



Statement of Environmental Effects

Description: Alterations and additions to an existing single dwelling.

Address: Lot 30 in DP 203647 (4) Hume Place Frenchs Forest NSW 2086

Prepared for: James Cable & Rachael Fisher – owners

Applicant: Claron Consulting Pty Ltd

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Report No: 25031 Rev.1

Date: 12 November 2025



DOCUMENT CONTROL

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DOCUMENT ISSUE RECORD

Revision	Date	Description	Issued to
Rev. 1	6/11/2025	Draft	Building Designer
Rev. 1	12/11/2025	Final	Council & Owner

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1.0 PREAMBLE

1.1 PROPOSAL

This Planning Statement supports the proposal for alterations and additions to a single dwelling at 4 Hume Place Frenchs Forest NSW 2086.

The proposed works to the existing dwelling have negligible environmental and amenity impacts.

There is one minor numerical non-compliance on the rear setback DCP control that is addressed in s.2.4.4 for a merit assessment.

This report should be read in conjunction with the plans, specifications and expert reports that accompany and support the development application.

2.0 DISCUSSION and ANALYSIS

2.1 PROJECT OVERVIEW

This Planning Statement supports proposed alterations and additions to a single dwelling at 4 Hume Place Frenchs Forest NSW 2086.

The proposed works include:

- Demolish part of the ground floor walls as shown on the detailed 'Demolition Plan' DA2.02A.
- Reconfigure the existing three bedrooms on the southern side.
- Relocate the master bedroom and a new study to the northern side to replace the guest bedroom.
- Reconfigure the existing kitchen, dining room and bathroom at the rear of the dwelling (western side); relocate the laundry to this position.
- Lift the ceiling height from 2.4 m to 2.7 m and replace existing concrete roof tiles with Colorbond metal sheet.
- Add a new single storey rumpus room, living room to the western side and relocate the existing timber deck.

- Reconfigure the front entry porch and add a new timber deck.
- Connect the new gutters/downpipes to collect roofwater and divert to the existing stormwater system.
- Remove minor trees/shrubs and protect major trees as detailed in the Arborist Report.
- Retain and enhance the existing mature landscaping scheme.

Full details of the proposed development are contained within the architectural plan set prepared by Argent Design and the relevant expert reports that accompany the development application.

2.1.1 The Proponent/Landowner

The proponents and landowners are Ms Rachael Fisher & Mr James Cable.

Contact details of Ms Rachael Fisher are provided below.

- Phone: 0405 837 206
- Email: rachaelfisher88@gmail.com

2.1.2 Site Description and Location

The site is legally identified as Lot 30 DP 203647 (#4) Hume Place French Forest NSW 2086.

The site is located on the western side of the Hume Place cul-de sac approximately 40 m west of the intersection with Sturt Street. The surrounding land-use is entirely low density residential, ie single dwellings.

The site is 784.4 m² in area and is fully developed. The land rises slightly away from the road alignment towards the rear boundary. Vehicular access is directly to Hume Place via a concrete driveway.

Improvements upon the site include a single storey brick veneer dwelling (c. late 1960s to c.1970s) in a generally habitable but somewhat degraded condition commensurate with its age, an unenclosed rear timber deck, boundary fencing and mature landscaping scheme. The site is described in Figures 1 and 2 below.



Figure 1 - Location map (NSW Explorer v1.2).



Figure 2 – aerial photo (source: NSW Explorer v1.2)

Details of improvements, site access, existing buildings and general site layout are included with the detailed architectural plans and site plan.

2.2 PROJECT DOCUMENTATION

This planning statement relies upon the following documentation provided by the Proponent:

Document Title	Reference Number	Date	Prepared By
Level and Detail Survey	14618-01 Issue B	31/07/2025	Infocus Surveyors (Darren Hore)
Architectural plans	DA1.01B, DA1.02A, DA2.01A, DA2.0BA, DA2.03C, DA2.04A, DA3.01A, DA3.02B, DA3.03A, DA3.04A	10/10/2025 & 30.10.2025	Argent Design (Simon Bruce)
BASIX Certificate	A1820145	04/11/2025	PEM Group Pty Ltd
Arboricultural Impact Assessment	V.2	23/9/2025	Bradshaw Consulting Arborists (Tristan Bradshaw)

2.3 ENVIRONMENTAL AND AMENITY ASSESSMENT

2.3.1 Building Code of Australia

The proposed alterations and additions to the existing single occupancy dwelling do not require a BCA analysis and/or Access report.

2.3.2 Bushfire and Flood

The land is not mapped as being either 'bushfire prone' or 'flood prone' land.

2.3.3 Ecology, Trees and Vegetation

The site is not located within a biodiversity zone.

The proposed works have the potential to impact upon several mature trees, particularly that specimen within the front setback being a 'narrow leafed scribbly gum' of high retention value, as shown in Figure 3:



Figure 3 - site photo - Tree 3 in front setback

Note, the preferred retention of Tree 3 has a corresponding impact upon the available options for the development footprint and directly impacts the rear setback. Refer to s.2.4.4 for a merit discussion on the non-complying 'rear setback' issue.

In summary, fourteen (14) trees have been inspected and assessed by the project arborist, with the proposed works informed by the recommendations for removal or protection/retention as outlined in the 'Arboricultural Impact Assessment' report prepared by Bradshaw Consulting Arborists and adopted by the building designer in the scheme.

2.3.4 Heritage

The site does not contain nor is it within the visual curtilage of heritage item. The site is not mapped as being within a 'Conservation Area'.

2.3.5 Land Stability

The land is mapped as being potentially prone to landslip as 'Area A – slope <5 deg' as a minor affectation.

Refer to the s.2.4.3 'Warringah LEP 2011' for the relevant discussion.

2.3.6 Scenic Amenity and Views

The proposed single storey alterations and additions are mainly confined to the rear of the dwelling and are unlikely to significantly impact upon any existing or potential view lines to or from the subject land.

2.3.7 Site Access

Vehicular access to/from the site is via the existing driveway and footpath crossing directly to Hume Place and unaffected by the works.

2.3.8 Utilities, Sewer and Stormwater

The existing dwelling is fully serviced for potable water, sewer, gas and electricity and requires no alteration or amplification.

Roofwater from the new gutters and downpipes from the new section of roof over the new rear deck and living rooms is collected and directed to the existing stormwater system.

Note: The new addition at the northern side is clear of the stormwater easement that runs parallel to the northern boundary with #5 Hume Place and with no consequent impacts upon Council's infrastructure.

Any existing encroachments upon the easement are historical and not associated with this proposal for minor alterations and additions.

2.3.9 Waste

Domestic waste and recyclable wheeled storage bins are located behind the front building alignment and taken to the street kerb for collection by Council .

A 'Demolition and Construction Waste Management Plan' completed in accordance with the Northern Beaches Council WMP template (25/10/2016) accompanies the Development Application.

2.4 STATUTORY CONTEXT

2.4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* provide the framework for environmental planning in NSW.

This section presents a summary of the relevant planning legislation and any specific policies that apply to the site that may reasonably be expected to offer opportunities for, or conversely, impose constraints upon the proposed development.

2.4.1.1 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment (Amendment) Act, 1979 No.203.

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

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

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

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

The following State and local planning instruments have relevance to the proposal:

- *State Environmental Planning Policy (Resilience & Hazards) 2021.*
- *Warringah Local Environment Plan 2011.*
- *Warringah Development Control Plan.*

Addressed in Section 2.0 – ‘Discussion and Analysis’, which contains the requirements of the various adopted and draft planning instruments.

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

Addressed in Section 2.0 – ‘Discussion and Analysis’.

(c) The suitability of the site for the development

The site is located within the Frenchs Forest low density residential precinct, is for alterations and additions to an existing dwelling, and is of negligible environmental impact.

The proposal is consistent with the zone and well-suited for a residential use.

(d) Any submissions made in accordance with this Act or the regulations

None made.

(e) the public interest.

The proposed development is for alterations and additions to an existing dwelling, which is consistent with the current land use.

Public interest is primarily in terms of assessing potential environmental and/or amenity impacts, are matters that have been properly canvassed within this Planning Statement and

with due regard to the recommendations for mitigation measures made by the various experts that have assessed and support the proposal.

2.4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

This Policy aims to *'...promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment...'*.

Chapter 4 of the SEPP (Resilience and Hazards) covers how development proposals are assessed for potential land contamination. Specifically, clause 4.6 *'Contamination and remediation to be considered in determining development application'* of the SEPP applies to the proposed development as follows:

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that 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*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) The land concerned is—*
 - (a) land that is within an investigation area,*

- (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital—land—*
- (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
- (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

Table 1. Some Activities that may Cause Contamination

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

The proposal is for alterations and additions to an existing single dwelling that was constructed from c.1960s to c.1970's, thus cl. 4.6(2) does not apply as there is no 'change of use' from that permitted in the R2 zone.

The site is not listed upon the EPA 'Public Register of Contaminated Land' as land being contaminated within the meaning of the 'Contaminated Land Management Act 1997' (<https://apps.epa.nsw.gov.au/prclmapp/searchregister.aspx>)

In the absence of any evidence of any historical industrial use of the land that would potentially have caused the land to be contaminated, I have formed the opinion that the land is unlikely to be contaminated, and with negligible risk to human health.

As the proposal does not include a 'change of use' the Objectives of *SEPP (Resilience and Hazards)* are satisfied, and no further detailed investigation is warranted in the specific circumstances.

2.4.3 Warringah Local Environment Plan 2011 (WLEP 2011)

The relevant local planning instrument is the *Warringah Local Environment Plan 2011* (WLEP 2011). WLEP 2011 contains detailed objectives and controls that will be used by Council when assessing applications under Section 4.15 of the Act.

The relevant clauses of WLEP 2011 as typically apply for the proposed 'Low Density Residential' land use are summarised in Table 1:

Table 1: Warringah Local Environment Plan 2011

Relevant Clause	Description	Comments
Land Use Zone R2: Low Density Residential	 2 Permitted without consent <i>Home-based child care; Home occupations</i> 3 Permitted with consent <i>Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals</i>	Not applicable. Complies. The application is for alterations and additions to a single dwelling house.
4.3 Height of buildings	(2) <i>The height of a building on any land is not to exceed the maximum height</i>	Complies.

Relevant Clause	Description	Comments
	<i>shown for the land on the Height of Buildings Map.</i>  8.5 m	The building height of the new single storey additions roof is <8.5m and well within the Height Control. Refer to the section on sheet DA3.03A.
4.4 Floor Space Ratio	<i>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</i>	Not Applicable. There is no maximum floor space ratio requirement for the subject site.
cl. 4.6 Exceptions to Development Standards	<i>(4) Development consent must not be granted for development that contravenes a development standard unless—</i> <i>(a) the consent authority is satisfied that—</i> <i>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</i> <i>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</i> <i>(b) the concurrence of the Planning Secretary has been obtained.</i>	Not Applicable. There is no submission made with this application to vary a development standard.
5.10 Heritage conservation	(5) Heritage assessment	Not Applicable. The site does not contain a heritage item that is listed in

Relevant Clause	Description	Comments
	 <i>The consent authority may, before granting consent to any development:</i> <i>(a) on land on which a heritage item is located, or</i> <i>(b) on land that is within a heritage conservation area, or</i> <i>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</i> <i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i>	Schedule 5, nor is it within a Conservation Zone.
6.1 Acid sulfate soils	<i>(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</i> <i>(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</i>	Not applicable. The site is not mapped for 'Acid Sulfate Soils'.

Relevant Clause	Description	Comments
	(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if— (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (6) Despite subclause (2), development consent is not required under this clause to carry out any works if— (a) the works involve the disturbance of less than 1 tonne of soil, and (b) the works are not likely to lower the watertable.	
6.4 Development on Sloping Land	(2) This clause applies to land shown as Area A, Area B, Area C, Area D and Area E on the Landslip Risk Map.  Area A - Slope <5 (3) Development consent must not be granted to development on land to which	Applies. The site is mapped within 'Area A – Slope <5' on the 'Landslip Risk Map - Sheet LSR_007. The proposal addresses the relevant criteria as follows:

Relevant Clause	Description	Comments
	<i>this clause applies unless the consent authority is satisfied that—</i> <i>(a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and</i> <i>(b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and</i> <i>(c) the development will not impact on or affect the existing subsurface flow conditions.</i>	The land is relatively flat and less than 5 deg slope. There is an insignificant risk of landslip. All stormwater from the minor increase in roof area is collected and directed to the existing stormwater system. The minor excavation required for footings to the new external walls are <1.0 m deep and highly unlikely to intersect with groundwater. In view of the above project specific circumstances, the proposed alterations and additions to the existing dwelling are modest and impose no significant risks for land instability. A formal geotechnical report is not warranted.

2.4.4 Warringah Development Control Plan

The WDCP supports the provisions of *Warringah Local Environmental Plan 2011*.

The WDCP contains detailed objectives and controls that will be used by Council when assessing the application under Section 4.15 of the Act.

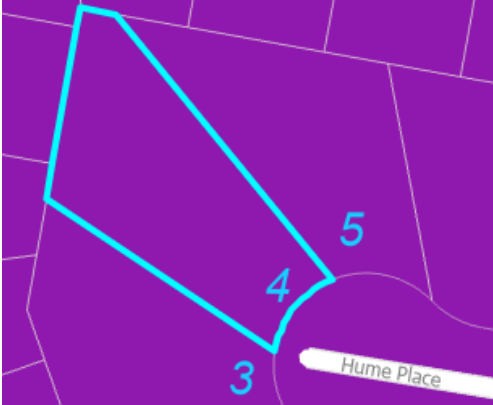
The following section summarises the relevant WDCP controls required to be considered as part of the project assessment.

Table 2 – Extract from WDCP

Clause No.	DCP Clause	Response
Part B	Built Form Controls	
B1	Wall Heights <i>This control applies to all land identified on the Warringah Local Environmental Plan 2011 - Land Zoning Map as:</i> <i>RU4 Primary Production Small Lots</i> R2 Low Density Residential <i>E3 Environmental Management</i> <i>E4 Environmental Living</i> <i>and to which an 8.5m maximum height of building control applies under LEP 2011.</i>	Applies.
	<i>1. Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).</i> <u>Exceptions</u> <i>This control may be varied on sites with slopes greater than 20% within the building footprint(measured at the base of the external walls), provided the building:</i> <i>does not exceed the 8.5 metre height development standard;</i>	Complies. The external wall height of the single storey dwelling additions is <7.2 m from EGL.

Clause No.	DCP Clause	Response
	<i>is designed and located to minimise bulk and scale; and</i> <i>has a minimal visual impact when viewed from the downslope sides of the land.</i>	
B2	Number of Storeys <i>This control applies to land shown coloured on the DCP Map Number of Storeys.</i>	Not Applicable.
	1. <i>Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys.</i>	
B3	Side Boundary Envelope <i>This control applies to land shown coloured on the DCP Map Side Boundary Envelopes.</i>	Applies.
	1. <i>Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height aboveground level (existing) at the side boundaries of:</i> <i>4 metres, or</i> <i>5 metres</i> <i>as identified on the map.</i> 2. <i>On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.</i> Exceptions <i>Land Zoned R2 or E4 or Zoned RU4 with frontage to The Greenway.</i>	Complies. The existing single storey dwelling and the proposed additions are within the nominated 4 m building envelope. Refer to the building envelope projection on the east elevation (sheet DA3.01A).

Clause No.	DCP Clause	Response
	For all land zoned R2 or E4, or land zoned RU4 with frontage to "The Greenway", Duffy's Forest: - Fascias, gutters, downpipes, eaves (up to 0.675 metres from the boundary), masonry chimneys, flues, pipes or other services infrastructure may encroach beyond the side boundary envelope. - Consent may be granted for the addition of a second storey to an existing dwelling house that to a minor extent does not comply with the requirement of this control. Land Zoned R3 Fascias, gutters, downpipes, eaves, masonry chimneys, flues pipes or other services infrastructure may encroach beyond the side boundary envelope.	Not applicable. All of the new work is within the building envelope; there are no encroachments.
B4	Site Coverage <i>This control applies to land shown on DCP Map Site Coverage.</i>	Not applicable. The land is not mapped for site coverage.
	1. Development on land shown coloured on the DCP Map Site Coverage shall not exceed the maximum site coverage shown on the map. Where shown on the map as: 33.3% - the total building footprint(s) must not cover more than 33.3% of the site area, and 20% = 3,500 m² or 30% <3,500m² - the total building footprint(s) must not cover more than 20% of the site area except on allotments having an area of less than 3,500 m² where the total building footprint/s must not cover more than 30% of the site area.	
B5	Side Boundary Setbacks <i>This control applies to land shown coloured on the DCP Map Side Boundary Setbacks,</i>	Applies.

Clause No.	DCP Clause	Response
	with the exception of land identified as 'Merit Assessment'.	The land is mapped as 'Area A' with a 0.9 m side setback.
	 DCP Setbacks Side - A Nil - B 0.9m - C 4.5m - D 7.5m - E 10m - F <1 Ha 5m, >1 Ha 10m - G 6m - N Merit assessment 1. Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map. 2. Side boundary setback areas are to be landscaped and free of any above or belowground structures, car parking or site facilities other than driveways and fences. 3. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, basement car parking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side setback except as provided for under Exceptions below. Exceptions	Complies. The side setbacks of the new additions are: • 2,625 mm – north boundary. • 1,574 mm - south boundary.

Clause No.	DCP Clause	Response
	<i>Land Zoned RU4 with frontage to The Greenway</i> Land Zoned R2 <u>All development:</u> <i>Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback.</i> <u>Ancillary to a dwelling house:</u> <i>Consent may be granted to allow a single storey outbuilding, carport, pergola or the like that to a minor extent does not comply with the requirements of this clause.</i> <i>Land Zoned R3</i> <i>Land Zoned B7</i> <i>Land Zoned E4</i>	Not applicable. The new additions are free of encroachments. Not applicable.
B6	Merit Assessment of Side Boundary Setbacks <i>This control applies to land shown coloured as 'Merit Assessment' on the DCP Map Side Boundary Setbacks.</i>	Not Applicable.
	<i>1. Side boundary setbacks will be determined on a merit basis and will have regard to:</i> <i>streetscape;</i> <i>amenity of surrounding properties; and</i> <i>setbacks of neighbouring development</i> <i>2. Generally, side boundary setback areas are to be landscaped and free of any above or belowground structures, car</i>	

Clause No.	DCP Clause	Response
	<i>parking or site facilities other than driveways and fences.</i>	
B7	Front Boundary Setbacks <i>This control applies to land shown coloured on the DCP Map Front Boundary Setback, with the exception of land identified as 'Merit Assessment'.</i>	Applies. The land is mapped as 'Area F' with a 6.5 m front setback.
	 DCP Setbacks Front A Nil B 4m C 4m from curb D 4.5m F 6.5m 1. Development is to maintain a minimum setback to road frontages. 2. The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences. 3. Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.	Complies. The front setback to the new front porch addition is >17 m.

Clause No.	DCP Clause	Response
	4. For land zoned E3 and not having frontage to Kamber Road or Kimbriki Road the minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and free of any structures, carparking or site facilities other than driveways, letterboxes and fences. Exceptions Land Zoned R2 or R3 On corner allotments or sites with a double street frontage, where the minimum front building setback is 6.5 metres to both frontages, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street variations must consider the character of the secondary street and the predominant setbacks existing to that street. Land Zoned RU4 or E3 Land Zoned B1	Not applicable.
B8	Merit assessment of front boundary setbacks This control applies to land shown coloured as 'Merit Assessment' on the DCP Map Front Boundary Setbacks.	Not applicable.
	1. The appropriate alignment of buildings to road frontages will be determined on a merit basis and will have regard to the: - streetscape; - amenity of surrounding properties; and - setbacks of neighbouring development.	
B9	Rear Boundary Setbacks	Applies.

Clause No.	DCP Clause	Response
	<i>This control applies to land shown coloured on the DCP Map Rear Boundary Setbacks , with the exception of land identified as ‘Merit Assessment’.</i>	The land is mapped as ‘Area D’ with a 6 m rear setback.
	 DCP Setbacks Rear - A Nil - B 2m for 50% & 4m for remainin 50% - C 4.5m - D 6m - E 7.5m - F 10m - N Merit assessment 1. Development is to maintain a minimum setback to rear boundaries. 2. The rear setback area is to be landscaped and free of any above or below ground structures. 3. On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and private open space, including basement carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the rear building setback. 4. The rear building setback for land zoned IN2 Light Industrial at Tepko Road that adjoins land zoned R2 Low Density Residential is not to be used for industrial purposes or vehicle access.	Non-compliance – merit assessment. The required rear setback is 6 m. The proposed rear setback to the new rumpus is 2,614 mm. Refer to Clause B10 below for discussion and merit.

Clause No.	DCP Clause	Response
	5. The rear building setback for land zoned IN2 Light Industrial in the vicinity of Campbell Parade. Exceptions Land Zoned R2 and Land Zoned RU4 with frontage to The Greenway On land zoned R2 Low Density Residential, and land zoned RU4 Rural Small Holdings that has frontage to "The Greenway", Duffy's Forest, where the minimum rear building setback is 6 metres, exempt development, swimming pools and outbuildings that, in total, do not exceed 50% of the rear setback area, provided that the objectives of this provision are met. Corner Allotments on Land Zoned R2 or R3 On corner allotments for land zoned R2 Low Density Residential or R3 Medium Density Residential, where the minimum rear building setback is 6 metres, the rear building setback does not apply. Land Zoned R3	Not applicable. Not applicable.
B10	Merit assessment of rear boundary setbacks This control applies to land shown coloured as 'Merit Assessment' on DCP Map Rear Boundary setbacks.	Applies
	1. Rear boundary setbacks will be determined on a merit basis and will have regard to: - streetscape; - amenity of surrounding properties; and - setbacks of neighbouring development 2. Development adjacent to Narrabeen Lagoon in the B2 Local Centre zone is to	Merit-assessment requested. The non-complying rear setback to the new rumpus room satisfies the relevant criteria as follows (with illustrations): Locating the new addition to the front of the existing dwelling was investigated by the project designer but found to be impractical as it would impact upon the root zone of Tree 3 and be contrary to the recommendations of the project

Clause No.	DCP Clause	Response
	<i>address the water and parkland. Buildings are not to dominate the parkland setting and will incorporate generous setbacks where necessary to achieve this.</i>	arborist to avoid impacts upon this high-retention value tree:  Figure 4 - Tree 3 within front setback to be retained. • The available area at the rear of the existing dwelling is constrained by the irregular lot configuration and an oblique rear boundary. • The new rumpus room and living room are benched significantly lower than the adjoining rear fence, with the ground level rising away from this aspect towards the west. There is no potential for casual overlooking into the western neighbour's Private Open Space:  Figure 5 – affected rear boundary looking west – negligible overlooking impact. • The new window to the south elevation of the rumpus room is at a high sill level. There is no potential for casual overlooking into the southern neighbour's Private Open Space:

Clause No.	DCP Clause	Response
		 Figure 6 – affected rear boundary looking south – no overlooking impact from Rumpus room window. • There is significant existing screen planting along the rear boundary.  Figure 7 – affected rear boundary looking north to private open space – no impacts. • The proposed rumpus and living rooms are a single storey structure and do not dominate the rear elevation when viewed from the west. • The proposed rear additions do not present to the street. In view of the above project specific circumstances, the proposed encroachment into the rear setback zone is inconsequential in terms of amenity impact upon neighbours, has a positive impact upon streetscape by the retention of the high-value Tree 3.

Clause No.	DCP Clause	Response
		The minor numerical non-compliance results in a superior environmental outcome and can be well supported on a merit basis.
B11	<i>Foreshore Building Setback</i>	Not applicable.
B12	<i>National Parks Setback</i>	Not applicable.
B13	<i>Coastal Cliffs setback</i>	Not applicable.
B14	<i>Main Roads Setback</i>	Not applicable.
Part C	<i>Siting Factors</i>	
C1	<i>Subdivision</i>	Not applicable.
C2	<i>Traffic, Access and Safety</i>	
	<i>Vehicular Access:</i> <i>1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</i> <i>2. Vehicle access is to be obtained from minor streets and lanes where available and practical.</i> <i>3. There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way.</i> <i>4. Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315.</i> <i>5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</i>	Not applicable. The existing driveway, vehicular and pedestrian access to Hume Place is unchanged by the proposed works. Existing. Not applicable. Existing. Existing.
	<i>On-site loading and unloading</i>	Not applicable.

Clause No.	DCP Clause	Response
	6. Facilities for the loading and unloading of service, delivery and emergency vehicles are to be: • appropriate to the size and nature of the development; • screened from public view; and • designed so that vehicles may enter and leave in a forward direction. Exceptions Reference should be made to Part G for additional, site specific requirements	
C3	Parking Facilities	
	1. The following design principles shall be met: • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site; • Laneways are to be used to provide rear access to carparking areas where possible; • Carparking is to be provided partly or fully underground for apartment buildings and other largescale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. 2. Off street parking is to be provided within the property demonstrating that	Substantially unchanged. The only alteration to the existing garage is the replacement of the garage door with a new door in the same size and opening. Not applicable. Not applicable. Complies. Complies. Existing.

Clause No.	DCP Clause	Response
	<i>the following matters have been taken into account:</i> <i>the land use;</i> <i>the hours of operation;</i> <i>the availability of public transport;</i> <i>the availability of alternative car parking; and</i> <i>the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.</i> 3. Carparking, other than for individual dwellings, shall : <i>Avoid the use of mechanical car stacking spaces;</i> <i>Not be readily apparent from public spaces;</i> <i>Provide safe and convenient pedestrian and traffic movement;</i> <i>Include adequate provision for manoeuvring and convenient access to individual spaces;</i> <i>Enable vehicles to enter and leave the site in a forward direction;</i> <i>Incorporate unobstructed access to visitor parking spaces;</i> <i>Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places;</i> <i>Provide on site detention of stormwater, where appropriate; and</i>	Not applicable.

Clause No.	DCP Clause	Response
	• <i>Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.</i> 4. <i>Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</i> 5. <i>Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.</i> 6. <i>For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.</i> 7. <i>Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.</i> 8. <i>For Forest Way Village car parking at ground level is to be provided for individual units.</i> Exceptions <i>Reference should be made to Part G for additional, site specific requirements.</i> <i>Community title subdivisions are to include provision for one visitor parking space per five dwellings or part thereof. These spaces are to be located within the neighbourhood</i>	Not applicable. Car parking within the garage and driveway is unchanged from the existing arrangements. Not applicable. Not applicable. Not applicable. Not applicable.

Clause No.	DCP Clause	Response
	<i>property lot. Cross reference is in appendix 1.</i>	
C3(A)	<i>Bicycle Parking and End of Trip Facilities</i>	Not applicable.
C4	<i>Stormwater</i>	
	<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> <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>	Complies. All roof water from the new addition is directed to the existing stormwater system.
C6	<i>Building over or adjacent to Constructed Council Drainage Easements</i>	
	<i>1. All development on land containing or adjacent to or proposing to reconstruct/relocate a public drainage system, must comply with Council's Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications.</i> <i>2. Any Council drainage line located within the property may require upgrading and easements created in favour of Council over the drainage line at the applicant's expense</i>	Complies. The existing stormwater easement that runs parallel to the northern boundary is outside of the proposed works zone.
C7	<i>Excavation and Landfill</i>	
	<i>1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</i> <i>2. Excavation and landfill works must not result in any adverse impact on adjoining land.</i>	Not applicable – the minor construction works do not require the importation of fill materials. No impacts.

Clause No.	DCP Clause	Response
	3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work. 4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines or degrade or destroy the natural environment. 5. Rehabilitation and revegetation techniques shall be applied to the fill. 6. Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties.	Can comply. To be addressed by the project engineer at the Construction Certificate stage. Can comply. To be addressed by the project engineer at the Construction Certificate stage. Not applicable. Not applicable.
C8	Demolition and Construction	
	1. 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.	Complies. A 'Sediment and Erosion Control Plan' is provided at Sheet DA1.02A of the architectural set. A 'Waste Management Plan' is provided with the development application.
C9	Waste Management	
	1. 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.	Complies. A 'Waste Management Plan' is provided with the development application.
Part D	Design	
D1	Landscaped Open Space and Bushland Setting <i>This control applies to land shown on DCP Map Landscaped Open Space and Bushland Setting.</i>	Applies. The land is mapped with a 40% landscaped area requirement.

Clause No.	DCP Clause	Response
	 Landscaped Open Space and Bushland Setting Setting 30% 33.3% 40% 50% Bushland Setting 50% of Site 70% except <or= 3500m², minimum 50% 1. The required minimum area of landscaped open space is shown on DCP Map Landscaped OpenSpace and Bushland Setting. To measure the area of landscaped open space: a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre. 2. Where land is shown on DCP Map Landscaped Open Space and Bushland Setting as "Bushland Setting", a minimum of 50% of the site area must	Complies. From the 'Calculations Table on Sheet DA1.01A of the architectural set: - Minimum required landscaped area 40% - 313.76 m² - Proposed landscaped area – 379.56 m²

Clause No.	DCP Clause	Response								
	<i>remain undisturbed by development and is to be kept as natural bushland or landscaped with locally indigenous species.</i> <i>3. In Cottage Point the relationship of the locality with the surrounding National Park and Cowan Creek waterway will be given top priority by enhancing the spread of indigenous tree canopy and protecting the natural landscape including rock outcrops and remnant bushland.</i>									
D2	Private Open Space									
	<i>1. Residential development is to include private open space for each dwelling.</i> <i>2. The minimum area and dimensions of private open space are as follows:</i> <table><tr><th>DWELLING Type</th><th>Area and Minimum Dimensions per dwelling</th></tr><tr><td>Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms</td><td>A total of 35m² with minimum dimensions of 3 metres</td></tr><tr><td>Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms</td><td>A total of 60m² with minimum dimensions of 5 metres</td></tr><tr><td>Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing</td><td>A total of 10m² with minimum dimensions of 2.5 metres</td></tr></table> <i>3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children’s play.</i> <i>4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</i> <i>5. Private open space shall not be located in the primary front building setback.</i> <i>6. Private open space is to be located to maximise solar access.</i>	DWELLING Type	Area and Minimum Dimensions per dwelling	Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms	A total of 35m ² with minimum dimensions of 3 metres	Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms	A total of 60m ² with minimum dimensions of 5 metres	Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing	A total of 10m ² with minimum dimensions of 2.5 metres	Complies. From the ‘Calculations Table on Sheet DA1.01A of the architectural set: • Minimum required P.O.S. = 60 m² • Proposed P.O.S. = 60 m²
DWELLING Type	Area and Minimum Dimensions per dwelling									
Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms	A total of 35m ² with minimum dimensions of 3 metres									
Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms	A total of 60m ² with minimum dimensions of 5 metres									
Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing	A total of 10m ² with minimum dimensions of 2.5 metres									
D3	Noise									
	<i>1. Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than</i>	Not applicable.								

Clause No.	DCP Clause	Response
	<i>5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.</i> <i>See also NSW Industrial Noise Policy Appendices.</i> <i>2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.</i> <i>3. Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.</i> <i>4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.</i> <i>5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.</i>	The proposal does not include new noise emitting plant and equipment. Not applicable. Not applicable. Not applicable. Not applicable.
D4	Electromagnetic Radiation	Not applicable.
D6	Access to Sunlight	
	<i>1. Development should avoid unreasonable overshadowing any public open space.</i> <i>2. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.</i>	Not applicable. Satisfactory. The existing single storey dwelling and minor addition has no impact upon the solar access enjoyed by any adjoining neighbour.
D7	Views	
	<i>1. Development shall provide for the reasonable sharing of views.</i>	No impacts.

Clause No.	DCP Clause	Response
	<i>Assessment of applications will refer to the Planning Principle established by the Land and Environment Court in Tenacity Consulting v Warringah Council (2004) NSWLEC 140.</i>	There are no existing or potential view lines to or from the subject site that are impacted by the proposals.
D8	Privacy	
	<i>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</i> <i>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</i> <i>3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</i> <i>4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.</i> <i>5. Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.</i>	Satisfactory. The existing single storey dwelling and minor addition has negligible impacts upon private amenity currently enjoyed by the adjoining neighbours. Refer to the discussion at B10 ‘Merit assessment of rear boundary setbacks’ for justification and assessment of impacts for private amenity.
D9	Building Bulk	
	<i>1. Side and rear setbacks are to be progressively increased as wall height increases.</i> <i>2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</i> <i>3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the</i>	Satisfactory. The proposed alterations and additions to the existing single storey dwelling are minor, within the complying building and largely confined to the existing building envelope. Not applicable.

Clause No.	DCP Clause	Response
	<i>need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular:</i> <i>The amount of fill is not to exceed one metre in depth.</i> <i>Fill is not to spread beyond the footprint of the building.</i> <i>Excavation of the landform is to be minimised.</i> <i>4. Building height and scale needs to relate to topography and site conditions.</i> <i>5. Orientate development to address the street.</i> <i>6. Use colour, materials and surface treatment to reduce building bulk.</i> <i>7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.</i> <i>8. Articulate walls to reduce building mass.</i>	Complies. Complies. Complies. Not applicable. Existing mature landscaping scheme and boundary planting is to be retained. Complies.
D10	Building Colours and Materials	
	<i>1. In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.</i> <i>2. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape.</i> <i>3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.</i>	Not applicable. The dwelling is not located in a highly visible area. Not applicable. The dwelling is not located in a nominated area. Complies. Colours and external finishes are to 'match 'existing' where practicable and as detailed on sheet 3.03B of the architectural set.

Clause No.	DCP Clause	Response
	4. <i>The holiday/fisherman shack character of the waterfront of Cottage Point is to be enhanced by the use of building materials which are sympathetic to the small timber and fibro cottages currently in existence on the waterfront. All buildings visible from the water are to utilise materials such as weatherboard, fibre cement, corrugated steel and timber. The use of masonry is discouraged.</i>	Not applicable.
D11	Roofs	
	1. <i>Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.</i>	Not applicable.
	2. <i>Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.</i>	Complies. The roof pitch is unchanged. The ceiling height is increased from 2.4 m to 2.7 m and the existing tiled roof cover is to be replaced with new custom orb metal sheet in Colorbond 'Dune'.
	3. <i>Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.</i>	Complies.
	4. <i>Roofs shall incorporate eaves for shading.</i>	Complies.
	5. <i>Roofing materials should not cause excessive glare and reflection.</i>	Complies.
	6. <i>Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building.</i>	Not applicable.
D12	Glare and Reflection	
	1. <i>The overspill from artificial illumination or sun reflection is to be minimised by utilising one or more of the following:</i>	Not applicable.

Clause No.	DCP Clause	Response
D13	Front Fences and Front Walls	
	1. Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character. 2. Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence. 3. Fences located within the front building setback area are to complement the existing streetscape character. 4. Fences are to be constructed to allow casual surveillance, except where there is excessive noise. 5. Gates are not to encroach over the property boundary when opening or closing. 6. Fences should complement the architectural period of the building.	Not applicable. There are no changes to the existing front fence.
D14	Site Facilities	
	1. Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places. In particular: - Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection; - All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are	Complies. There are no changes to the location and/or provision of the existing site facilities. Existing. Existing.

Clause No.	DCP Clause	Response
	<i>suitably screened from public places or streets;</i> <i>Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers;</i> <i>Landscaping is to be provided to reduce the impact of all garbage and recycling enclosures. They are to be located away from habitable rooms, bedrooms or living areas that may detract from the amenity of occupants; and</i> <i>Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable.</i>	Domestic wheeled garbage bins are located behind the front building alignment and taken directly to the street for Council collection. Not applicable. Existing.
D15	Side and Rear Fences	
	<i>Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.</i> <i>For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.</i> <i>All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.</i>	Not applicable. There are no changes to the existing boundary fencing.
D16	Swimming Pools and Spa Pools	
	<i>Pools are not to be located in the front building setback.</i> <i>Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.</i> <i>Swimming pools and spas are to be setback from any trees. Australian</i>	Not applicable.

Clause No.	DCP Clause	Response
	<i>Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.</i>	
D17	Tennis Courts	
	1. Tennis courts are to be located behind the front building setback. 2. Where there are 2 frontages, the location of the tennis court is not to be in the primary street frontage. 3. Tennis courts are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback. 4. The height and location of court fencing is to enable: a) Sharing of views from surrounding residences; and b) Provision of sunlight to surrounding properties. 5. Fencing material is to be a dark colour. 6. Fences are to be setback a minimum of 1.5 metres from front, side and rear boundaries.	Not applicable.
D18	Accessibility and Adaptability	
	1. The design is to achieve a barrier free environment with consideration given to the design of doorhandles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided. 2. There are to be continuous, independent and barrier-free access ways incorporated into the design of buildings. 3. Pathways are to be reasonably level with minimal cross fall and sufficient width,	Not applicable within the context of alterations and additions to a single dwelling.

Clause No.	DCP Clause	Response
	<i>comfortable seating and slip-resistant floor surfaces.</i> 4. <i>Where there is a change of level from the footpath to commercial or industrial floor levels, ramps rather than steps should be incorporated.</i> 5. <i>There is to be effective signage and sufficient illumination for people with a disability.</i> 6. <i>Tactile ground surface indicators for the orientation of people with visual impairments are to be provided in accordance with the relevant Australian Standard.</i> 7. <i>Access for people with a disability is to be provided at the main entrance to the development.</i> 8. <i>Development is to comply with Australian Standard AS1428.2.</i> 9. <i>Where a development comprises at least five (5) dwellings, 10% (rounded up to next whole number) of dwellings shall be capable of being adapted (Class C) under AS4299</i>	
D19	Site Consolidation in the R3 and IN1 Zone	
D20	Safety and Security	
	1. <i>Buildings are to overlook streets as well as public and communal places to allow casual surveillance.</i> 2. <i>Service areas and access ways are to be either secured or designed to allow casual surveillance.</i> 3. <i>There is to be adequate lighting of entrances and pedestrian areas.</i> 4. <i>After hours land use activities are to be given priority along primary pedestrian routes to increase safety.</i>	Complies Not applicable. Existing. Not applicable.

Clause No.	DCP Clause	Response
	5. Entrances to buildings are to be from public streets wherever possible. 6. For larger developments, a site management plan and formal risk assessment, including the consideration of the 'Crime Prevention through Environmental Design' principles may be required. This is relevant where, in Council's opinion, the proposed development would present a crime, safety or security risk. See Crime Prevention and Assessment of Development Applications –Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979 prepared by the Department of Urban Affairs and Planning (now Department of Planning). 7. Buildings are to be designed to allow casual surveillance of the street, for example by: a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved; b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance; c) Locating high use rooms to maximise casual surveillance; d) Clearly displaying the street number on the front of the building in pedestrian view; and e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters. 8. Casual surveillance of loading areas is to be improved by: a) Providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and	Complies. Not applicable. Complies. Passive surveillance of the street is achieved from the living rooms at the front elevation. Not applicable.

Clause No.	DCP Clause	Response
	<i>b) Providing adequate day and night lighting which will reduce the risk of undesirable activity.</i> <i>9. Design entrances to buildings from public streets so that:</i> <i>a) Building entrances are clearly identifiable, defined, lit and visible;</i> <i>b) The residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development;</i> <i>c) Main entrances are clearly identifiable;</i> <i>d) Pavement surfaces and signage direct pedestrian movements; and</i> <i>e) Potential conflict between pedestrians and vehicles is avoided.</i>	Complies.
D21	Provision and Location of Utility Services	
	<i>1. If a proposed development will involve a need for them, utility services must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.</i> <i>2. Service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets.</i> <i>3. Where possible, underground utility services such as water, gas, telecommunications, electricity and gas are to be provided in a common trench. The main advantages for this are:</i> <i>a) A reduction in the number of trenches required;</i>	Complies. All services and utilities are existing.

Clause No.	DCP Clause	Response
	<i>b) An accurate location of services for maintenance;</i> <i>c) Minimising the conflict between services;</i> <i>d) Minimising land required and cost;</i> <i>4. The location of utility services should take account of and minimise any impact on natural features such as bushland and natural watercourses.</i> <i>5. Where natural features are disturbed the soil profile should be restored and landscaping and tree planting should be sited and selected to minimise impact on services, including existing overhead cables.</i> <i>6. Where utilities are located above ground, screening devices should include materials that complement the streetscape, for example fencing and landscaping. The location of service structures such as electricity substations should be within the site area.</i> <i>7. Habitable buildings must be connected to Sydney Water's sewerage system where the density is one dwelling per 1050 square metres or greater.</i> <i>8. On land where the density is less than one dwelling per 1050 square metres, and where connection to Sydney Water is not possible, Council may consider the on-site disposal of effluent where the applicant can demonstrate that the proposed sewerage systems or works are able to operate over the long term without causing unreasonable adverse effects.</i>	
D22	Conservation of Energy and Water	

Clause No.	DCP Clause	Response
	1. <i>The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.</i> 2. <i>Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties.</i> 3. <i>Buildings are to be designed to minimize energy and water consumption.</i> 4. <i>Landscape design is to assist in the conservation of energy and water.</i> 5. <i>Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks.</i> 6. <i>All development must comply with Council's Water Management Policy.</i>	Satisfactory. The existing mature landscaping scheme is to be retained. Complies. Complies within the context of minor alterations and additions to an existing dwelling. Satisfactory. The existing mature landscaping scheme is to be retained. Complies. A rainwater tank for reuse is incorporated into the scheme. Complies.
D23	Signs	Not Applicable.
Part E	The Natural Environment	
E1	Preservation of Trees or Bushland Vegetation	
	<i>Requirements for Vegetation Clearing Permits</i> Requirements for other Development Applications <i>When a DA required for clearing vegetation the following requirements apply:</i> 6. <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> 7. <i>Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable</i>	The proposed alterations and additions have been specifically located to retain the significant tree (T3) in the front setback area and with minimal encroachment into the root zone. Refer to the previous discussion and the 'Arborist Report' for details.

Clause No.	DCP Clause	Response
	<i>compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</i> 8. Development must also avoid any impact on trees on public land. 9. For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 11 is to be submitted. 10. 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 12 is to be submitted. 11. Development applications which require the removal of bushland on land under the Warringah LEP 2011 must address relevant objectives and requirements of Parts E2, E3, E4, E5, E6, E7 and E8 of the Warringah DCP 2011.	Complies. Not applicable. Complies. A 'Tree Protection Plan' is at Section 7 of the Arborist Report. Not Applicable.
E2	Prescribed Vegetation	
	1. The following is prescribed for the purposes of clause 5.9(2) of Part 2 of the Vegetation SEPP: <i>All native vegetation identified on:</i> a) DCP Map Threatened and High Conservation Habitat b) DCP Map Wildlife Corridors c) DCP Map Native Vegetation d) known or potential habitat for threatened species, populations or ecological communities as listed under the NSW Threatened Species Conservation Act 1995 and/or the Commonwealth Environment	Not applicable. The land is not mapped within this area.

Clause No.	DCP Clause	Response
	<i>Protection and Biodiversity Conservation Act 1999.</i> <i>2. Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.</i>	
E3	<i>Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat</i>	
	<i>1. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines.</i> <i>2. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and where appropriate promote the recovery of threatened species, populations and ecological communities and areas of high conservation habitat on the subject property.</i>	Not Applicable.
E4	<i>Wildlife Corridors</i>	
	<i>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 50m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</i> <i>i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and</i> <i>ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management</i>	Not Applicable.

Clause No.	DCP Clause	Response
	<i>Plan prepared in accordance with Council guidelines that will protect, manage and enhance wildlife corridors, and where appropriate reconstruct wildlife corridor areas on the subject property.</i> <i>2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.</i>	
E5	Native Vegetation	
	<i>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 100m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</i> <i>i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and</i> <i>ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect native vegetation on the subject property.</i> <i>2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.</i>	Not Applicable.
E6	Retaining unique environmental features	
	<i>1. Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.</i>	Not Applicable.

Clause No.	DCP Clause	Response
	<i>2. Development should respond to these features through location of structures, outlook, design and materials.</i>	
E7	<i>Development on land adjoining public open space</i>	
	<i>1. Development on land adjoining public open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.</i> <i>2. Public access to public open space is to be maximised.</i> <i>3. Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.</i> <i>4. Development is to provide a visual transition between open space, bushland reserves or other public spaces and buildings, including avoiding abutting public open space with back fences.</i> <i>5. Development is to protect views to and from public open space.</i> <i>6. Development is to provide buffers for bushfire protection on private land, not on public land.</i> <i>7. If the adjoining parks, bushland reserves or public open space contain bushland, development is not to threaten the protection or preservation of the bushland.</i> <i>8. Development should be designed to maximise opportunities for casual surveillance of the public open space.</i> <i>9. Development is to utilise landscaping or existing landscape elements to screen development.</i>	Not Applicable.
E8	<i>Waterways and Riparian Lands</i>	

Clause No.	DCP Clause	Response
	1. The applicant shall submit a Waterway Impact Statement. 2. Developments shall comply with the requirements of Council's Protection of Waterway and Riparian Land Policy and Water Management Policy. 3. Infrastructure such as roads, drainage, stormwater structures, services, etc. should be located outside land identified as Waterways and Riparian Land 4. The Asset Protection Zone must not extend into land identified as Waterways and Riparian Land. Refer to NSW Rural Fire Service for site assessment methodology.	Not Applicable.
E8	Coastline Hazard	
	1. The risk of damage from coastal processes is to be reduced through having appropriate setbacks and foundations, as detailed in Criteria for the Siting and Design of Foundations for Residential Development (see Policy volume). 2. For development in the area affected by the certified Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fishermans Beach (Coastal Zone Management Plan), the applicant must demonstrate compliance with the Northern Beaches Coastal Erosion Policy, the Coastal Zone Management Plan and the Collaroy-Narrabeen Protection Works Design Specifications (as amended from time to time).	Not Applicable.
E10	Landslip Risk	
	1. The applicant must demonstrate that: The proposed development is justified in terms of geotechnical stability; and	The land is mapped as being potentially prone to landslip as 'Area A – slope <5 deg' as a minor affectation.

Clause No.	DCP Clause	Response
	<i>The proposed development will be carried out in accordance with good engineering practice.</i> <i>2. Development must not cause detrimental impacts because of stormwater discharge from the land.</i> <i>3. Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.</i> <i>4. To address Requirements 1 to 3:</i> <i>i) For land identified as being in Area A:</i> <i>Council may decide that a preliminary assessment of site conditions is required. If Council so decides, a preliminary assessment of site conditions must be prepared, in accordance with the Checklist for Council's assessment of site conditions (see Notes) by a suitably qualified geotechnical engineer/ engineering geologist. The preliminary assessment must be submitted to Council before the granting of any development consent.</i> <i>If the preliminary assessment determines that a geotechnical report is required, the same provisions apply in Area A as those that apply in Area B and Area D.</i> <i>ii) For land identified as being in Area B or Area D:</i> <i>A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering</i>	Refer to the s.2.4.3 'Warringah LEP 2011' for the relevant discussion.

Clause No.	DCP Clause	Response
	<i>geologist and must be submitted with the development application.</i> <i>If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application.</i> <i>Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</i> <i>iii) For land identified as being in Area C or Area E:</i> <i>A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer/engineering geologist, must be submitted with the development application.</i> <i>Also, a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</i> <i>iv) When a geotechnical report is required to be submitted, (determined in accordance with i) to iii)above), the report must include a risk assessment of landslip in relation to both property and life. The risk assessment must have regard to any guidelines published by the Australian Geomechanics Society.</i>	
E11	Flood Prone Land	

Clause No.	DCP Clause	Response
	1. Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property. 2. Development on flood prone land requires the preparation of a Flood Management Report by a suitably qualified professional.	Not Applicable.
Part F	Zones and Sensitive Areas	
F1	Local and Neighbourhood Centres <i>This control applies to land identified as zone B1 Neighbourhood Centre or B2 Local Centre on the Warringah Local Environmental Plan 2011 - Land Zoning Map.</i>	Not Applicable.
F2	Brookvale Brickworks	Not Applicable.
F4	SP2 Infrastructure Zone	Not Applicable.
Part G	Special Area Controls	
G1	Dee Why Town Centre	Not Applicable.
G2	R3 Medium Density Residential bound by Sturdee Parade, Pacific Parade and land zoned B4 Mixed Use	Not Applicable.
G3	Belrose Corridor	Not Applicable.
G4	Warringah Mall	Not Applicable.
G5	Freshwater Village	Not Applicable.
G6	Dee Why RSL Club	Not Applicable.
G7	Evergreen	Not Applicable.
G9	Frenchs Forest Town Centre	Not Applicable.

3.0 SUMMARY AND RECOMMENDATIONS

In summary, the proposal is for alterations and minor additions to a single dwelling, largely confined to the current building envelope in order to retain an existing mature tree within the front setback area.

Due consideration has been given in the design of the modified dwelling to the Northern Beaches Council's WDCP Controls and WLEP 2011 Objectives, with the proposal having been closely informed by the extensive assessments and recommendations of the various technical consultants to address the constraints and opportunities offered by the site and to ameliorate any potential amenity impacts upon adjoining neighbours. Where minor variations from the DCP Controls have been identified, these have no significant impacts upon any neighbour and are well supported on merit grounds.

The proposal has negligible amenity and aesthetic impacts and is in the public interest as it provides for well-designed accommodation within a long-established residential precinct, this being consistent with the R2: *'Low density residential'* zoning and permissible land use for this site and with Council's broader objectives for the Frenchs Forest precinct.

I commend the development application to Council as being worthy of support.

CLARON CONSULTING PTY LTD



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Registered Planner, Building & Development Consultant, Chartered Builder

3.1 Statement of Professional Qualifications

I am a Registered Planner #6700 with the Planning Institute of Australia. I have completed a Bachelor degree in Building at the University of Western Sydney, Hawkesbury in 1997, and post-graduate Diploma in Urban and Regional Planning at University of New England in 2003. I have worked as a consulting planner since 1997 and I am a member of several relevant professional associations including PIA and AIB.



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