



Statement of Environmental Effects

Demolition of the existing dwelling and
construction of a two storey dwelling

No.76 Soldiers Avenue, Freshwater

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1. Executive Summary

1.1 The Proposal

The subject site is known as Lot 7 in Deposited Plan 2366 and is located at No.76 Soldiers Avenue, Freshwater. It has a total site area of approximately 188.7sqm with a frontage of 6.1m to Soldiers Avenue, Freshwater.

The subject development application seeks approval for the demolition of the existing dwelling and the construction of a two storey dwelling.

1.2 The Report

This Statement of Environmental Effects (SEE) has been prepared by MP Planning in support of the subject proposed development.

The report describes the site and locality, outlines the proposed development and provides an assessment against the relevant environmental planning instruments and Council Development Control Plans.

1.3 Relevant Statutory Planning Instruments

The proposed development has been assessed against the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* and the relevant State and Local planning controls.

1.3.1 State Environmental Planning Policies

The State Environmental Planning Policies that apply to the subject site are:

- State Environmental Planning Policy (Building Sustainability Index: Basix) 2004
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021

1.3.2 Local Environmental Planning Instruments

The local environmental planning policy that applies to the site is Warringah Local Environmental Plan 2011.

1.3.4 Local Council Development Control Plans and Guidelines

The Warringah Development Control Plan 2011 applies to the subject site.

1.4 Supplementary Plans

This report has been prepared based on the following architectural plans supplied by Zac Homes, Revision F, dated 21 March 2023:

- 00.0: Perspective
- 01.0: Site Plan
- 01.01: Driveway Gradient
- 01.2: Site Management
- 01.4: Site Analysis
- 01.5: Shadow Diagram
- 01.6: Gross Floor Area/FSR/Gross Building Area
- 01.8: Demolition Plan
- 02.0: Floor Plans
- 03.1: Elevations
- 04.0: Section + Details
- 04.1: Basix Sheet
- Notification Plan

1.5 Background and History

A Pre-lodgement meeting was held on the 7 April 2022 with Northern Beaches Council where several issues were raised.

A Tree permit was approved by Council on 19 October 2021 granting approval for the removal of two trees.

2. Site and Locality

2.1 Site Description

The subject site is known as Lot 7 DP 2366, No.76 Soldiers Avenue, Freshwater. It is a regular shaped rectangular allotment with a total site area of approximately 188.7qm with a frontage of 6.1m to Soldiers Avenue.

An aerial photograph is shown below.



Source: Google Maps

2.2 Existing Site

The site currently contains a single storey clad dwelling with colourbond roof. There is an existing driveway along the western side boundary leading to a covered car space. There are existing trees within the front setback area as well as in the rear yard. The existing dwelling is located over two existing narrow lots with each lot having an area of 188.7sqm with a frontage of 6.1m for each lot.

2.3 Surrounding Locality

The surrounding site comprises of single storey and two storey dwellings. Immediately adjacent to the site to the western is a commercial property being a Tyre and Brakes workshop.

3. The Proposal

3.1 Proposal Description

The proposed development is for the demolition of the existing dwelling and the construction of a two storey dwelling.

The proposed new dwelling consists of a rumpus room, powder room, laundry, kitchen and living/dining area on the ground floor and two bedrooms, home office and bathroom on the first floor. The main bedroom has an ensuite with a rear balcony. There is a ground floor alfresco area accessed via the living/dining area. A hardstand area for carparking is provided within the front setback area.

The external finishes of the dwelling consist of cladding with concrete roof tiles. All existing trees on the site are to be removed with new landscaping proposed within the front setback area and rear yard area.

4. Environmental Planning Instruments

4.1 Environmental Planning and Assessment Act 1979

Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPAA 1979) sets out the matters for consideration a consent authority is to take into consideration when assessing development applications and prior to issuing a development consent. These matters are discussed below.

- (a) *the provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

(v) *(Repealed),*

that apply to the land to which the development application relates,

The proposed development has been assessed against the relevant Environmental Planning Instruments and development controls plan as detailed above. The proposed development is a permissible use within the zone under the provisions of Warringah Local Environmental Plan 2011. The proposed development also complies with the development standards under the provisions of Warringah Development Control Plan 2011.

(b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

The proposed development would not have an adverse impact on the natural and built environments, nor would it have an adverse social and economic impact on the surrounding locality.

(c) *the suitability of the site for the development,*

The subject site is considered to be suitable for the proposed development given that the proposal generally complies with all the relevant development standards. In addition, the proposed development would not have any adverse impact on adjoining properties.

(d) *any submissions made in accordance with this Act or the regulations,*

Should any objections be submitted to Council against the proposal during the notification period, any issues raised will be addressed as required.

(e) *the public interest.*

It is considered that the proposed development is in the public interest as it provides a development that is consistent with the residential nature of the site and surrounding locality and is consistent with the R2 Low Density Residential zone.

4.2 State and Regional Planning Policies

4.2.1 State Environmental Planning Policy (Building Sustainability Index: Basix) 2004

State Environmental Planning Policy (Building Sustainability Index: Basix) 2004 applies to the proposed development. Basix certificates have been submitted as part of the development application with the requirements meeting the targets for water, thermal and energy

commitments. In addition, all requirements as detailed within the Basix certificate that are required to be detailed on the plans at the development application stage have been noted on the plans. It is further anticipated that a condition of development consent would also require the proposal to be constructed in accordance with the Basix requirements.

4.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 aims to provide a Statewide planning approach for the remediation of contaminated land.

Clause 4.6 of the RH SEPP states that a consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned in accordance with the contaminated land guidelines. The subject site has predominately been used for residential purposes for a number of years, with the subject proposal consistent with the residential nature of the site. It is considered that the site has not been used for any purpose that is deemed to be potentially contaminated and has not been identified as being contaminated.

Given the minimal contamination risk, a preliminary investigation report is not required to be submitted given that the subject site is not considered to be contaminated nor is it within an investigation area. It is further considered that the proposed dwelling would not be adversely affected by contamination and should be supported by Council.

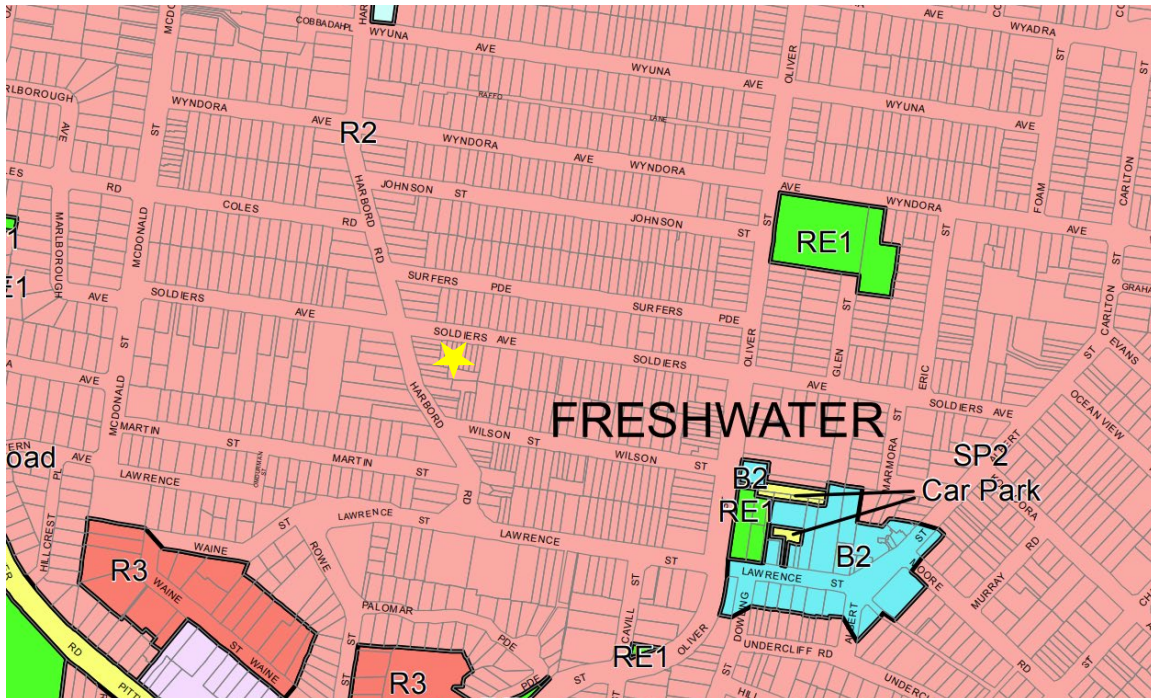
4.2.3 State Environmental Planning (Transport and Infrastructure) 2021

The proposed development is not adjacent to or located on a classified road. The proposed development is not considered to be affected by road noise or vibration. Therefore, Clause 2.119 of the SEPP is not applicable in this instance.

The number of vehicles does not meet the requirements under schedule 3 to be classified as traffic generating development. Therefore, referral to the RMS is not required in this instance.

4.3 Warringah Local Environmental Plan 2011

The subject site is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011 (WLEP) as shown on the zoning map below.



Source: NSW Legislation website (Map 10)

The objectives of the R2 Low Density Residential zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

It is a requirement that the proposed development must have regard to the objectives of the zone. The proposed development provides for the housing needs of the community and maintains the low density residential character of the area.

Under the provisions of WHLEP 2011, the proposed development is defined as:

‘dwelling house means a building containing only one dwelling.’

Dwelling houses are permissible within the R2 Low Density Residential zone.

Clause 4.3 Height of buildings

Clause 4.3 sets out the height requirements for buildings within certain zones as per the height of buildings map. The subject site has a specified maximum height limit of 8.5m. The proposed dwelling has a maximum height of 7.4m and as such complies.

Clause 4.4 Floor Space Ratio

The objectives of this clause is to limit the intensity of development, provide sufficient floor space, ensure buildings are consistent with the desired character of the locality, manage the visual impact of the development and maximise solar access and amenity for public areas. The Floor Space ratio map sets out the FSR for certain types of development. The subject site is not subject to an FSR as it is not detailed on the relevant FSR map.

Clause 7.2 Earthworks

The objective of this clause is to ensure that earthworks will not have a detrimental impact on environmental functions, processes, neighbouring uses, cultural or heritage items or features of the surrounding land and to allow earthworks of a minor nature without separate development consent. Earthworks are required as part of the proposed development, however it is considered that the proposed development would not have detrimental impacts on the amenity of the locality.

5. Development Control Plan/s and other Council Policies

5.1 Warringah Development Control Plan 2011

Warringah Development Control Plan 2011 applies to the proposed development. The DCP provides objectives and development controls to enhance the functionality and appearance of residential developments. An assessment against the relevant development controls is detailed below:

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Wall Heights	Wall height is 6.4m	Not exceed 7.2m	Yes
Number of Storeys	Two storeys	Maximum 2 storeys	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Side Boundary Envelope	Eaves on western side encroaches. Small portion of the roof and eaves on the eastern side encroaches	5m height above ground level at a degree of 45 degrees Fascias, gutters, downpipes, eaves, masonry chimneys, flues, pipes or other services infrastructure may encroach	Yes/No
Site Coverage	No site coverage identified on the map	33.3%	N/A
Side Boundary Setbacks	0.9m	0.9m	Yes
Front Boundary Setback	7.5m Driveway provided within front setback area Hardstand area is 49% of the front setback area	6.5m Front setback area is to be landscaped and free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage and fences Buildings and structures including car parking shall not occupy more than 50% of the front setback area	Yes
Rear Boundary Setbacks	7.1m Rear setback area is landscaped	6m Rear setback to be landscaped	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Traffic, Access and Safety	<p>The site has two existing driveways at the moment which will not change with the proposed development and the development on the adjoining property</p> <p>Vehicular and pedestrian access will not cause traffic hazards, not impact on vehicle queuing, minimises the number of crossings in the street, not interfere with public transport facilities</p> <p>Vehicle access is from Soldiers Avenue</p> <p>Vehicle crossing will be in accordance with Council's requirements</p>	<p>Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives</p> <p>Vehicle access is to be obtained from minor streets and lanes where available and practical</p> <p>Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315</p> <p>Vehicle crossing construction and design is to be in accordance with Council's Minor works specification</p>	Yes

<p>Parking Facilities</p>	<p>No garage provided</p> <p>Hardstand area provided in front setback area</p> <p>No laneways to the site</p> <p>Proposal is for a dwelling</p> <p>Views from front window will not be obscured. Two storey dwelling with first floor windows fronting the street</p> <p>No garage or carport proposed</p> <p>No use related off street car parking is required as proposal is for a dwelling</p> <p>One hardstand space for car parking provided</p> <p>No parking required for staff and/or customers</p> <p>Not a bulk goods development</p> <p>No within Forest Way Village</p>	<p>Garage doors and carports are to be integrated into the house design and to not dominate the façade</p> <p>Parking is to be located within buildings or on site</p> <p>Laneways are to be used to provide rear access to carparking areas where possible</p> <p>Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments</p> <p>Parking is to be located so that views of the street from front windows are not obscured</p> <p>Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser</p> <p>Off street parking is to be provided within the property demonstrating that the land use, hours of operation, availability of public transport, availability of other car parking and the need for parking facilities have been taken into account</p> <p>Carparking, other than for individual dwellings, shall void the use of mechanical car stacking spaces, not be readily apparent from public spaces, provide safe and convenient pedestrian and traffic movement, include adequate provision for manoeuvring and convenient access to individual spaces, enable vehicles to enter and leave the site in a forward direction, incorporate unobstructed access to visitor parking spaces, be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places, provide onsite detention of stormwater, where appropriate, and car parking dimensions are to be in accordance with AS/NZS 2890.1</p>	<p>Yes/No</p>
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		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
		<p>Two spaces per dwelling</p> <p>Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use</p> <p>For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided</p> <p>Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.</p> <p>For Forest Way Village car parking at ground level is to be provided for individual units</p>	
Stormwater	Stormwater drainage system has been designed in accordance with Council's requirements	<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy</p>	Yes
Building over or adjacent to constructed Council Drainage Easements	Dwelling is not built over a constructed drainage easement	<p>All development on land containing or adjacent to or proposing to reconstruct/relocate a public drainage system, must comply with Council's Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications.</p> <p>Any Council drainage line located within the property may require upgrading and easements created in favour of Council over the drainage line at the applicants expense</p>	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Excavation and Landfill	<p>Minimal excavation works proposed</p> <p>Minimal cut and fill required</p> <p>Small retaining wall required to the rear along the eastern side boundary</p> <p>No adverse impacts on adjoining land</p>	<p>All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation</p> <p>Excavation and landfill works must not result in any adverse impact on adjoining land</p> <p>Excavated and landfill areas shall be constructed to ensure the geological stability of the work</p> <p>Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment</p> <p>Rehabilitation and revegetation techniques shall be applied to the fill</p> <p>Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties.</p>	Yes
Demolition and Construction	Erosion and sediment control plan submitted	All development that includes demolition and construction must comply with the appropriate sections of the waste management plan	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Landscaped Open Space and Bushland Setting	<p>25% of the site is landscaped</p> <p>No swimming pool proposed</p> <p>Landscaping is at ground level</p> <p>Site is not shown as bushland setting</p> <p>Site is not in Cottage Point</p>	<p>40% of the site is to be landscaped</p> <p>Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation</p> <p>The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation</p> <p>Landscaped open space must be at ground level (finished)</p> <p>The minimum soil depth of land that can be included as landscaped open space is 1 metre</p> <p>Where land is shown as “<u>Bushland Setting</u>”, a minimum of 50% of the site area must remain undisturbed by development and is to be kept as natural <u>bushland</u> or landscaped with locally indigenous species</p> <p>In Cottage Point the relationship of the locality with the surrounding National Park and Cowan <u>Creek</u> waterway will be given top priority by enhancing the spread of indigenous <u>tree</u> canopy and protecting the natural landscape including rock outcrops and remnant <u>bushland</u></p>	Yes/No
Private Open Space	<p>43sqm with a dimension of 4.7m</p> <p>Directly accessible from living area</p> <p>Ensures privacy for the occupants</p> <p>Located in the rear yard</p> <p>Maximises solar access</p>	<p>35sqm with a minimum dimension of 3m</p> <p>Directly accessible from the living area</p> <p>Must be located and designed to ensure privacy of occupants of the adjoining dwellings</p> <p>Not located in the primary street setback</p> <p>Maximise solar access</p>	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Noise	No adverse noise impacts with noise levels not exceeding more than 5dB(A)	Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the <i>NSW Industrial Noise Policy</i> at the receiving boundary of residential and other noise sensitive land uses	Yes
Access to sunlight	The proposed dwelling does not overshadow any public space The private open space of the dwelling and adjoining dwellings receives solar access for a minimum of 3hrs	Avoid unreasonable overshadowing of public space At least 50% of the required private open space area to receive a minimum of 3hrs for the dwelling and adjoining dwellings	N/A
Views	No adverse impacts on view sharing	Development shall provide for the reasonable sharing of views	Yes
Privacy	Dwelling designed to not impact on privacy Living areas, habitable rooms and windows all overlook street or private open space area First floor balcony is screened on either side with timber louvres Not windows directly overlook each other	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Building Bulk	<p>Side setbacks and wall heights comply with DCP requirements</p> <p>No large area of continuous wall planes fronting the street</p> <p>Land is not sloping</p> <p>Building height and scale responds to the topography of the site</p> <p>The dwelling fronts the street</p> <p>Design and use of colours reduces the bulk appearance</p> <p>Landscaping is provided in front setback area</p> <p>Dwelling is stepped along the front façade and articulation with varying roof forms</p>	<p>Side and rear setbacks are to be progressively increased as wall height increases</p> <p>Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief</p> <p>On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope</p> <p>Building height and scale needs to relate to topography and site conditions</p> <p>Orientate development to address the street</p> <p>Use colour, materials and surface treatment to reduce building bulk</p> <p>Landscape plantings are to be provided to reduce the visual bulk of new building and works</p> <p>Articulate walls to reduce building mass</p>	Yes
Building Colours and Materials	<p>The proposed colours and materials minimises the impact of the dwelling on the streetscape</p>	<p>The visual impact of new development is to be minimized through the use of colours and materials</p>	Yes
Roofs	<p>Roof form and pitch is consistent with the existing streetscape</p> <p>Roof form includes gables and dormers</p> <p>Eaves provided for shading</p> <p>Colourbond roof will not cause excessive glare and reflection</p>	<p>Roofs should complement the roof pitch and forms of the existing buildings in the streetscape</p> <p>Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas</p> <p>Roofs shall incorporate eaves for shading</p> <p>Roofing materials should not cause excessive glare and reflection</p>	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Glare and Reflection	There would be no adverse illumination impacts from the dwelling and there would be no adverse glare impacts from the dwelling	<p>The overspill from artificial illumination or sun reflection is to be minimised by utilising an appropriate lighting height that is practical and responds to the building and its neighbours</p> <p>Any glare from artificial illumination is to be minimised</p> <p>Sunlight reflectivity that may impact on surrounding properties is to be minimised</p>	Yes
Front Fences and Front Walls	No front fence or front walls proposed	<p>Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character</p> <p>Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence</p> <p>Fences located within the front building setback area are to complement the existing streetscape character</p> <p>Fences are to be constructed to allow casual surveillance, except where there is excessive noise</p> <p>Gates are not to encroach over the property boundary when opening or closing</p> <p>Fences should complement the architectural period of the building</p>	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Site Facilities	The dwelling provides adequate garbage, clothes drying and mail box facilities	<p>Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places</p> <p>Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection</p> <p>All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets</p> <p>Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers</p> <p>Landscaping is to be provided to reduce the impact of all garbage and recycling enclosures. They are to be located away from habitable rooms, bedrooms or living areas that may detract from the amenity of occupants</p> <p>Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable</p>	Yes
Side and Rear Fences	1.8m high timber paling fence	<p>No higher than 1.8m</p> <p>All fencing materials are to complement the existing neighbourhood</p> <p>The use of corrugated metal, barbed wire or broken glass is permitted</p>	Yes

		Warringah Development Control Plan 2011	
Control	Proposed	Requirement	Complies
Safety and Security	<p>The dwelling fronts the street and provides windows for surveillance on the front façade</p> <p>No service areas proposed</p> <p>Main entry is visible from the street</p>	<p>Buildings are to overlook streets as well as public and communal places to allow casual surveillance</p> <p>Service areas and access ways are to be either secured or designed to allow casual surveillance</p> <p>There is to be adequate lighting of entrances and pedestrian area</p> <p>After hours land use activities are to be given priority along primary pedestrian routes to increase safety</p> <p>Entrances to buildings are to be from public streets wherever possible</p> <p>Buildings are to be designed to allow casual surveillance of the street</p>	Yes
Provision and Location of Utility Services	All essential services will be provided	Utility services must be provided, including the supply of water, gas, telecommunications and electricity	Yes
Conservation of Energy and Water	<p>Natural ventilation, daylight and solar energy is appropriate for the dwelling</p> <p>Dwelling complies with all Basix targets</p> <p>Landscaping assists with the conservation of energy and water</p> <p>Rainwater tanks are proposed for the dwelling</p> <p>The dwelling complies with Council's Water Management Policy</p>	<p>The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy</p> <p>Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties</p> <p>Buildings are to be designed to minimize energy and water consumption.</p> <p>Landscape design is to assist in the conservation of energy and water</p> <p>Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks</p> <p>All development must comply with Council's Water Management Policy</p>	Yes

The proposed dwelling development generally complies with the relevant development controls under Warringah Development Control Plan 2011 with exception to the side building envelope, parking facilities and landscape areas. A variation is requested and is detailed below.

Side Boundary Envelope

The proposed dwelling extends beyond the side boundary envelope and is considered to be fairly minor given the protrusion outside of the envelope consists of the corner eaves and part of the roof on the eastern and western sides of the dwelling.

The objectives of this standard are:

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*
- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*
- *To ensure that development responds to the topography of the site.*

The proposed development still complies with the objectives of the zone given the variation is very minor. The proposed dwelling complies with the maximum building height as prescribed by the LEP and therefore is not visually dominant. The proposed dwelling does not have any adverse impact on light, solar access and privacy of the adjoining dwellings. As such, it is considered that the variation can be supported by Council.

Parking Facilities

The proposed dwelling does not comply with the required setback to the car parking area and only provides one car parking space instead of two. The objectives of the parking facilities requirements are:

- *To provide adequate off street carparking.*
- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*
- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces*

The existing site is a long and narrow site that restricts compliance with these requirements and as such, it is unreasonable to expect compliance with these requirements. A hardstand driveway area has been provided for the dwelling which can accommodate one parking space. The proposed dwelling is in close proximity to public transport and as such encourages public transport usage.

Landscaped Area

The proposed development does not comply with the required landscaping requirements. The objectives of this requirement are:

- *To enable planting to maintain and enhance the streetscape.*
- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife*
- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building*
- *To enhance privacy between buildings*
- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants*
- *To provide space for service functions, including clothes drying.*
- *To facilitate water management, including on-site detention and infiltration of stormwater*

The proposed dwelling complies with the landscaping objectives as even though the landscape area does not comply, landscaping is provided within the front setback area that enhances the streetscape appeal and minimises the impact of the driveway. The proposed dwelling provides enough landscaped open space area and accommodates recreational uses for future occupants. Clothes drying facilities are also provided.

6. Other Planning Matters

6.1 Heritage

The subject site does not contain an item of heritage significance nor is the site within a conservation management area.

6.2 Bushfire

The subject site is not located within a bushfire prone land.

6.3 Flora and Fauna

The subject site does not contain any endangered ecological communities.

6.4 Waste Management

A waste management plan has been submitted detailing the types and quantities of waste during the demolition and construction stage and how it will be disposed of.

7. CONCLUSION

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory and as such should be supported.

The proposed development is a permissible use within the R2 Low Density Residential zone and complies with the development standards under the provisions of Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011.