



**TOMASY
PLANNING** PTY
LTD

Suite 1, Level 1
1073 Pittwater Road
Collaroy, NSW 2097
E: matthew@tomasy.com.au
P: 02 8456 4754

Statement of Environmental Effects



Construction of a three-storey residential flat development comprising 32 residential dwellings and basement car parking, 10 x part two/part three storey semi-detached dwellings and 2 x part two/part three storey dwelling houses fronting Warriewood Road, new internal roadway and associated site and landscaping works.

25 – 27 Warriewood Road, Warriewood NSW 2102
Lot nos. 28 & 29 in DP 5464
Northern Beaches Council
September 2018

Table of Contents

1.	INTRODUCTION	3
2.	PRE-DEVELOPMENT APPLICATION	4
3.	SITE CHARACTERISTICS	11
4.	THE PROPOSAL	13
4.1	Subdivision/Community Titling Arrangement	13
5.	DEVELOPMENT APPLICATION DOCUMENTATION	14
6.	STATUTORY PLANNING REQUIREMENTS.....	15
6.1	Biodiversity Conservation Act 2016	15
6.2	Water Management Act 2000 No. 92	15
6.3	State Environmental Planning Policy No. 55 – Remediation of Land.....	15
6.4	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	16
6.5	State Environmental Planning Policy No. 65 Design Quality for Residential Apartment Development.....	16
6.6	Pittwater Local Environmental Plan 2014	20
6.7	Pittwater Development Control Plan 21	26
6.8	Northern Beaches Bushfire Prone Land Map	61
7.	SECTION 4.15 EVALUATION.....	62
7.1	Statutory Policy and Compliance – S4.15(1)(a).....	62
7.2	The Natural Environment – S4.15(1)(b)	62
7.3	The Built Environment – S4.15(1)(b)	64
7.4	Social and Economic Impacts – S.79C(1)(b)	64
7.5	Suitability of the site for development – S.79C(1)(c)	64
7.6	The Public Interest – S.79(1)(e)	64
7.	Conclusion	66

1. INTRODUCTION

Tomasy Pty. Ltd. has been engaged to prepare a statement of environmental effects on behalf of the applicant, *The Knowles Group* to accompany a development application for the construction of a new three storey residential flat development comprising 32 residential apartments and 2 levels of basement car parking, 10 x part 2/part 3 storey semi-detached dwellings, 2 x part 2/part 3 storey dwelling house, a community title scheme, new internal roadway and associated site and landscaping works. The statement is to be read in conjunction with the submitted architectural plans prepared by the project architect, *Via Architects*.

In preparing this document, consideration has been given to the following legislative requirements including:

- Environmental Planning and Assessment Act 1979;
- Threatened Species Conservation Act 1995 No. 101;
- Water Management Act 2000 No. 92;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy (Building Sustainability Index: BASIX 2004);
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;
- Pittwater Local Environmental Plan 2014;
- Pittwater Development Control Plan No. 21; and
- Pittwater Bushfire Prone Land Map.

This Statement of Environmental Effects describes the proposed development having particular regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979 and examines the potential environmental impacts with regards to the relevant sections of the Act, State Policies and relevant requirements of Council's DCP.

The subject site is located in an area known as 'lot no. 2' within the approved residential superlot, as a result of the approved land subdivision of no. 23-27 Warriewood Road, Warriewood of development consent N0611/16. The proposed development does not seek to alter the configuration of the approved subdivision and will be consistent with the approved development consent.

The conclusions of the Statement of Environmental Effects are that the proposed development for residential accommodation, being the construction of a 3 storey residential flat development, part 2/part 3 storey semi-detached and detached dwellings fronting Warriewood Road is permissible with Council consent and are consistent with the aims and objectives of the Pittwater LEP 2014 and other relevant controls and policies of Northern Beaches Council.

Accordingly, the development represents a compliant residential development and succeeds on its merits. The development application should be approved Northern Beaches Council subject to conditions as may be deemed appropriate.

2. PRE-DEVELOPMENT APPLICATION

The proposal was subject to a pre-development application held on the 16 May 2017 for the proposed development being the construction of a residential development comprising 12 townhouses and 2 residential flat buildings consisting of 32 residential apartments including 2 levels of basement car parking.

The pre-development application comments received from the Northern Beaches Council are as follows:

Zoning and Permissibility:	
<i>The Site is zoned R3 Medium Density under the provisions of PLEP 2014, as shown on the Zoning Map. Pursuant to the land use table in Part 2 of this instrument, residential flat buildings and multi-dwelling housing* is permissible with consent within this zone.</i>	The subject development application has been amended to provide for the following land uses including: residential flat development; semi-detached dwellings and dwelling houses. All forms of the above residential accommodation are permissible with Council consent. Complies
<i>Note: the term "townhouses" is not defined by PLEP 2014, and as such, multi-dwelling housing is assumed for the purpose of this report.</i>	
<i>The Site is located within the Warriewood Valley Release Area, and is known as Buffer Area 1L, as shown on the Urban Release Area Map of PLEP 2014.</i>	The subject development application will provide for the same residential yield as that proposed as part of the pre-development application. The proposal will continue to comply with the minimum residential density yield as prescribed within Clause 6.1 of the PLEP 2014. Complies.
<i>The proposal is consistent with the dwelling yield prescribed by clause 6.1 of PLEP 2014, and as such, the development is permissible with consent.</i>	
Notification:	
<i>The proposal is to be advertised and notified to adjoining property owners/resident groups or a minimum period of 31 days, in accordance with Council's Notification Policy. Please contact Council's Assistant Planner team for fee information prior to lodgement.</i>	Noted. The subject development application will be notified in accordance with A5.1 of the PDCP No. 21.
Ownership:	
<i>All owners are required to give consent by the way of signature on the application form. If the Property is owned by a company or is part of a strata scheme then the company seal/strata seal is required to be submitted. For works in the road reserve you must discuss the proposal with Council's Property department and seek permission in writing.</i>	Owners consent will be issued as per the Northern Beaches Development Application form. Complies
Easements & Restrictions:	
<i>If there are restrictions on the title such as covenants and/or easements, then details are to be provided with the application. If the proposal is reliant upon easements on adjoining sites, these details are also required to be provided.</i>	The submitted survey plan indicates the location of the existing drainage easement for sewerage with a minimum depth width of 5 metres. The drainage easement will run parallel with the location of the new internal roadway. Complies
Requirements under State Environmental Planning Policies:	
<i>Following is a list of applicable SEPPs which may need to be addressed as part of your application:</i> <ul style="list-style-type: none"> • State Environmental Planning Policy No 55— Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 	Refer to Section 5: Statutory Planning Requirements.
Development Type:	
<i>The proposal constitutes integrated development, in accordance with s91 of the Environmental Planning and Assessment Act 1979 and the Water Management Act 2000. The Applicant is to indicate any integrated referral</i>	The subject proposal is not identified as being an integrated development application. Refer to Section 6 within this report for further details regarding the Water Management Act 2000.

<p>bodies on the Application Form, at the time of lodgement. A cheque for \$320 made payable to Department of Primary Industries – Water is also required at the time of lodgement.</p>	
<p>Flooding:</p>	
<p>The Site is affected by High Hazard flooding, and subject to the provisions of clauses 7.3 (Flood planning) of PLEP 2014 and the following clauses of P21 DCP;</p> <ul style="list-style-type: none"> • Clause B3.17 (Flood Hazard – Flood Category 1 – High Hazard – Medium Density Residential) • Clause B3.23 (Climate Change (Sea Level Rise and Increased Rainfall Volume)) • Clause B3.25 (Flood Hazard – Flood Emergency Response Planning) 	<p>Refer to Section 5: Statutory Planning Requirements.</p>
<p>Water Management:</p>	
<p>Details relating to both flooding and stormwater (quality and quantity) management are to be provided at the time of lodgement. In addition to relevant PLEP 2014 and P21 DCP provisions, the Warriewood Valley Water Management Specification 2001 is to be addressed.</p>	<p>A Water and Flood Management report has been issued to accompany the subject development application and addresses the Council policy including the Warriewood Valley Water Management Specification 2001. Complies.</p>
<p>The water management facilities for the Site are currently proposed as part of N0611/16, and if approved, the proposal will need to be consistent with the assumptions relied upon in the water management report submitted with that application. Should the site coverage of the proposal be greater than that anticipated in the water management report submitted with N0611/16, the capacity of the system will need to be amended.</p>	<p>The Water Management Report prepared by SGC prescribes that the residual superlot no. 2 will provide for 59% of impervious area for the residential flat building/townhouse site.</p> <p>The amended architectural plan (plan numbered DA-052) prepared by VIA Architects demonstrates that the residual lot no.2 will continue to achieve a minimum of 41% of the site area as landscaped area. The development will be consistent with the areas nominated within the Water Management Report. Complies.</p>
<p>Given the depth of excavation proposed and the proximity to the creekline, it is likely that groundwater will be encountered. As such, a groundwater management plan will be required to address any impacts upon underground flows and how seepage into the basement will be mitigated.</p>	<p>The geotechnical report prepared by Geotechnique dated the 3 August 2016 identifies that the depth to groundwater varies from between 4.3 metres to greater than 11.7 metres.</p> <p>The location of borehole no. 4 is taken of the location of the new basement car parking area. Borehole no. 4 identifies a depth to groundwater of greater than 8.9 metres. The proposed basement parking level is approximately 8.6 metres below the ground level existing and will not be below the water table. Subsequently, no groundwater management plan will be required given the works do not extend below the watertable.</p>
<p>The creekline corridor works also form part of N0611/16, and if approved, the treatment of this area should be consistent with the plans endorsed in any development consent or as prescribed by conditions.</p>	<p>The location of the proposed works is located wholly within the residual superlot no.2 and the proposal does not involve any further creekline corridor works. Complies.</p>
<p>Natural Resources</p>	
<p>If there are any native trees within 5m of the proposed works, a report from a qualified AQF4 or AQF5 arborist is required at lodgement. The report must assess all trees and determine their health, condition and Safe Useful Life Expectancy. The report is to provide justification for any proposed removal and include recommendations for tree protection measures where applicable.</p>	<p>An arborist report has been submitted to accompany the development application. Complies.</p>
<p>A landscape plan is required to be submitted from a qualified landscape architect or designer. The plan is to demonstrate consistency with the landscaping provisions of clauses C6.2 (Natural Environment and Landscaping Principles) and D16.5 (Landscaped Area for Newly Created Individual Lots) of P21 DCP, and the Warriewood Valley Landscape Masterplan and Design Guidelines 2015.</p>	<p>A landscape plan has been prepared by CDA Design Group which addresses the requirements of Clause 6.2 and D16.5 of the PDPC21 and the Warriewood Valley Landscape Masterplan and Design Guidelines. Complies.</p>

<p>The landscape design must demonstrate key strategies, including:</p> <ul style="list-style-type: none"> • Ensure that landscape design and planning is part of a fully integrated approach to site development. • Development must be designed to maximise the restoration, retention and preservation of indigenous trees, shrubs and groundcovers, as well as natural features, including wildlife corridors, fauna habitats, rock features and watercourses. • Provide planting schemes that reinforce the framework of endemic canopy trees within deep soil, with supplementary plantings species suitable for the understorey and groundcover. • Create visually pleasing environments that integrate the built form of the development into the natural and cultural landscapes of the Warriewood Valley. • Maximise landscaped areas for onsite infiltration of stormwater. • Integrate and form linkages with parks, reserves and transport corridors. 	<p>The proposed landscape design prepared by CDA Design Group represents a holistic approach to the landscaping treatment of the site which includes a mixture of native vegetative landscaping treatment that is compatible with the approved seniors housing development on the site. The landscaping incorporates significant planting on the eastern side of the Lorikeet Grove extension and will provide an area of dense shrubbery which adjoins the outer-creekline corridor of the site.</p> <p>The level of infiltration from the site is also acceptable given the proposal will comply with the required 41% of landscaped area; the soft landscaping requirements of the PDCP21 and the distribution of the landscaped areas throughout the site is provided on the edges of the building envelopes to allow for adequate drainage of stormwater runoff to and from the site.</p>
<p>Road Layout</p>	
<p>The application is required to address the provisions of clauses B6.3 (Off-Street Vehicle Parking Requirements), C6.4 (The Road System and Pedestrian and Cyclist Network) and C6.10 (Additional Specifications for development of Buffer Area 1a to 1m) of P21 DCP.</p>	<p>Noted. Refer to Section 5: Statutory Planning for further assessment.</p>
<p>Reconstruction of the section of Warriewood Road fronting the Site, to the centre-line of the road, will be required by Council as part of the development. The developer is responsible for the construction/cost of the road reconstruction, including undergrounding of utilities. Details of the half road reconstruction are required to be included as part of the development application. On-street parking bays (8 spaces) are to be provided within the Warriewood Road public road reserve, with 45 degree tapered kerbs at the ends of the indented bays to allow for ease of egress.</p>	<p>All works relating to road construction will be consistent with the previous development consent N0611/16.</p>
<p>A pedestrian/cycle path with a minimum width of 2.1m is required along the length of the Warriewood Road street frontage.</p>	<p>The proposal includes the construction of a 2.1 metre shared pedestrian/cycle path along the length of Warriewood Road. Complies.</p>
<p>The siting and design of Lorikeet Grove forms part of N0611/16, and if approved, the detail should be consistent with the plans endorsed in any development consent or as prescribed by conditions.</p>	<p>The road layout is consistent with the previously approved development (N0611/16) and involves the redevelopment of the residual super lot no.2. Complies.</p>
<p>It is noted that the design of Lorikeet Drive differs from the design currently proposed by N0611/16, specifically in relation to the incorporation of parallel parking spaces labelled "visitor" on the eastern side of Lorikeet Grove, within the outer creekline corridor. Please be advised that whilst the incorporation of on-street parking spaces is supported (and should be enhanced), Lorikeet Grove will be a public road reserve, dedicated to Council as part of N0611/16. As such, the incorporation of any public on-street parking cannot be relied upon as visitor parking.</p>	<p>All visitor car parking spaces generated by the proposed residential flat development will be located within the basement car parking of the site. Complies.</p> <p>The semi-detached and detached dwellings does not generate an additional visitor car parking demand.</p>
<p>There seems to be a missed opportunity for further connectivity with the adjoining site to the north, whereby the proposed internal driveway ends adjacent to an internal road on the adjoining site. You are encouraged to have discussions with the adjoining property owners in this</p>	<p>The applicant does not have an opportunity to provide a continuation of the internal roadway to the adjoining development at no. 29-31 Warriewood Road, Warriewood.</p> <p>The relationship between the subject site and the neighbouring land involves a significant change in level</p>

<i>regard, to further enhance connectivity through the locality.</i>	and the approved subdivision as per N0182/13 provides the construction of retaining walls along the boundary between the two properties. The difference between the levels on the site makes the construction of an interconnecting road between the two properties prohibitive.
<i>The design of the proposed internal driveway should accord with the requirements for a 'Laneway', as prescribed by the Warriewood Valley Roads Masterplan (May 2016).</i>	The construction of the new internal roadway will provide a total road reserve width of 7 metres in accordance with the Warriewood Valley Roads Masterplan June 2018.
<i>Turning paths must be provided in relation to every access driveway proposed; demonstrating that the largest vehicle anticipated can safely manoeuvre on the Site.</i>	Swept path diagrams have been prepared by VIA Architects which indicate a typical B85 vehicle which can safely perform a three-point turn at the cul-de-sac end of the site. TTM Consulting advise that the use of the b85 vehicle is acceptable due to the low traffic flow on the laneway and the low usage of the turn-around bay.
Parking:	
<i>The proposal results in a parking shortfall of 4 visitor parking spaces (inclusive of one space for people with disabilities) associated with the multi-dwelling housing component of the development, noting that the proposed on-street parking spaces in the Warriewood Road public road reserve cannot be relied upon for visitor parking.</i>	The semi-detached and detached dwelling houses will not generate a visitor car parking demand.
<i>The proposal results in a parking shortfall of 5 visitor parking spaces associated with the RFB component of the development, noting that the proposed on-street parking spaces in the Lorikeet Grove public road reserve cannot be relied upon for visitor parking. The basement also fails to provide a space for service or delivery vehicles, as required by clause B6.3 of P21 DCP.</i>	The proposed residential flat development will provide 11 visitor parking spaces and exceeds the minimum requirements.
<i>The statement of environmental effects is to address the provisions of clause 7.2 (Earthworks) of PLEP 2014, in addition to the relevant provisions of part B8 of P21 DCP.</i>	Refer to Section 5: Statutory Planning Requirements for further details.
<i>In accordance with clause 7.10 (Essential Services) of PLEP 2014, the application is to be supported by written confirmation that the development can be adequately serviced by water, electricity and sewerage. You are advised to converse with service providers to ensure that they can service the additional lots/density associated with the proposal, and provide evidence of such correspondence at the time of lodgement.</i>	Refer to Section 5: Statutory Planning Requirements for further details.
Height:	
<i>Clause 4.3(2F) of PLEP 2014 limits the height of development at a street frontage to 8.5m, as follows: Despite subclause (2), development on land identified as "Area 6" on the Height of Buildings Map must not exceed a building height of 8.5m at the street frontage. This specific development standard is currently the focus of an amendment to PLEP 2014 in PP0002/15, which seeks to amend the clause to read as follows: Despite subclause (2), development on land identified as "Area 6" on the Height of Buildings Map must not exceed a building height of 8.5 metres for a minimum distance of 12.5m, as measured from the front property boundary of properties fronting Orchard Street, Macpherson Street, Warriewood Road, or Garden Street. PP0002/15 has been publically exhibited and will be required to be considered as part of the assessment of any future development application on the Site.</i>	The proposed semi-detached and detached dwelling houses fronting Warriewood Road has been lowered to ensure compliance with Clause 4.3(2F) of the PLEP2014 in that the proposal will not exceed 8.5 metres within the area that is 12.5 metres measured from the boundary of any property to Warriewood Road. Complies. Furthermore, the residential flat building has been lowered further within the ground level (existing) and will not exceed the maximum building height of 10.5 metres. Complies.

<p><i>The multi-dwelling housing component of the development is inconsistent with both the current provisions of PLEP 2014 and the draft exhibited revisions to PLEP 2014, and any request to vary this development standard is unlikely to be supported by Council. You are strongly advised to amend the proposal in this regard, to ensure consistency with the draft exhibited building height development standard.</i></p> <p><i>The proposed residential flat building fronting Lorikeet Grove will also result in technical non-compliance with the current building height development standard, and as such, a request to vary the development standard pursuant to clause 4.6 of PLEP 2014 will be required to accompany the application.</i></p>	
<p>Setbacks:</p>	
<p><i>Noting that the boundaries of Lorikeet Grove are not shown on the plans submitted to accompany the prelodgement, compliance with the minimum front setback requirements to the new public road are unable to be determined. However, it appears that the front setback of Dwellings 11 and 12, in addition to the southern elevation of the RFB, are inconsistent with the setbacks prescribed by clause D16.6 of P21 DCP. Particular concern is raised in relation to the setback of the RFB, given the scale of the southern façade.</i></p>	<p>The revised architectural plans include the dimensions of the setbacks from the lot boundaries of the residential flat development, the semi-detached and detached dwellings. The proposal will comply with the setback requirements of the PDCCP21. Complies.</p>
<p><i>The setback of the northern façade of the RFB is also of concern, noting that it will ultimately present to an internal street of the adjoining site. You are strongly advised to increase the northern setback of the RFB to a minimum distance of 4.5m. The design of the northern façade should also be manipulated to present to the street, as opposed to having an appearance of a side setback.</i></p>	<p>The northern end of the site presents as the side setback of the residential flat development with the west presenting as the buildings front façade which fronts the approved extension of Lorikeet Grove. The development will comply with the numerical control with a setback of 3 metres to the north setback.</p>
<p><i>Whilst technically not subject to the provisions of the minimum front building line, the relationship between the proposed RFB and the internal driveway should also be reviewed, to ensure an acceptable level of amenity for occupants of the units facing east.</i></p>	<p>The proposed residential flat development provides a building separation between 11-18 metres from the east facing private open space areas of the residential flat development to the garage/studio of the detached and semi-detached dwellings fronting the internal laneway. The building separation is adequate and the garage/studio structures provide a single opaque window opening which will screen any cross-viewing between the two properties.</p>
<p>Spatial Separation:</p>	
<p><i>The spatial separation between the multi-dwelling housing units is less than that prescribed by clause D16.8 of P21 DCP, and the composition of the dwellings is inconsistent with the provisions of clause C6.8 of P21 DCP. You are advised to provide greater spatial separation between the multi-dwelling housing units, and to relocate the individual detached multi-dwelling housing unit (TH 11) to be situated between TH06 and TH07 to break down the repeated built form fronting Warriewood Road.</i></p>	<p>Refer to Section 5: Statutory Planning Requirements.</p>
<p><i>There is also concern with the separation distance between the RFB and the garages of the multi-dwelling housing units, specifically at the southern end of the site, where the headlights of vehicles entering and exiting the garages will impact upon the amenity of the ground floor units.</i></p>	<p>The separation distances are acceptable in complying with the requirements of the Apartment Design Guide.</p>
<p>Design of RFB:</p>	
<p><i>In addition to the concerns raised with regard to setbacks, the design of the RFB is inconsistent with numerous provisions of P21 DCP and the ADG, in relation to (but not limited to):</i></p>	<p>Refer to Section 5: Statutory Planning Requirements for further details.</p>

<ul style="list-style-type: none"> • Solar access • Cross ventilation • Balcony depth • Activation of street frontages for ground floor units • The size of windows compared to the area of the room • The depth of open plan living areas 	
<p>The layout of the units is awkward, specifically those facing towards the west where the second bedroom is staggered with a narrow opening on the western elevation. The floor area of the units is also unnecessarily large when compared with the minimum floor areas prescribed by the ADG, with large expanses of wasted space associated with hallways and transient spaces.</p>	<p>The proposed apartment configuration has been revised with a reduction in the area of hallways and transient spaces within the apartment units. The floor arrangements provide a variety of unit types with 1, 2, 3 bedroom apartments all of which comply with the minimum apartment size requirements of the Apartment Design Guide.</p> <p>The Apartment Design Guide does not prescribe maximum apartment size requirements.</p>
<p>The proposal also fails to provide the unit mix prescribed by clause C6.8 of P21 DCP, which requires 10% of the housing stock to be studio apartments.</p> <p>Noting that the proposal is at the lower end of the dwelling yield prescribed by clause 6.1 of PLEP 2014, and in consideration of the extent of amenity and built form noncompliances, you are strongly advised to reduce the footprint of the RFB and the size of the individual units to ensure a more appropriate outcome on the site.</p>	<p>The proposed development does not provide any studio apartments. The residential density requirement will comply with Council's development standard in being more than</p> <p>The variation from the Council control is acceptable given the development complies with the objectives of the Apartment Mix requirements of the Apartment Design Guide.</p> <p><u>Objective 4K-1:</u> <i>A range of apartment types and sizes is provided to cater for different household types now and into the future.</i> The proposed development provides for a combination of apartment types including 1, 2 and 3 bedroom units within the residential flat development. The apartments vary in sizes and configurations which will allow for a range of different household types including single person households, small family households and families. The mix of the apartments is acceptable in that it provides suitable housing choice and will continue to support equitable housing accessibility opportunities to the general public.</p> <p><u>Objective 4K-2:</u> <i>The apartment mix is distributed to suitable locations within the building.</i> The proposed apartment configuration of the residential flat development provides a combination of 1, 2 and 3 bedroom units all of which comprise of an east-west orientation and front and rear facing aspects throughout the building footprint. The apartments are appropriately distributed throughout the building with larger apartments situated on the upper floor levels of the building.</p>
Design of the multi-dwelling housing units:	
<p>The proposed incorporation of a detached studio above the proposed garages is not supported by Council. You are advised to remove this component of the development prior to lodgement of any future DA. Further refinement is also required to demonstrate that the areas of private open space will be protected from overlooking from the adjoining dwellings. The façades of the multi-unit housing units that present to Lorikeet Grove should be amended to be well modulated to have more of an address the public domain, softened by extensive landscaping.</p>	<p>Refer to Section 5: Statutory Planning Requirements for further details.</p>

<p><i>The façades of the multi-unit housing units that present to Lorikeet Grove should be amended to be well modulated to have more of an address the public domain, softened by extensive landscaping.</i></p>	<p>The proposed dwelling nos. 11 and 12 located on the intersections of Warriewood Road and Lorikeet Grove extension will present to the secondary street frontage of Lorikeet Grove. The dwellings have been designed to incorporate window openings to allow for adequate casual surveillance to the public domain and the treatment to the Lorikeet façade is appropriately articulated including a combination of materials, colours and finishes and recessed building elements all positively respond to the Lorikeet Grove streetscape.</p> <p>In addition to the above, the submitted landscape plans include the provision of several medium sized evergreen trees along the side setback fronting the Lorikeet Grove extension.</p>
<p>Colours and materials:</p>	
<p><i>The external colours and materials of any building shall be dark and earthy tones (mid to dark greys, greens and browns). A Schedule of Finishes must be submitted with the application identifying proposed materials and colours.</i></p>	<p>The proposed external colours, materials and finishes will be consistent with the requirements of the Pittwater DCP No.21</p>
<p>Waste Collection:</p>	
<p><i>Further information is required at lodgement to detail how waste is to be stored and collected on the site.</i></p>	<p>A waste management plan has been prepared by TTM Consulting and submitted as part of the development application.</p>
<p>Subdivision:</p>	
<p><i>A draft plan of subdivision is required at lodgement, detailing the division of private and communal open space and the provision of parking spaces. A plan of management should also be provided to detail the ownership and maintenance requirements of the site, specifically with respect to the internal driveway and all landscaping.</i></p>	<p>A draft plan of subdivision has been prepared by Byrne and Associates and submitted as part of the development application.</p>

In addition to the above, a development application was submitted with the Northern Beaches Council (N0460/17) on the 16 October 2017 for the construction of a three storey residential flat building containing 32 residential apartments with 83 car spaces basement parking spaces and a three storey multi-dwelling housing development of 12 dwellings with associated car parking spaces. The development application was withdrawn on the recommendation of Council.

3. SITE CHARACTERISTICS

The subject site is located on the corner of Macpherson Street and Warriewood Road and comprises lots 28 and 29, Section C in DP 5664 and is also known as no. 25-27 Warriewood Road, Warriewood.

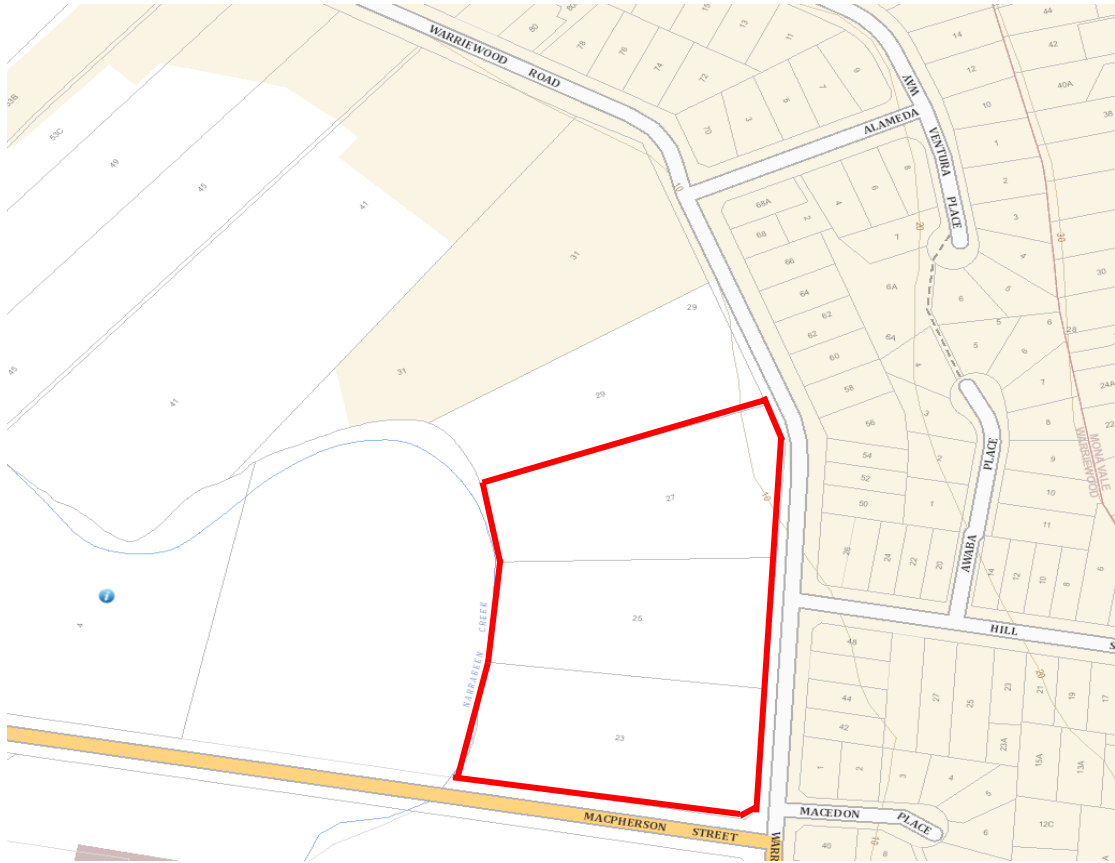
Topographically, the site consists with a maximum fall of approximately 9.89 metres from the top of the kerb along Warriewood Road to the rear of the site adjoining the Narrabeen Creek and characterised by a fall of 7%. The site also comprises of a cross fall of approximately 6.26 metres along site frontage.

Immediately to the west of the subject site is an existing Riparian Creek Corridor - Narrabeen Creek and further west is single and two storey detached dwellings and three storey residential flat buildings. To the east, on the opposite side of Warriewood Road is a row of single and two storey free standing dwellings, to the north are oversized lots with single dwellings and to the south is the Warriewood Waste Treatment Facility.

The character of the immediate locality is predominately residential in nature and consists of a range of low to medium density residential development. The subject site and the immediate northern neighbouring sites remain largely as vacant undeveloped sites. At present, the Northern Beaches Council is currently in receipt of a development application on the southern portion of the site which proposes the construction of a part two/part three storey residential aged care facility containing 130 high care beds, theatre room, gymnasium, activities rooms, salon, office, administration areas and a basement car parking for 66 vehicles.

The site is located within the Warriewood Valley Urban Release Area. This precinct is described within the Pittwater Development Control Plan (A4.16) Warriewood Valley comprises the area from the base of the Warriewood Escarpment to the Warriewood Wetlands and Mona Vale Road and includes an isolated area on the north side of Mona Vale Road.

A development application has been approved (development consent no. N0611/16) on the southern portion of the subject site which proposes the construction of a Part 2/Part 3 storey residential care facility which includes 130 sole occupancy high care rooms, subdivision, associated civil works and an extension of a public road (Lorikeet Grove).



Source: Land and Property Information



Source: Google Maps

4. THE PROPOSAL

The proposal involves the following:

- Construction of a new three storey residential flat building (32 residential apartments) and 2 levels of basement car parking (83 car spaces);
 - o The apartment mix includes the following:
 - 4 x 1-bedroom apartments;
 - 22 x 2-bedroom apartments;
 - 6 x 3-bedroom apartment
- Construction of 10 x part two/part three storey semi-detached dwelling houses (rear-loaded);
- Construction of 2 x part two/part three storey dwelling house (rear-loaded);
- New community title scheme (all dwellings besides TH12);
- New internal laneway; and
- Associated site and landscape works.

4.1 Subdivision/Community Titling Arrangement

The proposed subdivision/community title arrangement over the subject site will be structured in the following manner:

- a) Torrens title subdivision of lot 2 in two new lots so that dwelling no. TH12 is located on a separate allotment (Lot no. 21).
- b) Residual lot no. 22 is to be subdivided by way of a Community Titles Plan creating 1 Community Lot (containing internal roadway and garbage bin storage area) and 12 additional lots (containing 11 individual lots for each townhouse and 1 lot for the residential flat building. The ownership and maintenance of the community Lot would be proportioned according to the unit entitlement for each of the 12 additional lots.
- c) The residential flat building Lot would then be subdivided by way of a Strata Plan creating additional Lots and common property. The common property within the Strata Scheme would be the sole responsibility of Lots within the Strata Plan. The unit entitlement would also dictate the proportion of each Lot in the Strata Scheme ownership of and contribution of the Community Lot.

The proposed titling arrangements for the dwellings fronting Warriewood Road are as follows:

Dwelling no.	Titling Arrangement:
1	Pathways 2B (Integrated Housing) (Community Title Scheme)
2	Pathways 2B (Integrated Housing) (Community Title Scheme)
3	Pathways 2B (Integrated Housing) (Community Title Scheme)
4	Pathways 2B (Integrated Housing) (Community Title Scheme)
5	Pathways 2B (Integrated Housing) (Community Title Scheme)
6	Pathways 2B (Integrated Housing) (Community Title Scheme)
7	Pathways 2B (Integrated Housing) (Community Title Scheme)
8	Pathways 2B (Integrated Housing) (Community Title Scheme)
9	Pathways 2B (Integrated Housing) (Community Title Scheme)
10	Pathways 2B (Integrated Housing) (Community Title Scheme)
11	Pathways 2B (Integrated Housing) (Community Title Scheme)
12	Torrens Title Subdivision

5. DEVELOPMENT APPLICATION DOCUMENTATION

The accompanying documentation that has been submitted as part of the development application is as follows:

Document:	Author:
Statement of Environmental Effects	Tomasy
Architectural Plans	VIA Architects
Architectural Statement	VIA Architects
Survey Plan	SDG Land and Development Solutions
Draft Plans of Subdivision	Byrne and Associates
BASIX Report	Partners Energy
Nathers Certificate	Partners Energy
Landscape Plan	CDA Design Group
Aboriginal Impact Assessment	Red Gum Consulting
BCA Report	AED Consulting
Access Report	Morris-Goding Access Consultants
Acoustic Report	WSP
Water Quality Monitoring Data (April 2017)	Marine Pollution Research
Water Quality Monitoring Data (August 2017)	Marine Pollution Research
Civil Engineering Plans	SGC Engineering
Water and Flood Report	SGC Engineering
Quantity Surveyors Report	Turner and Townsend

6. STATUTORY PLANNING REQUIREMENTS

The statutory planning controls that are relevant to the proposed development are as follows:

- Biodiversity Conservation Act 2016;
- Water Management Act 2000 No. 92;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development; and
- Pittwater Local Environmental Plan 2014.

6.1 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 commenced on the 25 August 2017 and replaces the Threatened Species Conservation Act 1995. The purpose of this act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

A previously development on the subject site for the construction of a residential aged care facility containing 130 sole occupancy high care rooms, subdivision and associated civil works and the extension of a public road being Lorikeet Grove was approved on the 13 July 2017 by the Sydney North Planning Panel. The approved works included remediation works to the creekline corridor adjacent to the Narrabeen Creek along the western edge of the site including the extent of the works outlined within the Vegetation Management Plan prepared by Ecological Australia and dated on the 22 September 2016.

The current subject proposal does not involve any further works as part of this development approval and does not seek consent for any additional works within lot no. 3 of the approved plan of subdivision of lot nos. 27-29, Section C in DP5464 all of which, is adjacent to the creekline corridor. All works are located strictly within the residual super lot no. 2 and will be consistent with the previous development approval. The proposal is expected to be consistent with the recommendations of the approved Vegetation Management Plan prepared by Ecological Australia.

6.2 Water Management Act 2000 No. 92

The purpose of the Water Management Act 2000 is to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations with particular regard given to the principles of ecologically sustainable development and to protect, enhance and restore water sources, their associated ecosystems, ecological processes and biological diversity and water quality.

In accordance with the Water Management Act 2000, if works are located within 40 metres of the top of bank of a stream, a controlled activity approval will be required by the Department of Primary Industries (DPI) Water. The western edge of the proposed residential flat development (closest to Narrabeen Creek) is setback approximately 50 metres from the top of the creek bed. In considering the works are located in excess of 40 metres from the top of the creek bed, a controlled activities approval from the Department of Primary Industries is not required and the proposal does not form part of an integrated development application.

6.3 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land is applicable to all land within NSW and aims to promote the remediation of contaminated land and to reduce risk of harm to human health and environment. Clause 7 of the SEPP provisions prescribe that the consent authority must have consideration as to whether the land is contaminated, if the land is contaminated it is satisfied that the land is suitable in its contaminated state and/or if suitable remediation processes are required before the land is used for any proposed uses.

A preliminary site investigation to identify possible contaminants and remedial measures has been carried out by EI Australia with respect to the subject site. The key findings of the report outline that historical and previous uses of the site dating back to the 1940's to 2000's have been primarily used for agricultural purposes (market gardens) and the adjoining neighbours were similarly residential and agricultural uses. In addition to this, the site is not identified as being on the List of NSW contaminated sites that have been notified by the NSW Environment Protection Authority (EPA) and a search of record of notices for contaminated land indicated that the site was free from statutory notices issued by the EPA.

The preliminary site investigation characterises the site soils, groundwater and ground gas to provide baseline data for evaluation of any remedial and management requirements that may be necessary to allow the site to be made suitable for the proposed residential development. Any such assessment is required to incorporate an assessment of an Acid Sulfate Soils that may affect soil stability. Further, any findings within the Detailed Site Investigation shall be reported with the EPA that the site is suitable or commence a remedial action plan to ensure the site is suitable for residential accommodation.

6.4 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP Building Sustainability Index (BASIX) 2004 is applicable to the subject site. Clause 6 of the SEPP Provisions prescribe that the proposal is deemed to be a 'BASIX affected development' under the Environmental Planning and Assessment Act 1979 and a BASIX certificate is required to accompany any prospective development application for the proposed works.

A BASIX and NatHERS Certificate has been prepared by Inhabit Group which indicates that the proposed development will satisfy the relevant water and energy reducing targets.

6.5 State Environmental Planning Policy No. 65 Design Quality for Residential Apartment Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development is applicable to all within NSW and aims to improve the design quality of residential apartment development through achieving better built form and aesthetics of buildings and of the streetscapes and the public spaces they define. Clause 4 of the SEPP provisions prescribe that this policy is applicable to development for the purposes of either a residential flat development, shop top housing or mixed use development with a residential accommodation if: (a) the development is for the erection of a new building; (b) the substantial redevelopment or refurbishment of an existing building or (c) the conversion of an existing building and must at least 3 or more storeys or contain at least four or more dwellings.

The proposed development includes the construction of a new three storey residential flat development on the western end of the site and the provisions of the SEPP no. 65 is applicable to the proposed development. Clause 28(2)(b) of the SEPP provisions prescribes that a consent authority is required to take into consideration the design quality of the development when evaluated in accordance with the design quality principles. A design verification has been prepared by the project architects, VIA architects, which addresses all nine design quality principles including context and neighbourhood character; built form and scale; density; sustainability; landscape; amenity; safety; housing diversity and social interaction and aesthetics.

In addition to the above, Clause 28(2)(c) of the SEPP provisions prescribe that the consent authority must also consider the requirements of the Apartment Design Guide. An assessment of the relevant design criteria of the Apartment Design Guide against the proposed development is outlined below:

Apartment Design Guide:

Section	Apartment Design Guide	Requirement	Proposed	Complies (Y/N)
3D	Communal Open Space	25% of site area	Communal Open Space: 625sqm (18%). Refer to Section 6.5.1 within this report for further details.	No.
3D	Solar Access to Communal Open Space	50% of the area nominated as communal open space for a minimum of two hours between the hours of 9am – 3pm, 21 June.	100% of the site area nominated as communal open space will receive a minimum of two hours of solar access between 9am – 3pm, 21 June.	Yes.
3E	Deep Soil Zones	7% of site area	Deep Soil: 836sqm (24%).	Yes.
3F	Visual Privacy	Setback 6m and 3m for habitable and non-habitable rooms (up to 4 storeys)	Ground, first and second floor level setback from northern boundary: 3 metres. Refer to Section 6.5.2 of this report for further details.	No.
4A	Solar access	70% of apartments for a minimum of two hours between the hours of 9am – 3pm, 21 June.	100% of the apartments will receive a minimum of two hours of direct solar access between the hours of 9am – 3pm, 21 June.	Yes.
4B	Cross Ventilation	60% of apartments	60% of apartments will receive cross ventilation.	Yes.
4B	Depth of Apartments	Maximum depth of cross-through apartment 18 metres.	All cross-through residential units will have a length of less than 18 metres as measured from glass line to glass line.	Yes.
4C	Ceiling Heights	2.7m habitable, 2.4m non-habitable (floor to ceiling height)	2.8 metres.	Yes.
4D	Apartment Size and Layout	Minimum: Studio 35sqm; 1 bedroom 50sqm; 2 bedroom 70sqm; 3 bedroom 90sqm	All apartments will exceed the minimum apartment size requirements.	Yes.
4D		Habitable rooms with a minimum window size of not more than 10% of the floor area of the room.	The new window openings will occupy more than 10% of each respective floor area of a room.	Yes.
4D		Open plan layouts (where the living, dining and kitchen are combined) must have a maximum window depth of 8m	The open plan layout areas will comply with the open plan living/dining areas being set a minimum window depth of 8 metres to an openable window opening.	Yes.
4D		Master bedrooms have a minimum area of 10sqm	Master bedrooms will exceed the minimum areas of 10sqm (excluding areas dedicated for robes).	Yes.
4D		Bedrooms have a minimum area of 3m	All bedrooms comply with a minimum dimension of 3m	Yes.
4D		Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> 3.6m for a studio and 1 bedroom apartments. 4m for 2 and 3 bedroom apartments 	The combined living/dining rooms will achieve the minimum dimension requirements for 1, 2 and 3 bedroom apartments.	Yes.
4D		Width of cross-over/cross-through apartments is a minimum of 4m	Cross-over/cross-through apartments will have a minimum width of greater than 4 metres.	Yes.

4E	Private open space and balconies	Dwelling type	Minimum area	Minimum depth	The balconies at the first and second floor level will comply with the minimum area and dimension requirements.	Yes.
		Studio	4sqm	-		
		1 bed	8sqm	2m		
		2 bed	10sqm	2m		
		3 bed	12sqm	2.4m		
4E		Ground level apartments have a minimum private open space of 15m and depth of 3m		Apartment nos. G.01, G.02, G.03, G.09, G.10 and G.11 all result in a development with a minimum depth of less than 3 metres. Minor variation is acceptable given the balconies are raised above the ground level existing and adequate open space is provided forward of the balconies.	Yes.	
4F	Common circulation and spaces	Maximum of 8 apartments off a circulation core		The proposal incorporates a maximum of 6 apartments to each circulation core to a building.	Yes.	
4G	Storage	Dwelling Type	Storage Size Volume		Adequate areas for storage are provided in the basement car parking levels 1 and 2 and will achieve the minimum storage volume size requirements.	Yes.
		Studio	4m3			
		1 bed	6m3			
		2 bed	8m3			
		3 bed+	10m3			

6.5.1 Communal Open Space

Clause 3D of the Apartment Design Guide prescribes that the proposed development must provide a minimum of 25% of the site areas as communal open space. The site area of the proposed residential flat development (the area between the new internal roadway and the Lorikeet Grove extension) is 3,468sqm and therefore the required area of communal open space is 867sqm (25%). The area nominated for communal open space on the western end of the site provides an area of 625sqm (18%) and represents a shortfall of 242sqm.

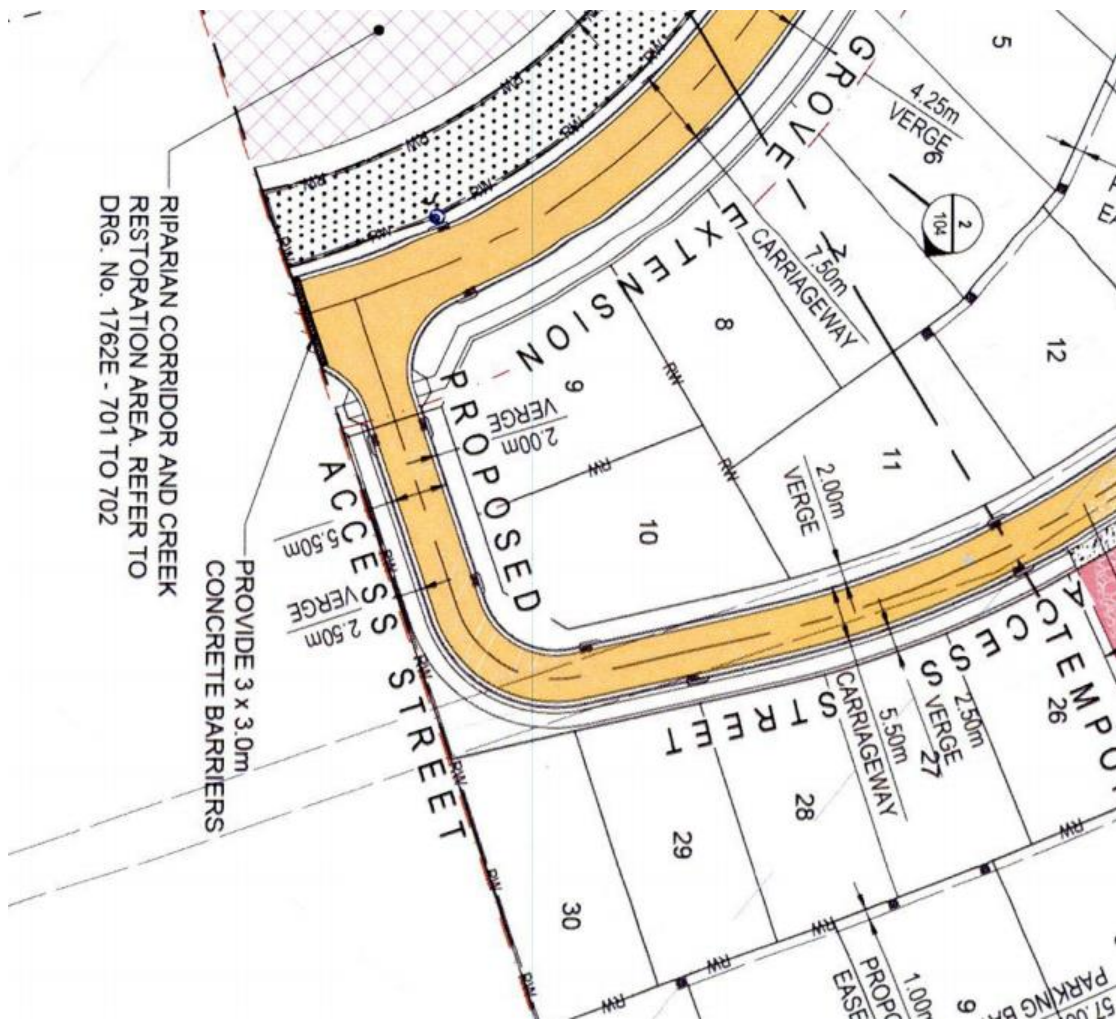
Variation from the Apartment Design Guide requirements is acceptable in considering the merits of the proposal. The proposed development will continue to provide adequate area of communal open space on the opposite side of Lorikeet Grove immediately adjacent to the Narrabeen creekline corridor. The area to the west of the site, whilst being dedicated to Council given it forms part of the inner creekline corridor area will provide approximately 4281sqm with a minimum dimension of 26 metres and will be a significant area to accommodate the outdoor recreational needs of the occupants within the residential flat development. The area is acceptable in complying with the design guidance requirements in that the communal area will be co-located with deep soil areas; is an accessible area which is immediately opposite the residential flat building; the space allows for casual surveillance into these areas given the location of the proposed and approved buildings; accommodates the use of street furniture and varied terrain in promoting the environmental qualities and amenity of the area and provides a shared path area which provides continuity of pedestrian access to the adjoining allotments. The public open space area on the opposite side of the development easily supplements the shortfall to the public open space requirements of the subject site and improves opportunities in accommodating usable open space areas.

6.5.2 Visual Privacy

Clause 3F of the Apartment Design Guide prescribes a minimum building separation of 6 metres for habitable rooms and 3 metres for non-habitable rooms of a residential flat buildings up to four storeys in height. The proposed residential flat development on the western side of the site comprises of three storeys and is subject to these minimum building separation requirements. The apartments on the northern end of the site including apartment nos. G.03, G.04, 1.03, 1.04 and 2.03 are all set 3

metres from the northern boundary and does not comply with the minimum building separation distances as required by the Apartment Design Guide.

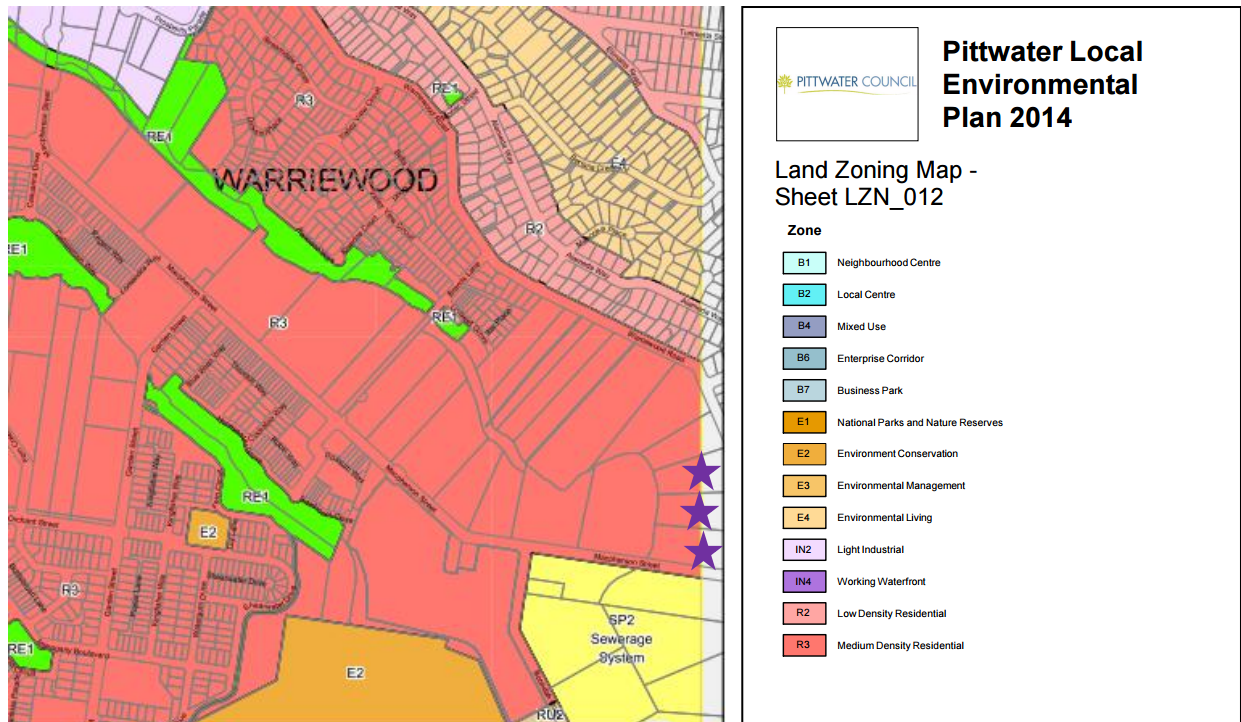
The shortfall from the Council control is supportable having regard to the context and the relationship with the immediately adjoining neighbours to the north. The approved plan of subdivision at no. 29-31 Warriewood Road, Warriewood (Development application no. N0182/13) proposes a new roadway perpendicular to the Lorikeet Grove Extension which lies between the northern edge of the proposed residential flat development and the approved lot nos. 9 and 10 of the adjoining subdivision. The total width of the road reserve of the roadway on the northern side of the subject site is approximately 10 metres, In addition the proposed building setback from the northern boundary, the proposal will result in a total building separation of 13 metres. The building separation when considering the adjoining roadway of the neighbouring building is acceptable and will comply with the design guidance requirements by providing ample building separation to minimise overlooking impacts to the neighbouring property.



6.6 Pittwater Local Environmental Plan 2014

The following are the applicable clauses of the Pittwater Local Environmental Plan 2014 that are relevant to the proposed development.

6.6.1 Zoning provisions:



The subject site is zoned within the R3: Medium Density Residential Zone as shown within the zoning maps of the Pittwater Local Environmental Plan 2014 and is described as follows:

Zone R3 Medium Density Residential

1 Objectives of zone

- *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.*

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; **Dwelling houses**; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Multi dwelling housing; Neighbourhood shops; Places of public worship; **Residential flat buildings**; Respite day care centres; Roads; Secondary dwellings; **Semi-detached dwellings**; Seniors housing; Serviced apartments; Veterinary hospitals*

4 Prohibited

Any development not specified in item 2 or 3

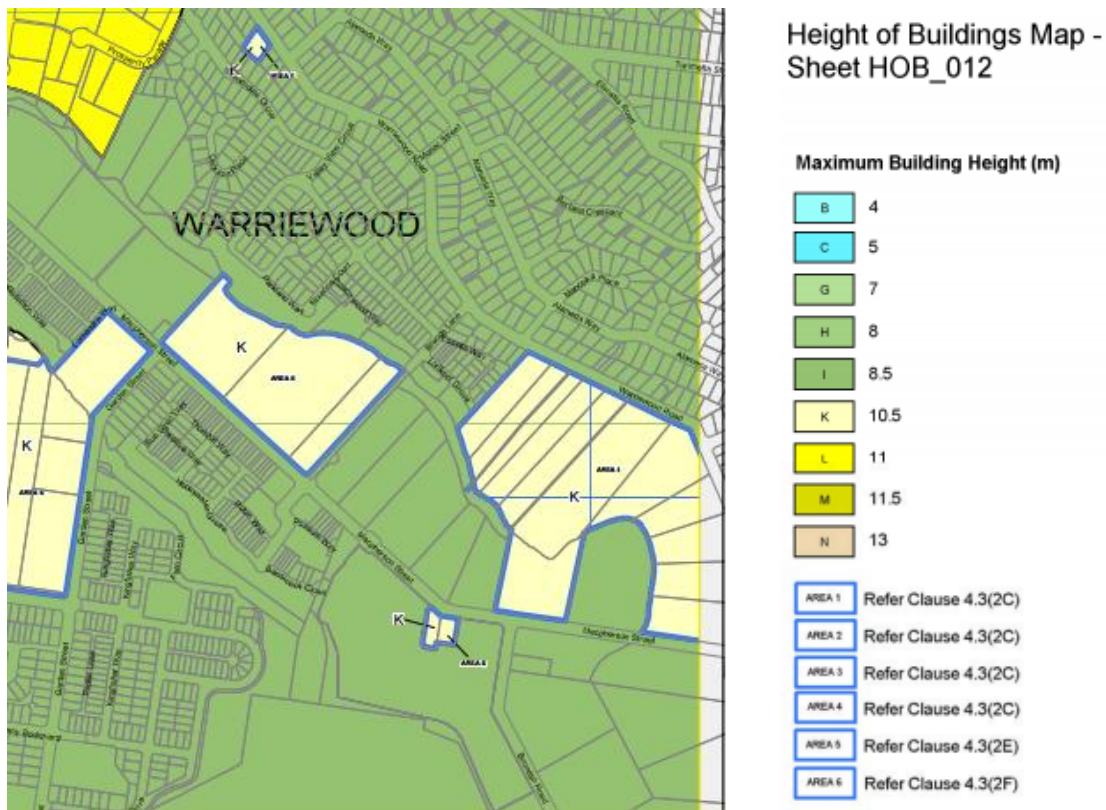
Comment: The proposal is for the construction of 2 x part two/part three storey dwelling houses; 10 x part two/part three storey semi-detached dwellings and a three-storey residential flat building in two building block form all of which are permissible forms of development within the R3: Medium Density Residential Zone. Dwelling houses, semi-detached dwellings and residential flat buildings are defined within the Dictionary section of the Pittwater LEP2014 as follows:

Dwelling house means a building containing only one dwelling.

Semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

Residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi-dwelling housing.

6.6.2 Height of Buildings



In accordance with the 'Height of Buildings Map', the subject site has a maximum building height of 10.5 metres and is located within 'Area 6'.

Clause 4.3(2F) prescribes that despite the maximum building height being 10.5 metres as indicated on the height of buildings map, the development must not have 8.5 metres within the area that is 12.5 metres measured from the boundary of any property fronting Orchard Street, Macpherson Street, Warriewood Road or Garden Street.

In considering Clause 4.3(2F), the eastern (front) edge of the proposed dwelling and semi-detached dwellings must have a building height are all within 12.5 metres as measured from Warriewood Road and are required to comply with the maximum building height of 8.5 metres. The uppermost point of the skillion roof end of the dwelling houses/semi-detached dwellings will comply with the maximum building height requirement as follows:

Dwelling no.	RL of uppermost point (within 12.5 metres from Warriewood property boundary)	Building height (metres):	Complies (Y/N):
TH01	RL20.81	7.56m	Yes
TH02	RL20.81	7.56m	Yes
TH03	RL21.17	7.92m	Yes
TH04	RL21.17	8.17m	Yes
TH05	RL19.91	7.41m	Yes
TH06	RL19.91	7.51m	Yes
TH07	RL19.77	7.52m	Yes
TH08	RL19.77	8.02m	Yes
TH09	RL18.51	7.11m	Yes
TH10	RL18.51	7.16m	Yes
TH11	RL18.37	7.62m	Yes
TH12	RL17.45	7.60m	Yes

In considering the above, the proposal will comply with Clause 4.3(2F) in that all buildings will have a height of less than 8.5 metres as measured from a distance of 12.5 metres from the boundary adjoining Warriewood Road.

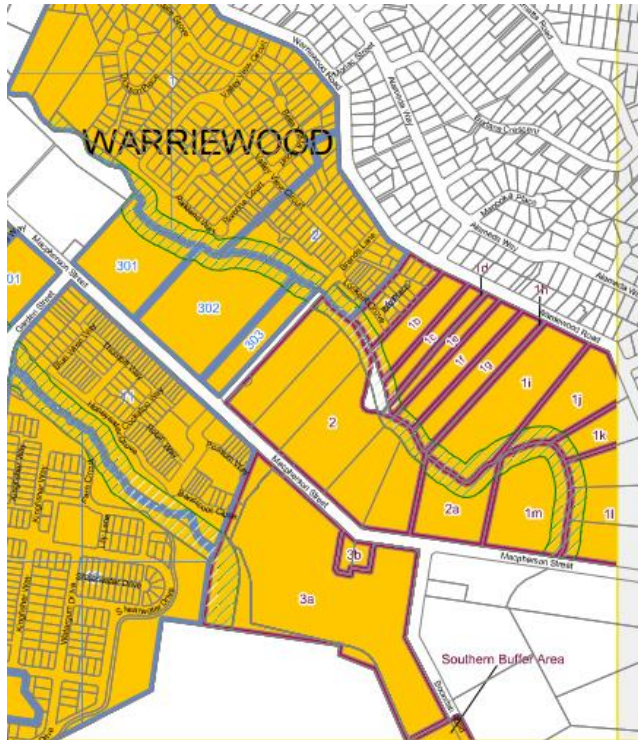
In respect to Clause 4.3(2), the proposed dwelling houses/semi-detached dwellings/residential flat developments will all remain within the maximum 10.5 maximum building height. The maximum building heights of all buildings within the development site are as follows:

Dwelling no.	RL of uppermost point:	Building height (metres):	Complies (Y/N):
TH01	RL20.81	7.56m	Yes
TH02	RL20.81	7.56m	Yes
TH03	RL21.17	7.92m	Yes
TH04	RL21.17	8.17m	Yes
TH05	RL19.91	7.41m	Yes
TH06	RL19.91	7.51m	Yes
TH07	RL19.77	7.52m	Yes
TH08	RL19.77	8.02m	Yes
TH09	RL18.51	7.11m	Yes
TH10	RL18.51	7.16m	Yes
TH11	RL18.37	7.62m	Yes
TH12	RL17.45	7.60m	Yes
Apartment Building (North)	RL17.35	10.25m	Yes
Apartment Building (South)	RL16.85	10.35m	Yes

In considering the above, the height of the proposed development that extends beyond 12.5 metres from the boundary fronting Warriewood Road will be less than the required 10.5 metres and comply with the maximum building height requirements as per the Pittwater Local Environmental Plan 2014.

The proposal will continue to comply with both Clause 4.3(2) and 4.3(2F) in accordance with the Pittwater Local Environmental Plan 2014 requirements.

6.6.3 Warriewood Valley Release Area



**Pittwater Local
Environmental
Plan 2014**

Urban Release Area Map -
Sheet URA_012

- Warriewood Valley Release Area
- Buffer Area
- Creekline Corridor
- Sector

In accordance with the 'Urban Release Area Map', the subject site is identified as being located within the Warriewood Valley Urban Release Area, is located within Buffer Area '1L' and contains a 'creekline corridor' on the western end of the subject site. This clause is applicable to all development that is located within the 'Warriewood Valley Urban Release Area'.

Clause 6.1(3) prescribes that development consent must not be granted for development on land in a buffer area or sector or at an address mentioned in Column 1 of the table to this clause unless the consent authority is satisfied that the total number of dwellings shown opposite that buffer area in Column 2. The buffer area and the number of dwellings to be erected is as follows:

Column 1	Column 2
Buffer area, sector or address	Number of dwellings to be erected
Buffer Area 1L	Not more than 67 dwellings or less than 43 dwellings

The proposed development provides the following number of dwellings:

- 2 x detached dwellings houses;
- 10 x semi-detached dwelling houses;
- 32 x residential apartments in a residential flat building

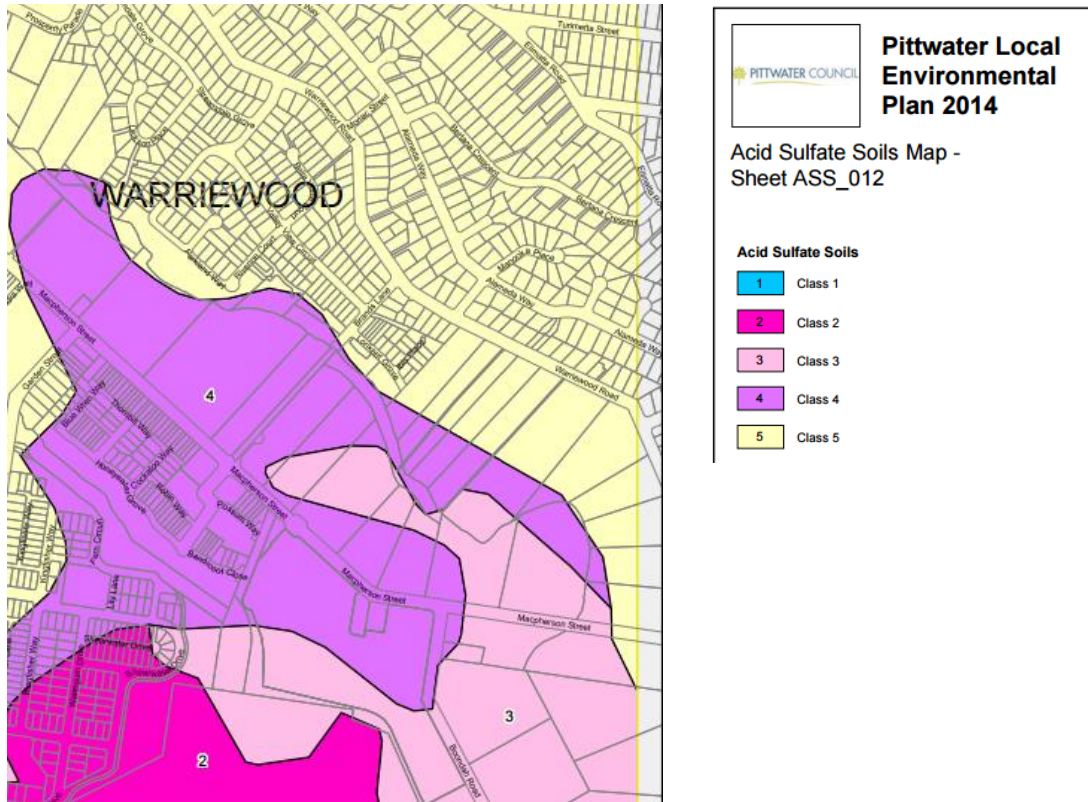
The proposal will result in a total number of 44 dwellings on the site and will comply within that the development will be more than 43 dwellings and not exceed 67 dwellings as per the requirements of Clause 6.1(3).

In addition to the above, Clause 6.1(4) prescribes that 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 adverse impact on any of the following:

- (a) *opportunities for rehabilitation of aquatic and riparian vegetation, habitats and ecosystems within creekline corridors,*
- (b) *the water quality and flows within creek line corridors*
- (c) *the stability of the bed, shore and banks of any water course within the creekline corridors.*

The subject site is characterized by a creekline corridor located at the rear of the subject site known as 'Narrabeen Creek'. The proposal does not involve any works adjacent the creekline corridor and all rehabilitation works will remain consistent with the previously approved development consent no. N0611/16. The approved Vegetation Management Plan prepared by Ecological Australia outlines key measures to ensure full rehabilitation of aquatic and riparian vegetation and a maintenance phase with a minimum period of four years after completion of establishment of works or until the requires objectives of the VMP area are satisfied. Subsequently, the development will remain compliant with the objectives of the above objectives for creekline corridor works.

6.6.4 Acid Sulfate Soils



In accordance with the 'Acid Sulfate Soils (ASS) Map', the subject site is identified as containing class 3, 4 and 5 Acid Sulfate Soil Zones.

Clause 7.1(2) specifies that development consent is required for the carrying out of works for the following:

Class of Land	Works:
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Class 3 ASS land: The north-western corner of the site is nominated as Class 3 land. No proposed works within this area of the site. Complies.

Class 4 ASS land: The western end of the site is identified as being as Class 4 land. No proposed works within this area of the site. Complies.

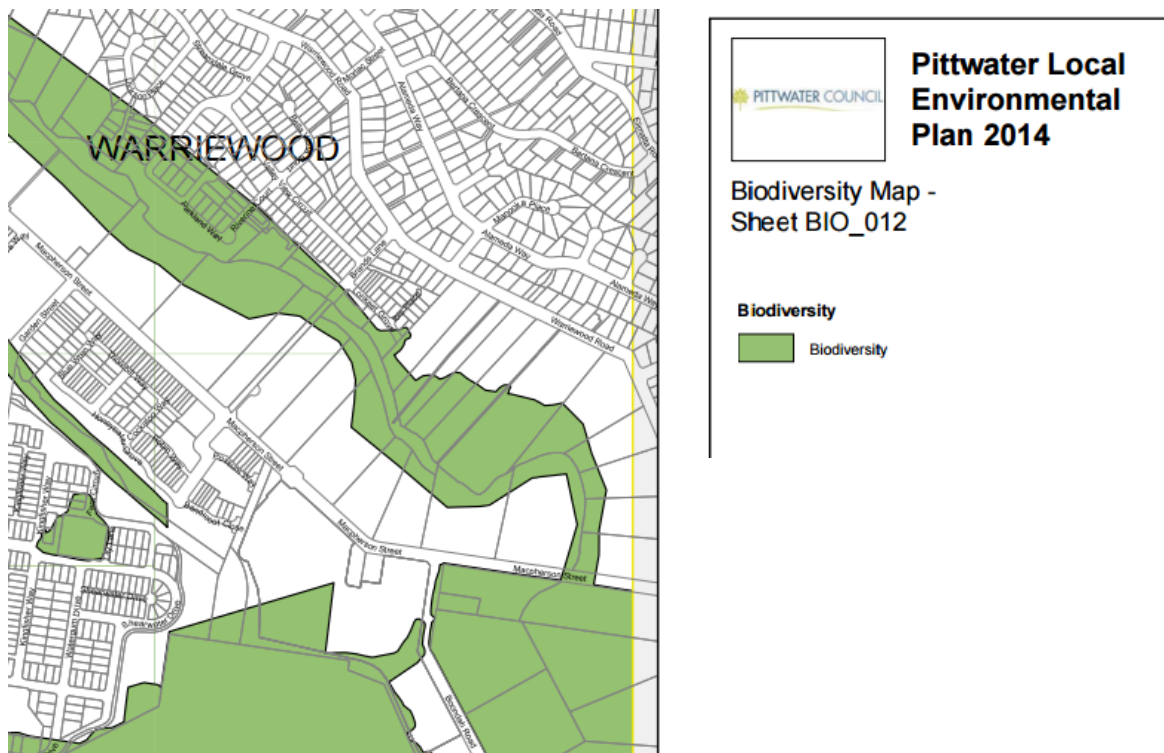
Class 5 ASS land: The majority of the site is identified as being Class 5 land. Whilst the proposed works is within 500 metres Australian Height Datum of Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum, however the proposed works does not involve lowering of the existing watertable. The geotechnical report prepared by Geotechnique Pty. Ltd. advises that the location of borehole no. 4 is taken of the location of the new basement car parking area. Borehole no. 4 has a depth to groundwater of greater than 8.9 metres. The proposed basement parking level is approximately 8.6 metres below the ground level existing and will not be below the watertable. Subsequently, no groundwater management plan will be required given the works do not extend below the watertable. The proposal does not involve lowering of the watertable and is compliant with the objectives of Clause 7.1(2) of the Pittwater Local Environmental Plan 2014.

6.6.5 Flood Planning

Clause 7.3(2) prescribes that the requirements of flood planning is applicable to all land at or below the flood planning level. The objectives of this clause is to minimise the flood risk to life and property associated with the use of land and to allow development on land that is compatible with the land's flood hazard taking into account projected changes as a result of climate change.

The water and flood report prepared by SGC Engineering prescribes that the flood planning level for the residential development is at RL4.29 Australian Height Datum which achieves 0.5m above the 100-year average recurrence interval (ARI) flood level inclusive of the Climate Change controls. The proposed development consists of a habitable storey level of RL6.10 AHD which is above the PMF flood level of the site at 4.88m AHD. In considering the above, the proposal will comply with the required flood planning requirements as stipulated within the Clause 7.3 of the Pittwater Local Environmental Plan 2014.

6.5.6 Biodiversity



In accordance with the 'Biodiversity Map', the western end of the subject site, adjacent to the Narrabeen Creek is identified as containing biodiversity.

Clause 7.6(3) prescribes that before determining a development application for development on land to which clause applies the consent authority must consider the following:

- (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 the survival of native fauna, and*
 - (iii) *any potential to fragment, disturb or diminish the bioversity 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.*

The proposed development is located outside of the areas nominated as containing biodiversity and is not applicable to the proposed development. Nevertheless, a Flora and Fauna Report (Vegetation Management Plan) has been prepared and approved as part of a previous development consent N0611/16 which seeks to revegetate the riparian corridor; control woody weeds and pasture grasses, revegetation with native terrestrial and wetland species using appropriate species; maintenance weed control; protect existing native vegetation and providing a ‘soft engineering’ approach with a focus on planting locally native species. The works are consistent with the above objectives.

6.7 Pittwater Development Control Plan 21

In preparing this application, consideration has been given to P21DCP. The DCP identifies desired outcomes for the Warriewood locality as stipulated in Part D16 – Warriewood Valley Land Release Area Locality. These outcomes require new development that responds to, reinforces and sensitively relates to the spatial characteristics of the existing, built and natural environment. Buildings are to be designed and built which take into consideration the natural context and the visual impact of the built form is to be secondary to the landscaping and vegetation.

Set out below are the relevant general controls considered applicable to this application:

Compliance Table Pittwater DCP 21			
Control	Controls	Proposal	Compliance
Part B: General Controls			
B3: Hazard Controls			
B3.2 Bushfire Hazard	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.	Refer to Section 6.6: Bushfire Prone land within this report for further details.	Complies.
B3.6 Contaminated Land and Potentially Contaminated Land	Council shall not consent to the carrying out of any development on land unless it has considered State Environmental Planning Policy No. 55 Remediation of Land. In particular Council shall consider: i) Whether the land is contaminated; and ii) if the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and iii) if the land requires remediation, whether the land will be remediated before the land is used for that purpose.	Refer to the geotechnical report prepared by Geotechnique Pty. Ltd. A geotechnical report has been submitted to accompany the development application and will comply with the requirements of SEPP No. 55 (Remediation of Land)	Complies.
B3.12 Climate Change (Sea level rise and	Climate change assessment for land identified within the Warriewood Valley Land Release Area.	Refer to the Water Management Report prepared by SDG Engineering for further details.	Complies.

<p>increased rainfall volume)</p>	<p>For land identified within the Warriewood Valley Land Release Area involving development to which this control applies, a climate change assessment shall be incorporated in the Water Management Report as required by Clause C6.4 Flood - Warriewood Valley Residential Sectors, Buffer Areas or Development Sites, Clause C6.5 Flood - Warriewood Valley Employment Generating Sectors, Buffer Areas or Development Sites and in accordance with Council's <i>Warriewood Valley Urban Land Release Water Management Specification</i> (February 2001 or as amended). The climate change assessment shall include the impacts of climate change on the property over the life of the development and the adaptive measures to be incorporated in the design of the project. The following climate change scenarios shall be considered:</p> <ul style="list-style-type: none"> • Scenario 1: Impacts of sea level rise only • Scenario 2: Impacts of sea level rise combined with increased rainfall volume <p>Flood Planning Levels for Scenario 1 and 2 have not been adopted by Council to date.</p> <p>Applicants should contact Council to be directed to the source of the best available information to determine the likely increase in Flood Planning Levels as a result of climate change.</p>		
<p>B3.13 Flood Hazard – Flood Emergency Response Planning</p>	<p>Areas of the Pittwater LGA potentially impacted by flash flooding or overland flow or lagoon flooding or a combination of flooding are to ensure development is undertaken in a way that is reflective of the flood risk.</p>	<p>Refer to the Water Management Report prepared by SDG Consulting for further details.</p>	<p>Complies.</p>
<p>B4: Controls Relating to the Natural Environment</p>			
<p>B4.1 Flora and Fauna Conservation Category 1 Land</p>	<p>Development shall not directly negatively impact on threatened species, endangered populations or endangered ecological communities.</p> <p>Development shall retain and enhance habitat for locally native species, threatened species, endangered populations or endangered ecological communities.</p>	<p>Refer to the Flora and Fauna Report (Vegetation Management Plan) for further details.</p> <p>The report outlines that Coastal Freshwater Swamp Forest (CFSF) is located at the north-eastern corner of the subject site adjacent to the Narrabeen Creek. The proposed development which involves the construction of a new residential flat building and dwellings along Warriewood Road will not be located within areas which contain Coastal Freshwater Swamp Forest and re-vegetative works located within proximity of CFSF have all been approved by a previous development consent.</p>	<p>Complies.</p>
<p>B5: Water Management</p>			
<p>B5.1 Water Management Plan</p>	<p>A water management approach must be undertaken on all land subject to development for the effective water</p>	<p>A water management report prepared by Marine Pollution Research Pty. Ltd has been submitted as part of this development application to address</p>	<p>Complies.</p>

	management of all water on the site including: i) rainwater ii) stormwater iii) greywater, and iv) wastewater	the requirements of rainwater, stormwater, greywater and wastewater and the relationship to the greater environmental impact area including the creekline corridor.	
B6: Access and Parking			
B6.2: Internal Driveways	An Internal Driveway must be provided for in: <ul style="list-style-type: none"> any new development; development where additional car parking spaces and/or garages are required by Council's plans or policies; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m² ; and development where additional car parking spaces and/or garages are proposed. 	The proposal involves the construction of an internal laneway to service the off-street car parking demand of the semi-detached and detached dwelling houses fronting Warriewood Road. The new internal driveway will comply with the relevant driveway profiles and stormwater drainage requirements. Refer to Civil engineering plans prepared by SGC Engineering for further details.	Complies.
B6.3: Off-street Vehicle Parking Requirements	The onsite parking requirements for dwelling houses are as follows: 1-bedroom dwelling = 1 space 2 or more bedroom dwelling = 2 spaces per dwelling	The proposal involves the construction of 12 detached and semi-detached dwellings. The proposal will require 24 off-street car spaces. The development provides 12 x double car garage spaces at the rear of the site and will comply with Council's controls.	Complies.
B6.3: Off-Street Vehicle Parking Requirements	The onsite parking requirements for multi-dwelling housing, residential flat buildings and shop top housing is as follows: 1-bedroom dwelling = 1 space per dwelling 2 or more bedroom dwellings = 2 spaces per dwellings Adaptable housing in accordance with control C1.9 of the PDCP21 = 1 space per dwelling The provision of parking for people with disabilities must be provided at a rate of 3% of the required parking spaces, excluding parking required for adaptable housing Separate visitor parking is to be provided at a rate of 1 space per 3 dwellings rounded up. Provision must be made for garbage collection, removalist vans and emergency vehicles.	The proposal involves the following mix: Residential flat building including 32 residential apartments; 12 semi-detached and free-standing dwellings. The mix of apartments for the residential flat building is as follows: 4 x 1-bedroom apartments; 23 x 2-bedroom apartments; and 5 x 3-bedroom apartments. The above residential accommodation result in a generation of 60 parking spaces. In addition to the above, a total of 11 visitor parking spaces is required to service the residential apartments and 2 parking spaces for people with a disability. The above will result in a maximum of 73 parking spaces required to service the residential flat development. The proposal involves the construction of 83 basement car parking spaces and will result in a surplus of 10 spaces. The proposal will comply with Council's controls. Adequate provision for waste removal along the southern elevation of the building with removal at grade.	Complies
C1: Design Criteria for Residential Apartment Development			

C1.1 Landscaping	All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.	The landscape plan prepared by CDA Design Group nominates all landscaping within the site to provide more than 50% of the trees as a locally native species.	Complies.
	In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.	Low-lying shrubs, medium-high shrubs and canopy trees are retained where required.	Complies.
	At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.	A number of canopy trees are provided within the front setback of each dwelling and residential flat building which will provide continuous canopy coverage within the setbacks of the dwelling.	Complies.
	Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m ³ within this area to ensure growth is not restricted.	Tree planting will achieve the minimum growth area.	Complies.
	The following soil depths are required in order to be counted as landscaping: <ul style="list-style-type: none"> • 300mm for lawn • 600mm for shrubs • 1metre for trees 	Soil depths will be compatible with the minimum landscaped depth requirements.	Complies.
	The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows: <ul style="list-style-type: none"> • A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments, • 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and • 50% for all other forms of residential development. 	Suitable landscaping elements provided within the front setback of the proposed buildings.	Complies.
	Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.	Suitable landscaping is provided within the front setback and provide screening within the front setback.	Complies.
	In bushfire prone areas, species shall be appropriate to the bushfire hazard.	The subject site is not located within a bushfire prone area.	Complies.
	Landscaping shall not unreasonably obstruct driver and pedestrian visibility	The proposed landscaping will not obstruct motorists or pedestrian visibility.	Complies.
	Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.	The development will retain the location and health of existing trees, where possible. Adequate tree protection zones can be provided adjacent to trees where required.	Complies.
Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.	Canopy trees will be located within 5 metres of the proposed buildings.	Complies.	

	Noxious and undesirable plants must be removed from the site	Noxious trees will be removed.	Complies.
	For development containing 3 or more dwellings, permanent seating is to be provided in the landscaped area.	Outdoor seating is provided within the outer creekline corridor area of the site.	Complies.
	For residential flat buildings and multi dwelling housing, a communal area for children's play is to be provided.	Communal area is provided within the outer creekline corridor area. The area is suitably sized and dimensioned to allow for childrens play within this area.	Complies.
	For shop top housing, a minimum landscaped area of 20% of the site area, or 35m ² per dwelling, whichever is the greater, shall be provided.	No shoptop housing proposed.	NA
	Above ground gardens are to be incorporated into each dwelling at all levels (other than ground floor).	No above ground gardens are proposed.	NA.
	For shop top housing, a minimum 4m ² planter or landscaped area is to be provided as a feature at the ground level of the front building facade.	No shoptop housing proposed.	NA.
	For shop top housing development landscaping is to be provided at the front and rear of the development.	No shoptop housing proposed.	NA.
C1.2 Safety and Security	There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following: 1. Surveillance 2. Access Control 3. Territorial reinforcement 4. Space Management	The proposed residential flat building and new semi-detached/detached dwellings fronting Warriewood Road have been appropriately designed to ensure that the development is compatible with the requirements of the CPTED principles. The development will provide effective surveillance which deter opportunities for crime and vandalism by way of providing casual surveillance within the existing public and private domains.	Complies.
C1.3 View Sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties. The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing. Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure. Views are not to be obtained at the expense of native vegetation.	The proposal will not result in any adverse view loss impacts that are visible from the neighbouring properties of the site. The development is satisfactory in complying with the view loss requirements with consideration given to the planning principles for view loss as per the Tenacity v. Warringah Council.	Complies.
C1.5 Visual Privacy	Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level). Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open	All private open spaces will provide adequate building separation of greater than 9 metres and is acceptable in minimising the extent of overlooking impacts to the neighbouring properties. Privacy screens are provided to ensure any overlooking to the neighbouring properties is minimised. All balconies of the residential flat development above ground floor level include privacy screens on the side (northern and southern) edges to minimise cross-viewing between balcony areas. Direct views from the upper level balconies of the new dwellings will not contribute to any adverse visual	Complies. Complies. Complies.

	space of a lower level dwelling directly below.	privacy impacts. The first-floor balcony areas are nominal in size and depth in that the balcony areas adjoin a bedroom and will not be high trafficable areas or usable for outdoor entertaining purposes. The shared overlooking impacts from similar room uses at the upper floor level.	
C1.9 Adaptable Housing and Accessibility	The design of residential development shall meet the criteria of Australian Standards AS 4299:1995 Adaptable Housing as follows: Single Dwelling Housing – 25% Residential Flat Buildings – 20%	8 of the 32 residential apartments of the proposed residential flat building are provided as adaptable housing (25%). 3 of the 12 detached/semi-detached dwelling houses (TH01, TH02 and TH03) are all nominated as adaptable housing units.	Complies.
C1.10 Building Facades	Building facades to any public place including balconies and carpark entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.	No stormwater infrastructure to service the building will be visible from the existing public domain.	Complies.
	For multi dwelling housing, residential flat buildings or seniors housing and similar development that includes multiple dwellings with multiple letterboxes, where possible mailboxes should be orientated obliquely to the street to reduce visual clutter and the perception of multiple dwellings.	The proposed mail boxes are located at the ground floor communal lobby areas fronting Warriewood Road and will not be readily available from the street frontage, in particular Lorikeet Grove.	Complies.
C1.12 Waste and Recycling Facilities	Waste and recycling receptacles are to be stored within the property boundaries.	The waste storage areas are located within the subject site.	Complies.
	Separate bins are to be provided for waste (garbage), paper recyclables and container recyclables.	The waste storage areas are suitably sized and dimensioned to accommodate for waste (garbage), paper recyclables and container recyclables.	Complies.
	Where residential development consists of three or more dwellings, either as attached dwellings or part of a community title scheme, a communal waste and recycle enclosure shall be provide for waste and recyclables (paper and containers). The enclosure shall be designed in accordance with the <i>Better Practice Guide for Waste Management in multi-unit dwellings</i> . Waste and recycling enclosures are to be provided at or behind the front, side and rear setback requirements contained within the controls of this document. The enclosure/s shall be of an adequate size, integrated with the building design and site landscaping, suitably screened and located for convenient access.	The residential flat development consists of two separate refuse areas located within the northern and southern building blocks. The waste areas will be appropriately integrated as part of the building and does not contribute to any adverse visual bulk and scale impacts that are visible from the existing streetscape setting. A waste management plan has been prepared by TTM Consulting Pty. Ltd. whereby all refuse bins will be transferred by a building manager to the temporary bin store located on the north-eastern property boundary for collection by Council. The waste area will be provided within the front setback of the property boundary and will be compatible with the building design of the residential flat development.	Complies.
	Additionally the waste and recycling enclosure shall be designed as follows: i. constructed of solid material, cement rendered and steel, trowelled to a smooth, even surface and made vermin proof. Framing in timber is not permitted; ii. the floor shall be of impervious material covered at the intersection with the walls,		

	<p>graded and drained to an approved floor waste within the enclosure. Wastewaters shall be drained to the sewer;</p> <p>iii. stormwater shall not enter the floor of the enclosure such that the sewer system will be contaminated by rainwater;</p> <p>iv. the enclosure is to be roofed. Roof water shall be directed to an approved stormwater disposal system;</p> <p>v. enclosures shall be vented to the external air by natural or artificial (mechanical ventilation) means. The installation and operation of the mechanical ventilation system shall comply with Australian Standard AS/NZS 1668.1:1998: <i>The use of ventilation and air conditioning in buildings – Fire and smoke control in multi-compartment buildings</i> and Australian Standard AS 1668.2:2012: <i>The use of ventilation and air conditioning in buildings – Mechanical ventilation in buildings</i></p> <p>vi. hot and cold water hose cocks shall be located within the enclosure; and</p> <p>vii. The enclosure shall be of adequate size to accommodate the following bin numbers and capacity:</p> <ul style="list-style-type: none"> a. 80 litres per household per week of garbage; b. 70 litres per household per week of paper recyclables, and c. 70 litres per household per week of container recyclables. 		
C1.14 Separately Accessible Structures	<p>A separately accessible structure may be permitted for use as a studio, home office, workshop area, rumpus room and the like, provided that:</p> <ul style="list-style-type: none"> i. it is ancillary to a dwelling; ii. it is not designed for separate habitation and does not contain any cooking facilities. 	The proposed dwelling houses includes the provision of a studio above the garage which fronts the new internal driveway. The studio area is not designed for separate habitation and does not provide any cooking facilities on site.	Complies.
C1.15 Storage Facilities	A lockable storage area of minimum 8 cubic metres per dwelling shall be provided. This may form part of a carport or garage.	All storage areas will comply with the relevant requirements of the SEPP (Design Quality for Residential Apartment Development).	Complies.
C1.18 Car/Vehicle/ Boat Wash Bays	A designated wash bay is to be incorporated on the site where developments have more than ten units.	The basement level 02 provides a suitably sized and dimensioned car wash bay.	Complies.
	The wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain and stormwaters do not enter the sewer.	The carwash bay is designed to ensure that polluted waters will not enter the stormwater drain.	Complies.
C1.20 Undergrounding of Utility Services	All existing and proposed utility services within the site are to be placed underground or encapsulated within the building.	All utilities to be located underground.	Complies.

C1.25 Plant, Equipment Boxes and Lift Over-run	Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.	All mechanical plant and equipment including air-conditioning condensers will be located on each respective balcony area.	Complies.
C6: Design Criteria for Warriewood Valley Release Area			
C6.1 Integrated Water Cycle Management	The Water Management Report, submitted with the application, must demonstrate how the water cycle will be managed and integrated with 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 <i>Warriewood Valley Urban Land Release Water Management Specification (February 2001 as amended)</i> and relevant legislation taking into account the <i>Narrabeen Lagoon Flood Study (September 2013 as amended)</i> and the <i>Pittwater Overland Flow Flood Study (2013 as amended)</i> .	Refer to Water Management Report prepared by Marine Pollution Research for further details.	Complies.
	The flood levels are to be determined as part of the Water Management Report. The information to be obtained includes: <ul style="list-style-type: none"> • the 50% Annual Exceedance Probability (AEP) flood levels with climate change impacts including sea level rise combined with increase rainfall volume; • the 20% AEP flood levels with climate change impacts including sea level rise combined with increase rainfall volume; • the 1% AEP flood levels with climate change impacts including sea level rise combined with increase rainfall volume; • the Flood Planning Level (FPL) - equal to the 1% AEP flood level plus freeboard (as defined within clause A1.9 of this DCP) with climate change impacts including sea level rise combined with increase rainfall volume; • the Probable Maximum Flood (PMF) level with climate change impacts including sea level rise combined with increase rainfall volume; • the flow velocities for the 1% AEP flood and Probable Maximum Flood with climate change impacts including sea level rise combined with increase rainfall volume; and • the Flood Category and Flood Hazard Classification as defined in clause A1.9 of this DCP with climate change impacts including sea level rise 	Refer to the Water and Flood Management Report prepared by SGC Engineering for further details.	Complies.

	combined with increase rainfall volume.		
	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 Flood Risk Management Policy.		
	Creekline corridors in the Warriewood Valley Release Area are to be restored to a 'natural watercourse' that results in healthy ecosystems whilst maintaining their capacity for flood conveyance during high flows as stipulated in the <i>Warriewood Valley Urban Land Release Water Management Specification (2001)</i> . The creekline corridors are intended to fulfil a multi-functional purpose, containing the pedestrian and cycle network.	The proposal does not involve any works to the existing inner-creekline corridor. All works proposed to revegetate and rehabilitate the creekline corridor will be in accordance with the approved development consent N0611/16.	Complies.
	Where a creek passes through/aligns/abuts a Sector, buffer area or development site, the creek line corridor is to generally comprise a total width of 100 metres, comprising of a 50 metre wide inner creek line corridor (being 25 metres either side of the centreline of the creek) and an outer creek line corridor 25 metres wide each side of the inner creek line corridor.	The subject site is characterised by an existing creekline corridor located along the western end of the site (Narrabeen Creek). No building works are proposed within 25 metres of the inner creekline corridor.	Complies.
	The 50 metre wide inner creek line corridor (25m either side of the centreline of the creek), to be brought into public ownership, is a corridor that contains the creek, floodway and flora and fauna habitat. The inner creek line 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 inner creekline corridor will be dedicated to Council in accordance with the previous development consent N0611/16.	Complies.
	The 25 metre outer creek line corridor (commonly known as the private buffer strip) to be provided on each side of the inner creek line corridor is to be retained in private ownership and is to perform the functions of part water quality control and a fauna/flora corridor. The private buffer strip is to be a multifunctional corridor, appear to be part of the public domain, and may contain: i) the pedestrian pathway sited above 20% AEP flood level to reduce the incidence of flood damage to a manageable level and achieve a satisfactory level for regular use. The location of the pedestrian path/cycleway is variable to ensure connectivity with existing sections of the path and retention of vegetation. The alignment of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists; ii) Water quality control pond; iii) Other water quality treatment measures; and/or iv) roads and other impervious areas traditionally sited in the public domain, for up to 25% of the outer creek line corridor area subject to merit assessment.	The areas within the outer 25 metre creekline corridor will remain in private ownership. 25 metre will remain as a landscape buffer zone on the outer edge of the inner creekline corridor and will remain as a function of the public domain. Refer to the Stormwater Management Plans prepared by SDG Consulting for further details.	Complies.

	<p>Any part of residential lots, dwellings, garages, fences and other vertical built structures are not permitted within the 25 metre wide outer creek line corridor.</p>	<p>The outer creekline corridor does not accommodate any areas including residential lots, dwellings, garages or fences.</p> <p>A set of stairs leading from the ground level (existing) to the residential apartments (G.01, G.02, G.03, G.10 and G.11) are within the outer creekline corridor area, however the stairs are acceptable in that it represents an element of the landscaping treatment on the site.</p>	<p>Complies.</p>
	<p>A landscape plan for the inner and outer creek line corridor is to be prepared and submitted with the application. Extensive stands of casuarina glauca, 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 creek line corridor area. Native ground covers should be used as an alternative to lawn.</p>	<p>A landscape plan has been prepared by CDA Design Group Pty. Ltd. which incorporates a landscape plan to the inner creek line corridor.</p>	<p>Complies.</p>
	<p>The design of the stormwater management system (quantity and quality) is to be included in the integrated water cycle management scheme for the development.</p> <p>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.</p> <p>The stormwater pipe drainage system network is to include private inter-allotment drainage systems that are 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.</p>	<p>Refer to the Stormwater Management Plans prepared by SGC Engineering for further details.</p>	<p>Complies.</p>
	<p>All development stages are to meet or exceed the water quality acceptance criteria within the <i>Warriewood Valley Urban Land Release Water Management Specification (2001)</i> for site discharges. Validation of the acceptance criteria is required by water and sediment quality monitoring and reporting.</p> <p>Sediment and pollution control facilities are to be designed, installed and maintained so that upon completion of construction the facilities will prevent, discourage and intercept accidental and deliberate discharge of harmful substances in Warriewood Valley waterways.</p>	<p>Refer to Water Management Report prepared by Marine Pollution Research for further details.</p>	<p>Complies.</p>
	<p>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</p>	<p>Refer to Water Management Report prepared by Marine Pollution Research for further details.</p>	

	mitigation measures on the proposed development, the groundwater management measures are to be detailed in the report.		
C6.2 Natural Environment and Landscaping Principles	<ul style="list-style-type: none"> • Ensure that landscape design and planning is 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. • Development must be designed to maximise the restoration, retention and preservation of indigenous trees, shrubs and groundcovers, as well as natural features, including wildlife corridors, fauna habitats, rock features and watercourses. • Provide planting schemes that reinforce the framework of endemic canopy trees with supplementary plantings species suitable for the understorey and groundcover. 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. • Create visually pleasing environments that 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 resulting in the reduction in the buildings energy consumption. • Deep soil areas are areas of soil unobstructed at any point by buildings or structures above or below the ground. Deep soil areas have important environmental benefits, such as allowing the infiltration of rain water into the water table and reduction of stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees. • 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. reinforce desired traffic speed and behaviour; consider lines of sight for pedestrians, cyclists and vehicles promote safety and casual 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 	<p>A landscape plan has been prepared by the CDA Design Group which seeks to provide a comprehensive landscape strategy which encompasses the proposed subject site (being the residual lot no. 2) and the relationship between the subject site and the natural environment including the inner and outer creekline corridor of the site.</p> <p>The proposed landscape plan demonstrates compliance with the landscaping principles in that the proposal provides a high-quality landscape design which is sympathetic to the landscape treatment of the neighbouring buildings in particular the approved residential aged care facility and surrounding environment. The landscape design aims to enhance, compliment and reinstate elements of the natural environment and reduce the perceived visual bulk and scale of the proposed development.</p>	Complies.

	<p>are adequately screened by shrub and tree plantings of suitable species at appropriate spacings.</p> <ul style="list-style-type: none"> • Paving, structures, fencing and wall materials complement the architectural style and finishes of the buildings on the site. 		
	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 the species lists contained in the <i>Warriewood Valley Landscape Masterplan and Design Guidelines</i> (Public Domain).	The proposed landscape treatment to the creekline corridor will remain consistent with the previous development approval N0611/16.	Complies.
	<p>If the development site contains a section of Creekline Corridor, a landscape plan for the Creekline Corridor must be prepared. Details are to include:</p> <ul style="list-style-type: none"> • the creek and floodway, particularly the Inner Creekline Corridor, being designed and constructed to contain the 1% Annual Exceedance Probability (AEP) flow; • a planting schedule (location, density and plant selection) to facilitate flora and fauna habitat; • the location of the pedestrian path/cycleway within the Outer Creekline Corridor, where practicable, and above the 20% AEP flood level; • if relevant, the location of any water quality control ponds and other water quality treatment measures; • extensive stands of <i>Casuarina glauca</i>, and groves of <i>Eucalyptus robusta</i> with other native feature trees, indigenous understorey and ground covers, which are to comprise a minimum of 75% of the total creekline corridor area; • creekline interface such as details of boulder retaining walls instead of sheer block walls or steep batters; and • the landscaping treatment of the 25 metre wide Outer Creekline Corridor to appear as part of the public domain. 	The proposal includes a landscape design to the treatment of the outer creekline corridor. Refer to the landscape plans prepared by CDA Design Group for further details regarding plant selection and tree canopy sizes.	Complies.
	The alignments of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists.	The pedestrian cycle way on the opposite side of Lorikeet Grove will remain consistent with the previous development approval N0611/16.	Complies.
	Any part of residential lots, dwellings, garages, fences and other vertical built structures (wholly or in part) must not encroach into the 25 metre wide Outer Creekline Corridor.	<p>The outer creekline corridor does not accommodate any areas including residential lots, dwellings, garages or fences.</p> <p>A set of stairs leading from the ground level (existing) to the residential apartments (G.01, G.02, G.03, G.10 and G.11) are within the outer creekline corridor area, however the stairs are acceptable in that it represents an element of the landscaping treatment on the site.</p>	
	Planting within the existing or proposed public road reserve is to be in accordance	The proposed landscape design prepared by CDA Design Group will be	Complies.

	<p>with the <i>Warriewood Valley Landscape Masterplan and Design Guidelines</i> (Public Domain) and the following:</p> <ul style="list-style-type: none"> • street trees planted within the road verge placed at 6-12 metre intervals, dependent on the plants location and species; • species selected in accordance with the species list in the <i>Warriewood Valley Landscape Masterplan and Design Guidelines</i> (Public Domain); • species selected must not interfere with existing or proposed power lines; • street trees 35-500 litre in size dependent of species and plant location; • street trees 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 currently exists; • where possible, all existing trees over 3 metres in height are to be retained within the road reserve areas, with consideration to health and condition. Such trees are to be protected through perimeter 1.8 metre high temporary fencing during the construction of works; and • grassed areas are to be turfed with couch species (weed free) to a maximum 4% grade. 	<p>consistent with the requirements of the <i>Warriewood Valley Landscape Masterplan and Design Guidelines</i>.</p>	
	<p>A landscape plan documenting the proposed landscape treatment and planting species as selected from the <i>Warriewood Valley Release Area Landscape Masterplan and Design Guidelines</i> (Public Domain) (as amended), is to be submitted with the Development Application.</p>	<p>A landscape plan has been prepared by CDA Design Group and includes the proposed landscape design and landscape treatment.</p>	<p>Complies.</p>
	<p>Due to the smaller lot sizes anticipated in Warriewood Valley and the resultant smaller dimensions of landscaped area, areas intended for landscaping should be predominately areas of deep soil. Minor overhangs and protrusions such as Juliette balconies will be considered on merit. Planter boxes and rooftop gardens are not considered to be areas of deep soil.</p>	<p>The proposed landscape area as contained within the new dwelling houses/semi-detached dwelling houses proposed along Warriewood Road contains a high percentage of soft landscaping treatment to landscaping ratio and that permeable soil treatment is exaggerated on the site.</p>	<p>Complies.</p>
	<p>In designing and siting dwellings, the following principles should be adhered to:</p> <ul style="list-style-type: none"> • 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 where possible to maximise areas of deep soil planting (refer to figure 1 below); and 	<p>The siting of the new dwelling houses and residential flat maximise the treatment of permeable landscaping on the site and will continue to facilitate the retention of trees and vegetation where possible.</p> <p>The basement car parking level will largely be contained within the footprint of the building and will continue to provide adequate soft landscaping treatment throughout the site and along the front, side and rear setbacks to allow for stormwater infiltration. The communal open space of the site provided within the front setback adjoining Lorikeet Grove will</p>	<p>Complies.</p>

	<ul style="list-style-type: none"> 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. 	be co-located with deep soil treatment on the site.	
	25% of the site area is to be provided as communal open space within residential flat buildings, shop top housing, mixed use and multi dwelling housing developments.	Refer to Section 6.4.1: Communal Open Space within this report for further details.	Complies.
	Areas of communal open space should be co-located with deep soil areas. They are to provide amenity for residents and are to receive a minimum of 50% direct sunlight to the principle usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June.	Areas of communal open space located within the front setback adjoining Lorikeet Grove is co-located with deep soil treatment on the site.	Complies.
	A landscape plan for communal open space areas is to be prepared, showing connection and utility of this communal open space area for future residents of the development.	Refer to the landscape plan prepared by CDA Design Group for further details.	Complies.
C6.3: Ecologically Sustainable Development	<p>Development should be designed and located with consideration to orientation, ventilation, topography, vegetation, microclimate, adjoining development and landscape, that incorporates:</p> <ul style="list-style-type: none"> passive solar building design; a reduction in greenhouse gas emissions; opportunities to monitor consumption performance, for example through the installation of SMART metering; safe connections to the existing pedestrian/cycleway networks and public transport routes; and principles of Universal Design. <p>Sub-metering of building services to enable individual tenancies to facilitate individual monitoring of consumption performance is required.</p>	The development includes a BASIX certificate which addresses the environmentally sustainable measure in ensuring that all relevant ESD targets are being achieved.	Complies.
	Development is designed to incorporate the following CPTED principles.	<p>The proposed residential flat building and new semi-detached/detached dwellings fronting Warriewood Road have been appropriately designed to ensure that the development is compatible with the requirements of the CPTED principles.</p> <p>The development will provide effective surveillance which deter opportunities for crime and vandalism by way of providing casual surveillance within the existing public and private domains.</p>	Complies.
	<p>The principles of Universal Design must be integrated into new developments and the urban spaces surrounding, ensuring access and utility for people.</p> <p>Developments and the public domain, must comply with Australian Standard AS 1428:2009.1: <i>Design for access and mobility – General requirements for access – New building work</i></p>	An access report has been prepared by Morris Goding Access Consultants which demonstrates that the proposal will comply with the Australian Standards AS1428:2009.	Complies.
	Developments should be designed and constructed to serve beyond its initial/first		

	<p>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 turn, maximise the longevity of building stock.</p>		
	<p>Dwellings should be flexible in their design to facilitate 'ageing in place' and change in lifecycle/circumstance. Control C1.9 prescribes the circumstances when dwellings are to be designed to facilitate adaptable housing in accordance with Australian Standard AS4299-1995: <i>Adaptable Housing</i>.</p>		
	<p>Residential accommodation in mixed use, shop top housing, residential flat buildings and multi dwelling housing developments require the provision of adequate communal open spaces to facilitate opportunities for:</p> <ul style="list-style-type: none"> • its residents to meet informally; and • casual/passive surveillance onto these spaces 	<p>Refer to Clause 6.2.4 within this report for further details.</p>	<p>Complies.</p>
	<p>The design and location of the communal open space areas must consider the likely noise impacts generated from these areas.</p>	<p>The proposed area nominated for communal open space is co-located adjacent to other noise generated areas in particular Lorikeet Grove. The communal open space area will not contribute to any adverse noise impacts to 'quiet areas' of the apartment buildings within the residential flat building.</p>	<p>Complies.</p>
<p>C6.4 The Road System and Pedestrian Cyclist Network</p>	<p>A traffic analysis report and road plans and sections for the Sector, buffer area or development site, demonstrating that the outcomes within this control will be achieved, must be prepared by a suitably qualified professional and submitted with the application. The road plans must comply with the relevant specifications and cross sections in Council's <i>Warriewood Valley Roads Masterplan</i>.</p>	<p>Refer to the Traffic and Parking report prepared by TTM Consulting for further details.</p>	<p>Complies.</p>
	<p>In order to address the outcomes and controls of this DCP, the Warriewood Valley Roads Masterplan adopts the following road hierarchy:</p> <ul style="list-style-type: none"> • Sub-arterial Streets - <i>Ponderosa Parade, Macpherson Street, Warriewood Road (east of Macpherson Street) and Garden Street.</i> • Collector Streets - <i>Foley Street, Jubilee Avenue, Orchard Street, Warriewood Road (north of Macpherson Street), Daydream Street and Boondah Road and any new road with traffic volumes 2000 to 5000 vehicles per day.</i> • Local Streets - <i>Fern Creek Road and new roads servicing a maximum of 200 dwellings, located within a Sector, buffer area or development site.</i> • Access Streets – <i>New roads servicing a maximum of 30 dwellings located within a Sector, buffer area or development site.</i> 	<p>The proposal involves the construction of an internal private driveway. The private driveway will have a carriageway width of 7 metres which allows for two travel lanes. In addition to this, the garage areas will be setback 500mm from the property boundary.</p> <p>The end of the driveway driveway will allow a standard B85 vehicle to safely a perform a three-point turn in entering and exiting the private driveway.</p>	<p>Complies.</p>

	<ul style="list-style-type: none"> Laneways – <i>New which are not primary street frontages to dwellings servicing a maximum of 30 dwellings, and not exceeding a length of 80m located within a Sector, buffer area or development site.</i> Sector Entry Streets - <i>Primary entrance street to a Sector, buffer area or development site.</i> 		
	The design and construction of the road and pedestrian network shall, regardless of the form of subdivision and future ownership of the road(s), provide full pedestrian and vehicular access and on-street parking and function as a public road network	The proposed development will provide for full pedestrian and vehicle access in and through the site. Pedestrian pathways and vehicle access has been accommodated through the site.	Complies.
	A single access point to each sector, buffer area or development site serviced by a roundabout or other on-street traffic management facilities (if necessary) is to be provided with vehicular access to individual lots within the subdivision being from internal roads within that subdivision. Internal roads linking separate existing sites are to be provided.	The development provides a single access point via the intersection of the approved Public Road (Lorikeet Grove) and the existing roadway (Warriewood Road).	Complies.
	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 walking distance to bus stops.	The proposed development provides for direct, safe and convenient access to public transport areas including proposed bus stop locations along Warriewood Road.	Complies.
	The street layout and design is to consider opportunities for the retention of existing significant trees within the road reserve where possible. Trees may be incorporated with small, informal spaces that provide opportunities for 'greening of the street'.	Refer to Aboricultural Report prepared by Red Gum Consulting for further details. In addition to the above, refer to the landscape design prepared by CDA Design Group regarding the landscape streetscape design.	Complies.
	All roads in Warriewood Valley must be designed with traffic calming devices to lower vehicle speeds, which may incorporate pavement treatment and enhanced landscaping. The provision of safe crossing areas is required. All 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. The road system is to cater for adequate vehicular access for waste removal services.	Refer to Traffic and Parking Report prepared by TTM Consulting for further details.	Complies.
	Driveway locations on Sub-arterial Roads, Collector, Local and Access Streets are to consider the impact on street trees and on street parking opportunities.	The proposed driveway location to the basement parking area of the residential flat development appropriately considers the availability of on-street car parking which will continue to comply with Council's controls and will be screened with street trees.	Complies.
	For residential lots with double frontages, laneways should be used to provide rear loaded access. Laneways are not suitable for single frontage lots.	The proposed dwellings fronting Warriewood Road all comprise of rear loaded vehicle access.	Complies
	The design, dimensions and materials of the laneway should promote a slow speed driving environment, distinctively different	The proposed private driveway has been designed with removal of kerb returns in order to distinguish the	Complies.

	from a street. Laneways are to be provided with a suitable level of passive surveillance.	difference between the public and private roadways throughout the site. The laneways will provide casual surveillance by way of the ground, first and second floor east facing residential units of the flat building in addition to the studio spaces above the garage areas.	
	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 designated collection areas only during the collection period. The garbage collection area(s) is not to be used for parking or storage.	The proposed laneway does not accommodate any garbage or waste collection. All waste collection is to be collected via Lorikeet Grove and Warriewood Road.	Complies.
	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 wide footpath or a minimum 2.1m wide where a cycleway is required).	The proposed subdivision of the residual lot no. 2 is located adjacent to the approved public reserve of Lorikeet Grove. The plans indicate the widths of the road pavement, vertical kerbs and proposed footpaths.	Complies.
	All works associated with the intersection treatment (except those identified under the <i>Warriewood Valley Section 94 Development Contributions Plan</i> as amended) and any works within the public road reserve are to be carried out at full cost to the developer.	No proposed works at the intersection.	NA.
	A pedestrian and cyclist network is to be provided in accordance with the <i>Warriewood Valley Landscape Masterplan & Design Guidelines</i> (Public Domain).	The Warriewood Roads Valley Masterplan & Design Guidelines 2018 prescribes a minimum pedestrian footpath width of 1.5 metres. The proposed pedestrian pathway will comply with the minimum width of 1.5 metres.	Complies.
	The location of the pedestrian path/cycleway is variable within the creekline corridor to ensure connectivity with existing sections of the path and facilitate retention of vegetation so long as the pedestrian path/cycleway is 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 alignment of the pedestrian/cycleway network must provide adequate sightlines for cyclists.	The shared pedestrian path and cycleway is consistent with the previously approved development application N0611/16.	Complies.
	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 location for this infrastructure.		
	The pedestrian/cycleway network must be accompanied by appropriate landscaping and vegetation. Details of the proposed landscaping and vegetation must accompany any development application.	Refer to the landscape plan prepared by CDA Design Group which provides landscaping details including plant species, types and sizes along the pedestrian footpath.	Complies.
	Reference should be made to <i>Warriewood Valley Landscape Masterplan & Design Guidelines</i> (Public Domain) for further information.	Refer to the Traffic and Parking Report prepared by TTM Consulting for further details.	Complies.
	Driveways shall be designed and constructed to: <ul style="list-style-type: none"> provide safe access and reduce the impacts of stormwater runoff to any public land; 	The proposed driveways minimises the amount of hard paved surfaces and the subject site will provide the minimum 41% deep soil landscaping on the site – consistent with the	Complies.

	<ul style="list-style-type: none"> the minimum practical pavement width needed to facilitate access and turning movements; and minimise the area of impervious pavement within the land. 	approved Water and Flood Management report prepared SGC Engineering.	
	The cost for Access Driveways construction and maintenance and adjustment of any utility service is the responsibility of the Applicant.	Maintenance of driveways within the private driveway will be the responsibility of the community association.	Complies.
	<p>Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:</p> <ul style="list-style-type: none"> minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 km/h speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary. 	<p>The access driveways will allow adequate sightlines of both oncoming cars and pedestrian movements.</p> <p>Refer to the Traffic and Parking Report prepared by TTM Consulting for further details.</p>	Complies.
	For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of the adjoining roads, being no closer than 6m from the tangent point at the kerb	The proposed driveway is located as far as practicable from the intersection of Warriewood Road and Lorikeet Grove.	Complies.
	The location of Access Driveways is to maximise the retention of trees and native vegetation in the public road reserve.	Location of proposed driveways will maximise the vegetation on the site.	Complies.
	Access Driveways located in front of adjoining properties will be considered on merit, based on Council's consideration of the site constraints.	No driveways located within the front property boundaries.	NA.
	Ancillary structures within the public road reserve may be considered where the intended purpose is to structurally support the access driveway only however, encroachment into the road reserve is to be minimised. Suspended driveways must not use the existing road structure for support.	No ancillary structures within the public road reserves.	Complies.
	<p>The maximum width of an Access Driveway for dwelling houses, dual occupancies and secondary dwellings shall be as follows:</p> <p>Distance Building Line to Boundary: Nil to 3.5 metres Greater than 3.5 metres to 6.5 metres</p> <p>Minimum width at Boundary: 3.0m 4.0m</p> <p>Width at Kerb Width at the boundary plus 0.5m 4.5m</p>	The proposed access driveways adjoining the dwelling/semi-detached dwellings along Warriewood Road will comply with the minimum widths for double car garage structures.	Complies.
	<p>Access Driveways are to be in accordance with:</p> <ul style="list-style-type: none"> Australian Standard AS/NZS 2890.1-2004: <i>Parking Facilities Part 1: Off-Street Car Parking.</i> Australian Standard AS/NZS 2890.2-2002: <i>Parking Facilities – Part 2: Off-Street Commercial</i> 	Refer to Civil Engineering Plans prepared by SGC Engineering for further details.	Complies.

	<p><i>Vehicle Facilities</i> except as qualified in this control.</p> <p>Turning movements are to be in accordance with the turning paths for a B85 vehicle (Australian Standard AS/NZS 2890.1-2004: <i>Parking Facilities - Part 1: Off-Street Car Parking</i>).</p> <p>Access Driveways are to be either in plain concrete or a cosmetic finish consisting of concrete, asphaltic concrete or paver construction in dark earthy tones, (Cosmetic Access Driveways on a public road reserve are subject to a Deed of Agreement releasing Council in respect to liability and damage to the driveway by any means).</p>		
C6.5 Utilities, Services and Infrastructure Provisions	New development including the creation of new allotments is to be fully serviced by electricity, reticulated water and sewer, gas and communications.	All residential accommodation provided on site to be fully serviced with water, sewer, gas and communications.	Complies.
	All services, including telecommunications and cable television, are to be provided underground, within the road reserve (proposed and/or existing) and on the development site itself including lots being created by the subdivision. The undergrounding of the services is at the full cost to the developer.	All services to be provided underground. Suitable condition of consent can be included to reflect this.	Complies.
	Common trenching of services is encouraged, and consideration must be given to the location of underground services and landscape planting.	Refer to Civil Engineering Plans prepared by SGC Engineering for further details.	Complies.
	All development is to be designed and constructed to allow internal access for telecommunications, intelligent lighting and home automation facilities from underground street electrical and telecommunications cabling without costly retro-fitting. Buildings are to be designed to enable sufficient riser capacity and sufficient space within ceilings to permit connection to a central point for communications wiring for televisions, telephones, satellite, computers and burglar alarms. Consideration should be given to the provision of a "patch panel" in dwellings. This is a central point for communications wiring with conduits to various points such as living rooms and bedrooms.	Adequate service area provided in the ceiling level to provide services within the both the residential apartments and dwelling houses.	Complies.
	Infrastructure integral to the development must take into consideration that the water management facilities and the internal road network are likely to remain in private ownership, including access arrangements and lifecycle costs associated with the maintenance and management of the infrastructure.	Bio-retention basin will be consistent with the previously approved development N0611/16 and will be held in public ownership.	Complies.
	Infrastructure required for the development not listed in the Warriewood Valley Section 94 Plan, is to be provided by the proponent and will not be subject to credit against the developer contributions payable to Council. This includes works within Council's (existing or proposed) public road reserve.	Noted.	Complies.
C6.7 Landscape Area (Sector, Buffer Area or Development Site)	Where a sector, buffer area or development site has a frontage to a creek, a minimum 35% of the site area is to be landscaped area.	The subject site has a frontage to the Narrabeen creekline corridor. The proposal will comply with a minimum landscaped area of 41%.	Complies.
	Where the sector, buffer area or development site has no frontage to a	NA.	NA.

	creek, a minimum 25% of the site area is to be landscaped area.		
	The minimum landscaped area directly impacts on site storage requirements for the overall water cycle management of a sector, buffer area or development site based on the <i>Warriewood Valley Urban Land Release Water Management Specification (2001)</i> . This policy assumes 50% impervious area for a sector, buffer area or development site, therefore the Water Management Cycle model must account for the quantum of built upon area. Where the proposal's impervious area exceeds 50%, a reassessment of the site storage requirements should be undertaken and measures to address the difference must be clearly outlined.	The Water and Flood Report prepared by SGC Engineering proposes that a minimum of 41% of soft landscaping areas must be provided on site which will continue to relate to the requirements for on-site detention (OSD) and is consistent with the previous development approval (N06111/16).	Complies.
	Landscaped areas are to be predominately areas of deep soil to allow the infiltration of rain water to the water table to reduce stormwater runoff, promote the healthy growth of large trees with large canopies and protect existing mature trees. Deep soil areas are areas of soil unobstructed by buildings or structures above or below the ground. The location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation.	The proposed landscape deep soil areas are suitably sized and dimensioned which will promote the growth of large trees and canopies as well as maintain existing trees on the site.	Complies.
C6.8 Residential Development Subdivision Principles	The design of the subdivision should be generally consistent with the following key principles: <ul style="list-style-type: none"> Sectors, buffer areas and development sites with an effective lot width less than 60 metres should ideally pursue opportunities for site amalgamation to facilitate orderly planning and development outcomes and the efficient use of land. 	The site has an allotment width of greater than 60 metres.	Complies.
	<ul style="list-style-type: none"> The subdivision layout including the lot size must respond to the physical characteristics particular to each sector, such as slope and existing significant vegetation, and site constraints including bushfire risk. 	The proposal does not seek to alter the approved plan of subdivision in accordance with the previous development consent N0611/16	Complies.
	<ul style="list-style-type: none"> The subdivision layout is to incorporate adequate pedestrian, cycle and vehicle links to the road network, public transport nodes, pedestrian/cyclist network and public open space areas 	No changes to the approved subdivision layout. The development within the residual lot no. 2 of the approved draft plan of subdivision provides areas nominated for pedestrian footpaths along the inner edge of the Lorikeet Grove and Warriewood Road.	Complies.
	<ul style="list-style-type: none"> Roads should adjoin creekline corridors and open space areas to facilitate surveillance, provide access to and prevent isolation and degradation of these spaces. 	The approved draft plan of subdivision as per the previous development consent provides Lorikeet Grove adjacent to the creekline corridor and the public open space areas.	Complies.
	<ul style="list-style-type: none"> Where it is not possible to locate a road along creekline corridors and open space areas, Residential Flat Buildings or Multi Dwelling Housing products designed to facilitate casual surveillance should adjoin these areas. 	The proposal includes the construction of a residential flat building adjacent to the creekline corridor and will provide adequate casual surveillance of the public domain.	Complies.

	<ul style="list-style-type: none"> A single access point to each sector, buffer area or development site serviced by a roundabout, if necessary, or other on-street traffic management facilities is to be provided, with vehicular access to individual lots within the subdivision being from internal roads within that subdivision. 	A single point of access is provided by way of the approved Lorikeet Grove extension which runs perpendicular to Warriewood Road.	Complies.
	<ul style="list-style-type: none"> The number of driveway entrances from any sector, buffer area or development site onto major roads in Warriewood Valley including Garden Street, Macpherson Street, Forest Road, Orchard Street and Warriewood Road is to be minimised. Opportunities for shared driveways maximise the on-street parking provision and create a more attractive streetscape. 	No driveways proposed adjoining Warriewood Road.	Complies.
	<ul style="list-style-type: none"> Lots must have the appropriate area, dimensions and shape to accommodate the housing product proposed as well as canopy trees and other vegetation, an private outdoor open space, rainwater tanks, vehicular access and onsite parking 	The proposed lots are suitably sized and dimensioned to comply with the relevant building envelope controls as well as accommodating areas for private and public open space and vehicular access to and from the site.	Complies.
	<ul style="list-style-type: none"> Lots are to be orientated to optimise solar access for dwellings and areas of private open space. Widest or deepest lots are to be oriented with north to the front, with the narrowest orientated with north to the rear 	The proposed lots fronting Warriewood Road address the higher road classification.	Complies.
	<ul style="list-style-type: none"> Larger lots should be located on corners. 	The proposal will provide larger lots on the corner in particular dwelling no. 12.	Complies.
	<ul style="list-style-type: none"> Use of battle-axe shaped lots should be minimised. 	No battle-axe allotments proposed.	Complies.
	<ul style="list-style-type: none"> A 'break' is to be provided between every three (3) attached/abutting dwelling of the same lot width. 	A break is provided every two dwellings.	Complies.
	<ul style="list-style-type: none"> Continuous runs of garages fronting laneways are to be avoided (i.e. break up through pairing, setback variation etc.) 	The proposed development does not result in a continuous run of garages fronting the laneway. The garage structures provide a varied setback from the road carriageway of the driveway and provides a variable setback to the carriageway of the new internal service road and provides a break through pairing the double garage structures which minimises the continuous nature of the garages. In addition to this, a combination of materials and finishes have been applied to the façade of the garages with a facebrick finish to the ground floor garage and a rendered façade to the upper floor level which provides some distinction between the ground and upper floor levels. Appropriate design measures have been applied to minimise the appearance of the garage structures and relieve any	Complies

		visual dominance from the public domain.	
	Lots should be rectangular. Where lots are irregular in shape, they are to be large enough and orientated appropriately to enable a future dwelling to meet the controls in this DCP.	The proposed lots fronting Warriewood Road are typically rectangular in shape.	Complies.
	In instances where the permitted maximum dwelling yield for the sector, buffer area or development site is to be achieved, the retention of existing dwellings on large lots greater than 500m ² , particularly along Warriewood Road, is not desired as it is not in keeping with the desired future character and limits the ability to achieve the adopted density. Lots suitable for housing typologies that reflect the streetscape character of existing housing on the opposite side of Warriewood Road, for example dual occupancies (attached or detached), should be sited fronting Warriewood Road.	The proposal does not retain any lots.	Complies.
	Lots less than 225m ² in size or less than 9m wide are to be rear loaded, except where it can be demonstrated that: <ul style="list-style-type: none"> rear access is not practical due to the size or shape of the development site; or there will be no adverse impact on streetscape amenity and on-street parking. 	The proposed lots are suitably dimensioned with a width of between 6.1m – 15.045m and have a site area of between 270.3 and 419.6sqm. All of the proposed lots are rear-loaded with double garage structures fronting the rear service laneway.	Complies.
	The minimum width of a rear loaded lot is to be 4.5 metres.	The proposed lots fronting Warriewood Road exceed the minimum required 4.5 metres.	Complies.
	Where dwellings front two roads, dwellings are to present to the higher street classification and are to reflect the streetscape character of the higher street classification. Appropriate presentation to the higher street classification is to include a front door, front entry articulation such as a porch, letterbox and direct pedestrian access to the higher street classification from the dwelling. A front building setback is also applicable.	The proposed dwellings will front the higher road classification being Warriewood Road. This includes the provisions of a front entry including a porch, letter box, and pedestrian access.	Complies.
	The design of the internal street network should: <ul style="list-style-type: none"> establish a traditional grid street network pattern to facilitate walking and cycling and enable direct local vehicle trips; encourage a low speed traffic environment; optimise solar access opportunities for dwellings; respond to the natural site topography to minimise cut and fill; seek to retain significant trees or areas of bushland; and provide frontage to and maximise surveillance of open space areas and riparian corridors. 	The proposed internal street network aims to provide a private laneway to allow off-street car parking for the dwellings fronting Warriewood Road. The private driveway will provide for a low-speed environment and the layout of the existing street pattern in a grid will allow easy of manoeuvrability in and out of the site.	Complies.
	Cul-de-sacs may be included only in limited circumstances such as where access-denied roads or shallow lots	The private driveway is designed as a cul-de-sac which terminates at the end of the proposed roadway. The cul-de-	Complies.

	caused by irregular shaped areas exist and where the applicant can demonstrate that the outcomes of the control can be satisfied.	is necessary given there are no opportunities to provide a through site link to the neighbouring site given the changes in the roadway levels and the neighbouring allotment directly to the north has already been developed upon.	
	Due to the dimensions and size of some sectors, buffer areas and development sites in Warriewood Valley, it may be difficult to achieve quality urban design outcomes and a mix of dwelling types. Narrow lots with single street frontages, in particular, are also likely to have difficulty in achieving access without compromising lot depth.	The proposed lots are adequately sized and dimensioned to accommodate for dwellings which will achieve a high level of urban design and amenity to the neighbouring allotments.	Complies.
	Through site amalgamations however there may be opportunities to reduce unnecessary road duplication and deliver better quality urban design outcomes.	The proposal does not require any site amalgamation.	Complies.
	Sectors, buffer areas and development sites with an effective lot width less than 60 metres should ideally pursue opportunities for site amalgamation to facilitate orderly planning and development outcomes and the efficient use of land.	The site has an allotment width of greater than 60 metres and no site amalgamation is required.	Complies.
	A range of residential lot types (varying in area, frontage, depth and access) should be provided to ensure a mix of housing types and dwelling sizes.	The proposal provides a range of residential lot types including dwelling houses, semi-detached dwellings and residential flat buildings all of which vary in lot width and lot size.	Complies.
	<p>With the exception of development applications for an Integrated Housing development (refer to control C6.9 Residential Land Subdivision Approval Requirements) not more than 40% of the lots created through a subdivision proposal may be of the same lot type. Every development application for subdivision must be accompanied by a Lot Mix table showing the lot types, number and percentage of the overall total. If the application is to be staged and a single stage does not demonstrate that not more than 40% of the lots are the same lot type, an indicative plan of the remaining lot types proposed under the remaining stages is to be submitted, indicating compliance with the above.</p> <p>Lot type is determined by lot width. Lot width is measured from one side boundary to the other at the primary street front building line not including access handles. Lots of different lot types must have to have a difference in their lot widths of at least 2 metres.</p> <p>Not more than 20% of any block length is to be of front-loaded lots less than 9 metres wide to avoid the streetscape being visually dominated by garages and to reasonably optimise on street parking opportunities.</p>	The proposed development is for an integrated housing development. Subsequently the lot diversity requirements is not applicable.	Complies.
	The design of the subdivision must consider the future ownership, access and management of the internal road network, water management facilities and any other infrastructure associated with the development that, in turn, informs the form/type of subdivision proposed.	The proposed subdivision for the allotments fronting Warriewood Road including the private driveway and all other necessary infrastructure will be managed by way of a community title scheme for the dwellings fronting Warriewood Road.	Complies.

		<p>The residential flat building will be arranged by way of a strata plan of subdivision for the apartment component in the community titles plan.</p> <p>The proposed dwelling house located on the southern side of Lorikeet Grove will be a torrens title dwelling with its own separate allotment.</p> <p>Refer to the Subdivision Plans prepared by Byrne and Associates for further details.</p>	
	<p>Details of proposed requirements for services and infrastructure, including garbage collection and emergency services, access and maintenance necessary for the subdivision to function are to accompany the development application.</p>	<p>Refer to the Subdivision Plans prepared by Byrne and Associates for further details.</p>	<p>Complies.</p>
	<p>The location of a zero-lot line dwelling is to be determined with regard to the allotment orientation and ability to achieve the solar access provisions within this DCP. The location of a zero-lot line dwelling should only occur on the southern side boundary of east-west allotments and on either side boundary of north-south allotments.</p>	<p>The proposed zero-lot line dwellings along Warriewood Road. The dwellings on the other side of the zero lot line is located on the southern side of the neighbouring property.</p>	<p>Complies.</p>
	<p>The location of all nominated zero lot lines must be identified on the proposed Plan of Subdivision (refer to control C6.10 Residential Subdivision Approval Requirements).</p>	<p>The zero lot lines are appropriately identified within the plan of subdivision.</p>	<p>Complies.</p>
	<p>Where a zero lot line is nominated, the following is to be ensured:</p> <ul style="list-style-type: none"> • a Section 88B instrument is to be applied to both the benefited lot and the burdened lot and shall include a notation identifying the potential for a building to have a zero lot line; • the burdened lot is to include an easement for access and maintenance on the burdened boundary in accordance with the following: <ul style="list-style-type: none"> • 900mm for single storey zero lot walls; or • 1200mm for two storey zero lot walls; • the easement is to enable servicing, construction and maintenance of the adjoining dwelling; • the Section 88B instrument is to be worded so that Council is removed from any dispute resolution process between adjoining allotments; and • no overhanging eaves, gutters or services (including rainwater tanks, hot water units, air conditioning units, downpipes, electrical conduits or the like) of the dwelling on the benefited lot 	<p>Relevant easements have been proposed for support and servicing between the zero-lot line dwellings. Refer to the Plan of Proposed Community Title Subdivision prepared by Byrne and Associates for further details.</p>	<p>Complies.</p>

	will be permitted within the easement.		
	Where buildings are to be located on boundaries, retaining walls (as required) are to be built as part of the subdivision works. Details of the fill (depth, source and amount of fill material to be deposited) and retaining walls are to be submitted with the application.	No retaining walls proposed as part of the proposed development.	Complies.
	Allotments for attached and abutting dwellings are to be rear loaded, except where it can be demonstrated that rear access is not practical due to constraints arising from the shape or size of the development site.	The proposed allotments which are attached are rear-loaded lots with vehicular access from a private road.	Complies.
	Where dwellings are proposed on lots with two street frontages (not corner lots), the dwellings are to present (have a street address) to the higher street classification and are to reflect the streetscape character of the higher street classification.	The proposed lots present to the higher street classification of Warriewood Road.	Complies.
	The composition of attached/abutting dwellings needs to be determined at the subdivision stage to take into account the lot widths required in order for a 'break' to be provided.	The composition of the buildings fronting Warriewood Road provides a break every two dwellings in the form of a semi-detached development.	Complies.
	A 'break' (i.e. a larger lot width, an indentation in the dwelling with a width and depth of 1.5m on both levels, a housing product of a different width, a detached housing product) is to be provided between every 3 attached/abutting dwellings of the same lot width.	The proposal provides a break every two dwellings and complies with the minimum separation distances.	Complies.
	Where buildings are to be located on boundaries, retaining walls (as required) are to be built as part of the subdivision works. Details of the fill (depth, source and amount of fill material to be deposited) and retaining walls are to be submitted with the application.	No retaining walls proposed as part of the proposed development.	Complies.
	Corner lots are to be configured to allow the dwelling to address both street frontages as depicted in Figure 3 below. Multi-dwelling housing is a good example of a housing type that achieves this	The proposed corner dwellings numbered no. 11 and 12 along Warriewood Road address both street frontages.	Complies.
	The minimum dimensions of a lot proposed to contain a residential flat building (but not multi dwelling housing) is 30 metres in any direction.	The proposed residential flat building provides a minimum dimension of 30 metres within any direction.	Complies.
	Residential Flat Buildings and Multi Dwelling Housing developments with 10 or more dwellings are to provide at least: <ul style="list-style-type: none"> • 10% studio apartments/units; • 10% 1-bedroom apartments/units; and • 10% 2-bedroom apartments/units. 	The proposed residential flat development provides for more than 10 dwellings. The mix of apartments will provide 12.5%, 1-bedroom apartments and 67%, 2-bedroom apartments. The apartment mix is acceptable in providing a variety of housing types to support the wider and local community.	Complies.
C6.9 Residential Land Subdivision Approval Requirements	The land subdivision approval process is to be consistent with the relevant pathway approval process nominated within 6.9 of the Pittwater DCP No. 21.	The proposal involves the construction of attached dwellings and a residential flat development. The proposed dwellings are on lots that are more than 225sqm, however have a lot width of less than 9 metres. Subsequently the application requires a pathways 2b approval as an integrated housing development.	Complies.

		Dwelling plans are provided including floor plans, sections and elevations are required as part of an integrated housing proposal.	
	Subdivision of land creating residential lots with an area less than 225m ² or a width less than 9 metres, shall include dwelling plans (floor plans, sections and elevations etc.) as part of the Development Application for subdivision, i.e. Integrated Housing approval for the subdivision and construction of the dwellings on each lot.	The development application documentation includes dwelling plans are provided including floor plans, sections and elevations are required as part of an integrated housing proposal.	Complies.
	Upon approval of the subdivision a Section 88B instrument will be attached to the lot restricting the built form to the approved dwelling plans.	A condition of consent can be included by the consent authority to ensure an 88b instrument is imposed.	Complies.
C6.10 Additional Specifications for development of Buffer Area 1a to 1m.	Individual buffer sectors with effective lot widths less than 60 metres should pursue opportunities for amalgamation to facilitate orderly planning and development outcomes and the efficient use of land. The Indicative Layout Plan included further in this control identifies Council's preferred site amalgamations.	The proposed lot width is more than 60 metres. No site amalgamation is required.	Complies.
	Denser housing typologies, including Residential Flat Buildings and Multi Dwelling Housing, should be located on the north eastern side of Lorikeet Grove, in close proximity to the creekline corridor.	The proposed residential flat building is constructed adjacent to the creekline corridor on the western end of the site.	Complies.
	Where it is not possible to align Lorikeet Grove directly along the creekline corridor, Residential Flat Buildings and Multi Dwelling Housing products should be proposed adjoining these areas which will facilitate casual surveillance.	The proposed ground, first and second floor west-facing dwellings within the residential flat development will provide overlooking of the creekline corridor area and will provide opportunities for casual surveillance.	Complies.
	Lots suitable for housing typologies that reflect the streetscape character of existing housing on the opposite side of Warriewood Road, for example dual occupancies (attached or detached), should be sited fronting Warriewood Road. The retention of existing dwellings on lots greater than 500m ² in size along Warriewood Road is not desired as it is not in keeping with the future desired character and limits the ability to achieve the adopted density.	The proposal involves the construction of semi-detached dwellings fronting Warriewood Road and is consistent with the typical housing typology within the immediate streetscape setting.	Complies.
	Lorikeet Grove extension is to traverse Buffer Areas 1a to 1l, and be: <ul style="list-style-type: none"> designed and constructed as a Local Road under the <i>Warriewood Valley Roads Masterplan</i> and comply with the specifications and cross section; and generally in accordance with the alignment of Lorikeet Grove on the Indicative Layout Plan below. 	The proposed Lorikeet Grove extension will be consistent with the approved road layout as per the previous development approval N0611/16.	Complies.
	A maximum of two new public roads are to directly connect to Warriewood Road and Lorikeet Grove. Each new connection road is to comply with the specifications and cross section for a Local Road under the Warriewood Valley Roads Masterplan, as amended. One road connection is to be located across the boundaries of Buffer	The proposal does not involve the construction of a new public road.	Complies.

	1g, 1h and 1i. The second road connection is to be located within Buffer 1l, adjacent to Hill Street. The traffic management device for both proposed road intersections with Warriewood Road is to be in accordance with the Indicative Layout Plan contained further within this control.		
	The number of driveways along Warriewood Road is to be minimised. This can be achieved through shared driveways for dwellings that front Warriewood Road.	No new driveways proposed along Warriewood Road.	Complies.
	All other access roads within Buffer Areas 1a to 1l must be designed with traffic calming devices to lower vehicle speeds, which may incorporate pavement treatment and enhanced landscaping. The provision of safe crossing areas is required.	The proposal does not involve the construction of any access roads.	Complies.
	No new vehicular access including driveways, is permitted onto Macpherson Street to ensure a safe approach to the bridge across Narrabeen Creek.	NA.	NA.
	A traffic analysis report will need to accompany any subdivision Development Application, taking into account the new East-West connection of Lorikeet Grove, and if applicable, the new North-South connections with Warriewood Road. Where the access arrangements have not been constructed in a timely manner, the construction of temporary roads may be permitted to enable the isolated property to develop ahead of the required roads being constructed. This will be assessed on a merit basis.	Refer to the Traffic and Parking report prepared by TTM Consulting for further details.	Complies.
	The alignment of the pedestrian and cycleway network is to be generally in accordance with the Indicative Layout Plan below	The proposed alignment of the pedestrian and cycle path entries are consistent with the indicative layout plan.	Complies.
Part D: Locality Specific Development Controls			
D16 Warriewood Valley Land Release Area Locality			
D16.1 Character as viewed from a public place	For the purpose of this control “public places” is considered to be areas within the public domain that are accessible to the general public, and may include roads and streets, the creekline corridor, parks and reserves.	The proposed development provides areas which are accessible to the general public.	Complies.
	The facades of buildings presenting to any public place must address these public places, provide visual interest, have a street presence and incorporate design elements that are compatible with any design themes existing in the immediate vicinity. Blank facades that front public places are not supported.	The proposed built form will continue to address the public street interface in particular from Warriewood Road and Lorikeet Grove. The residential flat building is appropriately articulated and modulated to create visual interest and the detached/semi-detached dwellings provide a break every two dwellings which minimises the massing of the development and will provide a human scale to the street.	Complies.
	Building function is to be expressed by the facade. Any building facade and front setback to a public place must incorporate at least two of the following design features: <ul style="list-style-type: none"> • Pedestrian entry feature including a footpath; • Awnings or other features over windows; • Front entry feature or portico that highlights the location of the front door; 	The new detached/semi-detached dwellings and residential flat building incorporates pedestrian entries that are visible from the front façade; appropriate soft landscaping treatment within the front façade and pedestrian pathways leading to the building; balconies orientated along the eastern and western elevations visible from the road frontages and window configurations all of which positively	Complies.

	<ul style="list-style-type: none"> front feature balconies on upper floors; and Gables, dormer windows or the like that provide architectural interest to the roof form, visible from the street. 	contributes to the visual appearance of the buildings within the street.	
	Clear visual connection must be achieved between the public place and the front setback/front façade of the building	The proposed development will comply with the minimum front setback requirements of the PDGP21 and will be commensurate with the approved neighbouring dwellings.	Complies.
	Walls without articulation shall not have a length greater than 8 metres to any street frontage.	<p>The new residential flat building incorporates a number of articulations and modulations at the ground and first floor levels from the existing streetscape setting which will minimise the visual bulk and scale of the existing streetscape. The residential flat building has been broken into two separate building blocks which distributes the mass equally within the allotment.</p> <p>The proposed dwellings fronting Warriewood Road do not present an external wall length of more than 8 metres.</p>	Complies.
	The bulk and scale of the buildings must be minimised.	As above, the bulk and scale of the development has been alleviated by incorporating a number of recessed building elements which staggers the wall planes of the building through appropriate design measures. The development will continue to avoid massive or continuous unrelieved walls and minimises the bulk and scale of the development.	Complies.
	Landscaping is to be integrated with the building design to screen and soften the visual impact of the built form. The height and scale of the landscaping in the setback area to the public place must be proportionate to the height and scale of the building.	A landscape plan has been prepared by CDA Design Group which identifies a variety of sizes and types of vegetation which will minimise the appearance of the building within the street.	Complies.
	General service facilities must be located underground or suitably concealed.	General service facilities of the new residential flat building including the waste storage areas are located at grade. The waste storage areas are integrated into the built form without compromising the appearance of the building within the streetscape.	Complies.
	Stormwater, sewer, gas, electrical, or communication service pipe or conduit should not be visible from the public place including building facades (and balconies/carpark entry points) visible to any public place.	Services will not be visible from the public domain.	Complies.
	Plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the building. All noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar are to be located and designed to protect the acoustic privacy of workers, residents and neighbours. The location of air-conditioning units shall be indicated on development assessment plans for	No air-conditioning units are proposed on the rooftop of the building. All air-conditioning condenser units will be located on the balconies of each respective apartment.	Complies.

	approval at the time of Development Application lodgement. Council does not encourage air conditioning units on the roof of development.		
	Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened from public view.	Telecommunication structures will not be visible from the existing streetscape.	Complies.
	Open and external storage areas, service/loading and garbage areas are to be screened from view from any public place and should not encroach on parking areas, driveways or landscaped areas.	Waste storage areas are located at the ground floor level and do not impede off-street parking, landscaped areas or driveways.	Complies.
	External storage areas are not to interfere with the amenity of the locality due to smell, fumes, smoke, vapour, steam, soot, ash, grit, oil, dust or otherwise.	All storage areas are located internally and will not compromise the amenity of the neighbouring premises.	Complies.
	Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.	Refer to Section 5.7.1: for detailed assessment.	Refer to Section 6.7.1: for detailed assessment.
	Where lots are located between two roads, the dwelling must address and present to the higher road classification with the garage(s) directly accessing the lower road classification, known as rear loaded lots.	The detached/semi-detached dwellings will front the higher road classification (Warriewood Road) and the garage structure will front the lower road classification (new rear laneway).	Complies.
	Where lots are located between two roads, the dwelling must address and present to the higher road classification with the garage(s) directly accessing the lower road classification, known as rear loaded lots.	The proposed detached/semi-dwellings will front the higher road classification of Warriewood Road.	Complies.
	Attached and abutting dwellings ideally should be located on rear loaded lots to facilitate garages that are sited at the rear of the lot with direct access on to the Access Street or Laneway. Access streets or Laneways servicing rear loaded lots should incorporate landscaping elements to reduce the repetitive appearance of garages at these locations. Garages on corner lots are to be accessed from the secondary street	The proposed semi-detached dwelling allotments are all configured as rear-loaded allotments with vehicle access provided via the rear private laneway.	Complies.
	Garage door widths are to be in accordance with the following: Rear loaded lots (>4.5 metres or with an area <225sqm): Double garages: 6m	The proposed garage door widths are 6 metres in width.	Complies.
D16.4 Water Management for Individual Allotments	The water management scheme for development of a sector, buffer area or development site including any new allotments (where relevant), already approved by Council in conjunction with the approved integrated water management report, must be adhered to, or updated to account for any new construction not part of the existing integrated water management report. This includes the on-site detention tanks and impervious area for the individual allotments, which is to be adhered to and maintained to reduce risk/impact on adjoining properties should there be failure in the water management scheme.	Refer to the Water Management Report prepared by SDG Consulting for further details.	Complies.
D16.5 Landscaped Areas for Newly Created Individual Allotments	The total landscaped area on individual allotments is to be in accordance with the following requirements: <ul style="list-style-type: none"> Residential Flat Buildings – 25% of the site area and minimum dimensions of 3 metres. 	The proposed development on the residual lot no.2 area will provide a maximum of 41% (7785sqm) of the total site as landscaped area with a minimum dimension of 3 metres.	Complies.

	<ul style="list-style-type: none"> All other dwellings on lots less than 9m wide – 25% of the site area and minimum dimensions of 3m All other dwellings on lots 9m – 14m wide – 35% and minimum dimensions of 4 metres. All other dwellings on lots greater than or equal to 14m wide – 45% and minimum dimension of 4m 	In addition to the above, the proposed development will result in a compliant landscaping area of the minimum requirements.	
	The minimum depth of the landscaped area within the front setback is to be in accordance with the dimensions specified in control D16.6 Front building lines.	Refer to D16.6 for further details.	Refer to D16.6 for further details.
	The infiltration of rain water into the water table to reduce stormwater runoff should occur and where possible, development should facilitate the retention of existing trees and vegetation, as well as provide opportunities for new canopy tree planting.	Adequate deep soil areas accommodate within the front, rear and side setbacks to increase opportunities for stormwater infiltration.	Complies.
	Basement car parking should be contained within the building footprint to maximise areas for deep soil planting.	The basement parking area of the residential flat development will occupy a similar building footprint as the proposed building.	Complies.
	At the time of planting, trees are to have a minimum container size of 45 litres, complying with the requirements of Specifying Trees: A Guide to Assessment of Tree Quality (Natspec, 2003).	Refer to the landscape plan prepared by CDA Design Group Pty. Ltd. for further details relating to new landscaping.	Complies.
	Understorey plant species, in conjunction with the tree planting, are to screen 50% of the built form when viewed from the street after five (5) years from the date of issue of the occupation certificate. In order to achieve this, all understorey planting is to have a minimum container size of 200mm at the time of planting. Consideration shall be given to the appropriate use of exotic shrub planting at a maximum of 30% of the total shrub schedule.	The proposal includes comprehensive landscaping within the front setback of the buildings which will screen the built form from the existing streetscape setting.	Complies.
	Council encourages the retention and replanting of existing endemic tree species. All replacement trees shall be indigenous to the local area (refer to Warriewood Valley Landscape Masterplan & Design Guidelines (Public Domain)), and where suitable, shall be habitat trees for endangered fauna. Applicants are encouraged to retain and protect areas of each site in their natural state.	Refer to the Aboricultural Impact Assessment prepared by Red Gum Horticultural for further details.	Complies.
	On residential lots, landscaping provisions are to also address the following: <ul style="list-style-type: none"> for lots fronting Warriewood Road, Macpherson Street and Garden Street at least two canopy trees are to be provided within the front setback; 	Refer to the landscape plan prepared by CDA Design Group relating to the landscape treatment of the site.	Complies.
	All Development Applications, except for interior works, must include a landscape plan prepared in accordance with Appendix 9 - Landscaping and Vegetation Management. The landscape plan is to illustrate the design intent of the landscape proposal and its relationship to the architectural, civil and hydraulic design.	Refer to the landscape plan prepared by CDA Design Group relating to the landscape treatment of the development site. The landscape plan considers the landscaping arrangement of the built form and its relationship with the architectural, civil and hydraulic design.	Complies.

D16.6 Front Building Lines	All development fronting Warriewood Road, Garden Street and Macpherson Street: <ul style="list-style-type: none"> • Minimum front setback of 5 metres to articulation zone (metres) from front boundary; • Minimum front setback of 6.5 metres to garage/carport (metres) from front boundary; • Minimum front setback of 6.5 metres to dwelling (metres) from front boundary. 	The detached/semi-detached dwellings fronting Warriewood Road are setback a minimum of 7.5 metres from the front property boundary and 6 metres from the articulation zone of the dwelling.	Complies.
	Residential flat buildings or multi-dwelling housing fronting all other streets other than Warriewood Road, Garden Street and Macpherson Street: <ul style="list-style-type: none"> • Minimum front setback of 3 metres to articulation zone (metres) from front boundary; • Minimum front setback of 4.5 metres to garage/carport (metres) from front boundary; • Minimum front setback of 4.5 metres to dwelling (metres) from front boundary. 	The residential flat building fronts the higher street classification being the approved Lorikeet Grove extension. The residential flat building is setback a minimum of 7 metres from Lorikeet Grove and will comply with the required front setback controls with respect to the both the building and articulation zone.	Complies.
16.7 Side and Rear Building Lines	The minimum side and rear building lines are subject to the incorporation of landscaping required under this DCP and adequate separation distances between buildings.	Deep soil soft landscaping will be incorporated within the rear and side setbacks of the residential flat building and detached/semi-detached dwellings which is consistent with the requirements of the PDCCP21.	Complies.
	In certain circumstances, setbacks greater than the minimum requirements detailed in the table below may be necessary to retain significant vegetation or to provide acceptable separation to the adjoining existing development.	The proposal will continue to comply with the minimum building separation requirements to allow for visual privacy under the Apartment Design Guide as per the SEPP65 Requirements. Therefore no additional side setback is required.	Complies.
	The following minimum side building lines are to apply to the following residential development: Zero-lot line dwelling less than 9m wide: One side: 0m on one side for a maximum wall length of 16m. The remaining portion of the dwelling is setback 0.9m Other side: 0.9m at ground floor and 1.2m for any upper floor levels. Detached dwelling 9m to 14m wide: 0.9m on both sides However if lot is burdened by a double storey zero lot wall on the adjacent lot, the minimum setback on the burdened side is 1.2m Detached dwelling greater than 14m wide and less than 16m wide. One side 0.9m and 1.5m upper level; Other side 0.9m at ground floor and 1.5m for upper level. Residential flat buildings: As a minimum, the side building line is to be 3m on both sides.	<u>Dwelling Houses/Zero-lot line dwellings:</u> The proposed dwelling nos. 1, 2, 3, 5, 6, 7, 8, 9 and 10 all have a width of less than 9 metres. The proposed dwellings consist of a wall length of 13 metres with a nil setback along the common wall. A setback of 1.5m is provided on the other side at the ground and first floor levels. Complies. The proposed dwelling no. 11 is a detached dwelling with a width of between 9m to 14m wide. The dwelling provides a setback of 3 metres to the southern and 1.5 metres from the northern boundary. Complies. The proposed dwelling no. 12 is a detached dwelling with a width of more than 14m and less than 16m wide. The dwelling provides a setback of 3m from the northern (side) boundary and 3.05m from the southern (side) boundary. Complies. The proposed dwelling no. 4 is a zero-lot line dwelling that is greater than 14m wide. The Pittwater DCP No.21	Complies.

		<p>does not prescribe any controls for this lot type. Nevertheless in applying controls for a zero-lot line dwelling 9m – 14m wide, the dwelling will comply with the required setback controls.</p> <p><u>Residential Flat Buildings:</u> The proposed residential flat building is setback 3m from northern (side) boundary and 3.98m from the southern (side) boundary.</p>	
	<p>The minimum rear building line for residential development, measured from the rear boundary is to be in accordance with the following:</p> <p>Rear loaded lots: 0.5m to garages and secondary dwellings.</p> <p>Residential flat buildings: 3m</p>	<p>The proposed development within residual lot no.2 does not provide a defined rear property boundary. The development fronts the higher street classification with the residential flat building fronting Lorikeet Grove and the detached/semi-detached dwellings fronting Warriewood Road with a private driveway separating the two built forms.</p> <p>Nevertheless, the residential flat building is setback a minimum of 4 metres from the rear property boundary and the double car garages have an average setback of more than 0.5m from the private driveway.</p>	Complies.
D16.8 Spatial Separation	<p>The minimum spatial separation is to be in accordance with the following:</p> <p>Residential Flat Buildings, Residential component in Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing (3 storeys or greater) shall have a minimum side and rear spatial separation of 6m for habitable rooms and 3m for non-habitable rooms.</p>	<p><u>Residential Flat Building:</u> Refer to Section 6.4.2: Apartment Design Guide – Visual Privacy within this report for further details.</p>	Complies.
D16.9 Solar Access	<p>Solar Access received by the proposed development:</p> <p>Residential development not elsewhere defined in this table: minimum 2 hours of solar access to the north-facing windows of the principal living area and private open space area between 9am – 3pm, 21 June.</p> <p>Integrated Housing: 70% of the proposed dwellings must receive a minimum of 2 hours of solar access to the north-facing windows of the principal living area and private open space area between 9am – 3pm, 21 June.</p>	<p><u>Residential Flat Building:</u> Refer to Section 6.4: Apartment Design Guide - Solar Access within this report for further details. Complies.</p> <p><u>Detached/Zero-lot line dwellings:</u> All dwellings will receive a minimum of two hours of direct solar access. Complies.</p>	Complies.
	<p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 9am – 3pm during midwinter.</p>	<p>No impacts to existing solar collectors.</p>	Complies.
	<p>Sunshine to clothes drying areas is to be maximised.</p>	<p>Solar access to clothes drying areas maximised and will receive the minimum solar access requirements for private open spaces.</p>	Complies.
	<p>Where the principal living area and private open space within an existing adjoining dwelling currently receives sunshine during midwinter, any proposed adjacent development is not to reduce that solar access below 3 hours.</p>	<p>Solar access to the neighbouring buildings will be unaffected by the proposed development.</p>	Complies.
	<p>Where an existing structure already impinges upon the solar access of an</p>	<p>No solar access impacts of existing structures.</p>	Complies.

	adjoining property to a greater degree than that specified, any new structures or modifications must maintain that existing solar access as a minimum. However, Council encourages new structures to reduce the solar impact to adjoining properties.		
	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.	No solar access impacts given the significant separation of Lorikeet Grove to the proposed residential aged care facility.	Complies.
D16.10 Private and Communal Open Space Areas.	Minimum private open space area and dimensions are to be as follows: Integrated Housing under control C6.11 not specified elsewhere in the table: minimum area of private open space (m2) – 16; minimum dimension of private open space in metres – 3 Development not specified on lots between 9m and 14m wide not specified elsewhere in the table: minimum area of private open space (m2) – 20; minimum dimensions of private open space in metres – 4 Development on lots greater than 14m wide not specified elsewhere in the table: minimum area of private open space (m2) – 24; minimum dimensions of private open space in metres – 4	<u>Residential Flat Building:</u> Refer to Section 6.4: Apartment Design Guide – Private Open Space for further details. <u>Integrated Housing:</u> The proposed detached and semi-detached dwellings fronting Warriewood Road will all exceed the minimum dimension width of 3 metres and the area requirements of 16sqm.	Complies.
	Dwellings are to be designed so that private open space is directly accessible from internal living areas enabling it to function as an extension of internal living areas and is to have good solar access orientation (i.e. orientated to the north, north east or north west where possible). Private open space for new dwellings is not to be in positions such that it borrows amenity by overlooking adjoining dwellings.	Private open space areas will immediately adjoin the living room areas each respective dwelling. In addition to this, the private open space areas are not orientated in a manner which will result in direct overlooking into the neighbouring dwellings.	Complies.
	Private open space areas should include provision of clothes drying facilities suitably screened from the street and public places. Private open space is to include gas bbq points and external power points where possible.	Adequate areas are available within the rear private open spaces to accommodate gas BBQ points and clothes drying areas.	Complies.
	The primary orientation of balconies is to be the street or rear boundary. Balconies are not to be fully recessed into the building form. Balconies should not form the dominant architectural expression of the building.	The proposed first floor east facing balconies have been designed to overlook the rear yard of each respective lot and the balcony structures will not compromise the appearance of the structures within the existing streetscape setting.	Complies.
	For dwellings above ground, private open space is to be provided by balconies. For ground floor dwellings, private open space is to be provided as a terrace or garden. Balconies adjacent to the rear boundary must be designed to limit overlooking and maintain privacy to adjoining residences.	<u>Residential Flat Buildings:</u> Refer to Section 6.4: Apartment Design Guide – Private Open Space for further details. <u>Detached/Semi-detached dwellings:</u> The development will provide a private open space at the rear of each multi-dwelling housing development.	Complies.
	Balconies adjacent to the rear boundary must be designed to limit overlooking and maintain privacy to adjoining residences.	The east-facing balconies of the residential flat development will not contribute to any adverse overlooking impacts into the private open space areas of the detached/semi-detached dwellings.	Complies.

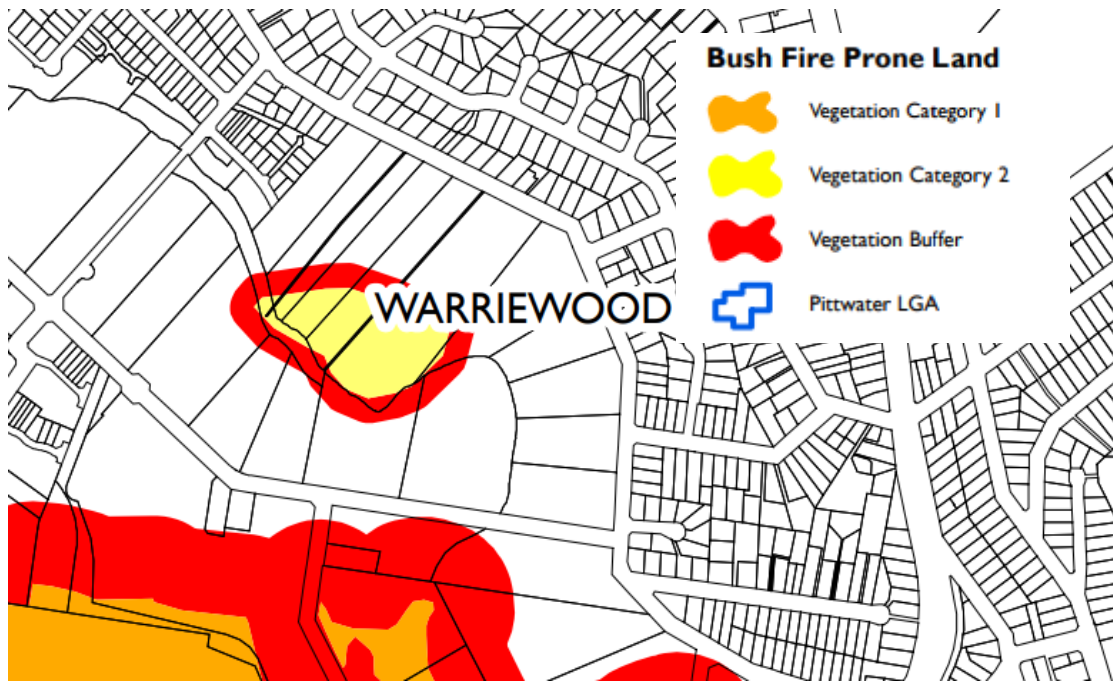
	For residential flat buildings and multi-dwelling housing, 25% of the site area is to be communal open space. The communal open space should be located in areas of deep soil and have good solar orientation but also provide opportunities for shade.	The proposed development will comply with the minimum 25% of the site area to be provided as communal open space within the front setback and between the northern and southern building blocks of the residential flat development and along the Narrabeen Creek corridor.	Complies.
	For residential flat buildings and multi-dwelling housing containing 20 or more dwellings, the communal open space is to contain a children's play area and permanent seating.	The communal open space areas are suitably sized and dimensioned to accommodate a childrens play area and permanent seating area, if required.	Complies.
D16.11 Form Of construction including retaining walls, terracing and undercroft areas	Lightweight construction and pier and beam footings should be used in areas identified on the Biodiversity Map in the Pittwater LEP2014 to minimise site disturbance.	The proposed built form is setback 50 metres from the Narrabeen creek line corridor and will not disturb existing biodiversity as indicated on the PLEP2014 map.	Complies.
	Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials. In creekline corridors, sandstone boulder walls are to be used instead of standard retaining walls to provide a more natural environment that allows fauna to traverse the boulder wall.	The proposal does not involve the construction of retaining walls or terracing.	Complies.
	Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.	No undercroft areas proposed as part of the subject application.	Complies.
	In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.	No outdoor entertaining areas proposed as part of the subject application.	Complies.
D16.12 Fences	In all cases, vegetation is preferable over fencing to delineate the property boundary.	The proposal does not include front boundary fencing along Warriewood Road or Lorikeet Grove.	Complies.
	Fencing is not permitted forwards of the building line. Boundaries between public and private land should be delineated by vegetation such as low hedges, garden beds or the like.	The proposal includes the construction of a fence line adjacent to the new private driveway. The fence is of a low-profile nature with a maximum height of 1.2 metre above the finished floor level.	Complies.
	For corner lots, any fencing along the boundary which fronts the secondary street is only permitted behind the front building line. Fencing of properties is restricted to side and rear boundaries only and should not detract from the streetscape or adversely impact on residential amenity.	Fencing proposed to the detached dwelling nos. 11 and 12 will not extend forward of the front building line.	Complies.
	Any fencing must: i) allow native animals to move between and to areas of environmental sensitivity and areas of habitat value; ii) enable casual surveillance from buildings for safety and surveillance; iii) assist in highlighting entrances and in creating a sense of community identity; iv) be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas; and v) complement any facilities any landscaping in public areas.	The development will comply with crime prevention through environmental design (CPTED) principles in that the development will provide casual surveillance over the existing street.	Complies.
	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.	The proposed side and rear boundary fences between the existing dwellings will be a maximum height of 1.8 metres.	Complies.
	Where residential lots front/face/about Macpherson, Garden and Orchard	The dwellings fronting Warriewood Road will provide visible entrances to	Complies.

	Streets, and Warriewood Road, dwelling frontages, pedestrian access and postal addresses must be maintained to these roads. Corner lots are exempt from this requirement, where applicable.	dwelling and postal addresses which nominates the addresses of each respective allotment.	
	Fencing resulting in walled or gated communities is not permitted.	No gated communities proposed as part of this development.	Complies.
D16.13 Building Colours and Materials	External colours and materials shall be natural tones such as green, brown and dark earthy colours.	The colours, materials and finishes schedule proposes a combination of a rendered white finish and sandstone to the external walls of the building which will be sympathetic to the adjoining buildings within the immediate context of the site.	Complies.
D16.14 Pets and Companion animals	The need for pets and companion animals must take into account their relationship with native animals, including endangered species, and their habitat.	The proposed built form takes into account the accommodation for companion animals given the extensive landscaped areas throughout the site.	Complies.
	Pets should be contained within the owners property and/or dwelling (dependent on animal), especially at night to prevent predation on wildlife.	Rooms are suitably sized to accommodate companion animals.	Complies.
	Pets and companion animals must be kept in accordance with the Companion Animals Act 1998 and Council registration as required.	Pets and companion animals will comply with the Companion Animals Act 1998.	Complies.

6.7.1 Character as viewed from a public place

The Council's controls prescribe that garages, carports and other structures including hardstand areas must not be the dominant site feature when viewed from a public place. The garage structure and studio spaces adjoining the private laneway are not considered to be buildings that are visually dominant structures and will remain compatible with the streetscape character. The garage structures will not be visible from the primary street frontage along Warriewood Road and incorporates a combination of materials including a dark face brick finish to the garage level and a rendered mid-tone masonry finish at the upper floor levels of the building. The massing of the upper level addition has also been ameliorated with elongated glazing elements which articulates the upper level façade of the garage structure. In addition to this, the garage structures provide adequate separation between each pairing of garage structures which visually breaks up the length and continuity of the façade along the private driveway. The garage structures include a side setback of 2 metres and the recessed nature of the garages and extensive setback from the rear building alignment minimises the apparent bulk and scale of the rear structures in that it strategically breaks up the building envelopes at the rear of the site. The garage structures and studio spaces above will continue to present a human scale to the development in the context of the proposed three storey dwelling houses/semi-detached dwellings and residential flat developments at the rear and will appear ancillary and subservient to the primary dwelling. In considering the above, the proposed development will comply with Council's controls.

6.8 Northern Beaches Bushfire Prone Land Map



Pittwater Bushfire Prone Map

The subject site is not nominated in an area that is within a bushfire prone land.

7. SECTION 4.15 EVALUATION

In assessing the development application, the consent authority is required to consider the relevant planning criteria in Section 4.15 (formerly known as Section 79C) of the Environmental Planning and Assessment Act, 1979. Section 4.15 is addressed as follows:

7.1 Statutory Policy and Compliance – S4.15(1)(a)

The relevant statutory planning policies have been assessed with respect to all relevant State Environmental Planning Policies; Local Environmental Plans and Development Control Plans, as addressed above within Section 6 of the Statement of Environmental Effects.

The planning provisions that are relevant to the proposed development include the following:

- State Environmental Planning Policy no. 55 – Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy no. 65 – Design Quality for of Residential Apartment Development
- Pittwater Local Environmental Plan 2014
- Pittwater Development Control Plan no. 21
- Northern Beaches Bushfire Prone Land

Refer to Section 6 within this Statement of Environmental Effects for a full assessment to the above relevant planning policies.

7.2 The Natural Environment – S4.15(1)(b)

The subject site is located in an area which contains biodiversity as indicated on the biodiversity map of the Pittwater Local Environmental Plan 2014. Specifically, the areas nominated to contain biodiversity is restricted to the western portion of the site which is immediately adjacent to the creekline corridor at the rear of the site. The vegetation mapping prepared by 'Ecological Australia' dated on the 22 September 2016 indicates that the site is currently present with four different types of vegetative communities which includes: *Coastal Freshwater Swamp Forest (CFSF)* located within the north western corner; a variety of exotic urban vegetation adjacent to the bank of the Narrabeen Creek; modified grassland and pasture throughout the site and street tree plantings and exotics along the Warriewood Road frontage of the site as shown in the extract below taken from the VMP by Ecological Australia.



The proposed development does not involve any changes to the recommendations and measures adopted within Vegetation Management Plan and will remain consistent with the previous approved development consent (N0611/16). The extent of the works to the vegetative corridors is outside of the boundaries of the residual superlot 2.

In addition to the above, an aboriginal impact assessment prepared by Redgum Horticultural considers 20 trees on the site including 14 on the site, 3 trees on a neighbouring property and 3 on the adjacent road reserve. The proposal seeks to remove four trees that are nominated as a protected

species and replacement within the associated landscape documentation in addition to the 12 trees within the site that can be removed as part of exempt development.

7.3 The Built Environment – S4.15(1)(b)

The proposed part two/part three storey detached and semi-detached dwellings and the three storey residential flat building are all permissible forms of development within the R3: Medium Density Residential Zone. The proposal represents a fully compliant development (aside from the minor shortfall to the communal open space requirements) and contributes to a positive contribution within the existing streetscape setting. The integrated housing component including the dwellings fronting Warriewood Road are two storeys in nature and is compatible with the existing housing character of the dwellings on the opposite side of Warriewood Road comprising of a mixture of single and two storey detached housing developments. The low density forms of residential accommodation represents a built form that is consistent with the existing housing typology within the immediate locality.

The proposed residential flat building is appropriately sited and positioned adjacent to the creekline as a preferred location in accordance with the Warriewood Valley Strategic Review Report and Addendum Report. The report recommends that medium sized residential products be offered at the rear of the site and be of a maximum three storey scale and reflects the maximum 10.5 metre building height. The urban form of the residential flat building incorporates a two building block form with central courtyard form and is appropriate for the elongated shape of the allotment which sits between the private laneway and Lorikeet Grove. The site layout and the building location positively responds to the existing streetscape setting in that it alleviates the bulk and scale of the development and the presentation of a continuous façade along the existing streetscape setting. In terms of amenity the proposal does not give rise to any adverse amenity impacts to the adjacent developments. The proposal will continue to provide ample building separation to the neighbouring properties in terms of visual privacy; the overshadowing impacts will fall mostly on the public road reserve of Lorikeet Grove and will not compromise the living areas of the approved aged care centre; the apartment layout and configuration will ensure all living and private open space areas will receive a minimum of two hours solar access; the development will remain within the maximum height of building requirements and the bulk and scale will be consistent with the envisaged character of the development.

The built environmental impacts are acceptable.

7.4 Social and Economic Impacts – S.79C(1)(b)

The residential flat buildings and semi-detached and detached dwellings will provide a social and economic benefit to the site by stimulating social cohesiveness within the wider community and achieves the housing demands of the Warriewood Valley Strategic Review Report.

7.5 Suitability of the site for development – S.79C(1)(c)

The proposed dwelling houses, semi-detached dwellings and residential flat development are a permissible form of development within the R3: Medium Density Residential Zoning and is suitable for the site.

7.6 The Public Interest – S.79(1)(e)

The proposed development will not contribute to any unreasonable adverse environmental impacts to the neighbouring buildings and will provide additional housing opportunities to a site that is capable of providing medium density forms of residential accommodation.

7. Conclusion

The proposal has been considered under the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is considered a development that can be supported by Council and worthy of an approval for the following reasons:

- *The proposal is consistent with strategic planning outcomes contained within the Warriewood Valley Strategic Review Report 2012 and the Warriewood Valley Strategic Review Addendum Report 2014.* The proposal is consistent with the objectives and the strategic direction of the above reports in that it facilitates development which complies with the recommended residential density requirements, is consistent with the typified built form character which envisages two to three storey scaled buildings and will continue to relate to the approved development consent N0611/16.
- *The proposal complies with the relevant local and state planning policies.* The proposal will comply with the applicable Clauses of the Pittwater Local Environmental Plan 2014 and will achieve a high level of consistency with the key planning controls within the Pittwater Development Control Plan 21. Where the proposal does not full comply with a Council control – the objectives and intent of the numeric provision is achieved.
- *The proposal will provide an exceptional residential amenity.* The residential flat building will comply with the requirements of SEPP 65 (Design Quality for Residential Apartment Development) and will receive a high level of amenity to the occupants of the building. 100% of the apartments will receive a minimum of two hours of solar access to the private open space and living areas; all neighbouring dwellings will receive a minimum of two hours of direct solar access between the hours of 9am – 3pm, 21 June. 69% of the apartments will receive cross-ventilation more than the minimum of 60% of the total number of apartments; the residential flat building will achieve the minimum building separation requirements when considering the local street context and the design of the residential flat building has been sensitively and skilfully designed to respond to the existing site constraints including the elongated nature of the allotment and is appropriately articulated to alleviate in visual bulk and scale.
- *The proposal is within the public interest.* The development is within the public interest in that it will not compromise the environmental amenity to the neighbouring properties and will provide additional housing stock to the Northern Beaches Local Government Area. The proposal also incorporates a diverse range of dwelling types including 1, 2 and 3 bedroom units, dwellings and semi-detached dwelling housing types which will the changing household demands within the Sydney Region.

The proposed development will comply with the relevant matters of consideration under Section 4.15 and the development will positively respond to the site conditions and the surrounding built and natural environment. In considering the above, the development should be supported by the Northern Beaches Council.