



Statement of Environmental Effects

Development Application

67 Elimata Road & 19A Rowan Street, Mona Vale

Amalgamation of lots, construction of 10 residence multi-dwelling housing development and strata subdivision



Prepared by Paro Consulting

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Document status

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1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Paro Consulting and submitted to Northern Beaches Council in support of a Development Application (DA) at 67 Elimatta Road & 19A Rowan Street, Mona Vale (the site). The DA seeks development consent for the demolition of existing structures, the amalgamation of both lots into a singular lot, site clearance, land preparation, and the construction of a new multi dwelling housing development with ten residences, a through-site pedestrian and vehicular link between Elimatta Road & Rowan Street and associated landscaping works (the proposal).

This report describes the site, its environment and the proposed development, provides an assessment of the environmental impacts and identifies the steps to be taken to protect or mitigate any potential impacts on the environment. The application is worthy of approval given the following reasons:

- The proposed development is consistent with the aims and objectives of the Pittwater Local Environmental Plan 2014 (Pittwater LEP) and Pittwater 21 Development Control Plan (Pittwater DCP);
- The proposal will improve the amenity of future residents residing within the area;
- There will be no adverse environmental impacts to the surrounding built form or natural environment; and
- The proposed development is suitable for the site and is in the public interest.

2. Background

2.1 Approval History

A search of Council's DA tracker did not reveal any approval history at either lot (67 Elimatta Road & 19A Rowan Street).

A GIPA Request can be submitted to Council for further information on development history at the site.

2.2 Preliminary DA

There has been no preliminary DA Meeting in relation to the subject proposal.

3. Site Analysis

3.1 Site Location

The site is located within the Northern Beaches Local Government Area, specifically within the former Pittwater Council area. The site consists of two existing lots at 67 Elimatta Road, Mona Vale (Figure 1a), and 19A Rowan Street, Mona Vale (Figure 1b), proposed for amalgamation (figure 1c). The current DA seeks consent to amalgamate both lots into a singular lot that will accommodate the proposed multi dwelling housing development.





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3.2 Site Description

Details of the site are illustrated in the table below.

Table 1. Details of the site

Details	1st Lot	2nd Lot
Address	67 Elimatta Road, Mona Vale	19A Rowan Street
Legal Description	Lot 72 Sec A DP 5464	Lot 103 DP 709505
Site Area	1295m ² (site survey)	1,046m ² (site survey)
Lot width	21.85m (street frontage)	4.575m (battleaxe lot entrance) 38.735m (rear)
Existing building and structures	2 storey brick & timber freestanding dwelling house	1 storey brick freestanding dwelling house
Existing Vegetation	The site contains a few mature trees to the rear of the site.	The site contains a few mature trees.
Topography	Fall approx. 4-7m from front to rear (north)	Fall approx. 3m from west to east
Site Context	Surrounded by low density, freestanding residential dwelling houses (one and two storey)	Surrounded by low density, freestanding residential dwelling houses (one and two storey)

3.3 Surrounding Development

The site is located within Mona Vale, a beachside suburb of the Northern Beaches LGA, approximately 21 km north of the Sydney CBD. The site is approximately 571m walking distance from the Mona Vale Town Centre, an identified Town Centre within the SEPP Housing 2021 Low- and Mid-Rise Housing Town Centres Map. Mona Vale Golf Club, Mona Vale Beach and Warriewood Beach are nearby public points of interest within walking distance. The Elimatta Road and Rowan Street localities are characterised by low density residential development, mostly consisting of freestanding dwelling houses on well vegetated large lots of land.

Surrounding properties of 19A Rowan Street include:

- 19 (single storey freestanding dwelling house to the east) and 21 (single storey freestanding dwelling house to the west) Rowan Street, adjoining the battleaxe handle at the street frontage
- 17A (freestanding dwelling house to the east) and 23 (two storey freestanding dwelling house to the west) Rowan Street, adjoining the main portion of the lot at the rear being;

Surrounding properties of 67 Elimatta Road include:

- 65, 65A, 65B (to the east) and 69, 69A (to the west) Elimatta Road adjoining the lot, all freestanding dwelling houses





Figure 2a: Oblique aerial imagery of the site (Source: Vexcel Imagery, 2022)



Figure 2b: Site streetview – Elimatta Road (Source: Google Maps)

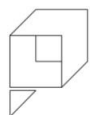




Figure 2c: Site street view – Rowan Street – battle-axe driveway indicated by red arrow. (Source: Google Maps)



Figure 2d: 67 Elimatta Road - Rear yard (Source: Realestate.com)



4. The Proposal

The application seeks consent for the following:

- Torrens title amalgamation of 2 existing lots into 1
- Demolition of existing structures, vehicular crossovers
- Land clearance and site preparation
- Construction of a multi dwelling housing development with 10 residences
- New vehicular crossovers and through-site vehicular and pedestrian accessway between Elimatta Road and Rowan Street, with private enclosed (10) and visitor (3) parking spaces
- Fencing, landscaping, and associated works
- Strata subdivision of the multi-dwelling housing development into 10 residential lots including common property.

Refer to the Architectural Package prepared by JKM Architects and Landscape Plan prepared by OutField Landscape Architecture for further information

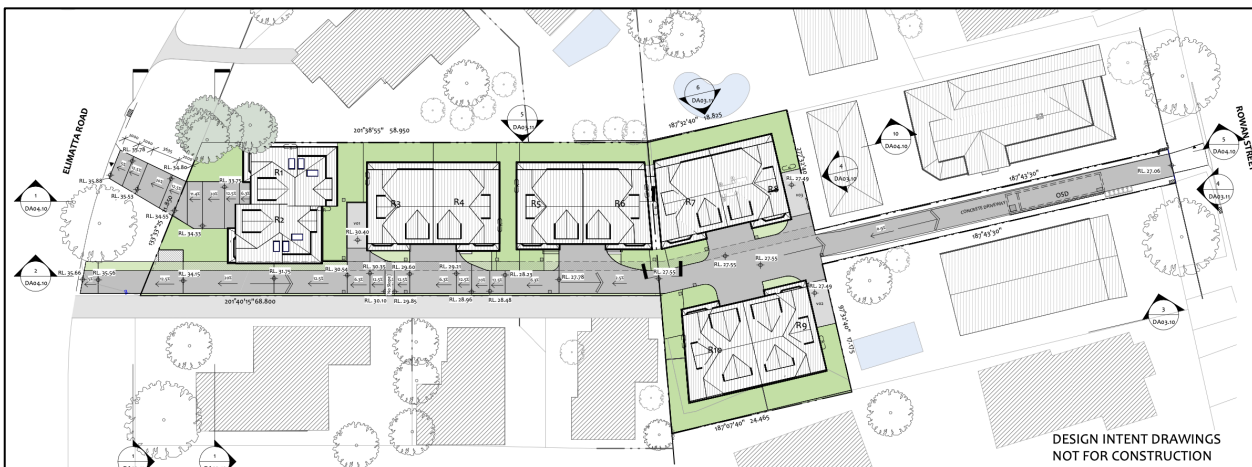


Figure 3: Proposed site plan (Source: JKM Architects, 2025)

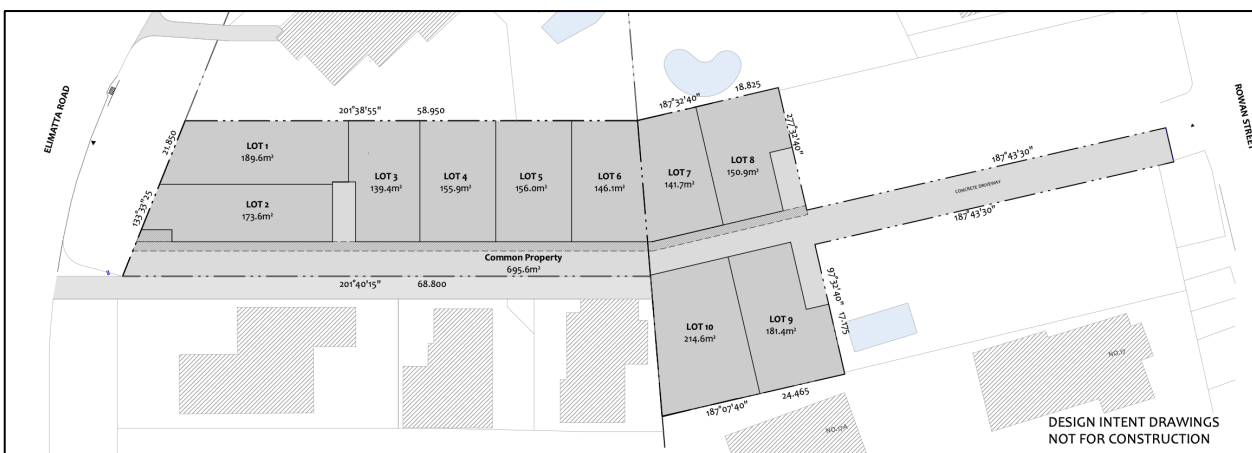


Figure 4: Proposed strata subdivision plan (Source: JKM Architects, 2025)

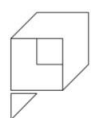




Figure 5: Indicative perspective – Driveway view, looking north (Source: JKM Architects, 2025)



Figure 6: Indicative perspective – Street view from Elimatta Road (Source: JKM Architects, 2025)



5. Environmental Planning Assessment

5.1 EP&A Act 1979 – Section 1.3 Objectives

The Environmental Planning and Assessment Act, 1979 (EP&A Act 1979) is the principal planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the EP&A Act 1979 are:

“(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,

(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,

(c) to promote the orderly and economic use and development of land,

(d) to promote the delivery and maintenance of affordable housing,

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,

(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),

(g) to promote good design and amenity of the built environment,

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

(j) to provide increased opportunity for community participation in environmental planning and assessment”.

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the EP&A Act 1979:

- The proposal will result in the orderly and economic use and development of land;
- The proposal would not contribute to any adverse bulk and scale impacts and responds well to its context;
- The proposal would also be consistent with the objectives of the zone, relevant EPIs and development standards;
- The proposal would assist in creation of additional jobs as a result of the construction phase of develop; and
- There will be no unreasonable adverse impacts on the environment or neighbouring properties.



5.2 EP&A Act 1979 – Section 4.15 Assessment

Section 4.15(1) of the EP&A Act 1979 as amended specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the EP&A Act 1979 are addressed in the Table below.

Table 2. Section 4.15 of EP&A Act 1979 Assessment

Clause	Assessment
<i>1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application: (a) the provisions of:</i>	
<i>i) any environmental planning instrument</i>	An assessment has been provided against relevant SEPPs and the Pittwater LEP 2014 in part 5.3 of the SEE.
<i>ii) any draft environmental planning instrument that is or had been placed on public exhibition and details of which have been notified to the consent authority, and</i>	Not applicable.
<i>iii) any development control plan</i>	The proposal has been considered against the provisions of the Pittwater 21 DCP in part 5.4 of the SEE.
<i>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</i>	The DA is not subject to a planning agreement.
<i>iv) any matters prescribed by the regulations that applied to the land to which the development relates</i>	This report considers the environmental consequences of the development as required under Schedule 1 (2) (4) of the Environmental Planning & Assessment Regulation 2021 (the Regs). There are no prescribed matters, which hinder the development. The proposal is in accordance with the relevant State Environmental Planning Policies.
<i>v) any coastal zone management plan (with the meaning of the Coastal Protection Act 1979)</i>	There are no coastal zone management plans relevant to the application.
<i>(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,</i>	The proposal will not result in any adverse amenity impacts upon any adjoining properties, will have a suitable streetscape presentation. The proposal will not result in any adverse social or economic impacts on the locality.
<i>(c) the suitability of the site for the development,</i>	The land is appropriately zoned to permit the multi dwelling housing (under CI 170 of the Housing SEPP) and the proposed works meet the objectives of the Pittwater LEP.



<i>(d) any submissions made in accordance with this Act or the regulations,</i>	It is envisaged that any submissions made in relation to the proposal will be appropriately assessed by Council.
<i>(e) the public interest.</i>	The proposal is considered to be within the public interest as it generates positive social, economic and environmental impacts through creating construction jobs and better meeting the needs of the owners. Importantly, the proposal is consistent with the requirements of the relevant planning controls in the Pittwater LEP and DCP and does not result in any unreasonable impacts.

5.3 Provisions of Any State Environmental Planning Instruments

An assessment is provided in the section of the SEE against the relevant state environmental planning instruments, which apply to the site in considered within Section 4.15 (1) of the EPA Act 1979.

5.3.1 SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

Chapter 2 – Coastal Management of the SEPP (Resilience and Hazards) 2021 (former SEPP (Coastal Management) 2018) gives effect to the objectives of the Coastal Management Act 2016 from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the Coastal Zone.

The subject site is located wholly outside of Coastal Environment Area (Section 2.10) and the Coastal Use Area (Section 2.11).

On the basis, no further consideration is required under Chapter 2 of the Resilience and Hazards SEPP 2021.

Chapter 4 – Remediation of Land (Remediation of Land)

Chapter 4 – Remediation of Land of the SEPP (Resilience and Hazards) 2021 (former SEPP No. 55 - Remediation of Land) provides planning guidelines for remediation of contaminated land. The Ku-ring-gai DCP 2021 provides controls and guidelines for remediation works. Chapter 4 – Remediation of Land of the SEPP requires that remediation works must be carried out in accordance with a Remediation Action Plan (RAP) as approved by the consent authority and any guidelines enforced under the Contaminated Land Management Act 1997.

The proposal includes site disturbance to accommodate the works. As required Under Clause 4.6(a) of Chapter 4 – Remediation of Land, consideration has been given as to whether the land is contaminated. The site appears to have included a continued historical residential use.

In the absence of any information indicating the potential contamination of the site and the absence of any significant excavation, further consideration of this issue is not warranted in this instance.

5.3.2 SEPP (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in Non-Rural Areas (former Vegetation SEPP 2017)

The aims of Chapter 2 – Vegetation In Non-Rural Areas (former Vegetation SEPP 2017), are:

- “(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation”.*



The proposal involves the removal of some existing trees and vegetation. Several existing trees are proposed for retention, and additional plantings including trees, shrubs and deep soil area are proposed under this development which will support and contribute positively to the natural features of the area. The proposed works are consistent with the aims of this Chapter.

Refer to the Arborist Report prepared by Jacksons Nature Works and Landscape Plan prepared by Outfield Landscape Architecture for further information.

5.3.3 SEPP (Sustainable Buildings) 2022

A BASIX Certificate has been submitted with the development application for each dwelling. The BASIX Certificate lists measures to satisfy BASIX requirements which will be incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are incorporated into the Construction Certificate drawings and implemented.

5.3.4 SEPP (Housing) 2021

Chapter 6 – Low and mid rise housing

This Chapter applies to land located within up to 800 metres of an identified Town Centre on the NSW SEPP Housing Town Centres Map, or public entrance/platform to a designated railway, metro or light rail station under Schedule 11.

No identified stations under Schedule 11 are located nearby.

The site is proposed as an amalgamation of two existing lots, 19A Rowan Street and 67 Elimatta Road, with the nearest Town Centre being Mona Vale Town Centre. While the existing site frontage of 67 Elimatta Road is greater than 800 metres walking distance from the Mona Vale Town Centre, the site frontage of 19A Rowan Street is approximately 571 metres walking distance from the Town Centre.

By amalgamating 19A Rowan Street and 67 Elimatta Road into a single lot, the total site is subject to the provisions of this Chapter, as the site will be within 800 metres of Mona Vale Town Centre, specifically in an identified low and mid rise housing outer area, being located between 400 – 800 metres walking distance from the Town Centre.

Therefore, the provisions of this Chapter apply.



Figure 7: Example walking distance between the site (19A Rowan Street frontage) and Mona Vale Town Centre (Source: NSW LMR Viewer, 2025)



Table 3. Chapter 6 of the Housing SEPP – Multi dwelling housing Compliance Table Assessment

Requirement	Assessment	Comply
164 Land to which this chapter applies		
This chapter applies to the whole of the State, other than the following— (a) bush fire prone land, (b) land identified as a coastal vulnerability area or a coastal wetlands and littoral rainforests area within the meaning of State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 2, (c) land to which Chapter 5 applies, (d) land that is a heritage item or on which a heritage item is located, (e) the following local government areas— (i) Bathurst Regional, (ii) City of Blue Mountains, (iii) City of Hawkesbury, (iv) Wollondilly, (f) flood prone land in the Georges River Catchment and Hawkesbury-Nepean Catchment under State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6, (g) land in a flood planning area in the following local government areas— (i) Armidale Regional, (ii) Ballina, (iii) Bellingen, (iv) Byron, (v) City of Cessnock, (vi) Clarence Valley, (vii) City of Coffs Harbour, (viii) Dungog, (ix) Goulburn Mulwaree,	The subject site is not affected by any of the listed affectations.	Yes



(x) Kempsey, (xi) Kyogle, (xii) City of Lismore, (xiii) City of Maitland, (xiv) Nambucca Valley, (xv) City of Newcastle, (xvi) Port Stephens, (xvii) Queanbeyan-Palerang Regional, (xviii) Richmond Valley, (xix) City of Shoalhaven, (xx) Singleton, (xxi) Tweed, (xxii) Upper Hunter Shire, (xxiii) Walcha, (h) land in an ANEF contour or ANEC contour of 20 or greater, (i) land within 200m of a relevant pipeline within the meaning of State Environmental Planning Policy (Transport and Infrastructure) 2021, section 2.77, (j) land identified as “Deferred Transport Oriented Development Areas” on the Deferred Transport Oriented Development Areas Map, (k) land within 800m of a public entrance to a railway, metro or light rail station listed in Schedule 12.		
Part 3 Attached dwellings, multi dwelling housing and multi dwelling housing		
170 Development permitted with development consent		
Development for the purposes of multi dwelling housing or attached dwellings is permitted with development consent on land to which this chapter applies in a low and mid rise housing area in Zone R2 Low Density Residential.	The subject site is located within the R2 Low Density Residential zone under the Pittwater LEP, and therefore the construction of a multi dwelling housing development as proposed is permissible.	Yes
171 Landscaping—multi dwelling housing or multi dwelling housing (terraces)		



This section applies to development for the purposes of multi dwelling housing in a low and mid rise housing area in the following zones— (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone R4 High Density Residential. (2) Before granting development consent to development to which this section applies, the consent authority must consider the Tree Canopy Guide for Low and Mid Rise Housing, published by the Department in February 2025. For sites measuring more than 1,000sqm but less than 3,000sqm in total (such as the development site), the Tree Canopy Guide for Low and Mid Rise Housing, published by the Department in February 2025 requires minimum 25% tree canopy, 25% deep soil and at least 1 medium tree planted for every 200sqm of site area. Table 5. Tree canopy and deep soil – Multi-dwelling housing (applies to the whole development) <table><tr><th>Site area</th><th>Tree canopy (min % site area)</th><th>Deep soil (min % site area)</th><th>Tree planting rate</th></tr><tr><td><1,000 m²</td><td>20%</td><td>20%</td><td>For every 300 m² or part thereof, plant at least one medium tree in the deep soil area.</td></tr><tr><td>1,000–3,000 m²</td><td>25%</td><td>25%</td><td>For every 200 m² or part thereof, plant at least one medium tree in the deep soil area.</td></tr><tr><td>>3,000 m²</td><td>30%</td><td>30%</td><td>For every 350 m² or part thereof, plant at least 2 medium trees or one large tree in the deep soil area.</td></tr></table>	Site area	Tree canopy (min % site area)	Deep soil (min % site area)	Tree planting rate	<1,000 m²	20%	20%	For every 300 m² or part thereof, plant at least one medium tree in the deep soil area.	1,000–3,000 m²	25%	25%	For every 200 m² or part thereof, plant at least one medium tree in the deep soil area.	>3,000 m²	30%	30%	For every 350 m² or part thereof, plant at least 2 medium trees or one large tree in the deep soil area.	The subject site is located within the R2 Low Density Residential zone under the Pittwater LEP. The proposal provides tree canopy coverage and deep soil site coverage that satisfies the provisions of this Section. Refer to the Architectural Plans and Landscape Plan for further information.	Yes
Site area	Tree canopy (min % site area)	Deep soil (min % site area)	Tree planting rate															
<1,000 m²	20%	20%	For every 300 m² or part thereof, plant at least one medium tree in the deep soil area.															
1,000–3,000 m²	25%	25%	For every 200 m² or part thereof, plant at least one medium tree in the deep soil area.															
>3,000 m²	30%	30%	For every 350 m² or part thereof, plant at least 2 medium trees or one large tree in the deep soil area.															
172 Non-discretionary development standards—multi dwelling housing																		
This section applies to development for the purposes of multi dwelling housing on land in a low and mid rise housing area in the following zones (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone R4 High Density Residential.	The subject site is located within the R2 Low Density Residential zone under the Pittwater LEP.	Yes																
The following non-discretionary development standards apply in relation to development for the purposes of multi dwelling housing— (a) a minimum lot size of 600m2,	The standards are achieved as follows: a) The development lot is greater than 600sqm. b) The lot is more than 12m wide at the front building line.	Yes																



(b) a minimum lot width at the front building line of 12m, (c) if no environmental planning instrument or development control plan that applies to the land specifies a maximum number of car parking spaces per dwelling—a minimum of 1 car parking space per dwelling, (d) a maximum floor space ratio of 0.7:1, (e) a maximum building height of 9.5m.	c) 1 enclosed car space per dwelling is proposed. d) An FSR below the maximum 0.7:1 is proposed. e) The maximum building height of 9.5m is not exceeded.	
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5.4 Pittwater LEP 2014

The Pittwater Local Environmental Plan 2014 (Pittwater LEP 2014) is the primary planning instrument applicable to the subject site. The following table provides applicable clauses from the PLEP.

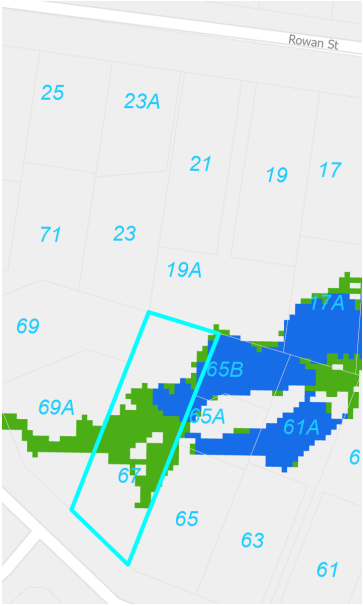
Table 4. Pittwater LEP 2014 – Compliance Table Assessment

Zoning, clauses and standards	Assessment	Comply
Part 1 Preliminary		
1.2 Aims of the plan	The proposal does not contravene the aims of the plan.	Yes
Part 2 Permitted or prohibited development		
Land Use Zoning <i>The site is zoned R2 Low Density Residential.</i> <i>Multi dwelling housing is prohibited.</i>	Despite what the PLEP permits, multi-dwelling housing is permissible with consent within low and mid rise housing areas in R2 Zoned land as per Cl 170 of the Housing SEPP.	Yes
Land Use Zoning Objectives <i>The objectives of the R2 Low Density Residential zone are:</i> <i>To provide for the housing needs of the community within a low density residential environment.</i> <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> <i>To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.</i>	The proposed works are consistent with the objectives of the R2 zone. The multi dwelling housing development will provide additional housing to meet the needs of the community while maintaining a low-density format. Other land uses will not be adversely impacted by the proposed development, and the development remains compatible with these surrounding land uses. The character of the new dwellings will align with the character of nearby recent residential development.	Yes
2.7 Demolition requires development consent	The proposal involves demolition works which are permissible with consent. It is expected that the consent	Yes

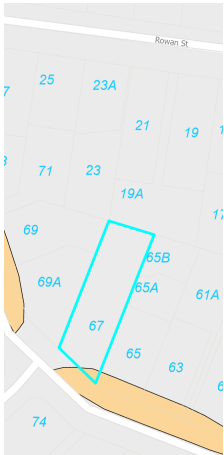


	authority would impose relevant standard DA conditions, as applicable, on any consent to manage impacts which may arise during demolition.	
Part 4 Principal Development Standards		
4.1 Minimum subdivision lot size 550 m ²	The amalgamation of both lots exceeds the minimum lot size. Strata subdivision is proposed, not Torrens Title. Clause not applicable.	N/A
4.2A Minimum subdivision lot size for strata plan schemes in certain rural, residential and conservation zones (2) <i>This clause applies to land in the following zones that is used, or is proposed to be used, for the purpose of a dual occupancy—...</i> (b) <i>Zone R2 Low Density Residential, ...</i>	Multi dwelling housing development is proposed for strata subdivision, not dual occupancy development. Clause not applicable.	N/A
4.3 Height of Buildings 8.5m (LEP) 9.5m (SEPP)	N/A - Housing SEPP prevails	N/A
4.4 Floor Space Ratio N/A (LEP) 0.7:1 (SEPP)	N/A – Housing SEPP prevails	N/A
4.5 Calculation of floor space ratio and site area	The FSR and site area has been calculated regarding this Part.	Yes
4.5A Density controls for certain residential accommodation	N/A - The site is not located within R3 Zoned land	N/A
4.6 Exceptions to development standards	N/A - Not applicable	N/A
Part 5 Miscellaneous provisions		
5.1 Relevant acquisition authority	N/A – The subject site is not identified on the Land Reservation Acquisition Maps.	N/A
5.10 Heritage conservation	The site is not located within a Heritage Conservation Area, or in proximity to any State heritage items, however, is located proximity to a local heritage item along Elimatta Road being 66 Elimatta Road 'House' (SHI #2270501).	Yes



	No adverse heritage impacts on the item are expected due to the nature of the proposed development and its proximity to the heritage item. (Image source: NSW Planning Spatial Viewer)	
5.21 Flood Planning 	The site is identified as being flood prone. The impact of flood behaviour is appropriately mitigated and managed in response. Refer to the Flood Risk Management Plan for further details. (Image Source: Northern Beaches Mapping, 2025)	Yes
5.22 Special flood considerations	The impact of flood behaviour is appropriately mitigated and managed in response. Refer to the Flood Risk Management Plan for further details.	Yes
Part 7 Additional Local Provisions		
7.1 Acid sulfate soils	The site is located within a Class 5 acid sulfate soils area. The development will not adversely affect the soil quality or water table at the site.	Yes
7.2 Earthworks	The proposal involves earthworks which are permissible with consent. It is expected that the consent authority would impose relevant standard DA conditions, as	Yes



	applicable, on any consent to manage impacts which may arise during the earthworks.	
7.6 Biodiversity	N/A - No biodiversity under this LEP definition identified on the land.	N/A
7.7 Geotechnical hazards 	A small fragment of the land at the street frontage of 67 Elimatta Road is located within the H2 Geotechnical hazard curtilage. The fragment of land will be allocated primarily to front setback landscaping and vehicle carriageways and not the dwelling footprints. Nevertheless, under the H2 classification, the land is unlikely to adversely affect the geotechnical stability of the development and is considered to involve an acceptable level of risk to permit the proposed development.	Yes
7.10 Essential services	The proposed development will be connected to all existing services available at the site.	Yes



5.5 Pittwater 21 DCP 2004

The Pittwater 21 DCP 2004 (Pittwater DCP) is the primary DCP applicable to the proposal and site. The following table provides an assessment of the proposal against the relevant provisions of the Pittwater DCP.

Table 5. Pittwater DCP Assessment:

Control		Comment	Comply
SECTION A: SHAPING DEVELOPMENT IN PITTWATER			
A4.9 MONA VALE LOCALITY			
The proposed development is consistent with the desired future character of the Mona Vale locality within a low density residential zoned context. A building height limit below the future tree canopy is proposed, with a development stepped appropriately into the natural topography of the land to minimise bulk and scale, land disturbance, and integrate with the surrounding landscape. Existing and new vegetation will be harmoniously integrated with the development. The dwellings are designed to incorporate shade elements, while permitting solar access to liveable areas and habitable rooms. Building colours, materials and finishes are well selected and high quality to harmonise well within the seaside and well vegetated Mona Vale natural environmental context.			Yes
SECTION B: GENERAL PROVISIONS			
B5 WATER MANAGEMENT			
B5.15 STORMWATER MANAGEMENT			
	<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>	The proposed development will appropriately manage stormwater runoff to minimise environmental impact, with an appropriate stormwater drainage system. Refer to the Stormwater Management Plan for further details.	Yes
B6 ACCESS AND PARKING			



	The design of all driveways and parking facilities is in accordance with the relevant Australian Standards. A total of three vehicular crossovers into the site is proposed. Two vehicular crossovers from Elimatta Road into the site are proposed, one to provide vehicular access to Residences 1 & 2, and one to provide the through-site link to Rowan Street and vehicular access for Residences 3-10. One vehicular crossover is proposed from Rowan Street into the site, beginning the through-site link to Elimatta Road through the battle-axe handle at the northern half of the lot. While more (2) than the maximum number of vehicular crossovers (1) for a single frontage of less than 30 metres at the Elimatta Road frontage are proposed, the two crossings are meritorious due to the available lot width, integration with the natural topography, site layout, available separation distance between crossovers, and safety/visibility benefits of the design. The Housing SEPP does not set a specific rate for visitor parking, and therefore there is no mandatory requirement for visitor spaces under this policy. The PDCP recommends a rate of one visitor space per three dwellings and requires that calculations be rounded up, which would result in a requirement of four visitor spaces for this development. Although the proposal is not obligated to comply with this rate, it nonetheless provides three on-site visitor spaces. This represents a balanced and reasonable response that aligns with Council's broader planning objectives and ensures practical outcomes for both residents and visitors. Refer to the Traffic Report for further details.	Merit
B8 SITE WORKS MANAGEMENT		
	B8.1 Construction and Demolition - Excavation and Landfill Excavation and fill required to accommodate the building footprints is able to comply with the Geotechnical Risk Management Policy for Pittwater and as verified at Construction Certificate stage. B8.3 Construction and Demolition - Waste Minimisation Waste materials generated through demolition, excavation and construction works at the site will be appropriately managed. Refer to the Waste Management Plan for further details. B8.4 Construction and Demolition - Site Fencing and Security The site will be protected by site fencing for the duration of the works. B8.6 Construction and Demolition - Traffic Management Plan Transport required during demolition and construction will be managed to not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.	Yes
SECTION C: DEVELOPMENT TYPE CONTROLS		
C1 DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT		



C1.1	Landscaping <i>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species.</i> <i>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site.</i> <i>Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.</i> <i>The following soil depths are required in order to be counted as landscaping:</i> • 300mm for lawn • 600mm for shrubs • 1metre for trees <i>the front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</i> • A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments, • 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and • 50% for all other forms of residential development. <i>For development containing 3 or more dwellings, permanent seating is to be provided in the landscaped area.</i> <i>For residential flat buildings and multi dwelling housing, a communal area for children's play is to be provided.</i> <i>Where canopy trees are to be retained on a site, planting of additional canopy trees shall be assessed on a merit basis.</i>	Native species are selected. Tree species are planted to achieve required canopy coverage in line with the LMR provisions. Where the proposed development does not achieve the required landscaped area under this Chapter, the development satisfies the LMR provisions for landscaping that supersede these controls. Refer to the Landscape Plans, and Chapter 7.2 - LMR and Housing SEPP compliance tables for further information.	Merit - LMR
C1.2	Safety and Security	Habitable rooms have direct views out into the internal carriageway, with R1 and R2 having views	Yes



		out to the principal Elimatta Road street frontage, maximising the availability of passive surveillance. Secure access to all dwellings is provided. Blank walls are minimised. The through site link provides a clear sightline across the internal layout of the site.	
C1.3	View Sharing <i>Reasonable sharing of views available from surrounding properties</i>	The views of neighbouring properties onto significant views, vistas, and the surrounding streetscape are not adversely affected.	Yes
C1.4	Solar Access <i>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</i> <i>Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).</i> <i>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</i> <i>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</i> <i>The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.</i>	Living rooms and private open space are oriented to maximise solar access while minimising any additional overshadowing by the proposed building envelopes, to preserve the solar access of neighbouring dwellings. Area for clothes drying is available. Refer to the Architectural Plans and Shadow Diagrams for further information.	Yes
C1.5	Visual Privacy <i>Private open space areas including swimming pools and living rooms of proposed and any existing</i>	1.8 metre perimeter fencing is proposed, in addition to landscaping and the appropriate	Yes



	<i>adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).</i> <i>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</i> <i>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.</i>	placement of windows to minimise direct sightlines into neighbouring properties as far as practicable. Many habitable rooms have sightlines oriented towards the internal carriageway of the site, and not directly into the habitable rooms and private open spaces of neighbouring dwellings where possible. Refer to the Architectural Plans for further information.	
C1.6	Acoustic Privacy <i>Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.</i> <i>Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the Building Code of Australia).</i> <i>Noise generating plants including pool/spa motors, 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.</i> <i>Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.</i>	The development is appropriately designed to reduce the impacts of noise transfer within dwellings, between dwellings within the site, and neighbouring properties. Refer to the Acoustic Report for further information.	Yes
C1.7	Private Open Space <i>Minimum area of 15% of the floor area of the dwelling (not including the floor area of garages or internal laundries), with no dimension less than 2.5</i>	The multi dwelling housing development includes adequate landscaped private open space for each dwelling (>15% of the available floor space, minimum length of 2.5m).	Yes



	<i>metres and a grade no steeper than 1 in 10 (10%).</i> <i>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.</i> <i>Ground floor units are to have a minimum area of private open space of 30sq.m and with no dimension less than 4 metres.</i> <i>Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constrains this orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access and Natural Light).</i> <i>Walled enclosure of private open space is prohibited. Such areas shall not be modified to be incorporated into the dwelling.</i> <i>Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</i> <i>For Shop Top Housing, residential flat buildings and multi dwelling housing, private open space at upper levels in the form of front/rear or internal courtyard balconies and terraces are required.</i> <i>The dimension of the balcony should be sufficient so that the area can be usable for recreational purposes (ie a minimum area of 10m2 and a minimum width of 2.4 metres).</i> <i>First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residences.</i>	Private open spaces within the side and rear setbacks of each dwelling are directly accessible from living areas. Refer to the Architectural Plans for further information.	
C1.9	Adaptable Housing and Accessibility <i>50% of dwellings to be Class B adaptable</i>	Noted. The development is able to comply.	Yes
C1.10	Building Facades	Building facades that face the public domain do not contain any visible exterior services runs and equipment.	Yes



C1.12	Waste and Recycling Facilities	Waste and recycling are appropriately managed within the development, during demolition, construction and future occupancy. Waste Management at the site in accordance with Council's Waste Management Guidelines. Refer to Waste Management Plan for further details.	Yes
C1.13	Pollution Control	The demolition, construction and occupancy of the residential development will not result in any significant air, water, noise or land pollution.	Yes
C1.15	Storage Facilities	Ample secure internal storage is provided within each dwelling.	Yes
C1.23	Eaves <i>Dwellings shall incorporate eaves on all elevations.</i> <i>Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.</i>	Eaves and roof overhangs are proposed at all elevations. Eaves achieve minimum width.	Yes
C1.24	Public Road Reserve - Landscaping <i>Development with a frontage within a residential street is required to design and construct (Section 139 approval required from Council):</i>	Noted. Existing landscaping within the public road reserve remains unaffected, other than in the construction of the vehicular crossings in accordance with Council requirements.	Yes

SECTION C: DEVELOPMENT TYPE CONTROLS

C7.2 DESIGN CRITERIA FOR LOW AND MID-RISE HOUSING AREAS: MULTI DWELLING HOUSING

Note:

The controls in this part apply in addition to the provisions in Chapter 6, Parts 3 and 4 of State Environmental Planning Policy (Housing) 2021 (the Housing SEPP). Where there is any inconsistency between this DCP and the Housing SEPP, the provisions of the Housing SEPP prevail.

In the event of any conflict between this section and other parts of the DCP, the provisions of Section C7 Design Criteria for Low and Mid-Rise Housing shall prevail.

R1	<i>Controls within the Pittwater 21 Development Control Plan that apply to 'multi dwelling housing' are to be applied to 'multi dwelling housing (terraces)'.</i>	Terrace format not proposed, not applicable.	N/A
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R2	<i>Individual dwellings fronting a public road should have habitable rooms oriented towards the street with a clearly identifiable entry.</i> <i>Blank walls that limit opportunities for casual surveillance of the street, common areas, or internal pedestrian pathways should be avoided.</i>	R1 and R2 front the primary public road frontage at the site (Elimatta Road) and have habitable rooms and front entrances that orient towards the street. Opportunities for casual surveillance and the internal through-site link are available.	Yes
R3	<i>Pedestrian pathways are to be well-lit, separated from vehicular access, and provide a minimum 1-metre-wide clear path.</i> <i>Individual dwelling entries should ensure safe access and easy wayfinding. Pedestrian entries are to be directly visible from the public street.</i>	The through-site link includes a pedestrian footpath of compliant width. Dwelling entries ensure safe access and are easily identifiable along the pedestrian pathway.	Yes
R4	<i>All terraces are to face a public street. No terrace may be located behind another dwelling on the same lot.</i>	Terrace format not proposed, not applicable.	N/A
R5	<i>On sloping sites, each dwelling is to be stepped consistently along the slope.</i>	Dwellings are stepped consistently with the slope.	Yes
R6	<i>In the R2 Low Density Residential zone, the minimum side building line setback for developments is as follows:</i> <i>a. For developments not subject to the Apartment Design Guide (ADG), where the wall height is 3 metres or less: The minimum side setback is 3 metres.</i> <i>b. For developments not subject to the ADG, where the wall height is more than 3 metres above ground level (existing): The minimum side setback is to be calculated using the formula:</i> $S = 3 + \frac{H - 2}{4}$ <i>S = setback distance in metres</i> <i>H = wall height in metres above existing ground level</i>	Refer to the noncompliance discussion below.	Merit



	c. <i>For developments subject to the ADG, increased side setbacks continue to apply in accordance with ADG provisions.</i> d. <i>A minimum rear building line setback of 6.5 metres continues to apply to land zoned R2 Low Density Residential, except where the foreshore building line is applicable.</i>		
R7	<i>Dwellings are to have a minimum 2 metre setback if fronting internal laneways or driveways, unless it can be demonstrated that a reduced setback maintains landscaping, safe vehicle access, pedestrian safety, and adequate amenity.</i>	Dwellings that front the internal driveway have a minimum 2 metre setback from the internal driveway.	Yes
R8	<i>The ground floor should be no more than 1.3 metres above ground level (existing) and no more than 1 metre below ground level (existing), except where a higher finished floor level is required to meet the applicable Flood Planning Level.</i>	Noted. Ground floor levels are generally consistent with the existing ground levels.	Yes
R9	<i>In the R2 Low Density Residential zone, developments are not to exceed 2 storeys.</i>	All dwellings include three levels; two storeys and an attic. While providing habitable floor space, attics are not included within the definition of a storey under the NSW Standard Instrument definition.	Yes
R10	<i>Minimum tree planting rates are to be in accordance with Tables 1, 2 and 3 below, and are to include the following:</i> a. <i>Each tree shall be a locally native species.</i> <i>At least one tree is to be provided within the</i> b. <i>front setback of each dwelling fronting the street frontage.</i> <i>Existing native trees may be counted towards</i> c. <i>the total number of required trees.</i> <i>Minimum tree planting rates for Multi dwelling housing – applies to the whole development</i>	The development satisfies the necessary tree canopy coverage, tree planting rate and deep soil site coverage area as stipulated within the LMR. Refer to the Architectural Plans and Landscape Plan for further details.	Yes



	<i>Table 2:</i> <i>1,000-3,000 m²:</i> <i>For every 200 m² or part thereof, plant at least 1 medium tree in the deep soil area.</i>		
R11	<i>In addition to the Section D Locality Specific Development Controls – Landscaped Area – requirements in this DCP, the deep soil percentage as identified in Tables 4, 5 and 6 is to be demonstrated.</i> <i>This requirement is to support healthy tree root development and to enable canopy trees to reach maturity.</i> <i>Table 5: Minimum Deep Soil for Multi dwelling housing - applies to the whole development: 1,000-3,000 m², 25% deep soil site area</i>	The development satisfies the necessary tree canopy coverage, tree planting rate and deep soil site coverage area as stipulated within the LMR. Refer to the Architectural Plans and Landscape Plan for further details.	Yes
R12	<i>Each attached dwelling, terrace or townhouse dwelling is to have a minimum internal width of 6 metres.</i>	All dwellings have a minimum internal width greater than 6 metres.	Yes
R13	<i>End-of-row attached dwellings, townhouses or terraces are to provide windows on side walls to articulate the facade, provided they meet visual and acoustic privacy requirements.</i>	No terraces proposed. Windows articulate the facade of attached dwellings within the multi dwelling development.	Yes
R14	<i>The minimum floor to ceiling height in living areas should be 2.7 metres.</i>	FCL of 2.7m in all living areas of dwellings achieved.	Yes
R15	<i>The depth of any habitable room should not exceed 8 metres from a source of daylight.</i>	No depths of habitable rooms exceed 8 metres from a window.	Yes
R16	<i>All habitable rooms are to be naturally ventilated.</i>	All habitable rooms have windows.	Yes
R17	<i>Dwellings are required to have the following minimum internal floor areas:</i> <i>3 Bedroom: 90m² + 4th bedroom (R19)</i>	All dwellings achieve required internal floor areas. Refer to GFA Diagrams within Architectural Plans.	Yes
R18	<i>The minimum internal areas outlined in R17 only include one bathroom. The minimum area of each</i>	All dwellings achieve required internal floor areas.	Yes



	additional bathroom is 5m2 added onto the minimum dwelling area.		
R19	<i>The minimum area of any additional bedroom to R17 is 12m2 added onto the minimum dwelling area.</i>	All dwellings achieve required internal floor areas.	Yes
R20	<i>Development located near noise-generating uses, such as employment zones, industrial land, main roads, or late-night venues, is to be designed to minimise noise intrusion. Council may require this to be demonstrated through a Noise Impact Assessment prepared by a suitably qualified acoustic consultant.</i>	Development is located within a low-density residential neighbourhood and is unlikely to be affected by significant noise generating land uses.	Yes
R21	<i>For residential flat buildings, integrate playable elements free of trip hazards within the communal outdoor space, to encourage children and their families to use shared areas for play.</i>	N/A - not applicable.	N/A
R22	<i>Vehicle access is to be consolidated and be integrated with the building design.</i>	Garages are secure and integrated within the building envelope.	Yes
R23	<i>The total width of all garages, carports or hardstand areas, for all dwellings combined, facing a street frontage is not to exceed 50% of the lot frontage or 7 metres, whichever is the lesser.</i>	Only the garages of R1 and R2 face the street frontage. Both garages have a combined width less than 7 metres, satisfying this provision.	Yes
R24	<i>The driveway and vehicle crossover are to be designed in accordance with the current policies and guidelines relating to driveways/vehicle crossovers, noting that all vehicles are to leave the site in a forward direction. Vehicle circulation is to comply with AS2890.1.</i>	Driveways are designed in accordance with current policies and guidelines. All vehicles can leave the site in a forward direction. Vehicle circulation complies with Australian Standards. Refer to Traffic Report for further details.	Yes
R25	<i>Basements are to remain within the building footprint and not extend into setback areas, and vehicular entries should be integrated with the building design.</i>	A portion of R1 and R2 are located underground within the building footprint, and do not extend into setback areas or incorporate vehicular entries.	Yes
R26	<i>Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.</i>	Bicycles can be stored securely within the enclosed garages of each dwelling.	Yes

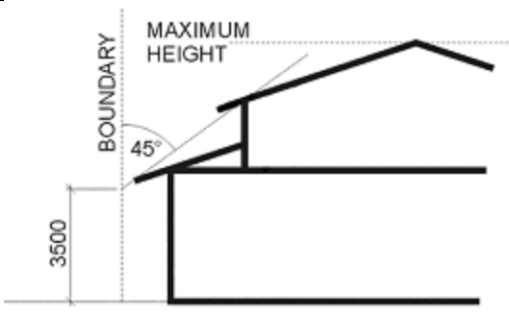


R27	<i>A minimum of one electric bicycle charge point (10A outlet) is to be provided for every four bicycle parking spaces. Where fewer than four bicycle parking spaces are provided, a minimum of one charge point must still be installed.</i>	Able to comply.	Yes
R28	<i>Development is to incorporate electric vehicle (EV) charging infrastructure in accordance with the following provisions (Refer to DCP)</i>	Able to comply.	Yes
SECTION D: LOCALITY SPECIFIC DEVELOPMENT CONTROLS			
D9 MONA VALE LOCALITY			
D9.1	Character as viewed from a public place <i>Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.</i>	The proposed development has a street presentation to Elimatta Road that is compatible with the surrounding architectural styles of the streetscape. Facades are well articulated. Parking structures are located behind the front building line, are less than the maximum lot frontage width requirement (<7.5m) and are integrated appropriately. The bulk and scale of buildings is minimised through the site configuration.	Yes
D9.2	Scenic protection – general	No adverse visual impact on any surrounding scenic or natural environments as a result of the proposed development.	Yes



D9.3	Building colours and materials Controls External colours and materials shall be dark and earthy tones as shown below: Black ✓ Dark grey ✓ Dark green ✓ Dark brown ✓ Mid grey ✓ Green ✓ Brown ✓ Dark blue ✓ White, light coloured, red or orange roofs and walls are not permitted: White ✗ Light blue ✗ Red ✗ Orange ✗ Light grey ✗ Beige ✗ <i>Low reflective materials only</i>	Darker earthy tones are proposed in accordance with Council's preferred colour palette. Finishes are not reflective and use a variety of material types. Refer to the Finishes Schedule for further details.	Yes
D9.6	Front building line <i>R2 Land not adjoining Barrenjoey/Mona Vale/Pittwater Road = 6.5m or established building line, whichever is greater.</i> <i>Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.</i> <i>Where new streets or accessways are proposed in residential flat buildings and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.</i>	Minimum front setbacks to Elimatta Road and internal carriageway achieved. No other built structures are proposed within the front setbacks.	Yes
D9.7	Side and rear building line	Setback controls overridden by requirements of Chapter 7.2. Refer to the noncompliance discussion below.	Merit
D9.9	Building envelope	Building envelopes are generally consistent with the required roof slopes and building heights, oriented within a 45-degree plane.	Yes



	 STREET FRONTAGE <i>Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).</i>		
D9.10	Landscaped Area – General <i>The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.</i> <i>The use of porous materials and finishes is encouraged where appropriate.</i>	The development does not achieve the general residential 50% landscape area requirement due to its LMR multi dwelling development typology, site constraints, and the relevant applicable provisions of the Housing SEPP that permit a reduced landscaped area more suitable for the proposal. It is to be noted that compliance with the LMR landscaping provisions of the Housing SEPP overrides the need to comply with this landscaped area requirement. Refer to C7.2 and the Housing SEPP compliance tables for further details.	Merit - LMR
D9.12	Fences <i>Front and side fences (within the front building setback) shall:</i> <i>not exceed a maximum height of 1 metre above existing ground level,</i> <i>be compatible with the streetscape character, and</i> <i>not obstruct views available from the road.</i>	No front fencing proposed. Side boundary fencing proposed complies with required dimensions and materials. Refer to the Architectural Plans for further details.	Yes



	<i>Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.</i>		
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5.5.1 Assessment of non-compliances

Side and rear setbacks (C7.2 R6)

The proposed development is for a multi dwelling housing development within the R2 zone.

Chapter 7.2 *Attached dwellings, multi dwelling housing, multi dwelling housing (terraces) and residential flat buildings* of the Pittwater DCP outline the following applicable objectives that guide the proposed development:

Objectives

- O1 *To provide a variety of low-scale housing types that enhance diversity and choice, while ensuring alignment with the desired future character of the locality.*
- O2 *To ensure developments are designed to provide privacy, solar access and building separation.*
- O3 *To minimise building bulk and scale and enhance existing streetscapes through building articulation, materials, and setbacks.*
- O4 *To enhance the landscape setting, soften the visual impact of built form and increase canopy cover by including trees in deep soil areas.*
- O5 *To ensure high-quality design with a clear sense of address, featuring well-defined dwelling entries, casual surveillance along the street frontage, while also supporting safe pedestrian movement and integrated vehicular access.*

Control – Requirement 6 of Chapter 7.2, specifies:

R6 *In the R2 Low Density Residential zone, the minimum side building line setback for developments is as follows*

- a *For developments not subject to the Apartment Design Guide (ADG), where the wall height is 3 metres or less: The minimum side setback is 3 metres.*
- b *For developments not subject to the ADG, where the wall height is more than 3 metres above ground level (existing): The minimum side setback is to be calculated using the formula:*

$$S = 3 + \frac{H - 2}{4}$$

where:

S = setback distance in metres

H = wall height in metres above existing ground level

- c *For developments subject to the ADG, increased side setbacks continue to apply in accordance with ADG provisions.*



d A minimum rear building line setback of 6.5 metres continues to apply to land zoned R2 Low Density Residential, except where the foreshore building line is applicable.

- Required side setbacks: **approximately 4 metres (based on individual dwelling wall height calculations and site average)**
- Required rear setback **6.5 metres**

Proposed setbacks

Setbacks throughout the development range between 1 metres and 4 metres, with the majority of dwellings having 3 metre setbacks to the western and eastern site boundaries.

Due to the battle axe nature of the lot, with the site transversing the land between Elimatta Road and Rowan Street resulting in two street frontages, no clearly identifiable rear setbacks are identified in this instance (Refer to the Architectural Plans).

It is to be noted that many of the dwellings that only achieve a 3 metre side setback at the ground floor achieve a compliant 4 metre side setback at the first floor and above, due to compliance with Council's required building envelopes.

Assessment of Objectives

Notwithstanding the identified numerical non-compliance, the development achieves consistency with the relevant objectives of this as follows:

O1 To provide a variety of low-scale housing types that enhance diversity and choice, while ensuring alignment with the desired future character of the locality.

- The building envelopes that extend into the recommended side setbacks involve a form, bulk and scale that is consistent with the desired future character of the Mona Vale locality as described above in Section A of the Pittwater DCP.

O2 To ensure developments are designed to provide privacy, solar access and building separation.

- The privacy, solar access, and building separation of the proposed dwellings and that of neighbouring properties will not be adversely affected by the reduced side setbacks, as demonstrated in the Architectural Plans and Shadow Diagrams.
- Appropriate fencing, landscaping, building envelopes and additional first floor setbacks are utilised to maximise the environmental amenity of the development for future occupants and neighbouring residents.

O3 To minimise building bulk and scale and enhance existing streetscapes through building articulation, materials, and setbacks.

- The bulk and scale of the proposed development is not significantly altered due to the reduced side setbacks, as the proposed development achieves a satisfactory floor space ratio under the Housing SEPP LMR requirements in addition to appropriate building envelopes and configuration as recommended within this Chapter.
- Building articulations and materials remain appropriate and consistent with Council's recommendations notwithstanding the noncompliance.
- The primary front setback to Elimatta Road of Residences 1 and 2, which present as an attached dual occupancy to the street, remains compliant with the numerical requirement of this Chapter.



O4 To enhance the landscape setting, soften the visual impact of built form and increase canopy cover by including trees in deep soil areas.

- The reduced side setbacks do not alter the proposed development's existing compliance with the tree canopy and deep soil requirements of the Housing SEPP.

O5 To ensure high-quality design with a clear sense of address, featuring well-defined dwelling entries, casual surveillance along the street frontage, while also supporting safe pedestrian movement and integrated vehicular access.

- The proposed development continues to demonstrate a high-quality design despite the reduced side setbacks.
- Dwelling entries remain clearly identifiable, casual surveillance opportunities are provided along the Elimatta Road street frontage, with no alteration to safe pedestrian movement and integrated vehicular access throughout the site.

For the reasons demonstrated above, the development is considered to remain consistent with the relevant objectives of Chapter 7.2 despite numerical noncompliance with the setback requirements of R6.

6. Conclusion

This report has provided an environmental assessment of the proposed multi dwelling housing proposal and concludes that the proposal results in a built form that aligns with the desired character of the locality.

The proposed development has been assessed in accordance with Section 4.15 of the EP&A Act 1979 and Council's planning instruments. The proposal is identified as a permissible development pursuant to the zoning of the site as R2 Low Density Residential land use zone under the Housing SEPP 2021.

The proposed works result in an increased living amenity for the future residents of the dwellings and generate positive impacts for the local street character of the Mona Vale locality. In summary the proposal is considered to;

- Provide a built form that is consistent with the desired character of the site;
- Positively contributed to housing supply in an area where there is growing demand for this;
- Generate no significant adverse impacts on the natural environment, neighbouring properties or views from the public domain; and
- Provide an increased living amenity for the future residents.

Accordingly, the proposed works are considered to be satisfactory from an environmental planning perspective and warrants the support of Council.

