Statement of Environmental Effects

Proposed Demolition of Existing Dwelling and
Construction of Shop Top Housing Basement Car Parking
& Landscaping

at

51 Kalang Road Elanora Heights

Prepared for

Steve Djogo

March 2021

(Project No 2101)

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INTRODUCTION

This Statement of Environmental Effects has been prepared on behalf of Steve Djogo in support of a Development Application for the demolition of the existing dwelling and construction of shop top housing comprising 3 storeys with 5 units and two commercial premises and basement car parking at 51 Kalang Street Elanora Heights.

A pre DA meeting with held with council on 25 June 2020. A copy of the minutes of the meeting are included in appendix A to this Statement of Environmental Effects. The issues that have been raised in the minutes have been addressed in the current proposal. The overall height of the building has been reduced as much as possible and the setbacks have been increased to be more consistent with the development control plan. Minor variations to the height controls are proposed but have been addressed in the 4.6 variation to the development standards. An arborist report has been prepared to address the existing trees on the site and the basement car parking area has been amended to retain one of the trees at the front of the site.

The Statement of Environmental Effects addresses the relevant statutory planning framework within which the Development Application is to be assessed and determined.

Site Description

The subject site is known as Lot 2 DP 528120 No 51 Kalang Road Elanora Heights.

The site is located on the eastern side of Kalang Road. The land has a fall from the front to the rear boundary and is below road level. The site is triangular shaped. The site area of the subject site is 1154.3m^2. The location of the site is shown in Figure 1 below:

Figure 1 – Locality Map (Sourced: www.sixmaps.com)

Existing Development

The site contains a single storey dwelling which will be demolished to allow for the proposed development. The dwelling has access from Kalang Street and is at the outer edge of the B2 zone.

Adjoining Development

The site is adjoined to the south by a council car park to the east by the Elanora Heights Community Centre and the north by existing shops and units. The site forms the outer edge of the Elanora Heights local shopping centre.

Proposed Development

The proposed development is included on plans prepared by Fortey and Grant Architecture which include the following drawings:

- DA 01 Roof and Site Plan
- DA02 Basement Plan
- DA03 Ground Floor Calculations
- DA04 First Floor Calculations
- DA05 Second Calculations
- DA06 Basement Floor Plan
- DA07 Ground Floor Plan
- DA08 First Floor Plan

- DA09 Second Floor Plan
- DA10 Northern Elevation
- DA11 Southern Elevation
- DA12 Eastern Elevation
- DA13 Western Elevation
- DA14 Section
- DA15 Section
- DA16 Height Plane and Calculations
- DA 17 Materials and Finishes
- DA 18 Photomontage
- DA 19 Plan Shadow Diagrams
- DA 20 East Shadow Views
- DA 21 West Shadow Views

The application is also accompanied by the following reports:

- Access Report Prepared by ILC Access
- BASIX Certificate
- SEPP 65 Report
- Stormwater Plans Prepare by Australian Consulting Engineers
- Landscape Plan Prepared by Vision Dynamics
- Traffic Report by Varga Traffic Planning P/L

The proposal provides for the demolition of the existing dwelling and the erection of a shop top housing development comprising a basement parking levels and a commercial level at ground level and 2 residential levels above in a stepped format due to the sloping nature of the land. The building includes the following components:

- 1 basement level containing 13 carparking spaces including 2 accessible spaces, 3 of the car spaces will be stacked.
- Two commercial tenancies at ground floor level and
- Three units at 1st floor level and
- Two units at 2nd floor level.

The total number of units provided within the building will be 3x 1-bedroom units, 1 x 2 bedroom unit, 1 x 3 bedroom unit – Total 5 units.

The basement floor level of the building will be sited up the common boundary with the adjoining shop top housing development and varying distances from the southern eastern and western side boundaries. The building will generally be sited from 7 to 10m form the front boundary and between 3 and 6m from the southern boundary.

Access to the site will be by way of a driveway off Kalang Road to the basement car parking area.

STATEMENT OF ENVIRONMENTAL EFFECTS

State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development

This policy applies to the development of new residential flat buildings and aims to improve the quality of residential flat development.

The proposal includes the development of shop top housing development which comprises 3 or more storeys and contains 4 or more dwellings, therefore SEPP 65 is applicable to the application. Accordingly, a Design Verification Statement prepared by Fortey & Grant Architecture accompanies the application that certifies that the design quality principles set out in Schedule 1 of the policy and the objectives in Parts 3 and 4 of the Apartment Design Code are achieved in respect of the proposed development. The document is submitted with this application.

Clause 6A of the SEPP outlines controls that cannot be inconsistent with Apartment Design Guide. The Design Verification Statement prepared by Fortey & Grant Architecture indicates that the proposed development complies with the following matters outlined in the SEPP.

(a) visual privacy,
(b) solar and daylight access,
(c) common circulation and spaces,
(d) apartment size and layout,
(e) ceiling heights,
(f) private open space and balconies,
(g) natural ventilation,
(h) storage.

Clause 28(2) of the SEPP requires the consent authority to take into consideration the advice of a Design Review Panel (constituted under Part 3 of the Policy), the design quality of the development when evaluated in accordance with the design quality principles and the Apartment Design Guide (ADG).

Council does not have a constituted Design Review Panel under the SEPP.

Clause 30 outlines standards that cannot be used as grounds to refuse development consent or modification of development consent which include the following:

> *(1) If an application for the modification of a development consent or a development application for the carrying out of development to which this Policy applies satisfies the following design criteria, the consent authority must not refuse the application because of those matters:*
>
> *(a) if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,*
>
> *(b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide,*
>
> *(c) if the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.*
>
> *(2) Development consent must not be granted if, in the opinion of the consent authority, the development or modification does not demonstrate that adequate regard has been given to:*
>
> *(a) the design quality principles, and*
>
> *(b) the objectives specified in the Apartment Design Guide for the relevant design criteria.*

The Design Verification Statement prepared by Fortey & Grant Architecture indicates that the proposal is consistent with the design quality principles and the objectives specified in the ADG for the relevant design criteria.

SEPP 65 Apartment Design Guide

The following discussion relates to compliance with the key design criteria contained in Part 3 (Siting the Development – Visual Privacy) and Part 4 (Amenity) of the Apartment Design Guide (ADG). Clause 6A of the SEPP requires compliance with these requirements and if a development control plan contains provisions that specify

requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect.

Visual Privacy: Design Criteria 3F of the ADG specifies that minimum separation distances from the building to the side and rear boundary are as follows:

Height of Building	**Habitable Rooms & Balconies Setback**	**Non-habitable Rooms Setback**
Up to 12m (4 storeys)	6m	3m

The proposal provides the following setbacks from the southern side boundary.

- 6m to habitable rooms and 3m to balconies at top floor level
- 3m to habitable rooms second floor level

The proposed setbacks do not strictly comply with the requirements of this design criteria however the site adjoins the car parking area for the community centre. There is a 12m separation to community centre building. Therefore, the setbacks area considered reasonable

Communal Open Space:

Design criteria 3D of the ADG specifies that the communal open space should have a minimum area equal to 25% of the site and should achieve 2 hours of sunlight between 9.00am and 3.00pm on 21 June. Due to the small number of units within the development and the small site area it is not proposed to provide communal open space. It is noted that the two upper floor units have much larger private open space area that that are required to be provided by the ADG and there is a public park in Merridong Road approx. 500m from the subject site.

Deep Soils Zones:

Design Criteria 3E of the ADG specifies that the sites between 650m^2 and 1500m^2 must have a deep soil zone of 7% of the site with a minimum dimension of 3m. The proposed development complies with this requirement in that 133.7m^2 at front and rear or 20% of the site area.

Natural ventilation, solar, daylight access and room apartment depth:

Design Criteria 4A of the ADG specifies that at least 60% of the apartment should be naturally cross ventilated. 4 of the 5 units (80%) are naturally cross ventilated.

Criteria 4B of the ADG specifies that living rooms and private open space of at least 70% of the apartments must receive a minimum of 2 hours direct sunlight between 9.00am and 3.00pm on 21 June. The shadow diagrams prepared by Fortey & Grant Architecture indicates that 4 of the 5 units receive 4 hour of sunlight between 9am and 3pm which complies with the requirements of the ADG.

Ceiling Heights:

Minimum 2.7 ceiling heights are proposed for all habitable rooms and 3.5m within the commercial floor are in compliance with design criteria 4C of the ADG.

Apartment Size and Layout:

Design Criteria 4D of the ADG specifies the minimum internal size of 30m^2 for a studio apartment, 50m^2 for 1bedroom apartment, 70m^2 for 2 bedroom apartments and 90m^2 for 3 bedroom apartments with an increase of 5m^2 for a second bedroom. All of the units within the proposed development comply with the requirements of this design criteria.

Private Open Space and Balconies:

The minimum balcony area specified in Design Criteria 4E of the ADG are 8m^2 for 1 bedroom, 10m^2 for 2 bedroom, 12m^2 for 3 bedroom. All of the apartments within the proposed development comply with the requirements of this design criteria. The balconies to the units at the upper floor level are well in excess of this requirement.

Common Circulation and Spaces

The maximum number of apartments off a circulation core on a single level is eight. The proposal complies criteria 4F of the ADG.

Storage:

Design Criteria 4G of the ADG recommends a minimum required storage area of 4m^2 for studio apartments, 6m^2 for 1 bedroom apartments, 8m^2 for 2 bedroom apartments and 10m^2 for 3 bedroom apartments. The proposed development complies with the requirements by either the provision of storage areas within the individual units or within the storage areas at basement floor level.

State Environmental Planning Policy - Building Sustainability Index (BASIX) 2004

The application is accompanied by a BASIX Certificate certifying conformity with the requirements of the SEPP in respect to water consumption, energy efficiency and thermal comfort.

Draft Design and Place State Environmental Planning Policy (SEPP)

Draft Design and Place State Environmental Planning Policy (SEPP) is part of a broader review of all our SEPPs and aims to simplify and consolidate how to deliver good design in NSW.

The Design and Place SEPP puts place and design quality at the forefront of development. The SEPP spans places of all scales, from precincts, significant developments, and buildings to infrastructure and public space.

The Design and Place SEPP will establish principles for the design and assessment of places in urban and regional NSW. These principles include the following:

PRINCIPLE 1. Design places with beauty and character that people feel proud to belong to

PRINCIPLE 2. Design inviting public spaces to support engaged communities

PRINCIPLE 3. Design productive and connected places to enable thriving communities

PRINCIPLE 4. Design sustainable and greener places for the wellbeing of people and the environment

PRINCIPLE 5. Design resilient and diverse places for enduring communities.

It is considered that the proposed development is consistent with the principles of the Draft Design and Place SEPP.

The draft will apply to the proposed development in that it will subsume SEPP 65 and SEPP BASIX which currently applies to the development. The Draft SEPP will amend existing controls by:

— replacing the SEPP 65 process for design review, including panels and the application of principles, with the Design and Place SEPP process

— replacing the SEPP 65 design quality principles with the principles of the proposed Design and Place SEPP

— incorporating the revised ADG as a matter for consideration under the Design and Place SEPP

— removing precinct-scale considerations from the ADG including key considerations, criteria, and guidance for DCPs, and incorporating these into the UDG

— clearly distinguishing between key considerations, criteria, and guidance for apartment development.

Whilst the draft SEPP will apply some different controls to the proposed development, given the scale of the development and the fact it generally complies with desired future character of the locality, SEPP 65 and the ADG and a BASIX certificate has been submitted with the application the proposal is considered to be consistent with the requirements of the Draft SEPP.

Pittwater Local Environmental Plan 2014

The land is zoned B2 Local Centre Pittwater Local Environmental Plan 2014. The development, comprising the construction of shop top housing is permissible within the B2 Zone with Development Consent.

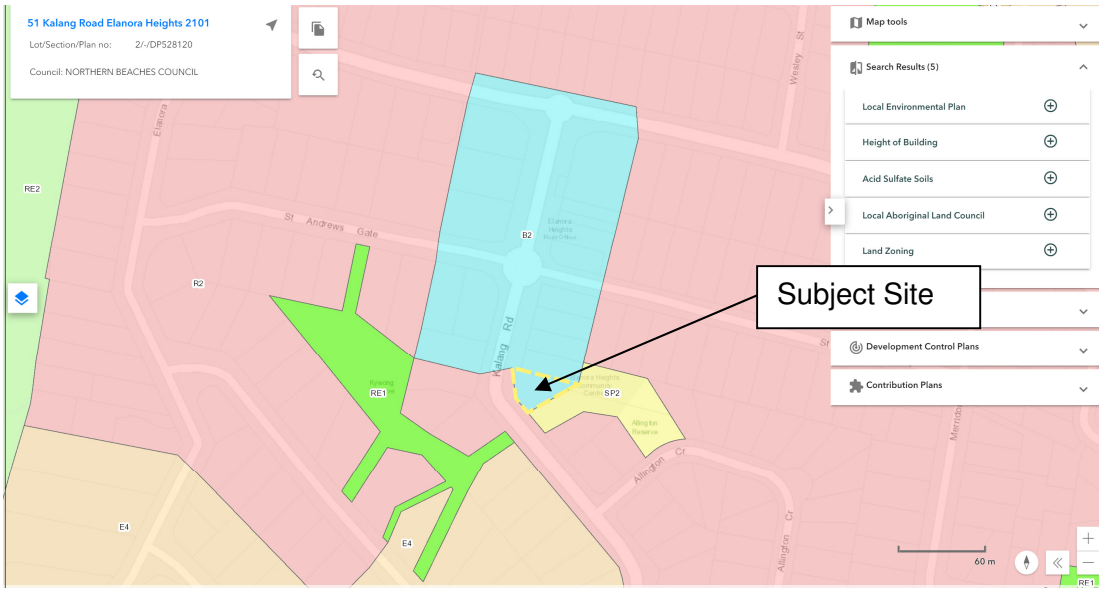


Figure 2 – Zoning Map (Source: NSW Planning)

The objectives of the B2 zone are:

Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide healthy, attractive, vibrant and safe local centres.
- To strengthen the role of centres as places of employment.
- To provide an active day and evening economy.
- To provide for residential uses above street level where they are compatible with the characteristics and uses of the site and its surroundings.

Clause 2.3(2) of the Pittwater LEP provides that:
"The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone."

The proposed development is consistent with the relevant objectives of the zone in that the proposal will :

- provide a range of retail, business, uses that serve the needs of people who live in, work in and visit the local area.
- encourage employment opportunities in accessible locations.

- maximise public transport patronage and encourage walking and cycling.
- Provide a development where the outcome will add to the healthy, attractive, vibrant and safe local centre.
- Provide employment opportunities.
- provide an active day and evening economy by having a mix of residential and commercial uses.
- The residential uses above street level will be compatible with the characteristics and uses of the site and its surroundings.

Clause 4.3

Clause 4.3 of the Pittwater LEP 2014 limits the maximum height of buildings on the subject site to 8.5m and 11m. The proposed development has a height of in excess of 11m and 8.5m as the building steps down the site due to the steep nature of the land and the application of two different height controls to the site. A section of the bedroom at 1st floor level and bedroom and study at 2nd floor level will encroach up to 3m on the 8.5m height limit. The lift overrun will encroach up to 1.08 and part of the 2nd floor level will encroach up to 1m on the 11m height limit.

An objection under the provisions of Clause 4.6 of the SEPP has been prepared to address the departure from this development standard. The 4.6 Objection indicates that the compliance with the development standard is unnecessary in the circumstances and is well founded.

Part 5 Miscellaneous provisions

The provisions of this part of the LEP are not applicable to the proposed development.

Part 7 Additional local provisions

7.7 Geotechnical hazards

The site is not identified on the Geotechnical Hazards map.

The other provisions of this part of the LEP are not applicable to the proposed development.

Pittwater 21 Development Control Plan (PDCP)

The following information is provided in relation to the relevant provisions of the PDCP.

Section B: General Controls

B2.6 – Dwelling Density and Subdivision – Shop Top Housing

Clause B2.6 requires the commercial/retail component of the development to be a minimum of 25% of the gross floor area of the building. The application should demonstrate compliance with this requirement.

The proposal provides for a total Commercial GFA of 195.9m^2(30%) the total GFA of 641.8m^2 which complies with the requirement of the DCP.

Section C: Development Type Controls

C1 Design Criteria for Residential Development

The development is to achieve compliance with the outcomes and requirements of the following controls. Any variation is to satisfy the outcomes of the particular control:

C1.1 Landscaping

For shop top housing, a minimum landscaped area of 20%
of the site area, or 35m2 per dwelling, whichever is the greater, shall be provided.
For shop top housing development landscaping is to be provided at the front and rear of the development. (natural ground). A total of 133.7m^2 at front and rear of the site is landscaped which is approx. 21% of the site. The landscape area based on 5 units x 35m2 = 175m^2. The proposal does not strictly comply with the requirements of this section of the DCP in that it only meets the minimum landscape area not the area based on the number of units. This has a shortfall of 41.3m^2 which is considered minor given that the development is located within a commercial area.

C1.2 Safety and Security (to be measured against the principles established in CPTED)

There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:

1. Surveillance

Building design should allow visitors who approach the front door to be seen without the need to open the door.

The proposed development has been designed to allow occupants to overlook the street and common areas to maximise casual surveillance.

Development has been designed so that there are few opportunities for concealment and avoid blind corners.

Adequate lighting will be provided at the font of the site and within the carparking and common areas. The lighting will be designed and located so that it minimises the possibility of vandalism or damage. Security lighting will meet Australian Standard AS 4282-1997: Control of the obtrusive effects of outdoor lighting.

Lighting will be designed to minimise electricity consumption, and to minimise annoyance to neighbours.

The proposed landscaping and materials around the development has been designed, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.

2. Access Control

The entry to the building will be able to be locked and will incorporate an intercom system or the like to allow visitors to gain entry.

The Building entrance is clearly visible from the street, easily identifiable and will be appropriately lit.

A street number will be provided on the property that will be clearly identifiable.

Pedestrian access along the street frontage will not be impeded by landscaping, street furniture or other restrictions.

3. Territorial reinforcement

Walkways and landscaping at the font of the development has been used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

A single entry to the development has been provided in lieu of providing separate entries to the commercial and residential portions. The commercial shop at the font of the site can be accessed from the street. The office suite at the rear will only generate a minimal pedestrian traffic and should not cause unnecessary any crime risk to the residents and the occupant of the office suite.

There are no blank walls along the street frontage

4. Space management

The proposed open space at the front of the development will be appropriately utilised and well cared for.

Appropriate space management strategies will be incorporated in the development.

C1.9 Adaptable Housing and Accessibility

The DCP requires that 20% of the units are accessible. One of the five units will accessible and has been designed to meet the criteria of Australian Standard AS 4299:1995 Adaptable Housing.

C1.12 Waste and Recycling Facilities

All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and Development Application will be accompanied by a Waste Management Plan.

C1.13 Pollution Control

Residential development has been designed, and will be constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.

Developments will comply in all respects with the *Protection of the Environment Operations Act 1997*, and other relevant legislation.

C1.23 Eave

The DCP allows for a variation to the controls in this section of the DCP for Shop Top Housing in this regard the proposed development is shop top housing and doesn't contain eaves to the perimeter of the building. The design of the building incorporates varies design elements that overcome the need to provide eaves.

C2.20 Public Road Reserve - Landscaping and Infrastructure

This control does not apply to the Elanora Heights Village Centre

Section D: Locality Specific Development Controls

D5 – Elanora Heights Locality

The subject site is located within the Elanora Heights locality as indicated on the locality map.

A4.5 Elanora Heights Locality

Land within the Elanora Heights Village Centre Locality as identified on the Elanora Heights Locality Map.

Hazards, Natural Environment and Heritage

Hazards

The Elanora Heights Locality is affected by various hazards. Land affected in the Elanora Heights Locality is shown on the hazard maps held in the offices of Council.

Natural Environment

The Elanora Heights Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Elanora Heights Locality is shown on the natural environment maps held in the offices of Council.

The subject site is not identified as an area of environmental significance on the natural environment maps.

Heritage

The Elanora Heights Locality may include Heritage items and/or conservation areas. Land affected in the Elanora Heights Locality is shown on the Heritage Map held in the offices of Council.

The subject site does not have any heritage items or is not within a heritage conservation area.

Desired Character of Elanora Heights Village Centre

The design principles underpinning the desired character for Elanora Heights Village Centre are:

- To enhance and activate the existing character of Kalang Road;
- To create a high quality public domain environment;
- To encourage upgrades to existing properties and shops;
- To ensure development achieves design excellence;
- To create a strong sense of place as a small scale coastal village centre;
- To extend the village centre uses and activity to the southern block on Kalang Road;

- To ensure the whole length of the village centre is active and vibrant with increased visitation to the southern block;
- To ensure the village retains a low scale fine grain character;
- To maximize opportunities for cafes and restaurants;
- To announce arrival at the village centre through architectural and landscape markers;
- To improve visibility of the existing Community Centre and children's playground to Kalang Road and the rest of the village centre; and
- To encourage greater knowledge of Kywong Reserve

The proposed development has taken into consideration the design principles when designing the proposed development.

Elanora Heights is a small village centre with great sense of community, making it one of the great places to live in the northern beaches.

Comment

The proposal will maintain the community feel within the small village

Local residents enjoy an easy-going lifestyle while shopping, dining and socializing in the lively village centre shops and cafes open onto the footpaths. The new town square on the western verge, south of St Andrews Gate, offers great choices for "breaky" or a good cup of coffee on the weekends. It offers public art and informal play opportunities for kids, and the favourite sunny spot of both young and senior residents.

Comment

The proposed shops will provide an opportunity to promote the lifestyle of the small shopping precinct.

Elanora Heights is a relaxed, easy-going place that has adapted gracefully over time with its improved public domain, tree-lined main street and characteristic, low scale, 3-storey built form with colourful facades and high quality architecture.

Comment

The proposal will maintain the tree lined street characteristic and present the 3 storey built form and high quality architecture.

The architecture reflects the village atmosphere and coastal location. Buildings abut each other along both sides of Kalang Road. Driveways do not interrupt the pedestrian verges. The deep balconies to the upper levels create a play of light and shade on the facades. The use of natural materials enhances the facades and streetscape. The lower scale edges of the

buildings to the rear of the properties and St Andrews Gate create a gentle transition to the lower scale houses

Comment

The community centre, its adjacent open space with tall trees, shade canopies and playground space are ideal for the locals to meet and attend community events

Lush planting and shading devices along generous footpaths give plenty of shade to pedestrians. The landscaped verges have regular seating areas that do not interrupt the flow of pedestrians past the shop fronts.

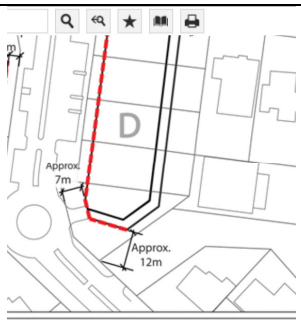
The extensive street trees give Kalang Road a dappled, leafy character emphasised by the tree planted central median.

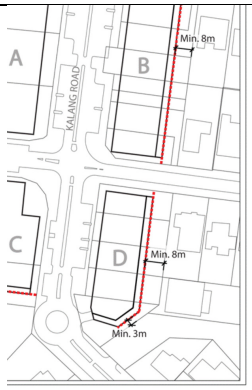
The street frontages of the new buildings are active with well designed, fine grain shop fronts and high quality signage under the colonnade on the western verge along Kalang Road or under the awnings along the eastern verge. Together with the landscape master plan and the built form they create a holistic vision and character for the village centre.

Comment

The design of the building reflects the low scale fine grain character of the village centre.

The following table relates to the provisions of the DCP relating to the Elanora Heights shopping centre

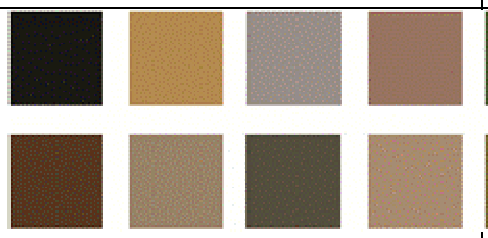
	Compliance table		
	Requirement	Proposal	Compliance Y N
Front Building Line		7m at front and 12m at corner	

Side and rear setbacks			
	The minimum side setback to the southern end of block D is to be 3 metres	3m setback provided	Y
Setbacks to upper levels	A minimum setback of 3 metres is to be provided to the third floor of all development to the rear of the lot. A minimum setback of 3 metres is to be provided to the third floor of any development on Block D and to the southern lot.	3m setback to the rear of the building	Y
	An articulated setback to the front building line, as shown in Section Diagram AA and BB is required.	Articulation provided	Y
	A minimum setback of 3 metres is to be provided to the southern most lot of Block C to maintain reasonable solar access to the adjacent lot.	3m setback provided	Y
Separation	minimum of 50% of the required distance are to be provided within the boundary of any development site. This requirement is based on the reasonable expectation that the remaining 50% will be provided on the adjoining property.	6m provided to habitable rooms and 3m to balconies at top floor level 3m setback to habitable rooms	N The site adjoins the car parking area for the community

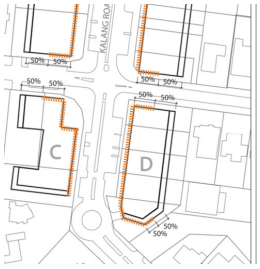
	The required separation distances between buildings are: • 12 metres between windows of habitable rooms/balconies; • 9 metres between windows of habitable/balconies and non-habitable rooms; and • 6 metres between windows of non-habitable rooms or blank walls.	second floor level	centre. 12m separation to community centre. Therefore setbacks area considered reasonable
Building depth	The maximum depth of a residential apartment building within the Elanora Heights Village Centre is to be 18 metres excluding balconies. Single-aspect apartments should be limited in depth to 8 metres from a window. The dual aspect apartments should not exceed 15 metres depth with minimum of 4 metres width to avoid deep narrow apartment layouts.	<18 building depth	Y
Ceiling height	• The provisions of the ADG apply	3.5m commercial floor level and 2.7 residential levels	Y
Building excellence	To achieve high quality of architecture, landscape architecture and urban design for Elanora Heights Village Centre. Quality buildings that respond to their prominent visual setting. Contemporary village character.	The building has been designed to comply with this requirement	Y
Façade Articulation	The village character is to be strengthened through the application	Appropriate façade	Y

	of compatible ratios of open to solid walls with the rest of the village centre as well as the use of sympathetic fenestrations, horizontal and vertical alignments and the distribution of colours and materials. Provide articulation to building facades through the use of balconies, insets, projecting elements (not encroaching into setbacks) and vertical proportions that respond to the original fine grain subdivision pattern. Express the base and middle portions of building to create an interesting building form, including an interesting roof profile for the top of the building. Facades should not be totally occupied by balconies. Side walls are to provide visual interest through articulation, different materials or fenestration where they will be exposed to the public domain in the medium or long term. Shop fronts are to respect the existing narrow lot configuration. Maximise passive solar control and achieve visual interest through the use of sun shades, louvers, and screens as required by different orientations. Elevations and building forms are to be articulated to contribute to the overall visual aesthetics for building facades. Side facades are to enhance the visual quality of the village where they will be exposed in short to medium terms. The facade design, screening and fenestration should respond to its	articulation provided	

	orientation or aspect.  		
Roof form	Preferred roof forms include skillion, low pitched, folded curved or 'floating' roof forms. Steeply pitched and flat roofs (other than green roofs) are not permitted along Kalang Road and St Andrews Gate. Articulated forms with multi-planar elements are preferred to ensure a varied roofscape. When roof profiles are visible at corners and side elevations along St Andrews Gate and Powder Works Road, the roof profile is to be articulated to address the corner and side elevation. Roof mounted plant rooms, air conditioning units and other services and equipment shall be integrated within roof structures and architectural elements. Roof articulation should be achieved within maximum building height and building envelope controls. Green roofs and sky gardens are encouraged.	Flat roof provided No roof mounted facilities provided Minor variation to roof height	Y Y N
Materials	Maximise use of lightweight elements to respond to the contemporary village character.	Building designed to	Y

	Maximise the use of natural materials to break up large expanses of solid masonry and continuous solid facades. Materials are to provide visual interest to all facades. Minimise blank and inactive walls. Materials and colours for new development are to be selected from the recommended palettes and material samples in order to enhance the village character. Innovative and creative architectural materials are encouraged. Building materials for corner buildings particularly those terminating views and vistas mark their 'gateway' or 'marker' status. Robust high quality materials e.g. stone, tiles, metal and timber cladding and brick are to be used. Renovations and fit outs are to use high quality and durable material that complement the rest of the streetscape. Minimise large areas of painted render that create long term maintenance issues. Use a combination of solid and glass balustrades to balconies. Green walls are encouraged.	comply with the provisions of this clause	
Colours		Colour palette has been provided with the plans	Y
Active street	Active uses are to be provided to all ground floor uses to Kalang Road, public open spaces and to 50% of the	Commercial space provided	Y

frontages	building frontage to St Andrews Gate. Active uses include retail/commercial tenancies and building entries leading directly to the street. Buildings edging the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise passive surveillance. Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-used public spaces. Shop fronts should be predominantly glass with bi-folds for cafes/restaurants and should be capable of fully opening to the street. Outdoor leased seating spaces attached to the cafes and restaurants are encouraged provided pedestrian circulation is not interrupted. Shop fronts and building entries are to be appropriately lit at night. Security grills are prohibited to shop fronts. All car parking is to be underground and service exits and access are to be minimised or directed to the rear laneways unless where expressly permitted. Please refer to the	to Kalang St N/A None provided Car parking in basement	 Y Y Y Y Y Y Y

	landscape master plan. Blank walls are to be minimised to Kalang Road, the new village square, St Andrews Gate and pedestrian links. Building lobbies are to add interest and activation to the streetscape. Driveways are to be avoided on Kalang Road where possible to minimise the interruption to active frontages. The location of required active frontages for Elanora Heights Village Centre is indicated on the Active Frontage Diagram. 	The access to the basement is provided at the side boundary of the site	Y Y Y Y
Entries	Where retail/commercial uses and residential dwellings are provided in the same development, separate entries are to be provided for the different uses. All entries to retail, commercial or residential uses are to be from Kalang Road or St Andrews Gate.	Direct access provided to Commercial space at front shared entries to residential and office	N Only single office suite at rear utilised shared access Y

	Define residential entries in the design of the building with clearly legible architectural features. Pedestrian access is to be clearly defined, appropriately lit and visible in the development elevation. The street number of the property is to be clearly identifiable. Pedestrian access along the footpath shall not be impeded by landscaping, street furniture or other restrictions. Lift entries for residential uses should be visible from the street to maximise perceived safety. Post boxes are to be located in a lobby area close to the entry. Corridors to lobby and lift are to be a minimum of 2.5 metres in width.		Y Y Y Y Y Y
Signage		Signage will be subject to separate application	
Awnings and Colonnades	Continuous awnings should be provided above ground level shops, commercial/retail uses and building entries along all village centre footpaths except for the western verge of the northern block to Kalang Road (where a colonnade is required). Awnings to be cantilevered off the main facade; no awnings supported from below by post and beam are		Y Y

	permitted (please refer to the Awning Diagram on the next page).		
	The underside of awnings should not be less than 3.2m above the footpath.		Y
	Awnings shall be constructed of suitable and durable materials.		Y
	Awnings should be compatible in alignment and height to adjoining awnings.		Y
	The top of awnings should be a maximum depth of 3.5m to ensure they do not conflict with tree canopies.		Y
	No signage is allowed along the awning facia.		Y
	Awnings are to integrate under-awning lighting to create a positive night time experience and improve safety and surveillance.		Y
	Awnings using glass must be provided with a close white frit to minimise the visual impact of dirt.		N/A
	Colonnades to Block A, are required to the Kalang Road frontage.		N/A
	Colonnades are to be a minimum of 1-storey in height with a depth of 3m.		N/A
	Colonnades are to maximise the open frontage to the street.		N/A
	No bracing, screen or other facade devices are to block the connection from the colonnade to verge.		Y

	SEE diagram below		
Fencing	Fencing is permitted along the rear boundaries of the mixed use developments to a maximum height of 1.8 metres. It is to be screened by landscaping within the planting strip along the rear laneways of a minimum dimension of 2 metres. Fencing materials are to be at least 70% solid to provide visual interest and further opportunities for landscaping without restricting casual visual surveillance of rear laneways and the public domain. No fencing will be allowed to the front and side boundaries of shops and retail uses off Kalang Road except when ground floor uses include home office occupations along St Andrews Gate. Fences with open design are preferred along the edges with Kywong Reserve to facilitate for the passage of wildlife corridors while providing a delineation of the private domain and the public reserve. Where fences are constructed as extensions of retaining walls and terracing which are visible from a public place, preference is given to the use of sandstone or sandstone like materials. Materials are to be timber, brick, stone or open steel fencing.		Y N/A Y Y Y Y

	Lapped timber fencing is prohibited.		
Ecological Sustainable development	Development Applications need to be accompanied by a BASIX certificate or equivalent energy efficiency certification for the residential component. A Green Star or equivalent energy efficiency certification is encouraged to be submitted with each Development Application for all commercial and retail components. Buildings are to be oriented so that solar access is optimised. Buildings are to be designed with a combination of passive and active solar energy systems to achieve greater energy efficiency in buildings. The direction and strength of prevailing winds is taken into account in the design of buildings to maximise cooling effects during summer and for the provision of appropriate wind protection during winter months. Orientation, layout and design of buildings and associated private open space takes into account of any overshadowing of the site by adjacent buildings or structures. Reduced summer sun penetration is achieved along the eastern and western elevations along Kalang Road and north facing elevations along Powder Works Road and St Andrews		Y Y Y Y Y

	Gate by the use of external solar shading devices, such as awnings, external venetians, balconies, pergolas, eaves and overhangs. Building materials used in construction are to be from a sustainable or renewable resource wherever possible. Buildings are designed keeping in mind the need to deconstruct or demolish them in the future. Buildings are designed to be flexible and robust in their future use providing higher ceiling heights (3.3 metres) for ground level uses. Planning for the sustainable disposal of waste is to be incorporated through the building process. Recycled and low embodied energy materials are to be used in the construction of buildings wherever possible. Recycling is to be encouraged through the design of the building and communal open spaces. Opportunities for edible gardens is provided in any communal open spaces. Opportunities for grey and black water reuse are to be maximised throughout the development.		Y Y Y Y Y Y Y No opportunities due to lot size

	Grey water is to be used for the irrigation of public and communal open spaces. Water Sensitive Design Buffer strips and grass swales are integrated along the planting strips to the rear lanes to encourage water filtration. Impervious surfaces are reduced along the rear laneways whenever possible. Run-off is directed to a treatment point within the development site. Natural drainage lines are to be maintained within Kywong Reserve.		Y Y Y refer to engineering plans
Public Domain	The new village square is to be designed to maximise the use of the space for community activities and is not to be overcrowded with planters, street furniture or signage. The new village square is to be landscaped to provide shade in summer and allow solar access in winter. The area for the new village square should be located so that a minimum of 50% of the open space area benefits from 3 hours of solar access between 11am and 2pm in mid-winter. This area is to be located adjacent to retail frontages that are appropriate for cafes, restaurants or seating areas within the space. The minimum area of the new village		N/A N/A N/A N/A

	square is to be approximately 300 square metres (+/-10%). For specific dimensions, please refer to Front Building Line diagram in D5.17. Any public domain upgrades undertaken as part of a new development are to be consistent with Councils Elanora Heights Landscape Master Plan including materials, public domain elements and colours. Any footpath areas designated for cafe or restaurant seating are to be designed to ensure they are functionally able to accommodate a reasonable number of chairs and tables plus circulation space. New streets and public spaces are to be landscaped to provide shade in summer and allow solar access in winter Understorey landscape, planters and location of trees are to be integrated along footpaths to ensure easy and safe access to avoid conflict with pedestrian flow and movement past the shopfronts. Street and cafe outdoor furniture is to be high quality and is to contribute to the village character of Elanora Heights Special effects lighting may be used to highlight key landscape design elements, major trees in public spaces and significant buildings in the		Y Y Y Y Y

	streetscapes. Alterations to the public domain as part of new development are to be prepared by a qualified landscape architect in accordance with the Elanora Heights Landscape Master Plan. Street tree planting should be carried out in accordance with Elanora Heights Landscape Master Plan and reinforce view corridors down streets and laneways. Street trees interspersed between car parking spaces are to be designed to Council's specification and as indicated in the Elanora Heights Landscape Master Plan. Street tree planting and landscaping shall not unreasonably obstruct driver and pedestrian visibility especially across both sides of Kalang Road. High planting beds and landscaped areas to the western verge of Kalang Road north of St Andrews Gate are to be located to ensure they do not impede pedestrian movement or the use of the space for suitable community activities.		Y Y Y Y
Landscaping	All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species for the communal open space of the new development south of St Andrews Gate on the western verge of Kalang Road. For Block C located south of St	Refer to landscape plans	Y

	Andrews Gate on the western verge of Kalang Road development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries and retention of natural features such as rock outcrops. For Block C, development shall provide for a communal area for children's play and BBQ area. For areas above ground, the following soil depths are required in order to be counted as open space or landscaped areas: • 300mm for lawn; • 600mm for shrubs; and • 1m for trees. No planters are allowed at the front building facade (between the front boundary and any built structures) for shop top housing developments facing Kalang Road. Screening to adjacent residential uses shall be provided in the form of a minimum 1m wide planting strip along the edges of the rear laneway/driveways. Noxious and undesirable plants must be removed from the site. For Block C, the development should provide for the possibility of a public pedestrian connection/link along the southern setback to connect Kalang Road to Kywong Reserve. This link will		

	connect to the Reserve at the intersection of the adjacent property boundaries with 27 St Andrews Gate and 44 Kalang Road. The connection from Kalang Road to Kywong Reserve shall be provided as part of the redevelopment of Block C in the form of an informal trail connection for the use of the community to access the Reserve as shown on Kywong Reserve Link Diagram.		
sunlight	The provisions of the ADG apply		Y
Visual Privacy	The Provision of the ADG apply		Y
View sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties. 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. Views are not to be obtained at the expense of existing vegetation. Non compliance with development controls that create view loss will not be supported.	No views impacted	Y
Acoustic privacy	Noise-sensitive rooms, such as bedrooms, should be located away		Y

	from noise sources, including Kalang and Powder Works Roads, parking areas, living areas and retail tenancies where possible. Walls and/or ceilings for dwelling shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia. Noise generating plants, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary. Developments must comply in all respects with the *Protection of the Environment Operations Act 1997*, and other relevant legislation.		
Private open space	Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas. For dwellings above ground, private open space is to be provided by balconies. For ground floor dwellings, private open space is to be provided as a terrace or garden. The dimension of private open space should be sufficient so that the area can be usable for recreational purposes with minimum area of	All units provided with POS of $10m^2$ and 2.4m wide	Y

	10 square metres and a minimum width of 2.4 metres.		
	First floor balconies are prohibited along side boundaries looking into an adjoining residential property.	Some side balconies provided but adjoin car parking area on adjoining site	Y
	The primary orientation of balconies is to be to the streets 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.	Upper level balconies provide on top of floor below	Y
	Private open space for new dwellings is not to be positions such that it 'borrows' amenity by overlooking adjoining dwellings.		Y
	Balconies adjacent to rear boundary must be designed to limit overlooking and maintain privacy of adjoining residences.	Balcony at rear limits overlooking of community centre	Y Y
	Private open space areas are to have good solar orientation (i.e. orientated to the north east or north west where possible).	Limited opportunity for north orientation due to site location	Y
	Private open space areas should include provision of clothes drying facilities, screened from the street and		Y

	public places. Private open space is to include gas BBQ points and external power points.		Y
Natural ventilation	Buildings are to maximise natural ventilation by providing dual aspect apartments and by positioning openings (windows and doors) to prevailing winds to encourage cross ventilation. A minimum of 60% of dwellings in a development is to achieve cross ventilation. Innovative technologies to naturally ventilate internal building areas, in particular areas such as bathrooms, laundries and underground carparks are encouraged.		Y Y
Storage	In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: • studio apartments 6m^3; • one-bedroom apartments 6m^3; • two-bedroom apartments 8m^3; and • three plus bedroom apartments 10m^3. A minimum of 50% of the overall requirement for storage within individual unit shall be located in the hall or near living areas, under internal stairs or near the entries. A maximum of 50% of the required storage area may be located within storage cages in	Storage provided with ADG	Y

	basement carparks.		
Vehicle access	The number of access driveways is to be minimised from Kalang Road except where indicated on the Vehicular Access diagram. Access for service vehicles to loading docks are not permitted from Kalang Road except where indicated on the Vehicular Access diagram. Clear site lines are to be provided at pedestrian and vehicle crossings. All access driveways shall be constructed with an impervious pavement and gutter crossing construction in plain concrete. Where access driveways are unavoidable to Kalang Road and for driveways to St Andrews Gate small unit pavers are encouraged in dark earthy tones or match adjacent constructed footpaths. Driveways are to be recessed into the main facade of the building. All access driveways on the low side of Kalang Road are to be designed and constructed such that stormwater drainage is directed away from the access driveway. The cost for access driveways construction and maintenance and adjustment of any utility service is the		Y Y Y Y Y Y

	responsibility of the applicant. See diagram below		
Laneway access and character	The consolidation of the entry/exit vehicular access point or access driveway is required for commercial/retail and residential uses. The location of the driveway is to maximise the retention of trees and native vegetation along rear laneways. Clear sightlines down laneways are to be provided for increased safety and security.		Y Y Y
Off street vehicle parking	Car parking is to be located within the basement of any new development. The line of the basement car park shall fit generally within the building footprint with considerations given to optimising consolidated areas of deep soil. Exposed basement car parking and extensive open ramps are prohibited. Potential pedestrian/vehicle conflicts are to be minimised by limiting the width of vehicle access points. 'Black holes' are to be avoided in the facade by providing well designed garage security doors to car park entries. Return the facade material into the car park entry recess for the extent visible from the street as a minimum to achieve a high quality outcome.	Part of car park exposed due to levels of the land	Y Y N Y Y Y

	Security enclosed bicycle storage facilities must be provided within the building for Residential Development at the rate of 1 bicycle rack per 3 dwellings and as per Australian Standards *AS 2890.3: Bicycle Parking Facilities*. Visitor parking spaces are to be easily accessible and clearly marked "Visitor". Residential parking areas need to be segregated from the commercial/retail parking areas to ensure safety of residents. Provision must be made within the development site for access and parking of all service vehicles, visitor parking and parking for people with disabilities.	3 bicycle spaces provided in the basement parking area Commercial spaces visitor and parking for disabled marked appropriately	Y Y Y

LIKELY ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

There are likely to be few, if any, environmental impacts associated with the proposed development. The subject site has been occupied by the existing dwelling for a considerable period of time and most of the native vegetation has been removed from the site. Therefore, it is not likely that the land is, or, is part of critical habitat. The construction of the proposed development is unlikely to have any significant effect on threatened species, populations or endangered ecological community or their habitats.

There are no known items of aboriginal or archaeological or cultural heritage significant to the land.

The implications with respect to consideration of views and impacts on privacy and amenity as currently enjoyed from surrounding dwellings has been addressed in the Residential Controls sections of this report.

The site is not identified as bushfire prone land on Council's bushfire prone land map.

SUITABILITY OF THE SITE FOR DEVELOPMENT

The site is suitable for the development by virtue of its location and topography. The proposed development is unlikely to result in any significant impacts on the surrounding environment. The land is free from hazards and the proposed development will not increase the susceptibility of the site for any adjoining sites to any such hazards in a form that cannot be managed.

PUBLIC INTEREST

The proposed development is not contrary to the public interest. It is consistent with the relevant objectives of the zone and will not have any significant impacts on the environment. Furthermore, it is consistent with the desired future character of the area.

CONCLUSION

The proposed development comprises the demolition of the existing dwelling and construction of shop tip housing

An assessment of the proposed development in accordance with SEPP Building Sustainability Index (BASIX) 2004, SEPP 65 Design Quality of Residential Apartment Development, , Pittwater LEP 2014, Draft Design and Place State Environmental Planning Policy (SEPP), ADG and DCP demonstrates the proposal generally complies with the requirements of these planning controls.

The proposed development will not have any significant impacts on the natural environment and built environment.

The proposed development is reasonable and appropriate when considered under the relevant heads of consideration in Section 79C(i) of the Environmental Planning and Assessment Act, 1979, and is worth of favourable consideration by Council.

Appendix A

4.6 Objections to the development standard in Clause 4.3(2) of Pittwater LEP