



STATEMENT OF ENVIRONMENTAL EFFECTS REPORT

**Subdivision of two (2) Lots into four (4) Lots with associated driveway construction
and construction of four (4) x two (2) storey dwelling houses on each proposed Lot**

No. 12 & 14 Gladys Avenue, Frenchs Forest

August 2022

CONTENTS

1.0 INTRODUCTION	3
2.0 SITE DETAILS.....	4
2.1 SITE LOCATION.....	4
2.2 SITE DESCRIPTION.....	4
2.3 SITE CONTEXT	6
3.0 PROPOSED DEVELOPMENT	10
4.0 PLANNING CONSIDERATIONS.....	13
4.1 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021.....	13
4.2 STATE ENVIRONMENTAL PLANNING POLICY (BASIX) 2004.....	13
4.3 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021	13
4.4 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)	14
4.5 WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)	15
4.6 NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2022.....	24
5.0 SECTION 4.15 (79C)-ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.	26
6.0 CONCLUSION	29

1.0 INTRODUCTION & BACKGROUND

1.1 Introduction

Metro Planning Services has been engaged by Mr Jack Zhang to prepare a Statement of Environmental Effects Report (SEE) in support of a proposed torrens title subdivision of two (2) Lots into four (4) Lots with associated driveway and construction of four (4) dwelling houses on each resultant Lot on a site located at No. 12 & 14 Gladys Avenue, Frenchs Forest.

The site is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011 (WLEP 2011) and the subdivision and proposed dwellings are permissible with consent. Most notable, the proposed lot sizes of Lot 1: 866.1m², Lot 2: 1,498m², Lot 3: 1,584m² and Lot 4: 757.3m² comply with the minimum mapped allotment size requirement of 600m², excluding area of access handle, under Clause 4.1 of WLEP 2011.

The proposed driveway ranges in width from 3.5m to 5.5m and also includes stormwater management measures, including OSD and provision of waste bin collection area.

The proposed dwellings on each proposed lot are all freestanding and are 2 storey construction and obtain access via the proposed driveway.

The proposed pattern of subdivision, and each resultant dwelling are generally consistent with the relevant controls of Warringah Development Control Plan 2011.

The report is intended to assist Northern Beaches Council in its assessment of the development application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations;
- Consideration of relevant environmental effects; and
- S4.15-Matters for Consideration under EP & A Act

The report should be read in conjunction with the following supporting material:

- Survey Plan prepared by NGENO Surveys;
- Subdivision Plan prepared by Simon Pak Yan Ho;
- Draft 88B Instrument & positive covenant (waste bin collection);
- Architectural Plans prepared by RK Designs (Lots 1, 3 and 4);
- Architectural Plans prepared by NKP Architecture (Lot 2);
- Basix Certificates for lots 1, 3 and 4 prepared by RK Designs;
- Basix Certificate for lot 1 prepared by Enviiro;
- Concept Landscape Plan prepared by Apex Studio Landscape Architecture & Urban Design;

- Pool Demolition Plan prepared by Civil & Structural Engineering Design Services Pty Ltd;
- Demolition plan prepared by RK Designs;
- Stormwater System Assessment Report prepared by Nastasi & Associates;
- Stormwater Management Concept Plan prepared by JCO Consultants;
- WSUD Strategy report prepared by JCO Consultants;
- Driveway design plans prepared by The Traffic Plans Company;
- Excavation & Fill Plan prepared by RK Designs;
- Geotechnical Report prepared by White Geotechnical Group
- Arborist Report prepared by Hugh The Arborist Pty Ltd;
- Waste Management Plan prepared by RK Designs;
- Owners Consent from subject landowners;
- Owners Consent from down stream property to drain stormwater (29 Bluegum Crescent);
- Quantity Surveyor Report prepared by GHQS

1.2 Background

Our client presented a six (6) lot torrens title subdivision of the site to the Northern Beaches Council Pre DA meeting in January 2022. Council officers advised by way of minutes dated 11 January 2022 that it could not support a six (6) lot subdivision and recommended a reduction in the number of lots along with consideration to the construction of dwellings as part of the proposal. Refer comments below from Council minutes:

“Subdivision of the two properties into 6 lots is not supported by Council due to the impacts on the rock escarpment, problematic construction and ongoing site access (pedestrian and vehicular) and stormwater disposal, as well as the height, bulk and scale of the proposal and impacts on surrounding residential amenity.

It is advised that a suitable and appropriate proposal would be for 3 to 4 lots maximum, with very limited development on the steeper portions of the site and below the rock escarpment (potentially one lot only, subject to a strong and compelling case and site sensitive design). It is highly recommended that a combined DA only be lodged for subdivision and construction of dwellings (see Parrot v Kiama Council – 2004 NSWLEC 77).”

Our client later presented an amended four (4) lot subdivision of the site to the Northern Beaches Council Pre DA meeting dated 9 June 2022 which also included an architectural design for a proposed dwelling on the most constrained lot 2 in the subdivision which encapsulates a natural rock outcrop and ledge located in the lower northern portion of the site. Council Officers advised that the amended four (4) lot subdivision and proposed dwelling design on lot 2 was supported based on the site constraints. Refer to summary of comments below:

“The proposal under the current PLM2022/0106 has reduced the proposed development to four (4) lots and proposes only one (1) lot below the escarpment. The applicant has advised they intend to lodge the

application for both subdivision and dwellings upon each lot. The proposal also includes demolition of the existing dwelling on the site, which frees up the subdivision layout to achieve an optimal layout of the site.

The latest four (4) lot proposal takes on board Council's feedback with regards to the subdivision layout and the proposed subdivision layout is considered acceptable based on the site constraints."

2.0 SITE DETAILS

The following details of the site's locational and physical characteristics are provided to assist Council in the assessment of the development application.

2.1 Site Location

The subject land is located at No. 12 & 14 Gladys Avenue, Frenchs Forest as identified in **Figure 1**.

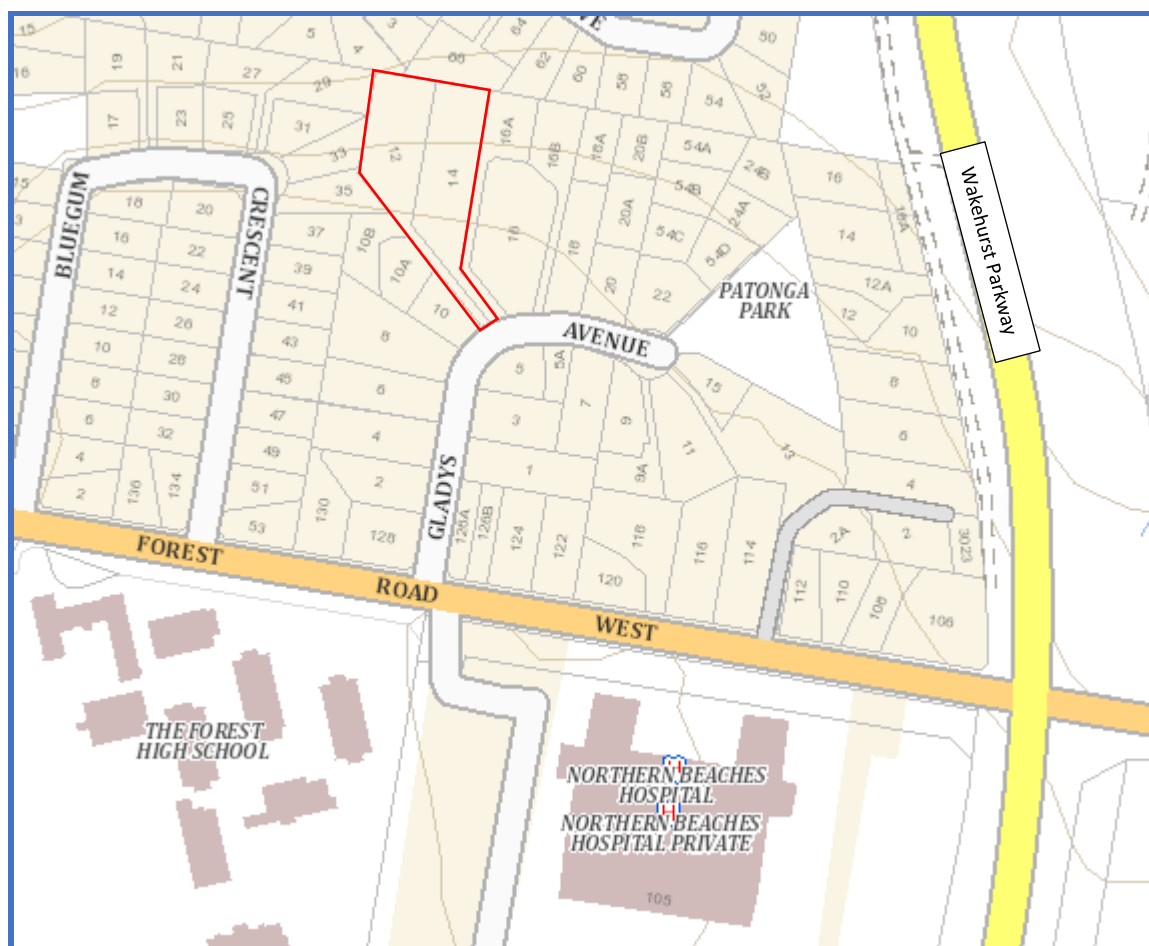


Figure 1-Site Locality Plan

2.2 Site Description

The subject land comprises of two (2) allotments legally known as Lots A and B in DP 393276 and are more commonly known as Nos.12 and 14 Gladys Avenue, Frenchs Forest.

No. 12 Gladys Avenue is currently occupied by a single storey dwelling house and swimming pool. The site has a total area of 2,262m². The site is irregular in shape and accessed via Gladys Avenue. The site does not have a typical street frontage as it is akin to a battle-axe style allotment.

The site has a fall of approximately 20m from the front of the site to the rear and contains a significant rock escarpment and dense bush toward the rear.

No. 14 Gladys Avenue is currently occupied by a two storey dwelling house with a free standing carport and swimming pool. A secondary dwelling is also located toward the rear of the site. The site has an area

of 2,442m². The site is irregular in shape and accessed via Gladys Avenue. The site does not have a typical street frontage as it is akin to a battle-axe style allotment.

The site has a fall of approximately 19m from the front of the site to the rear and contains a significant rock escarpment and dense bush toward the rear.

Figure 2 provides an aerial depiction of the site.



Figure 2-Aerial view of site



Figure 3-Detailed survey plan

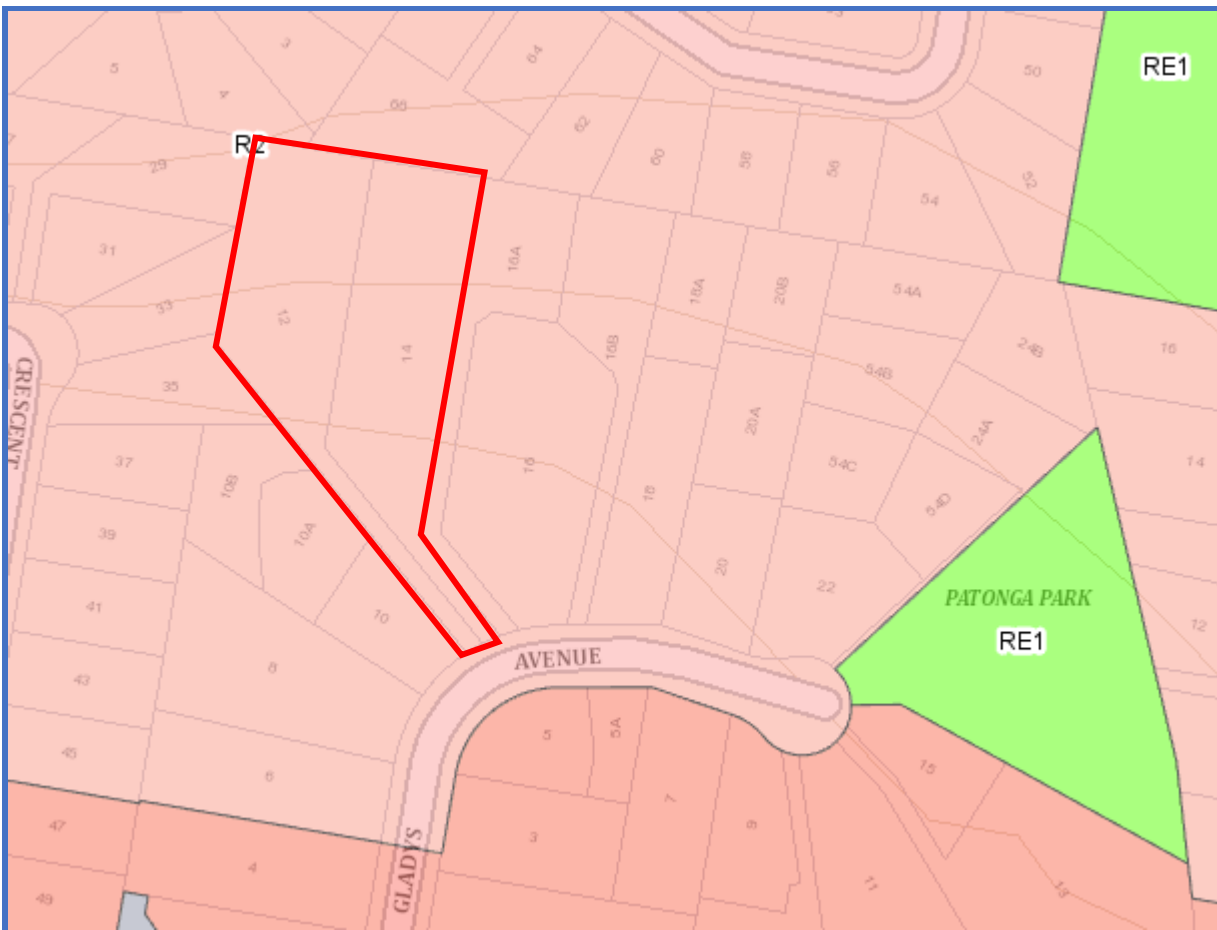


Figure 4-R2 Zoning of site

2.3 Site Context

This site is located within a low-density residential area comprising a mixture of single and two storey detached dwellings on battle-axe style allotments. The Forest High School and the Northern Beaches Hospital are located approximately 250m south of the subject sites.

3.0 PROPOSED DEVELOPMENT

The development application seeks consent for the subdivision of two (2) Lots into four (4) Lots and construction of four (4) dwelling houses on each resultant Lot on a site described as No. 12 & 14 Gladys Avenue, Frenchs Forest. Specifically, the proposal comprises of the following:

Staged demolition

The proposal includes the staged demolition of all existing structures on each site

- Delayed demolition of existing house on proposed Lot 1 until determination of a Construction Certificate for new dwelling on proposed lot 1 given the existing dwelling is fully contained inside the boundaries of proposed Lot 1.
- Delayed demolition of existing secondary dwelling on proposed Lot 3 until determination of a Construction Certificate for new dwelling on proposed Lot 3 given the existing dwelling is fully contained inside the boundaries of proposed Lot 3.
- Delayed construction of entry driveway to each proposed dwelling and OSD on each lot until determination of a Construction Certificate for each proposed new dwelling. Only the common driveway and common OSD will be constructed at the subdivision stage.
- Delayed demolition of existing dwelling, excluding garage on proposed Lot 4 until a Construction Certificate for new dwelling on proposed Lot 4 is determined.
- Delayed demolition of swimming pool in lot 3 until determination of a Construction Certificate for new dwelling on proposed Lot 3 given the pool is fully contained inside the boundaries of proposed Lot 3.

Tree Removal

The proposal requires the removal of approximately twenty-three (23) trees which are primarily located within the proposed building platform, and driveway access to each dwelling.

Subdivision

This application proposes the subdivision of the existing two (2) Lots into four (4) Lots comprising of the following:

Proposed Lot	Proposed Lot Size
Lot 1	866.1m ² (731.7m ² excluding access handle)
Lot 2	1,498m ² (1258m ² excluding access handle)
Lot 3	1,584m ² (1330m ² excluding access handle)
Lot 4	757.30m ² (686.8m ² excluding access handle)

Each proposed lot complies with minimum lot size requirement of 600m², excluding area of driveway, under Clause 4.1 of Warringah Local Environmental Plan 2011.

The subdivision involves the construction of a variable width concrete driveway and associated stormwater management controls as detailed on the subdivision plan and driveway design plans prepared by The Traffic Plans Company. The subdivision also involves the dedication and construction of a designated bin storage enclosure at the frontage of the site to Gladys Avenue as identified on the plan of subdivision.

The proposed subdivision is proposed to be landscaped in accordance with the landscape plan prepared by Apex Studio Landscape Architecture & Urban Design to minimise the visual impact of the hardstand driveway area and associated retaining walls.

The proposed subdivision is supported by a detailed Stormwater System Assessment Report prepared by Nastasi & Associates, Stormwater Management Concept Plan prepared by JCO Consultants and WSUD Strategy report prepared by JCO Consultants which illustrate how stormwater is proposed to be managed on site in accordance with Council requirements. We note that the proposal is also supported by correspondence from the downstream property owner at No.29 Bluegum Crescent agreeing to the creation of a stormwater easement across their property.

Dwelling Houses

It is proposed to construct a two (2) storey dwelling house on proposed Lots 1, 3 and 4 and a two (2) storey + lower ground level rumpas room on proposed Lot 2. Specifically, the following is proposed:

Proposed Lot 1

It is proposed to construct a two (2) storey dwelling house comprising of the following floor layout:

Ground Floor

- Double garage, kitchen, laundry, guest bedroom and bathroom.

First Floor

- Master bedroom with ensuite, bedrooms 2, 3 (with ensuite) and 4, bathroom, living area, media room and study nook.

The proposed dwelling has a GFA of 387.8m² and a maximum building height of 7.7m.

The dwelling is proposed to have a primary front setback of 5.8m, a rear boundary setback of 7.7m, northern side boundary setback of 6m and southern side boundary setback of 2.1m.

Proposed Lot 2

Ground Floor

- Guest bedroom with ensuite and living room and terrace.

First Floor

- Master bedroom with ensuite, bedrooms 1 (with ensuite), 2 and 3, bathroom, laundry and balcony.

Second Floor

- Living, dining, kitchen, study, bathroom and balcony.

The proposed split-level dwelling has a GFA of 370.8m² and maximum height of 8.5m.

The dwelling is proposed to have a rear northern boundary setback of 18m, eastern side boundary setback of 6.195m, western side boundary of 6.0m and southern side boundary setback of 5.2m. In addition, the garage has a front set back of 2m and south side setback of 0.9m.

Proposed Lot 3

Ground Floor

- Double garage, kitchen, laundry, living, dining, guest bedroom and bathroom.

First Floor

- Master bedroom with ensuite, bedrooms 2 (with ensuite), 3 and 4, bathroom and living area.

The proposed dwelling has a GFA of 388.7m² and a maximum height of 8.4m.

The dwelling is proposed to have a western side setback of 3.4m, eastern side boundary setback of 2.94m, northern rear boundary setback of 29.40m and southern side boundary setback of 6.29m.

Proposed Lot 4

Ground Floor

- Double garage, open plan kitchen, living and dining, laundry, guest bedroom, bathroom and patio.

First Floor

- Master bedroom with ensuite, bedrooms 2, 3 and 4, bathroom, living area and study nook.

The proposed dwelling has a GFA of 373.6m² and maximum height of 8.5m.

The dwelling is proposed to have a southern side setback of 3.5m, a rear boundary setback of 6.2m, eastern side boundary setback of 2.8m and western side boundary setback of 3.2m.

Each proposed dwelling comprises conventional designs that are proposed to be constructed of rendered brick veneer with a colorbond roof.

The proposal requires the removal of approximately 23 trees as outlined in the Arborist Report prepared by Hugh The Arborist Pty Ltd.

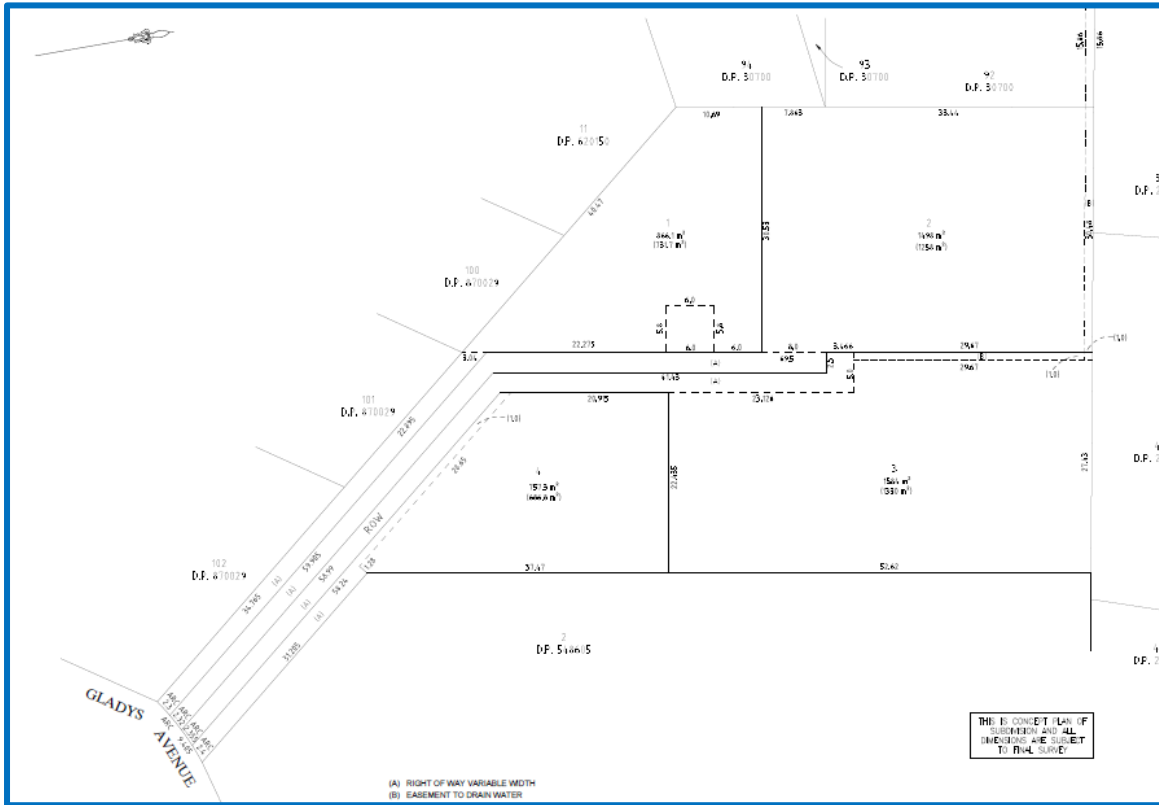


Figure 6 -Plan of subdivision

4.0 PLANNING CONSIDERATIONS

4.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in Non-Rural Areas

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the site. The aims of the plan are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of the non-rural areas of the State through the preservation of trees and other vegetation.

The application proposes the removal of approximately twenty-three (23) trees on the site all of which are located within the proposed building footprint and driveway location.

It is considered that the removal of twenty-three (23) trees on site will not have an adverse impact of the ecological, heritage, aesthetic and cultural significance of the area. The removal of the trees is supported by an Arborist Report prepared by Hugh The Arborist Pty Ltd.

The proposed replacement plantings detailed on the Concept Landscape Plan prepared by Apex Studio Landscape Architecture & Urban Design will ensure that the development will not result in an unacceptable loss of amenity values or finite natural resources. The development as a whole will positively contribute to ensuring a sustainable urban forest canopy on the site.

4.2 State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004

A BASIX Certificate is submitted with the development application. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal.

4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

The requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The site is not identified in Council's records as being contaminated. A site inspection reveals the site does not have an obvious history of a previous non-residential land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated.

Clause 4.6 of the SEPP requires that the consent authority must consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use. In considering this matter it is noted:

- The site is not identified in Council's records as being contaminated.

Therefore, in accordance with Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the land is suitable for the proposed development residential subdivision and dwellings.

4.4 Warringah Local Environmental Plan 2011 (WLEP 2011)

The subject land is zoned R2 Low Density Residential under the provisions of Warringah LEP 2011 and the proposal is permissible with the consent of Council. An assessment of the proposal with relevant clauses of WLEP 2011 is addressed below in **Table 1**

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)		
Clause	Comment	Compliance
1.0-PRELIMINARY		
1.2 Aims of Plan	Proposal consistent with aims of the plan.	Yes
2.0-PERMITTED OR PROHIBITED DEVELOPMENT		
2.1 Land use Zones	The site is zoned R2 Low Density Residential.	Yes
2.3 Zone Objectives R2 Low Density Residential zone	Each proposed dwelling is compatible with the surrounding low density residential environment. Each proposed dwelling has been sensitively designed regarding scale, bulk and form, high quality composition of building elements, textures, materials, landscaping and colours, which respond to the setting and will contribute positively to the low density residential character of the area.	Yes
2.6 Subdivision-Consent Requirements	Consent sought for the proposed subdivision under Clause 2.6.	Yes
2.7 Demolition requires consent	Consent is sought for demolition of the two (2) existing dwellings, associated structures and swimming pools.	Yes
4.0-PRINCIPAL DEVELOPMENT STANDARDS		
4.1 Minimum Subdivision Lot Size 600m ²	Lot 1: 866.1m ² Lot 2: 1,498m ² Lot 3: 1,584m ² Lot 4: 757.3m ²	Yes
4.3 Height of Building 8.5m	Lot 1: 7.3m Lot 2: 8.5m Lot 3: 5.5m Lot 4: 8.5m	Yes
4.4 Floor Space Ratio	Site not mapped with an FSR requirement.	Yes
5.0-MISCELLANEOUS PROVISIONS		
5.9 Preservation of trees and vegetation	Repealed.	Yes
5.10 Heritage Conservation	The site does not contain any European heritage items and not in the vicinity of surrounding heritage items or in a heritage conservation area.	Yes
5.21 Flood Planning	The site is not mapped as flood prone land.	Yes

6.0-ADDITIONAL LOCAL PROVISIONS		
6.1 Acid Sulfate Soils	The site is not mapped with high level acid sulphate soils.	Yes
6.2 Earthworks	<p>Associated earthworks to create a level building platform and enable the construction of the car park are proposed.</p> <p>The scale and location of the proposed earthworks will not adversely affect the visual quality and amenity values of the site given the earthworks are localised to the vicinity of the site and are largely required to create a foundation for building works, access and the proposed car parking. The proposed earthworks will not change the line of the landscape.</p> <p>In addition, adequate sediment and erosion control measures are proposed as part of this development as are supporting conditions.</p> <p>The proposed earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	Yes
6.4 Development on sloping land	<p>The site is generally mapped as Area A – Slope Less than 5 degrees, however, a portion of the land in which Proposed Lot 2 is located is mapped Area C – Slopes more than 25 degrees.</p> <p>As such a preliminary Geotech soil classification report prepared by White Geotechnical Group is submitted in support of the proposal. The report concludes that the site is suitable for the proposed development, and further notes the following:</p> <p><i>No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.</i></p> <p>The report further concludes that, with regard to proposed stormwater runoff:</p> <p><i>The fall is away from the street. The stormwater plans show that the stormwater from the proposed development will be piped to an easement via OSD tanks. We consider this suitable.</i></p> <p>As such it is considered that the proposed development has been designed to avoid significant adverse impacts on development and properties in the vicinity of the subject site which may result from landslides, further, it is also considered that any resultant impacts from stormwater runoff have been minimised.</p>	Yes

6.5 Coastline hazards	The site is not mapped in an area of coastline hazard.	Yes
------------------------------	--------------------------------------------------------	-----

Table 1-Warringah LEP 2011

4.5 Warringah Development Control Plan 2011

The proposed subdivision and dwellings have been designed in accordance with Warringah Development Control Plan 2011. A compliance table of relevant controls under Warringah DCP 2011 is contained in **Table 2** below.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROLS	REQUIRED	PROVIDED	COMPLIANCE
PART B –BUILT FORM CONTROLS			
B1 Wall Heights	7.2m	Lot 1: 7.7m Lot 2: 7.15m Lot 3: 6m Lot 4: 6m	Yes: Lots 2, 3 and 4 No: Lot 1 (See comment below)
B2 No of Stories	N/A	N/A	N/A
B3 Side Boundary envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment.	The proposed eaves, gutters and downpipes of each dwelling do not infringe upon the 45 degrees control as the dwellings have been designed to be setback far enough from the adjoining side boundaries.	Yes
B4 Site Coverage	N/A	N/A	N/A
B5 Side Boundary setbacks	0.9m	Lot 1: North: 6m / South: 2.1m Lot 2: West is 6m; South is 0.9m for garage & 5.2m for dwelling. Lot 3: East: 2.94m / South: 6.2m Lot 4: East: 2.8 / West: 3.2m	Yes
B6 Merit assessment of side boundary setbacks	N/A	N/A	N/A
B7 Front Boundary setbacks	Primary-6.5m	All lots are battle-axe and don't have a front setback requirement. Given the subject site is a battle-axe style development, achieving numerical compliance with this control is considered unnecessary. As such, a merit	Yes

		<p>assessment has been undertaken.</p> <p>Each proposed dwelling is considered to be setback appropriately from the front boundary (ie, access driveway). Each dwelling is capable of providing opportunities for deep soil landscape areas, and casual surveillance of the access driveway.</p> <p>The proposed setbacks are sufficient in ensuring the amenity of all surrounding properties will be maintained.</p>	
B9 Rear boundary setback	6.0m	<p>Lot 1: 7.7m</p> <p>Lot 2: 18m</p> <p>Lot 3: 20m</p> <p>Lot 4: 6.2m</p>	Yes
B10 Merit assessment of rear setbacks	N/A	N/A	N/A
B11 Foreshore Building Setback	N/A	N/A	N/A
B12 National Parks Setback	N/A	N/A	N/A
B13 Coastal Cliffs setback	N/A	N/A	N/A
B14 Main Roads Setback	N/A	N/A	N/A
PART C-SITING FACTORS			
C1 Subdivision		<p>This application proposes the subdivision of two (2) Lots into four (4) Lots. Each proposed Lot is of sufficient size, width and depth to ensure the sufficient area for landscaping, private open space, drainage, utility services and vehicular access is provided for.</p> <p>The proposed driveway access has been designed in accordance with Council's WDCP 2011 and</p>	Yes

		advice obtained in pre-lodgement meetings. The access way is considered to be of sufficient dimensions and gradient to service the No. of lots proposed. Further, the proposed design complies with relevant Australian Standards.	
C2 Traffic, access & safety	Vehicle crossing to be provided in accordance with Council's vehicle crossing policy.	The application proposes to construct a shared access driveway to the site utilising the existing vehicle crossing. This is considered to represent a safe and efficient means of access. The proposal is not considered to adversely affect the traffic movements and performance of the surrounding local road network.	Yes
C3 Parking Facilities	Garages not to visually dominate façade. Parking to be in accordance with AS/NZS 2890.1.	Each proposed dwelling contains a double garage which has been designed to be integrated into the overall building façade. Swept path analysis has also been prepared in support of the proposal. No visual impact on the street frontage or other public places will result.	Yes
C4 Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	The proposal is supported by a detailed stormwater design plan prepared by Nastasi & Associates, Stormwater Management Concept Plan prepared by JCO Consultants and WSUD Strategy report prepared by JCO Consultants which details proposed stormwater management in accordance with Council requirements.	Yes
C6 Building over or adjacent to constructed Council drainage easements	N/A	N/A	N/A

C7 Excavation & landfill	Site stability to be maintained	<p>As discussed above, associated earthworks to create a driveway meeting Council design requirement, level building platforms and associated car parking are proposed.</p> <p>The scale and location of the proposed earthworks will not adversely affect the visual quality and amenity values of the site given the earthworks are localised to the vicinity of the site and are largely required to create a foundation for building works, access and the proposed car parking.</p> <p>The proposed earthworks will not result in any adverse impact on adjoining properties, nor will the proposed earthworks create siltation or pollution of waterways and drainage lines or degrade or destroy the natural environment.</p>	Yes
C8 Demolition & construction	Waste Management Plan required.	Waste Management Plan provided.	Yes
C9 Waste Management	Waste storage area to be provided.	Sufficient waste storage areas are provided for at the front of the site.	Yes
PART D-DESIGN			
D1 Landscaped open space & bushland	Minimum 40% landscaped area required.	<p>Each proposed lot is of adequate size to provide for minimum landscaped area.</p> <p>Lot 1: Required: 346.4m² / Provided: 417.19m² Lot 2: Required: 599.20m²/ Provided: 1008m² Lot 3: Required: 633.60m²/ Provided: 973.80m² Lot 4: Required: 302.92m²/ Provided: 371.30m²</p>	Yes
D2-Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Each proposed dwelling provides for greater than 60m ² of private open space. The open space is directly accessible from the living rooms.	Yes
D3 Noise	Mechanical noise is to be attenuated to maintain	N/A	N/A

	adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements.		
D4 Electromagnetic radiation	N/A	N/A	N/A
D5 Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements.	Each of the proposed dwellings will receive good solar access throughout the year. A BASIX certificate for each dwelling has been issued and forms part of the submission to Council.	Yes
D6 – Access to sunlight	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	Each dwelling has been suitably designed with regard to the site orientation and adjoining properties to maintain at least 3 hours of solar access to private open space and north facing windows on the winter solstice.	Yes
D7 Views	View Sharing to be maintained	The proposed dwellings will not result in any obstruction of views that surrounding properties benefit from.	Yes
D8 Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Each dwelling has been designed to minimise the likelihood of any adverse overlooking or intrusion of aural privacy of adjoining properties. This has been achieved by providing sufficient setbacks and screening elements.	Yes
D9 Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	Each dwelling has been designed sympathetically to the surrounding area accounting for the topographical and environmental constraints of the site. Further, it is considered that the proposed bulk and scale of each dwelling is generally a positive response to the site and is mitigated by appropriate facade modulation. Overall, each dwelling will sit comfortably within the	Yes

		streetscape, further it is considered that the development respects the existing and desired future character of the area and any potential adverse effects on the surrounding environment will be non-existent	
D10 Building Colours and materials	External finishes and colours sympathetic to the natural and built environment.	External finishes for each dwelling selected to be compatible with the existing surrounding development and the natural environment.	Yes
D11 Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposed dwelling roofs comprise conventional pitch roof forms which are compatible with the variety of roof forms in the locality.	Yes
D12 Glare & Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	The proposal will not result in unreasonable glare or reflection.	Yes
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	N/A	N/A
D14 - Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	This application proposes a bin storage area at the front of the site. The storage area is suitably located and will minimise visual impact to the street.	Yes
D15 - Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Fencing will comply with 1.8 maximum height requirements.	Yes
D16 Swimming Pools and Spa Pools	N/A	N/A	N/A
D17 Tennis Courts	N/A	N/A	N/A
D18 Accessibility	Safe and secure access for persons with a disability to be provided where required.	Safe and secure access for persons with a disability to be provided where required.	
D19 - Site Consolidation in the R3 and IN1 Zone	N/A	N/A	N/A

D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Each dwelling will provide a good outlook of dwelling approach via the access driveway.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided.	Reticulated utilities in the form of electricity, water, sewer and telecommunication services service the proposed development in accordance with the relevant service provider requirements.	Yes
D22 – Conservation of Energy and Water	A BASIX Certificate is required.	Basix Certificates submitted for each dwelling.	Yes
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.	N/A	N/A
PART D-THE NATURAL ENVIRONMENT			
E1 Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	<p>This application proposes the removal of approximately twenty-three (23) trees on the site all of which are located within the proposed building footprint and driveway location.</p> <p>An arborist report has been prepared by Hugh The Arborist Pty Ltd in support of this application which details tree removal, planting and protection measures proposed.</p> <p>It is considered that the removal of approximately twenty-three (23) trees on site will not have an adverse impact on the urban forest of the Northern Beaches.</p>	Yes
E3 Threatened species, populations, ecological communities	Not identified on map.	N/A	N/A

E4 – Wildlife Corridors	Not identified on map.	N/A	N/A
E5 – Native Vegetation	Not identified on map.	N/A	N/A
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	<p>Both existing Lot A and B contain an existing significant rocky escarpment running through the centre portion of each lot.</p> <p>The pattern of proposed subdivision and each resultant dwelling design have been carefully sited to ensure the existing escarpment will be retained and protected during construction, and in perpetuity.</p> <p>As such a preliminary Geotech soil classification report prepared by White Geotechnical Group is submitted in support of the proposal. The report concludes that the site is suitable for the proposed development, and details specific construction requirements for the proposed dwelling on proposed Lot 2.</p> <p>These recommendations have been incorporated into the design of proposed dwelling 2.</p> <p>The existing rock escarpment will be conserved and remain distinguished from its surroundings.</p>	Yes
E7 Development on land adjoining public open space	N/A	N/A	N/A
E8 Waterways and Riparian Lands	N/A	N/A	N/A
E9 – Coastline Hazard	Not identified on map.	N/A	N/A

E10 Landslip Risk	Identified as landslip risk A and C.	Proposed supported by Geotechnical Assessment Report.	Yes
E11 Flood Prone Land	Site is not affected by Flooding	N/A	N/A

Table 2-Warringah DCP 2011

VARIATION

Clause B1 Wall Height

As stated above, the proposed dwelling on Lot 1 does not comply with the minimum Wall Height requirement specified in the WDCP 2011. An overall wall height of 7.7m is proposed.

The subject site has a site slope of 21.3%, as such, in accordance with the WDCP 2011, this control may be varied provided the building:

- The slope of the land allows for a variation to the wall height control
- Does not exceed the 8.5 metre height development standard;
- Is designed and located to minimise bulk and scale; and
- Has a minimal visual impact when viewed from the downslope sides of the land.

The proposed dwelling has a maximum height of 8.5m.

With respect to scale, the bulk of the building has been designed sympathetically to the surrounding area accounting for the topographical and environmental constraints of the site.

The proposal incorporates significant articulation and materials in the composition of the facades which serves to break up the visual scale and bulk of the development, visually reducing the apparent building mass and will provide a contemporary building, reinforce the desired future character of the area and enhance the amenity of the locality.

Although the level of built form, in terms of the wall height, will be slightly increased by the proposed re-development, the general bulk of the built form is more considerate of the natural topography of the site, and will contribute positively to the future character of the area. The proposal is consistent with the objectives of this Clause.

4.6 Northern Beaches Section 7.12 Contributions Plan 2022

The proposed subdivision and dwellings are subject to the payment of monetary contributions to the Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2022.

We seek that the monetary contributions be staged to permit stage 1 payment for the creation of the two additional allotments of land that are proposed to be created and stage 2 payment for the construction of dwellings.

5.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

(a)(i) – The Provisions of any Environmental Planning Instrument

Statutory assessment of the proposal has been previously addressed in Section 4.0. The site is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposal is permissible with development consent.

The proposal is also consistent with relevant State Environmental Planning Policies.

(a)(ii) Any proposed Draft Environmental Planning Instrument subject of public consultation

There are no applicable Draft Planning instruments subject to public consultation.

(a)(iii) – The Provisions of any Development Control Plan

As discussed earlier in the report, the site is subject to assessment under Warringah Development Control Plan 2011. The proposal generally complies on merit grounds with relevant objectives and controls of WDCP 2011 which are detailed in Section 4.5 of this report.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The proposal is consistent with relevant Regulations.

(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

The proposal is not inconsistent with any coastal zone management plan.

(b) – The likely impacts of that Development

Context and Setting

The proposed development is considered appropriate with regard to the low density residential context and setting. The proposal will be delivered in line with the WLEP 2011 and WDCP 2011 requirements and contribute towards the delivery of vibrant, sustainable and liveable neighbourhoods that provide for community well being and high quality local amenity.

Subdivision Pattern

The subdivision pattern in the immediate vicinity of the site is characterised by a large number of battle-axe lots along Gladys Avenue as illustrated by the locality plan contained in Figure 1. We note the immediate adjoining southern property at No. 10, 10A & 10B comprises battle-axe lots and further east along Gladys Avenue at Nos 16A, 16B, 18, 18A, 20, 20A, 20B comprises battle-axe lots.

The subdivision pattern in the immediate vicinity of the site on the western side of Wandella Road comprises a battle-axe allotment style subdivision pattern. On this basis, it is considered that the proposed subdivision will not adversely impact upon the surrounding subdivision pattern in the area, instead enhancing and complimenting the existing pattern.

Building Design and Appearance

The proposed bulk and scale of the proposed dwellings is generally a positive response to the site and is mitigated by appropriate facade modulation. The bulk and scale of the proposal is commensurate and compatible with that of the nearby development and consistent with the desired outcomes of the low density zone.

Amenity impacts

The existing buildings have been carefully sited and designed to ensure no adverse amenity impacts upon adjoining properties in respect to visual and acoustic privacy, overshadowing and view loss.

Social & Economic Impacts

The social and economic impacts of the development are a positive outcome for the local area with respect to additional housing supply for residential purposes which provides for a mix of housing.

Access and Parking

The application proposes to construct a shared access driveway to the site in accordance with Council design requirements. This is considered to represent a safe and efficient means of access. The proposal is not considered to adversely affect the traffic movements and performance of the surrounding local road network.

Utilities Services

Reticulated utilities in the form of electricity, water, sewer and telecommunication services service the proposed development in accordance with the relevant service provider requirements.

Stormwater

The proposed subdivision is supported by a detailed Stormwater System Assessment Report prepared by Nastasi & Associates, Stormwater Management Concept Plan prepared by JCO Consultants and WSUD Strategy report prepared by JCO Consultants which demonstrate that stormwater can be managed on site in accordance with Council requirements. We note that the proposal is also supported by correspondence from the downstream property owner at No.29 Bluegum Crescent agreeing to the creation of a stormwater easement across their property.

Landslip

The site is partly mapped with Area C – Slopes more than 25 degrees. As such a preliminary Geotech soil classification report prepared by White Geotechnical Group is submitted in support of the proposal. The report concludes that the site is suitable for the proposed development, and further notes the following:

No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.

The report further concludes that, with regard to proposed stormwater runoff:

The fall is away from the street. The stormwater plans show that the stormwater from the proposed development will be piped to an easement via OSD tanks. We consider this suitable.

As such it is considered that the proposed development has been designed to avoid significant adverse impacts on development and properties in the vicinity of the subject site which may result from landslides, further, it is also considered that any resultant impacts from stormwater runoff have been minimised.

(c) – Suitability of the Site for Development

The site is of a suitable size and configuration to accommodate the proposed subdivision and each proposed dwelling. The subject site is zoned R2 Low Density Residential and the construction of new dwelling houses in this zone is permissible with the consent of Council. Each resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development. On this basis, the site is considered suitable for the proposed development.

(d) – Any submissions made in accordance with this Act or Regulations.

Any submissions received will be considered by Council.

(e) – Public Interest

The proposal will provide for housing needs of the community within a low density residential environment and is in the public interest.

6.0 CONCLUSION

The subject land is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposed subdivision and dwellings are permissible with the consent of Council and the proposal is found to be consistent with the zone objectives.

The proposal is furthermore generally consistent with relevant matters for consideration under Warringah Development Control Plan 2011 with the exception of minor variations which have been assessed as appropriate on planning merit grounds.

The application before the Council provides no unreasonable impacts to adjoining and adjacent residential properties. The proposed subdivision and associated low density dwellings are also in keeping with the envisaged low density residential character of the locality and no adverse amenity or environmental impacts are foreseen.

The proposal is assessed as being satisfactory, having regard to the matters for consideration contained within Section 4.15 of the EP&A Act 1979.

Accordingly, it is recommended that Council support the proposal and grant development consent subject to conditions of consent.