

Statement of Environmental Effect

Proposed residential flat development

**94 and 96 Park Street and
4 Kunari Place
Mona Vale**



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Statement of Environmental Effects

Proposed residential flat development

94 and 96 Park Street and 4 Kunari Place, Mona Vale

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TABLE OF CONTENTS

1.0 INTRODUCTION

2.0 SITE DESCRIPTION AND CONTEXT

2.1 The Site

2.2 The Locality

3.0 DEVELOPMENT PROPOSAL

4.0 STATUTORY PLANNING FRAMEWORK

4.1 State Environmental Planning Policy (Housing) 2021

4.1.1 Infill affordable housing

4.1.2 Design of residential apartment development

4.1.3 Low and mid-rise housing

4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

4.4 Pittwater Local Environmental Plan 2014

4.4.1 Zone and Zone Objectives

4.4.2 Height of Buildings

4.4.3 Density Controls for Certain Residential Accommodation

4.4.4 Acid Sulfate Soils

4.4.5 Earthworks

4.5 Pittwater 21 Development Control Plan

4.5.1 Mona Vale Locality

4.5.2 General Controls

4.5.3 Development Type Controls

4.5.4 Locality Specific Controls

4.6 Section 4.15(1) EP&A Act Considerations

5.0 CONCLUSION

Attachment 1 Affordable housing management correspondence

1.0 INTRODUCTION

This document forms a component of a development application that proposes the demolition of the existing dwelling houses and the construction of a 4 storey residential flat development incorporating building pavilions containing a total of 27 apartments over 4 levels with basement car parking for 65 vehicles including 9 visitor spaces accessed via a driveway from Kunari Place. The application also proposes the implementation of an enhanced site landscape regime.

This application is made pursuant to Chapters 2 and 6 of *State Environmental Planning Policy (Housing) 2021* (SEPP Housing).

We confirm that the whole of the consolidated land is identified on the indicative map for the Chapter 6 low mid-rise housing provisions of SEPP Housing and located no more than 630 metres walking distance measured within the public domain from the mapped Mona Vale town centre. As the site is zoned R2 Low Density Residential pursuant to Pittwater Local Environmental Plan 2014 (PLEP) in which residential flat buildings are prohibited the development relies on the permissibility provisions at clause 174 of SEPP Housing.

We also confirm that the application proposes the provision of 5 affordable housing apartments (Apartments 202, 302, 303, 307 and 403) representing 480m² or 15.4% of total GFA in accordance with the affordable housing FSR and height of buildings incentive provisions contained within Chapter 2, Part 2, Division 1 Infill affordable housing of (SEPP Housing). These apartments will be managed for a period of 15 years from the date of Occupation Certificate by Bridge Housing as detailed in the correspondence at Attachment 1.

The project architect has responded to the client brief to design a contextually responsive building 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 the site including the height, proximity and orientation of adjoining residential development.

The final design provides for a building of high design quality which steps down the site in response to topography in a highly articulated and modulated building form broken into 3 pavilions and which provides appropriate deep soil landscape opportunity around the perimeter of the site to ensure that the buildings sit within a landscaped setting.

The development will provide diversity in housing choice on a site identified as ideally suited to medium density housing given its proximity to the Mona Vale town Centre and in circumstances where the desired future character statement for the Mona Vale Locality and the recently commenced LMR provisions identify the suitability of land immediately adjoining local centres for increased residential densities.

The building façades have been articulated and modulated in both the horizontal and vertical planes to emphasise the buildings horizontal massing and enable the development to respond to the topographical characteristics of the site. Private open spaces have been orientated to the front and rear of the site to prevent direct overlooking to adjoining properties. This submission demonstrates that the proposal will not give rise to inappropriate or jarring streetscape, residential amenity or broader environmental consequences. In preparation of the document consideration has been given to the following statutory planning regime:

- Environmental Planning and Assessment Act, 1979 (the Act),
- Pittwater Local Environmental Plan 2014 (PLEP),
- Pittwater 21 Development Control Plan 2011 (P21DCP),
- State Environmental Planning Policy (Housing) 2021,
- State Environmental Planning Policy (Resilience and Hazards) 2021, and
- State Environmental Planning Policy (Sustainable Buildings) 2022.

Architectural drawings including floor plans, elevations, sections and montage images have been prepared in relation to the development proposed. The application is also accompanied by an Architect design verification statement, boundary survey, shadow diagrams, traffic impact assessment, landscape plans, arborist report, accessibility report, geotechnical investigation report, BCA report, stormwater management plans, BASIX Certificate, waste management plan, QS report and affordable housing management correspondence.

The proposal is permissible and compliant with the nondiscretionary LMR and infill affordable housing development standards applicable to this form of development on this particular site and compliant with the General, Development Type and Locality Specific Controls contained within Pittwater 21 Development Control Plan as reasonably applied. The minor variation to the landscaped area control has been acknowledged and appropriately justified having regard to the associated objectives.

Such variation succeeds pursuant to section 4.15(3A) of the EP&A Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) of the Act. It is considered that the application, the subject of this document succeeds on merit and is worthy of the granting of development consent.

2.0 SITE DESCRIPTION AND LOCALITY

2.1 The Site

The site is located in the suburb of Mona Vale within the Northern Beaches Council Local Government Area (LGA), approximately 28km north of Sydney Central Business District (CBD), and is comprised of the following properties:

- Lot 42, DP 11108, No. 94 Park Street, Mona Vale
- Lot 2, DP 222636, No. 96 Park Street Mona Vale
- Lot 13, DP 226681, No. 4 Kunari Place, Mona Vale

The consolidated allotment is bounded by Kunari Place which runs parallel to the west and north-west boundary for a total of 54.52m, and Park Street which runs parallel to the south-west boundary for a total of 20.62m. Its south-east (80.41m) and north-east (53.37m) boundary is shared with neighbouring houses along Park Street and Kunari Place respectively. The site has a fall of approximately 9.5m from its south corner to the north corner and has a total surveyed area of 3071.048m².

The consolidated allotment contains a number of trees generally around its perimeter within the accompanying aboricultural Impact Assessment prepared by Selena Hannan Landscape Design and boundary survey prepared by Bee and Lethbridge clearly identifying the location and species of the subject trees.

The existing sites currently accommodate 2 storey dwelling houses with various ancillary structures including pools, water tanks and sheds. The immediate surrounding context is characterised by predominantly 2 storey residential dwellings. The broader context has Bayview Golf Club approximately 340m to the north, Mona Vale town centre approximately 550m to the east (measured from closest point of consolidated allotment) and Mona Vale Beach approximately 1.5km to the south-east. An aerial location photograph and a survey extract are at Figures 1 and 2.

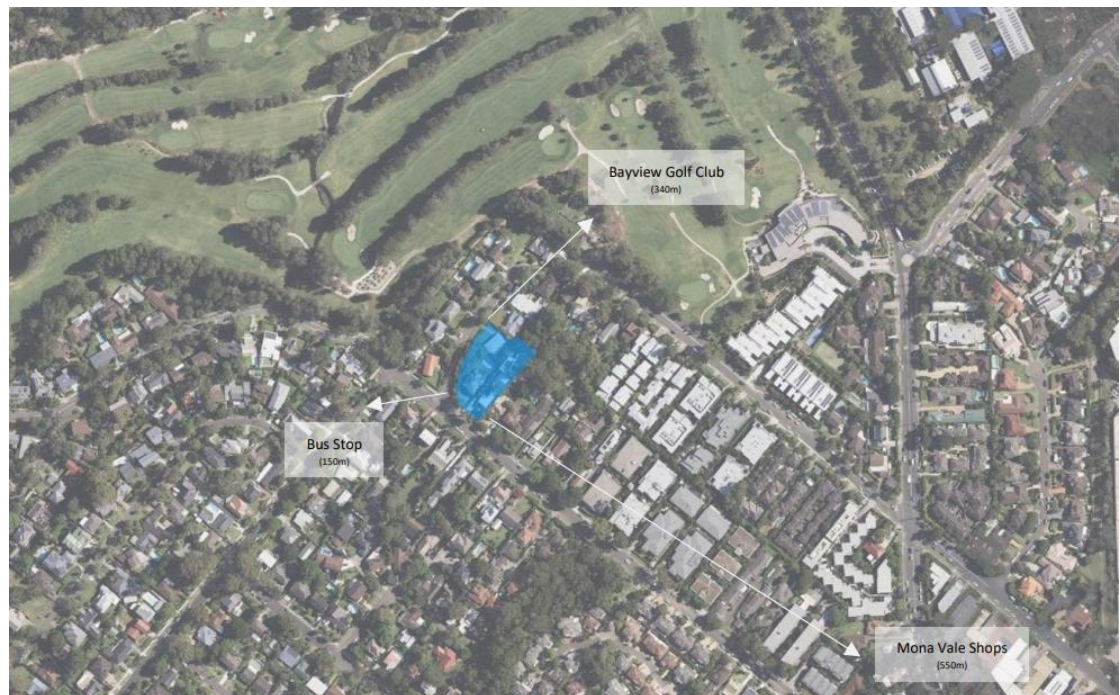


Figure 1 - Aerial location/context photograph with consolidated allotment in blue.

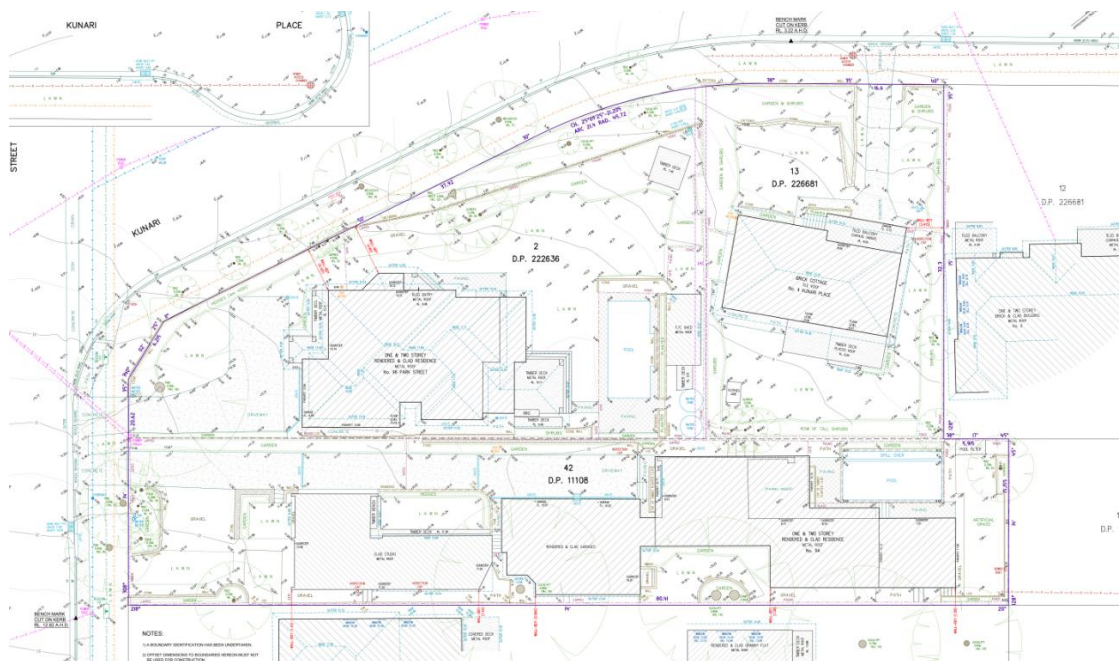


Figure 2 - Survey extract of development site



Figure 3 - Development site as viewed from intersection of Park Street and Kunari Place.



Figure 4 - Development site as viewed from Kunari Place.

2.2 The Locality

Strategically positioned at the convergence of routes north to Palm Beach, west to Church Point, and south to Warringah, Mona Vale became the centre of trade and travel in the Pittwater area during the nineteenth century. The Rock Lily Hotel operating from 1886 became a landmark coaching inn where horses were changed and travellers rested. Industries developed among farming settlements and market gardens, including a timber yard in Waratah Street, and blacksmith and boat-building at Winnererremy Bay. From 1947 to 1976, food for Taronga Zoo animals was grown on 40 acres of land in the vicinity of Darley Road, Bassett and Mona Streets. Residential development in the locality increased from the 1950s.

Since this time, the locality has developed with a mix of residential, retail/commercial, industrial, recreational, community and educational land uses. Today, Mona Vale centre is the main commercial centre for the Pittwater area.

Low-density residential development is built along the valley floor and slopes to the north, south and west of the locality. These areas are characterised by one and two-storey dwelling houses on 680-760 square metre allotments (some blocks may be smaller) to the south, east and north, increasing to 930-1,200 square metres on the valley floor and headland. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Medium-density housing adjoins the Mona Vale Commercial Centre on Mona Vale Road, and extends along Darley Street, Park Street, Pittwater Road, Terrol Crescent and Golf Avenue.

The locality is serviced by the Mona Vale Commercial Centre, a major commercial, retail and community centre situated at the crossroads of Barrenjoey, Pittwater, and Mona Vale Roads. The Commercial Centre is focused around Mona Vale Village Park, Memorial Hall and Library. A hub of light industrial, automotive and like businesses adjoins the Commercial Centre to the north in the vicinity of Darley Road and Basset Streets. The locality also contains neighbourhood retail centres at the intersect of Pittwater Road and Vineyard Street, the eastern end of Darley Street, and Parkland Road. The locality also contains the Mona Vale Hospital, Mona Vale Primary School, Sacred Heart Catholic Primary School, Pittwater High School, Mona Vale Hotel, Mona Vale SLSC, Mona Vale library, Pittwater Council offices, community centre, cemetery, police station, fire station, and bus depot, and recreational facilities including Mona Vale Golf Course, Bayview Golf Course, Mona Vale Bowling Club, skateboard ramp, beaches and several reserves.

Surrounding development is characterised by 1 and 2 storey dwelling houses within informal landscape settings. The properties to the east No's 90 and 92 Park Street are occupied by one and two-storey dwelling houses as depicted in Figure 5 below.

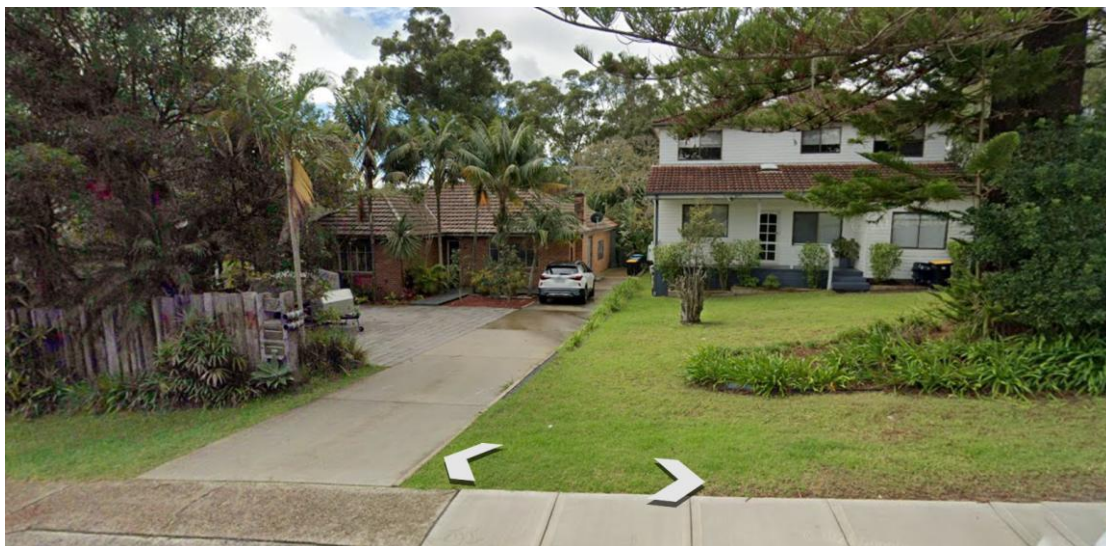


Figure 5 - Photograph of No's 90 and 92 Park Street to the east of the subject property.

The property located Immediately to the north of the subject site No. 6 Kunari Place is occupied by one and two-storey dwelling house with secondary dwelling as depicted in Figure 6 below.



Figure 6 - Photograph of No. 6 Kunari Place to north of site.

The properties to the north with frontage and address to Darley Street West including No. 167 Darley Street West have recently been up zoned to R3 Medium Density Residential by way of a planning proposal with this property currently occupied by a detached dwelling house.

We note that all surrounding properties are identified on the indicative map for the Chapter 6 low mid-rise housing provisions of SEPP Housing being located not more than 800m walking distance measured within the public domain from the mapped Mona Vale town centre. An LMR mapping extract and Pittwater LEP zoning map extract are below and over page noting that the R3 Medium Density Residential zoned land to the north of the site is located in the LMR “outer area” and accordingly a maximum building height of 17.5 metres (4 storeys) and an FSR of 1.5:1 are non-discretionary development standards for residential flat development on these properties.

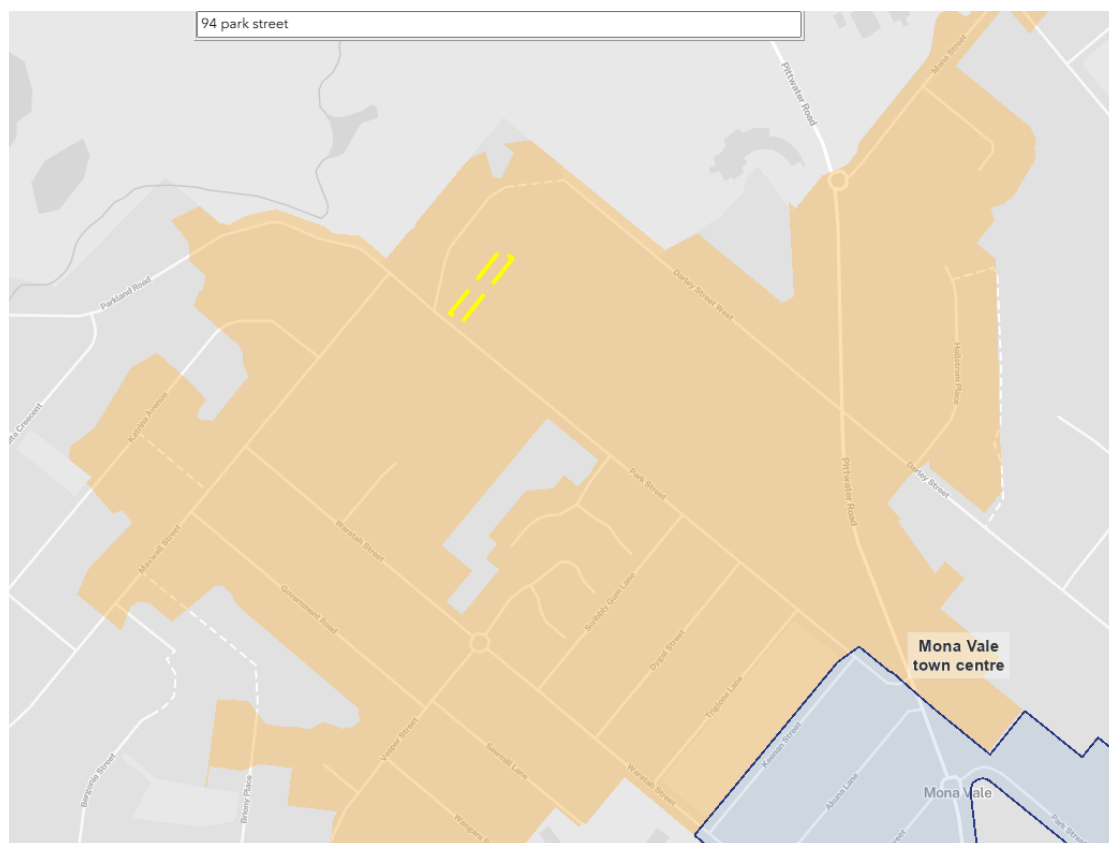


Figure 7 - Low and Mid-rise housing policy indicative map (Housing SEPP) with 94 Park Street shown yellow.



Figure 8 – PLEP zoning map extract showing relationship of the subject properties to the adjacent R2 Low Density Residential and R3 Medium Density zoned land with 94 Park Street shown yellow.

3.0 DEVELOPMENT PROPOSAL

The application proposes the following:

- The demolition of existing residences and ancillary structures.
- The construction of two x 4-storey apartment buildings comprising of:
 - 2 x one-bedroom dwellings.
 - 13 x two-bedroom dwellings.
 - 12 x three-bedroom dwellings.
- The construction of a common single storey amenity space comprising:
 - A lap pool and spa,
 - A cold plunge and sauna,
 - A gymnasium, and
 - An outdoor kitchen and dining area.

The proposed development is depicted on the following accompanying architectural plans prepared by Walsh Architects:

NUMBER	SHEET NAME	REVISION
DA000	COVER PAGE	1
DA010	EXISTING SITE PLAN	1
DA020	SITE ANALYSIS	1
DA030	DEMOLITION PLAN	1
DA040	PROPOSED SITE PLAN	1
DA050	3D VISUALISATION	1
DA100	BASEMENT 2 PLAN	1
DA101	LEVEL 1 PLAN	1
DA102	LEVEL 2 PLAN	1
DA103	LEVEL 3 PLAN	1
DA104	LEVEL 4 PLAN	1
DA105	LEVEL 5 PLAN	1
DA106	ROOF PLAN	1
DA200	LONG SECTIONS	1
DA201	CROSS SECTIONS	1
DA300	ELEVATIONS	1
DA301	ELEVATIONS	1
DA302	ELEVATIONS	1
DA400	AREA CALCULATIONS- GROSS FLOOR AREA	1
DA401	AREA CALCULATIONS - AFFORDABLE AREA	1
DA402	AREA CALCULATIONS - LANDSCAPE AREA	1
DA500	SHADOW DIAGRAMS - 9AM JUNE 21ST	1
DA502	SHADOW DIAGRAMS - 12PM JUNE 21ST	1
DA503	SHADOW DIAGRAMS - 3PM JUNE 21ST	1
DA600	VIEWS FROM SUN - 9AM JUNE 21ST	1
DA601	VIEWS FROM SUN - 10AM JUNE 21ST	1
DA602	VIEWS FROM SUN - 11AM JUNE 21ST	1
DA603	VIEWS FROM SUN - 12PM JUNE 21ST	1
DA604	VIEWS FROM SUN - 1PM JUNE 21ST	1
DA605	VIEWS FROM SUN - 2PM JUNE 21ST	1
DA606	VIEWS FROM SUN - 3PM JUNE 21ST	1

The accompanying architect design verification statement contains the following commentary in relation to the developments performance when assessed against the design quality principles at Chapter 4 and Schedule 9 of SEPP Housing:

Principle 1: Context and Neighbourhood Character

- *The site has been identified in the Low and Mid Rise Housing Policy as a 'Low and Mid Rise Outer Housing Area' and is therefore nominated as an area identified for change.*
- *The proposal responds directly to the objectives of this Area; providing much needed densification in a key location to Mona Vale.*
- *The subject site is well serviced by public transport; bus routes can be easily accessed along Maxwell Street which is within approximately 150m walk. Bayview Golf Course is located across the road, Village Park is located approximately 550m from the site, and Mona Vale Beach is located approximately 1.5km from the site.*
- *The development proposes large, landscaped setbacks to the street boundary which will contribute to the Park Street and Kunari Place street frontages. The generous amount of landscaped area to the perimeter of the site will serve as a buffer zone between the development and its neighbours. ▪ The landscape design retains several high-quality native trees and incorporates extensive new native planting across the site, ensuring the development is thoughtfully integrated into its natural surroundings.*
- *A simple and consistent palette of materials and a refined contemporary building form will ensure a sophisticated integration of the proposed building into the existing context. We believe it contributes greatly to the quality and identity of the area.*

Principle 2: Built Form + Scale

- *The proposed built form has been carefully designed to respond sensitively to the surrounding context through a considered approach to scale, massing, and articulation. The scale and bulk of the buildings are moderated through a large central amenity area and deep landscaped terraced setbacks coupled with a clear architectural language of curved balconies and dark dynamic recesses to provide a high level of articulation and visual interest, reducing perceived mass and creating a layered, human-scaled development that sits comfortably within the local streetscape and broader Mona Vale character.*

- *Although the development comprises four storeys, the steep topography of the site allows the built form to present as a more modest three storeys when viewed from the eastern and southern boundaries along Park Street. This sensitive response to the site's natural slope reduces visual impact and ensures the development integrates appropriately with the current surrounding lower-scale residential context.*
- *The buildings have been thoughtfully arranged to take full advantage of the sites northwestern outlook over the adjacent golf course and surrounding hills. Apartment and balcony orientations have been strategically positioned to engage with nearby open green spaces and the centrally located communal area, strengthening the connection between built form and landscape.*
- *The built form clearly defines pedestrian entry points using deep architectural recesses, integrated signage, and letterboxes, reinforcing a strong sense of address and enhancing legibility from the public domain. Vehicle access is strategically located at the lowest point of the site, off Kunari Place, to minimise visual impact and reduce the extent of basement excavation, contributing to a more efficient and context-sensitive built form.*

Principle 3: Density

- *The proposed density has been thoughtfully integrated into the site, ensuring it does not compromise the amenity of adjoining properties. Key considerations such as solar access, crossventilation, privacy, and scale in relation to existing and future surrounding development have been carefully addressed to achieve a sensitive and contextually appropriate outcome.*
- *The development includes 27 well-proportioned apartments, comprising a mix of one-, two-, and three-bedroom dwellings. This diverse range of unit types provides high-quality and flexible living options that respond to the varied needs of future residents. The apartment mix reflects both current market demand and established residential patterns within the locality.*
- *The proposed density is well supported by the existing and planned infrastructure, including access to public transport, community facilities, and local services. It also responds appropriately to the site's environmental context, ensuring the development remains sustainable and resilient in the long term.*

Principle 4: Sustainability

- *The development has been thoughtfully designed to optimise solar access and natural cross-ventilation. Construction materials have been selected with consideration for thermal performance, aiming to reduce heating and cooling demands. A detailed sustainability analysis has been undertaken as part of the BASIX Assessment, ensuring the development meets high environmental performance standards.*
- *The proposal incorporates low-maintenance, durable materials with long life cycles and reusability in both the structural elements and external cladding, supporting environmental sustainability and reducing long-term resource consumption.*
- *Climate and location-appropriate plant species have been selected to enhance ecological resilience, while stormwater capture is integrated to provide irrigation for the landscaping. In addition, the proposed design incorporates extensive deep soil zones supporting sustainable landscape outcomes.*
- *All bathrooms will be mechanically ventilated to the façade or roof to ensure effective air circulation. The development incorporates energy-efficient appliances and water-saving fixtures in accordance with BASIX commitments.*

Principle 5: Landscape

- *The proposed development delivers a high-quality landscape design that enhances residential amenity, integrates with the local character, and responds sensitively to the site's topography. The landscape architect has considered species selection to ensure sustainability, visual quality, and privacy for residents. Please refer to the landscape drawings prepared by Plot Design Group, submitted as part of this Development Application.*
- *A landscape buffer is introduced around the site's perimeter to soften the building's interface with the public domain and surrounding properties, ensuring contextual sensitivity and a strong relationship with the streetscape.*
- *The planting strategy incorporates a mix of low-maintenance, climate-appropriate species of varying heights and densities, blending seamlessly with the characteristic vegetation of the area.*
- *Terraced levels across the sloping site facilitate accessibility and increase opportunities for deep soil planting, supporting a robust and ecologically responsive landscape.*

Principle 6: Amenity

- *The proposed development has been designed to deliver a high standard of residential amenity for future occupants while ensuring the continued comfort and privacy of neighbouring properties.*

- *Each apartment has been carefully planned to maximise natural light, ventilation, and outlook, with over 70% of apartments achieving direct solar access for a minimum of two hours between 9am and 3pm mid-winter, in line with design guidance. To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide; however, it is achieved anyway on this site.*
- *Internal layouts provide well-proportioned, functional living spaces that meet or exceed minimum room dimensions and storage requirements. Cross-ventilation is achieved in 100% of apartments, enhancing indoor air quality and thermal comfort. High ceilings, appropriate window placements, and deep eaves contribute to improved light penetration and shading.*
- *Acoustic and visual privacy is maintained through considered building orientation, the strategic placement of balconies and windows, and appropriate separation distances both within the development and to neighbouring properties. External communal spaces are landscaped and centrally located, allowing for informal interaction while avoiding disruption to private dwellings.*
- *It is proposed that 20% of the development will meet LHA Silver level.*

Principle 7: Safety

- *The development features clearly identifiable main building entrances with spacious open entry areas, ensuring adequate visibility and surveillance. These entrances are prominently located to be clearly visible from the street. Additionally, an intercom system with an integrated camera will be installed to enhance security and allow for the identification of visitors to the building complex.*
- *Residential apartments have been designed in such a way as to have some of the main living areas and balconies facing the street/ public areas for casual surveillance.*
- *Secure basement car parking provided with keyed and remote-control access. Clear circulation paths in the basement allow safe pedestrian movement, especially when waiting at the lift and access to individual parking space and storage area.*
- *Clear distinction between public and private spaces will be provided, with well-defined dividers, safe access points and adequate lighting throughout entrances and pedestrian pathways. Separate accessways for vehicles and pedestrians ensure safe, legible movement through the site, with clear sightlines to enhance visibility and promote a secure environment.*

Principle 8: Housing Diversity and Social Interaction

- *The size, configuration, and mix of apartments in the development are thoughtfully designed to meet the needs and market demand of future occupants.*
- *The proposed development includes the provision of five affordable housing units which are offered to a housing provider at an affordable rate, supporting housing diversity and contributing to social inclusion.*
- *The development complies with all relevant accessibility requirements, with inclusive design principles incorporated throughout. Access for people with disabilities has been carefully considered and integrated into the overall design to ensure equitable and convenient movement within and around the building.*
- *Generous communal spaces are centrally located within the development, providing opportunities for social interaction, relaxation, and a shared sense of community among residents.*
- *The site is closely located to public transport networks and Mona Vale town centre is a short walk along Park Street.*

Principle 9: Aesthetics

- *Massing and façade details are designed to respond to both desired character of the area and the existing context.*
- *The proposal adopts a restrained and contextually appropriate palette in response to the material character of the existing neighbourhood. Light-toned curved concrete forms are complemented by darker recessed cladding, reflecting the coastal character and fresh aesthetic typical of the Northern Beaches.*
- *The building has a modern and clean aesthetic, tempered by environmental control, site response and landscape elements.*
- *Colour and material selections have been made to create transitions between inside and outside and allowing the development to add value to its surrounding neighbourhood.*
- *All materials selected will be durable and hard wearing so the development does not prematurely age. This will enhance the long-term image of the building with its careful composition of building elements, textures, materials, colours, internal design, and structure contributing positively to the desired future character of the vicinity.*

We confirm that the application proposes the provision of 5 affordable housing apartments (Apartments 202, 302, 303, 307 and 403) representing 480m² or 15.4% of total GFA in accordance with the affordable housing FSR and height of buildings incentive provisions contained within Chapter 2, Part 2, Division 1 Infill affordable housing of (SEPP Housing). These apartments will be managed for a period of 15 years from the date of Occupation Certificate by Bridge Housing.

Whilst the proposal requires the removal of a number of trees as detailed within the accompanying arborist report such tree loss is appropriately compensated for through the implementation of the enhanced site landscape regime as depicted on the accompanying landscape plans prepared by Plot Design Group. These landscape plans incorporate the retention of Tree T5 identified as a *Eucalyptus microcorys* Tallowwood as a feature element of the development with both deep soil and on slab landscape treatments proposed which will soften and screen the development as viewed in the round and ensure that the buildings sit within a landscaped setting.

All stormwater will be collected and disposed of directly into the existing street drainage system as detailed on the plans prepared by RTS Consulting. The acceptability of the proposed excavation is detailed in the accompanying geotechnical investigation prepared by Crozier Geotechnical Consultants with the extent of excavation deemed acceptable subject to the imposition of standard conditions regarding construction management. Finally, the acceptability of the carparking design arrangement and the development's level of accessibility are detailed in the accompanying Traffic and Parking Assessment Report prepared by Genesis Traffic and the Access Assessment Report prepared by EBS Consultants.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 State Environmental Planning Policy (Housing) 2021

4.1.2 Chapter 2 - Infill affordable housing

The application proposes the provision of 5 affordable housing apartments (Apartments 202, 302, 303, 307 and 403) representing 480m² or 15.4% of total GFA in accordance with the affordable housing FSR and height of buildings incentive provisions contained within Chapter 2, Part 2, Division 1 Infill affordable housing of (SEPP Housing). These apartments will be managed for a period of 15 years from the date of Occupation Certificate by Bridge Housing as detailed in the correspondence at Attachment 1.

We note that the objective of this division is to facilitate the delivery of new infill affordable housing to meet the needs of very low, low and moderate income households.

Pursuant to clause 15C(1), this division applies given that residential flat development is permissible with consent on the land pursuant to clause 174 of SEPP Housing, the proposed affordable housing component is at least 10% and all of the development is carried out within an accessible area, as defined, being within 400m walking distance of a regularly serviced bus stop. We confirm that the subject property is located 150m from the regularly serviced bus stop in Maxwell Street as depicted in the image below.



Figure 9 – The subject site is located 150m from the regularly serviced bus stop in Maxwell Street.

Pursuant to clause 16:

- (1) *The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).*
- (2) *The minimum affordable housing component, which must be at least 10%, is calculated as follows -*

$$\text{affordable housing component} = \frac{\text{additional floor space ratio}}{(\text{as a percentage})} \div 2$$

- (3) *If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).*
- (4) *This section does not apply to development on land for which there is no maximum permissible floor space ratio.*

We confirm that residential flat development is permissible on the land pursuant to clause 174 of SEPP Housing with clause 179(2)(d) prescribing a maximum floor space ratio of 0.8:1 for residential flat development on the land.

As the proposal provides 15.4% of total GFA as affordable housing the 30% FSR bonus applies resulting in a maximum prescribed FSR for development on the land pursuant to clause 16(1) of 1.04:1.

In relation to building height, we confirm that clause 179(2)(e) prescribes a maximum floor space ratio for residential flat development of 9.5 metres. Applying the 30% building height bonus results in a maximum prescribed building height for development on the land pursuant to clause 16(3) of 12.35 metres.

We note that clause 16 for does not apply given that there is a maximum permissible floor space ratio applying to development on the land pursuant to clause 179(2)(d) of SEPP Housing.

It has been determined that the proposed development is compliant with the 12.35 metre building height standard having regard to the 30% building height incentive applicable to residential flat development on the land. This is depicted on the architectural plans.

Further, the proposal provides for a maximum overall GFA of 3117 m² representing a compliant FSR of 1.01:1 having regard to the 30% FSR incentive applicable to residential flat development on the land. This is depicted on the architectural plans.

As the proposal satisfies the numerical standards it is also deemed to comply with the associated objectives.

We confirm that clause 12A of SEPP Housing is complied with in that the proposal does not involve an FSR which exceeds 130% of the maximum permissible floor space ratio for development on the land.

These provisions are satisfied.

4.1.3 Chapter 4 - Design of residential Apartment development

Pursuant to Section 144(3) of the Housing SEPP the provisions of Chapter 4 of the Housing SEPP apply to the development. The development has therefore been designed in accordance with design quality principles contained within Schedule 9 of the SEPP and the Apartment Design Guide (ADG).

The accompanying Architect Design Statement prepared by Walsh Architects confirms that the modified building designs will:

- Achieve the design principles set out within Schedule 9 of the Housing SEPP, and
- Satisfies relevant design objectives and criteria within the ADG.

In relation to side boundary setbacks, we note that all surrounding properties are identified on the indicative map for the Chapter 6 low mid-rise housing provisions of SEPP Housing being located not more than 800m walking distance measured within the public domain from the mapped Mona Vale town centre. An LMR mapping extract and Pittwater LEP zoning map extract are at Figures 7 and 8 noting that the R3 Medium Density Residential zoned land to the north of the site is located in the LMR “outer area” and accordingly a maximum building height of 17.5 metres (4 storeys) and an FSR of 1.5:1 are non-discretionary development standards for residential flat development on these properties.

In this regard, these properties can be developed for low rise residential flat development and to that extent the side boundary setbacks proposed, which are in excess of the minimum 6 metre requirement, satisfy objective 3F – 1 of the ADG by providing adequate building separation between neighbouring sites to achieve reasonable levels of external and internal visual privacy. The setbacks also maintain an appropriate spatial relationship with surrounding development and deep soil landscape opportunity around the perimeter of the site.

4.1.3 Chapter 6 – Low and mid-rise housing

This application is made pursuant to Chapter 6 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) which came into effect on 28th February 2025.

Pursuant to clause 164(1) of the Housing SEPP, the Northern Beaches LGA is one to which Chapter 6 applies. Further, pursuant to clause 174 of the Housing SEPP, development for the purpose of a residential flat building is permitted with consent on the site, as it is located within:

- A low and mid-rise housing area (refer to Figure 7)
- An R2 Low Density Residential zone.

An assessment of the development against other applicable provisions within Chapter 6 of the Housing SEPP is contained within Table 1 over page.

Table 1 - Assessment of relevant SEPP Housing Chapter 6 provisions

Clause	Requirement	Assessment	Compliance
179 Non-discretionary development standards—residential flat buildings and shop top housing in Zone R1 or R2	(1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R1 General Residential or R2 Low Density Residential.	The subject property is located within a low and mid rise housing area in an R2 Low Density Residential zone. These provisions apply.	Yes
	(2) The following non-discretionary development standards apply—		
	(a) a minimum lot size of 500m ² ,	Consolidated site area of 3071.048m ² .	Yes
	(b) a minimum lot width at the front building line of 12m,	Lot width at the front building line exceeds 12m.	Yes
	(c) if no environmental planning instrument or development control plan that applies to the land specifies a maximum number of car parking spaces per dwelling—a minimum of 0.5 car parking spaces per dwelling,	P21DCP specifies a minimum number of car spaces so these provisions apply. 27 dwellings proposed so a minimum of 13.5 (14) car spaces required. 65 proposed.	Yes
	(d) a maximum floor space ratio of 0.8:1,	Complies prior to applying 30% affordable bonus provisions	Yes
	(e) a maximum building height of 9.5m.		Yes

4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. The site has been used for residential purposes for an extended period of time with no known prior land uses. In this regard, the potential for contamination is considered to be extremely unlikely.

The site is not identified as a contaminated site on the NSW EPA's list of notified sites, nor is it in the vicinity of any listed sites. The consent authority can be satisfied that the subject site is suitable for the proposed development.

As such, the proposed development is consistent with the provisions of Chapter 4 of this policy.

4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

This SEPP applies to the residential component of the development and aims to encourage sustainable residential development.

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

4.4 Pittwater Local Environmental Plan 2014

4.4.1 Zone and Zone Objectives

The subject property is zoned R2 Low Density Residential pursuant to the provisions of PLEP 2014 with residential flat building prohibited in the zone.

We confirm that residential flat development is permissible on the land pursuant to clause 174 of SEPP Housing.

4.4.2 Height of buildings

Pursuant to clause 4.3 PLEP 2014 the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- (a) *to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- (b) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (c) *to minimise any overshadowing of neighbouring properties,*
- (d) *to allow for the reasonable sharing of views,*
- (e) *to encourage buildings that are designed to respond sensitively to the natural topography,*
- (f) *to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

The dictionary to the LEP defines building height to mean:

building height (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

These provisions derogate from the Chapter 2 and 6 provisions of the Housing SEPP and accordingly do not apply.

4.4.3 Acid Sulfate Soils

Pursuant to clause 7.1 PLEP 2014 the site is mapped Acid Sulphate Soil Class 5. In accordance with the considerations at clause 7.1(2) PLEP as the proposed works are not within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land no further investigation is warranted in this instance.

4.4.4 Earthworks

In accordance with the clause 7.2 PLEP 2014 the application is accompanied by a Geotechnical Investigation prepared by Crozier Geotechnical Consultants which assessed the acceptability of the earthworks proposed. Such report contains a number of recommendations which are to be complied with through the construction process and no objection is raised to an appropriately worded condition in this regard.

We consider that this report demonstrates compliance with the 7.2 PLEP 2014 provision.

4.5 Pittwater 21 Development Control Plan

Pittwater 21 DCP contains development controls for the design and construction of buildings and the development of land in Pittwater. The proposed development has been assessed against the relevant provisions of Pittwater 21 DCP as outlined in the following sections of this report noting that only the provisions that do not derogate from SEPP Housing or the ADG have been addressed.

4.5.1 Mona Vale Locality

The property is located within the Mona Vale Locality. The desired future character of the locality is identified as being:

The Mona Vale locality will contain a mix of residential, retail, commercial, industrial, recreational, community, and educational land uses.

Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities.

Retail, commercial and light industrial land uses will be employment-generating. The Mona Vale commercial centre status will be enhanced to provide a one-stop convenient centre for medical services, retail and commerce, exploiting the crossroads to its fullest advantage and ensuring its growth and prosperity as an economic hub of sub-regional status. The permissible building height limit is increased to promote economic growth within the centre. The Mona Vale Hospital, as a regional facility servicing the Peninsula, is an essential part of the future local economy.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the Mona Vale commercial centre will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

Light industrial land uses in Darley and Bassett Streets will be enhanced as pleasant, orderly, and economically viable areas.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. Improved public transport, pedestrian accessibility and amenity, carparking and an efficient surrounding local network will support the commercial centre, moving people in and out of the locality in the most efficient manner. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

Notwithstanding that the locality statement does not anticipate the Chapter 6 provisions of the Housing SEPP the development is compliant with the non-discretionary building height standard with the building façades articulated and modulated in both the horizontal and vertical planes with the pavilion style topology enabling the development to respond to the topographical characteristics of the site.

The contemporary and highly articulated building design incorporates a palette of natural materials and finishes and substantial landscaping which will enable the development to blend into its urban environment.

The proposal provides for the implementation of an enhanced site landscape regime where the building will sit within a landscaped setting. To that extent the proposed dwelling will not be perceived as inappropriate or jarring in a streetscape or suburban context.

The building has been designed to respects the natural features on the site consistent with the desired future character statement for the Mona Vale Locality.

4.5.2 General Controls

Preservation of Trees

Whilst the proposal requires the removal of a number of trees as detailed within the accompanying arborist report such tree loss is appropriately compensated for through the implementation of the enhanced site landscape regime as depicted on the accompanying landscape plans prepared by Plot Design Group.

These landscape plans incorporate the retention of Tree T5 identified as a *Eucalyptus microcorys* Tallowwood as a feature element of the development with both deep soil and on slab landscape treatments proposed which will soften and screen the development as viewed in the round and ensure that the buildings sit within a landscaped setting.

Stormwater Management

All stormwater will be collected and disposed of directly into the existing street drainage system as detailed on the plans prepared by RTS Consulting.

Off-street Vehicular Parking Requirements

The acceptability of the carparking design arrangement and the development's level of accessibility are detailed in the accompanying Traffic and Parking Assessment Report prepared by Genesis Traffic. The Traffic and Parking Assessment Report contains the following analysis and conclusions:

The applicable car parking rates (Table 4-1) are provided in Section B6.3 of the Pittwater DCP.

Table 4-1 DCP Car Parking Rates

Land Use	Element	Parking Rates
Multi Dwelling Housing, Residential Flat Buildings and Shop-Top Housing	1-Bed	1.0 space per dwelling
	2-Bed or more	2.0 spaces per dwelling
	Visitor	1.0 space per 3 dwellings

Application of the proposal using the above criteria would indicate the following requirements in Table 4-2.

Table 4-2 Required Car Parking Spaces

Land Use	Element	Unit	Requirement	Provision
Multi Dwelling Housing, Residential Flat Buildings and Shop-Top Housing	1-Bed	2 units	2	56
	2-Bed or more	25 units	50	
	Visitor	27 units	9	9
Total			61 spaces	65 spaces

Based on the above, the minimum parking provision is 61 car spaces. Furthermore, the DCP requires the provision of a car wash bay for developments with 10 or more dwellings. Accordingly, a car wash bay is provided within the basement to satisfy the DCP requirement.

In summary, it is proposed to provide 65 parking spaces (plus 1 car wash bay) to satisfy the DCP requirement, being:

- 56 x Resident
- 9 x Visitor

4.2 Bicycle Parking Requirement

The DCP provides a bicycle parking rate of 1 space per 3 dwellings for residential developments.

Applying the DCP rate to the proposal will generate a requirement of 9 bicycle spaces. Accordingly, it is proposed to provide 9 bicycle spaces to comply with the DCP requirement.

The traffic and parking assessment undertaken for the Proposed Residential Development at 4 Kunari Place, 94 & 96 Park Street, Mona Vale has concluded that:

- *the traffic generation of the proposed development will not present any adverse traffic implications*
- *the proposed parking provision will comply with the Council's DCP criteria and will adequately serve the development*
- *the proposed access, internal circulation and parking arrangements will be consistent with the relevant AS design criteria*

These provisions are satisfied.

Site Works Management

In accordance with Part B8 appropriate measures are to be undertaken to address the issues of construction and demolition impacts, erosion and sedimentation management, waste minimisation, site fencing and security, works in the public domain and traffic management where required.

Normal site management practices will be adopted to prevent public access during demolition and construction of the new building and to prevent erosion and sedimentation. As the site is of adequate size it is envisaged that all construction materials will be stored on site throughout the demolition and construction processes.

4.5.3 Development Type Controls

Design Criteria for Residential Development

Landscaping

Pursuant to clause C1.1 all canopy trees and a majority of other vegetation shall be locally native species. A range of low lying shrubs and canopy trees shall be provided to soften the built form. Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.

As previously indicated, whilst the proposal requires the removal of a number of trees as detailed within the accompanying arborist report such tree loss is appropriately compensated for through the implementation of the enhanced site landscape regime as depicted on the accompanying landscape plans prepared by Plot Design Group.

These landscape plans incorporate the retention of Tree T5 identified as a *Eucalyptus microcorys* Tallowwood as a feature element of the development with both deep soil and on slab landscape treatments proposed which will soften and screen the development as viewed in the round and ensure that the buildings sit within a landscaped setting.

Safety and Security

In accordance with clause C1.2 building design should allow visitors who approach the front door to be seen without the need to open the door. Buildings and the public domain are to be designed to allow occupants to overlook public places and communal areas to maximise casual surveillance. Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.

The proposed residential flat buildings have been designed such that the main entrances are well defined and clearly visible from the street with casual surveillance opportunities to the adjacent public domain available from the street facing apartments.

The accompanying architect design verification contains the following commentary in relation to safety and security:

- *The development features clearly identifiable main building entrances with spacious open entry areas, ensuring adequate visibility and surveillance. These entrances are prominently located to be clearly visible from the street. Additionally, an intercom system with an integrated camera will be installed to enhance security and allow for the identification of visitors to the building complex.*
- *Residential apartments have been designed in such a way as to have some of the main living areas and balconies facing the street/ public areas for casual surveillance.*
- *Secure basement car parking provided with keyed and remote-control access. Clear circulation paths in the basement allow safe pedestrian movement, especially when waiting at the lift and access to individual parking space and storage area.*
- *Clear distinction between public and private spaces will be provided, with well-defined dividers, safe access points and adequate lighting throughout entrances and pedestrian pathways. Separate accessways for vehicles and pedestrians ensure safe, legible movement through the site, with clear sightlines to enhance visibility and promote a secure environment.*

These provisions are satisfied.

View Sharing

Having inspected the site and its immediate surrounds, and noting that generally compliant building height proposed, we have formed the considered opinion that the proposed development will not give rise to unacceptable view impacts to surrounding properties.

To the extent that scenic or verdant views are available from surrounding development Council can be satisfied that a view sharing outcome is maintained in accordance with the view sharing principles established in the matter of Tenacity Consulting Pty Ltd v Warringah Council [2004] NSWLEC140.

Solar Access

The accompanying shadow diagrams which have been prepared in plan view and views from the sun clearly demonstrate that at least 3 hours of solar access will be maintained to the principal living room windows and adjacent private open space areas of all adjoining residential properties, in particular the dwelling house and secondary dwelling at 92 Park Street located immediately to the east of the subject property between 9am and 12noon on 21st of June in strict accordance with the DCP control.

Accordingly, the proposed development maintains appropriate solar access to surrounding development in accordance with the DCP provision.

Visual Privacy

Pursuant to clause C1.5 private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation. Elevated decks, verandas and balconies should incorporate privacy screens where necessary and should, where possible, be located at the front or rear of the building. Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.

The development has been carefully designed to limit side boundary facing fenestration with primary living room windows and associated balconies/terraces orientated to the front and rear of the property to prevent direct overlooking opportunities into adjoining properties. Where side boundary facing windows and balcony elements are proposed, integrated privacy attenuation measures have been provided or setbacks increased. Such design response coupled with the integrated landscape design proposed provides appropriately for privacy between adjoining development.

In this regard, we have formed the considered opinion that the development provides for the retention of an appropriate level of visual privacy consistent with that reasonably anticipated for development located in the LMR mapped area. The proposal maintains appropriate visual and aural privacy between adjoining development in strict accordance with the control.

4.5.4 Locality Specific Development Controls

Character as Viewed from Public Place

The three dimensional form of the proposed building, and its relationship with adjoining development, has been dictated through detailed site analysis and compliance with the non-discretionary development standards and applicable built form controls. The pavilion style building topology presents as an appropriately articulated and modulated building form to the street and to that extent will not be perceived as inappropriate, jarring or antipathetic in a streetscape context or having regard to the desired future character of the Locality. The proposal integrates with the natural landform and will sit within a landscaped setting as depicted in the following montages.



Figure 10 - Photographic montage of the development as viewed from the intersection of Park Street and Kunari Place.



Figure 11 - Photographic montage of the development as viewed from Kunari Place.

Building Colours, Materials and Construction

The architectural form incorporates a combination of natural materials and colours ensuring the development will blend into the urban environment in which it is located. The architect design verification statement contains the following commentary in relation to colours, materials and built form composition:

- *The proposal adopts a restrained and contextually appropriate palette in response to the material character of the existing neighbourhood. Light-toned curved concrete forms are complemented by darker recessed cladding, reflecting the coastal character and fresh aesthetic typical of the Northern Beaches.*
- *The building has a modern and clean aesthetic, tempered by environmental control, site response and landscape elements.*
- *Colour and material selections have been made to create transitions between inside and outside and allowing the development to add value to its surrounding neighbourhood.*
- *All materials selected will be durable and hard wearing so the development does not prematurely age. This will enhance the long-term image of the building with its careful composition of building elements, textures, materials, colours, internal design, and structure contributing positively to the desired future character of the vicinity.*

Front Building Line

In accordance with clause D9.6 the minimum front building line shall be 6.5 metres or established whichever is the greater. Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line or 3.25 metres. The stated outcomes of the control are as follows:

- *Achieve the desired future character of the Locality.*
- *Equitable preservation of views and vistas to and/or from public/private places.*
- *The amenity of residential development adjoining a main road is maintained.*
- *Vegetation is retained and enhanced to visually reduce the built form.*
- *Vehicle manoeuvring in a forward direction is facilitated.*
- *To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*
- *To encourage attractive street frontages and improve pedestrian amenity.*
- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

The subject property is irregular in shape having primary frontage to Park Street and secondary frontage to Kunari Place. The aerial photograph at Figure 11 demonstrates that there is no consistent or established front building line to either Park Street or Kunari Place. Residential flat development further to the east along Park Street are setback approximately 6.5 metres from the Park Street frontage and accordingly a 6.5 metre front setback has been applied to Park Street with Kunari Place treated as the secondary frontage to which a 3.25m setback can be applied on merit.



Figure 12 - Aerial photograph showing no consistent or established front setback to Park Street or Kunari Place.

In relation to the Park Street setback the southern pavilion maintains a minimum 6.5m setback to the planter box elements with the building façade setback 7.145m from this property frontage. Such setbacks are in strict accordance with the control.

In relation to the Kunari Place frontage the northern building pavilion has been setback by between 5.940m and 6.630m to provide an appropriate setback transition to 6 Kunari Place to north of site with the southern pavilion setback 2.930m from the front boundary as measured from the planter box elements and 3.25m to the balustrade elements. We consider the Kunari Place setbacks to be contextually appropriate and acceptable have regard to the outcomes of the control as follows:

- *Achieve the desired future character of the Locality.*

Comment: For the reasons previously outlined in this statement we consider the proposal to be consistent with the desired future character for the Mona Vale locality. This outcome is satisfied.

- *Equitable preservation of views and vistas to and/or from public/private places.*

Comment: We have formed the considered opinion that the setbacks to Kunari Place provide for the preservation of views and vistas to and/or from public/private places. This outcome is satisfied.

- *The amenity of residential development adjoining a main road is maintained.*

Comment: We do not consider Kunari Place to be a main road. This outcome is satisfied.

- *Vegetation is retained and enhanced to visually reduce the built form.*

Comment: For the reasons previously outlined, the proposal provides appropriately for landscaping to ensure that the built form is appropriately softened and screened and that the development will sit within a landscaped setting. The Kunari Place setbacks facilitate such outcome. This outcome is satisfied.

- *Vehicle manoeuvring in a forward direction is facilitated.*

Comment: This outcome is satisfied.

- *To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*

Comment: The proposed front setbacks do not defeat this outcome.

- *To encourage attractive street frontages and improve pedestrian amenity.*

Comment: The proposed front setbacks do not defeat this outcome.

- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

Comment: As previously indicated, the northern building pavilion has been setback by between 5.940m and 6.630m to provide an appropriate setback transition to 6 Kunari Place to north of site and in doing so sensitively relates to the spatial characteristics of the existing urban environment. This outcome is satisfied.

As the outcomes of the control can be satisfied as applied to the Kunari Place setbacks the secondary street setbacks are considered acceptable and as anticipated by the control.

Side and Rear Building Line

Pursuant to clause D9.7 where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

$$S = 3 + \frac{H - 2}{4}$$

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

The stated outcomes of this control are as follows:

- *To achieve the desired future character of the Locality.*
- *The bulk and scale of the built form is minimised.*
- *Equitable preservation of views and vistas to and/or from public/private places.*
- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*
- *Substantial landscaping, a mature tree canopy and an attractive streetscape.*
- *Flexibility in the siting of buildings and access.*
- *Vegetation is retained and enhanced to visually reduce the built form.*
- *To ensure a landscaped buffer between commercial and residential zones is established.*

Applying the above formula to a compliant 12.35m wall height a minimum side and rear boundary setback of 5.58m would be required. We note that although the proposed wall heights are substantially below the maximum permissible pursuant to the 12.35m building height standard all side and rear boundary setbacks exceed the DCP setback requirement.

Building Envelope

Control D9.9 requires all development to be sited within a building envelope, which is determined by projecting planes at 45 degrees from a height of 4.2 metres above natural ground level at the side boundaries. The stated outcomes of the control are as follows:

- *To achieve the desired future character of the Locality.*
- *To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.*
- *To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*
- *The bulk and scale of the built form is minimised.*
- *Equitable preservation of views and vistas to and/or from public/private places.*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*
- *Vegetation is retained and enhanced to visually reduce the built form.*

These provisions derogate from the Chapter 6 provisions of the Housing SEPP and accordingly do not apply.

Landscaped Area

Pursuant to clause D9.10 the total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area. Landscaped area is defined as follows:

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

The stated outcomes of such control are as follows:

- *Achieve the desired future character of the Locality.*
- *The bulk and scale of the built form is minimised.*
- *A reasonable level of amenity and solar access is provided and maintained.*
- *Vegetation is retained and enhanced to visually reduce the built form.*
- *Conservation of natural vegetation and biodiversity.*
- *Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*
- *To preserve and enhance the rural and bushland character of the area.*
- *Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.*

The applicable variation provisions state that provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

The application is accompanied by Landscaped Calculation Plan DA402(1) which demonstrates that the proposal provides for a landscaped area, as defined, of 1491m² representing 48.5% of the site area.

The non-compliance is quantitatively and qualitatively appropriately described as minor with additional landscaping provided to the edges of the building in the form of elevated planter boxes as depicted in the montages at Figures 10 and 11.

The landscape plans incorporate both deep soil and elevated planter treatments which will soften and screen the development as viewed in the round and ensure that the building sits within a landscaped setting consistent with the desired future character of the Mona Vale Locality. Accordingly, the objectives of this control are achieved.

Such variation succeeds pursuant to section 4.15(3A) of the EP&A Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

4.6 Matters for Consideration Pursuant to Section 4.15(1) 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(1) of the Act.

The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.

The proposal is permissible and in conformity with the development standards applicable to this form of development on this particular site pursuant to Chapters 2 and 6 of the Housing SEPP and compliant with the General, Development Type and Locality Specific Controls contained within Pittwater 21 Development Control Plan as reasonably applied.

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 on 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 detail in the body of the 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 and within the scope of the built form controls.

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. It has been determined that the development provides adequate carparking facilities and will not significantly increase traffic generation.

Public domain

The proposed development will have no additional impact on the public domain (ie roads, parks etc.).

Utilities

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

Flora and fauna

These issues have been discussed in detail in the body of the report. The landscape concept plans accompanying this application proposes additional planting and landscaping treatments which will maintain the landscape quality of the site and locality generally.

Waste

Normal domestic waste collection applies to this development with a waste collection area provided within immediate proximity the Kunari Place frontage to facilitate Council waste collection as detailed within the accompanying waste management plan.

Natural hazards

The proposal will be safe from hazards.

Economic impact in the locality

The proposed development will not have any significant impact on economic factors within the area other than short term employment opportunities during construction.

Site design and internal design

i) *Is the development design sensitive to environmental conditions 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 policy controls.

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 as detailed in the accompanying report prepared by EBS Consultants. The proposal complies with the relevant standards pertaining to health and safety.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

The application is accompanied by a waste management plan prepared in accordance with Council requirements. We anticipate Council applying standard conditions with regards to the amelioration of construction related impacts.

The suitability of the site for the development.

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments 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?*

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.

Are the site attributes conducive to development?

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed development.

Any submissions received in accordance with this Act or the regulations.

It is envisaged that the consent authority will appropriately consider any submissions made in relation to the proposed development.

The public interest.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes contained within the adopted legislative framework. The development is of high quality architectural design that provides a positive contribution to the streetscape and is compatible with the form and character established by development within the sites visual catchment.

The proposal is consistent with the aim of Chapter 6 of the Housing SEPP being to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport. The proposal also provides five (5) affordable apartments which will be managed by a housing provider for 15 years. For these reasons the development is considered to be in the public interest.

5.0 CONCLUSIONS

This application is made pursuant to Chapters 2 and 6 of *State Environmental Planning Policy (Housing) 2021* (SEPP Housing).

We confirm that the whole of the consolidated land is identified on the indicative map for the Chapter 6 low mid-rise housing provisions of SEPP Housing and located no more than 630 metres walking distance measured within the public domain from the mapped Mona Vale town centre. As the site is zoned R2 Low Density Residential pursuant to Pittwater Local Environmental Plan 2014 (PLEP) in which residential flat buildings are prohibited the development relies on the permissibility provisions at clause 174 of SEPP Housing.

We also confirm that the application proposes the provision of 5 affordable housing apartments (Apartments 202, 302, 303, 307 and 403) representing 480m² or 15.4% of total GFA in accordance with the affordable housing FSR and height of buildings incentive provisions contained within Chapter 2, Part 2, Division 1 Infill affordable housing of (SEPP Housing). These apartments will be managed for a period of 15 years from the date of Occupation Certificate by Bridge Housing as detailed in the correspondence at Attachment 1.

The project architect has responded to the client brief to design a contextually responsive building 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 the site including the height, proximity and orientation of adjoining residential development.

The final design provides for a building of high design quality which steps down the site in response to topography in a highly articulated and modulated building form broken into 2 pavilions and which provides appropriate deep soil landscape opportunity around the perimeter of the site to ensure that the buildings sit within a landscaped setting.

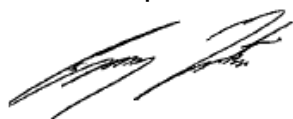
The development will provide diversity in housing choice on a site identified as ideally suited to medium density housing given its proximity to the Mona Vale town Centre and in circumstances where the desired future character statement for the Mona Vale Locality and the recently commenced LMR provisions identify the suitability of land immediately adjoining local centres for increased residential densities.

The building façades have been articulated and modulated in both the horizontal and vertical planes to emphasise the buildings horizontal massing and enable the development to respond to the topographical characteristics of the site. Private open spaces have been orientated to the front and rear of the site to prevent direct overlooking to adjoining properties. This submission demonstrates that the proposal will not give rise to inappropriate or jarring streetscape, residential amenity or broader environmental consequences.

The proposal is permissible and compliant with the nondiscretionary LMR and infill affordable housing development standards applicable to this form of development on this particular site and compliant with the General, Development Type and Locality Specific Controls contained within Pittwater 21 Development Control Plan as reasonably applied. The minor variation to the landscaped area control has been acknowledged and appropriately justified having regard to the associated objectives.

Such variation succeeds pursuant to section 4.15(3A) of the EP&A Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) of the Act. It is considered that the application, the subject of this document succeeds on merit and is worthy of the granting of development consent.



Greg Boston
B Urb & Reg Plan (UNE) MPIA
Director

Attachment 1

Affordable housing management correspondence



7 May 2025

Mona Vale Central Pty Ltd
c/- Circle Advisory Partners
'R2' 10 Herb Elliot Avenue
Sydney Olympic Park
NSW 2127

By email: lucas@laxale.com.au

Dear Lucas

AFFORDABLE HOUSING – 94-96 PARK STREET & 4 KUNARI PLACE, MONA VALE

I am writing to confirm that Bridge Housing Limited is pleased to support Mona Vale Central Pty Ltd with the proposed development of its site located at 94-96 Park Street & 4 Kunari Place, Mona Vale (Mona Vale). This development seeks to provide 5 affordable housing units in Mona Vale.

Bridge Housing is a Tier 1 Community Housing Provider (CHP) registered under the National Regulatory System for Community Housing. Our mission is to improve lives through affordable homes and quality services, which we provide to people on low to moderate incomes. Across Greater Sydney, Bridge Housing now own and or manage approximately 3,600 properties in 21 Local Government Areas of Sydney, providing housing and tenancy management services to over 5,300 of the most vulnerable people.

Bridge Housing has held discussions with Mona Vale Central Pty Ltd in relation to the Mona Vale development and is eager to collaborate on this crucial development, as well as assume management of the affordable housing dwellings within the project for a minimum of 15 years. There is a high need for well located, high quality affordable housing within the Northern Beaches LGA. The UNSW City Futures Research Centre, Housing Needs Dashboard estimates that for the Northern Beaches LGA, 4,200 households are in housing stress, growing to 6,200 by 2041, resulting in an immediate need to provide 300 - 400 affordable homes per year to meet this demand.

We have witnessed first-hand the impact of increased cost of living pressures coupled with rising rents in the Northern Beaches LGA, and have seen demand for homelessness support significantly increase and the increasing difficulty for singles and families that simply cannot find a rental property they can afford.

We welcome Mona Vale Central Pty Ltd's proposal to deliver much needed affordable housing in Mona Vale. This project will assist to address the high need for affordable and diverse housing options to meet the needs of families and key workers who are an integral part of the Northern Beaches community.

Bridge Housing Limited ABN 55 760 055 094
Level 9, 99 Goulburn Street, Sydney NSW 2000 PO Box 20217, World Square NSW 2002
T 02 8324 0800 F 02 9699 7055 E customerservice@bridgehousing.org.au www.bridgehousing.org.au

1 | Page



As an award-winning Tier 1 registered CHP, we are delighted to be working in partnership with Mona Vale Central Pty Ltd to manage the properties for at least 15 years to fulfil the requirements of Section 21, Division 1, Part 2, Chapter 2 of the Housing SEPP. We look forward to ongoing engagement with Mona Vale Central Pty Ltd and wish you all the best with your development application.

Yours Sincerely

Christopher Dib
Executive Director, Homes