A.</p> <p>The applicant must demonstrate that:</p> <ul style="list-style-type: none"> • The proposed development is justified in terms of geotechnical stability; and • The proposed development will 	No substantial excavation works are proposed as part of the development. The proposed development is considered to be suitable for the site and no geotechnical hazards will be created by the completion of the proposed development.	Yes

Control	Requirement	Proposed	Compliance
	be carried out in accordance with good engineering practice.		

4.4 STATE ENVIRONMENTAL PLANNING POLICY NO.55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is extremely low given the site (and neighbouring sites) is currently and historically remained in residential use.

4.5 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX Assessment accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.6 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 applies to the proposed development, given the proposal comprises a development with a frontage to a classified road. The objectives of Clause 101 are details as follows:

- a) *To ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- b) *To prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- a) *Where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- b) *The safety, efficiency and on-going operation of the classified road will not be adversely affected by the development as a result of:*
 - i. *The design of the vehicular access to the land, or*
 - ii. *The emission of smoke or dust from the development, or*
 - iii. *The nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- c) *The development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

As demonstrated in this report, the proposed development includes extinguishing the existing driveway access arrangements to Forest Way. A new 5.5 metre left turn in, left turn out driveway crossover is proposed to Forest Way. There is no opportunity for the land to access any alternative roads for access to the proposed lots.

The traffic vehicular access compliance report prepared by McLaren Traffic Engineering demonstrates that cars can enter and exit each of the proposed townhouses onto Forest Way in a forward direction and that sightlines between car drivers and pedestrians are satisfactory. It is therefore considered that the proposed subdivision works will not pose a safety concern to both pedestrians and motorists on Forest Way.

A residential outcome as envisaged under the SEPP within a R2 Low Density Residential Zone is consistent with the established residential environment. The proposed development accords with the objectives and outcomes pursuant to Clause 101 of the SEPP.

4.7 MATTERS FOR CONSIDERATION PURSUANT TO SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(I) THE PROVISION OF ANY PLANNING INSTRUMENT

This report clearly and comprehensively addresses the statutory regime applicable to the application pursuant to the SEPP (HSPD), Warringah LEP 2011 and DCP 2011.

(II) ANY PROPOSED INSTRUMENT THAT IS OR HAS BEEN THE SUBJECT OF PUBLIC CONSULTATION UNDER THIS ACT AND THAT HAS BEEN NOTIFIED TO

THE CONSENT AUTHORITY (UNLESS THE SECRETARY HAS NOTIFIED THE CONSENT AUTHORITY THAT THE MAKING OF THE PROPOSED INSTRUMENT HAS BEEN DEFERRED INDEFINITELY OR HAS NOT BEEN APPROVED), AND

N/A

(III) ANY DEVELOPMENT CONTROL PLAN

Warringah DCP applies.

(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4 OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4, AND

N/A

(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH), AND

N/A

(B) THE LIKELY IMPACTS OF THAT DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

Context and Setting

i. What is the relationship to the region and local context in terms of:

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

These matters have been discussed in the body of this report.

ii. What are the potential impacts on adjacent properties in terms of:

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be acceptable with regard to the applicable legislation.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

These issues have been discussed in detail in the report. The development provides adequate carparking facilities in conformity with the standards of the SEPP (HSPD).

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

This matter has been discussed in detail in the body of this report.

Flora and Fauna

The site will be landscaped. The planting and landscaping treatments will enhance the landscape quality of the locality.

Waste Collection

Normal domestic waste collection applies to this development.

Natural hazards

The site is not affected by any known hazards.

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed development.

Site Design and Internal Design

- i) *Is the development design sensitive to environmental considerations and site attributes including:*
- *size, shape and design of allotments*
 - *The proportion of site covered by buildings*
 - *the position of buildings*
 - *the size (bulk, height, mass), form, appearance and design of buildings*
 - *the amount, location, design, use and management of private and communal open space*
 - *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the desired future character of the Warrigah DCP 2011 and built form controls pertaining to the SEPP (HSPD).

- ii) *How would the development affect the health and safety of the occupants in terms of:*
- *lighting, ventilation and insulation*
 - *building fire risk – prevention and suppression*
 - *building materials and finishes*
 - *a common wall structure and design*
 - *access and facilities for the disabled*
 - *likely compliance with the Building Code of Australia*

The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

- i) *What would be the impacts of construction activities in terms of:*
- *The environmental planning issues listed above*
 - *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

- *Does the proposal fit in the locality*

- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The adjacent development does not impose any unusual or impossible development constraints. The site is well located with regards to public transport and utility services. The development will not cause excessive or unmanageable levels of transport demand. The proposal is in conformity with the relevant controls pursuant to the SEPP (HSPD).

The development responds to the topography of the site, is of adequate area, and has no special physical or engineering constraints is suitable for the proposed development.

(D) ANY SUBMISSIONS RECEIVED IN ACCORDANCE WITH THIS ACT OR REGULATIONS

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(E) THE PUBLIC INTEREST

It is considered that the development is sensitive both to the natural and built environments and is consistent with the provisions of the SEPP (HSPD), Warringah LEP and DCP 2011.

5 CONCLUSION

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use provides for an outcome that is consistent with the aims and objectives of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The project architect has responded to the client brief to design a contextually responsive townhouse development of exceptional quality which takes advantage of the sites superior locational attributes whilst providing high levels of amenity for future occupants. In this regard the scheme has been developed through detailed site and contextual analysis to identify the constraints and opportunities associated with the development of this consolidated infill site having regard to the height, proximity, shadowing impact and orientation of adjoining residential and development. Furthermore, the proposal has been designed to reflect the predominant character of the local area and is in general compliance with the built form controls pursuant to SEPP (HSPD), Warringah LEP 2011 and DCP 2011.

Particular attention has been given to ensuring that the development not only responds to its immediate built form context and ensures that appropriate residential amenity is maintained to neighbouring residential dwellings.

This submission demonstrates that such outcomes have been achieved whilst providing for a highly articulated, modulated and visually stimulating building form which will provide diversity in housing choice.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed development is consistent with the desired future character of the locality.
- The proposed development will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant considerations pursuant to the SEPP (Housing for Seniors or People with a Disability) 2004.