



# **STATEMENT OF ENVIRONMENTAL EFFECTS**

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## **12 baz retreat warriewood nsw**

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## SECTION 1 | Introduction

This report has been prepared on behalf of the property owner/s of the subject site.

This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000. The purpose of this document is to describe the existing characteristics of the site, describe the proposed development, review the applicable planning controls relating to the proposal and site, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15(1) of the Environmental Planning and Assessment Act 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any detriment to environmental amenity have been addressed in this report.

### Section 1.1 | Development Application Summary

Site Address	12 Baz Retreat Warriewood NSW 2102
Legal Title Identifier	Lot 3 DP 1206507
Local Government Area	Northern Beaches Council
Property Owner/s	C Falkland
Proposed Development	Construction of a two (2) storey dwelling house and associated landscaping works including retaining walls

### Section 1.2 | Author

Jeremy Moy

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Dated | 20 May 2021

## Section 1.3 | Executive Summary

The development proposal relates to a new two storey dwelling on a vacant residential allotment in a new subdivision in the Warriewood Valley.

The site has frontage to Baz Retreat. The site is burdened by an access, maintenance and support easement along the rear boundary, however, no development is proposed within that easement.

The development proposal is compliant with all principal development standards and development controls.

The development in terms of bulk, scale, form and appearance will suit the new area and has been designed in accordance with development controls applying to the site.

A professionally designed landscape plan is provided with the development application and the proposal has been duly endorsed by the land developer in accordance with title restrictions.

It is our opinion that the development proposal is given support and assessment ought to be expedited in this instance.

## SECTION 2 | The Development Site

### Section 2.1 | Locality

Warriewood is a Northern suburb Sydney being 26 kilometres North of the CBD and is within the Local Government Area of Northern Beaches Council.

Warriewood contains various land uses which include residential, commercial and industrial. Natural features of the locality include beaches, parks, creeks and public reserves.

The residential areas of Warriewood are predominantly characterised by single detached dwellings generally within the context of a suburban setting.

Typically, dwellings in the immediate vicinity range in ages and feature a mix of façade designs comprising cladding material, face brickwork or rendered masonry, in a range of conditions from fair to relatively new. The area was developed from around the 1970s era with some original buildings intact along redeveloped sites of recent times. The majority of dwellings are one or two storeys, contain both formal and informal landscaped front setback areas.

The majority of neighbouring houses are moderately setback from the street. Parts of Warriewood are characterised by moderately to steep topography.

## Section 2.2 | Site Description

The subject site is an allotment within a recent subdivision (March 2019) on the South Eastern side of Baz Retreat which is a no through road and accessed via Lorikeet Grove.

The site is an irregular shaped allotment with an area of 300m<sup>2</sup>.

The lot dimensions are:

Front – Western boundary	7.775m + 4.86m (arc)
Rear – Eastern boundary	12.59m
Side – Southern boundary	24.665m
Side – Northern boundary	23.095m

The site falls to the street with an average gradient of approximately 6-7%.

At the time of this Statement, the site was vacant of buildings and vegetation as a result of the recent subdivision works.

### Section 2.2.1 | Existing Use

The development proposal will be a first use.

### Section 2.2.2 | Bushfire Prone Land

The site is not considered Bushfire Prone Land according to RFS mapping.

### Section 2.2.3 | Flood Hazards

According to Northern Beaches Council mapping, the site is not within a Flood Hazard Precinct.

### Section 2.2.4 | Other Environmental Hazards

The site is identified on Class 5 Acid Sulphate Soils land.

### Section 2.2.5 | Heritage

The site does not contain a heritage item and is not within a Heritage Conservation Area. The site is not within the curtilage of a heritage item or conservation area.



### Section 2.2.6 | Services

According to a recent Dial Before You Dig application, the availability of services to the site are as follows:

- Reticulated water supply –available (Sydney Water Corporation)
- Reticulated sewerage drainage – available (Sydney Water Corporation)
- Electricity – available (Ausgrid)
- Reticulated gas – not available (Jemena Gas)
- Communications – available (Telstra & NBN Co)

### Section 2.3 | Easements and Restrictions

The site is burdened by easements and restrictions as to User. Briefly, these include:

- Easement (0.9m wide) for access, maintenance and support indicated by ‘W’ on the Deposited Plan – no development is proposed within the easement.
- Restriction 6 (DP 270907) which has numerous elements:
  - Developer Approval – plans have been submitted and endorsed by the developer, and included in the development application.
  - Building Materials – considered satisfactory to the Developer.
  - Fencing – no fencing proposed
  - Visual Amenity – complies and ongoing responsibility by future occupants
  - Landscaping – applies after construction
  - Construction – not applicable at this stage

Overall, the development proposal will not encroach easements or create an inconsistency with restrictions.

Section 2.4 | Site Photography



Image – Aerial view of the subject site (courtesy of NSW SIX Maps)



Image – Approximate location of site as seen from Warriewood Road





Image – Baz Retreat facing North (photo supplied by Hotondo Hornsby)

## SECTION 3 | Proposed Development

### Section 3.1 | Site Preparation

- Earthworks to form a building platform

### Section 3.2 | Construction

#### Ground Floor level

- Porch
- Entry foyer
- Integrated double garage
- Open plan kitchen / family / dining area
- Living room
- Laundry
- Powder room
- Stairwell
- Covered Alfresco area the rear

#### First Floor level

- 4 Bedrooms
- 1 Ensuite
- 1 Bathroom
- Leisure room
- Linen cupboard

#### External

- New driveway
- Pathways
- Retaining walls
- Plantings

### Section 3.3 | Proposed Use

The proposed use will be the first use being a “Dwelling House”.

## **SECTION 4 | Evaluation**

Evaluation Criteria prescribed under Section 4.15(1) of the Environmental Planning and Assessment Act 1979 is considered in this section of the Statement of Environmental Effects.

### **Section 4.1 | State Environmental Planning Policies**

The SEPPs relevant to this proposal and considered are:

- SEPP (Building Sustainability Index: BASIX) 2004

#### **Section 4.1.1 | SEPP (Building Sustainability Index: BASIX) 2004**

The proposed building (new dwelling house) is considered a Basix Affected building and will require Basix Certification.

As such, the Basix Certification and plan requirements will be submitted as part of the development application.

## Section 4.2 | Local Environmental Plans

The following Local Environmental Plans are applicable to the subject site:

- Pittwater Local Environmental Plan 2014

### Section 4.2.1 | Pittwater Local Environmental Plan 2014

The relevant clauses of the LEP are considered as follows:

#### Clause 2.3 | Zone objectives and Land Use Table

The site is zoned **R3 Medium Density Residential**

**Dwelling Houses** are permissible subject to development consent within an R3 land use zone.

The objectives of the R3 zone under the LEP are:

- *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.*

The objectives of the zone are met in the following ways:

1. The proposed dwelling house is a permissible residential development type within a Medium Density Residential zone and will provide an acceptable degree of diversity to the future mix of housing to the immediate vicinity;
2. A low density residential development positioned within the estate subdivision will be amongst other development of similar bulk and scale, and dwelling type which will lend to the objectives of the land use zone;
3. The proposal will provide a quality architectural design that is sympathetic with the existing and future streetscape character;
4. The proposed development is architecturally detailed and modulated to complement surrounding development in terms of building bulk and visual intrusion;



5. The design and siting of the proposed development maintains view corridors between dwellings from the street and surrounding developments;
6. The development proposal will provide for an aesthetically pleasing development that is suitable to the locality;
7. The proposed development is contemplated by and is consistent with the applicable planning controls that apply to the site.

### Clause 4.3 | Height of Buildings

“..

*(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

..

*(2F) Despite subclause (2), development on land identified as “Area 6” on the Height of Buildings Map must not exceed 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.*

..”

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According to the HOB Map, the maximum height permissible is 10.5m.

However, the subject site is within “Area 6” and adjoins a property that has frontage to Warriewood Road. Therefore, an 8.5m building height standard will apply to the rear 12.5m setback area of the site, the remaining front of the site is subject to the 10.5m building height standard.

The dwelling will have a building height of 7.84m and is compliant with the building height development standard.

## Clause 6.1 | Warriewood Valley Release Area

(3) 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, sector or address in Column 2 of that table will be erected.

Buffer area 1k	Not more than 21 dwellings or less than 14 dwellings
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According to Council's Urban Release Area Map, the subject site is within Buffer Area 1k.

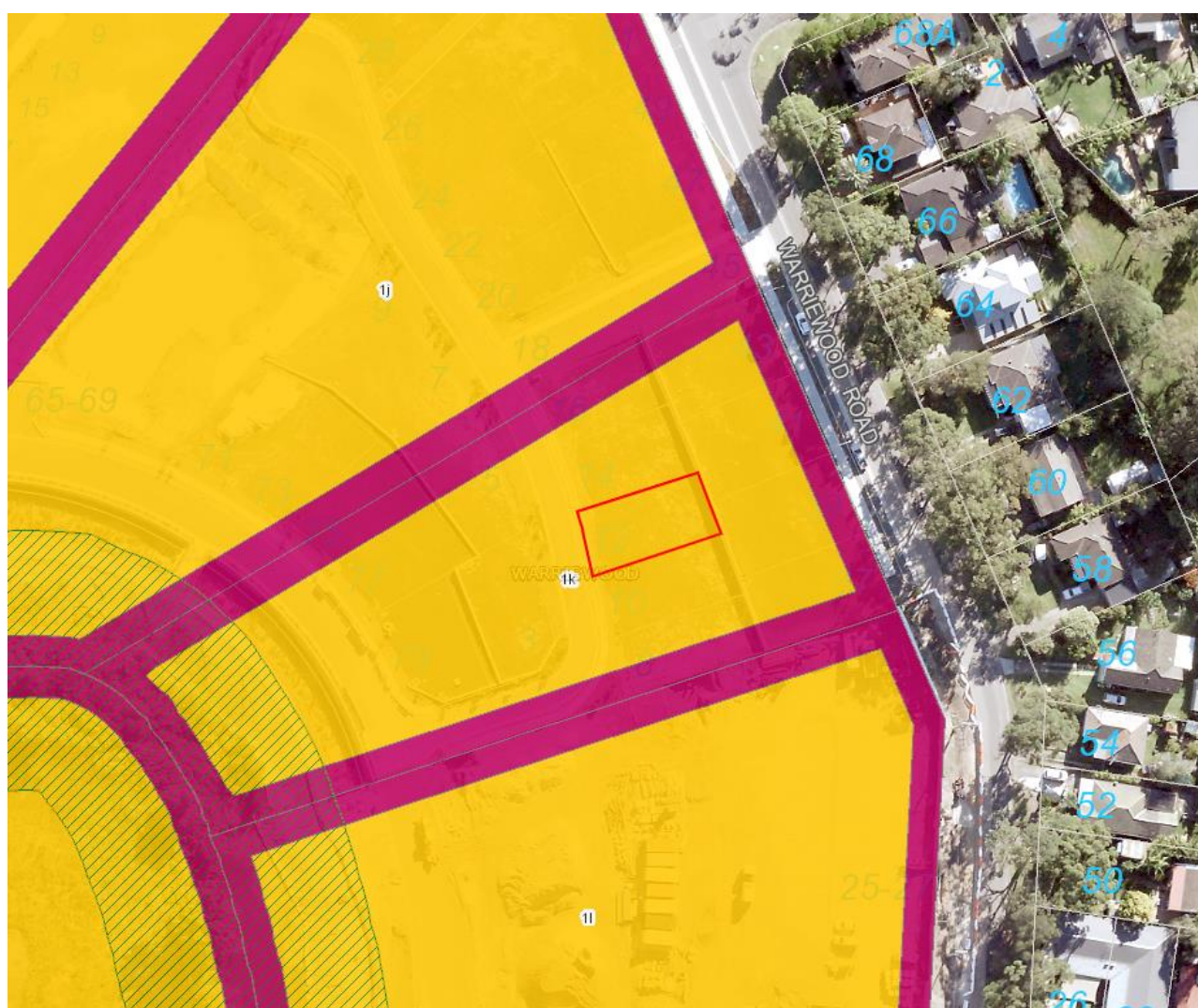


Image – subject site within Buffer Area 1k (courtesy of Northern Beaches Council)

The development proposal for a single dwelling house on the subject site would not, jeopardise the ability to meet the required dwelling density for the buffer area.

## Clause 7.1 | Acid sulfate soils

(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class 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.
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According to mapping below (NSW Planning Portal), the subject site is 95m away from adjacent Class 4 land.

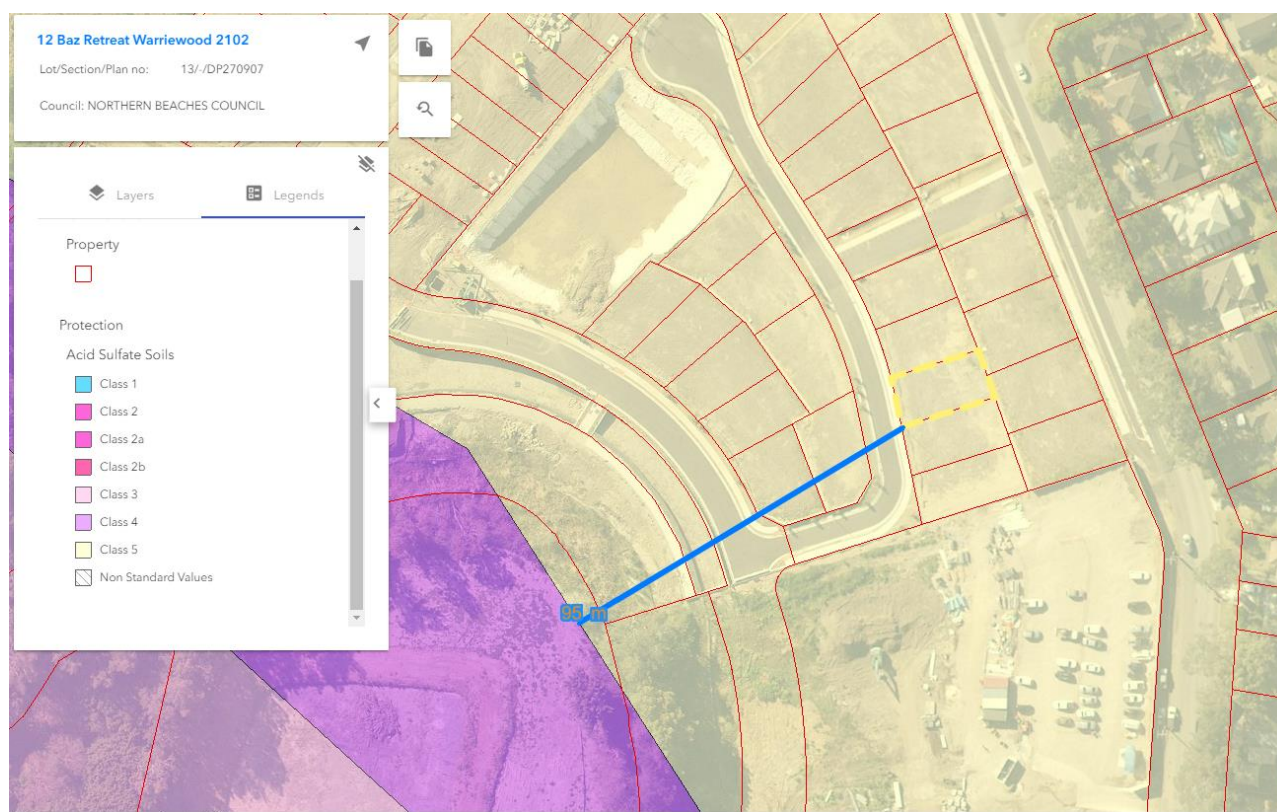


Image – Acid Sulphate Soils Map (courtesy of NSW Planning Portal)

However, the development proposal will not result in lowering the watertable below 1m AHD. Therefore, an acid sulfate soils management plan will not be required.

**Overall, the development proposal does not seek any exceptions to principal development standards.**

## Section 4.3 | Development Control Plans

The following Development Control Plans are applicable to the subject site and proposed works:

1. Pittwater 21 Development Control Plan (amendment no. 27 effective 18/01/2021).  
The parts relevant to the proposal are:
  - Section B – General Controls
  - Section C – Development Type Controls
  - Section D – Locality Specific Development Controls

In some instances, control compliance may be referenced to third party consultancy reports by qualified persons. Any such references are noted in the compliance table below.



Section 4.3.1 | DCP Compliance Table

Pittwater 21 Development Control Plan:

PROVISIONS	PROPOSED	COMPLIANCE
Section D – Locality Specific Development Controls		
D16 Warriewood Valley Locality		
D16.1 Character as viewed from a public place		
<i>Presentation to a public place</i>		
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 (such as roof forms, textures, materials, arrangement of windows, modulation, spatial separation, landscaping etc.) that are compatible with any design themes existing in the immediate vicinity. Blank facades that front public places are not supported.	The front façade, which faces Baz Retreat, is well presented to the public domain in that the dwelling house is appropriately proportioned and articulated, comprises of an aesthetically pleasing combination of building materials and finishes which provide architectural interest, provision of a feature portico to the front and centre of the structure and will be landscaped in accordance with a professionally designed landscape plan.	✓

<p>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:</p> <ul style="list-style-type: none"><li>• pedestrian entry feature including a footpath;</li><li>• awnings or other features over windows;</li><li>• front entry feature or portico that highlights the location of the front door;</li><li>• front feature balconies on upper floors; and</li><li>• gables, dormer windows or the like that provide architectural interest to the roof form, visible from the street.</li></ul>	<p>The design incorporates:</p> <ol style="list-style-type: none"><li>1. A pedestrian path,</li><li>2. A portico to highlight the main entry</li></ol>	<p>✓</p>
<p>Clear visual connection must be achieved between the public place and the front setback/front façade of the building.</p>	<p>The front setback will consist of plantings designed to allow visual connection between the front entry and street. The landscaping, as designed, will provide a soft interface between the public domain and the proposed structure.</p>	<p>✓</p>
<p>Walls without articulation shall not have a length greater than 8 metres to any street frontage.</p>	<p>The maximum wall length to the street frontage is 7.13m.</p>	<p>✓</p>
<p>The bulk and scale of buildings must be minimised.</p>	<p>The dwelling design achieves appropriate bulk and scale with use of vertical and horizontal articulation, reasonable internal room heights and a balance of cut and fill to provide a building platform.</p>	<p>✓</p>

<p>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.</p>	<p>The landscape design is provided by a landscape architect and is consistent with the control.</p>	<p>✓</p>
<p><i>Concealment of building plant or communications equipment, services and servicing areas</i></p>		
<p>General service facilities must be located underground or suitably concealed.</p> <p>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.</p> <p>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.</p> <p>The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement. Council does not encourage air conditioning units on the roof of development.</p>	<p>The subject site is part of a recent subdivision where services and infrastructure are modern installations, generally underground. Connections will be made in accordance with utility requirements and standards.</p> <p>The air conditioning unit will be positioned to the Northern side of the dwelling, concealed from public view.</p> <p>Garbage bins will be stowed in the Northern side setback area, and screened from street view.</p>	<p>✓</p>

<p>Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened from public view.</p> <p>Open and external storage areas, service/loading areas and garbage storage areas are to be screened from view from any public place and should not encroach on parking areas, driveways or landscaped areas.</p> <p>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.</p>		
<i>Parking structures presentation</i>		
<p>Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.</p>	<p>The proposed development includes integrated double garage setback behind the building line. The garage is subservient to the rest of the building and avoids dominance of the streetscape.</p>	✓
<i>Rear loaded lots and corner lots</i>		
<p>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.</p>	<p>Not applicable to the site.</p>	N/A



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 garage will have a zero lot setback to the Southern side. The subject site benefits from an adjacent 0.9m wide easement for access, construction & maintenance which allows for the proposed building to be sited in such a ways.	✓
Garage door widths are to be in accordance with the following:		
Lot characteristics: <ul style="list-style-type: none"><li>• Front loaded lots, and</li><li>• Lot width 12.5m or wider, and</li><li>• Double garage type</li></ul> Control – Width of garage door presented to the street ≤6m or not exceeding 40% of the lot width, whichever is less.	The garage door being 4.81m and 38.1% of the lot width, which complies with the numerical controls.	✓

Information to be included in the Statement of Environmental Effects		
<p>An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:</p> <ul style="list-style-type: none"><li>• compliments the desired future character of the Locality;</li><li>• has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)</li><li>• is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)</li><li>• does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)</li><li>• ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)</li><li>• provides access to public places and spaces which is clear and defined. (S)</li></ul>	<p>The character of the proposed development is as follows:</p> <ol style="list-style-type: none"><li>1. Being a two storey contemporary style dwelling house, the development will suit the locality particularly in the context of the recent subdivision that is within.</li><li>2. A professionally designed landscape plan will assist in softening the new built structure into the streetscape with the provision of soft landscaped areas to the majority of the front setback area.</li><li>3. The proposed development will be constructed by a well known and established licensed builder to ensure a high standard in quality.</li><li>4. The proposed building will be clear of easements and avoids natural hazards.</li><li>5. The dwelling house will be limited to two storeys and of minimised building height, complying with development standards and building height controls.</li><li>6. Carparking is provided with an integrated double garage positioned behind the building line.</li><li>7. Access to the site is provided with a direct driveway from the front boundary adjoining Baz Retreat.</li></ol>	<p>✓</p>

D16.5 Landscaped Area for Newly Created Individual Allotments		
Minimum Landscaped Area Requirements		
<p>The total landscaped area on individual allotments is to be in accordance with the following requirements:</p> <p>Dwellings on lots greater than or equal to 14m wide</p> <ul style="list-style-type: none"><li>• Minimum 45% of Site Area</li><li>• Minimum 4m dimension</li></ul>	Total landscaped area proposed will be 42.49%	✓
<p>General landscaping requirements include:</p> <ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• Basement car parking should be contained within the building footprint to maximise areas for deep soil planting.</li><li>• 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).</li><li>• Understorey plant species, in conjunction with the tree planting, are to screen 50% of the built form when viewed from</li></ul>	Refer to landscape plans provided	By landscape architect

<p>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.</p> <ul style="list-style-type: none"><li>• 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 &amp; 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.</li></ul>		
<p>On residential lots, landscaping provisions are to also address the following:</p> <ul style="list-style-type: none"><li>• for lots fronting Warriewood Road, Macpherson Street and Garden Street at least two canopy trees are to be provided within the front setback;</li><li>• all lots, except lots less than 20 metres depth, are to provide at least one small tree at the rear of the lot;</li><li>• all canopy trees are to achieve a canopy height greater than 12 metres at maturity to screen and soften the built form and provide a visually dominant tree canopy. Canopy trees shall be selected from the following list:<ul style="list-style-type: none"><li>○ Eucalyptus robusta;</li><li>○ Eucalyptus punctata;</li><li>○ Angophora costata; and</li><li>○ Angophora floribunda; and</li></ul></li></ul>	<p>Refer to landscape plans provided for details.</p>	<p>✓</p>



<ul style="list-style-type: none"><li>all small trees are to achieve a canopy height of 6 metres at maturity. Small canopy trees shall be selected from the following list:<ul style="list-style-type: none"><li>Acmena smithii ‘cultivars’;</li><li>Backhousia myrtifolia, Banksia serrata;</li><li>Banksia integrifolia;</li><li>Callitris rhombodea;</li><li>Ceratopetulum gummifera;</li><li>Hymenopsum flavum;</li><li>Syzygium paniculatum ‘cultivars’;</li><li>Tristaniopsis laurina; and</li><li>Livistona australis.</li></ul></li></ul>		
<i>Landscape Plan Preparation</i> <ul style="list-style-type: none"><li><i>Refer to Landscape Plans provided</i></li></ul>		
<b>D16.6 Front building lines</b>		
For all development, the following minimum front building lines shall apply: Residential Development:		
All development fronting Warriewood Road, Garden Street and Macpherson Street. <ul style="list-style-type: none"><li>Minimum front setback to articulation zone (metres) from front boundary – 5.0m</li><li>Minimum front setback to garage/carport (metres) from front boundary – 6.5m</li></ul>	Not applicable to the subject site.	N/A

<ul style="list-style-type: none"><li>Minimum front setback to dwelling (metres) from front boundary – 6.5m</li></ul>		
<p>All other dwellings but not Residential Flat Buildings or Multi Dwelling Housing fronting all other streets:</p> <ul style="list-style-type: none"><li>Minimum front setback to articulation zone (metres) from front boundary – 1.5m</li><li>Minimum front setback to garage/carport (metres) from front boundary – 4.0m</li><li>Minimum front setback to dwelling (metres) from front boundary – 3.0m*</li></ul> <p>* Where tandem carparking is proposed, the minimum front setback to the dwelling is to be 5.5m.</p>	<p>Articulation Zone element (Porch) – 2.84m</p> <p>Garage setback – 4.658m</p> <p>Dwelling setback – 3.031m</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<p>Variations to the applicable minimum front building line will be considered on merit for lots with a depth less than 22m. Support of the variation is dependent upon the applicant successfully demonstrating (in the Council’s opinion) that the relevant outcomes can be achieved notwithstanding the numerical non-compliance.</p>	<p>Not sought.</p>	<p>N/A</p>
<p><b>D16.7 Side and rear building lines</b></p>		
<p>The minimum side and rear building lines are subject to the incorporation of landscaping required under this DCP and adequate separation distances between buildings.</p>	<p>Refer to landscape plans provided.</p>	<p>✓</p>

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.	A greater setback under the circumstances of the subject site and proposed dwelling house is considered to be unnecessary in this instance.	N/A
The following minimum side building lines are to apply to the following residential development:		
<p>Housing Typology (based on lot width):</p> <ul style="list-style-type: none"><li>• Zero lot line dwelling 9 to 14m wide –<ul style="list-style-type: none"><li>○ One side: 0m at ground floor for a maximum wall length of 13m*.</li><li>○ The remaining portion of the ground floor dwelling is to setback 0.9m.</li><li>○ The upper level is to be setback 1.5m.</li><li>○ Other side: 0.9m</li></ul></li></ul> <p>*Excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above the garage.</p>	<p>Proposed side setbacks will be:</p> <p><u>Southern side</u></p> <ul style="list-style-type: none"><li>• Ground floor:<ul style="list-style-type: none"><li>○ 0.0m for wall length of 6.48m</li><li>○ 3.55m for remaining portion</li></ul></li><li>• First floor – 1.59m</li></ul> <p><u>Northern side</u></p> <ul style="list-style-type: none"><li>• Ground floor – 1.441m</li><li>• First floor – 1.591m</li></ul>	<div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div>

<i>The minimum rear building line for residential development, measured from the rear boundary is to be in accordance with the following:</i>		
Development: Front loaded lots greater than or equal to 20m deep.  Minimum rear building line in metres – <ul style="list-style-type: none"><li>• 4m to ground level</li><li>• 6m to upper level</li></ul>	Proposed rear setbacks will be: <ul style="list-style-type: none"><li>• Ground floor – 6.3m</li><li>• First floor – 6.45m</li></ul>	<div>✓</div> <div>✓</div>
<b>D16.9 Solar access</b>		
<i>Solar access received by the proposed residential development</i>		
Development: <ul style="list-style-type: none"><li>• Residential development not elsewhere defined in this table<ul style="list-style-type: none"><li>○ Minimum solar access to windows to the principal living area between 9am and 3pm on June 21 – 2 hours</li><li>○ Minimum solar access to private open space area* between 9am and 3pm on June 21 – 2 hours</li></ul></li></ul>	<p>The Dining and Living room have North facing windows in addition to Eastern and Western windows respectively.</p> <p>The majority of private open space (East) will have solar access during the morning and beyond midday. By 3pm, the POS area will be partially overshadowed by the development. The POS area will receive at least 2 hours solar access.</p>	<div>✓</div> <div>✓</div>

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 9am and 3pm during midwinter.	Solar collectors are not proposed under the application.	N/A
Sunshine to clothes drying areas is to be maximised.	The position of the clothes line in the rear yard will be sited to ensure maximum solar access.	✓
<i>Impact of proposed development on existing adjoining residential development</i>		
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 three (3) hours.	The adjoining properties are vacant.	N/A
Where an existing structure already impinges upon the solar access of an adjoining property to a greater degree than that specified, any new structures or modifications must maintain that existing solar access as a minimum. However, Council encourages new structures to reduce the solar impact onto adjoining properties.	Not applicable.	N/A
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.	<p>The adjoining property to the South will have solar access to at least 50% of the rear yard between 9am and 12pm on 21 June.</p> <p>The adjoining property to the North will be unaffected.</p>	<p>✓</p> <p>✓</p>



D16.10 Private and Communal Open Space Areas		
<p>The minimum private open space area and dimension are to be in accordance with the following:</p> <ul style="list-style-type: none"> <li>Development on lots between 9m and 14m wide not specified elsewhere in the table. <ul style="list-style-type: none"> <li>Minimum area of private open space (m<sup>2</sup>) – 20 sqm</li> <li>Minimum dimension of private open space in metres – 4m</li> </ul> </li> </ul>	<p>The development will allow for at least 81 sqm of private open space in the rear yard that will have minimum 4m dimensions.</p>	✓
<i>Design and siting of private open space areas</i>		
<p>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 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.</p>	<p>The POS area to the rear yard is accessible from the Dining room. The POS has an Eastern orientation and will receive ample solar access during winter.</p> <p>The POS area does not overlook adjoining properties.</p>	✓
<p>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.</p>	<p>The POS area will contain all the facilities listed.</p>	✓















The primary orientation of balconies is to be to 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 dwelling does not contain balconies.	N/A
For dwellings above ground, private open space is to be provided by balconies.	Not applicable.	N/A
For ground floor dwellings, private open space is to be provided as a terrace or garden.	The POS area is provided with a rear yard garden.	✓
Balconies adjacent to the rear boundary must be designed to limit overlooking and maintain privacy to adjoining residences.	The proposed dwelling does not contain balconies.	N/A
<i>Communal Open Space Area</i> <i>Not applicable to dwelling houses</i>		

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 Local Environmental Plan 2014 to minimise the site disturbance.	Not applicable to the site.	N/A
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 proposed cut retaining walls in the front setback area will be generally out of public view. The walls will be masonry.	✓
Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.	The dwelling design does not incorporate an undercroft.	N/A
In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.	A covered Alfresco area is provided to the rear/Southern side but will be close to existing ground level, requiring minimal cut/fill.	✓

D16.12 Fences		
In all cases, vegetation is preferable over fencing to delineate the property boundary.	The site is clear of vegetation due to recent subdivision.	✓
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.	No fencing proposed with the application.	N/A
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.	Not applicable.	N/A
Any fencing must: <ul style="list-style-type: none"> <li>• allow native animals to move between and to areas of environmental sensitivity and areas of habitat value;</li> <li>• enable casual surveillance from buildings for safety and surveillance;</li> <li>• assist in highlighting entrances and in creating a sense of community identity;</li> <li>• be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas; and</li> <li>• complement any facilities and landscaping in public areas.</li> </ul>	No fencing proposed with the application.	N/A

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.	No fencing proposed with the application.	N/A
Where residential lots front/face/about Macpherson, Garden and Orchard Streets, and Warriewood Road, dwelling frontages, pedestrian access and postal addresses must to be maintained to these roads. Corner lots are exempt from this requirement, where applicable	Not applicable to the subject site.	N/A
Fencing resulting in walled or gated communities is not permitted.	Not applicable.	N/A



D16.13 Building colours and materials		
<p>D16.13 Building colours and materials:</p> <div><div><div><div>Black ✓</div><div>Dark grey ✓</div><div>Dark green ✓</div></div><div><div>Dark brown ✓</div><div>Mid grey ✓</div><div>Green ✓</div></div><div><div>Brown ✓</div><div>Dark blue ✓</div></div></div><p>White, light coloured, red or orange roofs and walls are not permitted.</p><div><div><div><div>White ✗</div><div>Light blue ✗</div><div>Red ✗</div></div><div><div>Orange ✗</div><div>Light grey ✗</div><div>Beige ✗</div></div></div></div></div>	<p>Refer to Schedule of External Colours and Finishes provided.</p> <p>It is noted that the developer has endorsed the colour scheme selection which is also included with the application documentation.</p>	<p>Refer to colour schedule provided</p>
<p>Finishes are to be of a low reflectivity.</p>	<p>No highly reflective materials will be used.</p>	<p>✓</p>
<p>Limited use of corporate colours may be permitted for non-residential development, and within Business Park and Light Industrial zoned land.</p>	<p>Not applicable.</p>	<p>N/A</p>

PROVISIONS	PROPOSED	COMPLIANCE
Section B – General Controls		
B1 Heritage Controls Not Applicable		
B2 Density Controls		
B2.5 Dwelling Density and Subdivision - Medium Density Residential		
Medium density housing must not be carried out unless the street frontage is greater than or equal to one third of the length of the longest side boundary.	Not applicable.	N/A
The re-subdivision of individual or groups of dwellings subsequent to development consent may be carried out by any method of subdivision including Strata Subdivision, Community Title Subdivision, or Torrens Title Subdivision. Parking spaces, loading bays, and space for any other purpose forming a part of a sole occupancy unit are to be allocated to the dwelling. Landscaped areas, access areas and signage not forming part of an individual dwelling must be included as common property.	Not applicable.	N/A

<div>B3 Hazard Controls</div> <div>Not applicable to the site</div>
<div>B4 Controls Relating to the Natural Environment</div> <div>Not applicable to the site</div>
<div>B5 Water Management</div> <div>Refer to stormwater management design provided by consultant engineer</div>
<div>B6 Access and Parking</div>
<div>B6.1 Access driveways and Works on the Public Road Reserve</div> <div>Not applicable to the Warriewood Valley Locality</div>
<div>B6.2 Internal Driveways</div> <div>Not applicable to the Warriewood Valley Locality</div>

B6.3 Off-Street Vehicle Parking Requirements		
<p>The minimum number of vehicle parking spaces to be provided for off-street parking is as follows:</p> <ul style="list-style-type: none"><li>• Number of bedrooms per dwelling but not a secondary dwelling<ul style="list-style-type: none"><li>○ 2 bedrooms or more – 2 spaces</li></ul></li></ul>	<p>2 carparking spaces are provided with the integrated double garage.</p>	<p>✓</p>
<p>Minimum dimensions of internal space for on-site parking are:</p> <ul style="list-style-type: none"><li>• Enclosed garage (internal dimension) - 3.0 metre x 6.0 metre, with 2.4 metre minimum width entry</li></ul>	<p>The garage will have internal dimensions of:</p> <ul style="list-style-type: none"><li>• 5.5m width</li><li>• 6.0m depth</li><li>• 4.81m entry width</li></ul>	<p>✓ ✓ ✓</p>
<p>The maximum cross-fall in any direction for an open car parking space is 1:20 (V:H).</p>	<p>Not applicable.</p>	<p>N/A</p>
<p>B6.5 Access Driveways and Works on Road Reserves on or Adjacent to a Main Road</p> <p>Not applicable to the Warriewood Valley Locality</p>		
<p>B6.6 On-Street Parking Facilities</p> <p>Not applicable to the Warriewood Valley Locality</p>		

B6.7 Transport and Traffic Management Not applicable to the Warriewood Valley Locality		
B6.8 Access Driveways and Works on the Public Road Reserves on or Adjacent to a Commercial Centre Primary Road Not applicable to the site		
B6.11 Access Driveways, Internal Driveway and Off Street Parking Requirements - Dwelling House - Scotland Island Not applicable to the site		
B8 Site Works Management		
B8.1 Construction and Demolition - Excavation and Landfill		
Excavation and landfill on any site that includes the following: <ul style="list-style-type: none"><li>• Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;</li><li>• Any excavation greater than 1.5 metres deep below the existing surface;</li><li>• Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;</li><li>• Any landfill greater than 1.0 metres in height; and/or</li></ul>	Excavation is limited to a maximum of 0.54m and will not impact any trees.  Landfill is limited to a maximum of 0.317m in height and will be contained within the development footprint.  The proposed earthworks will not affect geotechnical processes.	✓



<ul style="list-style-type: none"><li>Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.</li></ul>		
B8.2 Construction and Demolition - Erosion and Sediment Management Refer to Erosion and Sedimentation Control Plans provided.		
B8.3 Construction and Demolition - Waste Minimisation Refer to Waste Management Plan provided		
B8.4 Construction and Demolition - Site Fencing and Security Per Council conditions		
B8.5 Construction and Demolition - Works in the Public Domain Per Council conditions		
B8.6 Construction and Demolition - Traffic Management Plan Per Council conditions		

PROVISIONS	PROPOSED	COMPLIANCE
Section C – Development Type Controls		
C1 Design Criteria for Residential Development		
C1.1 Landscaping Not applicable to the Warriewood Valley Land Release Area		
C1.2 Safety and Security Not applicable to the Warriewood Valley Locality		
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 proposed development will not unreasonably obstruct significant views 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.	View sharing principles are generally achieved through the design.	✓

Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.	The proposed structure will not unreasonably obstruct significant views.	✓
Views are not to be obtained at the expense of native vegetation.	The site is clear of vegetation.	✓
C1.4 Solar Access Not applicable to the Warriewood Valley Land Release Area		
C1.5 Visual Privacy Not applicable to the Warriewood Valley Land Release Area		
C1.6 Acoustic Privacy Not applicable to the Warriewood Valley Land Release Area		
C1.7 Private Open Space Not applicable to the Warriewood Valley Land Release Area		
C1.8 Dual Occupancy Specific Controls Not applicable		

C1.9 Adaptable Housing and Accessibility Not applicable		
C1.10 Building Facades Not applicable to the Warriewood Valley Locality		
C1.11 Secondary Dwellings and Rural Worker's Dwellings Not applicable		
C1.12 Waste and Recycling Facilities		
All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan	A Waste Management Plan is provided with the development application and is consistent with the guidelines.	✓
C1.13 Pollution Control		
Residential development must be designed, constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.  Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.	A well experienced and licensed builder will be appointed as the principal contractor and construction phase conditions will be adhered to.	✓

C1.14 Separately Accessible Structures		
A separately accessible structure may be permitted for use as a studio, home office, workshop area, rumpus room and the like, provided that:  1. it is ancillary to a dwelling; 2. it is not designed for separate habitation and does not contain any cooking facilities.	Not proposed.	N/A
Where the purpose of the structure or its distance from the nearest bathroom facility dictates, bathroom/toilet facilities may be allowed.	Not applicable.	N/A
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.	Storage cupboards are incorporated into the design and include linen cupboards and wardrobes. The double garage could also be utilised for storage.	✓
C1.16 Development ancillary to residential accommodation - Tennis Courts Not proposed		

C1.17 Swimming Pool Safety Not proposed		
C1.18 Car/Vehicle/Boat Wash Bays Not applicable to dwelling houses		
C1.19 Incline Passenger Lifts and Stairways Not proposed		
C1.20 Undergrounding of Utility Services Not applicable to the Warriewood Valley Locality		
C1.21 Seniors Housing Not applicable		
C1.23 Eaves		
Dwellings shall incorporate eaves on all elevations.  Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.	600mm eaves will be provided on all elevations.	✓



C1.24 Public Road Reserve - Landscaping and Infrastructure  
Not applicable to the Warriewood Valley land release area

C1.25 Plant, Equipment Boxes and Lift Over-Run  
Not applicable to the Warriewood Valley Locality

C6 Design Criteria for Warriewood Valley Release Area

This part contains criteria for development of land in the Warriewood Land Release Area.

In recognition of the fragmented landownership, Warriewood Valley was divided into 'development' sectors to ensure orderly and coordinated development of land and infrastructure (see Urban Release Area Map in the Pittwater Local Environmental Plan 2014). For this reason, controls were developed specifically for sector development/subdivision including the requirement that each sector develop a masterplan. The recently adopted Warriewood Valley Strategic Review 2012 recommended relinquishing the 'sector by sector' approach to advance development in Warriewood Valley and allow individual land parcels to develop separately.

Where a sector has been rezoned and there is no approved sector masterplan, Council may develop additional controls that specifically apply to land in that sector. These additional controls must be read in conjunction with all other controls relevant to the development of a sector, buffer area or development sites in this DCP.

(Note: Controls relating to development on newly created allotments are in Part D16 of this DCP).

## Section 4.3.2 | DCP Variations

One or more variations to controls within a Development Control Plan may be sought for the proposed development.

Citation:

s3.42 of Environmental Planning and Assessment Act 1979 provides -

### 3.42 Purpose and status of development control plans

- (1) *The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*
  - (a) *giving effect to the aims of any environmental planning instrument that applies to the development,*
  - (b) *facilitating development that is permissible under any such instrument,*
  - (c) *achieving the objectives of land zones under any such instrument.*

*The provisions of a development control plan made for that purpose are not statutory requirements.*

- (2) *The other purpose of a development control plan is to make provisions of the kind referred to in section 3.43 (1) (b)–(e).*
- (3) *Subsection (1) does not affect any requirement under Division 4.5 in relation to complying development.*

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The following variations to the Development Control Plan/s are sought:

- No significant variations are sought under the development proposal.

## **Section 4.4 | Likely Impacts of the Proposed Development**

Likely impacts of the proposed development are considered in respect to Natural & Built Environments and Social & Economic in the Locality below.

### **Section 4.4.1 | Impacts on Natural and Built Environments**

The subject site does not contain trees.

The proposed works will involve minor earthworks that will have minor impact on the geotechnics of the site.

Use of the dwelling house, will have no adverse impact on the local or regional air and water quality.

It is therefore considered that the proposed dwelling house will have no adverse impacts on the natural environment at site or within the locality.

The proposal will not have a significant adverse impact on the level of privacy and solar access to adjoining residential development.

The immediate locality is part of a recent subdivision where contemporary style development is likely. The size and shape of the proposal reflects the scale and desired character of the locality.

The traffic generated by the development will have no negative impact on the capacity of the current road network.

The proposed development will have no adverse impact on the built environment.

For reasons above, the proposed development is considered low impact in terms of impacts to natural and built environments.

### **Section 4.4.2 | Social and Economic Impacts in the Locality**

It is considered the proposed works will have no significant adverse social impact to the locality in that casual surveillance of the street will be made available. The development will be immediately occupied upon completion of construction.

Undertaking the construction works will have some short term positive economic impacts through employment generation, both direct employment and sub contractual multiplier effects. Accordingly, it is considered that the proposed development is likely to have only positive economic impacts in the locality.

## Section 4.5 | Suitability of the Site for the Development

### Access to services:

The site has full and present access to electricity, sewerage, water supply and telecommunications.

### Parking and access:

Vehicular access to the site is available via driveway from the adjoining road. The development proposal will provide for safe, convenient parking and vehicular access.

### Hazards:

There are no known hazards at the site.

## Section 4.6 | Submissions

It is expected surrounding neighbours will be notified in accordance with Council's Notification Policy.

Should objections be received it is common practice for Council to enable or allow mediation in order to resolve any issues. Our firm is very responsive to genuine concerns of nearby property owners and is willing to work with all concerned parties to work through a sensible solution to enable progress but not at the unreasonable expense of neighbouring properties.

## Section 4.7 | The Public Interest

The proposed development will achieve the desired residential streetscape character. Visual and acoustic privacy to neighbours will be preserved.

The proposal is in the interest of the public in terms of providing a reasonable residential development within the locality.

Public interest will be considered when assessing any submissions made in relation to the proposal.

## SECTION 5 | Conclusion

The proposed development is permissible with consent and is compliant with development standards under relevant Environmental Planning Instruments. The development is consistent with the planning objectives under the LEP.

Compliance has been demonstrated with relevant controls as outlined in development controls and guidelines for Pittwater 21 DCP.

The proposed development has been designed to ensure its size and scale compliments the existing and desired future character of the area without having an adverse impact on the amenity to neighbouring properties.

The application has been assessed against Section 4.15 of the Act and it is considered that the relevant requirements are satisfied.