

APPENDIX B The relevant provisions of the Pittwater DCP are considered in the following table.

Guideline	Desired Outcome	Compliance / Consistency with Aims and Objectives
A. Shaping Direction in Pittwater		
A.12 Palm Beach Locality		
	<p><i>The Palm Beach locality will remain primarily a low-density residential area with dwelling houses in maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the lowlands and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and</i></p>	<p>Yes.</p> <p>The proposed development will maintain a building height limit below the tree canopy and minimise bulk and scale whilst ensuring that the new roof respects the form and massing of the existing roof form. Existing vegetation, including canopy trees, are retained. Building colours and materials will match those of the existing building and harmonise with the natural environment. The proposal is consistent with the established character of the site and desired character of the immediate locality.</p>

	<p><i>recreational facilities will serve the community.</i></p> <p><i>Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.</i></p> <p><i>Future development will maintain a building height limit below the tree canopy and minimise bulk and scale whilst ensuring that future development respects the horizontal massing of the existing built form. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape and minimise site disturbance. Development will be designed to be safe from hazards.</i></p> <p><i>The design, scale and treatment of future development within the commercial centres will reflect a 'seaside-village' character through building design, signage and landscaping, and will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.</i></p> <p><i>A balance will be achieved between maintaining</i></p>	
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the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

Palm Beach will remain an important link to the offshore communities.

B General Controls		
B3 Hazard Controls		
B3.1 Landslip Hazard	<p>The controls seek to achieve the outcomes:</p> <p><i>Protection of people. (S)</i> <i>Protection of the natural environment. (En)</i> <i>Protection of private and public infrastructure and assets. (S)</i></p>	<p>Yes. The proposal does not seek approval for ground works. Further, a DA in 2019 sought approval for a pool and spa. This DA was accompanied by a Geotechnical Investigation which concluded that the site was suitable for that development.</p>
B3.6 Contaminated Land	<p>The controls seek to achieve the outcomes:</p>	<p>Yes. The land is to continue to be used for residential purposes.</p>
B4 Controls relating to the Natural Environment		
B4.5 Landscape and Flora Category 3 Land	<p>The controls seek to achieve the outcomes:</p> <p><i>The long term viability and enhancement of locally native flora and fauna and their habitats. (En)</i></p>	<p>Yes. No flora or fauna is affected by the proposal.</p>
B4.22 Preservation of Trees and Bushland	<p>The controls seek to achieve the outcomes:</p> <p><i>To protect and enhance the amenity that trees and/or bushland vegetation provide.</i> <i>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide (En, S). To protect, enhance and account for the contribution trees and/or bushland</i></p>	<p>Yes. The proposal will not result in any loss of vegetation on the site or adjoining site.</p>

	<p><i>vegetation provide to the ecological value and biodiversity of Pittwater, including habitat for locally native plant and animal species, threatened species populations and endangered ecological communities (En).</i></p> <p><i>To promote the benefits that corridors of trees and/or bushland vegetation provide for the movement of flora and fauna (En, S).</i></p>	
<p>B5.1 Water Management Plan</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>Effective management of all water and wastewater resources. (En, S)</i></p> <p><i>Protection of receiving environments downstream of all water management systems. (En, S)</i></p>	<p>Yes. The existing dwelling is connected to the stormwater system and will continue to effectively manage all water and waste water from the site.</p>
<p>B5.8 Stormwater Management - Water Quality – Low Density Residential</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>No increase in pollutants discharged with stormwater into the environment. (En)</i></p> <p><i>Development is compatible with Water Sensitive Urban Design principles. (En)</i></p>	<p>Yes. The new roof area will be connected into the existing drainage system on the site and be discharged into the stormwater system.</p>
<p>B6.1 Access driveways and works on the Public Road Reserve – Low Density Residential</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>Safe and convenient access. (S)</i></p> <p><i>Adverse visual impact of driveways is reduced. (En)</i></p> <p><i>Pedestrian safety. (S)</i></p> <p><i>An effective road drainage system. (En, S)</i></p>	<p>Yes. The proposal will utilise the existing driveway and crossing.</p>

	<i>Maximise the retention of trees and native vegetation in the road reserve. (En, S)</i>	
B6.3 Off-street Vehicle Parking Requirements	<p>The controls seek to achieve the outcomes:</p> <p><i>Safe and convenient parking (En,S)</i></p> <p>The relevant control requires 2 spaces for a single dwelling.</p>	Yes. The proposal will maintain two spaces on the site. The proposal will therefore maintain compliance with Council's parking requirements.
B.8 Site Works Management		
B8.1 Construction and Demolition – Excavation and Landfill	<p>The controls seek to achieve the outcomes:</p> <p><i>Site disturbance is minimised.(En)</i></p> <p><i>Excavation and construction not to have an adverse impact. (En)</i></p> <p><i>Excavation operations not to cause damage on the development or adjoining property. (S)</i></p>	Yes. Site disturbance is minimised.
B8.2 Construction and Demolition – Erosion and Sediment Management	<p>The controls seek to achieve the outcomes:</p> <p><i>Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)</i></p> <p><i>Reduction of waste throughout all phases of development. (En)</i></p> <p><i>Public safety is ensured. (S)</i></p> <p><i>Protection of the public domain. (S, En)</i></p>	Yes. Appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment from the site.

B8.3 Construction and Demolition Waste Management	<p>The controls seek to achieve the outcomes:</p> <p><i>Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)</i></p>	<p>Yes. All demolition material will be removed and recycled off site where possible or taken to an approved waste disposal facility.</p>
C Development type Controls		
C1 Residential Development		
C1.1 Landscaping Landscaped Areas	<p>The controls seek to achieve the outcome:</p> <p><i>A built form softened and complemented by landscaping. (En)</i></p> <p><i>Landscaping reflects the scale and form of development. (En)</i></p> <p><i>Retention of canopy trees by encouraging the use of pier and beam footings. (En) Development results in retention of existing native vegetation. (En)</i></p> <p><i>Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)</i></p> <p><i>Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)</i></p> <p><i>Landscaping enhances habitat and amenity value.</i></p>	<p>No vegetation will be removed to accommodate the new works. The existing area around the dwelling will be retained as the new works are entirely on the footprint of the existing dwelling.</p> <p>There is no change to the current landscaped area of the site. Current vegetation will continue to soften the built form.</p>

	<p><i>(En, S)</i> <i>Landscaping results in reduced risk of landslip. (En, Ec)</i> <i>Landscaping results in low watering requirement. (En)</i></p> <p>Requirement 60%</p>	
C1.2 Safety and Security	<p>The controls seek to achieve the outcomes:</p> <p><i>On-going safety and security of the Pittwater community. (S) Opportunities for vandalism are minimised. (S, Ec)</i> <i>Inform applicants of Council's requirements for crime and safety management for new development. (S)</i></p> <p><i>Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)</i> <i>Identify crime and safety priority areas in Pittwater LGA (S, Ec)</i> <i>Improve community safety and reduce the fear of crime in the Pittwater LGA (S)</i> <i>Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)</i></p>	<p>Yes. The dwellings' entry will continue to overlook the street and will continue to allow for casual surveillance of persons entering the site and the street area.</p>
C1.3 View Sharing	<p>The controls seek to achieve the outcomes:</p> <p><i>A reasonable sharing of views amongst dwellings. (S)</i></p>	<p>Yes, the proposal will achieve reasonable view sharing. In this regard the most affected neighbour on the upper side of Palm Beach Road was contacted prior to the finalisation of the design. This dwelling currently affords views over the subject</p>

	<p><i>Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)</i></p> <p><i>Canopy trees take priority over views. (En, S)</i></p>	<p>site towards the water and foreshore. As shown in Figure 8 in the report, the proposal will not alter the composition of the view towards the east.</p>
C1.4 Solar Access	<p>The controls seek to achieve the outcomes:</p> <p><i>Residential development is sited and designed to maximise solar access during mid-winter. (En)</i></p> <p><i>A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)</i></p> <p><i>Reduce usage and/dependence for artificial lighting. (En)</i></p>	<p>Yes. The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter. The submission includes shadow diagrams which indicate that the solar access available to the subject dwelling and neighbouring properties will remain largely unchanged as a result of the proposed works.</p>
C1.5 Visual Privacy	<p>The controls seek to achieve the outcomes:</p> <p>Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)</p> <p>A sense of territory and safety is provided for residents. (S)</p>	<p>Yes. The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.</p> <p>The rear setback is maintained, and the new habitable area is within the footprint of the existing dwelling and will not unreasonably overlook the neighbours, with the existing levels of amenity enjoyed by the neighbours to be largely maintained.</p>
C1.6 Acoustic Privacy	<p>The controls seek to achieve the outcomes:</p> <p><i>Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited. (S)</i></p> <p><i>Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or recreation areas (S)</i></p>	<p>Yes. Given the residential nature of the works, there will not be any significant impact on the surrounding locality in terms of acoustic privacy.</p>

<p>C1.7 Private Open Space</p>	<p>The controls seek to achieve the outcomes:</p> <p>Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)</p> <p>Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)</p> <p>Private open space receives sufficient solar access and privacy (En, S).</p>	<p>Suitable private open space with an area and at a grade which will facilitate outdoor private recreation are retained.</p>
<p>C 1.12 Waste and Recycling Facilities</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>Waste facilities are accessible and convenient and integrate with the development. (En)</i></p> <p><i>Waste facilities are located such that they do not adversely impact upon amenity of the land adjoining development or natural environment. (En, S)</i></p>	<p>Yes. The on-site storage of waste and recyclables will be retained.</p>
<p>C1.23 Eaves</p>	<p>The controls seek to achieve the outcomes:</p> <p>Housing that reflects the coastal heritage and character of Pittwater. (S)</p> <p><i>Optimise roof forms. (S)</i></p> <p><i>Appropriate solar access and shading is achieved. (En)</i></p>	<p>The proposed roof form has been designed to match that of the existing roof form.</p>

Section D Design Criteria		
12. Palm Beach Locality Statement		
D12.1 Character as viewed from a public place	<p><i>The control seeks to achieve the outcomes:</i></p> <p><i>To achieve the desired future character of the Locality.</i></p> <p><i>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)</i></p> <p><i>To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.</i></p> <p><i>The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)</i></p> <p><i>High quality buildings designed and built for the natural context and any natural hazards. (En, S)</i></p> <p><i>Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)</i></p> <p><i>To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.</i></p>	<p>Yes. The proposal responds to the desire character of the site and the special characteristics of the existing roof form and its immediate neighbourhood.</p> <p>The existing building is a high quality architecturally designed building which responds well to the site's topography. It is of human scale and does not dominate the streetscape in fact its unique design contributes to the standard of architectural excellence which is generally evident within the locality. The proposed new roof form has been architecturally designed to integrate with the existing built form and will achieve compliance all of the relevant desired outcomes.</p>

	<p><i>To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component. To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)</i></p>	
<p>D12.3 Building Colours and Materials</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>Achieve the desired future character of the Locality.</i></p> <p><i>The development enhances the visual quality and identity of the streetscape. (S)</i></p> <p><i>To provide attractive building facades which establish identity and contribute to the streetscape.</i></p> <p><i>To ensure building colours and materials compliments the visual character of its location with the natural landscapes of Pittwater.</i></p> <p><i>The colours and materials of the development harmonise with the natural environment. (En, S)</i></p> <p><i>The visual prominence of the development is minimised. (S)</i></p> <p><i>Damage to existing native vegetation and habitat is minimised. (En)</i></p>	<p>Yes. The new roof will match that of the existing building which enhances the visual quality and identity of the streetscape. The materials and finishes are recessive and reduce the visual prominence of the roof when viewed from afar.</p>

<p>D12.5 Front Building Line</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>Achieve the desired future character of the Locality. (S)</i></p> <p><i>Equitable preservation of views and vistas to and/or from public/private places. (S)</i></p> <p><i>The amenity of residential development adjoining a main road is maintained. (S) Vegetation is retained and enhanced to visually reduce the built form. (En)</i></p> <p><i>Vehicle manoeuvring in a forward direction is facilitated. (S)</i></p> <p><i>To preserve and enhance the rural and bushland character of the locality. (En, S)</i></p>	<p>Yes. The front building line is retained. There will be no disenable change to the dwelling when viewed from the front of the site. It is only at a higher level that the new roof form will be visible.</p>
<p>D12.6 Side and rear building line</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>To achieve the desired future character of the Locality. (S)</i></p> <p><i>The bulk and scale of the built form is minimised. (En, S)</i></p> <p><i>Equitable preservation of views and vistas to and/or from public/private places. (S)</i></p> <p><i>To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.</i></p> <p><i>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)</i></p> <p><i>Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S) Flexibility in the siting of buildings and access. (En, S)</i></p>	<p>Yes. The existing setbacks to the side and rear boundaries are retained.</p>

	<p><i>Vegetation is retained and enhanced to visually reduce the built form. (En)</i></p> <p><i>To ensure a landscaped buffer between commercial and residential zones is established. (En, S)</i></p> <p>The relevant controls to achieve this outcome are to maintain a minimum side boundary setback of 2.5m for at least one side and min 1.0m setback for the other side.</p>	
<p>D12.8 Building Envelope</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>To achieve the desired future character of the Locality.</i></p> <p><i>To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.</i></p> <p><i>To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.</i></p> <p><i>The bulk and scale of the built form is minimised. (En, S)</i></p> <p><i>Equitable preservation of views and vistas to and/or from public/private places. (S)</i></p> <p><i>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)</i></p>	<p>The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45o.</p> <p>The portion of the development which does not comply with the building envelope control is not considered to result in any substantial impact for neighbouring properties, in terms of views, privacy or solar access.</p> <p>The works have been designed to mimic the existing roof design (shape and height) which will ensure the architectural integrity of the dwelling.</p> <p>The shadow diagrams provided show there will be no significant adverse impacts upon the solar access enjoyed by neighbouring properties.</p> <p>The proposal is in keeping with the desired outcomes of this clause and is therefore considered worthy of support on merit.</p>

	<p><i>Vegetation is retained and enhanced to visually reduce the built form. (En)</i></p> <p>The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45o.</p>	
<p>D12.10 Landscaped Area</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>Achieve the desired future character of the Locality. (S)</i></p> <p><i>The bulk and scale of the built form is minimised. (En, S)</i></p> <p><i>A reasonable level of amenity and solar access is provided and maintained. (En, S) Vegetation is retained and enhanced to visually reduce the built form. (En)</i></p> <p><i>Conservation of natural vegetation and biodiversity. (En)</i></p> <p><i>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)</i></p> <p><i>To preserve and enhance the rural and bushland character of the area. (En, S)</i></p> <p><i>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)</i></p> <p><i>The required controls to achieve the outcomes are to limit residential development in order to</i></p>	<p>Yes.</p> <p>The proposal will maintain the existing landscaped area of the site area.</p> <p>No vegetation will be removed to accommodate the new works. The site will retain the opportunity for further screening landscaping to enhance the privacy of the building's occupants.</p>

	<p><i>maintain a minimum landscaped area of 60% of the site area.</i></p> <p>Requirement 60%.</p>	
<p>D12.14 Scenic Protection Category One Areas</p>	<p>The controls seek to achieve the outcomes:</p> <p><i>To achieve the desired future character of the Locality.</i></p> <p><i>To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront. (En,S). Maintenance and enhancement of the tree canopy. (En,S) Colours and materials recede into a well vegetated natural environment. (En,S)</i></p> <p><i>To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component. (En, S)</i></p> <p><i>To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.</i></p> <p><i>To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping. To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural</i></p>	<p>Yes. The required controls to achieve the outcomes are to ensure that the development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.</p> <p>As discussed, the proposed new works are not considered to be bulky or overbearing when viewed from the adjoining public areas. The existing building form remains unchanged when viewed from the street, thereby minimising the visual impact on the street. It is only at an elevated level that the roof forms can be seen from the west of the site.</p> <p>The site is screened from the foreshore by the built development on the eastern side of the site. The proposed colours and materials are to match the existing colour and material palette and are recessive.</p>

	<p><i>environment.</i></p> <p><i>Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.</i></p>	
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