


Pittwater 21 Development Control Plan		
Control	Compliance	Comment
Section A: Shaping Development in Pittwater		
A1 Introduction		
A1.2 Land covered by this Plan <i>This plan applies to the local government area of Pittwater.</i>	YES	The subject site is located within the previous Pittwater LGA, which has since been amalgamated into the Northern Beaches LGA.
A1.7 Considerations before consent is granted <i>Before granting development consent, Council must be satisfied that the development is consistent with:</i> <ul style="list-style-type: none"> i. <i>Pittwater Local Environmental Plan 2014; and</i> ii. <i>the desired character of the Locality; and</i> iii. <i>the development controls applicable to the development.</i> <p><i>Council will also have regard to the matters for consideration under section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979.</i></p> <p><i>Before granting consent for development within a Locality, Council may consider the provisions of a neighbouring Locality to the extent to which it affects the subject site.</i></p>	YES	<p>The <i>Pittwater Local Environmental Plan 2014</i> (PLEP2014) is addressed within Section 4.5.1 of the SEE. The proposal is consistent with the PLEP2014.</p> <p>The locality of the subject site is assessed in the following sections.</p> <p>Applicable development controls are assessed in the following sections.</p>
A4 Localities		
A4.16 Warriewood Valley Locality	YES	The subject site is located within the Warriewood Valley Land Release Area, refer to Figure 1 .



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<p><i>Warriewood Valley is situated at the base of the escarpment, known as Ingleside Chase Reserve, between Mona Vale and Warriewood (see map). It comprises of land known as "Stage 1 Release" and land identified as the Warriewood Valley Release Area.</i></p> <p><i>The Warriewood Valley Release Area, first identified in 1997 as a Release Area, comprises of 110 hectares including 32.68 hectares of industrial/commercial land and associated community facilities and infrastructure. Two recent reviews have been undertaken, firstly the Warriewood Valley Strategic Review 2012 and secondly the Warriewood Valley Strategic Review Addendum Report 2014. The Release Area now includes land within 400m of the Warriewood Sewerage Treatment Plant (known as Buffer Areas 1, 2 and 3) encompassing an area of approximately 190 hectares.</i></p> <p><i>Warriewood Valley Release Area is primarily a residential area expected to provide a total of 2,451 new dwellings (this figure includes the dwellings approved under the former Part 3A legislation but does not include development in Stage 1 Release considered to be completed in 1997.). When completed, it is anticipated to accommodate 6,618 residents (based on an average household occupancy of 2.7 persons per household).</i></p>		 <p>Figure 1: Warriewood Valley Locality Mapping (Source: Northern Beaches Council, 2023)</p> <p>The proposed development for a dwelling house is consistent with the intentions of the Warriewood Valley Release Area.</p>
Section B: General Controls		

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B2 Density Controls		
B2.5 Dwelling Density and Subdivision - Medium Density Residential <i>Land to which this control applies: Land zoned R3 Medium Density Residential excluding Warriewood Valley Land Release Area.</i>	N/A	The subject site is located within the Warriewood Valley Land Release Area, refer to Figure 1 . B2.5 does not apply to the subject site.
B3 Hazard Controls		
B3.1 Landslip Hazard All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5). Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development. The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.	YES	The subject site is mapped as Geotechnical Hazard H1, refer to Figure 21 of the SEE. A Geotechnical Report has been prepared by Aargus in relation to the previously approved DA for subdivision (N0304/14/2), refer to Appendix 11 . The findings of this Geotechnical Report have been found to remain unchanged as confirmed within the Geotechnical Statement by Aargus, refer to Appendix 13 . The proposed development has considered all geotechnical hazards present within the subject site and has been designed to mitigate and manage all potential issues.
B3.6 Contaminated Land and Potentially Contaminated Land	YES	The subject site is mapped as class 5 acid sulphate soils (refer to Figure 19 of the SEE). Section 4.3.6 of the SEE addresses the requirements of the <i>State Environmental Planning Policy</i>



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<p><i>Council shall not consent to the carrying out of any development on land unless it has considered State Environmental Planning Policy No. 55 Remediation of Land.</i></p> <p><i>In particular, Council shall consider:</i></p> <ul style="list-style-type: none">▪ <i>whether the land is contaminated; and</i>▪ <i>if the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and</i>▪ <i>if the land requires remediation, whether the land will be remediated before the land is used for that purpose.</i> <p><i>Where a development would involve a change of use on land listed below, Council must consider a preliminary investigation report prepared in accordance with the contaminated land planning guidelines.</i></p>		<p><i>(Resilience and Hazards) 2021 which repealed the State Environmental Planning Policy No. 55 Remediation of Land.</i></p> <p>The subject site has not previously been developed. The wider site area is not considered to have been used for purposes other than residential in the past.</p>
B3.12 Climate Change (Sea Level Rise and Increased Rainfall Volume)	N/A	Not applicable, the proposal is for a dwelling house.
B4 Controls Relating to the Natural Environment		
B4.1 Flora and Fauna Conservation Category 1 Land <i>Development shall not directly negatively impact on threatened species, endangered populations or endangered ecological communities.</i>	YES	Five trees are proposed to be removed to facilitate the proposed development. An Arborist Report has been prepared by The Tree Guardian and is provided at Appendix 8 . The Arborist Report has assessed 9 trees within the subject site (including those to be removed) and 2 trees within an adjacent lot. 3 trees within the



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<p><i>Development shall retain and enhance habitat for locally native species, threatened species, endangered populations or endangered ecological communities.</i></p> <p><i>Development shall result in no significant onsite loss of canopy cover and no net loss in native canopy trees.</i></p> <p><i>Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of core bushland and not include environmental weeds.</i></p> <p><i>Caretakers of domestic animals shall prevent them from entering wildlife habitat areas.</i></p> <p><i>Fencing, where permitted, shall be passable by native wildlife.</i></p>		<p>subject site and 1 tree within the neighbouring site will be retained throughout construction of the proposed development. The Tree Guardian have recommended appropriate protection measures to be implemented including the installation of tree protection fencing. It is noted that no works are proposed within the tree protection zone of any trees which are to be retained.</p> <p>One of the trees assessed which is located within the registered building footprint, identified as Tree 5, has previously been approved for removal under N0304/14/2, therefore the proposal will not have a detrimental effect on this tree.</p> <p>Plants proposed for planting are included within the Landscape Plans at Appendix 9.</p> <p>Proposed fencing is predominantly metal blade fencing to allow animals to pass through.</p>
<p>B4.3 Flora and Fauna Habitat Enhancement Category 2 Land</p> <p><i>Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.</i></p> <p><i>Development shall provide flora and fauna habitat by active restoration, regeneration, and / or creation.</i></p> <p><i>Development shall not result in a significant onsite loss of</i></p>	YES	<p>Five trees are proposed to be removed to facilitate the proposed development. An Arborist Report has been prepared by The Tree Guardian and is provided at Appendix 8. The Arborist Report has assessed 11 trees within the subject site and adjacent lots and concluded that all trees proposed to be retained can be appropriately protected through the implementation of the recommended protection measures.</p>



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<p><i>canopy cover or a net loss in native canopy trees.</i></p> <p><i>Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of core bushland and not include environmental weeds.</i></p> <p><i>Caretakers of domestic animals shall prevent them from entering bushland.</i></p> <p><i>Fencing, where permitted, shall be passable by native wildlife.</i></p>		<p>Plants proposed for planting are included within the Landscape Plans at Appendix 9. 7 trees within 318.98m² of landscaped area are proposed across the subject site.</p> <p>Proposed fencing is predominantly metal blade fencing to allow animals to pass through.</p>
<p>B4.22 Preservation of Trees and Bushland Vegetation</p> <p><i>Authority to clear a tree or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 i.e. 'Vegetation SEPP'. In particular, Part 2 of the Vegetation SEPP sets out the authority to clear vegetation and Part 3 provides for Council to declare under this DCP when a Vegetation Clearing Permit may be issued for clearing of vegetation.</i></p> <p><i>However a permit under Part 3 of the Vegetation SEPP (clause 10(3)) cannot allow the clearing of vegetation that is or forms part of a heritage item or that is within a heritage conservation area, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage</i></p>	N/A	<p>The <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> has since been consolidated into the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (B&C SEPP). Chapter 2 of the B&C SEPP refers to vegetation in non-rural areas. Pursuant to Section 2.10 of the B&C SEPP a permit may be issued by Council to clear vegetation in a non-rural area.</p> <p>One existing tree within the subject site has been approved for removal under N0304/14/2. Five further trees identified as Tree 2 (T2), Tree 3 (T3), Tree 4 (T4), Tree 6 (T6) and Tree (7) are proposed for removal as part of this DA. T2, T3, T4, T5, T6, and T7 have been identified to have low retention value and encroach into the building footprint.</p>



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<p><i>significance, unless the council is satisfied that the proposed activity:</i></p> <ul style="list-style-type: none">▪ <i>is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and</i>▪ <i>would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.</i>		The trees proposed for removal do not form part of a heritage item nor are they located within a heritage conservation area or forming part of an Aboriginal object or area.
<p><i>A person shall not ringbark, cut down, top, lop, remove, poison, injure, or wilfully destroy tree or bushland vegetation that requires a Vegetation Clearing Permit under the provisions of Part 3 of the Vegetation SEPP. This includes damage to a tree or bushland vegetation by:</i></p> <ul style="list-style-type: none">▪ <i>Damaging or tearing live branches and roots;</i>▪ <i>Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in a detrimental impact on tree health;</i>▪ <i>Tree topping, where large branches and/or the trunk of the tree is removed from the top of the trees canopy;</i>▪ <i>Tree lopping, where branches are removed to reduce the height and spread of the tree.</i>▪ <i>Damaging the root zone of a tree by way of compaction, including storage and stockpiling materials;</i>	NOTED	The proposal seeks consent for the removal of five trees identified as Tree 2 (T2), Tree 3 (T3), Tree 4 (T4), Tree 6 (T6) and Tree (7).



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<ul style="list-style-type: none">▪ <i>Changing of ground levels within the root zone of a tree by way of excavation, trenching, filling or stockpiling;</i>▪ <i>Underscrubbing of bushland vegetation;</i>▪ <i>Burning of vegetation (not part of a Hazard Reduction Certificate); or</i>▪ <i>Any other act or activity that causes the destruction of, the severing of trunks or stems of, or any other substantial damage to, some or all of the native vegetation in an area.</i>		
<p><i>A Vegetation Clearing Permit is required for:</i></p> <p><i>a) Removal or cutting down of any tree over five (5) metres in height;</i></p> <p><i>b) Pruning of more than ten percent (10%) of a tree canopy.</i></p> <p><i>c) The removal or cutting down of vegetation in "Bushland".</i></p> <p><i>For the purpose of this clause "Bushland" means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation (as defined by the Local Government Act 1993).</i></p>	NOTED	The proposal seeks consent for the removal of five trees identified as Tree 2 (T2), Tree 3 (T3), Tree 4 (T4), Tree 6 (T6) and Tree (7).
<p><i>In applying for a Vegetation Clearing Permit, the applicant must demonstrate that any tree to be removed as part of a Vegetation Clearing Permit meets one or more of the criteria of the Removal of Tree Test in Appendix 16 (P21DCP) and the Tree Retention Assessment in Appendix 17</i></p>	YES	The Arborists Report at Appendix 8 has been prepared in accordance with the B&C SEPP, Pittwater 21 Development Control Plan (PDCP21) and the Australian Standards 'AS4970:2009 - Protection of Trees on Development Sites'.



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<i>(P21DCP). An arborist report may be required to satisfy this requirement.</i>		
<i>Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.</i>	YES	<p>The proposed development has been located to avoid the requirement for further tree removal than what was approved under N0304/14/2. Five further trees identified as Tree 2 (T2), Tree 3 (T3), Tree 4 (T4), Tree 6 (T6) and Tree (7) are proposed for removal as part of this DA. T2, T3, T4, T5, T6, and T7 have been identified to have low retention value and encroach upon the building footprint.</p> <p>It is noted that the minor building footprint amendments proposed do not impact on the requirement for these to be removed.</p> <p>The arborist has made the following recommendation for trees required to be removed to facilitate the proposed development:</p> <ul style="list-style-type: none">▪ <i>Tree 1 located on adjoining Lot 10 also owned by the client Sekisui House has already been recommended for removal in the respective Arborist report, it will incur a further 21.5% encroachment from construction of the subject site and is required to be removed.</i>▪ <i>Tree's 2, 3, 4, 5, 6 and 7 are located within the proposed development footprint and will require removal to facilitate construction.</i>



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		The Arborists Report at Appendix 8 confirms that all trees proposed to be retained can be appropriately protected through the implementation of the recommended protection measures.
<i>Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</i>	YES	Five trees are proposed to be removed to facilitate the proposed development due to major development encroachments, refer to Section 5.10 of the SEE. Seven trees are proposed to be planted, refer to Section 3.2.5 of the SEE.
<i>Development must also avoid any impact on trees on public land.</i>	N/A	The proposed development has been located to ensure no trees on public land are required for removal.
<i>For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.</i>	N/A	A dwelling house is a class 1 building.
<i>Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 19 (P21DCP) is to be submitted.</i>	N/A	An Arborist Report has been prepared by The Tree Guardian and is provided at Appendix 8 . The Arborist Report has assessed 11 trees within the subject site and adjacent lots and concluded that the four trees proposed to be retained can be appropriately protected through the implementation of the recommended protection measures.
B5 Water Management		
B5.15 Stormwater <i>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.</i>	YES	A stormwater management plan has been prepared by C.K. Engineering Services, refer to Appendix 6 .



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<i>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</i>		
B8 Site Works Management		
<p>B8.1 Construction and Demolition - Excavation and Landfill</p> <p><i>Excavation and landfill on any site that includes the following:</i></p> <ul style="list-style-type: none"> ▪ <i>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;</i> ▪ <i>Any excavation greater than 1.5 metres deep below the existing surface;</i> ▪ <i>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;</i> ▪ <i>Any landfill greater than 1.0 metres in height; and/or</i> ▪ <i>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,</i> <p><i>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</i></p>	YES	<p>The proposal seeks consent for the excavation of approximately 318.98m³ to facilitate the provision of a level building platform.</p> <p>A Geotechnical Report has been prepared by Aargus in relation to the previously approved DA for subdivision (N0304/14/2), refer to Appendix 11. The findings of this Geotechnical Report have been found to remain unchanged as confirmed within the Geotechnical Statement by Aargus, refer to Appendix 13.</p> <p>The proposed development has considered all geotechnical hazards present within the subject site and has been designed to mitigate and manage all potential issues.</p> <p>The required plans will be provided at the construction certificate stage.</p>



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<i>a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.</i>		
B8.3 Construction and Demolition - Waste Minimisation <i>Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</i>	YES	Where possible, reuse of materials and appropriate recycling and disposal will be undertaken, refer to Waste Management Plan within Appendix 10 .
B8.4 Construction and Demolition - Site Fencing <i>All sites are to be protected by site fencing for the duration of the works.</i> <i>Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the Roads Act 1993.</i>	YES	The use of site fencing for the duration of the works may be conditioned accordingly.
Section C: Development Type Controls		
C1 Design Criteria for Residential Development		
C1.3 View Sharing <i>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</i> <i>The proposal must demonstrate that view sharing is achieved through the application of the Land and</i>	N/A	The proposed development is not considered to obstruct any significant views given the location of the subject site and the scale of the proposed development.



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<p><i>Environment Court's planning principles for view sharing.</i></p> <p><i>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.</i></p> <p><i>Views are not to be obtained at the expense of native vegetation.</i></p>																	
<p>C1.9 Adaptable Housing and Accessibility <i>The design of residential development shall meet the criteria of Australian Standard AS 4299:1995 Adaptable Housing as follows:</i></p> <table border="1"> <thead> <tr> <th>Development</th><th>Percentage (%) of adaptable units (rounded up)</th><th>Minimum class under AS 4299:1995</th></tr> </thead> <tbody> <tr> <td>Multi Dwelling Housing, Boarding Houses, Group Homes and Hostels, excluding those in Warriewood Valley</td><td>50</td><td>Class B</td></tr> <tr> <td>Residential Flat Buildings, Shop Top housing and Mixed Use developments comprising residential accommodation.</td><td>20</td><td>Silver level of the <i>Liveable Housing Guideline</i>.</td></tr> <tr> <td>Residential development in Warriewood Valley not elsewhere identified in this table.</td><td>25</td><td>Class B</td></tr> <tr> <td>Seniors Living</td><td>100</td><td>Per the requirements of the <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i></td></tr> </tbody> </table>	Development	Percentage (%) of adaptable units (rounded up)	Minimum class under AS 4299:1995	Multi Dwelling Housing, Boarding Houses, Group Homes and Hostels, excluding those in Warriewood Valley	50	Class B	Residential Flat Buildings, Shop Top housing and Mixed Use developments comprising residential accommodation.	20	Silver level of the <i>Liveable Housing Guideline</i> .	Residential development in Warriewood Valley not elsewhere identified in this table.	25	Class B	Seniors Living	100	Per the requirements of the <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>	N/A	<p>The proposal is for a dwelling house and is located within Warriewood Valley. The applicable percentage of adaptable units is 25% and the minimum class is Class B.</p> <p>C1.9 is not applicable to the proposal given the proposed development is for a single dwelling.</p>
Development	Percentage (%) of adaptable units (rounded up)	Minimum class under AS 4299:1995															
Multi Dwelling Housing, Boarding Houses, Group Homes and Hostels, excluding those in Warriewood Valley	50	Class B															
Residential Flat Buildings, Shop Top housing and Mixed Use developments comprising residential accommodation.	20	Silver level of the <i>Liveable Housing Guideline</i> .															
Residential development in Warriewood Valley not elsewhere identified in this table.	25	Class B															
Seniors Living	100	Per the requirements of the <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>															
<p>C1.12 Waste and Recycling Facilities <i>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.</i></p>	YES	Refer to the Waste Management Plan provided within Appendix 10 .															



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C1.13 Pollution Control <i>Residential development must be designed, constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.</i> <i>Developments must comply in all respects with the <u>Protection of the Environment Operations Act 1997</u>, and other relevant legislation.</i>	YES	Pollution control during construction will be further detailed at the construction certificate stage. Erosion and sediment control is detailed within the Stormwater Management Plan prepared by C.K. Engineering Services, refer to Appendix 6 .
C1.14 Separately Accessible Structures <i>A separately accessible structure may be permitted for use as a studio, home office, workshop area, rumpus room and the like, provided that:</i> <ul style="list-style-type: none">i. <i>it is ancillary to a dwelling;</i>ii. <i>it is not designed for separate habitation and does not contain any cooking facilities.</i>	N/A	The proposal does not incorporate a separately accessible structure.
C1.15 Storage Facilities <i>A lockable storage area of minimum 8 cubic metres per dwelling shall be provided. This may form part of a carport or garage.</i>	YES	The proposal includes a garage of approximately 36.58m ² which equates to approximately 91.45m ³ of lockable storage area.
C1.17 Swimming Pools <i>Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the <u>Swimming Pools Act 1992 and regulations</u>. The fencing and warning notices (resuscitation chart) shall be permanent structures.</i>	N/A	Not applicable.
C1.23 Eaves	YES	Appropriate eaves are proposed to all elevations, refer to Appendix 2 .



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<i>Dwellings shall incorporate eaves on all elevations. Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.</i>		
C1.25 Plant, Equipment Boxes and Lift Over-Run <i>Where provided, 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. Council does not encourage air conditioning units on the roof of residential flat buildings and multi dwelling housing. The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement.</i> <i>Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.</i>	YES	The proposed dwelling houses roof is clear of any plant or equipment, refer to Appendix 2 . Garbage collection and storage areas are also indicated in Appendix 2 .
C6 Design Criteria for Warriewood Valley Release Area		
C6.1 Integrated Water Cycle Management <i>Water Management Report and Accompanying Plans</i> <i>The Water Management Report, submitted with the application, must demonstrate how the water cycle will be managed and integrated with the development. The Water Management Report is to be prepared by appropriately qualified professionals and certified by an experienced and qualified engineer specialising in hydraulics. It is to be in</i>	YES	A stormwater management strategy has been developed for the subject site and surrounding sites to manage stormwater quantity and quality runoff. This stormwater management strategy was submitted to Council as part of the development application for subdivision (N0304/14/2). The strategy was developed to Council's guidelines and requirements as specified in the WMS. The approved stormwater infrastructure has been installed accordingly within and adjacent to the subject site. A



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<i>accordance with Council's Warriewood Valley Urban Land Release Water Management Specification (February 2001 as amended) and relevant legislation taking into account the Narrabeen Lagoon Flood Study (September 2013 as amended) and the Pittwater Overland Flow Flood Study (2013 as amended).</i>		stormwater management plan has been prepared by C.K. Engineering Services and is provided at Appendix 6 .
<i>Flooding The flood levels are to be determined as part of the Water Management Report. Likely flood impacts from the development must also be assessed and where required, mitigated.</i>	N/A	The subject site is not mapped as within a flood planning precinct. The proposed development would not impact existing flood extents.
<i>Creekline Corridor Creekline corridors in the Warriewood Valley Release Area are to be restored to a 'natural watercourse' that results in healthy ecosystems whilst maintaining their capacity for flood conveyance during high flows as stipulated in the Warriewood Valley Urban Land Release Water Management Specification (2001). The creekline corridors are intended to fulfil a multi-functional purpose, containing the pedestrian and cycle network.</i>	N/A	The subject site is not located within or adjoining a creek line corridor.
<i>Stormwater Drainage Management The design of the stormwater management system (quantity and quality) is to be included in the integrated water cycle management scheme for the development.</i>	YES	A stormwater management strategy has been developed for the subject site and surrounding sites to manage stormwater quantity and quality runoff. This stormwater management strategy was submitted to Council as part of the development application for subdivision (N0304/14/2). The strategy was developed to Council's guidelines and requirements as specified in the WMS. The approved stormwater infrastructure has been installed accordingly within and adjacent to the subject site.



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<i>Groundwater</i> <i>The Water Management Report must identify the depth of the groundwater table. If groundwater is to be managed as a result of excavation/basements/stormwater or flood mitigation measures on the proposed development, the groundwater management measures are to be detailed in the report.</i>	YES	The occurrence of groundwater within the subject site has been considered as part of the Geotechnical Report prepared by Aargus. Aargus found no seepage was encountered during drilling of the augured boreholes. A Geotechnical Statement has been prepared to affirm this, refer to Appendix 13 .
Greywater Reuse <i>In the event that greywater reuse is proposed as part of the integrated water cycle management scheme, the on-site treatment, disposal and/or reuse of greywater must:</i> <ul style="list-style-type: none">▪ demonstrate scheme feasibility;▪ comply with all relevant State and Federal regulatory requirements and the referenced guidelines; and▪ achieve current NSW Health Accreditation (where accreditation is necessary).	N/A	Not applicable to the proposal.
C6.2 Natural Environment and Landscaping Principles <i>Landscaping Principles</i> <i>Integration with Creekline Corridor and the Public Domain</i> <i>Landscaping of existing and proposed Public Road Reserves</i> <i>Landscaped Area</i>	YES	The subject site is located within an area comprising of numerous mature trees. A Landscape Plan has been prepared by iScape Landscape Architecture and details that 42% of the subject site will accommodate landscaping with 7 trees proposed to be planted. The Landscape Plan has been prepared in consideration



Pittwater 21 Development Control Plan Compliance Assessment

Proposed New Dwelling House

13 Fern Creek Road, Warriewood (Lot 11 DP 270922)

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<i>Communal Open Space Area</i>		<p>of the surrounding environmental context of the subject site and aims to compliment the proposed dwelling house.</p> <p>Public and open space located in proximity to the subject site includes Ingleside Park, the Warriewood Escarpment, the Irrawong Reserve, and the Warriewood Wetlands.</p> <p>An Arborist Report has been prepared by The Tree Guardian and is provided at Appendix 8. The Arborist Report has assessed 11 trees within the subject site and adjacent lots and concluded that all trees proposed to be retained can be appropriately protected through the implementation of the recommended protection measures.</p> <p>A Landscape Plan has been prepared by iScape Landscape Architecture and is provided at Appendix 9</p>
C6.3 Ecologically Sustainable Development, Safety and Social Inclusion <i>Designing for ESD</i> <i>Integration of CPTED</i> <i>Universal Design and Adaptive Reuse</i>	YES	<p>The proposed development has been designed in consideration of the orientation, ventilation, topography, vegetation, microclimate, adjoining development and landscape applicable to the subject site.</p> <p>The CPTED principles are addressed within Section 5.13 the SEE.</p> <p>The proposed development has been designed to ensure structural integrity in the long term and the ability to withstand the environmental hazards subject to the area.</p>



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		A BASIX Certificate is provided at Appendix 7 , and the Architectural Plans are annotated with the relevant sustainability commitments that satisfies the relevant BASIX requirements.
C6.4 The Road System and Pedestrian and Cyclist Network	N/A	Not applicable to the proposed development. This has been assessed during the previously completed subdivision of the subject site.
C6.5 Utilities, Services and Infrastructure Provision	N/A	As above.
C6.6 Interface to Warriewood Wetlands or non-residential and commercial/industrial development	N/A	The subject site does not adjoin the Warriewood Wetlands. The proposal is for residential purposes.
C6.7 Landscape Area (Sector, Buffer Area or Development Site) <i>Where the sector, buffer area or development site has no frontage to a creek, a minimum 25% of the site area is to be landscaped area. The minimum landscaped area directly impacts on site storage requirements for the overall water cycle management of a sector, buffer area or development site based on the Warriewood Valley Urban Land Release Water Management Specification (2001). This policy assumes 50% impervious area for a sector, buffer area or development site, therefore the Water Management Cycle model must account for the quantum of built upon area. Where the proposal's impervious area exceeds 50%, a reassessment of the site storage requirements should be undertaken and measures to address the difference must be clearly outlined.</i> <i>Landscaped areas are to be predominately areas of deep soil to allow the infiltration of rainwater to the water table</i>	YES	<p>A Landscape Plan has been prepared by iScape Landscape Architecture and details that 42% of the subject site will accommodate landscaping with 7 trees proposed to be planted.</p> <p>The subject site is located within Sector 901D. Approximately 38% of this sector would be impervious area (calculated in consideration of existing impervious area and estimated future impervious area).</p>



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<i>to reduce stormwater runoff, promote the healthy growth of large trees with large canopies and protect existing mature trees. Deep soil areas are areas of soil unobstructed by buildings or structures above or below the ground. The location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation.</i>		
C6.8 Residential Development Subdivision Principles	N/A	The subject site has previously been subdivided in accordance with these requirements.
C6.9 Residential Land Subdivision Approval Requirements	N/A	As above.
C6.10 Additional Specifications for development of Buffer Area 1a to 1m	N/A	The subject site is not identified as within Buffer Area 1a to 1m on the Pittwater Local Environmental Plan 2014 Urban Release Area Map.
C6.11 Additional Specifications for development of Sector 901A to 901H <u>Development/subdivision of land identified as flora and fauna conservation area</u> A comprehensive site analysis for land identified as a flora and fauna conservation area on the Indicative Layout Plans within this control, is to be provided taking into account the characteristics as part of the subdivision design process. This will involve an arborist report identifying all significant vegetation. This analysis should take into account the final development which will occur on the site as a result of the subdivision.	YES	The subject site is located within Sector 901D and is mapped as flora and fauna conservation. A flora and fauna assessment has previously been provided as part of the subdivision DA and is provided at Appendix 17 .
Section D: Locality Specific Development Controls		



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Control	Compliance	Comment
D16 Warriewood Valley Locality		
<p>D16.1 Character as viewed from a public place <u>Presentation to a public place</u> <i>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:</i></p> <ul style="list-style-type: none"> • <i>pedestrian entry feature including a footpath;</i> • <i>awnings or other features over windows;</i> • <i>front entry feature or portico that highlights the location of the front door;</i> • <i>front feature balconies on upper floors; and</i> • <i>gables, dormer windows or the like that provide architectural interest to the roof form, visible from the street.</i> <p><i>Concealment of building plant or communications equipment, services and servicing areas</i> <i>Parking structures presentation</i></p>	<p>YES</p>	<p>The subject site is located within an area comprising of numerous mature trees. The subject site is screened from surrounding residential development by these mature trees.</p> <p>The front setback of the proposed dwelling house includes a pedestrian entry feature, and a front entry feature.</p> <p>Lot width is defined under Section A1.9 of the DCP as meaning: <i>Is the width of a lot measured from one side boundary to the other at the primary street front building line not including access handles.</i></p> <p>The subject site is a front-loaded lot and has a frontage width of approximately 20.5m, refer to Figure 2. A double garage which would have a door approximately 5m in width is proposed. The proposed development is consistent with the scale and design attributes of surrounding existing dwelling houses along Orchard Street and Fern Creek Road.</p>



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Garage door widths are to be in accordance with the following:			
	Lot dimension	Garage type	Width of garage door presented to the street
Front loaded lots	Area ≥225m² or 9m to 12.5m wide	Single with a second hardstand area in front of the garage.	≤3m or not exceeding 40% of the lot width, whichever is less.
	≥12.5m wide	Single or tandem.	≤3m or not exceeding 40% of the lot width, whichever is less.
	≥12.5m wide	Double	≤6m or not exceeding 40% of the lot width, whichever is less.
Rear loaded lots	≥4.5m or with an area <225m²	Single	3m
		Double	6m
Corner lots with garage on the secondary street frontage	Any	Single	40% of the lot length as presented to the secondary street up to 3m.
		Double	40% of the lot length as presented to the secondary street up to 6m.

Figure 2: Front building line (Source: Popov Bass, 2024 (marked up by Willowtree Planning))

All services equipment and air-conditioning units would not be visible from any nearby street, as the site comprises a battle-axe lot which has no street frontages.

A Landscape Plan has been prepared by iScale Landscape Architecture and details that 42% of the subject site will accommodate landscaping with 7 trees proposed to be planted. The Landscape Plan has been prepared in consideration of the surrounding environmental context of the subject site and aims

Pittwater 21 Development Control Plan																				
Control	Compliance	Comment																		
		to compliment the proposed dwelling house. Landscaping is proposed along all lot boundaries, which is intended to soften the visual impact of the dwelling house to the surrounding residential development.																		
D16.2 Dual Occupancy Specific Controls	N/A	Not applicable to the proposal.																		
D16.3 Secondary Dwellings	N/A	Not applicable to the proposal.																		
D16.4 Water Management for individual allotments	N/A	Not applicable. The subject site is located within Sector 901D.																		
D16.5 Landscaped Area for Newly Created Individual Allotments <u>Minimum Landscaped Area Requirements</u> <table border="1"> <thead> <tr> <th>Residential Development</th><th>Minimum percentage (%) of site area</th><th>Minimum dimensions in metres</th></tr> </thead> <tbody> <tr> <td>Residential Flat Buildings</td><td>25</td><td>3m (at ground level)</td></tr> <tr> <td>Multi Dwelling Housing</td><td>25</td><td>3m</td></tr> <tr> <td>All other dwellings on lots less than 9m wide</td><td>25</td><td>3m</td></tr> <tr> <td>All other dwellings on lots 9m to 14m wide</td><td>35</td><td>4m</td></tr> <tr> <td>All other dwellings on lots greater than or equal to 14m wide</td><td>45</td><td>4m</td></tr> </tbody> </table>	Residential Development	Minimum percentage (%) of site area	Minimum dimensions in metres	Residential Flat Buildings	25	3m (at ground level)	Multi Dwelling Housing	25	3m	All other dwellings on lots less than 9m wide	25	3m	All other dwellings on lots 9m to 14m wide	35	4m	All other dwellings on lots greater than or equal to 14m wide	45	4m	COMPLIES ON MERIT	<p>The subject site has a lot width of approximately 20.5m. The applicable minimum percentage of landscaped area is 45% of the site area. A Landscape Plan has been prepared by iScape Landscape Architecture and details that 42% of the subject site will accommodate landscaping with 7 trees proposed to be planted.</p> <p>N0304/14 approved the subject site to have a building footprint of 183m² and driveway and footpaths within the subject site as 112.61m² which would equate to 39.3% of the subject site being impervious areas. The proposal remains consistent with N0304/14 as the proposed building footprint would be 186m² and driveways and footpaths would be 104m² which equates to 38.5% of the subject site being impervious area.</p> <p>The percentage landscaped area as approved under N0304/14 was not calculated in accordance with the 4x4m dimensions, as required by this clause. Accordingly, the proposed quantity of landscaping is greater than what was approved under N0304/14.</p>
Residential Development	Minimum percentage (%) of site area	Minimum dimensions in metres																		
Residential Flat Buildings	25	3m (at ground level)																		
Multi Dwelling Housing	25	3m																		
All other dwellings on lots less than 9m wide	25	3m																		
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All other dwellings on lots greater than or equal to 14m wide	45	4m																		



Pittwater 21 Development Control Plan		
Control	Compliance	Comment
		This quantity of landscaped area was considered appropriate for the subject site under N0304/14.
<p><u>Landscaping Requirements</u></p> <ul style="list-style-type: none">▪ 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.▪ At the time of planting, trees are to have a minimum container size of 45 litres, complying with the requirements of <i>Specifying Trees: A Guide to Assessment of Tree Quality</i> (Natspec, 2003).▪ Understorey plant species, in conjunction with the tree planting, are to screen 50% of the built form when viewed from the street after five (5) years from the date of issue of the occupation certificate. In order to achieve this, all understorey planting is to have a minimum container size of 200mm at the time of planting. Consideration shall be given to the appropriate use of exotic shrub planting at a maximum of 30% of the total shrub schedule.▪ Council encourages the retention and replanting of existing endemic tree species. All replacement trees shall be indigenous to the local area (refer to Warriewood Valley Landscape Masterplan & Design Guidelines (Public Domain)), and where suitable, shall be habitat trees for endangered	YES	A Landscape Plan has been prepared by iScape Landscape Architecture and details that 61.5% of the subject site is pervious surfaces allowing for infiltration of rainwater. Trees and plants proposed to be planted would be in accordance with these requirements.

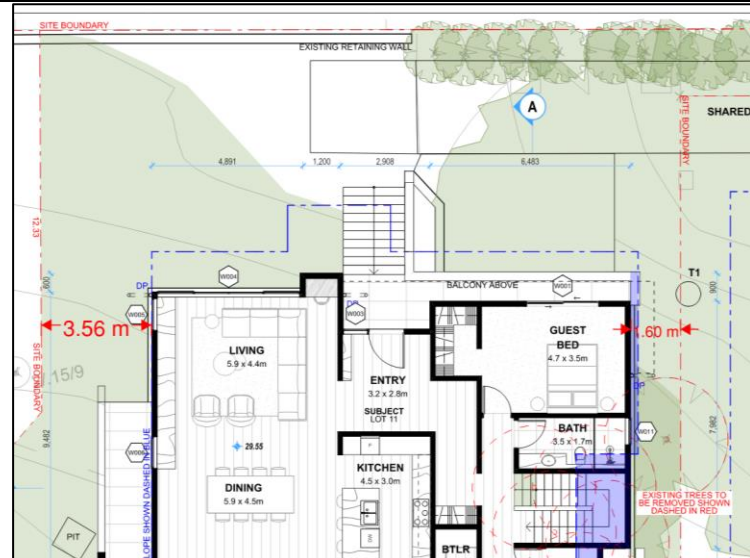


Pittwater 21 Development Control Plan		
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<i>fauna. Applicants are encouraged to retain and protect areas of each site in their natural state.</i>		
<p><i>On residential lots, landscaping provisions are to also address the following:</i></p> <ul style="list-style-type: none"> <i>for lots fronting all other streets (except lots less than 6m wide) are to provide at least one small tree within the front setback;</i> <i>all lots, except deep lots less than 20 metres, are to provide at least one small tree at the rear of the lot;</i> <i>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.</i> <i>all small trees are to achieve a canopy height of 6 metres at maturity.</i> 	YES	A Landscape Plan has been prepared by iScape Landscape Architecture and details that 2 trees would be planted within the front setback, and 5 trees would be planted at the rear and side of the lot. Trees proposed to be planted would be in accordance with these requirements.
<p><u>Landscape plan preparation</u></p> <p><i>All Development Applications, except for interior works, must include a landscape plan prepared in accordance with Appendix 9 - Landscaping and Vegetation Management. The landscape plan is to illustrate the design intent of the landscape proposal and its relationship to the architectural, civil and hydraulic design.</i></p>	YES	A Landscape Plan has been prepared by iScape Landscape Architecture and has been made in accordance with the relevant requirements.
D16.6 Front Building Lines	YES	The subject site does not front Warriewood Road, Garden Street or Macpherson Street. The applicable minimum front setback to the articulation zone is 1.5m. The applicable minimum front setback to a garage is 4m. The applicable minimum front setback to the dwelling is 3m.



Pittwater 21 Development Control Plan																									
Control				Compliance	Comment																				
<table><tr><th>Development</th><th>Minimum front setback to articulation zone (metres) from front boundary</th><th>Minimum front setback to garage/carport (metres) from front boundary</th><th>Minimum front setback to dwelling (metres) from front boundary</th></tr><tr><td>All development fronting Warriewood Road, Garden Street and Macpherson Street.</td><td>5</td><td>6.5</td><td>6.5</td></tr><tr><td>All other dwellings but not Residential Flat Buildings or Multi Dwelling Housing fronting all other streets.</td><td>1.5</td><td>4</td><td>3*</td></tr><tr><td>Residential Flat Buildings or Multi Dwelling Housing fronting all other streets other than Warriewood Road, Garden Street and Macpherson Street.</td><td>3</td><td>4.5</td><td>4.5*</td></tr><tr><td>For corner lots, the setback to the secondary street frontage for all dwellings</td><td>1</td><td>2</td><td>2*</td></tr></table>				Development	Minimum front setback to articulation zone (metres) from front boundary	Minimum front setback to garage/carport (metres) from front boundary	Minimum front setback to dwelling (metres) from front boundary	All development fronting Warriewood Road, Garden Street and Macpherson Street.	5	6.5	6.5	All other dwellings but not Residential Flat Buildings or Multi Dwelling Housing fronting all other streets.	1.5	4	3*	Residential Flat Buildings or Multi Dwelling Housing fronting all other streets other than Warriewood Road, Garden Street and Macpherson Street.	3	4.5	4.5*	For corner lots, the setback to the secondary street frontage for all dwellings	1	2	2*		The proposed development would be setback from approximately 8.1m to 8.5m from the front boundary. The garage would be setback at least 7.8m from the front boundary.
Development	Minimum front setback to articulation zone (metres) from front boundary	Minimum front setback to garage/carport (metres) from front boundary	Minimum front setback to dwelling (metres) from front boundary																						
All development fronting Warriewood Road, Garden Street and Macpherson Street.	5	6.5	6.5																						
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For corner lots, the setback to the secondary street frontage for all dwellings	1	2	2*																						
<p><i>D16.7 Side and rear building lines</i></p> <p><u><i>Minimum side building lines</i></u></p> <table><tr><th>Housing Typology (based on lot width)</th><th>Minimum side building line</th></tr><tr><td>Detached dwelling greater than 16m wide</td><td>One side: 0.9m</td></tr><tr><td></td><td>Other side: 2.5m</td></tr></table>				Housing Typology (based on lot width)	Minimum side building line	Detached dwelling greater than 16m wide	One side: 0.9m		Other side: 2.5m	YES	The subject site has a frontage width of approximately 20.5m. The required minimum side setbacks are 0.9m on one side and 2.5m on the other side. The applicable setbacks at the subject site are 1.6m to one side and 3.6m to the other side, refer to Figure 3 .														
Housing Typology (based on lot width)	Minimum side building line																								
Detached dwelling greater than 16m wide	One side: 0.9m																								
	Other side: 2.5m																								



Pittwater 21 Development Control Plan												
Control	Compliance	Comment										
		<div></div> <p>Figure 3: Proposed Side Setbacks (Source: Popov Bass, 2024 (marked up by Willowtree Planning))</p>										
<p><u>Minimum rear building lines</u></p> <table><tr><th>Development</th><th>Minimum rear building line in metres</th></tr><tr><td>Rear loaded lots.</td><td>0.5m to garages and secondary dwellings.</td></tr><tr><td>Front loaded lots less than 20 m deep.</td><td>4m</td></tr><tr><td>Front loaded lots greater than or equal to 20 m deep.</td><td>4m to ground level and 6m to upper level.</td></tr><tr><td>Residential Flat Buildings, Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing.</td><td>3m</td></tr></table>	Development	Minimum rear building line in metres	Rear loaded lots.	0.5m to garages and secondary dwellings.	Front loaded lots less than 20 m deep.	4m	Front loaded lots greater than or equal to 20 m deep.	4m to ground level and 6m to upper level.	Residential Flat Buildings, Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing.	3m	YES	<p>The subject sites depth varies from approximately 24m to 36m due to its unconventional site boundaries. The applicable minimum rear boundary is 4m to the ground level and 6m to the upper level.</p> <p>The proposed development would be setback approximately 6.1m to 16.8m from the rear boundary.</p>
Development	Minimum rear building line in metres											
Rear loaded lots.	0.5m to garages and secondary dwellings.											
Front loaded lots less than 20 m deep.	4m											
Front loaded lots greater than or equal to 20 m deep.	4m to ground level and 6m to upper level.											
Residential Flat Buildings, Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing.	3m											



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Control		Compliance	Comment												
D16.8 Spatial Separation <i>Council encourages design initiatives that, where practical, provide spatial separation between dwellings and adjoining residential developments, and discourages the design and construction of structures that will cause bulking and diminution of the visual amenity of the locality. Building design, location of windows and balconies/decks, landscaping, and screening devices should be utilised to ensure privacy between dwellings.</i>		YES	The proposed development is for a dwelling house, no minimum spatial separation is applicable to the proposal. The design of the proposed development has considered the future development of adjacent sites to ensure appropriate privacy.												
D16.9 Solar access <table><tr><td>Development</td><td>Minimum solar access to windows to the principal living area between 9am and 3pm on June 21</td><td>Minimum solar access to private open space area* between 9am and 3pm on June 21</td></tr><tr><td>Residential development not elsewhere defined in this table</td><td>2 hours</td><td>2 hours</td></tr></table> <i>Impact of proposed development on existing adjoining residential development</i>		Development	Minimum solar access to windows to the principal living area between 9am and 3pm on June 21	Minimum solar access to private open space area* between 9am and 3pm on June 21	Residential development not elsewhere defined in this table	2 hours	2 hours	YES	Lots adjacent to the subject site are vacant as such the subject site receives adequate solar access. The development of the subject site would have minimal impact on adjoining lots given the proposed building height of 8.5m.						
Development	Minimum solar access to windows to the principal living area between 9am and 3pm on June 21	Minimum solar access to private open space area* between 9am and 3pm on June 21													
Residential development not elsewhere defined in this table	2 hours	2 hours													
D16.10 Private and Communal Open Space Areas <table><tr><td>Development</td><td>Minimum area of private open space (m2)</td><td>Minimum dimension of private open space in metres</td></tr><tr><td>Integrated Housing (Approval Pathways 2a and 2b) under control C6.11 not specified elsewhere in the table.</td><td>16</td><td>3m</td></tr><tr><td>Development on lots between 9m and 14m wide not specified elsewhere in the table.</td><td>20</td><td>4m</td></tr><tr><td>Development on lots greater than 14m wide not specified elsewhere in the table.</td><td>24</td><td>4m</td></tr></table>		Development	Minimum area of private open space (m2)	Minimum dimension of private open space in metres	Integrated Housing (Approval Pathways 2a and 2b) under control C6.11 not specified elsewhere in the table.	16	3m	Development on lots between 9m and 14m wide not specified elsewhere in the table.	20	4m	Development on lots greater than 14m wide not specified elsewhere in the table.	24	4m	YES	<p>The subject site has a frontage width of approximately 20.5m. The applicable minimum area of private open space is 24m² at minimum dimensions of 4m.</p> <p>The proposed development would provide approximately 318.98m² of private open space.</p>
Development	Minimum area of private open space (m2)	Minimum dimension of private open space in metres													
Integrated Housing (Approval Pathways 2a and 2b) under control C6.11 not specified elsewhere in the table.	16	3m													
Development on lots between 9m and 14m wide not specified elsewhere in the table.	20	4m													
Development on lots greater than 14m wide not specified elsewhere in the table.	24	4m													
<u><i>Design and siting of private open space areas</i></u> <i>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</i>		YES	Private open space would be accessible via several exit points of the Ground Floor, oriented to the south and located at the rear of the site, refer to Architectural Plans. The ability to locate the private open space to the north or west is not appropriate given												



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<p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>For dwellings above ground, private open space is to be provided by balconies.</i></p> <p><i>For ground floor dwellings, private open space is to be provided as a terrace or garden.</i></p> <p><i>Balconies adjacent to the rear boundary must be designed to limit overlooking and maintain privacy to adjoining residences.</i></p>		<p>the site layout and topography. Open space is provided as a garden which would ensure there are no overlooking impacts to surrounding properties.</p> <p>Open space will be appropriately fitted with clothes drying facilities and gas and power points.</p> <p>One balcony is proposed to be located at the front of the subject site. The balcony is not recessed into the building. The balcony is setback 8.1m from the northern boundary which borders other residential development but separated by appropriate landscape buffers to limit overlooking.</p>
<p>D16.11 Form of construction including retaining walls, terracing and undercroft areas</p> <p><i>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</i></p>	YES	<p>The subject site is mapped as biodiversity. The proposed dwelling has been designed to minimise the requirement for site disturbance through the use of lightweight construction forms.</p>



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<p><i>the site disturbance.</i></p> <p><i>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.</i></p> <p><i>Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.</i></p> <p><i>In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.</i></p>		<p>All retaining walls within the site would comprise a sandstone cladding finish and will not be visible from the surrounding residential development.</p> <p>No undercroft areas are proposed.</p>
<p>D16.12 Fences</p> <p><i>In all cases, vegetation is preferable over fencing to delineate the property boundary.</i></p> <p><i>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.</i></p> <p><i>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</i></p>	YES	<p>Fencing is proposed along all site boundaries. The fencing design is shown in the Landscape Plans. There are various forms of vegetation, including trees and hedges lining the property to prevent overlooking from surrounding residential development and delineate the proposed development from other dwellings.</p> <p>The proposed fencing has been designed in accordance with the requirements.</p>




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<p><i>streetscape or adversely impact on residential amenity.</i></p> <p><i>Any fencing must:</i></p> <ul style="list-style-type: none">• <i>allow native animals to move between and to areas of environmental sensitivity and areas of habitat value;</i>• <i>enable casual surveillance from buildings for safety and surveillance;</i>• <i>assist in highlighting entrances and in creating a sense of community identity;</i>• <i>be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas; and</i>• <i>complement any facilities and landscaping in public areas.</i> <p><i>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.</i></p> <p><i>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.</i></p>		




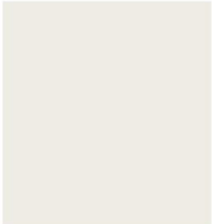

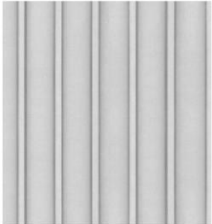




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Control	Compliance	Comment
<i>Fencing resulting in walled or gated communities is not permitted.</i>		
<p>D16.13 Building colours and materials <i>External colours and materials shall be natural tones such as green, brown and dark earthy colours.</i></p> <div> <div>Black ✓</div> <div>Dark grey ✓</div> <div>Dark green ✓</div> <div>Dark brown ✓</div> <div>Mid grey ✓</div> <div>Green ✓</div> <div>Brown ✓</div> <div>Dark blue ✓</div> </div> <p><i>Finishes are to be of a low reflectivity.</i></p>	COMPLIES ON MERIT	<p>The dwelling house is proposed to feature colours of mid grey, and dark grey. Refer to Figure 4 and Figure 5 below and Architectural Plans.</p> <p>The proposed external colours have been selected in consideration of the existing natural environment of the subject site and surrounds. Proposed colours are natural and earthy tonnes similar to surrounding existing dwelling houses along Orchard Street and Fern Creek Road. All windows would have low reflectivity glazing. Proposed wall finishes would <u>not</u> induce a high level of glare or reflectivity.</p> 



Pittwater 21 Development Control Plan		
Control	Compliance	Comment
		Figure 4: Proposed Dwelling House Perspective from Driveway located at Front Boundary (Source: Popov Bass, 2024)



Pittwater 21 Development Control Plan		
Control	Compliance	Comment
		<div>  <p>CL1 CLADDING TYPE 1 (LIGHT)</p> </div> <div>  <p>TC TIMBER LOOK CLADDING</p> </div> <div>  <p>BR1 FACE BRICK</p> </div> <div>  <p>PF1 PAINT FINISH TYPE 1 (LIGHT)</p> </div> <div>  <p>PF2 PAINT FINISH TYPE 2 (DARK)</p> </div> <div>  <p>MDR METAL DECK ROOF (LIGHT COLOUR)</p> </div> <div>  <p>MB METAL BALUSTRADE</p> </div> <div>  <p>SS SANDSTONE</p> </div>



Pittwater 21 Development Control Plan Compliance Assessment

Proposed New Dwelling House

13 Fern Creek Road, Warriewood (Lot 11 DP 270922)

Pittwater 21 Development Control Plan		
Control	Compliance	Comment
		Figure 5. Materials and Finishes (Source: Popov Bass, 2024)
<p>D16.14 Pets and companion animals</p> <p><i>The need for pets and companion animals must take into account their relationship with native animals, including endangered species, and their habitat.</i></p> <p><i>Pets should be contained within the owners property and/or dwelling (dependant on animal), especially at night to prevent predation on wildlife.</i></p> <p><i>Pets and companion animals must be kept in accordance with the Companion Animals Act 1998 and Council registration as required.</i></p>	NOTED	Noted.

