STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Residential Flat Development

Proposed Community Lot 19 in Proposed Lot 1 - Sector 5

Warriewood Urban Release Area

Lot 1, DP 5055, No. 8 Forest Road, Warriewood

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Proposed Residential Flat Development

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Warriewood Urban Land Release Area

Lot 1, DP 5055

No. 8 Forest Road

Warriewood

Prepared under instructions from:

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1 INTRODUCTION/ BACKGROUND

This statement has been prepared on behalf of Warriewood Vale Pty in support of a development application proposing the construction of a 3 storey residential flat building containing 64 apartments with basement parking and integrated landscaping. We confirm that a concurrent development application proposing the Torrens Title and Community Title subdivision of the property has been lodged for Council's consideration with the residential flat building, the subject of this application, located on proposed Community Lot 19 in proposed Lot 1 as nominated on the proposed plan of subdivision.

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.

Figure 1 – Perspective image of proposed development

Particular attention has been given to the minutes arising from formal pre-DA discussions (PLM2020/0120) with Council ensuring that the development is appropriately articulated whilst also providing good levels of amenity for future occupants. This statement will demonstrate that the built form outcome proposed provides for a highly articulated, modulated and visually stimulating building form which will provide diversity in housing choice. The proposal will introduce a building of exceptional design quality into the proposed residential subdivision without adverse streetscape or environmental consequences.

We note that in October 2015, Warriewood Vale Pty Ltd lodged a development application (N0440/15) seeking approval for the subdivision of land within the subject site and the construction of a residential development incorporating 81 dwellings and associated civil and landscape works. The proposal comprises 66 apartments within 4 residential flat buildings, 14 dwellings in multi dwelling housing and the retention of the existing dwelling house. Following a deemed refusal, Warriewood Vale Pty Ltd lodged an appeal (16/151186) with the Land and Environment Court (LEC). With consideration of expert advice, the LEC proceedings resulted in the appeal being upheld. In the proceedings, the Commissioner found that:

> *I am satisfied that the development of 8 Forest Road for 81 dwellings is consistent with cl 6.1(1)(a) of LEP 2014 and consequently, there is no barrier to the approval of a development on 8 Forest Road that has a dwelling yield of 81 dwellings.*

The Court consent was subsequently modified on a number of occasions to facilitate the staging of the approved works and reflect design changes aimed at better meeting market demand in terms of the approved townhouses. Whilst this consent was physically commenced, market feedback showed a significantly greater demand for small lot detached style housing rather that the approved townhouse typology. This application seeks to provide a subdivision and dwelling typology that better reflects market demand in this locality. Importantly, the previously approved residential density of 81 dwellings is maintained. The application is accompanied by the following supporting documentation:

- Architectural Plans prepared by Jackson Teece,
- Architect Design Verification/ Apartment Design Guide compliance statement prepared by Jackson Teece,
- Site Survey prepared by SDG Land Development Solutions,
- Traffic and Parking Assessment Report prepared by MLA Transport Planning,
- Bushfire Threat Assessment prepared by Anderson Environment & Planning,
- Ecological Assessment Report prepared by Anderson Environment & Planning,
- Water Cycle Management Report prepared by Martens & Associates Pty Ltd,
- Flood Assessment and Flood Emergency Response Plan (FERP) prepared by Martens & Associates Pty Ltd,
- Civil works/stormwater plans prepared by Martens & Associates Pty Ltd,
- Services plans prepared by Northrop,
- Waste management plan,
- Geotechnical Report prepared by JK Geotechnics,
- Landscape Plan prepared by Site Image,
- QS Report prepared by KGCB,
- Photographic montages; and

- Electronic model.

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

- Environmental Planning and Assessment Act, 1979 (the Act),
- Pittwater Local Environmental Plan 2014 (PLEP 2014),
- Pittwater 21 Development Control Plan (P21DCP),
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65),
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55), and
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

This statement will detail the developments performance when assessed against the applicable statutory planning considerations. This submission will demonstrate that the residential apartment building and associated dwelling yield are appropriately described as complimentary and compatible with the identified environmental sensitivities of the site and the desired future character of the Warriewood Urban Land Release Locality as reflected by the existing approval for 81 dwellings across the site.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) 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:

- Whilst the proposal requires the consent authority to give favourable consideration to a variation to the building height standard strict compliance has been found to be unreasonable and unnecessary having regard to the particular circumstances of the case including the attainment of an appropriate contextual fit and general paucity of streetscape impacts. Sufficient environmental planning grounds existing to support the variation proposed including the topography of the site with the accompanying clause 4.6 variation request well founded.

- The proposed development is consistent with the desired future character of the Warriewood Urban Land Release Locality.

- The proposed development will not give rise to unacceptable natural or built form impacts.

- The site is assessed as suitable for the proposal having regard to the relevant considerations pursuant to the SEPP 65 - Design Quality of Residential Apartment Development and the Apartment Design Guide.

- The proposal will increase the supply and diversity of housing choice on a site ideally suited to increased residential densities.

2 SITE ANALYSIS

2.1 Site description and location

The subject site is legally described as Lot 1, DP 5055, No. 8 Forest Road, Warriewood. The property is irregular in shape due to its northern boundary being delineated by the centreline of Narrabeen Creek. The site has frontage and address to an unmade section of Forest Road of 201.7 metres with secondary narrow frontage to Jubilee Avenue in its north eastern corner from which vehicular access to the site is current obtained. The site has a viable depth of between 275.2 and 324.48 metres, and irregular southern boundary along Narrabeen Creek and an area of 5.678 hectares or 56,780 square metres as depicted in the survey extract at Figure 2 below.

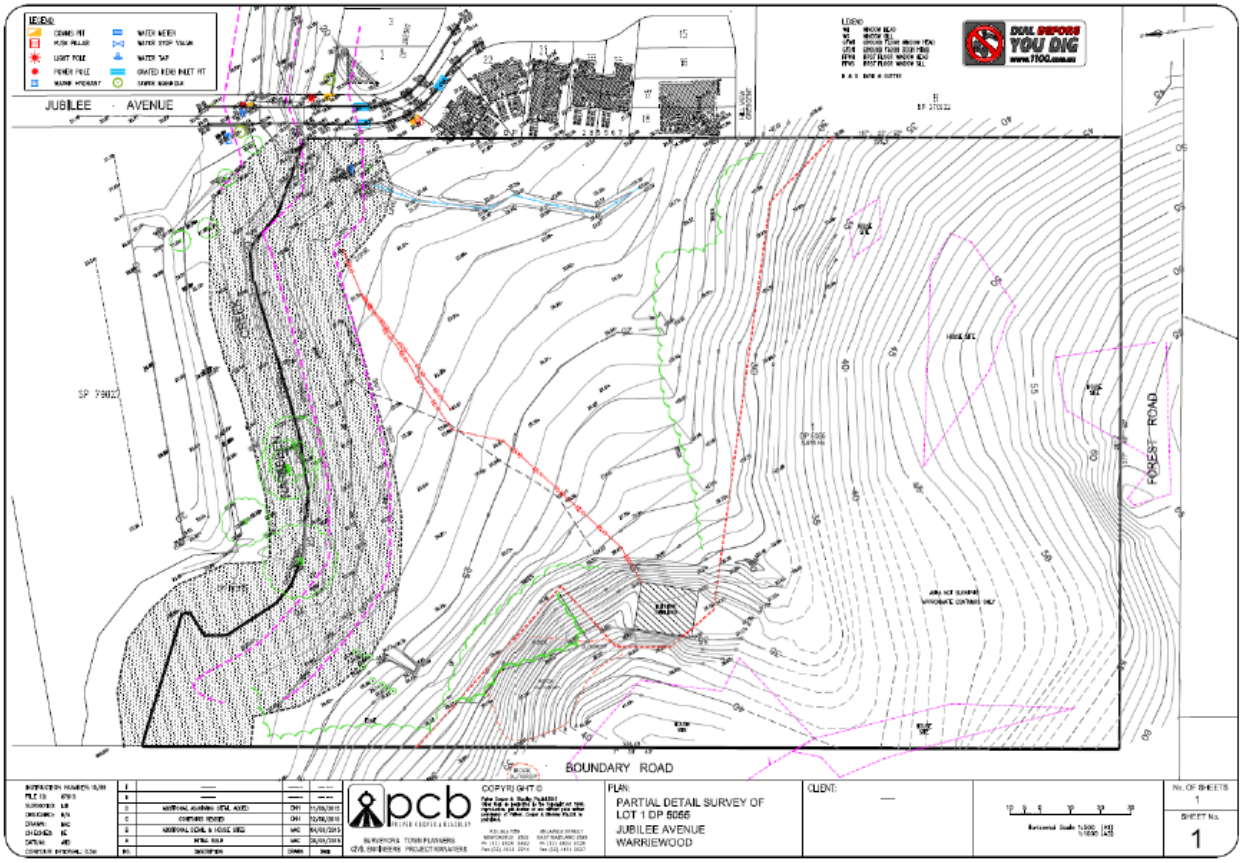

Figure 2 – Site survey extract

The northern portion of the site falls relatively gently to the north and has been previously cleared and used for agricultural purposes. A single storey dwelling house with pitched and tile roof and sandstone base is located on the highest point of this cleared area. To the south of this cleared area the site rises steeply towards Forest Road with various rock outcrops and remnant bushland on the slopes occupying an area of approximately 3.36 hectares as depicted on the aerial photograph at Figure 3 over page. Narrabeen Creek and its riparian areas generally comprise thickets of environmental weed species with pockets of indigenous trees.

Figure 3 – Aerial location photograph (Source: SIX Maps)

The proposed residential flat building is to be located on proposed Community Lot 19 in proposed Lot 1 as nominated on the proposed plan of subdivision accompanying the concurrently submitted development application as depicted in Figure 3 over page.

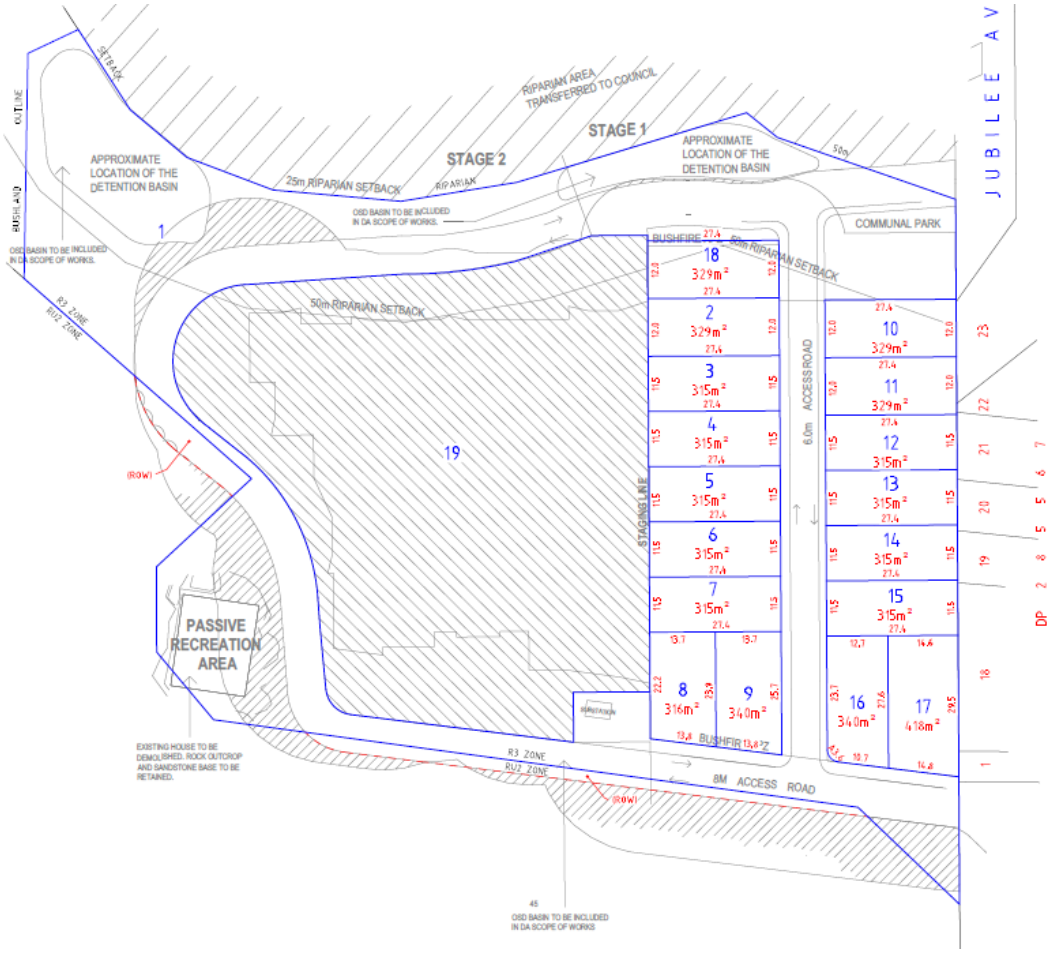

Figure 4 – Aerial location photograph (Source: SIX Maps)

To the north of the site, and located on the opposite side of Narrabeen Creek, is the Warriewood industrial area containing industrial and warehouse development with heights of approximately 11 metres. The property generally to the south is occupied by Mater Maria Catholic College with the property to the south west, No. 4 Forest Road, occupied by a dwelling house and several ancillary buildings with the site accessed from the made portion of Forest Road.

The properties to the east are occupied by 2 storey detached dwelling houses within the Warriewood Grove residential estate. These properties are accessed from the southern end of Jubilee Avenue with the dwellings orientated to the street such that the properties share their rear boundary with the subject site. The property adjoins the Warriewood Escarpment to the west. The built form characteristics of the site are depicted in the following series of photographs.

Figure 5 – View looking south down Jubilee Avenue towards entrance to subject site

Figure 6 – Entrance to subject site from Jubilee Avenue

Figure 7 – View looking south from north eastern corner of site to rear vegetated RU2 zoned portion of allotment

Figure 8 – View looking south along eastern boundary of subject site

Figure 9 - View looking west from centre of site towards existing dwelling house

Figure 10 – View looking north east from existing dwelling across subject site

Figure 11 – View looking west along Narrabeen Creek alignment

2.2 Zoning and key environmental considerations

The property is zoned part R3 Medium Density Residential and part RU2 Rural Landscape pursuant to Pittwater Local Environmental Plan 2014 (PLEP 2014).

Residential flat buildings are permissible with consent on the R3 Medium Density Residential zoned portion of the site however prohibited on the RU2 Rural Landscape zone. The key environmental considerations that have been identified through detailed site analysis are as follows:

- Geotechnical hazard;
- Bushfire hazard;
- Flooding hazard;
- Flora and fauna;
- Riparian
- Vegetation and water management; and
- Traffic generation/ car parking.

The above environmental considerations are discussed in the following sections of this report and addressed in the documentation accompanying this development application.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

The application proposes the construction of a 3 storey residential flat building containing 64 apartments with basement parking and integrated landscaping. We confirm that a concurrent development application proposing the Torrens Title and Community Title subdivision of the property has been lodged for Council's consideration with the residential flat building, the subject of this application, located on proposed Community Lot 19 in proposed Lot 1 as nominated on the proposed plan of subdivision.

The proposed development is depicted on the following plans prepared by Jackson Teece:

DA-000	COVER SHEET
DA-010	SITE ANALYSIS
DA-020	EXISTING DEMOLITION PLANS
DA-030	SITE PLAN
DA-109	FLOOR PLAN - BASEMENT 1
DA-110	FLOOR PLAN - GROUND FLOOR
DA-112	FLOOR PLAN - LEVEL 1 & 2
DA-120	ROOF PLAN
DA-201	ELEVATIONS - NORTH & SOUTH
DA-202	ELEVATIONS - EAST & WEST
DA-203	ELEVATIONS - COURTYARD NORTH & SOUTH
DA-204	ELEVATIONS - COURTYARD EAST & WEST
DA-300	SECTIONS - 01
DA-400	PERSPECTIVE VIEW FROM NORTH-EAST
DA-401	PERSPECTIVE VIEW FROM NORTH-WEST
DA-500	ADAPTABLE APARTMENT LAYOUTS 1
DA-501	ADAPTABLE APARTMENT LAYOUTS 2
DA-600	GFA AREA PLANS , CALCULATIONS TABLE
DA-601	SITE COVERAGE, DEEP SOIL, COMMUNAL OPEN SPACE, SOFT & HARD LANDSCAPE
DA-700	SOLAR & CROSS VENTILATION DIAGRAMS
DA-701	ADG STORAGE
DA-702	YIELD SCHEDULE
DA-801	SHADOW DIAGRAMS 21 JUN 9AM/12PM/3PM
DA-1000	DESIGN ANALYSES DIAGRAMS 1
DA-1001	DESIGN ANALYSES DIAGRAMS 2

Specifically, the proposed apartments are located within 3 separate building pavilions orientated around a central landscaped courtyard area. These buildings contain a total of 64 apartments comprising 10 x 1 bedroom, 25 x 2 bedroom and 19 x 3 bedroom apartments over 4 storeys. Parking for 139 vehicles including 16 accessible spaces and associated storage for individual apartments is provided within a single basement parking level accessed from a new private road to the north.

Pedestrian access to the buildings is via a central communal open space area with a meandering pathways leading occupants and visitors through a landscape setting with informal seating and grassed areas enable social interaction and a degree of recreation. The central pathways provide access into foyers from which lift and star access is provided to the levels above and basement below.

Occupants of the development will also have access to a benched area of passive recreation as located to the south west of the development and which utilises the foundations of the existing dwelling which is proposed to the demolished as a component of the concurrent subdivision development application. A schedule of external building materials and colours is included on the architectural drawings together with montage images of the development.

The development also involves the implementation of an integrated site landscape regime across the development footprint as detailed on the accompanying landscape plan prepared by Site Image ensuring that the development sits within a landscape setting comprising canopy trees of a height and density which will soften and screen the future buildings as viewed from the public domain.

The proposed site stormwater regime is depicted on the plans prepared by Martens & Associates Pty Limited.

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 4.15 of the Environmental Planning & Assessment Act, 1979. 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 Environmental Planning and Assessment Act 1979

Pursuant to Division 3 of Part 2A and Schedule 4A(3) of the Environmental Planning and Assessment Act 1979 (The Act) development that has a Capital Investment Value (CIV) of more than $30 million is to be determined by a Sydney North Planning Panel (SNPP).

Capital Investment Value is defined at clause 3 of the Environmental Planning and Assessment Regulation 2000 as follows:

> ***capital investment value*** *of a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment, other than the following costs—*
>
> *(a) amounts payable, or the cost of land dedicated or any other benefit provided, under a condition imposed under Division 7.1 or 7.2 of the Act or a planning agreement under that Division,*
>
> *(b) costs relating to any part of the development or project that is the subject of a separate development consent or project approval,*
>
> *(c) land costs (including any costs of marketing and selling land),*
>
> *(d) GST (within the meaning of A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth).*

In this regard, the accompanying QS report confirms an estimated cost, excluding GST, of $28, 464, 970 with such CIV falling below the $30 million threshold.

The proposed development has a CIV below the threshold and therefore does not need to be referred to the SNPP.

4.2 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 is the principal local environmental planning instrument applicable to the land. The relevant provisions of PLEP 2014 and the manner in which they relate to the site and the proposed development are assessed below.

4.2.1 Zoning and permissibility

The property is zoned part R3 Medium Density Residential and part RU2 Rural Landscape pursuant to Pittwater Local Environmental Plan 2014 (PLEP 2014) as depicted in Figure 10 over page.

Residential flat buildings are permissible with consent on the R3 Medium Density Residential zoned portion of the site however prohibited on the RU2 Rural Landscape zone. Dwelling houses are permissible within both zones.

The proposed residential flat building is located wholly on the R3 Medium Density Residential zoned portion of the site and accordingly is permissible with consent.

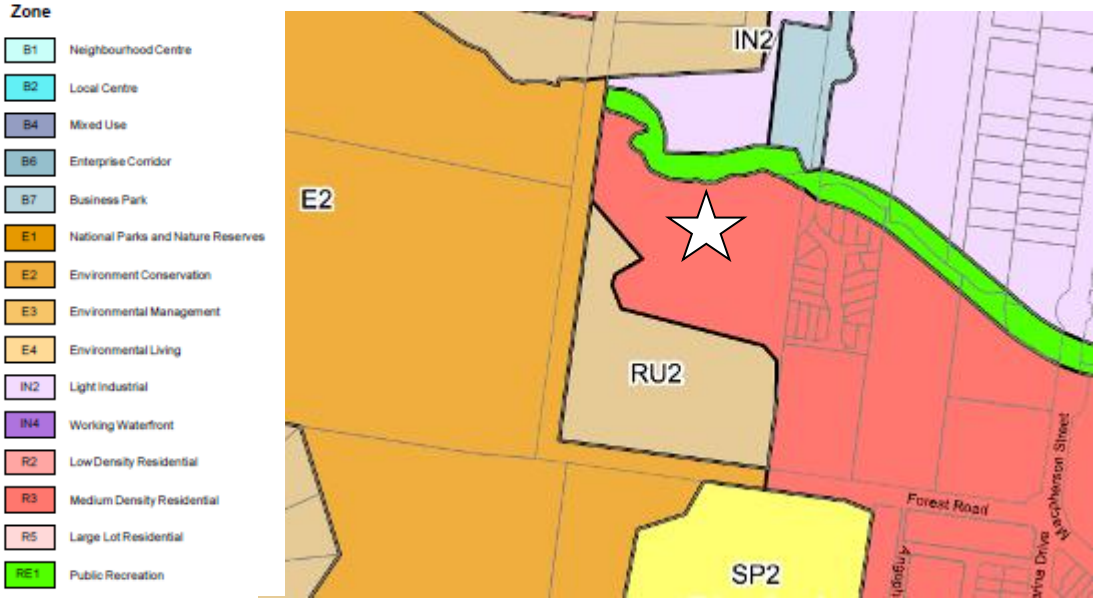

Figure 12 – PLEP 2014 Zoning Map Extract

The objectives of the R3 Medium Density Residential and RU2 Rural Landscape zones are as follows:

Zone R3 Medium Density Residential

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

Zone RU2 Rural Landscape

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

Having regard to the objectives of the relevant zones we have formed the considered opinion that the proposed residential flat building is consistent with the R3 Medium Density Residential zone objectives as it provides for the housing needs of the community within a medium density residential environment whilst providing a variety of housing typologies include 1, 2, and 3 bedroom apartments

The development also maintains the rural landscape character of the RU2 Rural Landscape zoned portion of the site with no conflict between adjoining zones associated with the minor works proposed on this portion of the land.

We have formed the considered opinion that the development is permissible with consent and consistent with the zone objectives as outlined and accordingly there is no statutory impediment to the granting of consent.

4.2.2 Height of buildings

Pursuant to clause 4.3 of PLEP 2014 the maximum building height for development on the land is 10.5 metres as depicted in Figure 13 over page.

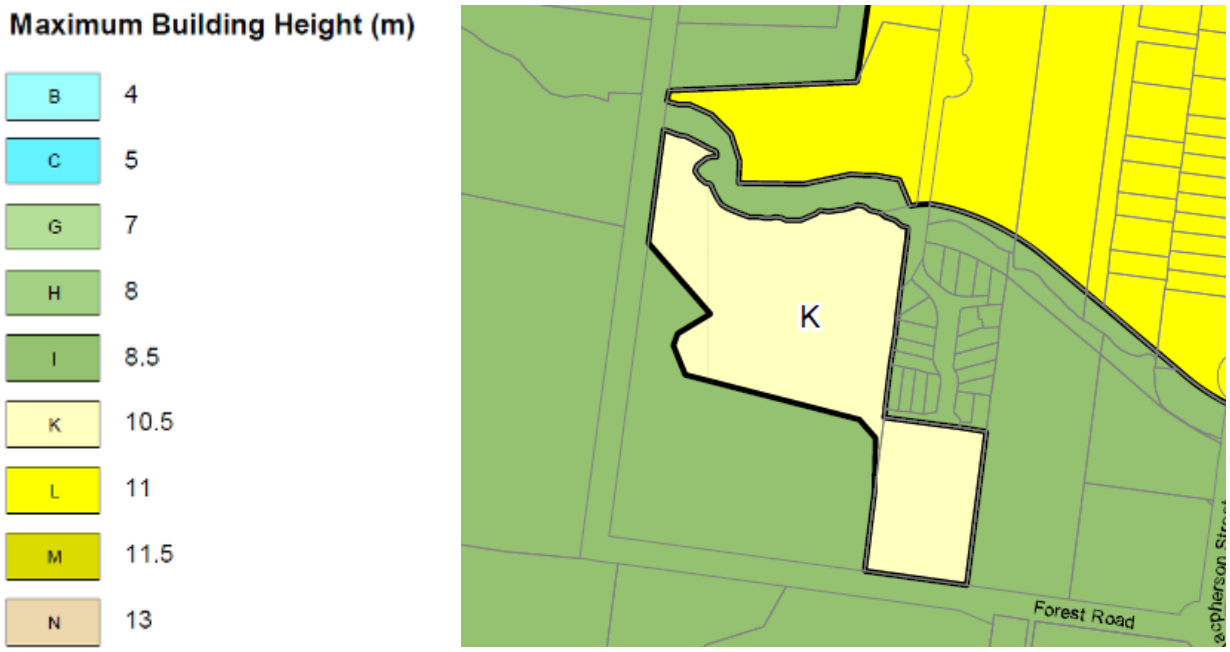

Figure 13 – PLEP 2014 Height of Buildings Map Extract

Building Height is defined as follows:

> ***building height*** *(or* ***height of building****) means the vertical distance between ground level (existing) at any point to 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.*
>
> ***ground level (existing)*** *means the existing level of a site at any point.*

The stated objectives of the height of buildings standard 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.*

It has been determined that the northern building pavilions breach the building height standard by a maximum of 1.6 metres or 15% at is western lift overrun with the eastern overrun breaching the height standard by 1 metre or 9.5%. Minor portions of the roof form including the architectural clerestory feature windows at its eastern and western also breach the height standard by up to 700mm or 6.6% with the balance of the pavilions sitting comfortably below the height standard.

We also note that the eastern lift overrun associated with the southern building pavilion breaches the height standard by approximately 500mm or 4.7% with the balance of this pavilion sitting comfortably below the height standard. The extent of building height breach is depicted in the following diagrams.

Figure 14 - Diagram showing building height breach along northern façade

Figure 15 - Diagram showing building height breach along eastern façade

Figure 16 - Diagram showing building height breach along western façade

Clause 4.6 of PLEP provides a mechanism by which a development standard can be varied. The objectives of this clause are:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Pursuant to clause 4.6(2) consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

This clause applies to the clause 4.3 Height of Buildings Development Standard.

Clause 4.6(3) states that consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Clause 4.6(4) states consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director-General has been obtained.

Clause 4.6(5) states that in deciding whether to grant concurrence, the Director-General must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

In this regard, the application is accompanied by a clause 4.6 variation request which demonstrates that strict compliance is both unreasonable and unnecessary given the development's ability to achieve the objectives of the zone in the objectives of the height standard with sufficient environmental planning grounds identified to justify the variation sought including the topography of the land. We consider that the clause 4.6 variation request is well-founded with such request at Annexure 1.

4.2.3 Warriewood valley Release Area

Pursuant to clause 6.1 of PLEP 2014 development consent must not be granted for development on land in sector 5 unless the consent authority is satisfied that not more than 94 or less than 75 dwellings will be erected on the land. This maximum dwelling yield represents a density of 32 dwellings per hectare of developable site area. The stated objectives of the clause are as follows:

a) to permit development in the Warriewood Valley Release Area in accordance with the Warriewood Valley Strategic Review Report and the Warriewood Valley Strategic Review Addendum Report,

b) to ensure that development in that area does not adversely impact on waterways and creek line corridors, protects existing native riparian vegetation and rehabilitates the creek line corridors,

c) to facilitate the mitigation of odours from the Warriewood Sewage Treatment Plant on the users and occupiers of residential development in a buffer area

The application proposes the construction of a residential flat building containing 64 apartments located within a Community Scheme incorporating an additional 17 dwelling house lots.

Accordingly, the application will facilitate the construction of 81 dwellings across the site consistent with the previously approved by the Court and within the range prescribed by clause 6.1 of P LEP 2014. Having regard to the detailed constraints analysis undertaken across the sector we are of the opinion that the residential density/ yield proposed is responsive the environmental capability of the site.

Further, clause 6.1(4) states Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the proposed development will not have any significant adverse impact on any of the following:

(a) opportunities for rehabilitation of aquatic and riparian vegetation, habitats and ecosystems within creek line corridors,

(b) the water quality and flows within creek line corridors,

(c) the stability of the bed, shore, and banks of any watercourse within creek line corridors

We note that the creek line corridor means land identified as “creek line corridor” on the Urban Release Area Map being 25 metres from the centre line of Narrabeen Creek.

In relation to the objectives of the standard and applicable clause 6.1(4) considerations we advise as follows:

- The documentation prepared in support of this application demonstrates that the proposed development will not adversely impact on Narrabeen Creek and creekline corridor, protects and enhances native riparian vegetation and provides for the rehabilitation of the creek line corridor,

- The water quality and flows within Narrabeen Creek is maintained, and

- The development maintains the stability of the bed, shore, and banks of Narrabeen Creek and its corridor.

The consent authority can be satisfied that the proposed dwelling yield/ density complies with the minimum/ maximum dwelling yield for Sector 5, complies with the objectives of the standard and satisfies the clause 6.1(4) considerations. Accordingly, there is no statutory impediment to the granting of consent to the dwelling density/ yield proposed.

4.2.4 Acid sulfate soils

Pursuant to clause 7.1 of PLEP 2014 the site is identified as Class 5 on the Acid Sulfate Map. Having regard to the applicable considerations and the findings of the geotechnical report prepared by JK Geotechnics we have formed the considered opinion that the additional excavation proposed will not lower the watertable table on any adjoining Class 1, 2, 3 or 4 land below 1m AHD and accordingly no further investigation is required.

4.2.5 Flood planning

Clause 7.3 of PLEP 2014 applies to land at or below the flood planning level. The site is identified as being subject to Flood Risk Category 1/ High Hazard Flooding and an Overland Flow Path. Pursuant to clause 7.3(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

(a) is compatible with the flood hazard of the land, and

(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and

(c) incorporates appropriate measures to manage risk to life from flood, and

(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and

(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

In this regard the application is accompanied by a Flood Assessment and Flood Emergency Response Plan (FERP) prepared by Martens & Associates P/L which confirms the following:

Summary and Recommendations

A detailed hydraulic model has been developed for the site using Council's accepted MA 2017 TUFLOW model and using detailed site survey and proposed design elements to assess local flood characteristics. The model accurately replicates Council adopted flood characteristics.

The model was used to determine the existing and proposed flood conditions in the 1% AEP flood (with and without climate change) and PMF events. Modelling concluded that:

1. The proposed trunk drainage line effectively render the site development area flood free in the 1% AEP flood (with and without climate change).
2. The proposed development would have acceptable offsite flood impacts.
3. Compliance with Council flood planning level requirements for building and car park levels are achieved.

Whilst the proposed development is affected by flood hazards during the PMF event, the site specific FERP has been prepared to ensure that the site can operate safely in the floodplain environment. In summary:

1. Subscription to a number of warning systems will significantly reduce the likelihood of persons on site during a major flood event.

2. In the unlikely scenario that persons are on-site during an unanticipated rare events greater than the 1% AEP flood event, risk to persons is managed through site evacuation and shelter-in-place.

3. The proposed backup flood warning device ensures that effective
6. The backup flood warning device ensure people on the site have sufficient time to safely evacuate the site or to shelter-in-place based on the critical duration PMF event.

7. The flood warning device would ensure sufficient warning time and reliable flood-safe access in the unlikely event that prior flood warnings are unavailable.

The following recommendations are made:

1. Piers are to be designed by a suitably qualified engineer to withstand the forces of floodwater, debris and buoyancy.

2. A flood risk management plan should be prepared at DA stage to outline shelter-in-place and evacuation requirements to minimise flood risk to life and property associated with the use of land.

The proposed development has been designed to ensure compatibility with the existing floodplain environment. As the proposed development has been designed to achieve Council requirements, no further recommendations are considered necessary.

4.2.6 Biodiversity

Pursuant to clause 7.6 of PLEP 2014 the site is identified on Council's Biodiversity Map an extract of which is at Figure 17 below.

Figure 17 – Extract from PLEP 2014 Biodiversity Mapping

Pursuant to clauses 7.6(3) and (4) and (3) before determining a development application for development on land to which this clause applies, the consent authority must consider:

(a) whether the development is likely to have:

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and

(iv) any adverse impact on the habitat elements providing connectivity on the land, and

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Further, development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact

The accompanying arboricultural impact assessment prepared by Redgum Horticultural has considered the 42 substantial and prominent tree groups within and adjacent to the development area of which 39 are proposed to be removed. This trees loss takes into account the tree loss associated with the required bushfire Asset Protection Zone (APZ) clearing as identified within the accompanying bushfire threat assessment prepared by Anderson Environment & Planning. We note that the remainder of these trees together with the several thousand trees located on the southern portion of the site will be preserved.

The concurrent subdivision application proposes rehabilitation works to Narrabeen Creek and its riparian zone it being noted that this creek line has been significantly degraded and impacted by past vegetation clearing, rubbish dumping, filling, weed invasion and erosion. It is proposed to rehabilitate this riparian zone in accordance with the Bushfire and Riparian Management Plan prepared by Anderson Environment & Planning and as detailed on the accompanying Landscape Master Plan prepared by Site Image.

Such works incorporate “Rainforest” vegetation as defined under the Planning for Bushfire Protection 2019 (PBP) given such landscaping will form part of the APZ with plant species also providing supplementary roosting, foraging and / or dispersal habitat for threatened species recorded in the immediate area and as detailed in the accompanying Ecological Assessment Report prepared by Anderson Environment & Planning.

The development also involves the implementation of an integrated site landscape regime across the development footprint as detailed on the accompanying landscape plan prepared by Site Image which will ensure that the development sits within a landscape setting comprising canopy of trees of a height and density which will soften and screen the future buildings as viewed from the public domain.

Such outcomes satisfy the applicable biodiversity considerations.

4.2.7 Geotechnical hazards

Pursuant to clause 7.7 of PLEP 2014 the south western edge of the site is identified on Council’s Geotechnical Hazard Map an extract of which is at Figure 18 below.

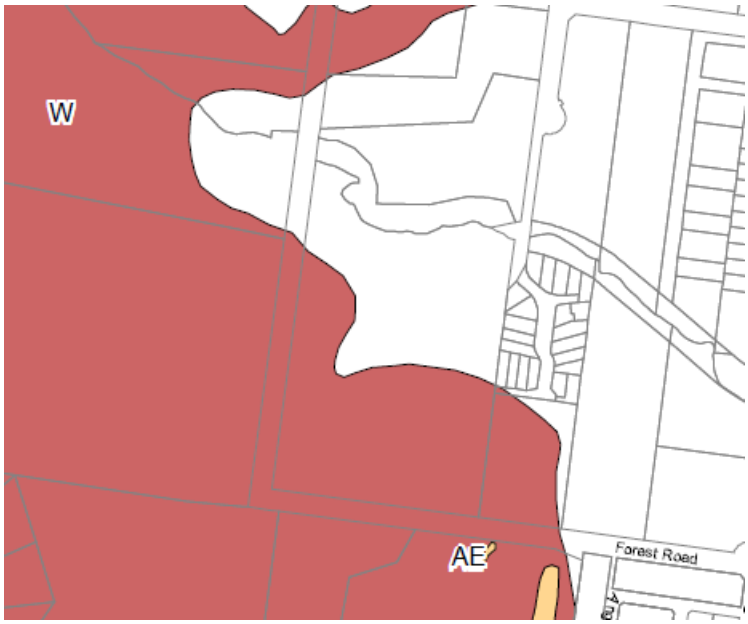

Figure 18 - Extract from PLEP 2014 Geotechnical Hazard Map

We note that the majority of works are located outside the mapped area however as the property is captured by the control the application is accompanied by a geotechnical risk management statement prepared by JK Geotechnics which confirms that the development complies with Council’s Geotechnical Risk Management Policy and is suitable for the development proposed.

4.2.8 Essential services

In accordance with the clause 7.10 PLEP 2014 considerations the proposed subdivision will be fully serviced as detailed on the plans prepared by Northrop. As such, Council can be satisfied the proposed residential flat development will be appropriately serviced and accordingly these provisions are satisfied.

4.3 Pittwater 21 Development Control Plan

This policy document came into effect on 1st February 2004 and has been amended on numerous occasions since. 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.

4.3.1 Overview

The following sections of this statement provide a detailed assessment of the residential development against the applicable DCP provisions. The land is located within Sector 5 of the Warriewood Valley Release Area.

4.3.2 Locality Statement - Warriewood Valley Land Release Area

The Locality Statement for the Warriewood Valley Land Release Area is as follows:

> *Warriewood Valley is situated at the base of the escarpment, known as Ingleside Chase Reserve, between Mona Vale and Warriewood (see map).*
>
> *First identified as a Release Area in 1997, the Warriewood Valley Release Area previously consisted of 110 hectares including 32.68 hectares of industrial/commercial land and associated community facilities and infrastructure. Two recent reviews have been undertaken firstly the Warriewood Valley Strategic Review 2012 and secondly the Warriewood Valley Strategic Review Addendum Report 2014. The Release Area now includes Buffer Areas 1, 2 and 3, resulting in an area of approximately 190 hectares.*
>
> *Warriewood Valley is primarily a residential area expected to provide a total of 2,451 new dwellings (this figure includes the dwellings approved under the former Part 3A legislation). When completed, it is anticipated to accommodate 6,618 residents (based on an average household occupancy of 2.7 persons per household).*
>
> *The Warriewood Valley Land Release Area is characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses.*
>
> *Warriewood Valley continues to be developed as a desirable urban community in accordance with the adopted planning strategy for the area, and will include a mix of low to medium density housing, industrial/commercial development and open space and community services.*
>
> *The creeklines, roads and open space areas will form the backbone of the new community, complemented with innovative water management systems, the natural environment, pedestrian/cycle path network, public transport, and recreation facilities.*
>
> *The Warriewood Valley Area is affected by various hazards. identified on various maps within Pittwater LEP 2014.*

The Warriewood Release Area includes vegetation areas, threatened species, or areas of natural environmental significance.

A number of identified heritage items are located in Warriewood Valley.

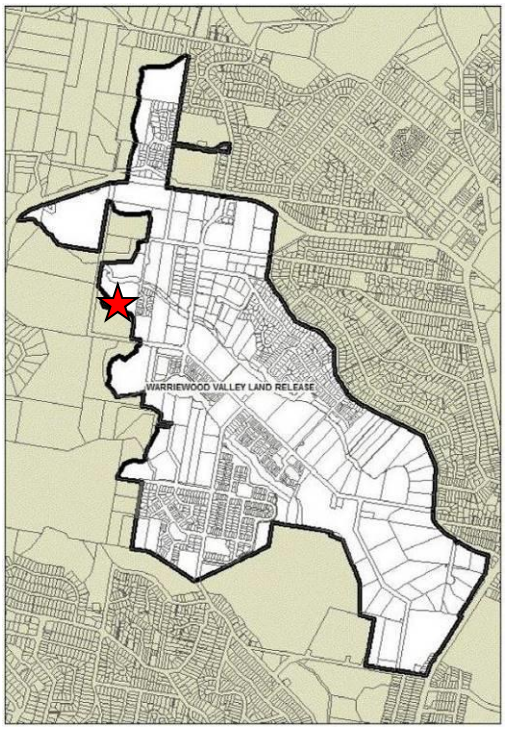

Figure 19 - Warriewood Valley Land Release Area map

4.3.3 General Controls

Control	Response
B1.4 Aboriginal Heritage Significance	
▪ If a property, the subject of a development application is identified as possibly meeting any of the criteria for being a potential Aboriginal place or containing an Aboriginal object then additional independent information on the potential heritage significance may be requested. ▪ If a property, the subject of a development application, is in the vicinity of an identified or potential Aboriginal place of heritage significance or Aboriginal object then additional independent information on the potential heritage significance may be requested. ▪ The additional information requested may take the form of a report prepared by a suitably qualified archaeologist, as well as consultation with the NSW Office of Environment and Heritage and appropriate Aboriginal groups. ▪ If an Aboriginal site or relic is discovered, it must be reported to the NSW Office of Environment and Heritage and all works stopped. ▪ Development must conserve the significance of any Aboriginal place of heritage	The application is accompanied by an Aboriginal Heritage Due Diligence Report prepared by Futurepast Pty Limited. This report concludes: *This due diligence assessment concludes that, based on physical inspection, review of previous archaeological investigations in the surrounding area, the location of known sites, ground disturbance and discussions with Metropolitan LALC, the study area has a low potential for Aboriginal heritage sites or objects.* *As a result, the proposal is assessed as being unlikely to have an adverse impact upon the Aboriginal archaeological cultural heritage values of the place.* The report contains a number of recommendations which will be complied with subject to suitable conditions.

Provision	Response
B2.8 Bushfire Hazard	
Controls All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development. **Response**: The application is accompanied by bushfire threat assessment prepared by AEP with such assessment confirming that the residential flat building will be safe from bushfire hazard subject to the implementation of the required bushfire management measures including required APZ's. These provisions are satisfied.	
B6.6 Off-Street Vehicle Parking Requirements – All Development other than Low Density Residential	
Uses to which this control applies Uses to which this control applies Attached dwelling Boarding house Business Development Child care centre Development/subdivision of a sector, buffer area or development site in a Release Area Group home Hospital Hostel Industrial Development Multi dwelling housing Occupation/change of use of an existing premises Other Development Residential flat building Rural industry Semi-detached dwelling Seniors housing Shop top housing Subdivision Tourist and visitor accommodation.	
Outcomes An adequate number of parking and service spaces that meets the demands generated by the development.(S) Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety. (En, S)	

Control	Response
Controls **On-site Car Parking Requirements** The minimum number of vehicle parking and service spaces to be provided within the development site for new development and extensions to existing development is to comprise the total of the following: The total number of spaces as set out in TABLE 1 below. Plus the number of on-street parking spaces lost as a direct result of the development due to access and traffic facilities requirements.	The application is accompanied by a Traffic and Transport Assessment prepared by MLA Transport Planning which confirms that the residential flat development provides compliant parking.

4.3.4 Development Type Controls

Provision	Response
C6.1 Integrated water cycle management	
Outcomes ▪ Development is designed with an integrated approach to water management, addressing water quality and quantity, watercourse and riparian corridor, stormwater and groundwater, and likely impacts from flooding. (Ec, En) Development is designed to minimise the risk posed by flooding and adapt to climate change impacts. (En, Ec, S) Establish a network of multi-functional living creekline corridors particularly Narrabeen Creek, Fern Creek and Mullet Creek for flood conveyance, environmental flows, flora and fauna habitat, water quality improvement, cyclist and pedestrian access, and drainage, linking the Warriewood escarpment with Warriewood Wetlands and Narrabeen Lagoon. (Ec, En, S) Remnant native vegetation along creeklines, escarpment vegetation, and the Warriewood Wetlands, including stands of Swamp Mahogany, Forest and Swamp Oaks, and Angophora woodlands are conserved and restored to provide linkages and stepping stones for wildlife movement. (En) Natural creeklines are wildlife corridors with riparian vegetation, providing a functioning habitat for birds and diverse native flora. (En) A range of aquatic habitats within the creeks are protected and restored (En) Long-term environmental protection of the receiving waters including the Warriewood Wetlands and Narrabeen Lagoon. (En) Various functions are integrated into the multiple use creekline corridor systems of the Warriewood Valley to achieve aesthetic, recreational, environmental and economic benefits. (Ec, En, S) Landscaping enhances the required functions of the creekline corridor and reduces the impact of utilitarian drainage structures on the open space. (Ec, En, S) **Controls** ▪ Water Management Report and Accompanying Plans ▪ A Water Management Report to be submitted with the application must demonstrate how the water cycle will be managed and integrated within the development. ▪ The Water Management Report is to be prepared by appropriately qualified professionals and certified by an experienced and qualified engineer specialising in hydraulics. It is to be in accordance with Council's Warriewood Valley Urban Land Release Water Management Specification (February 2001) and relevant legislation taking into account the Narrabeen Lagoon Flood Study (September 2013 or as amended) and the Pittwater Overland Flow Flood Study (2013 or as amended). Elements for consideration include, but are not limited to: ▪ □ Water sensitive urban design □ Flooding implications including mainstream flooding and overland flow and flood emergency	The application is accompanied by a Water Cycle Management Report and accompanying plans. These documents have been prepared in strict accordance with Council's Warriewood Valley Urban Land Release Water Management Specification (February 2001). The report makes a number of recommendations compliance with which should form conditions of development consent.

Provision	Response
response Climate change impacts on flooding and designs of stormwater management infrastructure Demonstration that any new allotments to be created are above the Flood Planning Area Where a creek passes through/aligns or abuts a sector, buffer area or development site, the development has integrated the creekline corridor requirements into the design of the development The Inner Creekline Corridor is designed and constructed to contain the 1% Annual Exceedence Probability (AEP) flow With the exception of the Inner Creekline Corridor, the water management facilities will remain in private ownership. The maintenance responsibility for this infrastructure remains with the owners of the land/development. The integrated water cycle management scheme must, where relevant, be supplementary to the BASIX requirement to reduce potable water consumption. Stormwater quantity management, including inter-allotment drainage systems and public (existing and/or proposed) stormwater drainage systems ▪ Groundwater impacts and mitigation measures Alterations and additions to a development must consider the existing approved water cycle management already established for the development. ▪ Plans detailing the integrated water cycle management system recommended by the Water Management Report, including a plan detailing the quantum of pervious and impervious areas are to accompany the Water Management Report. Flooding The flood levels are to be determined as part of the Water Management Report. The information to be obtained includes: ▪ 50% Aannual eExceedence pProbability (AEP) flood levels and with climate change impacts; 20% AEP flood levels and with climate change impacts; 1% AEP flood levels and with climate change impacts; Flood Planning Level (FPL) - equal to the 1% AEP flood level plus 500mm freeboard (as defined within Council's Flood Risk Management Policy Appendix 8 of DCP) and with climate change impacts; Probable Maximum Flood (PMF) level and with climate change impacts; Flow velocities for the 1% AEP flood and Probable Maximum Flood and with climate change impacts; and Flood Category and Flood Hazard Classification as defined in Council's Flood Risk Management Policy (Appendix 8) and with climate change impacts. ▪ Likely flood impacts from the development must also be assessed and where required, mitigated. ▪ The filling of land will only be permitted where it can be demonstrated within the Water Management Report that: ▪ There is no net decrease in the floodplain volume of the floodway or flood storage area within the property, for any flood event up to the 1% AEP flood event; and the PMF event -including climate change considerations for both design events; and/or There is no additional adverse flood impact on the subject and surrounding properties and flooding processes for any flood event up to the Probable Maximum Flood (PMF) event (including climate	All floor levels will be above the FPL as detailed in the accompanying Flood Assessment prepared by Martens.

Provision	Response
change impacts). ▪ The Water Management Report must identify the minimum floor level requirements for development in accordance with the Flood Hazard and Flood Category applicable to the proposed land use specified in Appendix 8 of this DCP. ▪ The subdivision of land requires the building of platforms for each additional allotment created to be at or above the Flood Planning Level (plus climate change). The Plan of Subdivision is to include the Flood Planning Level (plus climate change) for each new allotment created. Creekline Corridor ▪ Where a creek passes through/aligns or abuts a sector, buffer area or development site, the creekline corridor is to generally comprise a total width of 100 metres, comprising of a 50 metre wide Inner Creekline Corridor (being 25 metres either side of the centreline of the creek) and an Outer Creekline Corridor 25 metres wide each side of the Inner Creekline Corridor. ▪ The 50 metre wide Inner Creekline Corridor (25m either side of the creekline corridor), to be brought into public ownership, is a corridor that contains the creek, floodway and flora and fauna habitat. The Inner Creekline Corridor is to be designed and constructed to contain the 1% Annual Exceedence Probability (AEP) flow plus climate change. Detailed engineered plans are to be submitted with the application depicting the creek construction. ▪ The 25 metre Outer Creekline Corridor (commonly known as the 'private buffer strip') to be provided on each side of the Inner Creekline Corridor is to be retained in private ownership. The private buffer strip is to be a multifunctional corridor and may contain: ▪ - The pedestrian path/cycleway is to be sited above the 20% AEP flood level to reduce the incidence of flood damage to a manageable level and achieve a satisfactory safety level for regular use. The location of the pedestrian path/cycleway is variable to ensure connectivity with existing sections of the path can be provided and retention of vegetation. The alignment of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists. - Water quality control ponds. - Other water quality treatment measures. - Roads and impervious areas may intrude into part of the outer Creekline Corridor but will be subject to merit assessment. ▪ Dwellings, garages and other vertical built structures must not be located within the private buffer strip. ▪ A landscape plan for the Inner and Outer Creekline Corridors is to be prepared and submitted with the application. Extensive stands of Casuarina glauca, groves of Eucalyptus robusta with other native feature trees, an indigenous understorey and ground covers are to comprise a minimum of 75 % of the total creekline corridor area. In areas of low use, native groundcovers should be used as an alternative to lawn.	The concurrent subdivision application incorporates a 25 metre wide Inner Creekline Corridor which is to be brought into public ownership following completion of the rehabilitation works. This inner Corridor has been designed to contain the 1% Annual Exceedence Probability (AEP) flow plus clime change as detailed in the accompanying flood report. The required rehabilitation works are depicted on the accompanying landscape plan and detailed in the Bushfire and Riparian Management Plan prepared by Anderson Environment & Planning. The 25 metre Outer Creekline Corridor "Private Buffer Strip" is provided to the south of the Inner Creekline Corridor and is to be retained in private ownership. We note that roads and impervious areas may intrude into part of the outer Creekline Corridor on merit and to that extent the new private roadway and small sections of private open space do intrude. We confirm that the area of intrusion is offset by a greater setback being maintained in the north western corner of the site to the creekline and identified Endangered Littoral Rainforest in this area of the site. We confirm that intrusions are limited to private roadways when the offsetting is taken into account with no dwellings, garages or other vertical built structures within this outer creekline corridor. Such offsetting succeeds on merit having regard to the detail site and environmental/ ecological analysis

Provision	Response
Stormwater Drainage Quantity Management ▪ A piped stormwater drainage system network is to be designed for a 5% AEP flood event (including climate change impacts). A failsafe flood overflow system for flood events greater than a 5% AEP flood is to be provided and managed. Appropriate system blockages are to be included in the stormwater drainage system design. ▪ The stormwater pipe drainage system network is to include private inter-allotment drainage systems to be connected to the public drainage system. Stormwater drainage easements will be required over all inter-allotment drainage systems and where a public stormwater drainage system traverses private property. The required easements are to be shown on the Plan of Subdivision. ▪ Stormwater quantity management design details are to be submitted and taken into account in the integrated water cycle management for the development.	undertaken. Both the inner and outer riparian areas are to be extensively landscaped in accordance with the landscape plan accompanying the concurrent subdivision development application.
Groundwater ▪ The Water Management Report must identify the depth of the groundwater table. If groundwater is to be managed as a result of excavation/basements/stormwater or flood mitigation measures on the proposed development, the groundwater management measures are to be detailed in the report.	The application is accompanied by a detailed geotechnical report prepared by JK Geotechnics which confirm that there will no ground water encountered as a consequence of the excavation proposed.
Alterations and Additions to Existing Development ▪ Alterations and additions to a development must consider the existing approved water cycle management already established for the development particularly water quality, water balance and stormwater detention. ▪ For water management requirements for residential allotments, please refer to Control D6.4.	N/A
Variations The width of this the Outer Creekline Corridor (known as the 'private buffer strip') may be less than 25 metres provided the outcomes of this control are met and subject to this buffer strip having an average 25 metres width.	N/A for this application
Advisory Notes Warriewood Valley Urban Land Release Water Management Specification (February 2001), Narrabeen Lagoon Flood Study (September 2013), and Pittwater Overland Flow Flood Study (2013) are available on Council's website, www.pittwater.nsw.gov.au/flooding. ▪ NSW Office of Water is the approval authority with regards to groundwater. If groundwater impacts are likely as a result of the proposal, the development application will require concurrence from the NSW Office of Water and application will be considered as Integrated Development.	

Provision	Response
▪ The creek centreline may, as a result of the design, vary within the 50m wide public Inner Creekline Corridor. See Appendix 3 - Warriewood Valley Urban Land Release Planning Context &	
C6.2 Natural Environment and Landscape Principles	
Outcomes ▪ Landscaping enhances and complements the natural environment and surrounding landscape character, reinstates elements of the natural environment, reduces the visual bulk and scale of development, and complements the design of the proposed development. Remnant bushland and wetland areas are conserved, local indigenous trees, shrubs and groundcover are retained, regenerated and promoted wherever possible. The canopy cover and the habitat value are increased. The natural landscape character of the area is improved. Landscaping promotes ecologically sustainable outcomes, maintaining and enhancing visual and environmental qualities, biological diversity and ecological ▪ processes. A pleasant and safe living environment that is environmentally responsive, resulting in a unified, high quality landscape character and high level of visual amenity that in turn contributes to the sense of place. New development is blended into the streetscape and neighbourhood. **Controls** Landscaping Principles ▪ □ Promote landscape design and planning as part of a fully integrated approach to site development; □ Be sensitive to the site attributes and context, such as streetscape character, natural landform, soils, existing vegetation, views, land capability, and drainage; □ Protect and, where possible, incorporate existing significant trees, remnant vegetation and natural features; □ Protect and enhance wildlife corridors and fauna habitats; □ Provide planting schemes that reinforce the framework of endemic canopy trees with supplementary plantings of other suitable understorey and groundcover species. These may include species that have high ornamental qualities and/or provide food and habitat for native fauna and/or have aromatic flowers and foliage. In areas of high sensitivity only locally indigenous tree species should be used for the canopy; □ Visually integrate the built form of the development into the natural and cultural landscapes of the Warriewood Valley; □ Manage the micro-climate, through the provision of canopy trees for shade; □ Maximise landscaped areas for on-site infiltration of stormwater; □ Integrate and form linkages with parks, reserves and transport corridors; □ Complement the functions of the street e.g. reinforcing desired traffic speed and behaviour; considering lines of sight for pedestrians, cyclists and vehicles; promoting safety and casual	The accompanying arboricultural impact assessment prepared by Redgum Horticultural has considered the 42 substantial and prominent tree groups within and adjacent to the development area of which 39 are proposed to be removed. This trees loss takes into account the tree loss associated with the required bushfire Asset Protection Zone (APZ) clearing as identified within the accompanying bushfire threat assessment prepared by Anderson Environment & Planning. We note that the remainder of these trees together with the several thousand

Provision	Response
street surveillance; Satisfy maintenance and utility requirements and minimise their visual impact. For example, undesirable visual elements such as blank walls, service areas, loading docks, and electrical sub-stations are adequately screened with shrub and tree plantings of suitable species at appropriate spacings; Paving, structures, fencing and wall materials complement the architectural style and finishes of the buildings on the site. ▪ Development must be designed to maximise the restoration, retention and preservation of indigenous trees, shrubs and groundcovers, as well as natural features, including rock features and watercourses. ▪ Integration with Creekline Corridor and Public Open Space ▪ For land adjoining creekline corridors, buffer strips and reserves, preference should be given to local species identified as food sources for native fauna. Refer to species lists contained in the Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain). ▪ If the development site contains a section of Creekline Corridor, a landscape plan for the Creekline Corridor must be prepared. Details are to include: The creek and floodway particularly where the Inner Creekline Corridor is designed and is to be constructed to contain the 1% Annual Exceedence Probability (AEP) flow, Any revegetation to facilitate flora and fauna habitat, Pedestrian path/cycleway located above the 20% AEP flood level. The location of the pedestrian path/cycleway within the Outer Creekline Corridor where practicable, and If relevant, the location of any water quality control ponds and other water quality treatment measures. Extensive stands of Casuarina glauca, and groves of Eucalyptus robusta with other native feature trees and indigenous understorey and ground covers are to comprise a minimum of 75 % of the total creekline corridor area. In areas of low use, native groundcovers should be used as an alternative to lawn. ▪ The alignments of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists. ▪ Dwellings, garages and other vertical built structures must not be located within the private buffer strip (being the 25 metre wide Outer Creekline Corridor beyond the 25 metre wide Inner Creekline Corridor). Roads and impervious areas comprising of a maximum of 25% of the Outer Creekline Corridor area may be permitted subject to a merit assessment. ▪ Landscaping of existing and proposed Public Road Reserves ▪ Planting within the existing or proposed public road reserve is to be in accordance with the Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain) and the following: Street trees are to be planted within the road verge to be placed at 6 metre intervals; Species are to comply with the species list in the Warriewood Valley Landscape Masterplan; Species selected must not interfere with existing power lines. Plantings are to be 35 litre in size with 1 metre x 1 metre hole and backfilled with planting medium. Trees are to be staked with 2/50mm x 50mm stakes with hessian tie. Street trees are to be	trees located on the southern portion of the site will be preserved. The development also involves the implementation of an integrated site landscape regime across the development footprint as detailed on the accompanying Landscape Master Plan prepared by Site Image. Such landscaping will ensure that the development sits within a landscape setting comprising canopy of trees of a height and density which will soften and screen the future buildings as viewed from the public domain. These provisions are satisfied.

Provision	Response
planted so as not to obstruct the free passage of pedestrians along the road verge or the future construction of a 1.5 metre footpath where none exists. Where possible all existing trees over 3 metres in height are to be retained within the road reserve areas. Such trees are to be protected through perimeter 1.8 metre high temporary fencing during the construction of works. Grassed areas are to be turfed with Couch species (weed free) to a maximum 4% grade Landscaped Area ▪ Due to the smaller lot sizes in Warriewood Valley and the resultant smaller dimensions of landscaped area, areas intended for landscaping should be predominately areas of deep soil. ▪ Deep soil areas are areas of soil unobstructed by buildings or structures above or below the ground. Areas above the ground level do not contribute towards the deep soil area quantum. ▪ Deep soil zones have important environmental benefits, such as allowing infiltration of rain water to the water table and reduction of stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees. In designing and siting dwellings, the following principles should be adhered to: ▪ Areas intended for landscaping should be predominately areas of deep soil, The location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation. Basement car parking should be contained within the building footprint to maximise areas for deep soil planting, Deep soils areas should be co-located with areas of private open space or communal open space in the case of residential flat buildings and multi dwelling housing to provide shade and amenity for residents. Communal Open Space Area ▪ Areas of communal open space are required to be provided within residential flat buildings and multi dwelling housing developments. ▪ Areas of communal open space should be co-located with deep soils areas to provide shade and amenity for residents. ▪ A landscape plan of communal open space areas is to be prepared, showing connection and utility of this communal open space area for future residents of the development. **Variations** Nil. **Advisory Notes** This control is to complement the related provisions under Pittwater LEP 2014 and Control B4.22 of this DCP. For landscape guidelines associated with creekline or road reserve interface, refer to the Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain) 2014 as amended.	

Provision	Response
C6.3 Ecologically Sustainable Development, Safety and Social Inclusion	
Outcomes ▪ An ecologically sustainable environment is developed and/or maintained. Ensure that development is designed on a 'whole of development/site' approach by applying the principles and processes that contribute to Ecological Sustainable Development (ESD). Ensure that the development (including the public domain) has incorporated the Crime Prevention Through Environmental Design (CPTED) principles of surveillance, access control, territorial management and space management control into its design. Maximise access and adaptability of the development including the public domain for all members of the community. The land release development results in a liveable community fostering a strong sense of community and facilitates social interaction among residents. **Controls** Designing for ESD ▪ Development should be designed and located with consideration to orientation, topography, vegetation, microclimate, adjoining development and landscape; aimed at: □ Encouraging passive solar building design □ Minimising greenhouse gas emissions □ Promoting opportunities to monitor consumption performance, such as installation of SMART metering □ Providing safe connections to existing pedestrian/cycleway networks and public transport routes □ Integrating principles of Universal Design. ▪ The selection of building materials should be based on renewable sources, safety and amount of processing, waste output of production, emission of toxic substance or gases into the interior. Timber should be reused or come from sustainable forestry practices. ▪ Improve the indoor environmental quality of occupants by: □ Optimising the thermal comfort of occupants through the zoning of sections that enables individual control of heating and cooling, □ Installing lighting systems and fittings appropriate for the use/activity located in that part of the building(s), resulting in reduced energy consumption, □ Selecting materials and furniture from renewable sources/ minimal emission of toxic substance. □ Sub-metering of building services to enable individual tenancies to facilitate individual monitoring of consumption performance. Integration of CPTED Development is designed to incorporate the following CPTED principles: ▪ Principle 1 – Natural Surveillance Provide opportunities for effective surveillance (natural and technical) to reduce the	The development incorporates ESD principles with a BASIX Certificate accompanying the application. Public access is available around and through the development site with high levels of social interaction achieved through the courtyard design adopted.

Provision	Response
attractiveness of crime targets. Good surveillance means that people can see what others are doing thereby deterring 'would be offenders' from committing crime in areas with high levels of surveillance. From a design perspective, deterrence can be achieved by (but not limited to): Locating public services in areas of high activity. Providing clear sightlines between public and private spaces. Providing natural surveillance into communal and public areas. Locating entries that are clearly visible from the street. Avoiding blind corners in pathways, stairwells, hallways and carparks. Installation of effective lighting in public spaces that does not produce glare or dark shadows. ▪ Principle 2 – Access Control Physical and symbolic barriers can be used to attract, channel or restrict the movement of people and in turn, minimise opportunities for crime. Effective access control can be achieved by (but not limited to): Creating landscapes/ setting that channel and group pedestrians into target areas or conversely, use vegetation as barriers to deter unauthorised access. Designing public spaces that attract rather than discourage people from gathering. Providing clear entry points and ensuring buildings (or tenancies in buildings) are clearly identified by the street number (in regard to tenancies, unit number). ▪ Solid roller shutters are not permitted as security devices to buildings or tenancies. ▪ Principle 3 – Territorial Reinforcement This principle relies on the users of the spaces or areas feeling that they have some ownership of the public space and are therefore more likely to gather and enjoy that space. Territorial reinforcement can be achieved in the design of the development by: Having distinct transitions and boundaries between the public and private areas. Clearly defining spaces to express a sense of ownership and reduce illegitimate use/entry. Principle 4 – Space Management Public space that is attractive and well maintained is inviting to users and becomes a well-used space. Linked to the principle of territorial reinforcement, space management ensures that the space is appropriately utilised and well cared for. It may include: Creating a cared for image through proper and regular maintenance regimes. Rapid repair of vandalism and graffiti, replacement of furniture and lighting. Encourage design that promotes pride and sense of place for community. Social Environment ▪ New developments and the urban spaces surrounding it should be accessible and useable for all people. ▪ The siting and design of a building to which the general public has access shall comply with Australian Standard AS 14282009.1:Design for access and mobility – General requirements for access – New building work ▪ Developments should be designed and constructed beyond its initial/first use to ensure that building stock is durable and capable of adaptability in the future. The 'whole of development' approach needs to consider the design, construction and materials selection at the outset to encourage adaptability and accessibility and, in	

Provision	Response
turn, maximise the longevity of building stock. ▪ Dwellings should be flexible in their design to facilitate 'ageing in place' and change in lifecycle/circumstance. ▪ Certain residential developments will require provision of adequate communal open spaces to facilitate: Opportunities for residents to meet informally, Opportunities for casual/passive surveillance onto these spaces as well as considering acoustic effects on adjacent dwellings. **Variations** Nil **Advisory Notes** ▪ Certain developments (refer to control 5.2 under Pittwater 21 Development Control Plan Preliminary (Part A)) will require referral to NSW Police where a crime risk assessment will be undertaken, having considered how the design has integrated the CPTED principles within the development. ▪ Control C1.9 prescribes the circumstances when dwellings are to be designed to facilitate adaptable housing in accordance with Australian Standard AS4299-1995: Adaptable Housing. ▪ Control C5.22 prescribes additional sustainability requirements for non-residential development of a particular size. ▪ Control D16.9 prescribes the circumstances when communal open space areas are required as part of a development.	
C6.4 The Road System and Pedestrian and Cyclist Network	
Outcomes ▪ Sustainable transport and travel to, from and within Warriewood Valley together with less use of private motor vehicles. ▪ To facilitate a hierarchy of interconnected streets that give, safe, convenient and clear access within and beyond Warriewood Valley. ▪ To ensure sufficient carriageway and verge widths are provided to allow streets to perform their designated functions within the street network To accommodate public utilities, drainage systems and substantial street tree planting. ▪ To facilitate the alignment of roads fronting areas of public open space. Safety for all road users, particularly pedestrians, cyclists, children and older people. Safe, convenient and direct access by non-motorised means from residences to public transport, employment areas, adjoining sectors, open space, community facilities and other services. Provision of a range of traffic and transport routes throughout the Valley.	

Provision	Response
Controls The Road System ▪ A traffic analysis report and road plans for the sector, buffer area or development sites demonstrating that the objectives within this control will be achieved must be prepared by a suitably qualified professional. The road plans must comply with the relevant specifications and cross sections in Council's Warriewood Valley Roads Masterplan. **Design Requirements** ▪ All roads in Warriewood Valley must be designed with traffic calming devices to lower the vehicle speeds. Options to achieve this may include variation in width and alignment, pavement treatment, enhanced landscaping. The provision of safe crossing areas is required. ▪ The street pattern must provide direct, safe, and convenient pedestrian and cyclist access from housing and employment areas to public transport stops and to areas of open space, services and other facilities. Connectivity within the sector, buffer area or development site is required to ensure the majority of dwellings are within 400 metres walking distance to bus stops. ▪ The street layout and design is to consider opportunities for the retention of existing significant trees with the road reserve where possible. Trees may be incorporated with small, informal spaces that provide opportunities for 'greening of the street'. ▪ Roads and any traffic calming devices in Macpherson Street, Warriewood Road, Ponderosa Parade, Garden Street and Boondah Road must be able to cater for ultra-low floor articulated buses. In order to address these objectives and controls, the Warriewood Valley Roads Masterplan, adopts the following road hierarchy: Sub-arterial Streets - Ponderosa Parade, Macpherson Street, Warriewood Road (east of Macpherson Street), Garden Street and Boondah Road. Collector Streets - Foley Street, Jubilee Avenue, Vineyard Street, Warriewood Road (west of Macpherson Street), Orchard Street, Daydream Street and any new road with traffic volumes 2000 to 5000 vehicles per day. Local Streets - Fern Creek Road and new roads within the sectors servicing up to 2000 vehicles per day. Access Streets – New roads located within sectors servicing less than 300 vehicles per day. Laneways – New roads located within sectors which are not primary street frontages servicing up to less than 300 vehicles per day. Sector Entry Streets - **Primary entrance street to a Sector, Buffer Area or development site.** ▪ Refer to Warriewood Valley Roads Masterplan for the specifications and cross section for each road classification. ▪ Driveway locations on Local Streets and Access Streets are to consider the impact on street trees and on street parking	The application is accompanied by a Traffic and Transport Assessment prepared by MLA Transport Planning which confirms that the private roads comply with the applicable design requirements as outlined.

Provision	Response
opportunities.	
Laneways	N/A
▪ For small lot housing, laneways should be used to provide rear loaded access. Design, dimensions and materials of the laneway should promote a slow speed driving environment distinctively different from a street. ▪ Laneways are to be provided with a suitable level of passive surveillance. ▪ Garbage collection areas are to be incorporated into the design of laneways to ensure access along the laneway is not hindered during garbage collection periods. Garbage bins are to be located in these collection areas only during the collection period. The garbage collection area(s) are not to be used for parking or storage	
Temporary Roads	N/A
▪ Where access arrangements have not been constructed in a timely manner, the construction of temporary roads may be permitted to enable an isolated property to develop ahead of the surrounding roads being constructed. ▪ In these circumstances temporary roads are permitted subject to the following criterial being satisfied: The road is to cater for no greater than 300 vehicles per day; A minimum carriageway width of 6m is provided to cater for two-way traffic; The safety of all road users including service and passenger vehicles, pedestrians and cyclists is not compromised by the temporary road; The final road configuration is consistent with the applicable specifications and cross section within the Warriewood Valley Roads Masterplan. ▪ The following information must be submitted in support of a development application proposing a temporary road construction: Engineering design for the road, including details of any necessary water management, drainage and service utility provision requirements; and Traffic report prepared by an appropriately qualified professional demonstrating how the temporary road provides for the safe usage of all road users including service and passenger vehicles, pedestrians and cyclists.	
Half Width Road Construction	N/A
▪ Due to the narrow width of some sectors, buffer areas or development sites in Warriewood Valley, it may be necessary for roads to be constructed across the boundary of two adjoining properties. ▪ Where a road is to be constructed along the boundary of two properties, the partial/half width construction of the road is permitted subject to the following criteria being satisfied: A minimum carriageway width of 6m is provided to cater for two-way traffic; The development potential of all adjoining allotments is maintained. The proposed development shall not, render any allotment adjoining or opposite the site of the proposed	

Provision	Response
development incapable of residential development because the allotment would not meet the development standards set out in Pittwater LEP 2014 or the controls set out in this DCP; The safety of all road users including service and passenger vehicles, pedestrians and cyclists is not compromised by the partial road construction; Where the road classification requires a footpath be provided, this is to be provided along the first completed side of the road; The final road configuration is consistent with the applicable specifications and cross section within the Warriewood Valley Roads Masterplan, as amended. ▪ The following information must be submitted in support of a development application proposing partial road construction: Engineering drawings for the partial and full width of the road, including details of any necessary water management, drainage and service utility provision requirements; and A traffic report prepared by an appropriately qualified professional demonstrating how the partial road proposal provides for the safe usage of all road users including service and passenger vehicles, pedestrians and cyclists.	
Subdivision adjoining an existing public road ▪ Where the subdivision adjoins an existing public road reserve, plans are to be submitted for the intersection treatment to the public road reserve and any works within the public road reserve including, road pavement, vertical kerb and gutter, footpaths and cycleways (minimum 1.5m width footpath or a minimum 2.1m width where a cycleway is required). All works associated with the intersection treatment (except those identified under the Warriewood Valley Section 94 Development Contributions Plan as amended) and within the public road reserve are to be carried out at full cost to the developer.	N/A
Roads within a Community Title subdivision ▪ Where a subdivision is to be created under community title, the design and construction of the road and pedestrian network shall provide for full pedestrian and vehicular access and on-road parking shall comply with the relevant specifications and cross section under the Warriewood Valley Roads Masterplan.	Noted and satisfied as detailed in the accompanying Traffic and Transport Assessment prepared by MLA Transport Planning.
Pedestrian and Cyclist Network ▪ A pedestrian and cyclist network is to be provided in accordance with the Warriewood Valley Landscape Masterplan & Design Guidelines (Public Domain). ▪ The pedestrian/cycleway link should be located off road, where practical. Where a pedestrian/cycleway link is located in: a public reserve, the minimum width is 2.5 metres, the road verge adjacent to the road carriageway, the minimum width is 2.1m. ▪ Within the creekline corridor the pedestrian/cycleway network is be sited above the 20% AEP flood level to reduce the incidence of flood damage to a manageable level and achieve a satisfactory safety level for regular use. The location of the pedestrian path/cycleway is variable to ensure connectivity with existing sections of the path can be provided and to ensure retention of	N/A

Provision	Response
vegetation. The alignment of the pedestrian/cycleway network must provide adequate sightlines for cyclists. ▪ The pedestrian/cycleway network must be accompanied by appropriate landscaping and vegetation. Details of the proposed landscaping and vegetation must accompany any development application. ▪ Where a pedestrian/cyclist link is identified within or adjoining a sector, buffer area or development site, the applicant is to identify on their development drawings the preferred location for this infrastructure. ▪ Reference should be made to Warriewood Valley Landscape Masterplan & Design Guidelines (Public Domain) for further information. **Variations** Nil. **Advisory Notes** Reference should be made to Council's Warriewood Valley Roads Masterplan, AMCORD Part 2, Design Elements: Physical Infrastructure, and to the Traffic Authority of NSW Guidelines for Traffic Facilities, Part 7.3: Shared Traffic Zones. ▪ In addition to the requirements under the Warriewood Valley Landscape Masterplan & Design Guidelines, the Warriewood Valley Roads Masterplan specifies a requirement for footpaths to be provided along roads of a certain classification. ▪ The pedestrian and cyclist network is funded through developer contributions levied for under the Warriewood Valley Section 94 Plan.	
C6.5 Utilities Services and infrastructure Provision	
Outcomes ▪ Development does not have an adverse impact upon adjoining residential properties. Any adverse impact on environmentally sensitive areas or impacts of differing land uses are mitigated. Landscaped zones provide amenity buffers between incompatible land uses, such as the Warriewood Wetlands and residential areas, non-residential land uses in residential areas, and between light industrial and residential areas. A reasonable level of solar access and visual privacy to residential properties is maintained. Minimise acoustic impacts **Controls** Development adjoining Warriewood Wetlands ▪ A minimum setback of 15 metres is to be provided between any development and the Warriewood Wetlands.	N/A

Provision	Response
▪ Landscaping is to be in accordance with the requirements specified in this control. ▪ Non-residential development within residential areas or commercial/industrial development adjoining residential areas A minimum setback of 10 metres is to be provided between the proposed development and existing development. The following principles are to be considered:- ▪ Solar access to adjoining residences should be maintained, namely: □ Principal private open space of each dwelling and the principal private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st. □ Windows to the principal living area of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows), or if already impacted then the cumulative effect is not worsened. ▪ Ensuring that opportunities for direct overlooking into the private open space, recreation areas and living rooms of existing adjoining dwellings are mitigated by: □ Building layout, landscaping, screening devices or increased spatial separation, □ Appropriate siting of windows including dimensions and glazed material, □ Responsive design and siting of elevated decks and verandahs. ▪ Direct views of private open space or any habitable room window within 9m may be restricted (see diagram below) by: □ Vegetation/landscaping □ A window sill height 1.7m above floor level, or □ Offset windows □ Fixed translucent glazing in any part below 1.7m above floor level, or □ Solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are: - Permanent and fixed; - Made of durable materials; and - Designed and painted or coloured to blend in with the house. **Treatment of the Landscape Buffer** ▪ The buffer strips are to be extensively landscaped and where possible should incorporate: ▪ □ Landscaped mounds with mass plantings of native trees and shrubs in suitable locations. □ Planting should consist of a framework of locally indigenous canopy trees with native shrubs and groundcovers. □ In areas of low use, native groundcovers should be used as an alternative to lawn. □ The buffer strips are to contain pedestrian/cycleway paths, with vandalresistant solar lighting, and allow casual surveillance of the path from adjacent buildings. ▪ A landscape plan documenting the proposed landscape treatment and planting species as selected from the Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain) as amended, is to be submitted with the Development Application. **Variations** Nil.	Noted and satisfied. Refer to accompanying shadow diagrams. Noted and satisfied by spatial separation maintained between residential apartments and adjoining dwelling house lots. As above. Noted and satisfied as previously detailed. Noted and satisfied as previously detailed. Refer to accompanying landscape plan.

Provision	Response
C6.6 interface Warriewood wetlands or non-residential and commercial/industrial development	
Outcomes ▪ Development does not have an adverse impact upon adjoining residential properties. Any adverse impact on environmentally sensitive areas or impacts of differing land uses are mitigated. Landscaped zones provide amenity buffers between incompatible land uses, such as the Warriewood Wetlands and residential areas, non-residential land uses in residential areas, and between light industrial and residential areas. A reasonable level of solar access and visual privacy to residential properties is maintained. Minimise acoustic impacts **Controls** Development adjoining Warriewood Wetlands: ▪ A minimum setback of 15 metres is to be provided between any development and the Warriewood Wetlands. ▪ Landscaping is to be in accordance with the requirements specified in this control. Non-residential development within residential areas or commercial/industrial development adjoining residential areas: ▪ A minimum setback of 10 metres is to be provided between the proposed development and existing development.	N/A Noted and achieved to northern boundary and associated industrial uses. N/A

4.3.5 Locality Specific Development Controls

Provision	Response
D16.1 Character as viewed from a public space	
▪ Achieve the desired future character of the Locality. ▪ To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec) ▪ To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment. The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec) ▪ High quality buildings designed and built for the natural context and any natural hazards. (En, S) ▪ Buildings do not dominate the streetscape and are at 'human scale'. Within residential and rural residential areas, buildings fronting Macpherson Street, Warriewood Road, Garden Street and Orchard Street are to give the appearance of being two storey maximum. Buildings fronting all other streets are to give the appearance of being three storey maximum. (S) ▪ To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context. ▪ To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component. Access to public places and spaces is clear and defined. (S) ▪ To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S) **Controls** ▪ Buildings which front the street or creekline corridors must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. ▪ Blank street frontage facades without windows shall not be permitted. ▪ Walls without articulation shall not have a length greater than 8 metres to any street frontage. ▪ Any building facade to a public place must incorporate at least two of the following design features: i. entry feature or portico; ii. awnings or	▪ As previously detailed within this report the residential flat development satisfies the desired future character of the Warriewood Valley Land Release Area Locality ▪ The residential flat development contributes positively to the future streetscape. The buildings will sit within a landscape setting and blend into the vegetated escarpment which forms a backdrop to the site. ▪ The development will be free from hazards as detailed with the supporting documentation and will relate appropriately to the adjacent public domain ▪ All buildings appropriately address each frontage and incorporate visual stimulating and high quality facade treatments. ▪ The development satisfies the balance of the controls. ▪ General services will be located below ground with ancillary communication structures not attached to front building facades or street

Provision	Response
other features over windows; ▪ The bulk and scale of buildings must be minimised. ▪ Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser. ▪ Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation. ▪ Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view. ▪ General service facilities must be located underground. ▪ Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space. ▪ Within the following Sectors and Buffer areas, development directly fronting onto Garden Street, Macpherson Street, Orchard Street, or Warriewood Road, shall appear a maximum of 2 storeys: ▪ Sector 101 ▪ Sector 301, 302, 303 ▪ Sector 501 ▪ Sector 801 ▪ Sector 901A, 901B, 901C, 901F, 901G ▪ Sector 10B ▪ Buffer Area 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, 1l ▪ Buffer Area 2a ▪ Buffer Area 3b ▪ Development that does not directly front onto Garden Street, Macpherson Street, Orchard Street, or Warriewood Road in the above Sectors and Buffer Areas may appear a maximum of 3 storeys. **Variations –** Nil	facing roof elements (to be conditioned).

Provision	Response
D16.5 Landscaped area for individual allotments	
Land to which this control applies ▪ Land identified as being within the Warriewood Valley Land Release Area Residential Sectors P21DCPBCMDCP057 **Outcomes** ▪ Vegetation is retained and enhanced within the building design to screen the visual impact of the built form. Landscaped areas should be predominately areas of deep soil. Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. ▪ To conserve significant natural features of the site and contribute to effective management of biodiversity. ▪ The area of site disturbance is minimised. Landscaping enhances and complements the natural environment and surrounding landscape character, reinstates elements of the natural environment, reduces the visual bulk and scale of development, and complements the design of the proposed development. ▪ Warriewood Valley achieves a unified and high quality landscape character that contributes to the sense of place. ▪ To ensure a reasonable level of privacy and amenity is provided within the development site and maintained to neighbouring properties. ▪ Landscaping promotes ecologically sustainable outcomes, maintaining and enhancing visual and environmental qualities, biological diversity and ecological processes. New development is blended into the streetscape and neighbourhood. ▪ A pleasant and safe living environment that is environmentally responsive. **Controls** Landscaped Area The total landscaped area on individual residential allotments is to be in accordance with the following:	▪ It has been determined that the development site has a landscaped area in excess of 25% in strict accordance with the control. ▪ Such quantum ensures appropriate opportunity to achieve the outcomes of the control as detailed throughout this

<table>
<tr><th colspan="3">Provision</th><th>Response</th></tr>
<tr><td colspan="3"></td><td>report.</td></tr>
<tr><td>Development</td><td>Minimum percentage (%) of site area</td><td>Minimum dimensions in metres</td><td>Response</td></tr>
<tr><td>▪ Lots less than 9m wide</td><td>▪ 25%</td><td>▪ 3m</td><td>N/A</td></tr>
<tr><td>▪ Lots 9m to 14m wide</td><td>▪ 35%</td><td>▪ 4m</td><td>N/A</td></tr>
<tr><td>▪ Lots greater than or equal to 14m wide</td><td>▪ 45%</td><td>▪ 4m</td><td>N/A</td></tr>
<tr><td>▪ Residential flat buildings</td><td>▪ 25%</td><td>▪ 3m (at ground level)</td><td>Compliance achieved</td></tr>
<tr><td>▪ Multi dwelling housing</td><td>▪ 25%</td><td>▪ 3m</td><td>N/A</td></tr>
<tr><td>▪ All other development</td><td>▪ 45%</td><td>▪ 5m</td><td>N/A</td></tr>
<tr><td colspan="3">▪ Due to the smaller lot sizes in Warriewood Valley and the resultant smaller dimensions of landscaped area, areas intended for landscaping should be predominately areas of deep soil.

Deep soil areas are areas of soil unimpeded by buildings or structures. Areas above the ground level cannot be counted toward deep soil area.

<u>Residential flat buildings and multi dwelling housing</u>

Basement parking should be contained within the building footprint to maximise deep soil areas.

Where possible deep soil areas should be co-located with areas of communal open space to provide shade and amenity for residents.

<u>Land affected by Split Zoning</u>

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total deep soil area will be based only on that area not</td><td>▪ Noted

▪ Noted. Sufficient soil depths proposed within all communal open space areas to accommodate canopy tree plantings as per landscape plans.

▪ Subject site</td></tr>
</table>

Provision	Response
zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, and will not be based on the site area of the whole lot. Landscaping Requirements Landscaping is to be provided on residential lots as follows: Landscaped areas are to be predominately areas of deep soil to allow the infiltration of rain water to the water table and reduce stormwater runoff. The location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation. Basement car parking should be contained within the building footprint to maximise areas for deep soil planting, Deep soil areas should be co-located with areas of private open space or communal open space, in the case of residential flat buildings and multi dwelling housing, to provide shade and amenity for residents. For lots fronting Warriewood Road, Macpherson Street and Garden Street at least two canopy trees are to be provided within the front setback. For lots fronting all other streets at least one small tree is to be provided within the front setback. **Variations** Nil.	subdivided along zone boundary with development Lot R3 zoned portion only. ▪ The accompanying landscape plan prepared by Site Image nominates landscaping of a form, density and species consistent with the control with such landscaping prepared in consultation with the project bushfire, aboricultural and ecological consultants. ▪ Strict compliance is achieved.

D16.6 Front building lines

Development	Minimum front setback to articulation zone (metres)	Minimum front setback to garage/ carport (metres)	Minimum front setback to dwelling (metres)	Response
▪ All dwellings, except for those specified elsewhere in this table, fronting Warriewood Road, Garden Street and Macpherson Street	▪ 5	▪ 6.5	▪ 6.5	N/A
▪ All dwellings, except for those	▪ 1.5	▪ 4	▪ 3	N/A

Provision				Response
specified elsewhere in this table, fronting all other streets				
▪ Corner lots, setback to secondary street frontage for all dwellings, except for those specified elsewhere in this table	▪ 1	▪ 2	▪ 2	N/A
▪ Residential flat buildings and multi-dwelling housing fronting Warriewood Road, Garden Street and Macpherson Street	▪ 4	▪ 6.5	▪ 6.5	N/A
▪ Residential flat buildings and multidwelling housing fronting all other streets	▪ 3	▪ 4.5	▪ 4.5	All buildings comply with these minimum front setback requirements with the entire front setback area, with the exception of driveways and access pathways, available for deep soil landscape treatments as detailed on the accompanying landscape plan. Compliance achieved.

Control	Provision	Responses
D16.7 Side and rear building lines		
Outcomes ▪ Achieve the desired future character of the Locality. ▪ The bulk and scale of the built form is minimised. Equitable		

Provision				Response
preservation of views and vistas to and/or from public/private places. (S) ▪ 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. An attractive streetscape. ▪ Flexibility in the siting of buildings and access. ▪ Vegetation is retained and enhanced to visually reduce the built form. ▪ Consistent setbacks from the buildings to the boundary with the street, creeklines, open space reserves and buffer strips. ▪ Regard to the impact of proposed development or redevelopment on adjacent and adjoining properties. ▪ Access to the dwelling, parking area and recreation space within individual residential properties. **Controls** ▪ The minimum side and rear setbacks are subject to the incorporation of landscaping required under this DCP. <u>Residential Development</u> Side setback: ▪ For all development, minimum side boundary setbacks are to be in accordance with the following:				
LOT WIDTHS	**Attached or Abutting Dwelling**	**Zero Lot Line Dwelling**	**Detached Dwelling**	**Response**
Less than 9m	0m on both sides. 0.9m at the end of a row of	0m on zero lot boundary. Length of zero lot line limited to 16m (excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above garage). 0.9m setback applies to the remaining portion of the dwelling. 0.9m at ground floor and 1.2m for any	0.9m on both sides. However if lot is burdened by a double storey zero lot wall, the setback on the burdened side is	N/A

Provision				Response
		upper levels on other side.	1.2m.	
9 to 14m	0m at ground floor and 1.5m at upper levels on zero lot boundary. Length of zero lot line is limited to 13m (excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above garage). 0.9m setback applies to remaining portion of the dwelling	0m at ground floor and 1.5m at upper levels on zero lot boundary. Length of zero lot line is limited to 13m (excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above garage). 0.9m setback applies to remaining portion of the dwelling. ▪ 0.9m on other side.	0.9m on one side 0.9m at ground floor and 1.5m for upper levels on other side.	N/A
Greater than 14m and less than 16m			0.9m on one side. 0.9m at ground floor and 1.5m for upper levels on other side.	N/A
Greater than16m			0.9m on one side. 2.5m on other side.	N/A
Residential flat buildings and multi-	▪ As a minimum, the side setback is to be 3m on both sides.			The property has only 1 side boundary setback/ interface with adjoining

Provision		Response
dwelling housing	▪ Minimum separation distances for buildings within and adjoining other residential development are: - 12m between habitable rooms/balconies - 9m between habitable and non-habitable rooms - 6m between non-habitable rooms	small lot residential development being the eastern boundary. A minimum setback of 6 metres is maintained to this boundary which is compliant with the DCP and ADG setback provisions.
D16.9 Solar access		
Controls ▪ Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of three (3) hours of sunlight between 9am and 3pm on June 21st (that is to at least 50% of the glazed area of those windows). ▪ Where the principal living area within an existing dwelling currently receives sunshine during midwinter, any proposed adjacent development is not to reduce that solar access below three (3) hours. ▪ Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 9am and 3pm during midwinter. ▪ The existing/proposed private open space within the subject property and the existing/proposed private open space of any adjoining dwellings are to receive a minimum of three (3) hours of sunshine between 9am and 3pm during midwinter. ▪ This shall be a reasonable area giving consideration to existing site constraints and block size. Where the adjoining residential land is vacant, at least 50% of the rear yard area of the adjoining land is to receive sunshine in accordance with this control. ▪ Where a development is undertaken as Integrated Housing (Approval Pathways 2a and 2b – see development control C6.11), 70% of the proposed dwellings are to receive a minimum of three (3) hours of sunlight between 9am and 3pm on June 21st to the private open space within the subject property and the windows of the principal living area (that is to at least 50% of the glazed area of those windows). ▪ Where an existing structure already impinges upon the solar access of an adjoining property to a greater degree than that specified, any new structures or modifications must maintain that existing solar access as a minimum. Further, Council encourages new structures to reduce the solar impact onto adjoining properties. ▪ Sunshine to clothes drying areas is to be maximised. ▪ Any reference to adjoining buildings also includes separate dwellings on the same site in respect to multiple occupancy developments.		The shadow diagrams prepared in support of the application clearly demonstrate that at least 3 hours of solar access will be maintained to the north and northeast facing living room windows and adjacent private open space areas between 11:00am and 2:00pm on 21st June in strict accordance with the control.

Provision	Response
Variations Nil **Advisory Notes** - Refer to Residential Flat Design Code for solar access requirements for residential flat buildings	

D16.10 Private and Communal Open Space

Outcomes

- Dwellings are provided with a private, usable and well located area of private open space for the use and enjoyment of the occupants. Private open space is integrated with the living areas of dwellings. Private open space receives sufficient solar access and privacy. Private open space is appropriate in design and location for shop top housing.

Controls

Private Open Space

The minimum private open space area for a dwelling is to be in accordance with the following:

Development	Minimum Area sqm	Minimum dimensions	Response
▪ Dwellings on lots less than 9m wide	▪ 16	▪ 3m	N/A
▪ Dwellings on lots between 9m and 14m wide	▪ 20	▪ 4m	N/A
▪ Dwellings on lots greater than 14m wide	▪ 24	▪ 4m	N/A
▪ Multi dwelling housing	▪ 16	▪ 4m	N/A

Provision	Response
D16.10 Form of construction, retaining walls, terracing and undercroft areas	
Outcomes ▪ To achieve the desired future character of the Locality. To protect and minimise disturbance to natural landforms. To encourage building design to respond sensitively to natural topograp hy. **Controls** ▪ Lightweight construction and pier and beam footings should be used i ar eas identified on the Biodiversity Map in the Pittwater Local Environmental Plan 2014. ▪ Where retaining walls and terracing are visible from a public place, pref erence is given to the use of sandstone or sandstone like materials. ▪ In the provision of outdoor entertaining areas, preference is given to tim ber decks rather than cut/fill, retaining walls and/or terracing. ▪ Undercroft areas shall be limited to a maximum height of 3.5 metres. Ad equate landscaping shall be provided to screen undercroft areas.	No under croft or elevated retaining structures are proposed. Any retaining walls are integrated into the landscape regime proposed.
D16.12 Fences	
Controls ▪ In all cases, vegetation is preferable over fencing to delineate the property boundary. ▪ Fencing of properties is restricted to side and rear boundaries only and should not detract from the streetscape or adversely impact on residential amenity. ▪ No fencing is permitted forward of the building line of the dwelling. For corner lots, any fencing along the boundary which fronts the secondary street is only permitted behind the front building line. ▪ If fencing exceeds one (1) metre in height and abuts a public road, it must be set back from the boundary a minimum of one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merit). This set back area shall be landscaped to screen the fence and soften its appearance from the road. Any fencing must: ▪ allow native animals to move between and to areas of environmental sensitivity and areas of habitat value;	The application proposes variable height fencing of between 1. 2 and 1.8 metres in height to delineate the public and private domains and POS space areas within individual buildings. All fencing abutting public and private roads are setback from the boundary to accommodate landscaping as detailed in the accompanying landscape plans and photomontages. All fencing will be constructed to allow the passage of wildlife at regular intervals.

Provision	Response
▪ enable outlook from buildings for safety and surveillance; ▪ assist in highlighting entrances and in creating a sense of community identity; ▪ be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas; and ▪ complement any facilities and landscaping in public areas. Side and rear boundary fencing must not exceed 1.8 metres in height. Fencing must be located on the ground level (existing) of the property boundary, not raised by retaining walls or the like. Where residential lots front/face/abut are located adjacent to Avenues and Sector Streets (e.g. Macpherson, Garden and Orchard Streets, and Warriewood Road), dwelling frontages, pedestrian access and postal addresses are to be maintained to these roads. Corner blocks are exempt from this requirement, where applicable. Fencing adjoining these roads resulting in walled or gated communities is not permitted.	The fencing enhances safety and security and does not impede casual surveillance opportunities. The fencing is a complimentary and compatible element of the overall landscape regime proposed. N/A
D16.13 Building colours and materials	
Outcomes ▪ Achieve the desired future character of the Locality. ▪ The development enhances the visual quality and identity of the streets cape. (S) ▪ The colours and materials of the development harmonise with the natur al environment. (En, S) ▪ To provide attractive building facades which establish identity and contri bute to the streetscape. ▪ To ensure building colours and materials compliments and enhances th e visual character its location with the natural landscapes of Pittwater. ▪ The visual prominence of the development is minimised. (S) The development reflects the natural amphitheatre of the locality. (En, S) ▪ Damage to existing native vegetation and habitat is minimised. (En) ▪ Colours and materials harmonise with the escarpment (S) **Controls** ▪ External colours and materials shall be natural tones such as green,	

Provision	Response
brown and dark earthy colours.	The proposal incorporates the use of a varied palette of materials and finishes with dark and earthy tones to enable the development to blend into the vegetated escarpment that forms a backdrop to the site.
D16.13 Pets and companion animals	
Outcomes ▪ A balance between human needs for pets / companion animals and env ironmental considerations. **Controls** ▪ The need for pets and companion animals must take into account their relationship with native animals, including endangered species, and their habitat. ▪ Pets should be contained within the owners property and/or dwelling, es pecially at night to prevent predation on wildlife. ▪ Pets and companion animals must be kept in accordance with the Com panion Animals Act 1998 and Council registration as required. **Variations** Nil **Advisory Notes** See Appendix 3 - Warriewood Valley Urban Land Release Planning Content & Criteria for Background Information.	Noted.

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.

We note that in October 2015, Warriewood Vale Pty Ltd lodged a development application (N0440/15) seeking approval for the subdivision of land within the subject site and the construction of a residential development incorporating 81 dwellings and associated civil and landscape works. The proposal comprises 66 apartments within 4 residential flat buildings, 14 dwellings in multi dwelling housing and the retention of the existing dwelling house.

Following a deemed refusal, Warriewood Vale Pty Ltd lodged an appeal (16/151186) with the Land and Environment Court (LEC). With consideration of expert advice, the LEC proceedings resulted in the appeal being upheld. This consent has been taken up and physically commenced.

This previously approved development application relied on a Preliminary Contamination and Geotechnical Assessment Report, dated 12th October 2015, prepared by Cardno Geotechnical Solutions. At the time of granting consent, the Court was satisfied that the site was suitable for the proposed residential uses. We rely on the findings of this report.

4.5 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) aims to improve the design quality of residential flat developments to provide sustainable housing in social and environmental terms that is a long-term asset to the community and presents a better built form within the streetscape.

It also aims to better provide for a range of residents, provide safety, amenity and satisfy ecologically sustainable development principles. In order to satisfy these aims the plan sets design principles in relation to context, built form and scale, density, sustainability, landscaping, amenity, safety, housing diversity and social interaction and aesthetics to improve the design quality of residential flat building in the State.

SEPP 65 applies to new residential flat buildings, the substantial redevelopment/refurbishment of existing residential flat buildings and conversion of an existing building to a residential flat building.

Clause 3 of SEPP 65 defines a residential flat building as follows:

> “Residential flat building means a building that comprises or includes:
>
> 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and

> 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a Class 1a building or a Class 1b building under the Building Code of Australia."

The proposed residential flat development is 3 storeys as defined containing more than 4 dwellings. As per the definition of a 'Residential Flat Building' and the provisions of Clause 4 outlining the application of the policy, the provisions of SEPP 65 are applicable to the proposed development.

SEPP 65 requires any development application for residential flat development to be assessed against the 9 principles contained at Schedule 1 of SEPP 65 and the matters contained in the Apartment Design Guide (ADG). An ADG compliance table prepared the project Architect accompanies this application with the 9 Design Principles are as follows:

> Principle 1: Context and neighbourhood character
>
> *Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.*
>
> *Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.*
>
> *Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.*

Response: The Warriewood Valley Land Release Area contains residential development in the form of single dwellings, multi-storey residential flat buildings and townhouses. The scale of development is also mixed ranging from single storey detached dwellings to multi storey apartment buildings.

The architect has responded to the client brief to provide for a residential development of exceptional design quality which appropriately responds to the constraints and opportunities identified during initial site and context analysis.

The site specific design response relates appropriately to other residential flat development within proximity of the site and represents the form of development anticipated by the zoning of the land and height standard applicable to this form of development on this particular site. The development provides superior levels of amenity to future occupants whilst maintaining good levels of amenity to the adjoining and nearby residential properties.

The built form outcome is highly articulated and modulated in both the horizontal and vertical planes with an integrated site landscape regime ensuring that the building sits within a landscape setting.

Given the design and orientation of the development and its location within a medium density residential environment the proposal will not result in any unacceptable or unanticipated residential amenity impacts in terms of privacy, overshadowing or view loss. The proposed development is contextually appropriate, will afford a high level of amenity to future occupants and will not give rise to any unacceptable residential amenity or streetscape consequences.

The integrated site landscape regime, which incorporates a 6 metre wide deep soil landscape zone adjacent to the adjacent small lot subdivision to the east (as sought by Councils pre-DA minutes), will ensure that the building sits within a landscape setting and that its 3 dimensional form and massing will be appropriately screened and softened and not perceived as inappropriate or jarring in an urban design and streetscape context.

> Principle 2: Built form and scale
>
> *Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.*
>
> *Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.*
>
> *Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*

Response: As previously indicated, the building is highly articulated and modulated in both the vertical and horizontal planes and to that extent the bulk and scale of the development is not antipathetic to that anticipated on this site and within the R3 Medium Density Residential zone generally. The development is broken in to 3 detached pavilions with a break of approximately 8 metres provided between the northern and southern building elements as sought by Council's pre-DA minutes. The 2 metre setback between the northern most pavilions assists in way finding to the central courtyard area and provides additional articulation to an already highly articulated and visually modulated northern building façade. Additional building separation is considered to be unreasonable and unnecessary given the design quality of the building façade and the integrated landscape screening proposed.

The proposed building integrates the landscape features as essential components of the development. Due to the site area and favourable orientation all apartments obtain excellent levels of solar access.

All ceiling heights and balcony sizes comply with the Apartment Design Guide requirements.

The built form responds to the constraints and opportunities identified through detailed site analysis providing for an appropriate built form presentation and spatial relationship with adjoining development and superior levels of amenity for future occupants.

The height, setback and footprint proposed will not give rise to any adverse overshadowing, privacy, view or visual bulk consequences. The scale of the development is appropriate given the spatial separation afforded to all adjoining properties, the articulated and modulated pavilion form proposed and the design elements and landscape treatments proposed to reduce the perceived height, bulk and scale of the development.

Consistent with the conclusions reached by Senior Commissioner Roseth in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191 I have formed the considered opinion that most observers would not find the proposed development offensive, jarring or unsympathetic in a streetscape context nor the built form characteristics of development within the sites visual catchment.

Accordingly, it can be reasonably concluded that the proposal is compatible with its surroundings.

Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Response: The density proposed is entirely appropriate given the sites location within an R3 Medium Density Residential zone and the ability to provide appropriately for car parking. The density is also consistent with the North East Subregional Strategy as it relates to the appropriate concentration of residential density.

As previously indicated, the consent authority can be satisfied that the proposed dwelling yield/ density complies with the minimum/ maximum dwelling yield for Sector 5, complies with the objectives of the standard and satisfies the clause 6.1(4) considerations. Accordingly, there is no statutory impediment to the granting of consent to the dwelling density/ yield proposed.

Consistent with the conclusions reached by Senior Commissioner Roseth in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191 I have formed the considered opinion that most observers would not find the density of the proposed development offensive, jarring or unsympathetic in a streetscape context or having regard to the built form characteristics of adjoining development. Accordingly, it can be reasonably concluded that the proposal is compatible with its surroundings. The site is ideally suited to the residential density proposed.

Principle 4: Sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

Response: The design provides for sustainable development, utilising passive solar design principles, thermal massing and achieves cross ventilation to all dwellings. A BASIX Certificate accompanies this application.

Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

Response: The site is to be extensively landscaped in accordance with the accompanying landscape plan prepared by Site Image.

The integrated landscape regime incorporates central courtyard and perimeter landscape plantings which will collectively soften the edges of the development and ensure the development sits within a relatively informal landscape setting.

Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

Response: The design minimises overlooking and maximises unit outlook, solar access and ventilation. The setbacks coupled with the landscaping elements proposed will afford good levels of visual and aural privacy to units and adjoining properties.

The proposal provides for a range of dwelling sizes and layouts all of which obtain goods levels of amenity due to internal design, size and orientation of open space and the quantum of natural light and ventilation.

Principle 7: Safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Response: The proposed development has been designed to provide easily identifiable building entrances which will be appropriately lit. The internal living areas of the street facing units overlook the street frontages and entrance walkway and provide casual surveillance to these areas and the adjacent public domain. The internalised central courtyard is also afforded good levels of casual surveillance with the proposed landscape regime minimising potential concealment opportunity. Such outcomes provide appropriately for casual surveillance of the public domain in strict accordance with the control.

Principle 8: Housing diversity and social interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

Response: The site is suited to this form of development due to its size and inherent amenity. The diversity of unit type and the adaptability of units diversifies housing choice and enhances the 'liveability' of the apartments to a broad section of the community.

Principle 9: Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Response: The development is well designed and will provide an appropriate and compatible addition to the streetscape of the area. The appropriate use of façade treatments, modulation and landscaping will ensure an interesting and attractive addition to the area which will not be perceived as inappropriate or jarring in a streetscape context.

Accordingly, it can be demonstrated the development is of exceptional design quality and satisfies the controls and objectives of the architectural and design quality provisions of the DCP and the SEPP 65 Design Principles.

The project architect has prepared the required Design Verification Statement and demonstrates that the development satisfies the Design Principles as outlined. We also confirm that the development complies with the clause 30(a), (b) and (c) standards pertaining to car parking, internal area and ceiling heights and to that extent these matters cannot be used as grounds for refusal.

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

4.7 Matters for consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979

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. 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:

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

This document confirms that the proposed development is permissible with consent and consistent with the statutory planning considerations applicable to this form of development on this particular site. This submission will demonstrate that the built form outcome and associated dwelling yield is appropriately described as complimentary and compatible with the identified environmental sensitivities of the site and the desired future character of the Warriewood Urban Land Release Locality.

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.

4.7.2 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 addressed in detail within 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*

This report demonstrates that the proposed development will have no discernible impact on the adjacent properties.

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 addressed in detail within this report.

Public Domain

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

Utilities

Existing utility services will adequately service the development.

Flora and Fauna

The development will have no adverse flora or fauna impacts as detailed within the body of this report.

Waste Collection

The development provides appropriately for future waste collection.

Natural hazards

The identified hazards have been comprehensively addressed in the body of this report.

Economic Impact in the locality

Significant employment opportunity will be generated through the construction and future strata management processes.

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 addressed in detail in the body of this report.

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*

These matters have been addressed in detail in the body of this report.

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.

4.7.3 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 proposed development will not cause excessive or unmanageable levels of transport demand.

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

4.7.4 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.

4.7.5 The public interest

The proposed residential flat building is permissible and consistent with the land use and environmental planning outcomes anticipated for Sector 5 of the WURA. The proposal will not give rise to any adverse residential amenity or environmental consequences and will provide an appropriate dwelling yield consistent with the identified capability of the site. Under such circumstances approval of the development is in the public interest.

5 CONCLUSION

This submission demonstrates that the proposed residential flat building is permissible with consent and that the development is appropriately described as complimentary to, and compatible with, the identified environmental sensitivities of the site and the desired future character of the Warriewood Urban Land Release Locality.

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.

Particular attention has been given to the minutes arising from formal pre-DA discussions (PLM2020/0120) with Council ensuring that the development is appropriately articulated whilst also providing good levels of amenity for future occupants. This statement demonstrates that the built form outcome proposed provides for a highly articulated, modulated and visually stimulating building form which will provide diversity in housing choice. The proposal will introduce a building of exceptional design quality into the proposed residential subdivision without adverse streetscape or environmental consequences.

We have formed the considered opinion that the density and dwelling yield proposed reflects the environmental capability of the site without adverse residential amenity or environmental planning consequences.

Whilst the proposal requires the consent authority to give favourable consideration to a variation to the building height standard strict compliance has been found to be unreasonable and unnecessary having regard to the particular circumstances of the case including the attainment of an appropriate contextual fit and general paucity of streetscape impacts. Sufficient environmental planning grounds existing to support the variation proposed including the topography of the site with the accompanying clause 4.6 variation request well founded.

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

Greg Boston

B Urb & Reg Plan (UNE) MPIA

Director

ANNEXURE 1

Clause 4.6 variation request – Height of buildings

Clause 4.6 variation request – Height of buildings

Proposed Residential Flat Development

Sector 5 - Warriewood Urban Land Release Area

Lot 1, DP 5055, No. 8 Forest Road, Warriewood

Pursuant to clause 4.3 of Pittwater Local Environmental Plan 2014 (PLEP 2014) the maximum building height for development on the land is 10.5 metres as depicted in Figure 1 below.

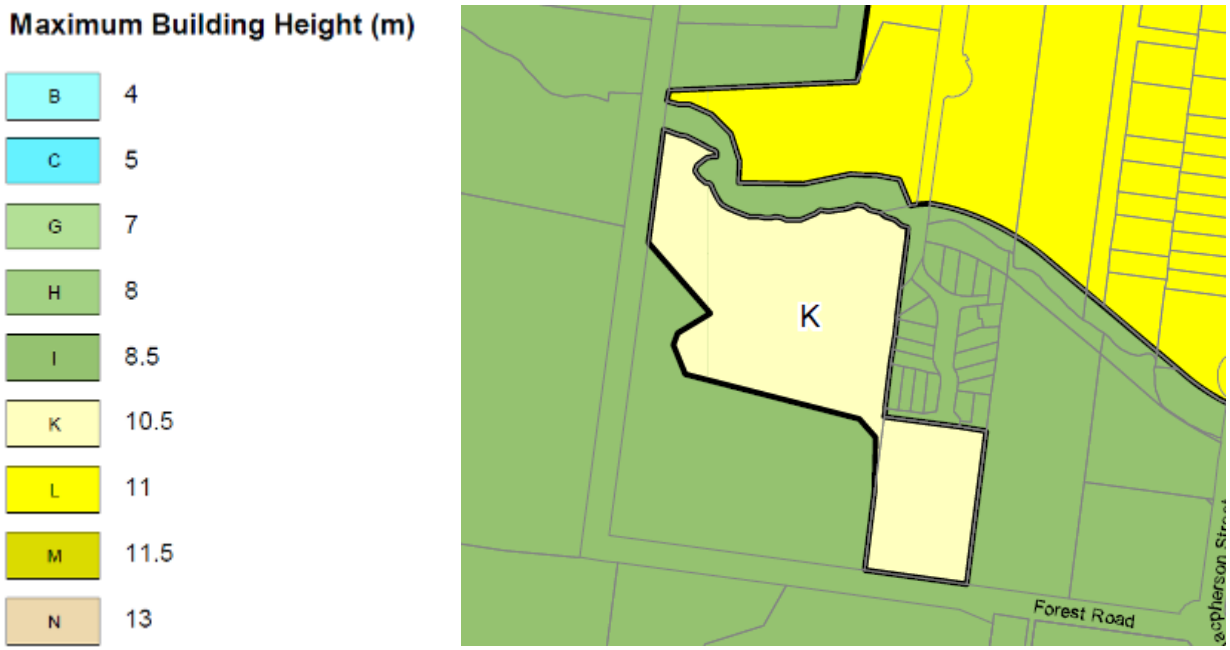

Figure 1 – PLEP 2014 Height of Buildings Map Extract

Building Height is defined as follows:

> ***building height*** *(or* ***height of building****) means the vertical distance between ground level (existing) at any point to 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.*
>
> ***ground level (existing)*** *means the existing level of a site at any point.*

The stated objectives of the height of buildings standard 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.

It has been determined that the northern building pavilions breach the building height standard by a maximum of 1.6 metres or 15% at is western lift overrun with the eastern overrun breaching the height standard by 1 metre or 9.5%. Minor portions of the roof form including the architectural clerestory feature windows at its eastern and western also breach the height standard by up to 700mm or 6.6% with the balance of the pavilions sitting comfortably below the height standard.

We also note that the eastern lift overrun associated with the southern building pavilion breaches the height standard by approximately 500mm or 4.7% with the balance of this pavilion sitting comfortably below the height standard. The extent of building height breach is depicted in the following diagrams.

Figure 2 - Diagram showing building height breach along northern façade

Figure 3 - Diagram showing building height breach along eastern façade

Figure 4 - Diagram showing building height breach along western façade

Pursuant to the height of buildings map, the site has a maximum building height limit of 10.5 metres.

Clause 4.6 of PLEP 2014 provides a mechanism by which a development standard can be varied. The objectives of this clause are:

> *(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
>
> *(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Pursuant to clause 4.6(2) consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

This Clause applies to the Clause 4.3 Height of Buildings Development Standard.

Clause 4.6(3) states that consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

> *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
>
> *(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Clause 4.6(4) states consent must not be granted for development that contravenes a development standard unless:

> *(a) the consent authority is satisfied that:*

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director-General has been obtained.

Clause 4.6(5) states that in deciding whether to grant concurrence, the Director-General must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

Clause 4.6 Claim for Variation

This clause 4.6 variation has been prepared having regard to the Land and Environment Court judgements in the matters of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (*Wehbe)* at [42] – [48], *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248 and I*nitial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118.

Consistency with zone objectives

The area of the subject site upon which the proposed residential flat building is to be located is zoned R3 Medium Density Residential pursuant to PLEP 2014 as depicted in Figure 5 over page.

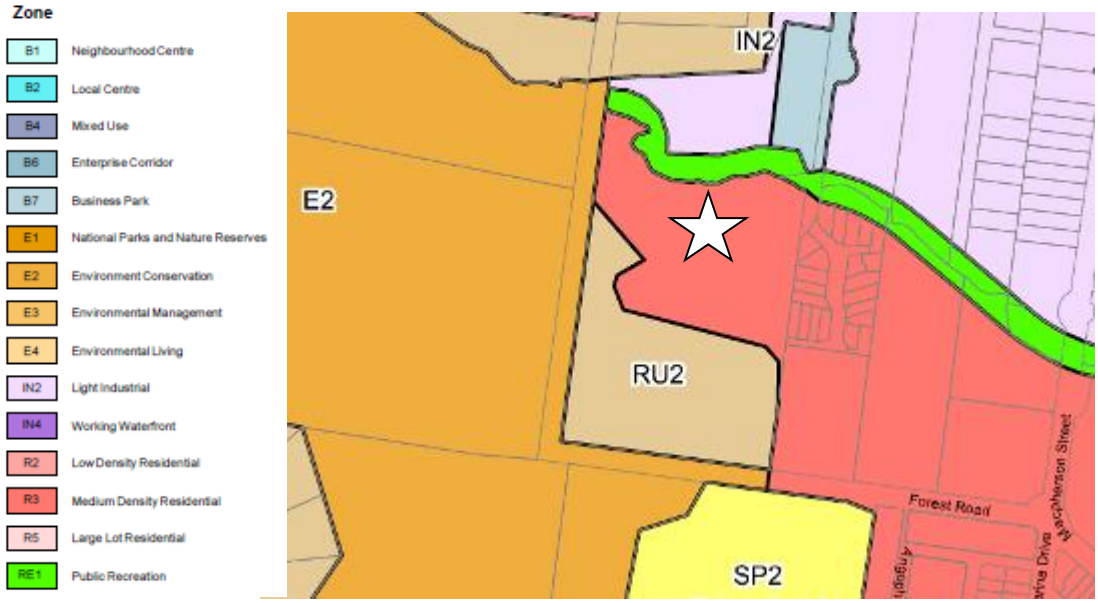

Figure 5 – PLEP 2014 Zoning Map Extract

The developments consistency with the stated objectives of the zone is assessed as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*

Response: The proposed residential flat building provides for the housing needs of the community within a medium density residential environment and is therefore consistent with this objective

- *To provide a variety of housing types within a medium density residential environment.*

Response: The proposed residential flat building contributes to a variety of housing types within a medium density residential environment noting that small lot residential dwelling houses are proposed on the balance of the subject allotment. The proposal is consistent with this objective.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Response: N/A

- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

Response: N/A

The consent authority can be satisfied that the proposal is consistent with the zone objectives as outlined.

Assessment against objectives of the height of buildings standard

An assessment as to the consistency of the proposal when assessed against the objectives of the standard is as follows:

> *(a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*

Response: The site is located within the Warriewood Valley Release Area with the desired future character identified at clause A4.16 of Pittwater 21 Development Control Plan 2014 as follows:

> *The Warriewood Valley Land Release Area will remain characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses.*
>
> *The Warriewood Valley Land Release Area will be developed into a desirable urban community in accordance with the adopted planning strategy for Warriewood Valley, and will include a mix of low to medium density housing, industrial/commercial development and open space and community services.*
>
> *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 will be designed to be safe from hazards.*
>
> *The creeklines, roads and open space areas will form the backbone of the new community, complemented with innovative water management systems, the natural environment, pedestrian/cycle path network, public transport, and recreation facilities. Development will incorporate native canopy trees and vegetation to minimise the bulk and scale of development and enhance the new community with a high quality landscape character. Development will integrate with the landform and landscape.*
>
> *A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. In this respect large tracts of land known as the Warriewood Escarpment have been acquired and reserved as environmental protection, as well as the Warriewood wetland area, no urban development will be permitted in these areas. 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 area, and farming history in the valley, will be conserved.*

Vehicular, pedestrian and cycle access within and through the area will be maintained and upgraded. 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.

In this regard we have formed the considered opinion that the proposed development, by virtue of its height and scale, is consistent with the form of development anticipated in Sector 5 and through compliance with the applicable built form controls. The density and dwelling yield proposed reflects the environmental capability of the site without adverse residential amenity or environmental planning consequences.

The proposed residential development is supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport with the development stepping up the site in response to topography and maintaining a height below the tree canopy level and the vegetated escarpment which forms a backdrop to the. The application is also accompanied by a landscape plan showing significant perimeter native landscape plantings.

We note that the proposed building facades have been appropriate articulated and modulated to provide a complimentary and compatible building height, bulk and scale with recessive balcony elements and varied use of materials and finishes creating appropriate visual interest. The accompanying bushfire, contamination, geotechnical and flooding reports collectively demonstrate that the development will be free from hazards and that site evacuation can occur in the unlikely event that it was required.

Accordingly, we have formed the considered opinion that the development is consistent with the desired future character of the Warriewood Valley Release Area and that this building height objective is satisfied notwithstanding the building height breaching elements proposed.

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

Response: Compatibility and its assessment is dealt with in the planning principle established by the Land and Environment Court in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191.

In this judgement Senior Commissioner Roseth indicated:

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though the difference in these attributes increases, harmony is harder to achieve.

Where compatibility between a building and its surroundings is desirable, its 2 major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

Comment: Consideration is limited to the non-compliant building height portions of the proposed residential flat buildings. In this regard the minor non-compliant building elements are well removed from adjoining residential development and accordingly the proposal by virtue of its height, bulk and scale will not give rise to any adverse residential amenity impacts. Similarly, we have formed the considered opinion that the non-compliant building elements will not give rise to any adverse privacy, view loss or shadowing impacts on any adjoining non-residential land uses or public domain areas. In this regard, it can be reasonably concluded that the development will not give rise to any adverse physical impacts on surrounding development or in any way restrict the future development of the site.

The proposal's appearance in harmony with the buildings around it and the character of the street?

The physical impacts, such as noise, overlooking, overshadowing and the constraining development potential, can be assessed with relative objectively. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it, however, reduced the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping. In special areas, such as conservation areas, architectural style materials are also contributors to character.

Buildings do not have to be the same height to be compatible. Where there are significant differences in height it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.

Comment: Although the proposal seeks a minor variation to the building height standard such variation can be directly attribute to site topography with the balance of Buildings D and E fully compliant with the applicable built form controls. The buildings display an articulated, modulated and appropriate streetscape presentation and to that extent we have formed the considered opinion that the proposed developments appearance will be in harmony with the surrounding buildings and the desired future character of the street and therefore compatible in its context.

Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from the side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way.

Comment: The building is compliant with the front setback controls with the setback areas available for deep soil landscaping as depicted on the accompanying landscape plan.

Landscaping is also an important contributor to urban character. In some areas landscape dominates building, in others building dominate the landscape. Where canopy trees define the character, new developments must provide opportunity for planting of canopy trees.

Comment: The entire perimeter of the residential flat building will be landscaped with canopy trees screening the buildings as viewed from the street. The development will provide appropriately for landscaping as detailed on the accompanying landscape plan.

Conservation areas are usually selected because they exhibit consistency of scale, style or material. In conservation areas, a high level of similarity between the proposed and the existing is expected than elsewhere. The similarity may extend to architectural style expressed roof form, fenestration of materials.

Comment: The subject property is not located within a conservation area.

It should be remembered that most people are not trained planners or urban designers and experience the urban environment without applying the kind of analysis described above. As people move through the city, they respond intuitively to what they see around them. A photo montage of the proposed development in its context provides the opportunity to test the above analysis by viewing the proposal in the same way that a member of the public would.

Comment: Consistent with the conclusions reached by Senior Commissioner Roseth in his judgement, we have formed the considered opinion that most observers would not find the proposed development offensive, jarring or unsympathetic in a streetscape context having regard to the built form characteristics anticipated by the planning regime for Sector 5.

(c) to minimise any overshadowing of neighbouring properties,

Response: The shadow diagrams demonstrate that the non-compliant building height elements will not give rise to any unacceptable shadowing impacts on any adjoining property.

(d) to allow for the reasonable sharing of views,

Response: Having inspected the site and its surrounds and identified available view lines we have formed the considered opinion that the development will not result in any adverse public or private view affectation.

(e) to encourage buildings that are designed to respond sensitively to the natural topography,

Response: The proposal involves minimal additional excavation with the building form stepping in response to topography.

(f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.

Response: The proposal does not require the removal of any trees or significant landscape features and there are no buildings of heritage significance within immediate vicinity of the site.

The non-compliant component of the development, as it relates to building height, demonstrates consistency with objectives of the zone and the building height standard objectives. Adopting the first option in *Wehbe* strict compliance with the building height standard has been demonstrated to be is unreasonable and unnecessary.

As the development achieves the objectives of the height of buildings standard it follows that the development is also consistent with those objectives. It follows that the development is in the public interest because it is consistent with the objectives of the height of building standard and the objectives of the R3 Medium Density Residential zone.

Environmental Planning Grounds

I have formed the considered opinion that there are sufficient environmental planning grounds to justify contravening the development standard namely the topography of the site, the large site area which enables a minor breach of height without any adverse residential amenity, streetscape or environmental consequences and the desirability to maintain a visually interesting roof form that contributes significantly to the design quality of the building.

The building is of exception design quality and represents the orderly and economic use and development of the land consistent with objectives 1.3(c) and (g) of the Act.

In accordance with Clause 4.6(5) the contravention of the development standard does not raise any matter of significance for State or Regional environmental planning with the public benefit maintained by Council's adoption of an application specific merit based assessment as it relates to building height within the 10.5 metre height precinct in which the site is located.

Conclusions

Having regard to the clause 4.6 variation provisions we have formed the considered opinion:

a) that the site specific and contextually responsive development is consistent with the zone objectives, and

b) that the site specific and contextually responsive development is consistent with the objectives of the building height standard, and

c) that there are sufficient environmental planning grounds to justify contravening the development standard, and

d) that having regard to (a), (b) and (c) above that compliance with the building height development standard is unreasonable or unnecessary in the circumstances of the case, and

e) that given the design quality of the development, and the developments ability to comply with the zone and building height standard objectives that approval would not be antipathetic to the public interest, and

f) that contravention of the development standard does not raise any matter of significance for State or regional environmental planning.

As such we have formed the highly considered opinion that there is no statutory or environmental planning impediment to the granting of a height of buildings variation in this instance.

Please not hesitate to contact me to discuss any aspect of this submission.

Yours sincerely

Greg Boston

B Urb & Reg Plan (UNE) MPIA

Director

ANNEXURE 2

Architect Design Verification Statement

DESIGN VERIFICATION STATEMENT

My name is Jun Sakaguchi and I am a Studio Director at Jackson Teece.

Jackson Teece is an architectural firm with an established reputation. It has received numerous awards from Australian Institute of Architects and other recognised organisations associated with architecture, design and property.

I confirm that I hold the following qualifications:

- **Registered Architect NSW, Board of Architects Registration No. 7361**
- **Master Degree at Waseda University in Tokyo, Japan**
- **1st class certified Architect, Japan**

I verify that:

a. I have been responsible for leading the design team up to the lodgement of the Development Application. The phases of work completed are Concept Design and Development Application preparation. The design has been progressed with a team of specialist consultants to provide a development outcome that addresses the relevant planning and design controls.

b. The design quality and principles as set out in this statement and specified by SEPP 65 and the Apartment Design Guide (ADG) have been achieved.

The design maximises amenities to the residential apartments providing sufficient solar access and cross ventilation, together with common amenities such as landscaped communal open space, publicly accessible retail units, podium top pool and gym.

Yours sincerely,

Jun Sakaguchi

Studio Director