Warringah Development Control Plan

Adopted by Council: 8 June 2010
Came into effect: 9 December 2011

WARRINGAH DCP - AMENDMENT SCHEDULE

Amend No.	EDMS	Approved by Council	Commenced	Overview of amendment
1	PEX2010/0001	22/02/2011	09/12/2011	Part E11 – Flood Prone Land Change to flood related development controls for low risk areas (above the FPL of ARI 1:100) to remove these for residential development.
2	PEX2011/0002	22/05/2012	09/06/2012	G5 - Freshwater Village controls are specific to the Freshwater Village area.
3	PEX2012/0012	26/02/2013	21/03/2013	Part C3(A) - Bicycle Parking and End of Trip Facilities Part G6 - Dee Why RSL Club
4	PEX2012/0004	26/03/2013	20/09/2013	Part G7 - Evergreen Estate
5	PEX2013/0002	17/12/2013	25/01/2014	Various changes to amend anomalies and update for currency
6	PEX2015/0002	10/02/2015	21/02/2015	Part A7 - Notification Removed requirement to send hard copy of plan.

7	PEX2012/0014	26/4/2016	7/5/2016	Update setback and envelope controls at 20-24 Tralee Avenue, Killarney Heights
8	PEX2016/0009	25/10/2016	06/11/2016	Parts C8 – Demolition and Construction and C9 – Waste Management. Simplify the parts in the DCP so that they link with new guidelines to reduce demolition and construction waste.
9	PEX2016/0010	22/11/2016	06/12/2016	Part G6 – Dee Why RSL amended to remove detailed masterplan drawings and design principles and update requirements.
10	PEX2017/0002	28/02/17	01/03/2017	Part E9 – Coastline Hazard. To give effect to the adopted Northern Beaches Coastal Erosion Policy.
11	PEX2016/0003	13/12/2016	30/06/2017	Various minor amendments to clarify requirements; simplify use, resolve anomalies, reflect associated Council Policies and to support proposed amendment to the Warringah Local Environmental Plan 2011.
12	PJ00949	27/6/2017	8/7/2017	Amendment to adopt consistent development application notification and advertising requirements for all Northern Beaches DCP's.
13	EC05233	25/07/2017	07/08/2017	Various minor amendments to clarify requirements; simplify use, resolve anomalies, reflect associated Council Policies and to support proposed amendment to the Warringah Local Environmental Plan 2011. Part E11 – Flood Prone Land. Replaced with an integrated clause which is universal across the Northern Beaches DCPs.
14	C001865	25/09/2018	20/10/2018	Amendments to Tree and Waste Management
15	C001862	27/08/2019	14/09/2019	Part 18 - Amendment to require adaptable housing provision
16	PEX2019/0004	26/11/2019	01/12/2019	Removal of Section A.7 Exhibition, Advertisement and Notification of Applications to give effect to the Northern Beaches Community Participation Plan
17	PEX2018/0002	26/02/2019	28/02/2020	Implementation of the Dee Why Town Centre Masterplan
18	PEX2018/0008	28 April 2020	24 July 2020	Various amendments to maps associated with Mermaid Pool Planning Proposal.

Part A Introduction

A.1 The purpose of this development control plan

The Warringah Development Control Plan 2011 (DCP) has been prepared in accordance with Division 3.6 of the Environmental Planning and Assessment Act 1979 (the Act) and with Part 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The DCP provides more detailed provisions than the Warringah Local Environmental Plan 2011 (LEP) for development in Warringah.

Division 3.6 of Part 3 of the Act introduced under the Environmental Planning and Assessment Act (Infrastructure and Other Planning Reform) 2005 commenced on 30 September 2005. This Division introduced new requirements for development control plans.
As a result of these changes to the Act, Council has consolidated its development control plans that apply within the Warringah local government area (LGA) into one plan. It repeals all development control plans that previously applied in Warringah.

On commencement of this plan, all of the development controls plans which previously applied to the whole of Warringah LGA will cease to have effect. Instead, the provisions within those development control plans will now be contained within this plan. It follows that this plan will be the only development control plan that applies to all land within the Warringah LGA. Any amendments to the DCP since commencement are listed at the front of this DCP.

Under Section 4.15 of the Act, the consent authority is required to take into consideration the relevant provisions of the DCP in determining applications for development in Warringah.

A.2 Name of plan

This plan is called the Warringah Development Control Plan 2011.

A.3 Land to which this plan applies

Applies to Land

This Plan applies to all land to which Warringah Local Environmental Plan 2011 applies.

A.4 Relationship of this DCP to the LEP

The provisions of the DCP are in addition and complementary to the provisions of Warringah Local Environmental Plan 2011. If there is an inconsistency between the two documents, Warringah Local Environmental Plan 2011 shall prevail.

A.5 Objectives

The overriding objective of the DCP is to create and maintain a high level of environmental quality throughout Warringah. Development should result in an increased level of local amenity and environmental sustainability. The other objectives of this plan are:

Objectives

• To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood
• To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome
• To inspire design innovation for residential, commercial and industrial development
• To provide a high level of access to and within development.
• To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained
• To achieve environmentally, economically and socially sustainable development for the community of Warringah

A.6 Parts of the DCP

A series of built form controls, including setbacks and landscaped open space, is contained in Part B Built Form Controls. Part C, Siting Factors, includes subdivision, traffic and parking, stormwater erosion and the like. Matters relating to design form Part D. Part E covers issues relating to the natural environment including trees on private property, flooding, vegetation, and riparian land. Part F covers development and activities in certain zones and sensitive areas e.g. local and

neighbourhood centres, Brookvale Brickworks and SP Special Activities zoned land.

Part G applies controls to special areas of Warringah e.g. parts of Dee Why, Warringah Mall, Forestway shops and Belrose Corridor. In the event of any inconsistency between Part G and Parts C, D and E, the requirements of Part G will prevail.

It is important to note that the provisions of Part B Built Form Controls do not apply to those areas of land specified in Part G.

Part H is a compilation of relevant appendices e.g. carparking and vegetation matters.

Requirements
Before granting consent for development the consent authority must be satisfied that the proposed development:

Satisfies all applicable requirements of the Warringah Local Environmental Plan 2011.

Meets the general and individual section objectives of the DCP.

Complies with the built form controls (objectives and requirements) contained in Part B of this DCP.

Is consistent with the relevant objectives and requirements in Part C Siting Factors, Part D Design, Part E The Natural Environment and Part F Zones & Sensitive Areas of the DCP.

Complies with the requirements for the specified area in Part G of the DCP, if applicable.
Strict compliance with the numerical requirements of the DCP does not guarantee development consent. The proposed development must also meet the objectives of the DCP.

A.8 Interpretation

A to E

A-frame sign/sandwich sign
is a portable free standing double sided panel used for the purposes of advertising and generally located on the footpath outside the subject premises.

Above awning sign
is a sign that is attached to and displayed above the awning. These have development controls that apply to businesses and industrial land uses.

Adequate Warning Systems, Signage and Exits
is where the following is provided:

(a) an audible and visual alarm system which alerts occupants to the need to evacuate, sufficiently prior to likely inundation to allow for the safe evacuation of pedestrians and vehicles;
(b) signage to identify the appropriate procedure and route to evacuate; and
(c) exits which are located such that pedestrians evacuating any location during any flood do not have to travel through deeper water to reach a place of refuge above the PMF flood event, away from the enclosed car parking.

Adverse Impacts
(for the purposes of the Flood Prone Land clause only) means, the proposed development:

- Will result in less than 0.02m increase in the 1% AEP
- Will result in less than a 0.05m increase in the PMF
- Will result less than a 10% increase in PMF peak velocity
- Will have no loss in flood storage or flood way in the 1% AEP

Alterations and Additions
(for the purposes of the Flood Prone Land clause only) means:

(a) In the case of residential development, a one-off addition to, or alteration of an existing dwelling and/or the construction of a new garage or development ancillary to residential development where the new work results in an additional ground floor area of less than

30m2 or an increase of less than 10% of the ground floor area (whichever is lesser); or (b) In the case of non-residential development, a one-off addition to, or alteration of, an existing building of not more than 100m2 or 10% of the ground floor area (whichever is the lesser).

Annual Exceedance Probability (AEP)
means the chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. The 1% AEP or 1:100 AEP means there is a 1 in 100 probability of the corresponding flood discharge occurring in any given year.

Aquatic habitat
means habitat where a variety of marine, brackish or freshwater flora and fauna occur for long periods. Examples include tide pools, estuaries, wetlands, ponds, streams, creeks, rivers, drainage channels and reserves.

Arborist
means a consultant who holds formal qualifications in Arboriculture and/or qualifications in horticulture.

Asset protection zone
is a requirment of the NSW Rural Fire Service designed to protect assets (houses, buildings etc) from potential fire damage. The Asset Protection Zone is measured from the asset to the outer edge of the Riparian Buffer.

Australian Height Datum (AHD)
a common national surface datum approximately corresponding to mean sea level

Average Recurrence Interval (ARI)
is an alternative to AEP for expressing the likelihood of occurrence of a flood event. It means the long-term average number of years between the occurrences of a flood as big as, or larger than, the selected event. For example, floods with a discharge as great as, or greater than, the 100 year ARI flood event have a 1 in 100 probability of occurring in any given year.

Awning fascia sign
is a sign painted on the fascia or return end of an awning.

Biodiversity management plan
is a detailed plan of works prepared to protect biodiversity (native plants and animals) and guide ecological restoration works.

Building area
is the footprint of the building on the site measured from the external faces of the external walls including garages/parking areas but excluding driveways.

Bunding
means a levy or embankment.

Bunting
includes kites, flags, pennants, banners and the like attached onto above or in the vicinity of a building or place secured so as to allow movement by the atmosphere.

Bushland
means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation. See also SEPP 19 - Bushland in Urban Areas

Bush regeneration program
is a program of works generally undertaken over a period of years by trained workers in which degraded bushland is restored to a condition that as far as possible represents the original vegetation community and is as self-sustaining as local environmental conditions permit.

Catchment
the land area draining through the main stream, as well as tributary streams, to a particular site. It always relates to an area above a specific location

Collection point
is the point from which waste or recycling is collected and transferred from the storage receptacle to the collection vehicle.

Compensatory Works
(for the purposes of the Flood Prone Land clause only) refers to earthworks where material is excavated (or “cut”) from one location in the floodplain and placed (or “filled”) at another location in the floodplain, with no net importation of fill material, such that the volume available for storage of flood waters is not altered for all floods and flood behaviour is not impacted.

Connected impervious area
is land covered by impervious surfaces (paving, asphalt, tiles, etc) that is directly connected to waterways by stormwater infrastructure. Catchment imperviousness has been found to be a good predictor of biodiversity and other ecosystem attributes. Imperviousness reflects both general land use (which affects water quality) as well as hydrology (which affects the size and duration of flows). A more ‘connected’ urban catchment (i.e. piped and channelled drainage) causes greater degradation than a less connected rural catchment. The effect is noticeable at a threshold of 12% imperviousness. Note: connectedness of **stormwater drainage infrastructure** is undesirable, but connectivity of **natural systems** is a desirable outcome (Warringah Creek Management Study, 2004).

Creek
(*a term not defined in the Water Management Act 2000*) means any watercourse, whether ephemeral, intermittent or perennial, whether on its natural course or altered by human interference, whether channelled or not. It also includes any drainage lines able to be identified by a linear vegetation assemblage reflective of regularly moist soil conditions or by a weed plume consistent with regularly moist soil conditions *(Warringah Creek Management Study(2004)).*

Cutting down
means clearing, thinning, killing, poisoning, burning, slashing, uprooting or removing or substantially damaging vegetation. Pruning of branches means cutting in a planned and systematic manner that is carried out in accordance with the relevant Australian Standard. Cutting down in relation to a tree, means cut down, fell, destroy, kill, transplant or uproot a tree.

Note

Australian Standard AS 4373-2007, 'Pruning of Amenity Trees' applied at the time the DCP was adopted.

Deep soil landscape area
means that area of a site with no above ground, ground level or subterranean development.

Discretionary sign
includes:

a) A sign that is not visible from outside the site where it is located; or

b) A public notice displayed by a public authority; or

c) A sign located behind the glass line of a shop window.

Effective warning time
is the time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to move equipment or stock, raise furniture,evacuate people and transport their possessions.

Enclosed car parking
means car parking enclosed on all sides, which is potentially subject to rapid inundation, which in turn consequently increases risk to human life and property (such as basement parking, enclosed garages or bunded car parking areas).

F to J

Flashing sign
is a sign illuminated by internal light whether or not included in any other class of advertising structure. These signs are generally not desirable within the area, and regarded as inappropriate development.

Flood affected properties
means properties on land susceptible to overland flooding or mainstream flooding up to the Probable Maximum Flood.

Flood awareness
is an appreciation of the likely effects of flooding and knowledge of the relevant flood warning and evacuation procedures.

Flood compatible buildings
includes buildings designed to withstand flood damages such as:

(a) Collapse as a result of water pressure;
(b) Displacement of structures off their foundations as a result of buoyancy forces;
(c) Weakening, distortion or failure as a result of saturation.

Components, materials, connections and services required to achieve flood compatibility are outlined in the Australian Building Codes Board - Construction of Buildings in Flood Hazard Areas, 2012

Flood Hazard
Flood Hazard is a term used to determine the safety of people and property and is based on a combination of flood depth (above ground level) and flood velocity for a particular sized flood. Flood Hazard is classified as either Low Hazard or High Hazard.
In High Flood Hazard areas, there is a possible danger to personal safety, able-bodied adults would have difficulty wading and there is the potential for significant structural damage to buildings. In Low Flood Hazard areas, able-bodied adults would have little difficulty wading and nuisance damage to some structures would be possible.
The method for determining Provisional Low and High Hazard Categories is outlined in the NSW Government's Floodplain Development Manual (2005) (the Manual).

Flood Planning Area (FPA)
The Flood Planning Area is the area below the Flood Planning Level as determined by an engineering professional in a Flood Study undertaken in accordance with the Floodplain Development Manual.

Flood Planning Levels (FPL)
has the same meaning as provided in the Manly LEP 2013, Warringah LEP 2011 and Pittwater LEP 2014.
A reduced freeboard will be considered on its merits for properties impacted by peak flood depths less than 0.3m and velocity depths less than 0.3m2/s. The reduced freeboard must be appropriately justified in a Flood Management Report prepared by a suitably qualified professional.

Flood Prone Land
(being synonymous with flood liable and floodplain) is the area of land that is subject to inundation by the probable maximum flood (PMF).

Flood Proofing – Dry
means measures that protect a building from the entry of floodwaters by sealing a building's exterior walls and other floodwater entry points.

Flood Proofing – Wet
means a combination of measures incorporated into the design, construction and/or alteration of buildings, structures and surrounds, to enable a building or structure to withstand forces due to floodwater ingress and passage, whilst remaining structurally sound, to mitigate flood damages.

Flood Risk Emergency Assessment Report
means a technical assessment of adequate qualitative and quantitative detail addressing the management of risk to life, and other criteria (where applicable) as it affects the subject property and its surrounds within the floodplain. The report is to be prepared by a suitably qualified

professional and in conjunction with a Structural Engineer (where necessary) to satisfy the requirements as set out by the control and policy.

Flood Risk Precinct (FRP)
refers to the division of the floodplain on the basis of the level of expected risk to persons and property due to flooding. In this plan the floodplain is divided into the Low, Medium and High flood risk precincts.

Flood Risk Precinct Maps
means maps held by Council identifying the boundaries of the Flood Risk Precincts produced through a publicly available Flood Study or Floodplain Risk Management Plan.

Flood Storage Area
means those parts of the floodplain that are not part of the floodway.

Floodlit sign/Illuminated sign
is a sign illuminated by an internal or external light whether or not included in any other class of advertising structure.

Floodplain Development Manual (FDM)
refers to the document dated April 2005, published by the New South Wales Government and entitled “Floodplain Development Manual: the management of flood liable land”.

Flood Management Report
means a technical report of adequate qualitative and quantitative detail addressing the management of flood risk, and other criteria (where applicable) as it affects the subject property and its surrounds within the floodplain. The report is to be prepared by a suitably qualified professional and in conjunction with a Structural Engineer (where necessary) to satisfy the requirements as set out by this Plan.

Floodplain Risk Management Plan (FRMP)
means a plan prepared for one or more floodplains in accordance with the requirements of the FDM or its predecessors.
Note: The predecessors to the FDM provided similar processes for the preparation and adoption of FRMP’s and Floodplain Management Plans, which all have the status of FRMP’s for the purposes of this Plan.

Floodplain Risk Management Study (FRMS)
means a study prepared for one or more floodplains in accordance with the requirements of the FDM or its predecessors.
Note: The predecessors to the FDM provided similar processes for the preparation and adoption of FRMS’s and Floodplain Management Studies, which all have the status of FRMS’s for the purposes of this Plan.

Floodway
is the area of the floodplain where a significant discharge of water occurs during floods and is often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.

Flora and Fauna Assessment
is a detailed assessment of the biodiversity (native plants and animals) of the site and the impacts of the proposed development on matters of environmental significance. It makes recommendations on how to avoid unacceptable impacts on biodiversity.

Floorplate area
is the area within the outer face of the outermost walls of the building.

Floor to ceiling height
is the distance measured vertically between the floor and ceiling above.

Freeboard
provides reasonable certainty that the risk exposure selected in deciding on a particular flood chosen as the basis for a FPL is actually provided. It is a factor of safety typically used in relation

to the setting of flood levels, levee crest levels, etc. Freeboard is included in the flood planning level (see definition).

Habitable floor area
(for the purposes of the Flood Prone Land clause only) means:

(a) In a residential situation: any floor containing a room or rooms used or capable of being adapted for use for residential purposes, such as a bedroom, living room, study, dining room, kitchen, bathroom, laundry, toilet but excluding any floor used solely for the purposes of car parking or storage;
(b) In a non-residential situation: an area used for the regular activities of the building, including but not limited to offices, work areas, staff kitchens, staff lounge room, reception area or for storage of possessions susceptible to flood damage in the event of a flood.
Note: Separate considerations are specified for the car parking area of a development irrespective of the land use with which it is associated.

Freestanding sign
is a sign that is mounted on the ground on one or more supports and is independent of a building and may include a pole sign, pylon sign or a bulletin board containing multiple messages, such as businesses located within a building or complex.

Front boundary setback
is the distance measured perpendicular to the road frontage property boundary up to any structure on the allotment.

Garbage
means refuse or waste material other than trade waste, effluent, green waste or recyclable material.

Garbage chute
is a duct in which deposited material descends from one level to another within the building, due to gravity.

Green waste
means includes grass clippings, tree, bush and shrub trimmings, branches and other similar material resulting from domestic or commercial gardening, landscaping or maintenance activities.

Gross Leasable Floor Area (GLFA)
is the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage area.

Hamper sign
is a sign that is attached to or erected on the transom area of a doorway or display window of a building.

Hazard
is a source of potential harm or a situation with a potential to cause loss. In relation to this Plan, the hazard is flooding which has the potential to cause harm or loss to the community.

Height of tree
means the distance measured vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

High conservation habitat
includes vegetation communities of special conservation significance. These include communities which are 'Threatened in Australia', 'Threatened in New South Wales', 'Rare in Australia' and 'Threatened in Warringah' as defined in the Warringah Natural Area Survey (2005).

High Flood Risk precinct
means all flood prone land (a) within the 1% AEP Flood Planning Area; and (b) is either subject to a high hydraulic hazard, within the floodway or subject to significant evacuation difficulties (H5 and or H6 Life Hazard Classification).

Hydraulic Engineer
(for the purposes of the Flood Prone Land clause only) - A civil or environmental engineer who is a registered professional engineer with chartered professional status (CP Eng) specialising in the field of hydrology/hydraulics, as it applies to floodplain management, and has an appropriate level of professional indemnity insurance.

Imperviousness
is the measure of a substance's inability to allow fluids to pass through.

Inflatable sign
is a sign erected temporarily as a promotional tool and includes inflatable announcement, and visible from public place. These signs are generally not desirable within the area, and regarded as inappropriate development.

Hydraulic hazard
is the hazard as determined by the provisional criteria outlined in the FDM in a 1% AEP flood event.

K to O

Local overland flooding
means inundation by local runoff rather than overbank discharge from a stream, river, estuary, lake or dam.

Local Stormwater
(for the purposes of the Flood Prone Land clause only) - is defined as land that has a 1% AEP peak flood depth between 0.05m and 0.15m with a velocity depth between 0.025m2/s and 0.3m2/s.

Lopping and topping
means the cutting of branches or stems between branch unions or at internodes on young trees.

Low Flood Risk precinct
means all flood prone land not identified within the High or Medium flood risk precincts.

Mainstream Flooding
(for the purposes of the Flood Prone Land clause only) - inundation of normally dry land occurring when water overflows the natural or artificial banks of a stream, river, estuary, lake or dam.

Medium Flood Risk precinct
means all flood prone land that is (a) within the 1% AEP Flood Planning Area; and (b) is not within the high flood risk precinct.

Minimise Risk
It is recognised that, due to the many complex factors that can affect a site within the floodplain, the flood risk for a site and/or development cannot be completely removed. It is, however, essential that risk be minimised to at least that which could be reasonably anticipated by the community in everyday life. Further, landowners should be made aware of the reasonable and practical measures available to them to minimise risk as far as possible. Hence where the Policy requires that "an acceptable level of risk" be achieved or where measures are to be taken to "minimise risk" it refers to the process of risk reduction. The Policy recognises that development within a risk-managed floodplain does not lead to complete risk removal as this is not meaningfully achievable.

Modify
in the context of native vegetation means to ringbark, cut down, top, lop, remove, injure or wilfully destroy vegetation.

Natural ground level
is the level of the ground surface of the site as if it was undeveloped.

Owner
has the meaning ascribed to it in the Local Government Act 1993 (as amended).

P to T

Probable maximum flood (PMF)
is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

Probable maximum precipitation (PMP)
is the greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year, with no allowance made for long-term climatic trends (World Meteorological Organisation, 1986). It is the primary input to the estimation of the probable maximum flood.

Probability
is a statistical measure of the expected chance of an event occurring (see AEP).

Poster
is a placard or paper sign posted or displayed as an advertisement or announcement and visible from a public place.

Projecting wall sign
is a sign that is attached to a wall of a building (other than a transom of a doorway or a ground floor display window) and projecting horizontally from the wall.

Pruning of branches
means cutting in a planned and systematic manner that is carried out in accordance with the relevant Australian Standard.

Note

Australian Standard AS 4373-2007, Pruning of Amenity Trees applied at the time this DCP was adopted.

Real estate sign
is a sign posted on a property advising the premises are for sale or rent.

Recyclable
means able to be processed and used as a raw material for the manufacture through a commercial process of either the same product or another product.

Note: Downcycling is sometimes used as an alternative term to descript materials that are recycled into a different product.

Reliable access
during a flood means the ability for people to safely evacuate an area subject to flooding, having regard to the depth and velocity of flood waters and the suitability of the evacuation route, without a need to travel through areas where water depths increase.

Remnant vegetation
is vegetation that is either a remainder of the native vegetation or, if altered, is still representative of the structure or floristics of the native vegetation.

Removal or wilful destruction of a tree
means:

a) lopping or topping

b) poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling (including washing off or directing water contaminated by) oil, petroleum, paint, cement, mortar, and the like onto the root zone

c) cutting, tearing of branches and roots that is not carried out in accordance with accepted arboricultural practices, or is done for invalid reasons

d) ringbarking, scarring the bark when operating machinery, fixing objects (e.g. signs) by nails,

staples or wire, using tree climbing spikes in healthy trees marked for retention (except for access to an injured tree worker) or fastening materials that circle and significantly restrict the normal vascular function of the trunk or branches

e) damaging a tree's root zone by compaction or excavation, asphyxiation (including unauthorised filling or stockpiling of materials)

f) underscrubbing unless carried out by hand tools, such as brushcutters and the like.

Residential swimming pools
swimming pools located on residential lots for residential use.

Ring barking
means the removal of the outside layers of the tree with the aim of causing death or destruction of the tree through disruption of water and nutrient transportation.

Riparian
refers to land adjacent to a watercourse such as a riverbank; "riparian land".

Riparian buffer
is land which is additional to the riparian zone necessary to protect the values and health of the riparian zone. The primary purpose of the buffer is to protect the integrity of the riparian zone. The combined width of the buffer and riparian zone then constitute a key protective mechanism for the ecological values of waterway systems. The minimum width of a riparian buffer is generally 10 metres.
The buffer is primarily designed to: a) Prevent water from affecting riparian vegetation (e.g. additional moisture, local erosion, nutrients, toxicants);
b) Prevent weeds from invading the riparian zone;
and c) Provide habitat for native fauna (thereby protecting it from external threats such as domestic animals).

Riparian land
is land comprising the riparian zone, riparian buffer and wetland buffer identified by DCP Map Waterways and Riparian Land

Riparian zone
means any land which adjoins, directly influences, or is influenced by a body of water. The width of the zone varies according to extent of riparian vegetation, flood levels, water quality, and channel form. This zone is taken to start at the highest bank of the watercourse(as defined in the Water Management Act 2000). For ephemeral streams without a defined channel, the start of the riparian zone is the creek centre line. The riparian zone provides important habitat, protects the creek from water quality and hydrological impacts. It has other functions, including intrinsic value, as well as providing bed and bank stability, providing woody debris to the waterway and a buffer between development and waterways.

Risk
means the chance of something happening that will have an impact. It is measured in terms of consequences and probability (likelihood). In the context of this plan, it is the likelihood of consequences arising from the interaction of floods, communities and the environment.

River
has the meaning ascribed to it in the Water Management Act 2000 and therefore includes:

(a) any watercourse, whether perennial or intermittent and whether comprising a natural channel or a natural channel artificially improved, and

(b) any tributary, branch or other watercourse into or from which a watercourse referred to in paragraph (a) flows, and

(c) anything declared by the regulations to be a river, whether or not it also forms part of a lake or estuary, but does not include anything declared by the regulations not to be a river.

Service area

is the area in a development set aside for the manoeuvring, parking and loading or unloading of commercial vehicles for the delivery or removal of goods, freight or waste.

Service room
is a room used for the temporary storage of waste/recycling (usually before being transferred to the waste/recycling storage room/s or area/s manually or by a garbage chute)

Significant tree
is a tree that impacts on the streetscape by virtue of its size, appearance, type, age, condition and heritage/ cultural significance. It includes hollow-bearing trees and/or trees of conservation significance or habitat value.

Structural Engineer
(for the purposes of the Flood Prone Land clause only) - A structural engineer who is a registered professional with structural engineering as a core competency, and has an appropriate level of professional indemnity insurance.

Subdivision of land
means the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition

Suitably Qualified Professional
means a registered professional engineer specialising in the field of hydrology/hydraulics, as it applies to floodplain management—or otherwise qualified professional as determined at the sole discretion of Council—who is covered by an appropriate level of professional indemnity insurance.

Survey plan
is a plan prepared by a registered surveyor which shows the information required for the assessment of an application in accordance with the provisions of this Plan.

Temporary sign
means a sign of a temporary nature which:

(a) announces any local event of a religious, educational, cultural, political, social, or recreational character or relates to any temporary matter in connection with such an event, and

(b) does not include advertising of a commercial nature (except for the names of the event's sponsors), and

(c) is not displayed earlier than 28 days prior to the day on which the event is to take place and is removed within 7 days after the event.

Trade waste
means refuse or waste material arising from any trade or industry but excludes liquid waste, demolition waste, contaminated waste, green waste or recyclable waste.

Tree
means a palm or woody perennial plant with a single or multi stem greater than five (5) metres in height.

Tree height
(see also "Height of tree") means the distance measured vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

U to Z

Under awning sign
is a sign attached to the underside of an awning other than the fascia or returning end of the awning.

Under building open areas
are the space/s above ground level and beneath buildings raised by piers, usually used for car parking.

Utility services
include water, gas, telecommunications, electricity, sewerage, service structures, plant and equipment. Services must be provided for in all developments and integrated into the site and the streetscape.

Waste
has the same meaning as in the Protection of the Environment Operations Act 1997.

Waste management plan
is a document that details the type and quantity of garbage and recyclable material that is likely to be generated during the construction, demolition, and ongoing operation of a development. It also details where and how the garbage and recycling should be stored, how it will be reprocessed or disposed of and handling procedures.

Waste/recycling storage room or area
is a designated room or area or combination of designated rooms or areas upon the site for the placement of approved containers to store all waste material (including recyclable material) likely to be generated by the buildings' occupants.

Wall sign or wall advertisement
means a sign that is painted on or fixed flat to the front or sidewall of a building.

Wetland buffer
is a 100 metre buffer of land, measured from the shoreline, surrounding a wetland which directly influences and protects a wetland.

Wildlife corridor
means a vegetation feature (preferably remnant bushland, but may include remnant trees, native plantings, weed thickets and gardens) that connects larger areas of remnant bushland and facilitates fauna movement between them. Fauna movement allows dispersal, interbreeding and recolonisation to occur, making fauna populations more viable in the long term. Fauna movement also facilitates pollen and seed dispersal, enhancing the viability of plant pouplations. Continuous corridors are preferable, but discontinuous corridors still contribute to fauna movement, and can potentially be improved through habitat enhancement.

A.9 Abbreviations

BCA Building Code of Australia
CC Construction Certificate
DA Development Application
DCP Warringah Development Control Plan 2011
DECCW Department of Environment, Climate Change and Water
EP&A Act Environmental Planning and Assessment Act 1979
EP&A Model Provisions Environmental Planning and Assessment Act Model Provisions
EP&A Regulation Environmental Planning and Assessment Regulation 2000
EPA Environmental Protection Authority
ESA Environmental Site Assessment
ESD Ecologically sustainable development
FEP Flood Evacuation Plan
FPL Flood Planning Level
GPT Gross Pollutant Trap
LEP Warringah Local Environmental Plan 2011
LGA Local Government Area
PMF Probable Maximum Flood
RAP Remedial Action Plan
WMA Water Management Act 2000
WMP Waste Management Plan

Part B Built Form Controls

B1 Wall Heights

Applies to Land
This control applies to all land identified on the Warringah Local Environmental Plan 2011 - Land Zoning Map as:

- RU4 Primary Production Small Lots
- R2 Low Density Residential
- E3 Environmental Management
- E4 Environmental Living

and to which an 8.5m maximum height of building control applies under LEP 2011.

Objectives
• To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.
• To ensure development is generally beneath the existing tree canopy level.
• To provide a reasonable sharing of views to and from public and private properties.
• To minimise the impact of development on adjoining or nearby properties.
• To ensure that development responds to site topography and to discourage excavation of the natural landform.
• To provide sufficient scope for innovative roof pitch and variation in roof design.

Requirements
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).

Exceptions
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:

- does not exceed the 8.5 metre height development standard;
- is designed and located to minimise bulk and scale; and
- has a minimal visual impact when viewed from the downslope sides of the land.

B2 Number of Storeys

Applies to Land
This control applies to land shown coloured on the DCP Map Number of Storeys.

Objectives
• To ensure development does not visually dominate its surrounds.
• To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.
• To provide equitable sharing of views to and from public and private properties.
• To ensure a reasonable level of amenity is provided and maintained to adjoining and nearby properties.
• To provide sufficient scope for innovative roof pitch and variation in roof design.
• To complement the height of buildings control in the LEP with a number of storeys control.

Requirements
1. 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.

Note

Maximum height of buildings is determined by reference to the WLEP.

To measure the height in storeys :
The number of storeys of the building are those storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building; and
Storeys that are used for the purposes of garages, workshops, store rooms, foundation spaces or the like, that do not project, at any point, more than 1 metre above ground level (existing) are not counted.

B3 Side Boundary Envelope

Applies to Land

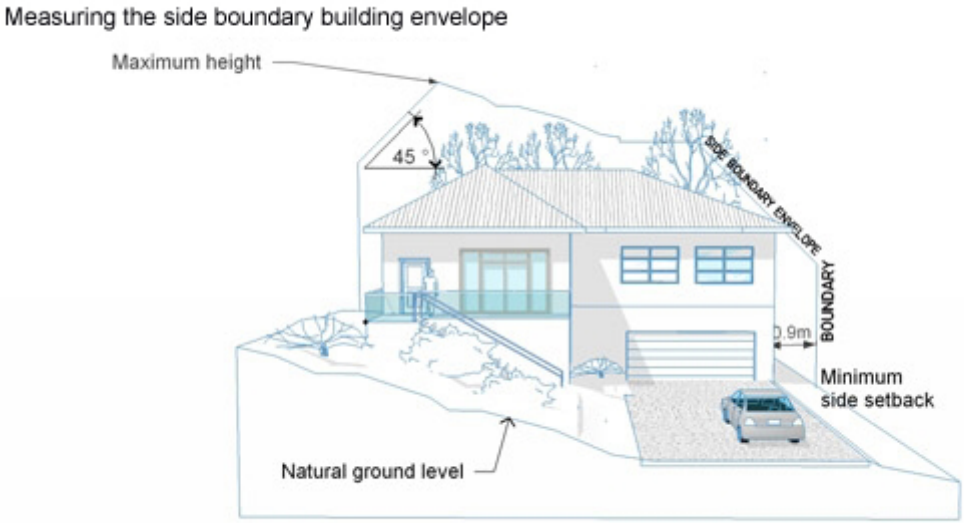
This control applies to land shown coloured on the DCP Map Side Boundary Envelopes.

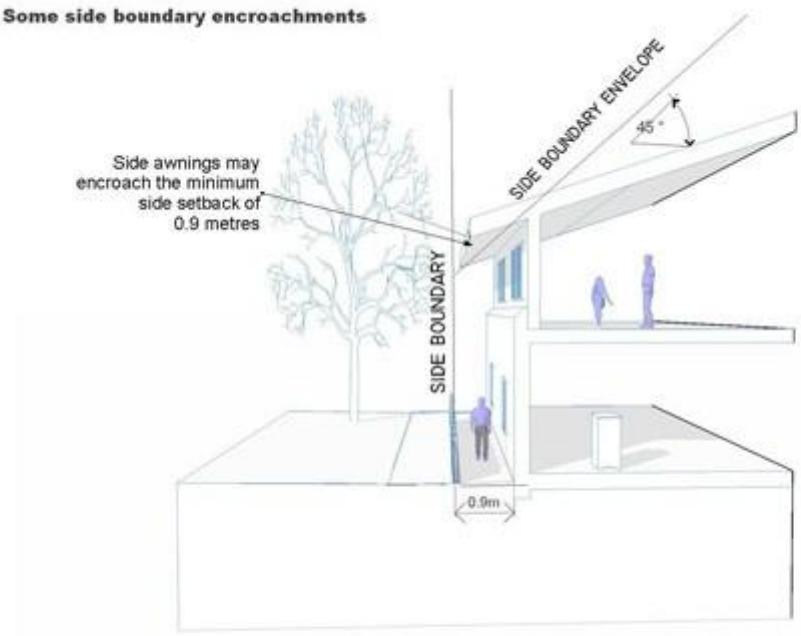
Objectives

• To ensure that development does not become visually dominant by virtue of its height and bulk.
• To ensure adequate light, solar access and privacy by providing spatial separation between buildings.
• To ensure that development responds to the topography of the site.

Requirements

1. 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 above ground level (existing) at the side boundaries of:
• 4 metres, or
• 5 metres
as identified on the map.
2. 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.





Note

Note: On corner allotments, to measure the side setback and side boundary envelope, the side boundaries are taken to be the boundaries that do not have frontage to a public street.

Exceptions

Land Zoned R2 or E4 or Zoned RU4 with frontage to The Greenway

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.

B4 Site Coverage

Applies to Land

This control applies to land shown on DCP Map Site Coverage.

Objectives

• To provide opportunities for the provision of landscaping and the enhancement of existing native vegetation.
• To minimise the bulk and scale of development.
• To reduce the stormwater runoff, preventing soil erosion and siltation of the natural drainage network.
• To limit impervious areas and encourage natural drainage into the sub-surface.

Requirements

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% = 3,500m^2 or 30% <3,500m^2 - the total building footprint(s) must not cover more than 20% of the site area except on allotments having an area of less than 3,500m^2 where the total building footprint/s must not cover more than 30% of the site area.

B5 Side Boundary Setbacks

Applies to Land
This control applies to land shown coloured on the DCP Map Side Boundary Setbacks, with the exception of land identified as 'Merit Assessment'.

Objectives
• To provide opportunities for deep soil landscape areas.
• To ensure that development does not become visually dominant.
• To ensure that the scale and bulk of buildings is minimised.
• To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.
• To provide reasonable sharing of views to and from public and private properties.

Requirements
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 below ground 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.

Note
On corner allotments, to measure the side setback and side boundary envelope, the side boundaries are taken to be the boundaries that do not have frontage to a public street.

Exceptions
Land Zoned RU4 with frontage to The Greenway
For land with frontage to "The Greenway", Duffy's Forest:

- Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above natural ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback

Land Zoned R2
All development:

- 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

Ancillary to a dwelling house:

- 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

Land Zoned R3
All development:

- Light fittings, electricity or gas meters or other services infrastructure and structures not more than 1 metre above ground level (existing) (including steps, landings, pedestrian ramps and stormwater structures) may encroach beyond the required setback up to 2 metres from a side boundary; and

- Entrance and stair lobbies at ground floor level may encroach the required setback up to 2 metres from a side boundary.

Basement carparking structures, and private open space:

- Variations will be considered for existing narrow width allotments, where compliance is unreasonable in the context of surrounding medium density development for basement carparking and private open space.
- Basement car parking may extend:
  - Up to 2 metres from the side boundary, and
  - No more than 1 metre above ground level (existing)
- Private open space may extend:
  - Up to 3.5 metres from a side boundary

Land Zoned B7

Basement carparking structures, and private open space:

- Variations will be considered for attached dwellings, multi dwelling housing and residential flat buildings on existing narrow width allotments, where compliance is unreasonable in the context of surrounding medium density development for basement carparking and private open space.
- Basement car parking may extend:
  - Up to 2 metres from the side boundary, and
  - No more than 1 metre above ground level (existing)
- Private open space may extend:
  - Up to 3.5 metres from a side boundary

Land Zoned E4

All development:

- Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structure 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.

B6 Merit Assessment of Side Boundary Setbacks

Applies to Land

This control applies to land shown coloured as ‘Merit Assessment’ on the DCP Map Side Boundary Setbacks.

Objectives

• To provide ample opportunities for deep soil landscape areas.
• To ensure that development does not become visually dominant.
• To ensure that the scale and bulk of buildings is minimised.
• To provide adequate separation between buildings to ensure a reasonable level of amenity and solar access is maintained.
• To provide reasonable sharing of views to and from public and private properties.

Requirements

1. Side 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. Generally, side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.

B7 Front Boundary Setbacks

Applies to Land

This control applies to land shown coloured on the DCP Map Front Boundary Setback, with the exception of land identified as ‘Merit Assessment’.

Objectives

• To create a sense of openness.
• To maintain the visual continuity and pattern of buildings and landscape elements.
• To protect and enhance the visual quality of streetscapes and public spaces.
• To achieve reasonable view sharing.

Requirements

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.
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.

Note

Some properties may be subject to a setback control under the Front Boundary Setbacks Map, and also to an increased setback requirement to main roads under the Main Roads Setbacks Map.

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.

Lot 2677 DP752038; Lot2783 DP46992; Lot 2610 DP752038; Lot 2615 DP 752038; Lot 1 DP 822212; Lot 2676 DP752038 10metres.

Land Zoned RU4 or E3

On corner allotments or allotments with double road frontages and where such allotments have a frontage to Mona Vale Road, Forest Way or Wakehurst Parkway:

Minimum front building setback to roads other than Mona Vale Road, Forest Way or Wakehurst Parkway (the secondary road frontage): 10 metres, provided that the secondary road setback variation considers:

- the character of the secondary road; and
- the predominant setback existing in that road

Land Zoned B1

Attached elements such as pergolas, sun control awnings and balcony balustrades which are composed of substantially transparent structures may encroach within the minimum front building setback area

All Zones

Where the minimum front building setback is 30 metres, ground level carparking may encroach into the setback area, provided that:

- the first 15 metres (measured from the road frontage) is densely landscaped using locally occurring species of canopy trees and shrubs; and
- the carparking is screened from view from the road

B8 Merit assessment of front boundary setbacks

Applies to Land

This control applies to land shown coloured as ‘Merit Assessment’ on the DCP Map Front Boundary Setbacks.

Objectives
• To create a sense of openness.
• To provide opportunities for casual surveillance of the street.
• To provide opportunities for deep soil landscape areas and aesthetic improvements.
• To protect and enhance the visual quality of streetscapes and public spaces.
• To achieve reasonable view sharing.

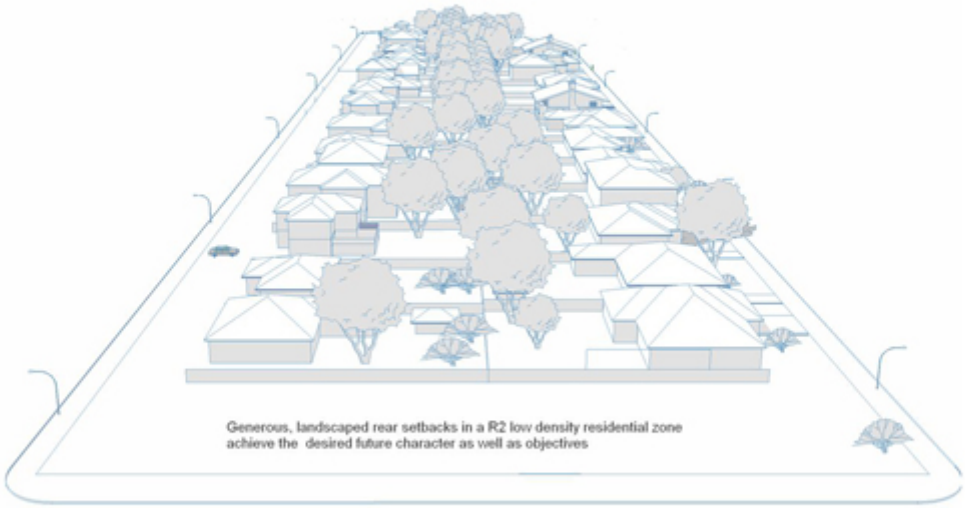
Requirements
1. The appropriate alignment of buildings to road frontages will be determined on a merit basis and will have regard to the:
• streetscape;
• amenity of surrounding properties; and
• setbacks of neighbouring development.

B9 Rear Boundary Setbacks

Applies to Land
This control applies to land shown coloured on the DCP Map Rear Boundary Setbacks, with the exception of land identified as 'Merit Assessment'.

Objectives
• To ensure opportunities for deep soil landscape areas are maintained.
• To create a sense of openness in rear yards.
• To preserve the amenity of adjacent land, particularly relating to privacy between buildings.
• To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.
• To provide opportunities to maintain privacy between dwellings.

Landscaped open space in the rear setback



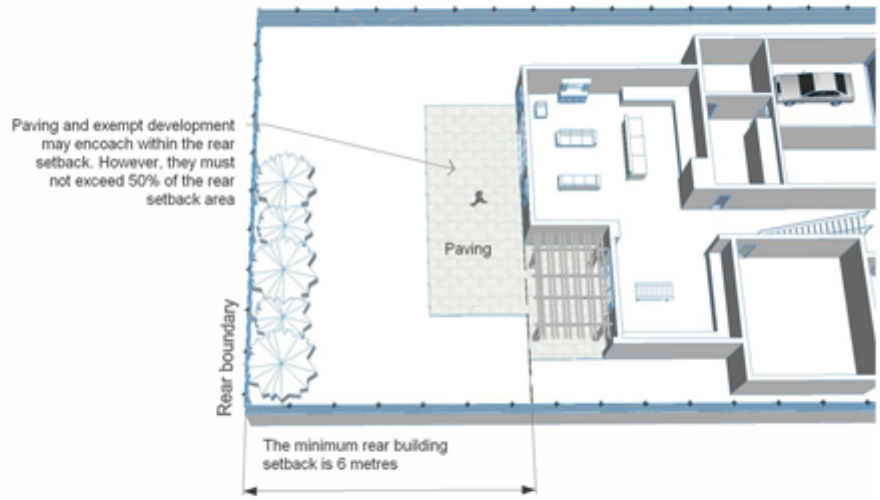
Requirements
1. Development is to maintain a minimum setback to rear boundaries.
2. The rear setback area is to be landscaped and free of any above or below ground structures.
3. On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and private open 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.
5. The rear building setback for land zoned IN2 Light Industrial in the vicinity of Campbell Parade, Manly Vale is not to be used for industrial purposes or vehicle access

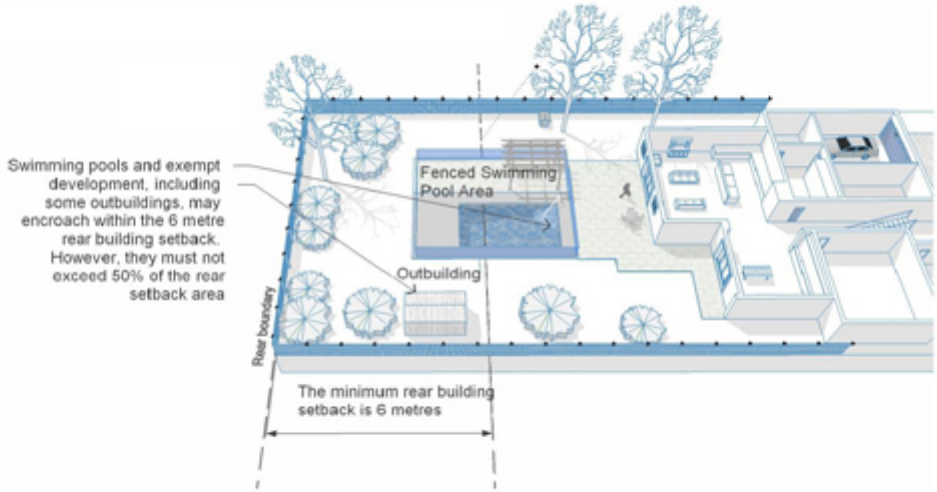
Note

The rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any building on the allotment

Rear building setback



Rear building setback - larger allotment



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
On land zoned R3 Medium Density Residential, where the minimum rear setback is 6 metres:

- Light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) including steps, landings, pedestrian ramps and stormwater structures, may encroach beyond the required setback to within a minimum of 2 metres of a rear boundary; and
- Entrance and stair lobbies at ground floor level may encroach beyond the required setback to within a minimum of 2 metres of a rear boundary

B10 Merit assessment of rear boundary setbacks

Applies to Land
This control applies to land shown coloured as 'Merit Assessment' on DCP Map Rear Boundary setbacks.

Objectives
• To ensure opportunities for deep soil landscape areas are maintained.
• To create a sense of openness in rear yards.
• To preserve the amenity of adjacent land, particularly relating to privacy between buildings.
• To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.
• To provide opportunities to maintain privacy between dwellings.

Requirements
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 address the water and parkland. Buildings are not to dominate the parkland setting and will incorporate generous setbacks where necessary to achieve this.

B11 Foreshore Building Setback

Relationship with other setback controls
Where land is subject to a foreshore building setback and is also subject to a front building setback, a rear building setback or a side building setback, this control shall prevail to the extent of any inconsistency.

Applies to Land
This control applies to land shown coloured as a foreshore setback on the DCP Map Special Setbacks

Objectives
• To provide a reasonable sharing of views.
• To reduce the visual impact of development when viewed from the waterway.
• To enhance the scenic amenity of the foreshore areas.

Requirements
1. Development is to be set back a minimum 15 metres from the property boundary which adjoins the waterway or waterfront reserve.

2. The foreshore building setback area is to be a deep soil landscape area and free of any above or below ground structures.

Exceptions
The following may be carried out within the foreshore building setback area on land zoned E4 only:
a) Alterations and additions to existing buildings, boatsheds and related structures, and where strict compliance with the setback would require removal of tree cover or alteration of the existing landform.
b) With respect to items which are identified as being of heritage significance, where the proposed development assists in maintaining the scale and character of such items.

Note
The minimum foreshore setback is the distance measured perpendicular to the property boundary which adjoins the waterway or waterfront reserve up to any structure on the allotment.

B12 National Parks Setback

Relationship with other setback controls
Where land is subject to this National Parks Setback and is also subject to a front building setback, a rear building setback or a side building setback, this control shall prevail to the extent of any inconsistency.

Applies to Land
This control applies to land shown coloured as national park setback on the DCP Map Special Setbacks.

Objectives
• To preserve the ecological integrity of National Parks in Warringah.
• To provide a visual transition between the National Parks and development.
• To maintain views to and from National Parks.

Requirements
1. Development is to be set back a minimum of 20 metres from any National Park boundary.
2. The setback area is to be landscaped with locally indigenous species.

B13 Coastal Cliffs setback

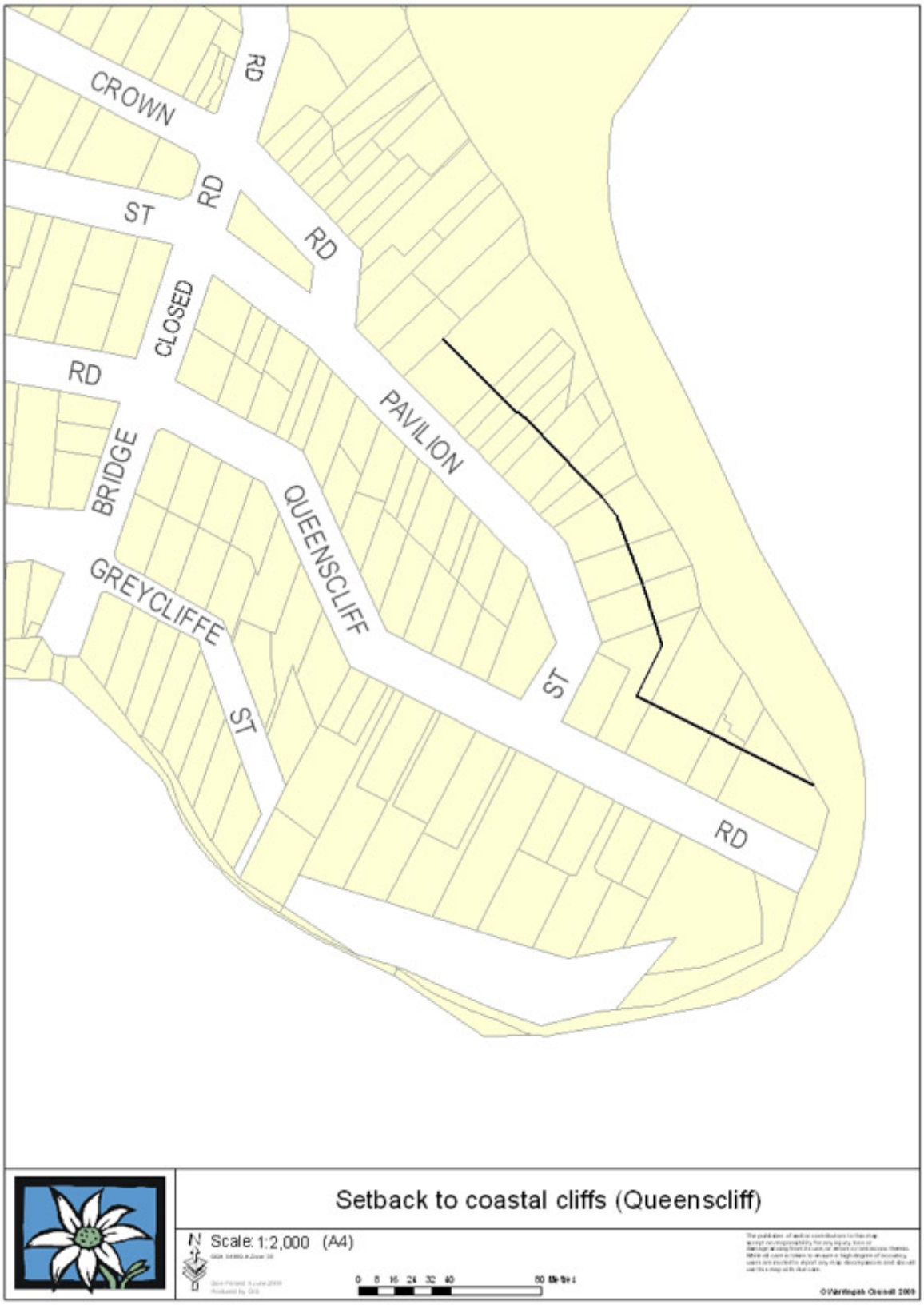
Relationship with other setback controls
Where land is subject to this Coastal Cliffs Setback and is also subject to a front building setback, a rear building setback or a side building setback, this control shall prevail to the extent of any inconsistency.

Applies to Land
This control applies to land shown on the figure following.

Objectives
• To limit the bulk and scale of highly exposed cliff top development.
• To maintain the scenic quality of the cliffs.
• To ensure views are maintained from the land to which the Coastal Cliffs setback applies.

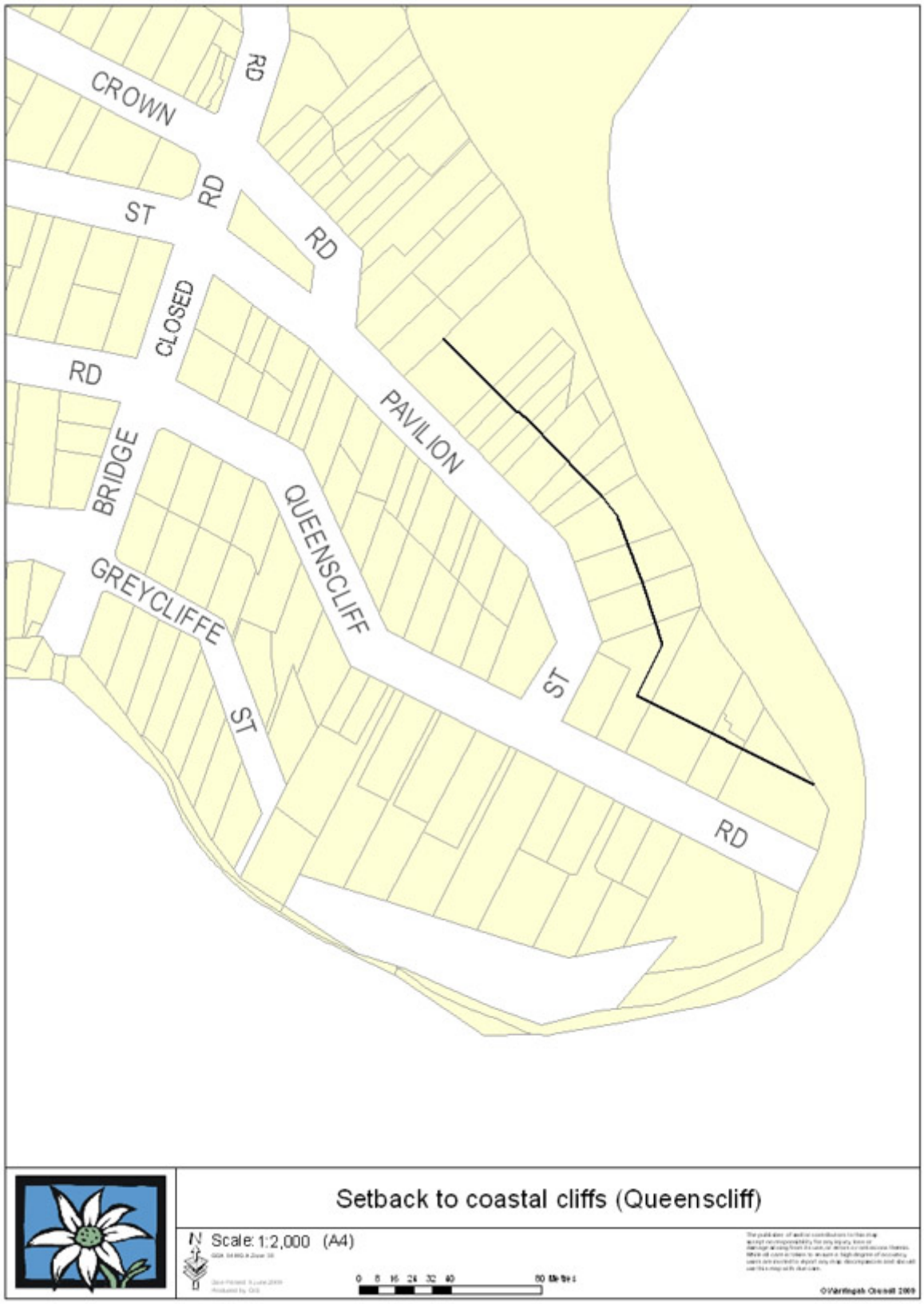
Note
The setback of development from the coastal cliffs building line is determined by measuring a distance of 25 metres perpendicular to the street frontage property boundary.

Requirements
1. Development must not extend beyond the coastal cliffs building line . The location of the coastal cliffs building line is shown as a heavy black line on the following figure (not to scale).
2. The area between the coastal cliffs building line and the cliff is to be free of any buildings or structure and landscaped using predominately indigenous vegetation.



Setback to coastal cliffs (Queenscliff)

N Scale: 1:2,000 (A4)



B14 Main Roads Setback

Relationship with other setback controls

Where land is subject to this Main Roads Setback and is also subject to a front building setback, a rear building setback or a side building setback, this control shall prevail to the extent of any inconsistency.

Applies to Land

This control applies to land shown on DCP Map Main Roads Setback.

Objectives

• To provide a densely landscaped buffer between the development and the main road/s.
• To enhance the aesthetic quality of main roads.

Requirements
1. Development is to be set back the minimum indicated on the DCP Map Main Road Setbacks. The measurement is to be made perpendicular to the property boundary to the main road.
2. On land where the main roads setback is 30 metres, the front setback area:

a) must be densely landscaped using locally occurring species of canopy trees and shrubs; and
b) no signs are to be erected in the 30 metre front setback area.

Exceptions
Ground level car parking may be permitted between 15 and 30 metres from the road boundary provided views of the car park area, from the main road, are screened by landscaping.

Note

The setback of development from the main roads is determined by measuring a distance of 30 metres perpendicular to the street frontage property boundary.

Part C Siting Factors

C1 Subdivision

Applies to Land
This control applies to all land shown on the Warringah Local Environmental Plan 2011 – Land Application Map other than land that is shown as 'Deferred matter'.

Objectives
• To regulate the density of development.
• To limit the impact of new development and to protect the natural landscape and topography.
• To ensure that any new lot created has sufficient area for landscaping, private open space, drainage, utility services and vehicular access to and from the site.
• To maximise and protect solar access for each dwelling
• To maximise the use of existing infrastructure.
• To protect the amenity of adjoining properties.
• To minimise the risk from potential hazards including bushfires, land slip and flooding.

Requirements
1. R2 Low Density Residential zone requirements:
Proposed new allotments:
a) Minimum width: 13 metres
b) Minimum depth: 27 metres; and
c) Minimum building area: 150m2

Access
2. Motor vehicle access to each residential allotment is required from a constructed and dedicated public road.

Where access is proposed to a section of unconstructed public road, then the subdivision will need to provide legal, constructed access to the Council's satisfaction.

Access for Council service vehicles, emergency vehicles and garbage collection vehicles must be provided.

Driveways, accessways, etc, to allotments should have a gradient not exceeding 1:4 and allow for transitions at a minimum length of 1.5m and at a grade no steeper than 1:10.

Driveways in excess of 200 metres will not be allowed for residential development.

Driveways that are 30m or more in length require a passing bay to be provided every 30m. To provide a passing bay, driveways shall be widened to 5.0m for a distance of at least 10m.

Passing bays should have regard to sight conditions and minimise vehicular conflict.

Vehicular ingress/egress points to internal lots may be used as passing/turning bays, subject to extension of a right-of-carriageway over the passing/turning bay.

Rights-of-carriageway should be located so as to accommodate all vehicle turning facilities.

Width of accessways are to be as follows:

1. Table: Width of accessways*

Number of lots to be serviced	**Width of clear constructed accessway (m)***
1-5	3.5
6-10	5.0
in excess of 10	Access is to be provided by a private or public road constructed with a width that is in accordance with Council standard specifications for engineering works (AUSPEC 1)

*Notes to Table :
The accessway width is exclusive of any area for the provision of services to the lots.
Clear widths exclude fencing and other obstructions.
As the widths specified are for straights, any widening should be exclusive of the widening for curves. The widening for curves should suit the minimum swept path of vehicles in accordance with Australian / New Zealand Standards (at the time of adoption AS/NZS 2890.1:2004 applied).

Table: Provision of services in rights of carriageway

Number of lots to be serviced	**Additional width to be provided in Right of Carriageway (m)***
Up to 3 lots	0.5
4 or more lots	1.0

All existing and new roads are to be designed in accordance with Council's Policy requirements:

Vehicle access to all roadside development: LAP-PL 315 (PDF, 138KB)
Common vehicular access to multiple properties: LAP-PL 310 (PDF, 89KB)

Design and construction

3. All roads, rights of carriageway, drainage design and construction is to be in accordance with Council's policy requirements including; AUSPEC 1 - Council's Specification for Engineering Works, Development Engineering Minor Works Specification, On Site Stormwater Detention (OSD) Technical Specification and Council's Water Sensitive Urban Design Policy. Additionally, internal roads must be designed in accordance with the relevant Australian Standards.
Subdivision design needs to maximise and protect solar access for each dwelling by considering factors such as orientation, shape, size and lot width.

Note

In its consideration of applications for subdivision Council will have regard to the Warringah Bike Plan and the Warringah Pedestrian Access and Mobility Plan.

Drainage

4. Provision should be made for each allotment to be drained by gravity to a Council-approved drainage system. The topography of the land should not be altered to adversely affect the natural drainage patterns. Stormwater should drain directly to a Council-approved drainage system and not via adjoining properties unless via a formalised interallotment drainage system. The proposed allotments are to be drained to the direction of the natural fall of the land. Interallotment drainage easements will be required through adjoining properties to adequately drain land to Council's downstream system.

Restrictions

5. Any easement, right-of-carriageway, or other restriction that is placed on the title of any land as a requirement of the approval of the subdivision is to be protected by a positive covenant or like instrument with the Council nominated as a party.

Environmentally constrained land

6. In areas subject to constraints such as flooding, tidal inundation, threatened species, landslip risk, bushfire or any other matter, adequate safe area for building, where the risk from hazard is minimised, is to be provided within an allotment.

Where possible, lot boundaries should utilise natural land features such as creeks, escarpments and rock outcrops.

Bushfire

7. Subdivision should be designed to minimise the risk from potential bushfire. Asset protection zones should be contained within the property boundaries of the new subdivision.

Note

For the purposes of this clause 'subdivision' does not include the following:
(a) a strata plan or a stratum plan of subdivision within the meaning of the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986
(b) a lease (of any duration) of a building or part of a building, or
(c) the opening of a public road, or the dedication of land as a public road, by the Crown, a statutory body representing the Crown or a council, or
(d) the acquisition of land, by agreement or compulsory process, under a provision of an Act (including a Commonwealth Act) that authorises the acquisition of land by compulsory process, or
(e) a division of land effected by means of a transaction referred to in section 23G of the Conveyancing Act 1919, or
(f) the procuring of the registration in the office of the Registrar-General of:
(i) a plan of consolidation, a plan of identification or a miscellaneous plan within the meaning of section 195 of the Conveyancing Act 1919, or
(ii) a strata plan of consolidation or a building alteration plan within the meaning of the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986.

Information to be submitted

A geotechnical report must be submitted with all proposals for subdivisions in areas identified as Class C and E Landslip Risk (see E10 - Landslip Risk)

C2 Traffic, Access and Safety

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

To minimise:
a) traffic hazards;
b) vehicles queuing on public roads
c) the number of vehicle crossings in a street;
d) traffic, pedestrian and cyclist conflict;
e) interference with public transport facilities; and
f) the loss of "on street" kerbside parking.

Requirements

Vehicular Access

1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.
2. Vehicle access is to be obtained from minor streets and lanes where available and practical.

3. There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way.
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.
5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.

On-site loading and unloading

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.

On-site loading and unloading

Exceptions

Reference should be made to Part G for additional, site specific requirements

C3 Parking Facilities

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To provide adequate off street carparking.
• To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.
• To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.

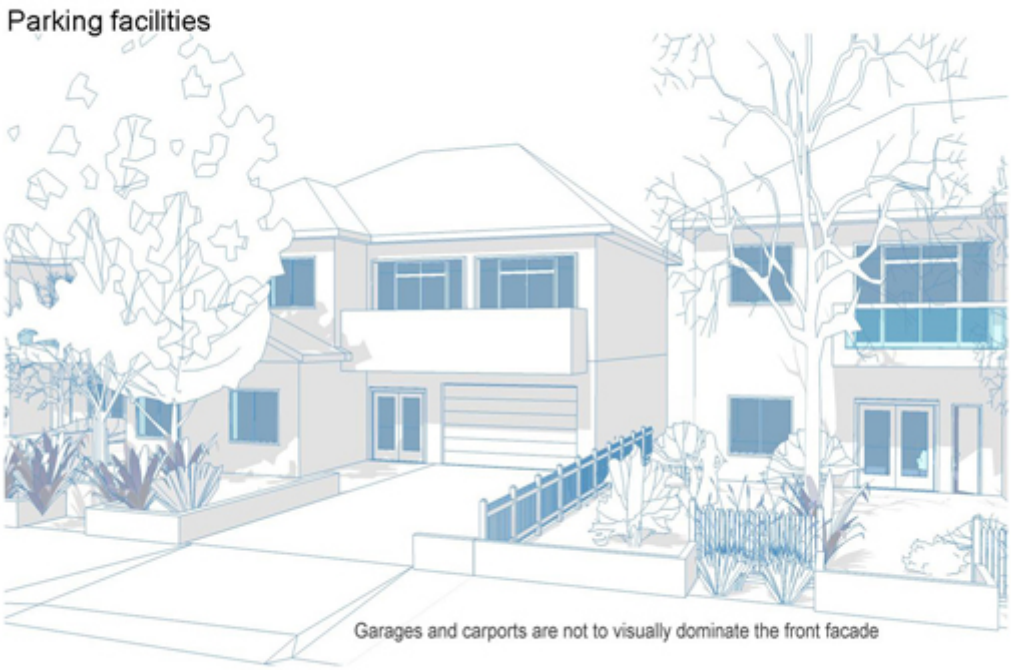
Note

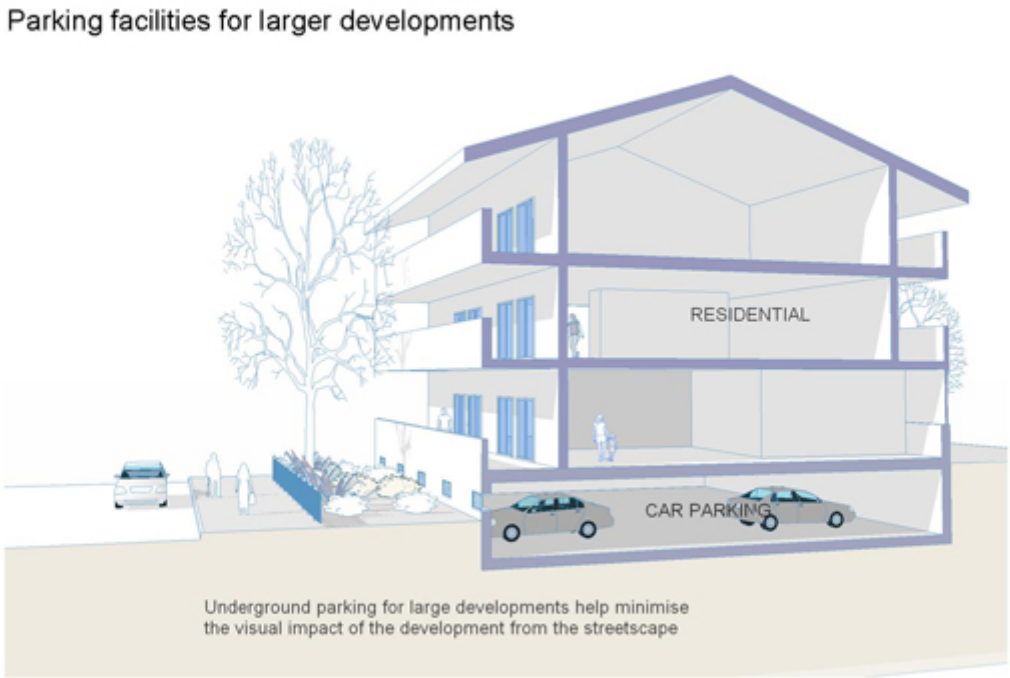
The following Australian Standards applied at the time the DCP was adopted:
AS 2890.1:2004: Parking facilities - Off-street car parking
AS 2890.2-2002: Parking Facilities - Off-street commercial vehicle facilities
AS 2890.5-1993: Parking facilities - On-street parking

Requirements

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 large scale 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 the following matters have been taken into account:
• the land use;
• the hours of operation;
• the availability of public transport;
• the availability of alternative car parking; and
• the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.
3. Carparking, other than for individual dwellings, shall :
• Avoid the use of mechanical car stacking spaces;
• Not be readily apparent from public spaces;
• Provide safe and convenient pedestrian and traffic movement;
• Include adequate provision for manoeuvring and convenient access to individual spaces;
• Enable vehicles to enter and leave the site in a forward direction;
• Incorporate unobstructed access to visitor parking spaces;
• Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate

management and create attractive and pleasant places;
• Provide on site detention of stormwater, where appropriate; and
• Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.
4. 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.
5. 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.
6. For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.
7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.
8. For Forest Way Village car parking at ground level is to be provided for individual units.





Exceptions
Reference should be made to Part G for additional, site specific requirements.
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 property lot. Cross reference is in appendix 1.

C3(A) Bicycle Parking and End of Trip Facilities

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.
This control does not apply to development that is a dwelling house, a change of use when no additional floor space is being created or subdivision of land.

Objectives

• To help meet the transport needs of the Warringah community
• To encourage healthy active lifestyles and help reduce reliance on private motor vehicles
• To provide convenience and safety for bicycle users

Requirements

1. Bicycle parking facilities must be provided for new buildings and for alterations or additions to existing buildings. In the case of alterations or additions to existing buildings bicycle parking facilities are required for the additional floor area only.
2. Bicycle parking shall be designed and constructed in accordance with Australian Standard AS 2890.3 – Bicycle Parking Facilities.
3. Bicycle parking facilities shall be designed to be an integral part of the development and where visible from public places or streets, will complement the visual quality of the public domain.
4. Bicycle parking shall be provided in accordance with the generation rates in the following table and is determined by adding Column 1 and Column 2 requirements and rounding up.

MINIMUM BICYCLE PARKING REQUIREMENTS	
Land Use	Column 1 High–Medium Security Level*
Residential Accommodation containing 3 or more dwellings (excluding group homes; boarding houses; hostels; seniors housing)	1 per dwelling
Boarding House	1 per 10 beds
Hostels and Group Homes	1 per 20 beds
Seniors Housing	1 per 2 Independent living units and fo all other types of development 1 per 1 beds.
Business and Retail Premises	1 per 200m2 GFA
Office Premises	1 per 200m2 GFA
Light and General Industry	1 per 200 m2 GFA
Educational Establishment other than a School	1 per 100 part time students 2 per 100 full time students
School	
Hospital	1 per 15 beds
Recreation Facility (indoor, outdoor, or major)	1 per 4 employees PLUS 1 per 1500 spectator places
Tourist and Visitor Accommodation (excluding backpackers)	1 per 4 units / guest rooms
Backpackers' Accommodation	1 per 20 beds
Notes to Table * Bicycles are stored in individual lockers or locked to rails within a secure room/ enclosure. (Refer to and Cycling for more detail.) ** Bicycle frames and wheels are locked to high quality rails. (Refer to Part 7.6 of the NSW Planning Where the parking rate for a particular use is not specified above, justification for the nominated rate the NSW Planning Guidelines for Walking and Cycling or Austroads Guide to Traffic Engineering Par Column 2 requirements may be incorporated into the Column 1 provisions.	

5. End of trip facilities must be provided for new buildings and for alterations or additions to existing buildings. In the case of alterations or additions to existing buildings end of trip facilities are required for the additional floor area only. End of trip facilities are not required for schools, wholly

residential buildings or residential components of mixed use buildings.

6. End of trip facilities shall be provided in accordance with the following:
   a) Bathroom/ change area(s) shall be provided and shall contain:
      i) At least one toilet, wash basin, mirror, clothing hooks and power points (including shaving plugs).
      ii) A minimum of one shower cubicle per seven (7) required bicycle parking spaces.
      iii) Each shower cubicle shall include a private clothes changing area with a bench and a minimum of two (2) clothing hooks.
   b) Clothes Lockers shall be:
      i) Provided at the rate of one clothes locker for every required bicycle parking space.
      ii) Secure, ventilated and large enough to store cycling gear (such as panniers, shoes, towels and clothing). Suggested minimum dimensions of a clothes locker are 900mm (height), 350mm (width) and 500mm (depth).

Note

The following documents are recommended references when planning for bicycle facilities in developments.
• Part 11 of the NSW Bicycle Guidelines
• Australian Standard AS 2890.3- Bicycle Parking Facilities
• The design principles and specifications for bicycle parking contained in Part 7.6 of the NSW Planning Guidelines for Walking and Cycling
• Cycling Aspects of Austroads Guides 2011 – Part 11: End of Trip Facilities and Appendix F

C4 Stormwater

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To protect and improve the ecological condition of Warringah's beaches, lagoons, waterways, wetlands and surrounding bushland;
- To minimise the risk to public health and safety;
- To reduce the risk to life and property from flooding;
- Integrate Water Sensitive Urban Design measures into the landscape and built form to maximise amenity.
- To manage and minimise stormwater overland flow, nuisance flooding and groundwater related damage to properties.
- To protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised.
- To minimise the quantity of stormwater runoff from new development on Council's drainage system.

Requirements

1. 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.
2. The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.

Exceptions

- Refer to Council's Water Management Policy for exceptions.

Note

Reference should be made to part G for additional, site specific requirements

C5 Erosion and Sedimentation

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To reduce the potential for soil erosion and adverse sedimentation impacts upon the environment.
• To prevent the migration of sediment off the site onto any waterway, drainage systems, public reserves, road reserve, bushland or adjoining private lands.
• To prevent any reduction in water quality downstream of the development site.

Requirements

1. All developments which involve the disturbance of land must install and maintain erosion and sediment controls until the site is fully stabilised.
2. Any erosion and sedimentation is to be managed at the source.
3. Erosion, sediment and pollution controls including water discharge from the site must comply with Council's Water Management Policy.
4. An Erosion and Sediment Control Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of up to 2500m2 of land.
5. Soil and Water Management Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of more than 2500m2 of land.

Exceptions

Reference should be made to Part G for additional, site specific requirements.

C6 Building over or adjacent to Constructed Council Drainage Easements

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

To ensure that Council's drainage infrastructure is not damaged and that costs and liabilities are minimised when constructing, replacing, maintaining or obtaining emergency access to constructed public drainage systems located within private property

Requirements

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.
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 applicants expense

Exceptions

Reference should be made to Part G for additional, site specific requirements.

C7 Excavation and Landfill

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To ensure any land excavation or fill work will not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties.
• To require that excavation and landfill does not create airborne pollution.
• To preserve the integrity of the physical environment.
• To maintain and enhance visual and scenic quality.

Requirements

1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.
2. Excavation and landfill works must not result in any adverse impact on adjoining land.

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.

C8 Demolition and Construction

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To manage demolition and construction sites so that there is no unreasonable impact on the surrounding amenity, pedestrian or road safety, or the natural environment.
• To promote improved project management by minimising demolition and construction waste and encouraging source separation, reuse and recycling of materials.
• To assist industry, commercial operators and site managers in planning their necessary waste management procedures through the preparation and lodgement of a Waste Management Plan
• To discourage illegal dumping.

Requirements
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.

Link: Northern Beaches Council's Waste Management Guidelines

Note
The Waste Management Guidelines have been separated into different development types. Eg: Demolition, Construction, Industrial, Mixed Use, Commercial, etc.

Removal of asbestos must be undertaken in accordance with the following:
The relevant Australian Standard. Australian Standard AS 2601-2001 'Demolition of Structures' applied at the time the DCP was adopted.
Code of Practice for the Safe Removal of Asbestos, 2nd Edition [NOHSC:2002(2005)], Australian Government, National Occupational Health and Safety Commission.

Initiatives to ensure that site impact is minimised include:
Restricting vehicles to one entry/ exit which is appropriately stabilised with aggregate or the like;

- *Provision of a sediment control device at the access point to prevent sediment depositing on roads;*
- *Managing the number and frequency of vehicular movements to minimise impact on the neighbourhood;*
- *Minimising air pollution by watering, limiting site disturbance and landscaping at the end of the project;*
- *Locating drainage in close proximity to the built area to avoid excavation;*
- *Implementing methods to control stormwater and erosion during construction;*
- *Implement rehabilitation techniques to restore the site for future use; and*
- *Regularly check and maintain devices.*

Exceptions
Reference should be made to Part G for additional, site specific requirements.

C9 Waste Management

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).
• To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.
• To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours, and pedestrian and vehicle movements.
• To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.
• To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.
• To minimise any adverse environmental impacts associated with the storage and collection of waste.
• To discourage illegal dumping.

Requirements

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.

Link: Northern Beaches Council's Waste Management Guidelines

Note

The Waste Management Guidelines have been separated into different development types. Eg: Demolition, Construction, Industrial, Mixed Use, Commercial, etc.

Part D Design

D1 Landscaped Open Space and Bushland Setting

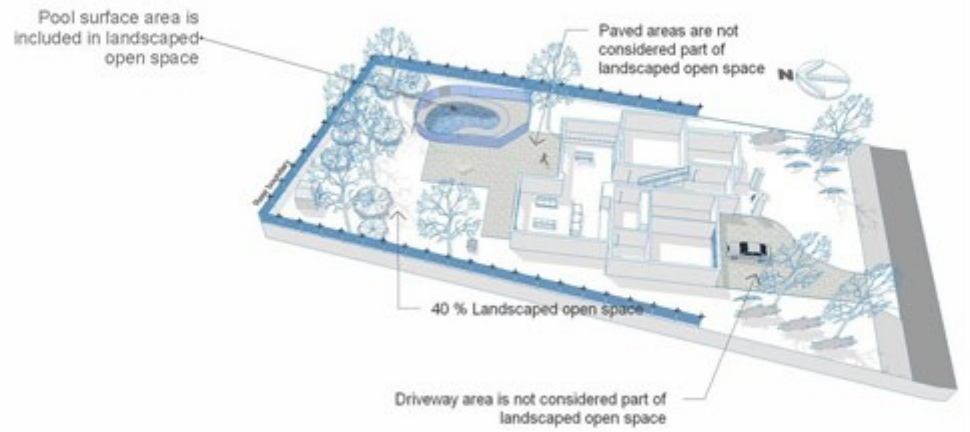
Applies to Land

This control applies to land shown on DCP Map Landscaped Open Space and Bushland Setting.

Objectives

• To enable planting to maintain and enhance the streetscape.
• To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.
• To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.
• To enhance privacy between buildings.
• To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.
• To provide space for service functions, including clothes drying.
• To facilitate water management, including on-site detention and infiltration of stormwater.

There is a minimum of 40% landscaped open space for a typical residential allotment



Requirements

1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space 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;

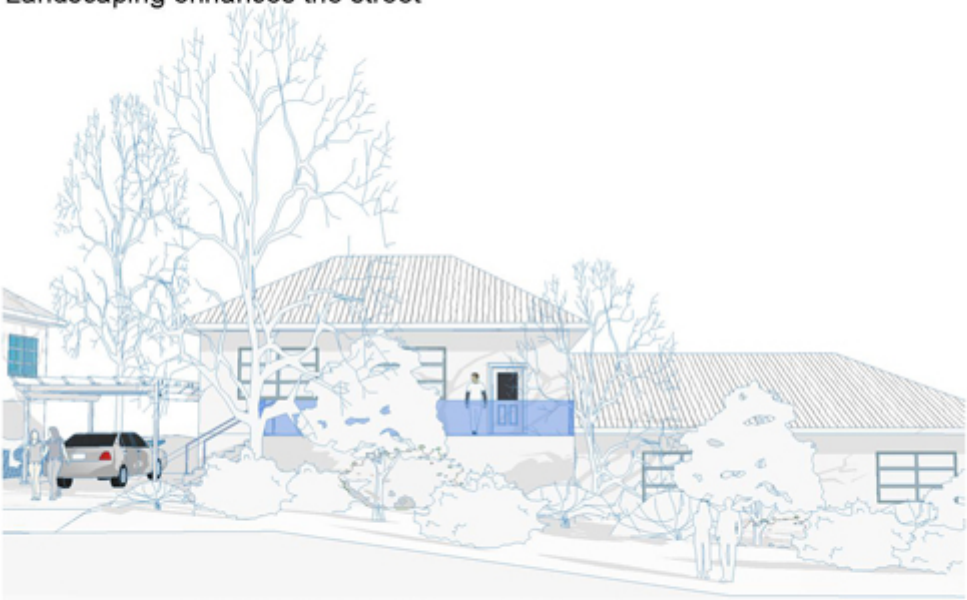
c) Landscaped open space must be at ground level (finished); and

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 remain undisturbed by development and is to be kept as natural bushland or landscaped with locally indigenous species.

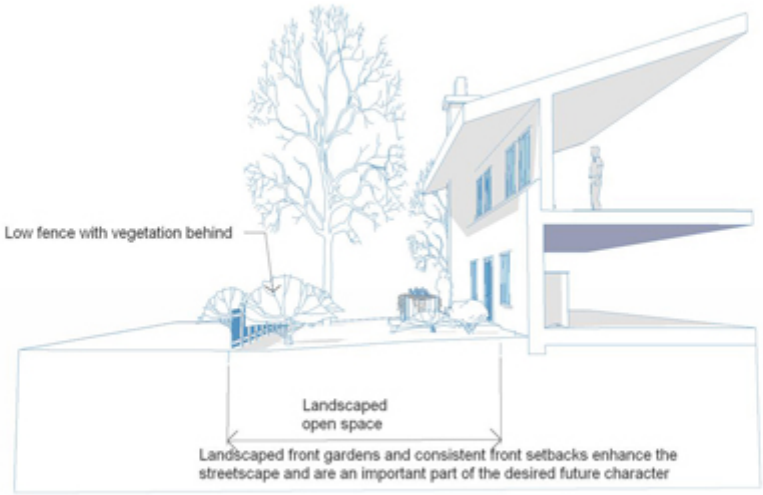
3. In Cottage Point the relationship of the locality with the surrounding National Park and Cowan Creek waterway will be given top priority by enhancing the spread of indigenous tree canopy and protecting the natural landscape including rock outcrops and remnant bushland.

Landscaping enhances the street



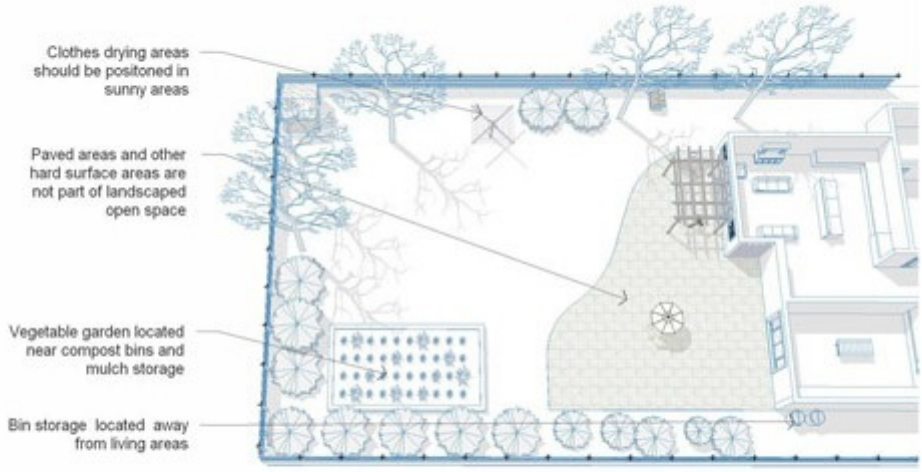
Provides an entrance facing the street and taller planting in parts

Landscaped Open Space



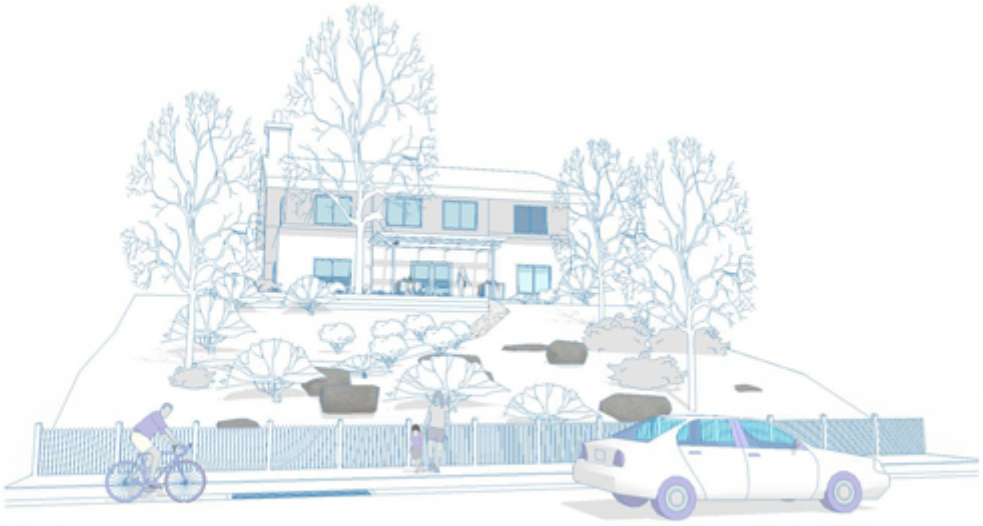
Landscaped front gardens and consistent front setbacks enhance the streetscape and are an important part of the desired future character

Landscaped open space

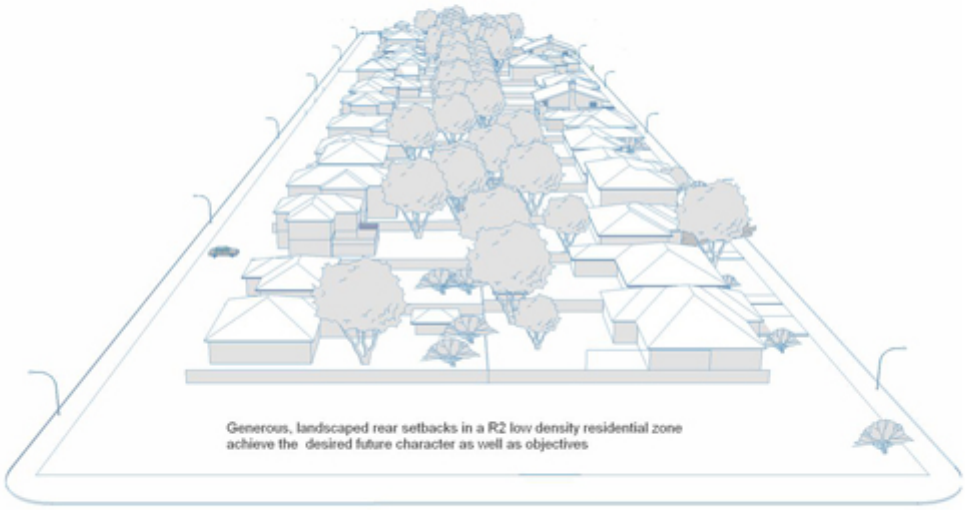


Utility functions located within landscaped open space

Landscaped open space located in the front building setback area



Landscaped open space in the rear setback



Exceptions
Any conflicting requirements in Part G override this control

D2 Private Open Space

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

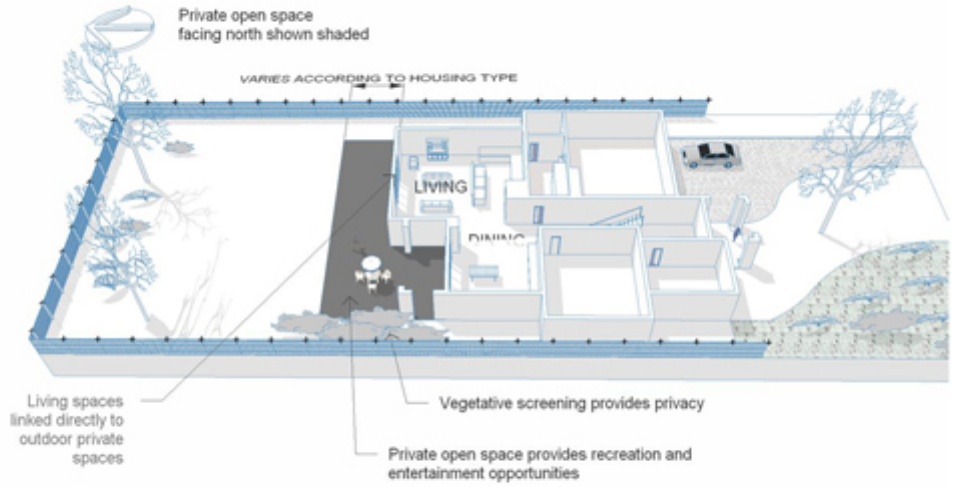
Objectives
• To ensure that all residential development is provided with functional, well located areas of private open space.
• To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.
• To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.
• To ensure that private open space receives sufficient solar access and privacy.

Requirements
1. Residential development is to include private open space for each dwelling.
2. The minimum area and dimensions of private open space are as follows:

DWELLING Type	Area and Minimum Dimensions per dwelling
Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms	A total of 35m2 with minimum dimensions of 3 metres
Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms	A total of 60m2 with minimum dimensions of 5 metres
Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing	A total of 10m2 with minimum dimensions of 2.5 metres

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.
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.
5. Private open space shall not be located in the primary front building setback.
6. Private open space is to be located to maximise solar access.

An example of private open space



Note

For the purposes of calculating the number of bedrooms, studies or other such rooms capable of being used as a bedroom will be counted as a bedroom.

Considerations for the provision of private open space include:
- *Size and proportion of space;*
- *Orientation;*
- *Solar access and overshadowing;*
- *Privacy, especially on sloping land;*
- *Use of natural breezes or protection from wind;*
- *Noise;*
- *Views;*
- *Topography;*
- *Unique environmental features; and*
- *Surface run off.*

Private open space may be enhanced by:
- *Sunshade and screening;*
- *Integrated landscaping;*
- *Selecting paving materials that create visual interest, variety and minimise glare;*
- *Increasing safety by utilising slip resistive materials such as paving;*
- *Integrating the natural features of the site; and*
- *Incorporating outdoor furniture, children's playground facilities and BBQ facilities.*

Private open space may include courtyards, terraces, balconies, verandahs, roof gardens, and hard and soft landscape areas.

Exceptions
Any conflicting requirements in Part G override this control.

D3 Noise

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To encourage innovative design solutions to improve the urban environment.
• To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors.

Requirements
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 5dB(A) when measured in accordance with the *NSW Industrial Noise Policy* at the receiving boundary of residential and other noise sensitive land uses.

See also NSW Industrial Noise Policy Appendices
2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.
3. Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.
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.
5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.

D4 Electromagnetic Radiation

Applies to Land
This control applies to all land shown on the Warringah Local Environmental Plan 2011 – Land Application Map other than land that is shown as 'Deferred matter'.

Objectives
• To ensure the safety of the community from electromagnetic radiation.
• To ensure that mobile phone base station and associated infrastructure and equipment does not result in an adverse visual impact on the natural or built environment.

Requirements
Radiation levels from mobile phone base stations, antennas and transmitters which emit electromagnetic radiation are to comply with the following requirements:
Telecommunications Act 1997
Code of Practice
ACMA

D6 Access to Sunlight

Applies to Land
This control applies to land to which Warringah LEP 2011 applies.

Objectives
• To ensure that reasonable access to sunlight is maintained.
• To encourage innovative design solutions to improve the urban environment and public open space.
• To promote passive solar design and the use of solar energy.

Requirements
1. Development should avoid unreasonable overshadowing any public open space.
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.

Note
Overshadowing by vegetation will not form part of Council's assessment of access to sunlight.

The planning principle established in the Benevolent Society v Waverley Council (2010) NSWLEC 1082 will be used in the assessment of sunlight.

Exceptions
Council may consider a variation to this control in the particular circumstances of a proposal, where an applicant can demonstrate, to the satisfaction of Council that:

i) the slope or topography of the site or adjoining property makes compliance impractical; and

ii) other design options have been investigated which would comply but would unreasonably constrain the development of an otherwise compliant building.

D7 Views

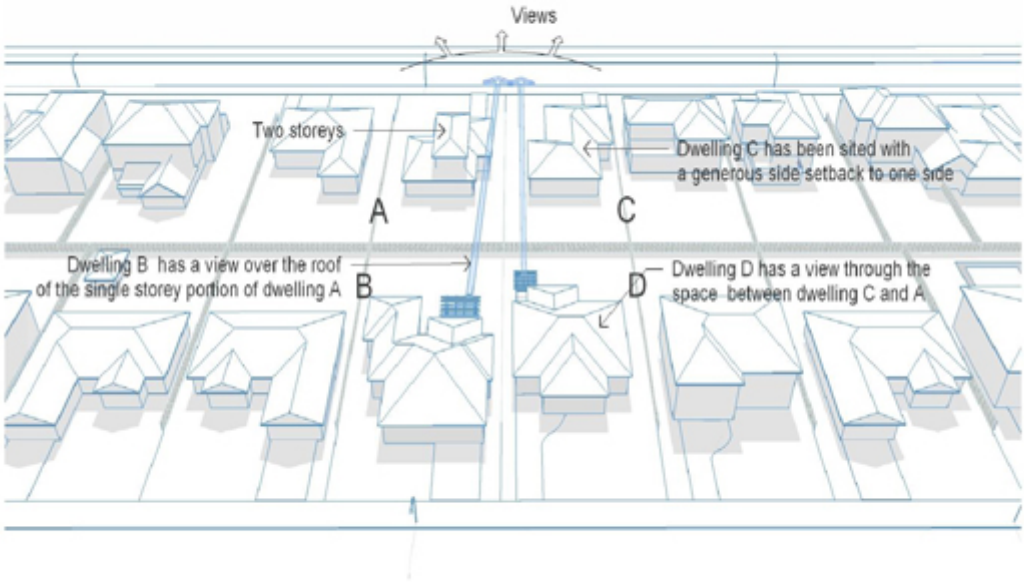
Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To allow for the reasonable sharing of views.
• To encourage innovative design solutions to improve the urban environment.
• To ensure existing canopy trees have priority over views.

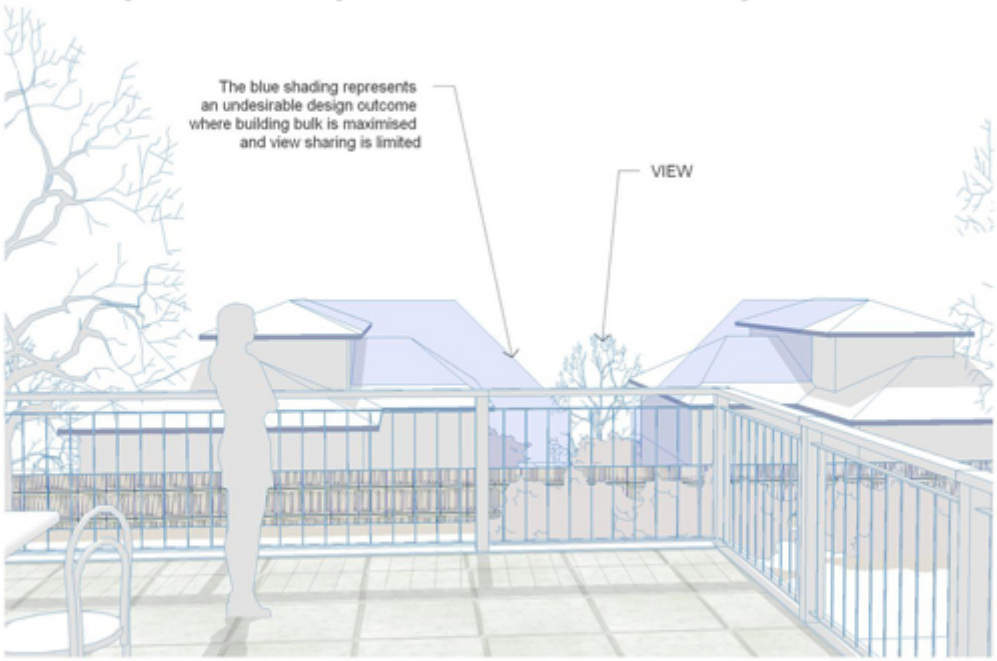
Requirements
1. Development shall provide for the reasonable sharing of views.

Note
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.

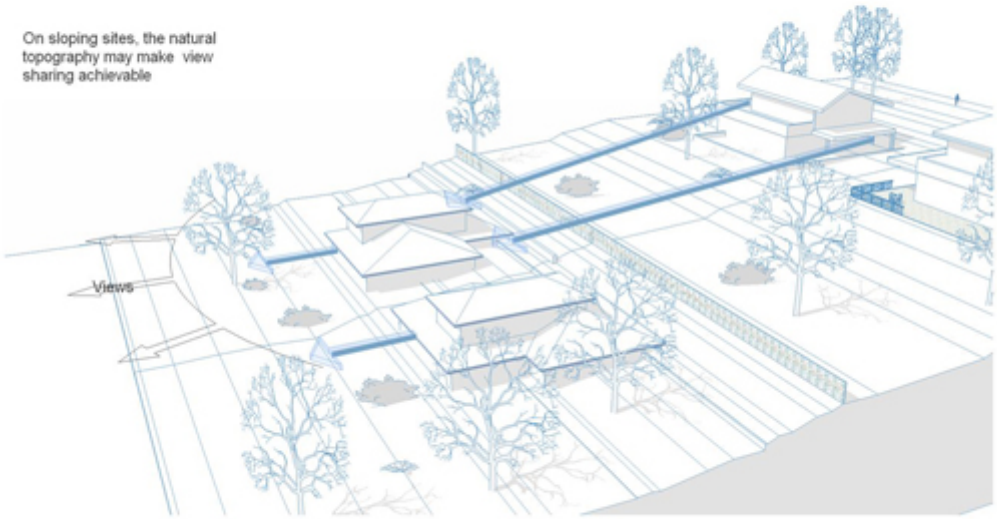
An example of view sharing on a flat site



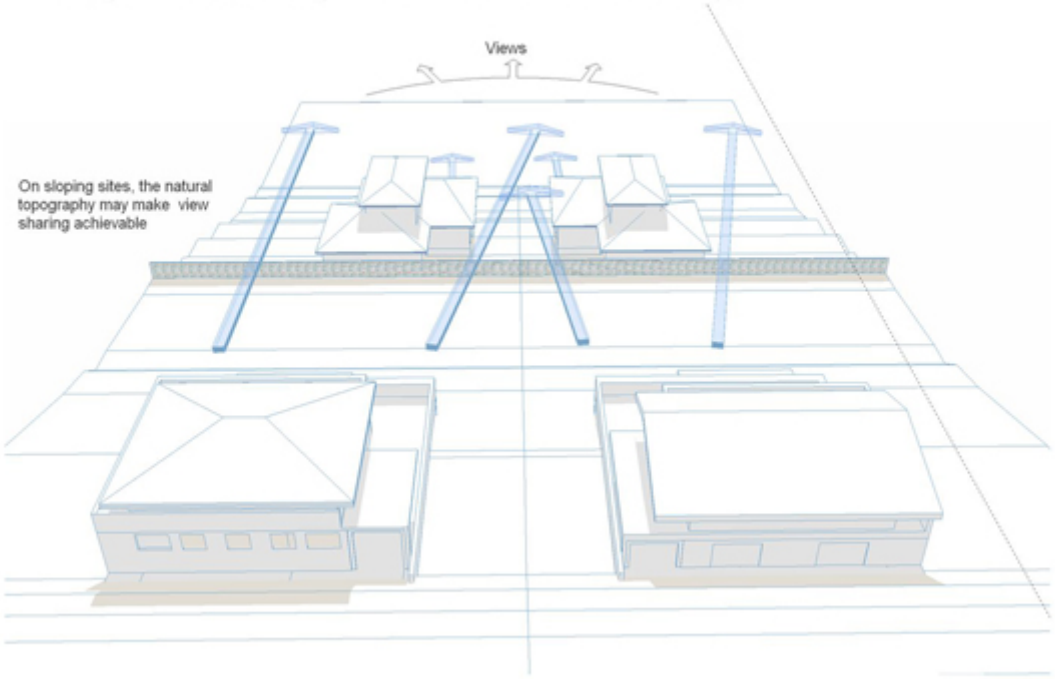
Buildings sited and designed to accomodate view sharing

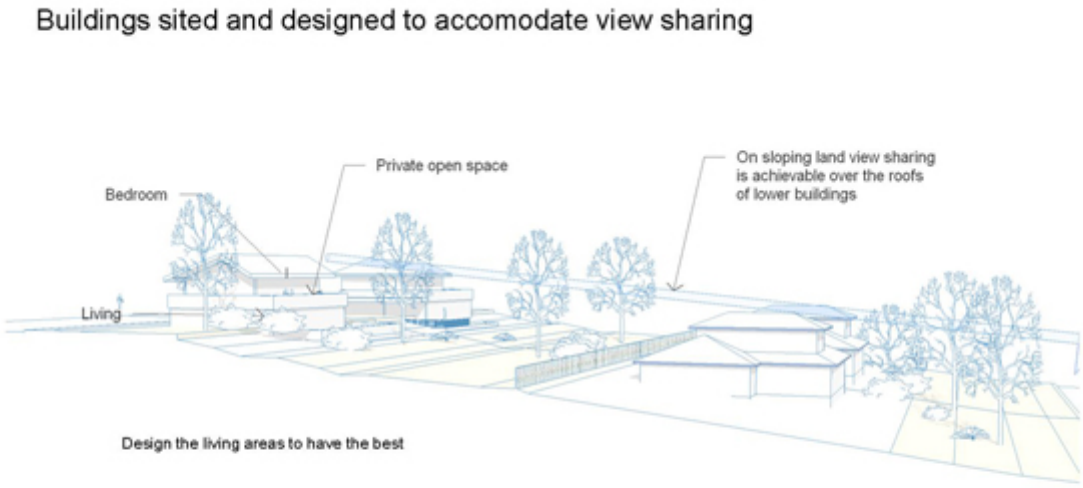


Buildings sited and designed to accomodate view sharing



Buildings sited and designed to accomodate view sharing





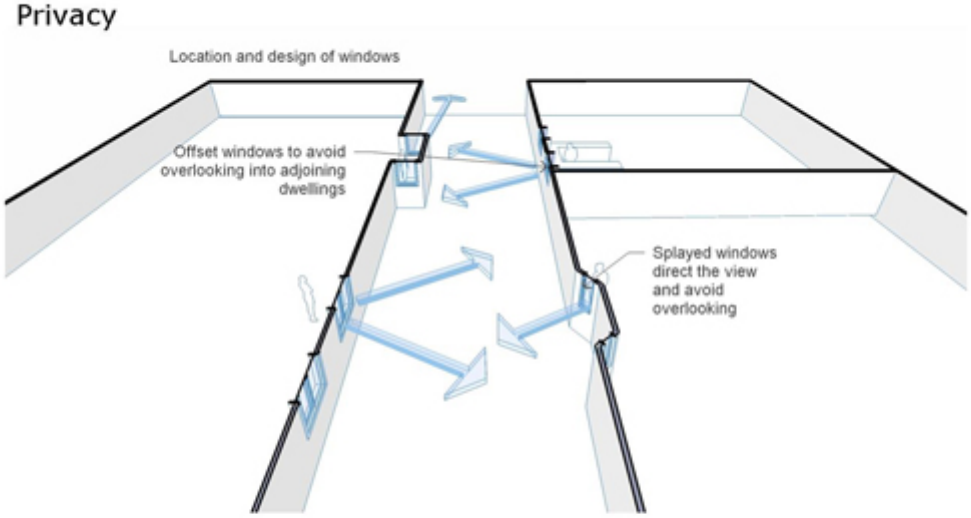
D8 Privacy

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

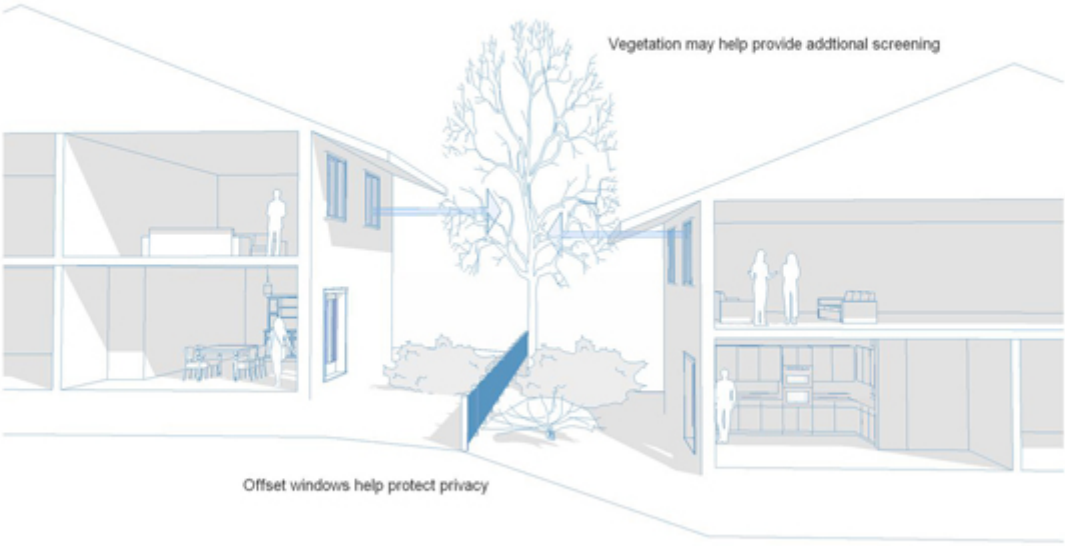
Objectives
• To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.
• To encourage innovative design solutions to improve the urban environment.
• To provide personal and property security for occupants and visitors.

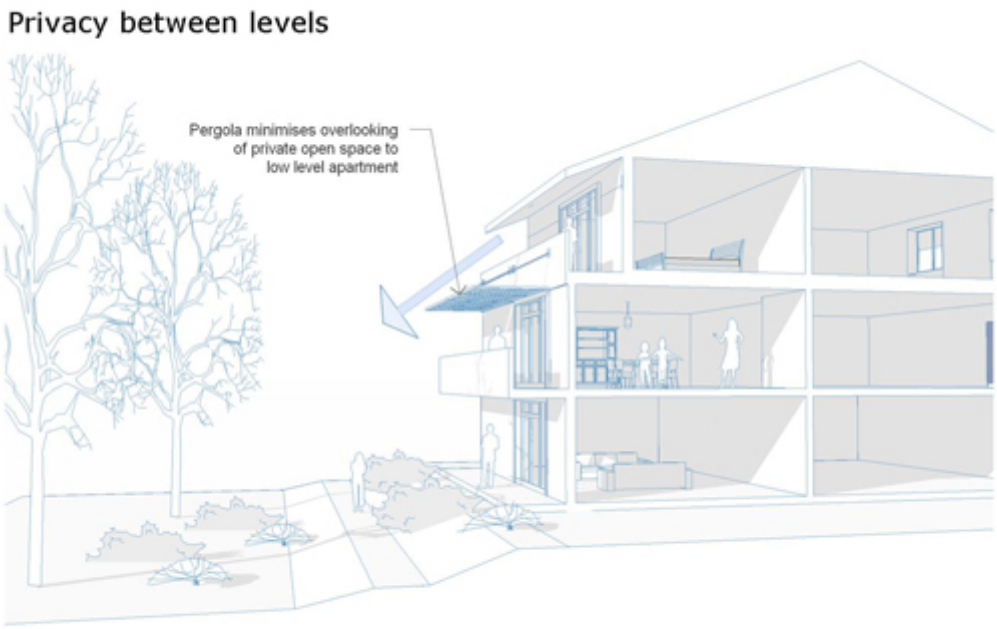
Requirements
1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.
2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.
3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.
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.
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.

Privacy



Privacy





Note

The planning principle established in Meriton v Sydney City Council [2004] NSWLEC 313 may be used in the assessment of the protection of visual privacy.

When screening devices are necessary, consideration should be given to longevity, maintenance requirements and treatment of screens and windows so they are integrated components of the design. Screening solutions may include:

- *Timber screens*
- *External blinds*
- *Window hoods or shutters*
- *Landscaping to adequately screen windows and outdoor areas and may also visually reduce building bulk*
- *Balconies provide privacy when viewed from the street or public space*
- *Screen balconies to avoid overlooking into the private open spaces of lower terraces using planter boxes, louvre screens and pergola structures*
- *High window sills of at least 1.7m above floor level*
- *Obscure or translucent glazing.*

D9 Building Bulk

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

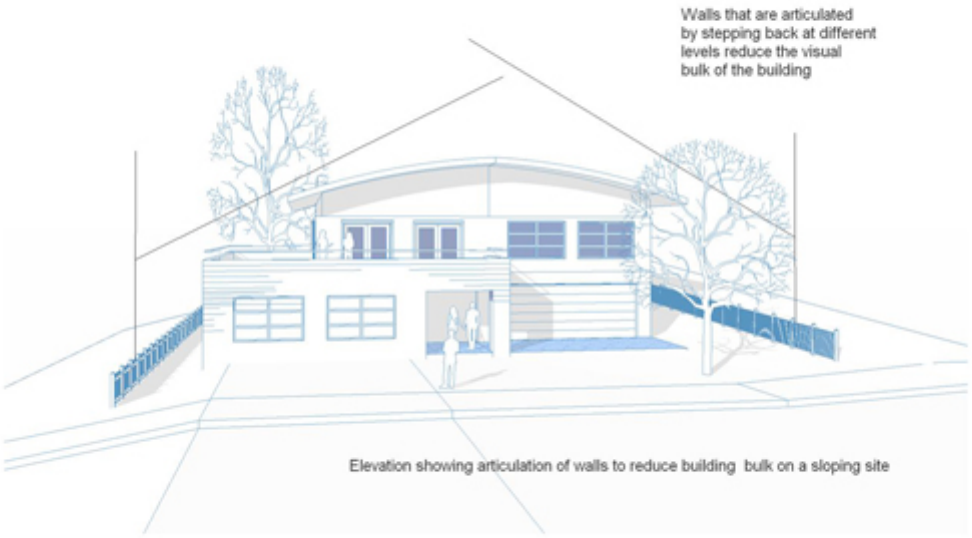
Objectives
- To encourage good design and innovative architecture to improve the urban environment.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

Requirements
1. Side and rear setbacks are to be progressively increased as wall height increases.
2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.
3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint

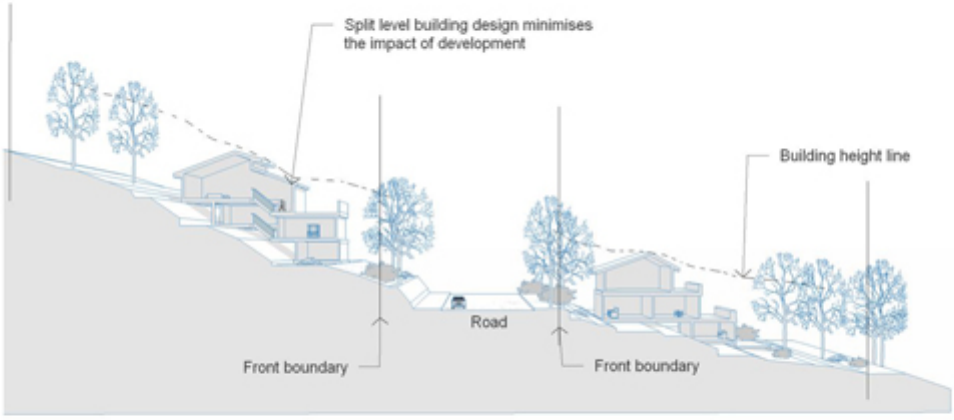
and allow the building mass to step down the slope. In particular:
The amount of fill is not to exceed one metre in depth.
Fill is not to spread beyond the footprint of the building.
Excavation of the landform is to be minimised.

4. Building height and scale needs to relate to topography and site conditions.
5. Orientate development to address the street.
6. Use colour, materials and surface treatment to reduce building bulk.
7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.
8. Articulate walls to reduce building mass.

Reduction of building bulk

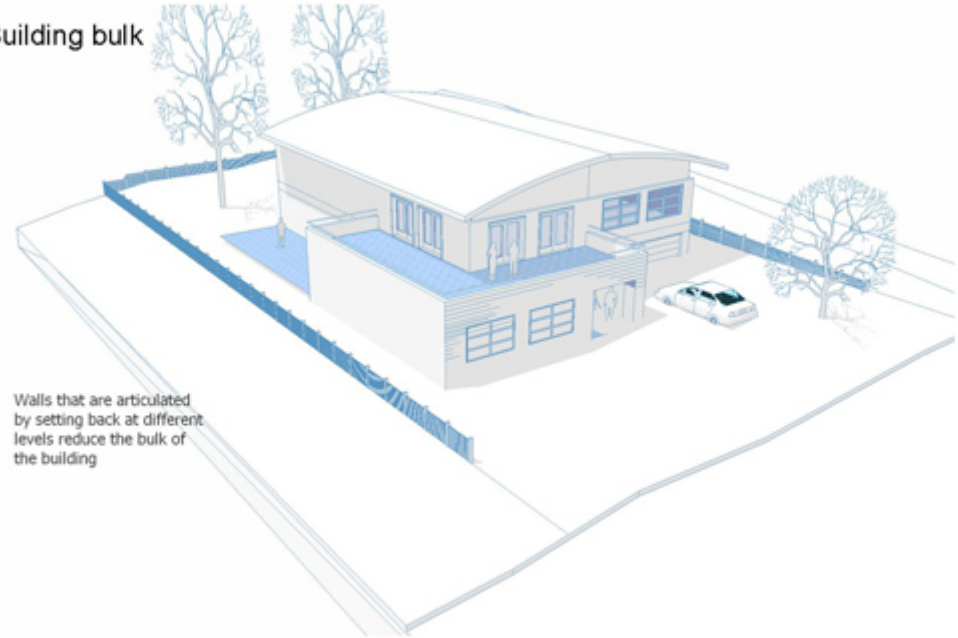


Building height on sloping ground



Building design that follows the land contours minimises building height and bulk as well as the need for cut and fill

Building bulk



Walls that are articulated by setting back at different levels reduce the bulk of the building

Note

Buildings may be articulated in the following ways to help reduce building mass:
• Wall planes may be broken up into smaller areas to vary the elevation and to provide interest
• Vertical, rather than horizontal, elements shall dominate front and other elevations visible from the street
• Step the façade
• Utilise a variety of materials and treatments to add interest
• Incorporate recessed, projecting or enclosed balconies
• Elevations with individual balconies and open space between reduce dominant horizontal banding
• Include pergolas, verandahs, shutters, external louvres and sun shading elements
• Add features of interest such as windows and balustrades.

D10 Building Colours and Materials

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.

Requirements
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.
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.
3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.
4. 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.

Note

A schedule of colours and materials is to be submitted with all development applications.

D11 Roofs

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To encourage innovative design solutions to improve the urban environment.
• Roofs are to be designed to complement the local skyline.
• Roofs are to be designed to conceal plant and equipment.

Requirements
1. Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.
2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.
3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.
4. Roofs shall incorporate eaves for shading.
5. Roofing materials should not cause excessive glare and reflection.
6. 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.

D12 Glare and Reflection

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To ensure that development will not result in overspill or glare from artificial illumination or sun reflection.
• To maintain and improve the amenity of public and private land.
• To encourage innovative design solutions to improve the urban environment.

Requirements
1. The overspill from artificial illumination or sun reflection is to be minimised by utilising one or more of the following: Selecting an appropriate lighting height that is practical and responds to the building and its neighbours;
   • Minimising the lit area of signage;
   • Locating the light source away from adjoining properties or boundaries; and
   • Directing light spill within the site.
2. Any glare from artificial illumination is to be minimised by utilising one or more of the following:
   • Indirect lighting;
   • Controlling the level of illumination; and
   • Directing the light source away from view lines.
3. Sunlight reflectivity that may impact on surrounding properties is to be minimised by utilising one or more of the following:
   • Selecting materials for roofing, wall claddings and glazing that have less reflection eg medium to dark roof tones;
   • Orienting reflective materials away from properties that may be impacted;
   • Recessing glass into the façade;
   • Utilising shading devices;
   • Limiting the use of glazing on walls and glazed balustrades and avoiding the use of highly reflective glass; and
   • Selecting windows and openings that have a vertical emphasis and are significantly less in proportion to solid massing in walls.

D13 Front Fences and Front Walls

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To ensure that fencing, terracing and retaining walls are compatible with the existing streetscape character while creating visual interest in the public domain.
• To encourage innovative design solutions to improve the urban environment.
• To avoid a 'walled in' streetscape.

Requirements

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.

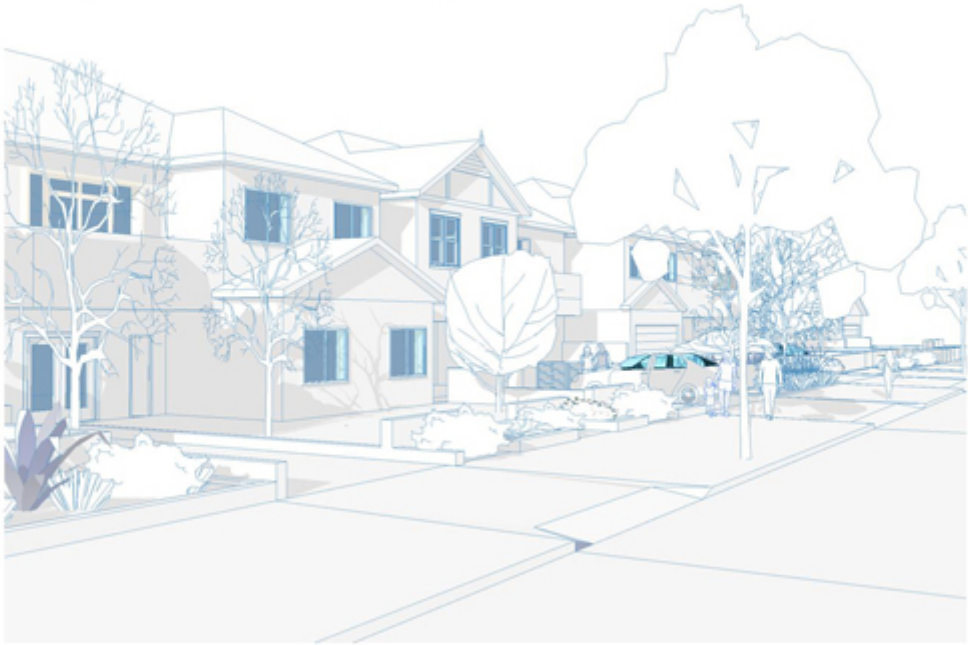
Exceptions

No solid front fences or front walls will be permitted on flood prone land.
Reference should be made to Part G Belrose Corridor for site specific requirements.

Front fences and walls

The streetscape is enhanced with the combined use of articulated fencing and planting

An example of articulated fences along the street



Note

Low front fences provide a focal point for casual security surveillance from the street.

Articulation of fences can be achieved through varying the material, style, scale and height of the fence. A variety of materials and heights will contribute to the attractiveness of the street.

D14 Site Facilities

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To provide for the logical placement of facilities on site that will result in minimal impacts for all users, particularly residents, and surrounding neighbours.
• To encourage innovative design solutions to improve the urban environment.
• To make servicing the site as efficient and easy as possible.
• To allow for discreet and easily serviceable placement of site facilities in new development.

Requirements

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:

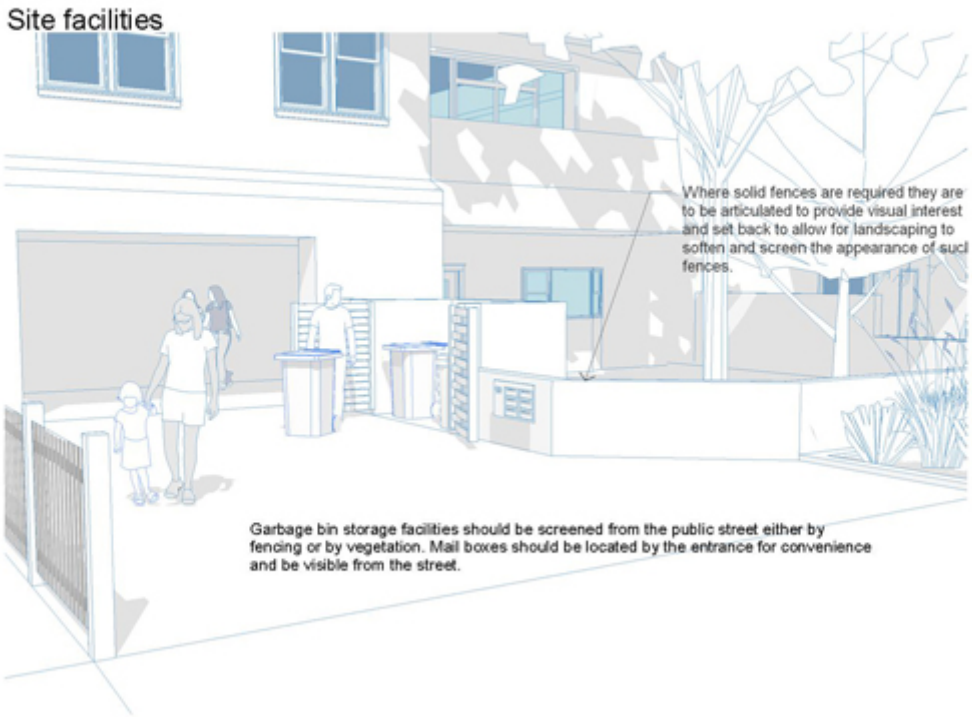
• Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection;

• All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets;

• Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers;

• 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 form the amenity of occupants; and

• Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable.



D15 Side and Rear Fences

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To encourage innovative design solutions to improve the urban environment.

Requirements

1. 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.
2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.
3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.

Note

For additional information see the Dividing Fences Act 1991.

Exceptions
Reference should be made to Part G3 Belrose Corridor for site specific requirements.

D16 Swimming Pools and Spa Pools

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To ensure swimming pools and spas are located to preserve the natural environment, streetscape and residential amenity.
• To encourage innovative design solutions to improve the urban environment.

Requirements
1. Pools are not to be located in the front building setback.
2. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.
3. Swimming pools and spas 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.

Note

The advice of an arborist may be required for location of structures near significant trees to ensure protection of the tree(s).

Exceptions
Reference should be made to Part G Belrose Corridor for site specific requirements.

D17 Tennis Courts

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To encourage innovative design solutions to improve the urban environment.

Requirements
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.

Note

Tennis courts are not to incorporate artificial illumination.
The advice of an arborist may be required for location of structures near significant trees to

ensure protection of the tree(s).

D18 Accessibility and Adaptability

Applies to Land

This control applies to all development for

- non-residential purposes on land in relation to the Accessibility Requirements of this section
- residential purposes on land in relation to the Adaptability Requirements of this section

to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To ensure vehicular access points for parking, servicing or deliveries, and pedestrian access are designed to provide vehicular and pedestrian safety.
• To ensure convenient, comfortable and safe access for all people including older people, people with prams and strollers and people with a disability.
• To provide a reasonable proportion of residential units that should be designed to be adaptable and easily modified to promote 'ageing in place' and for people with disabilities.

Requirements

1. The design is to achieve a barrier free environment with consideration given to the design of door handles 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, comfortable seating and slip-resistant floor surfaces.
4. Where there is a change of level from the footpath to commercial or industrial floor levels, ramps rather than steps should be incorporated.
5. There is to be effective signage and sufficient illumination for people with a disability.
6. Tactile ground surface indicators for the orientation of people with visual impairments are to be provided in accordance with the relevant Australian Standard.

Note

Australian Standard AS1428.4:2002 'Design for Access and Mobility Part 4: Tactile Indicators' applied at the time the DCP was adopted.

Requirements

7. Access for people with a disability is to be provided at the main entrance to the development.
8. Development is to comply with Australian Standard AS1428.2.

Note

All applicants are reminded of their responsibilities under the Disability Discrimination Act 1992.

The Residential Flat Design Code provides accessibility standards which are to be satisfied for residential flat building developments.

Requirements

9. 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

Note

Evidence of compliance with the Adaptable Housing Class C requirements of AS 4299 shall be submitted when lodging a DA and certified by an experienced and qualified housing professional (e.g. Architect or Accredited Building Certifier)

D19 Site Consolidation in the R3 and IN1 Zone

Applies to Land

This control applies to land zoned R3 Medium density residential and IN1 General industrial on the Warringah Local Environmental Plan 2011 Land Zoning Map.

Objectives

• To encourage lot consolidation to allow efficient use of land.
• To encourage innovative design solutions to improve the urban environment.
• To avoid lot sterilization.

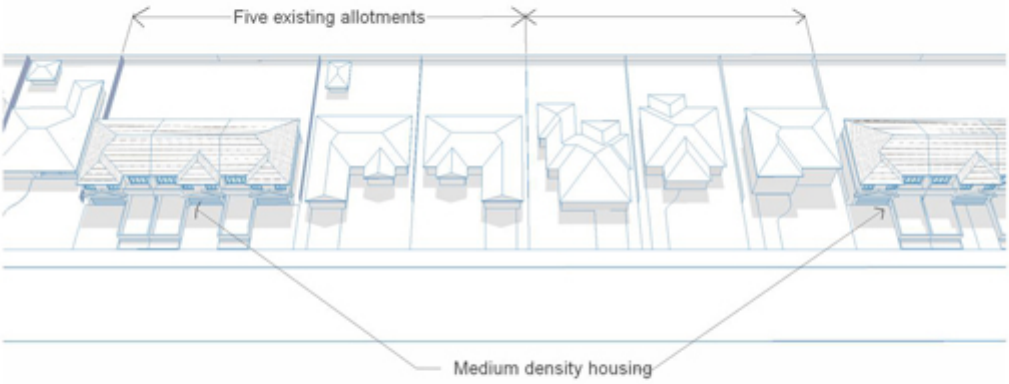
Requirements

1. Development shall not result in adjacent allotments that have areas or dimensions, or are constrained in other ways, that would render such allotment(s) incapable of being developed in accordance with Warringah Local Environmental Plan.
2. Lots are to be consolidated where necessary to ensure the development of one allotment will not render an adjoining one unsuitable for future development.
3. For residential development in the R3 zone private open space may extend to a minimum of 3.5 metres from a side boundary.
4. For residential development in the R3 zone basement carparking structures may be positioned up to a minimum of 2 metres from the side boundary but not be more than 1 metre above ground level.

Exceptions

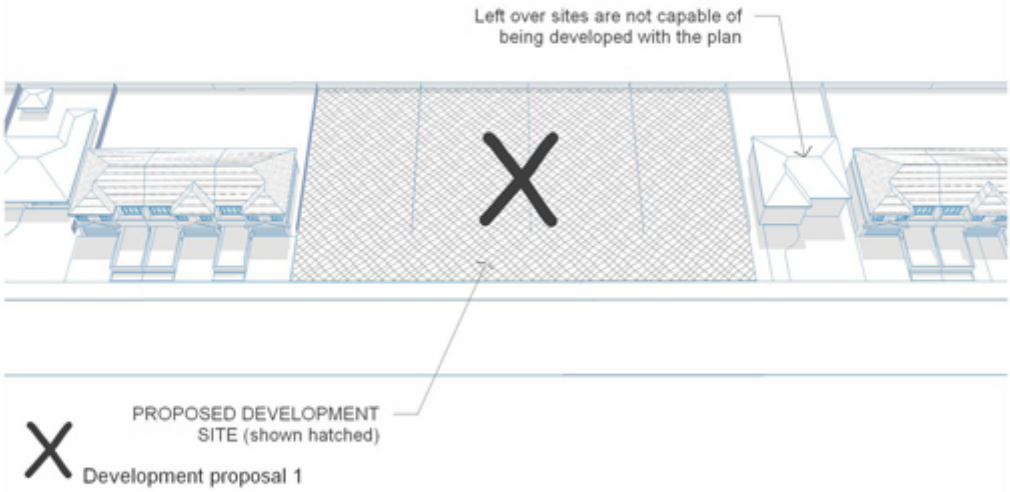
Where allotment size and dimension do not comply with other DCP requirements, variations to side boundary envelopes and side setbacks may be considered on merit to allow the consolidation of allotments for medium density housing.

Site consolidation in the R3 zone



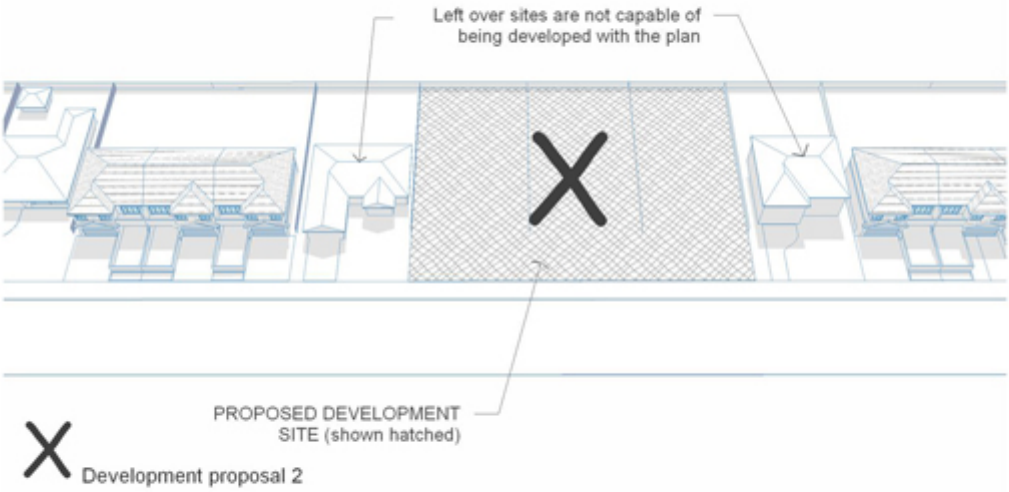
Existing situation

Site consolidation in the R3 zone



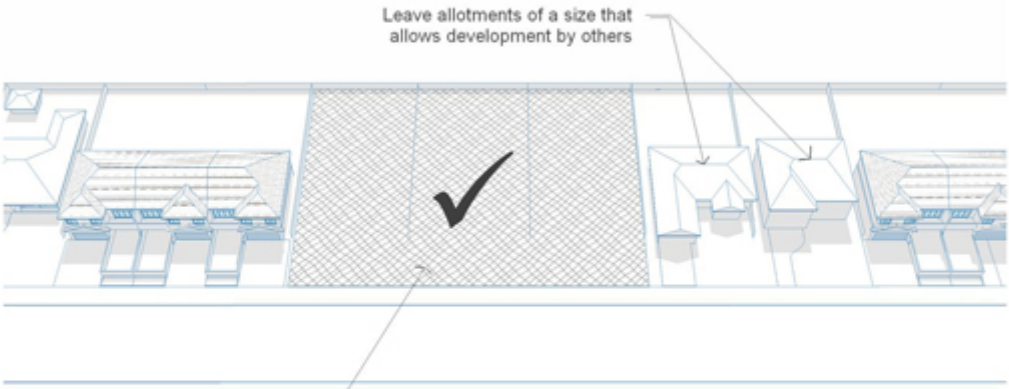
Development proposal 1

Site consolidation in the R3 zone

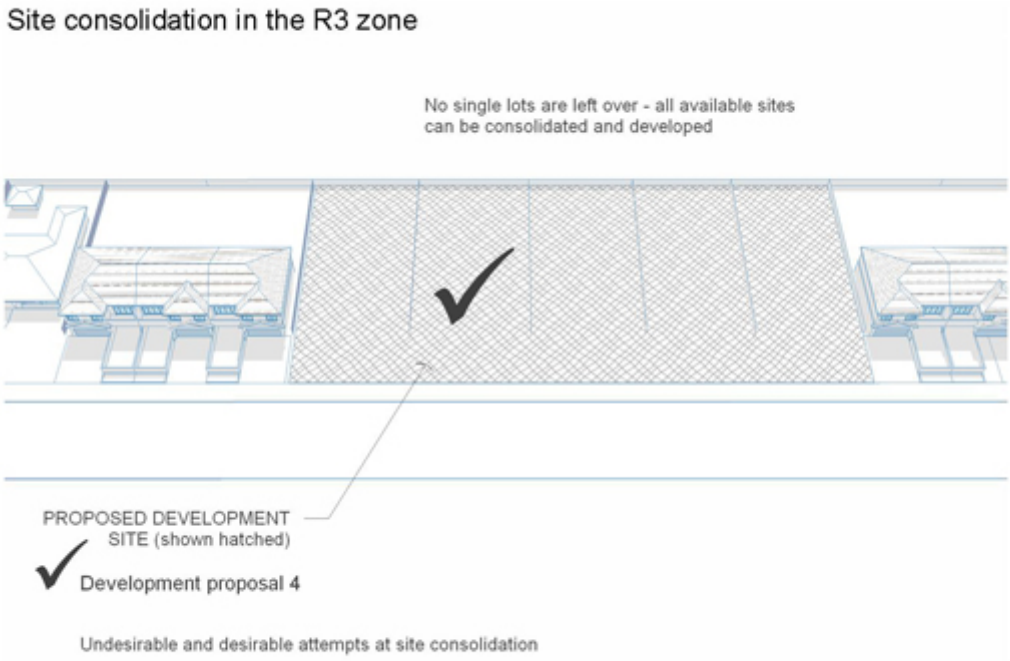


Development proposal 2

Site consolidation in the R3 zone



Development proposal 3



D20 Safety and Security

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To ensure that development maintains and enhances the security and safety of the community.

Requirements
1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance.
2. Service areas and access ways are to be either secured or designed to allow casual surveillance.
3. There is to be adequate lighting of entrances and pedestrian areas.
4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety.
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
   b) Providing adequate day and night lighting which will reduce the risk of undesirable activity.

9. Design entrances to buildings from public streets so that:
a) Building entrances are clearly identifiable, defined, lit and visible;
b) The residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development;
c) Main entrances are clearly identifiable;
d) Pavement surfaces and signage direct pedestrian movements; and
e) Potential conflict between pedestrians and vehicles is avoided.

Exceptions
Reference should be made to Part G4 Warringah Mall for site specific requirements.

D21 Provision and Location of Utility Services

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To encourage innovative design solutions to improve the urban environment.
• To ensure that adequate utility services are provided to land being developed.

Requirements
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.
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.
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:

a) A reduction in the number of trenches required;
b) An accurate location of services for maintenance;
c) Minimising the conflict between services;
d) Minimising land required and cost;

4. The location of utility services should take account of and minimise any impact on natural features such as bushland and natural watercourses.
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.
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.
7. Habitable buildings must be connected to Sydney Water's sewerage system where the density is one dwelling per 1050 square metres or greater.
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.

Note
For further information on onsite management of sewage, see section 68 of the Local Government Act at www.legislation.nsw.gov.au.

Exceptions
Reference should be made to Part G for site specific requirements.

D22 Conservation of Energy and Water

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To encourage innovative design solutions to improve the urban environment.
• To ensure energy and water use is minimised.

Requirements

1. The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.
2. 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.
3. Buildings are to be designed to minimize energy and water consumption.
4. Landscape design is to assist in the conservation of energy and water.
5. Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks.
6. All development must comply with Council's Water Management Policy.

Note

This control applies to all development which is not identified as 'BASIX affected development' (EP&A Regulations).

For further information on improving the sustainability of buildings see the Green Building Council of Australia.

D23 Signs

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

• To encourage well designed and suitably located signs that allow for the identification of a land use, business or activity to which the sign relates.
• To achieve well designed and coordinated signage that uses high quality materials.
• To ensure that signs do not result in an adverse visual impact on the streetscape or the surrounding locality.
• To ensure the provision of signs does not adversely impact on the amenity of residential properties.
• To protect open space areas and heritage items or conservation areas from the adverse impacts of inappropriate signage.

Requirements

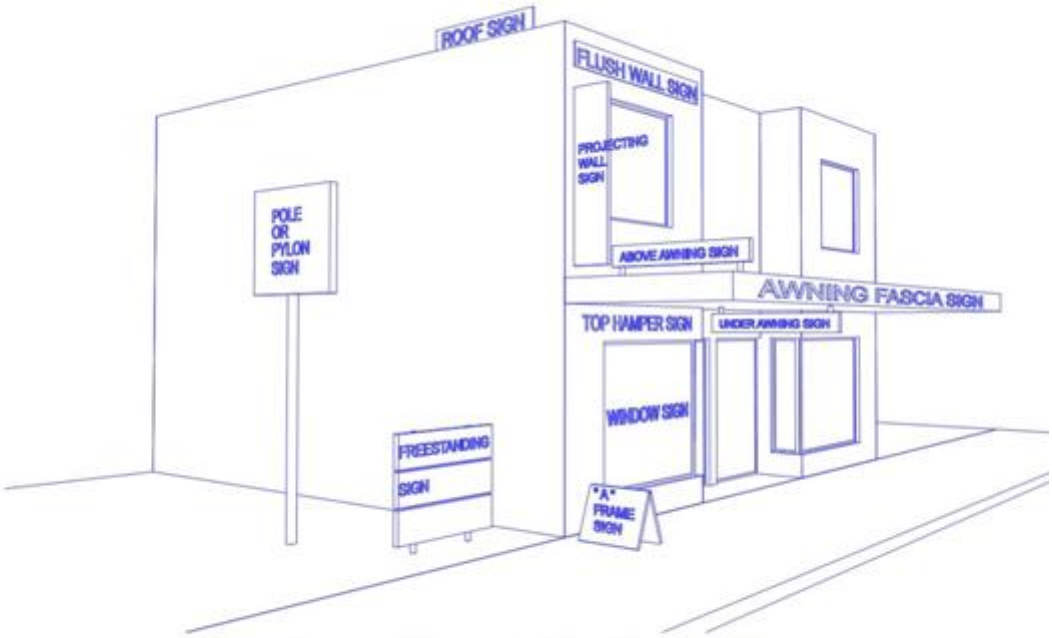
1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.
2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.
3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.
4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).
5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.
6. Signs are not to emit excessive glare or cause excessive reflection.
7. Signs should not obscure or compromise important views.
8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence.
9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non obtrusive and non illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All signs are to be in keeping with the colour and textures of the natural landscape.

10. No more than one sign is to be located above the awning level for business uses.
11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.
12. Signs shall meet the following criteria:

13.

Sign	**Criteria**
Awning fascia sign (attached to the fascia or return end of an awning)	Shall not project above, below or beyond the fascia or return end of the awning to which it is attached.
Freestanding signs (not being a sign elsewhere listed in this table, and includes a bulletin board, tenancy board, and the like)	Shall not exceed 2 metres in height above the existing natural ground level; Shall not have an area greater than 4sqm; Shall not project beyond the boundary of the premises; and Shall not be illuminated.
Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)	Shall not be less than 2.6 metres above ground level; Shall not exceed 6 metres in height above the existing natural ground level; Must have a maximum area of no more than 4sqm on any single face; Shall not project beyond the boundary of the premises; and No more than one pole/pylon sign per site is permitted.
Top hamper sign (attached to the transom of a doorway or display window of a building)	Shall not extend beyond any building alignment or below the level of the head of the doorway or window within the building upon which it is attached; Shall not exceed 600mm in height; and Shall not have an advertising area greater than 5sqm.
Under awning sign (attached to the underside of an awning)	Shall not exceed 2.5m in length or 0.3m in height; Shall be no less than 2.7 m above the ground and at right angles to the property boundary to which the awning is attached; Shall not project beyond the awning; and No more than one under-awning sign may be erected per business/shop.
Wall sign (painted onto a wall of a building or attached to the wall of a building, not being a sign elsewhere listed in this table)	Shall not extend within 200mm of the top and sides of the wall. Shall not cover any window or architectural projections; Must be of a size and shape that relates to the architectural design of the building to which it is attached; Where illuminated, shall not be less than 2.7 metres above the existing natural ground level ground; and Shall not project more than 300mm from the wall.
Window sign (painted or letters stuck onto the inside or outside of a display window)	Must occupy less than 50% of the window area so as to not obstruct natural light; and Shall only be permitted on ground floor windows, below awning level or equivalent.
Bed and Breakfast Accommodation (sign associated with)	No greater than 600cm^2 in area; and No more than 1 sign shall be erected.
Home Business / Home Occupation/ Home Industry and Health Consulting Rooms (signs associated with)	No greater than 600cm^2 in area; Not more than 1 sign shall be erected; and The sign is to indicate the name and occupation of the business.

Service Station (signs associated with)	Emblem and price signs must not be greater than 6 metres in height as measured from ground level; The total area of all signage on the property must not exceed 1sqm per 3 metres of the primary road frontage; All signs must be wholly contained within the allotment; Awning / canopy fascia signs must contain trade name details and corporate identification only; Subsidiary signs must be of a number, size and style that are compatible with the size of the operation as determined by Council; and Illuminated and floodlit signs may only operate during approved trading hours.
Real Estate and Property Promotional Signs	Not more than one sign may be erected at any premises, except where there is more than one real estate agency where not more than 1 sign per real estate agency may be erected at any premises. Signage must advertise only the premises and/or land to be sold/leased or the development under construction on the site which is to be sold/leased upon completion. All signs are to be removed by the completion of the property sale. The size of signs is not to exceed; (i) 1.2sqm where single dwellings, dual occupancy development or single units within multi-unit housing, shop-top housing or residential flat building developments are being advertised for sale. (ii) 4.5sqm where single tenancies within commercial or industrial premises are being advertised. For developments where multiple units/tenancies are for sale signs must be of a size and shape that relates to the length of the street frontage of the site, the number of tenancies/units which are for sale and the scale of the development to which it relates.



Types of Business Identification Signs

14. The following signs are not considered appropriate and are discouraged:
- Flashing or moving signs on all land other than the carriageway of a public road
- Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information;
- Signs on or above the roof or parapet of a building.
- A-frame and temporary signs located on public land, including:
  1. Signs on motor vehicles which are not able to be driven with the sign displayed
  2. Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level
  3. Illuminated signs in residential zones

Exceptions
Reference should be made to Part G for site specific requirements.

Note

All signage is to be consistent with the requirements of State Environmental Planning Policy No.64 – Advertising and Signage.

Part E The Natural Environment

E1 Preservation of Trees or Bushland Vegetation

Applies to Land
This control applies all land, waterways and Bushland covered by the Warringah LEP 2011.

Objectives
- To protect and enhance the urban forest of the Northern Beaches.
- To effectively manage the risks that come with an established urban forest through professional management of trees.
- To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.

- To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.
- To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.
- To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.

Requirements for Vegetation Clearing Permits

1. Authority to clear a tree or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 i.e. 'Vegetation SEPP'. In particular, Part 2 of the Vegetation SEPP sets out the authority to clear vegetation and Part 3 provides for Council to declare under this DCP when a Vegetation Clearing Permit may be issued for clearing of vegetation.

   However a permit under Part 3 of the Vegetation SEPP cannot allow the clearing of vegetation that is or forms part of a heritage item or that is within a heritage conservation area, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the council is satisfied that the proposed activity:

   - is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and
   - would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

2. A person shall not ringbark, cut down, top, lop, remove, poison, injure, or wilfully destroy any tree or bushland vegetation that requires a Vegetation Clearing Permit under the provisions of Part 3 of the Vegetation SEPP. This includes damage to a tree or bushland vegetation by:

   - Damaging or tearing live branches and roots;
   - Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in a detrimental impact on tree health;
   - Tree topping, where large branches and/or the trunk of the tree is removed from the top of the trees canopy;
   - Tree lopping, where branches are removed to reduce the height and spread of the tree.
   - Damaging the root zone of a tree by way of compaction, including storage and stockpiling materials;
   - Changing of ground levels within the root zone of a tree by way of excavation, trenching, filling or stockpiling;
   - Underscrubbing of bushland vegetation;
   - Burning of vegetation (not part of a Hazard Reduction Certificate); or
   - Any other act or activity that causes the destruction of, the severing of trunks or stems of, or any other substantial damage to, some or all of the native vegetation in an area.

   Where such activities are required as part of other works for which a Development Application (DA) is required, the works will be assessed as part of the DA.

   This control does not apply to Council or its duly authorised servants or agents to carry out approved maintenance or works, including those covered under Part 5 of the Environmental Planning & Assessment Act. Works conducted in accordance with a Hazard Reduction Certificate issued under the Rural Fires Act 1997 for asset protection hazard reduction works do not require a permit.

3. A Vegetation Clearing Permit is required for:
   a) Removal or cutting down of any tree over five (5) metres in height;
   b) Pruning of more than ten percent (10%) of a tree canopy.
   c) The removal or cutting down of vegetation in "Bushland".

For the purpose of this clause “Bushland” means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation (as defined by the Local Government Act 1993).
Note: A description of native vegetation types or communities which constitute “Bushland” is provided in the adopted Warringah Natural Area Survey: Vegetation Communities and Plant Species - August 2005.

4. In applying for a Vegetation Clearing Permit, the applicant must demonstrate that any tree to be removed as part of a Vegetation Clearing Permit meets one or more of the criteria of the Removal of Tree Test in Appendix 8 (WDCP) and the Tree Retention Assessment in Appendix 9 (WDCP). An arborist report may be required to satisfy this requirement.

5. 5. Both Development Applications and Vegetation Clearing Permits for 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

Requirements for other Development Applications

When a DA required for clearing vegetation the following requirements apply:

6. 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.

7. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.

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.

Exceptions

Council may consider a variation to the requirements where:

- Council is satisfied a tree or other vegetation is dying or dead and is not required as habitat for native fauna.
- Council is satisfied a tree or other vegetation is a risk.

Trees can be removed or pruned without Council's authorisation of a Vegetation Clearing Permit are:

- In an area in which the Council has authorised their removal as part of a hazard reduction program, where that removal is necessary in order to manage risk
- Required to be removed under other legislation (including the NSW Rural Fires Act 1997 and the Environmental Planning and Assessment Act 1979).
- Removed by Rural Fire Services because they pose or will pose a significant threat to access along required fire trails or to human life, buildings or other property during a bushfire.

- A tree where the immediate removal is essential for emergency access or emergency works by the Council, the State Emergency Service or a public authority.
- A tree in a container, other than in a planter box that forms part of a building, or in a container that is permanently fixed to a structure.
- A field-grown tree propagated as part of a commercial horticultural or agricultural enterprise.

Council's authorisation of a Vegetation Clearing Permit is not required for:

- The removal of any tree on the Exempt Tree Species List (see Table 1).
- Reasonable maintenance involving trimming and pruning of up to ten percent (10%) of a tree's canopy within a 12 month period (all pruning works must be in accordance with Australian Standard AS 4373:2007 Pruning of amenity trees).
- The pruning or removal of hedges (unless required by conditions of a development consent).
  "Hedge" means groups of two (2) or more trees that:
  (a) are planted (whether in the ground or otherwise) so as to form a hedge, and
  (b) rise to a height of at least 2.5 metres (above existing ground level).

- The removal of a tree, where the base of the trunk of the tree at ground level, is located within two (2) metres of an existing approved building (not including decks, pergolas, sheds, patios or the like, even if they are attached to a building).
- The removal of deadwood from a tree.
- Removal of any species of parasite mistletoe or parasitic plant from any part of a tree to ameliorate the effects on the tree from such a parasite
- The removal of trees which are considered a high risk / imminent danger to life and property by a Level 5 qualified arborist. These trees can be removed without Council consent by the owner of the tree subject to the owner obtaining written confirmation from the arborist that clearly states the following:
  a) The arborists qualifications: AQF Level 5 Arborist or equivalent;
  b) That the tree(s) is declared a 'high risk' or is an imminent danger to life and property;
  c) That immediate removal of the tree(s) is recommended.
  d) A copy of the report must be sent to Council for record keeping purpose.

Note

A "significant tree" is a tree that is over 5.0m in height and, that impacts on the streetscape by virtue of its size, appearance, type, age, condition and heritage/cultural significance. It includes hollow-bearing trees and/or trees of conservation significance or habitat value.

The cutting down, pruning or removal by persons other than the owner must have written permission from the owner.

All work must be carried out in accordance with the Australian Standards 4373-2007 "Pruning of Amenity Trees" and in accordance with the current NSW Workcover Code of Practice - Amenity Tree Industry.

The submission of an arborist's report may be required to satisfy Council that a tree is dead or dying, or is a risk to human life or property.

The impact of development on native vegetation can be minimised by:

- *Locating buildings to minimise the amount of disturbance of vegetation and landforms;*
- *Providing adequate distance between the dripline of the tree and development. This avoids destabilising and deoxygenating the tree, altering the drainage and helps ensure its preservation;*
- *Avoiding strip footings and slab on ground construction due to the impact on trees in close proximity. Suitable footing alternatives are as follows;*
- *Stump footings usually associated with lightweight construction on sloping sites;*
- *Pier and beam footings as the beams are able to span the root systems and minimise tree root damage. Pier and beam footings also allow trees to be located closer to development where no other alternative exists;*

- *Locating paved areas outside the dripline of trees and minimise paved area impact on the native understorey vegetation or native groundcover species;*
- *Minimising hard surfaces to allow water infiltration to the root system;*
- *Locating trenches outside the dripline of a tree;*
- *Adequately protecting and managing trees and vegetation during construction;*
- *Protecting tree trunk bases with fencing or a tree barrier during construction*

For vegetation listed as threatened species, populations or ecological communities see the following for further information:

- *Commonwealth legislation: Environment Protection and Biodiversity Conservation Act (1999)*
- *State legislation: Threatened Species Conservation Act (1995)*

Council does not encourage the following species to be planted: Chamaecyparis spp. (Cypress pine) and Cupressus spp. (Cypress pine).

Table 1
Exemption Species: The following Tree species are suitable for removal without consent unless identified as a Heritage item or within a Heritage area.

SPECIES NAME	COMMON NAME
Acacia baileyana	Cootamundra Wattle
Acacia saligna	Golden Wreath Wattle, Golden Willow Wattle
Acera negundo	Box Elder
Alianthus altissima	Tree of Heaven
Alnus jorullensis	Evergreen Alder
Araucaria bidwillii (Not Norfolk Island Pines)	Bunya Bunya Pine
Syagrus (Arecastrum) romanzoffianum	Cocos Palm
Brachychiton acerifolium	Illawarra Flame Tree
Cassia spp	Cassia
Castanospermum australe	Black Bean, Moreton Bay Chestnut
Celtis australis	Hackberry
Cinnamomum camphora	Camphor laurel
Citharexylum spinosum	Fiddlewood
Eriobotrya japonica, Carica papaya, Citrus spp., Fortunella spp. Malus, spp. Morus spp. Persea spp. Prunus spp.	All non-native fruit producing trees (Loquat, Paw Paw, Citrus, Kumquat, Apple, Mulberry, Avocado, Apricot, Almond, Cheery, Plum Peach)
Cotoneaster glaucophyllus	Cotoneaster
Cupressus spp. Cupressocyparis spp. Chamaecyparis spp.	Cypress Pine
Eucalyptus nicolii	Peppermint Gum
Eucalyptus scoparia	Wallangarra White Gum
Erythrina spp.	Coral Tree
All Ficus spp. (except F.macrohylla, F. rubignosa, F. coronata)	All Ficus spp. (except Moreton Bay Fig, Port Jackson Fig, Sandpaper Fig
Gleditsia triacanthos	Honey Locust
Grevillea robusta	Silky Oak
Lagerstroemia	Crepe Myrtle
Ligustrum spp.	Large and Small leaf Privet
Harephyllum caffrum	Kaffir Plum

Jacaranda mimosifolia	Jacaranda
Lagunaria patersonia	Norfolk Island Hybiscus
Liquidambar styracifula	Liquidambar
Nerium oleander	Oleander
Olea spp.	Olive
Palms (other than Livisona australis)	Palms other than Cabbage Tree Palm
Paraserianthes lophantha	Crested Wattle
Pinus spp.	Pine
Pittosporum spp. (up to 8m)	Pittosporum
Populus spp.	Poplar
Pyracantha angustifolia	Orange Fire Thorn
Raphiolepsis indica	Indian Hawthorn
Robinia pseudoacacia	False Acacia
Salix spp.	Willow
Sapium sebiferum	Chinese Tallow
Schefflera actinophylia	Umbrella Tree
Spathodea campanulata	African Tulip Tree
Ulmus parviflora	Chinese Elm
Fraxinus griffithii	Himalayan Ash
Cupaniopsis laurina	Tuckeroo
Fraxinus griffithii	Evergreen Ash/ Griffiths ash
Noxious Weed ACT now superseded by Biosecurity ACT 2015, Any species Previously identified as noxious, now called priority weed species, refer to Greater Sydney Regional Strategic Weed Management Plan.	

E2 Prescribed Vegetation

Applies to Land
This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To preserve and enhance the area's amenity, whilst protecting human life and property.
• To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
• To provide habitat for local wildlife, generate shade for residents and provide psychological & social benefits.
• To protect and promote the recovery of threatened species, populations and endangered ecological communities.
• To protect and enhance the habitat of plants, animals and vegetation communities with high conservation significance.
• To retain and enhance native vegetation communities and the ecological functions of wildlife corridors.
• To reconstruct habitat in non vegetated areas of wildlife corridors that will sustain the ecological functions of a wildlife corridor and that, as far as possible, represents the combination of plant species and vegetation structure of the original 1750 community.
• Promote the retention of native vegetation in parcels of a size, condition and configuration which will as far as possible enable plant and animal communities to survive in the long-term.

Requirements
1. The following is prescribed for the purposes of clause 5.9(2) of Part 2 of the Vegetation SEPP: All native vegetation identified on:
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 Protection and Biodiversity Conservation Act 1999*.

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.

Note

For vegetation listed as threatened species, populations or ecological communities see the following for further information:

Commonwealth legislation: Environment Protection and Biodiversity Conservation Act (1999), State legislation Threatened Species Conservation Act (1995),and www.warringah.nsw.gov.au/environment/threatened_species.aspx

E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat

Applies to Land
This control applies to land identified on DCP Map Threatened and High Conservation Habitat and land identified as known or potential habitat for threatened species, as identified in the NSW Wildlife Atlas*.

Objectives
• To protect and promote the recovery of threatened species, populations and endangered ecological communities.
• To protect and enhance the habitat of plants, animals and vegetation communities with high conservation significance.
• To preserve and enhance the area's amenity, whilst protecting human life and property.
• To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
• To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.

Requirements
1. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines
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.

Note

*Records of threatened flora and fauna are available from the NSW Office of Environment and Heritage's Atlas of NSW Wildlife: http://www.bionet.nsw.gov.au. Council's Natural Environment section can be contacted to determine whether any site specific information is available for a particular property.

E4 Wildlife Corridors

Applies to Land
This control applies to land identified on DCP Map Wildlife Corridors.

Objectives
• To preserve and enhance the area's amenity, whilst protecting human life and property.
• To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
• To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.
• To retain and enhance native vegetation and the ecological functions of wildlife corridors.

• To reconstruct habitat in non vegetated areas of wildlife corridors that will sustain the ecological function of a wildlife corridor and that, as far as possible, represents the combination of plant species and vegetation structure of the original 1750 community. See *Warringah Natural Area Survey, August 2005*.

Requirements

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. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and

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, manage and enhance wildlife corridors, and where appropriate reconstruct wildlife corridor areas on the subject property.

2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.

Note

i. barriers and hazards that hinder fauna movement such as solid fences and roads are to be avoided in wildlife corridors.
ii. management of exotic and native vegetation is to be carried out in a manner that does not result in significant short term or long term loss of habitat in wildlife corridors (see notes in Guideline for preparing a Biodiversity Management Plan).

E5 Native Vegetation

Applies to Land

This control applies to land identified on DCP Map Native Vegetation.

Objectives

- To preserve and enhance the area's amenity, whilst protecting human life and property.
- To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
- To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.
- Promote the retention of native vegetation in parcels of a size, condition and configuration which will as far as possible enable local plant and animal communities to survive in the long term.
- To maintain the amount, local occurrence and diversity of native vegetation in the area

Requirements

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. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and

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.

2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.

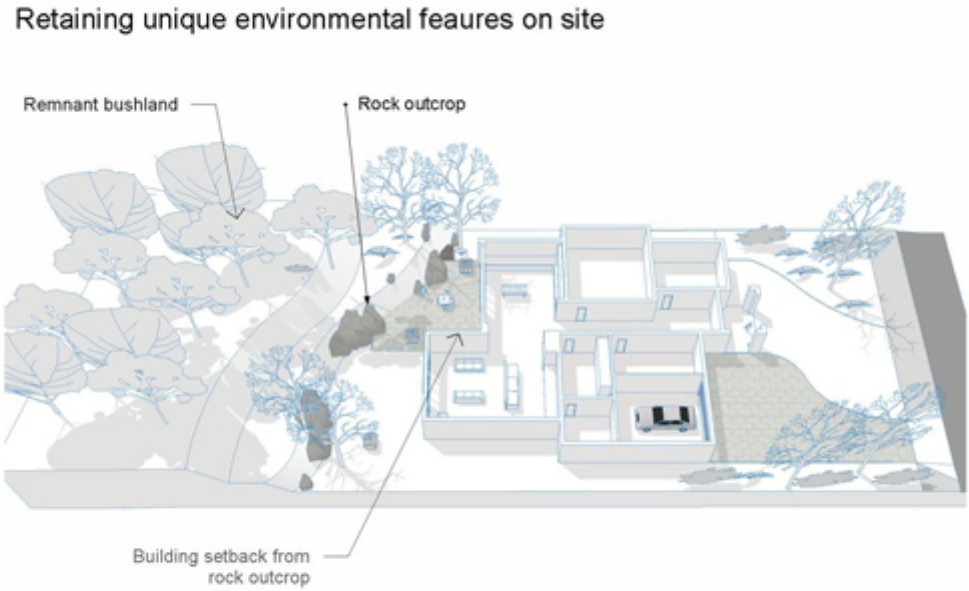
E6 Retaining unique environmental features

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives
• To conserve those parts of land which distinguish it from its surroundings.

Requirements
1. Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.
2. Development should respond to these features through location of structures, outlook, design and materials.



Note
Environmental features include:
a) Elevated landforms, prominent coastal headlands, cliffs and rock outcrops
b) Remnant bushland and trees
c) Fauna habitat for rare and threatened species
d) Natural watercourses
Design solutions include:
a) Choosing parts of the site to develop where features are not present
b) Minimising on-site disturbance
c) Locating buildings to take advantage of environmental features
d) Utilising construction methods that limit impact on sloping/ difficult sites eg. pole construction
e) Employing materials that complement the site eg. stone and timber
f) Implementing a soil and water management plan to limit impact
g) Avoiding the introduction of soil from outside the site
h) Selecting native plant species that are present on site, preferably seeded from species on the site
i) Selecting plant species that enhance resident fauna habitat (see Council's tree replacement guide)

E7 Development on land adjoining public open space

Applies to Land
This control applies to all land shown on DCP Map Land Adjoining Public Open Space.

Objectives

• To protect and preserve bushland adjoining parks, bushland reserves and other public open spaces.
• To ensure that development responds to its adjacent surroundings to preserve and enhance the natural qualities of the environment.
• Development on land adjoining open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.

Requirements

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.
2. Public access to public open space is to be maximised.
3. Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.
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.
5. Development is to protect views to and from public open space.
6. Development is to provide buffers for bushfire protection on private land, not on public land.
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.
8. Development should be designed to maximise opportunities for casual surveillance of the public open space.
9. Development is to utilise landscaping or existing landscape elements to screen development.

Exceptions

Reference should be made to Part G for site specific requirements.

Note

Where suitable, development should ensure access to public open space is provided via roads or easements for access.

Development may retain outlook and views by:
• Choosing materials that minimise building mass.
• Articulation of the building elevation, fence and wall materials, height, design and the selection of landscape.
• Selection of suitable vegetation from Council's Tree Replacement Guide to form an attractive transition to the open space.

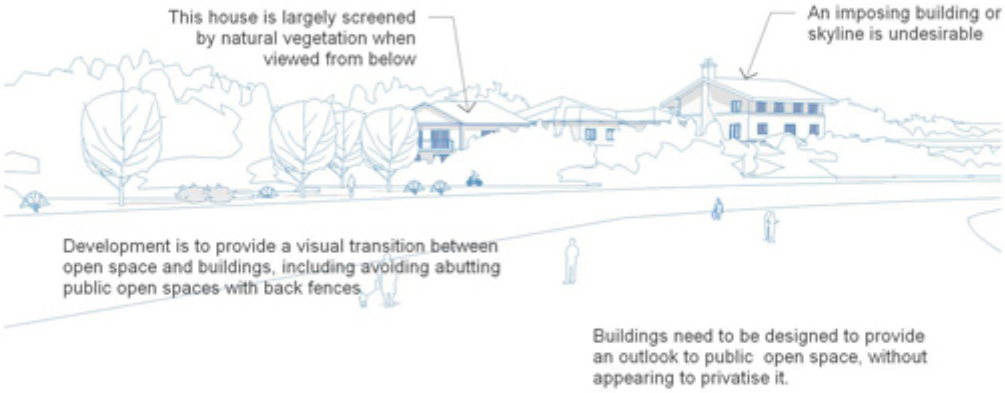
The transition between development and open space may be enhanced by:
• Incorporating a vegetation link to open space with the landscaping design;
• Providing a similar landscaping design and plant species as the adjacent bushland;
• Selecting fence materials that integrate with the open space characteristics;
• Location of the building away from the open space areas
• Relate building heights to open space vegetation height
• Preserving significant fauna and flora habitats
• Providing a protective buffer between the development and bushland
• Avoiding introducing non native flora and fauna
• Minimising clearing
• Providing on-site soil and water management that treats stormwater before it enters bushland.

Views to and from open space may be protected by:
• Avoiding development that may interrupt the skyline
• Minimising clearings to avoid fragmentation of the landscaping especially adjacent to bushland reserves
• Limiting the height of development to below the tree canopy
• Setting development back from the open space area

Development near parks - buffers and privacy

Bushfire protection buffers

Development near public recreation areas



The impact of buildings on the skyline

E8 Waterways and Riparian Lands

Applies to Land

This control applies to land identified as waterway or riparian land as shown on DCP Map Waterways and Riparian Lands.

Objectives

- Protect, maintain and enhance the ecology and biodiversity of waterways and riparian land.
- Encourage development to be located outside waterways and riparian land.
- Avoid impacts that will result in an adverse change in watercourse or riparian land condition.

• Minimise risk to life and property from stream bank erosion and flooding by incorporating appropriate controls and mitigation measures.
• Maintain and improve access, amenity and scenic quality of waterways and riparian lands.
• Development on waterways and riparian lands shall aim to return Group B and Group C creeks to a Group A standard (as described in Warringah Creek Management Study, 2004) through appropriate siting and development of development.

Requirements

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.

Note

1. In its consideration of development applications under this Part Council will have regard to its Protection of Waterways and Riparian Land Policy.

2. Development within 40m of a waterway may require a "controlled activity approval" pursuant to the Water Management Act 2000 Development that requires a controlled activity approval under the Water Management Act 2000 constitutes "integrated development" pursuant to sections 91 and 91A of the Environmental Planning and Assessment Act 1979. Before granting development consent to an application for consent to carry out the development, the consent authority must obtain the general terms of any approval from the relevant approval body. Applicants need to refer to this legislation separately.

Exceptions

Brookvale Brickworks: 20metre setback top of the bank of Greendale Creek.

E9 Coastline Hazard

Applies to Land

This control applies to land identified on the Warringah LEP Coastline Hazard Map.

Objectives

• To minimise the risk of damage from coastal processes and coastline hazards for proposed buildings and works along Collaroy Beach, Narrabeen Beach and Fisherman's Beach.
• To ensure that development does not have an adverse impact on the scenic quality of Collaroy, Narrabeen and Fisherman's Beaches.
• To ensure that development does not adversely impact on the coastal processes affecting adjacent land.
• To retain the area's regional role for public recreation and amenity.

Requirements

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).

Note

Council will take the following principles into account when it assesses development:
i. When applications for development are lodged with Council both the Area of Wave Impact and Slope Adjustment and the Area of Reduced Foundation Capacity are to be marked on the plans submitted to Council;
ii. In the Area of Reduced Foundation Capacity, account is made of the reduced bearing

capacity of the sand adjacent to the escarpment of a potentially fully eroded Area of Wave Impact and Slope Adjustment. Structures within the Area of Reduced Foundation Capacity should be designed such that loads are transmitted to soil foundations outside it. This would generally be achieved by piling structures within the Area of Reduced Foundation Capacity into the Stable Foundation Area below it as per Criteria for the Siting and Design of Foundations for Residential Development;
iii. For development within the Area of Reduced Foundation Capacity, geotechnical/ structural design of foundations (including specialist coastal engineering advice) may be required for the whole structure;
iv. A suitably qualified engineer must undertake the geotechnical/structural design of the foundations in accordance with coastal engineering considerations and the Criteria for the Siting and Design of Foundations for Residential Development, and the provisions of this part; and
v. Development must be constructed with a suitable floor level or in a manner that minimises the risk of coastal inundation for severe coastal storms occurring over the next 50 years

E10 Landslip Risk

Applies to Land
This control applies to land identified on the Warringah Local Environmental Plan 2011 - Landslip Risk Map as Area A, Area B, Area C, Area D or Area E.

Objectives
• To ensure development is geotechnically stable.
• To ensure good engineering practice.
• To ensure there is no adverse impact on existing subsurface flow conditions.
• To ensure there is no adverse impact resulting from stormwater discharge.

Requirements
1. The applicant must demonstrate that:
   • The proposed development is justified in terms of geotechnical stability; and
   • The proposed development will be carried out in accordance with good engineering practice.
2. Development must not cause detrimental impacts because of stormwater discharge from the land.
3. Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.
4. To address Requirements 1 to 3:
i) For land identified as being in Area A:
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.

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.

ii) For land identified as being in Area B or Area D:

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 geologist and must be submitted with the development application.

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.

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.

iii) For land identified as being in Area C or Area E:

A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer/ engineering geologist, must be submitted with the development application.

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.

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.

Exceptions

1. No preliminary assessment of site conditions will be required in Areas B and D and no geotechnical and hydrological reports will be required in Areas C and E if the proposed development does not involve any site, building or structural works.

2. Council may determine that no geotechnical report is required for development situated in Areas C or E where this can be demonstrated by a preliminary assessment of site conditions, prepared by a suitably qualified geotechnical engineer / engineering geologist, in accordance with the Checklist for Council's Assessment of site conditions (see Notes).

3. Council may determine that no hydrological assessment is required for development situated in Areas C or E where this can be demonstrated by a preliminary assessment of site conditions, prepared by a suitably qualified geotechnical engineer/ engineering geologist, in accordance with the Checklist for Council's Assessment of site conditions (see Notes).

Note

Landslip Risk Classes A to E, described in the following table, correlate to Areas A to E on the Warringah LEP 2011 – Landslip Risk Map.

LANDSLIP RISK CLASS			
Landslip Risk Class	***Topographic Position***	***Slope Angle (degrees)***	***Geology***
A	*Plateau areas, ridge crests, major spur slopes, footslope areas; and beach, foredune and alluvial flats.*	*< 5*	*At higher elevations, generally shallow residual soils developed on Hawkesbury Sandstone. Hawkesbury Sandstone exposed in occasional outcrops and in near vertical road cuts. Some areas of fill. At lower elevations, unconsolidated marine and alluvial sands often overlying deep marine sediments.*
B	*Flanking slopes.*	*5 to 25*	*Colluvial and residual soils, possibly deeper than in Class A, developed on Hawkesbury Sandstone. Minor detached sandstone blocks, occasional exposures of sandstone in cliffs and road cuts. Occasional fill areas associated with playing fields, roads and some developments.*
C	*Steeper slopes, generally near coastal areas and adjacent to creeks and major gullies.*	*> 25*	*Colluvial soils and bouldery talus, with detached blocks of sandstone on steep escarpment areas, developed on Hawkesbury Sandstone. Near vertical cliffs to approximately 50m high at Dee Why Head.*

D	*Flanking slopes (Collaroy Plateau area)*	*5 to 15*	*Colluvial and residual soils (possibly deeper than in Class A) developed on Narrabeen Group or Hawkesbury Sandstone. Minor detached sandstone blocks, occasional exposures of sandstone in cliffs and road cuts. Occasional fill areas associated with playing fields, roads and some developments.*
E	*Steeper slopes (Collaroy Plateau area)*	*> 15*	*Colluvial & residual soils & bouldery talus, with detached blocks of sandstone on steeper escarpment areas, developed on Narrabeen Group or Hawkesbury Sandstone. Near vertical cliffs up to about 20m high.*

SUGGESTED CHECKLIST FOR COUNCIL'S ASSESSMENT OF SITE CONDITIONS

1.0	***LANDSLIP RISK CLASS** (circle Landslip Risk Class in which site is located)*
	A A Geotechnical report not normally required.
	B B Preliminary assessment of site conditions required to determine whether a geotechnical report is required.
	C C Geotechnical report required.
	D Preliminary assessment of site conditions required to determine whether a geotechnical report required.
	E Geotechnical report required.

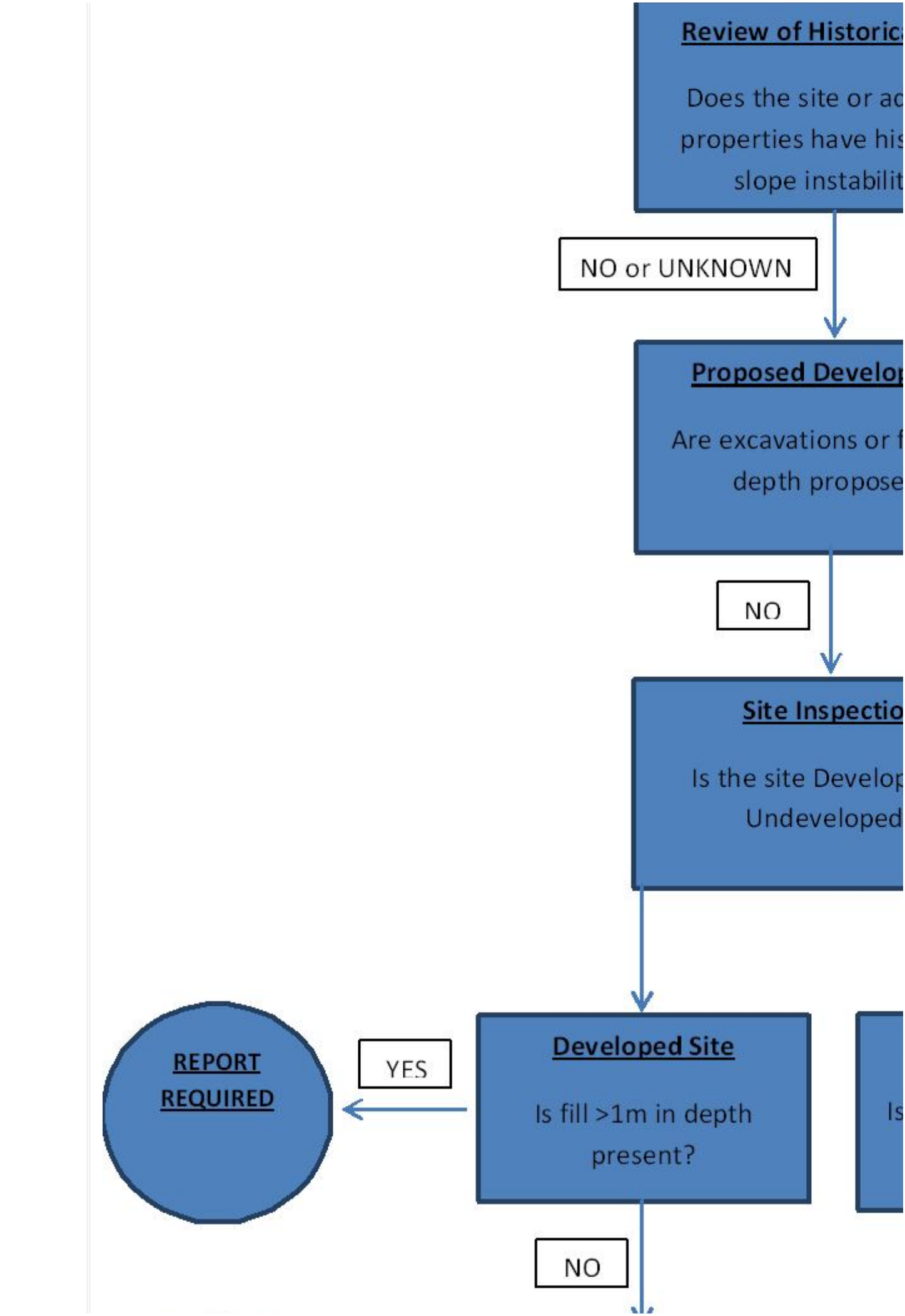
2.0 SITE LOCATION
Street no.& Name, Position in street (above or below), Site dimensions (block shape & size);

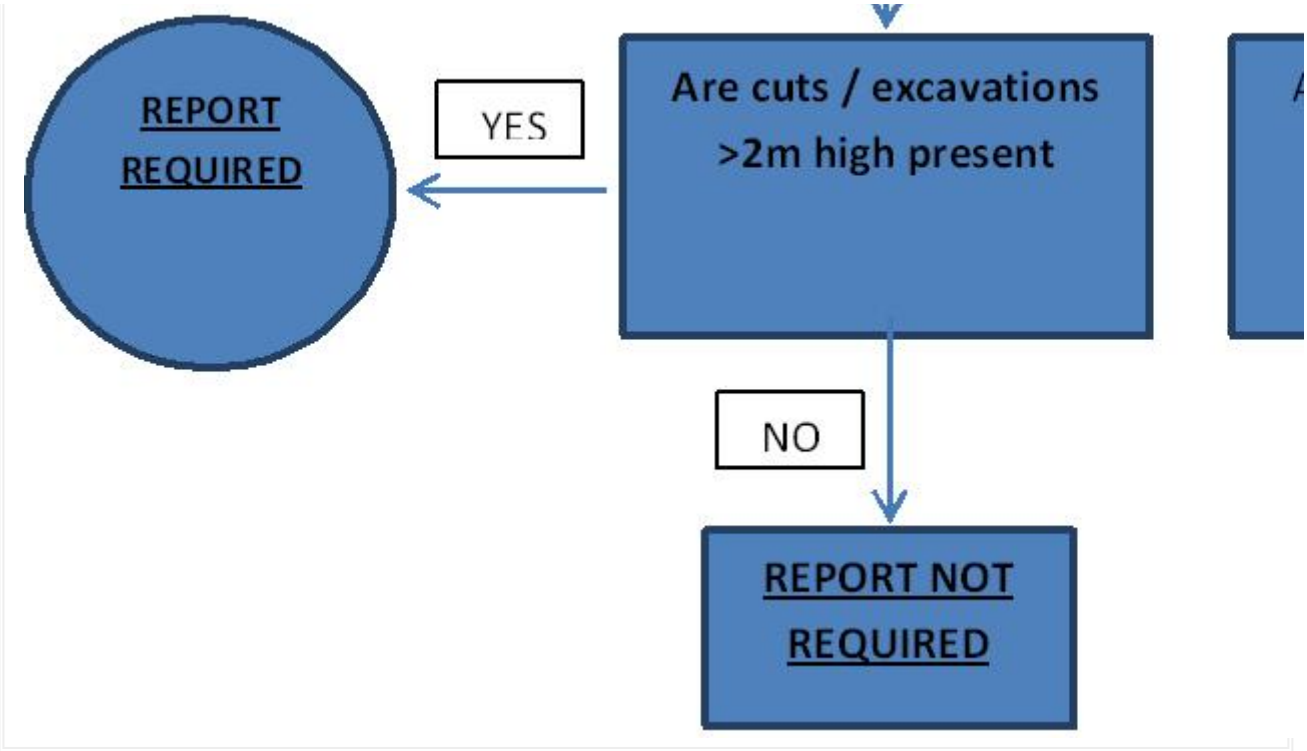
3.0 PROPOSED DEVELOPMENT:
General description, including maximum excavation depths, maximum fill depths, and proximity to existing structures;

4.0 EXISTING SITE DESCRIPTION:
eg. Topography, slope angles (in degrees), exposures of rock and soil, existing site development, evidence of possible slope instability.

5.0 RECOMMENDATIONS
Based on the above items, and the attached flowchart that indicates the principal factor(s) considered in the assessment, it is recommended that: *Geotechnical assessment is required.* *Geotechnical assessment is not required.* *Other comments:*
6.0 DATE OF ASSESSMENT; *7.0 ASSESSMENT BY;*

CHECKLIST FOR COUNCIL'S
CONDITIONS AND NEED FOR G
GEOTECHNICAL CI


Review of Historic
Does the site or ac
properties have his
slope instabilit
NO or UNKNOWN
Proposed Develop
Are excavations or f
depth propose
NO
Site Inspectio
Is the site Develop
Undeveloped
REPORT REQUIRED
YES
Developed Site
Is fill >1m in depth present?
Is
NO



E11 Flood Prone Land

Applies to Land
Identified on the Flood Risk Precinct Maps as being affected by flooding

Objectives
- Protection of people.
- Protection of the natural environment.
- Protection of private and public infrastructure and assets.

Requirements
The purpose of this Part is to guide development in accordance with the objectives and processes set out in the NSW Government's Flood Prone Land Policy as outlined in the NSW Government, Floodplain Development Manual, 2005.

Development to which this Part applies must comply with the performance criteria set out in clause 1.1.

Form A and A1 (Attachment A of Northern Beaches Council's Guidelines for preparing a Flood Management Report) is to be completed and submitted to Council

Development that satisfies the prescriptive controls in clause 1.2 is deemed to have satisfied clause 1.1.

1.1 Performance Criteria

(a) SITE LAYOUT AND BUILT FORM: The site layout and ultimate built form of the proposed development should be compatible with the flood risk. Site analysis and layout should incorporate flood risk as a critical element in site planning.

(b) PUBLIC INTEREST: The proposed development should not result in increased risk—to human life or damage to property or infrastructure—beyond acceptable limits.

(c) PRIVATE AND PUBLIC COSTS: The economic and social costs, which may arise from damage to property from flooding, should not be exacerbated by proposed development.

(d) FLOOD EFFECTS CAUSED BY DEVELOPMENT ACTIVITY: Development should not detrimentally increase the potential flood effects on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain.

(e) DRAINAGE INFRASTRUCTURE AND CREEK WORKS: Any proposed works on drainage infrastructure or natural creeks, whether or not carried out as flood modification measures, shall:
a. Not cause adverse flooding impacts;
b. Not result in a loss of flood storage;
c. Increase protection of existing and proposed development; and
d. Not have a detrimental impact on the environment.

(f) BUILDING COMPONENTS: Building components and materials likely to be affected by flood waters should be designed, built and installed so as not to be damaged by those floodwaters.

(g) STRUCTURAL SOUNDNESS: The proposed development shall be designed and constructed so that it remains structurally sound for its intended life taking into account all the likely flood events during that lifetime.

(h) STORAGE OF GOODS: Goods that are likely to amplify the damages arising from flood events—including but not limited to pollutants and toxic chemicals—shall be stored so as not to find their way into floodwaters.

(i) FLOOD EMERGENCY RESPONSE: Proposed developments should only be permitted where effective warning time and reliable access is available for evacuation from an area potentially affected by floods to an area free of risk from flooding. Such an area may be within the same building where a shelter-in-place option is appropriate and achievable. The emergency response should be consistent with the Flood Emergency Response Planning for Development in Pittwater Policy where it applies to the land. The proposed development should have procedures in place (such as warning systems, signage or evacuation drills) so that people are aware of the need to evacuate and relocate goods and motor vehicles during a flood and are capable of identifying an appropriate evacuation route.

(j) FLOOR LEVELS: All floor levels within a proposed development shall be set at the required prescriptive level with additional consideration for the following:
a. The passage of flood waters;
b. The purpose for which that floor area is to used;
c. The relationship with the surrounding roadways;
d. The relationship with the existing building if the proposal is an extension; and
e. Surrounding built form and streetscape.

(k) FENCING: Fencing shall be designed and constructed so that it does not impede and/or direct the flow of floodwaters, add debris to floodwaters or increase flood affectation on surrounding land.

1.2 Prescriptive Controls

The prescriptive controls that may be applied to development on flood prone land are listed below. A matrix has been prepared showing which of the controls apply to the various development types and flood risk precincts.

Development Matrix

The following is a summary of the major steps to be followed in applying this part of the DCP:

(a) Determine the Flood Risk Precinct i.e. High Flood Risk Precinct, Medium Flood Risk Precinct and Low Flood Risk Precinct within which the site is situated;
Note: Where a property is located in more than one Precinct, the assessment must consider the controls relevant to each Precinct.

(b) The various land use or development types have been grouped into seven (7) Land Use Categories (refer table 1). Determine the Land Use Category relevant to the proposal.

(c) Check if the proposal will satisfy the prescriptive controls for the relevant land use category in the applicable Flood Risk Precinct (FRP).

(d) If the proposal does not satisfy any one of the applicable prescriptive controls, or where those controls require the preparation of a Flood Management Report, then such a report shall be prepared. The Flood Management Report shall be prepared by a suitably qualified professional and shall outline the identified flood risks relevant to the proposal, indicate the extent of compliance with prescriptive controls and provide a thorough assessment of the appropriateness of the development by reference to each of the performance criteria.

MATRIX 1: Flood Risk Precincts (FRP's)

		High Flood Risk						
		Critical Uses	Vulnerable Uses	Subdivision	Residential	Business & Industrial	Recreational & Environmental	Conce
A	**Flood effects caused by Development**	A1 A3 A4	A1 A3 A4	A1 A3	A1 A3	A1 A3	A2 A3	A2 A3
B	**Drainage Infrastructure & Creek Works**	B1 B2	B1 B2	B1 B2	B1 B2	B1 B2	B1 B2	
C	**Building Components & Structural**	C1 C2 C3	C1 C2 C3		C1 C2 C3	C1 C2 C3	C1 C2 C3	C1 C2 C3
D	**Storage of Goods**	D1 D2	D1 D2		D1 D2	D1 D2	D1 D2	D1 D2
E	**Flood Emergency Response**	E1 E2 E3	E1 E2 E3	E1 E4	E1 E2	E1 E2 E3	E1	E1
F	**Floor Levels**	F2 F3 F7	F2 F3 F7	F5	F1 F2 F3 F6 F8	F2 F2 F3 F6 F8 F10	F2	F2 F3 F6
G	**Car Parking**	G1 G4 G6 G7 G9 G10	G1 G4 G6 G7 G9 G10	G1	G1 G2 G3 G4 G5 G6 G7	G1 G2 G3 G4 G5 G6 G7	G1 G2 G3 G4 G5 G6 G7	G1 G2 G3 G4 G5 G6 G7
H	**Fencing**	H1	H1	H1	H1	H1	H1	H1
I	**Pools**	I1	I1	I1	I1	I1	I1	I1

		Medium Flood Risk						
		Critical Uses	Vulnerable Uses	Subdivision	Residential	Business & Industrial	Recreational & Environmental	Conce

A	**Flood effects caused by Development**	A1 A3 A4	A1 A3 A4	A1 A3	A1 A3	A1 A3	A2 A3	A2 A3
B	**Drainage Infrastructure & Creek Works**	B1 B2	B1 B2	B1 B2	B1 B2	B1 B2	B1 B2	
C	**Building Components & Structural**	C1 C2 C3	C1 C2 C3		C1 C2 C3	C1 C2 C3	C1 C2 C3	C1 C2 C3
D	**Storage of Goods**	D1 D2	D1 D2		D1 D2	D1 D2	D1 D2	D1 D2
E	**Flood Emergency Response**	E1 E2 E3	E1 E2 E3	E1 E4	E1 E2	E1 E2 E3	E1	E1
F	**Floor Levels**	F2 F3 F7	F2 F3 F7	F5	F1 F2 F3 F4 F6 F8 F9	F1 F2 F3 F4 F6 F8 F9 F10 F11	F2	F1 F2 F3 F4 F6 F11
G	**Car Parking**	G1 G4 G6 G7 G9 G10	G1 G4 G6 G7 G9 G10	G1	G1 G2 G3 G5 G6 G7 G8	G1 G2 G3 G4 G5 G6 G7	G1 G2 G3 G4 G5 G6 G7	G1 G2 G3 G4 G5 G6 G7
H	**Fencing**	H1	H1	H1	H1	H1	H1	H1
I	**Pools**	I1	I1	I1	I1	I1	I1	I1

		Low Flood Risk						
		Critical Uses	Vulnerable Uses	Subdivision	Residential	Business & Industrial	Recreational & Environmental	Conce
A	**Flood effects caused by Development**	A2 A3 A4	A2 A3 A4	A2 A3				
B	**Drainage Infrastructure & Creek Works**	B1 B2	B1 B2	B1 B2				
C	**Building Components & Structural**	C1 C2 C3	C1 C2 C3					

D	**Storage of Goods**	D1 D2	D1 D2					
E	**Flood Emergency Response**	E1 E2 E3	E1 E2 E3	E4				
F	**Floor Levels**	F2 F3 F7	F2 F3 F7	F5		F1 F3 F8		
G	**Car Parking**	G2 G6 G7 G9 G10	G2 G6 G7 G9 G10					
H	**Fencing**	H1	H1					
I	**Pools**	I1	I1					

Table 1 Land Use Groups

Critical	**Vulnerable Uses**	**Residential**
Emergency services facility	Child care centre	Boarding house
Hospital	Educational establishment	Dual occupancy
Sewerage system	Home-based child care	Dwelling house
Telecommunications facility (SP2)	Community health service facility	Exhibition home
Public Utility Undertaking (SP2)	Information and education facility	Exhibition village
Electricity generating works	Respite day care centre	Hostel
	Seniors housing	Residential flat building
	Caravan park	Rural worker's dwelling
	Group home	Secondary dwelling
	Residential care facilities	Semi-detached dwelling
	Correctional centre	Multi dwelling housing
	Tourist and visitor accommodation	Shop top housing
		Attached dwelling

Business & industrial		
Animal boarding or training establishment	Boat building and repair facility	Business premises
Camping ground	Car park	Charter and tourism boating facility
Community facility	Crematorium	Depot
Eco-tourist facilities	Entertainment facility	Freight transport facility
Function centre	General industry	Health consulting rooms
Heavy industrial storage establishments□	Highway service centre	Home business
Home occupation	Home occupation (sex services)	Industrial retail outlet
Industrial training facility	Industries	Management facility
Marina	Medical centre	Mortuary

Business & industrial		
Neighbourhood shop	Office premises	Patient transport facilities
Place of public worship	Port facility	Public administration building
Recreation facility (indoor)	Registered club	Research station
Restricted premises	Retail premises	Rural industry
Service station	Sex services premises	Storage premises
Transport depot	Truck depot	Turf farming
Vehicle body repair workshop	Vehicle repair station	Veterinary hospital
Warehouse or distribution centre	Waste disposal facility	Waste water disposal system
Water recreation structure	Water supply system	Wharf or boating facilities
Wholesale supplies		

Recreational and Environmental	Subdivision	Concessional
Aquaculture	Subdivision	Development ancillary to residential development
Boat launching ramp		Occupation/change of use of an existing premises
Boat shed		Demolition
Earthworks		Additions/alterations to residential dwelling
Environmental facility		Additions/alterations to business/industrial buildings
Environmental protection works		Advertising structure
Extensive agriculture		Signage
Extractive industry		
Farm building		
Flood mitigation works		
Forestry		
Horticulture		
Recreation area		
Recreation facility (major)		
Recreation facility (outdoor)		
Road		
Viticulture		

No controls		
Intensive livestock agriculture	Jetty	Tree and/or bushland removal
Intensive plant agriculture	Mooring	Development / subdivision of a sector, buffer area or development site in a release area
Open cut mining	Mooring pen	

A. FLOOD EFFECTS CAUSED BY DEVELOPMENT

A1	Jetty
Intensive plant agriculture	Development (including earthworks and subdivision) shall not be approved unless it can be demonstrated in a Flood Management Report that it complies with the Flood Prone Land Design Standard found on Council's webpage.

A2	Certification shall be provided in accordance with Northern Beaches Council's Standard Hydraulic Certification Form (Forms A and A1 of Northern Beaches Council's Guidelines for preparing a Flood Management Report) to the effect that the works have been designed and can be constructed to adequately address flood risk management issues.
A3	The applicant shall include in their submission, calculations to illustrate that any fill or other structures that reduce the total flood storage are replaced by Compensatory Works.
A4	Development (including earthworks and subdivision) shall not be approved unless it can be demonstrated in a Flood Management Report that it been designed and can be constructed so that in a Probable Maximum Flood event: (a) There are no adverse impacts on flood levels and velocities caused by alterations to the flood conveyance; (b) There are no adverse impacts on surrounding properties; and (c) It is sited to minimise exposure to flood hazard. Where relevant certification shall also be provided in Northern Beaches Council's Standard Certification Form (Forms A and A1 of Northern Beaches

B. DRAINAGE INFRASTRUCTURE AND CREEK WORKS

B1	Flood mitigation works or stormwater devices that modify a major drainage system, stormwater system, natural water course, floodway or flood behaviour within or outside the development site may be permitted subject to demonstration through a Flood Management Report that they comply with the Flood Prone Land Design Standard found on Council's webpage.
B2	A Section 88B notation under the Conveyancing Act 1919 may be required to be placed on the title describing the location and type of flood mitigation works with a requirement for their retention and maintenance.

C. BUILDING COMPONENTS AND STRUCTURAL SOUNDNESS

C1	All buildings shall be designed and constructed as flood compatible buildings in accordance with Reducing Vulnerability of Buildings to Flood Damage: Guidance on Building in Flood Prone Areas, Hawkesbury-Nepean Floodplain Management Steering Committee (2006).
C2	All structures must be designed and constructed to ensure structural integrity up to the Flood Planning Level, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification shall be provided confirming the above. Where shelter-in-place refuge is to be provided the structural integrity is to be to the Probable Maximum Flood level.
C3	All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level. All existing electrical equipment and power points located below the Flood Planning Level must have residual current devices installed that turn off all electricity supply to the property when flood waters are detected.

D. STORAGE OF GOODS

D1	Hazardous or potentially polluting materials shall not be stored below the Flood Planning Level unless adequately protected from floodwaters in accordance with industry standards.
D2	Goods, materials or other products which may be highly susceptible to water damage are to be located/stored above the Flood Planning Level.

E. FLOOD EMERGENCY RESPONSE

E1	Development shall comply with Council's Flood Emergency Response Planning for Development in Pittwater Policy and the outcomes of any Flood Risk Emergency Assessment Report where it applies to the land.

E2	New development must provide an appropriately sized area to safely shelter in place above the Probable Maximum Flood level and appropriate access to this area should be available from all areas within the development.
E3	Adequate Warning Systems, Signage and Exits shall be installed to allow safe and orderly evacuation without reliance upon the SES or other authorised emergency services personnel.
E4	The application shall demonstrate that evacuation/shelter in place in accordance with the requirements of this DCP will be available for any potential development arising from a torrens title subdivision.

F. FLOOR LEVELS

F1	New floor levels within the development shall be at or above, the Flood Planning Level. A reduced Flood Planning Level may be considered only where it is permitted in this Development Control Plan. The structure must be flood proofed (wet or dry) to the Flood Planning Level. This control cannot be applied to critical or vulnerable uses.
F2	All development structures must be designed and constructed so as not to impede the floodway or flood conveyance on the site, as well as ensuring no loss of flood storage in a 1% AEP Event. Where the dwelling is located over a flow path it must be elevated on suspended pier/pile footings such that the level of the underside of all floors including balconies and decks within the flood affected area are at or above, or raised to the Flood Planning Level to allow clear passage of the floodwaters under the building. The development must comply with the Flood Prone Land Design Standard.
F3	Where the lowest floor has been elevated to allow the passage of flood waters, a restriction shall be imposed on the title of the land, pursuant to S88B of the Conveyancing Act confirming that the undercroft area is not to be enclosed.
F4	A one- off addition or alteration below the Flood Planning Level of less than 30 square metres or an increase of less than 10% of the ground floor area (whichever is the lesser) for residential development may be considered only where: (a) it is an extension to an existing room (b) the Flood Planning Level is incompatible with the floor levels of the existing room This control will not be permitted if this provision has previously been utilised since the making of this Plan. The structure must be flood proofed to the Flood Planning Level.
F5	The applicant must demonstrate that future development following a subdivision proposal can be undertaken in accordance with this Control.
F6	Any existing floor level may be retained below the Flood Planning Level when undertaking a first floor addition provided that: (a) it is not located within a floodway; (b) there is no increase to the building footprint below the Flood Planning Level; (c) it is flood proofed to the Flood Planning Level;
F7	All floor levels within the development shall be at or above the Probable Maximum Flood level or Flood Planning Level whichever is higher.
F8	The minimum floor level of any first floor additions shall be at or above the Probable Maximum Flood Level.
F9	Foyers – consideration may be given to a minimum floor level of a foyer being set at the 5% AEP flood level, provided it can be demonstrated that it complies with the Flood Prone Land Design Standard.
F10	Consideration may be given to a minimum floor level for the first 5 metres from the street front of new development in business zonings below the Flood Planning Level provided it can be demonstrated that it complies with the Flood Prone Land Design Standard.

F11	A one-off addition or alteration below the Flood Planning Level of less than 100 square metres or an increase of less than 10% of the ground floor area (whichever is the lesser) for non-residential development may be considered only where the required floor level cannot be achieved for the following reason: (a) it would be incompatible with floor levels of the existing building This control will not be considered if the existing floor level of the additions/alterations are located within a high hydraulic hazard area. This control will not be permitted if this provision has previously been utilised since the making of this Plan. Any features of the additions or alterations on the floor level must be flood proofed to the Flood Planning Level

G. CAR PARKING

G1	Open carpark areas and carports shall not be located within a floodway.
G2	The lowest floor level of open carparks and carports (unroofed or with open sides) shall be constructed no lower than the natural ground levels.
G3	All enclosed car parks must be protected from inundation up to the relevant flood planning level. For example, basement carparks must be provided with a crest at the entrance, the crest of which is at the relevant Flood Planning Level. All access, ventilation and any other potential water entry points to any enclosed car parking shall be above the relevant Flood Planning Level. Council will not accept any options that rely on electrical, mechanical or manual exclusion of the floodwaters from entering the enclosed carpark
G4	Vehicle barriers or restraints are to be provided to prevent floating vehicles leaving the site where there is more than 300mm depth of flooding in a 1% AEP flood event. The minimum height of the vehicle barriers or restraints must be at or above the Flood planning Level. Vehicle barriers or restraints must comply with the Flood Prone Land Design Standard.
G5	Enclosed Garages must be located at or above the 1% AEP level
G6	Carports must comply with the Flood Prone Land Design Standard
G7	Where a driveway is required to be raised it must be demonstrated that there is no loss to flood stage in the 1% AEP flood event and no impact on flood conveyance through the site
G8	Multi Dwelling Housing and Shop Top Housing residential carparking – consideration may be given to a minimum floor level for open or covered carparking being set at the 5% AEP flood level, provided it can be demonstrated that it complies with the Flood Prone Land Design Standard.
G9	All enclosed car parks must be protected from inundation up to the Probable Maximum Flood level or Flood Planning Level whichever is higher. For example, basement carparks must be provided with a crest at the entrance, the crest of which is at the relevant Probable Maximum Flood level or Flood Planning Level whichever is higher. All access, ventilation and any other potential water entry points to any enclosed car parking shall be above the relevant Probable Maximum Flood level or Flood Planning Level whichever is higher.
G10	Enclosed Garages must be located at or above the Probable Maximum Flood Level or Flood Planning Level whichever is higher.

H. FENCING

H1	Fencing, including pool fencing, shall be designed so as not to impede the flow of flood waters and not to increase flood affectation on surrounding land. Appropriate fencing must comply with the Flood Prone Land Design Standard in addition to other regulatory requirements of pool fencing.

I. POOLS

I1	Pools located within the 1% AEP flood extent are to be in-ground, with coping flush with natural ground level. Where it is not possible to have pool coping flush with natural ground level, it must be demonstrated that the development will result in no net loss of flood storage and no impact on flood conveyance on or from the site. All electrical equipment associated with the pool (including pool pumps) is to be waterproofed and/or located at or above the Flood Planning Level. All chemicals associated with the pool are to be stored at or above the flood planning level.

Note

Applications must demonstrate compliance with the following references:
- *Flood Prone Land Design Standard*
- *Flood Risk Management Policy*

Part F Zones and Sensitive Areas

F1 Local and Neighbourhood Centres

Applies to Land
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.

Objectives
• To encourage good design and innovative architecture.
• To provide a safe and comfortable environment for pedestrians.
• To provide a range of small-scale shops and business uses at street level with offices or low-rise shop-top housing to create places with a village-like atmosphere.
• To enhance the established scale and pattern of development and the continuity of existing streetscapes.
• To enhance the public domain.
• To increase adaptability, environmental performance and amenity of buildings.

Requirements
1. Buildings are to define the streets and public spaces and create environments that are appropriate to the human scale as well as being interesting, safe and comfortable.
2. The minimum floor to ceiling height for buildings is to be 3.0 metres for ground floor levels and 2.7 metres for upper storeys.
3. The design and arrangement of buildings are to recognise and preserve existing significant public views.
4. Development that adjoins residential land is not to reduce amenity enjoyed by adjoining residents.
5. The built form of development in the local or neighbourhood retail centre is to provide a transition to adjacent residential development, including reasonable setbacks from side and rear boundaries, particularly above ground floor level.
6. Buildings greater than 2 storeys are to be designed so that the massing is substantially reduced on the top floors and stepped back from the street front to reduce bulk and ensure that new development does not dominate existing buildings and public spaces.
7. Applicants are to demonstrate how the following significant considerations meet the objectives of this control:
   • Scale and proportion of the façade;
   • Pattern of openings;
   • Ratio of solid walls to voids and windows;
   • Parapet and/or building heights and alignments;
   • Height of individual floors in relation to adjoining buildings;
   • Materials, textures and colours; and
   • Architectural style and façade detailing including window and balcony details
8. Footpath awnings should be designed to allow for street tree planting.
9. Awnings should be consistent in design, materials, scale and overhang with adjacent retail

developments.
10. Awnings should have an adequate clearance from the kerb.
11. **Manly Vale**
Condamine Street will be enhanced by ensuring the design of buildings and use of land maintains activity at street level and creates a cohesive and attractive streetscape. Vehicle access will be provided from streets other than Condamine Street.
12. **Forestville**
At Forestville the pedestrian Mall will continue to be the focus of retail activity. The centre will be developed as a lively neighbourhood centre incorporating a mix of retail, commercial, housing and community uses. Future retail development will address the Mall and its entrances and pedestrian access to retail facilities will be obtained from these places.
The established pattern of small shop front development will be maintained by ensuring building facades are broken into distinct vertical segments. Solar access will be maintained by ensuring buildings greater than 2 storeys in height are set back appropriately and the safety of the Mall will be enhanced by the development of shop top housing. New development will be compatible with the character of existing development, incorporating roof pitch and face brick construction.
Vehicle access from Warringah Road will be replaced with new access from Starkey and Darley Streets. A pedestrian access will be established and maintained between the Mall and a bus stop along Warringah Road.
Site amalgamation will be encouraged to facilitate redevelopment and enable all car parking to be provided below ground or behind buildings using shared driveways where possible.
13. **The Strand, Dee Why**
Ground floor premises along The Strand, Dee Why will be characterised by restaurants, cafes, shops and leisure-related uses that create active building fronts and contribute to the life of the streets. Housing will characterise upper floors.

Despite Requirement 2, the minimum floor to ceiling height for buildings on land zoned B2 Local Centre at The Strand, Dee Why, is to be 3.6 metres for ground floor levels and 2.7 metres for upper storeys.

The interrelationship between the beach and park and development along The Strand is an important aspect of the character of the area. The design of buildings and shopfronts will have a strong complementary relationship to their beach and parkland setting and help create comfortable, interesting and safe pedestrian environments. Outdoor eating areas in particular will be encouraged.

Above the second storey, buildings will step back from The Strand, Oaks and Howard Avenues and Dee Why Parade and building height will be restricted to maintain solar access to the parklands and ensure the scale of buildings does not dominate public spaces or views from the park or beach.

The corners of Howard Avenue and The Strand, however, are to be strongly defined by virtue of building height and design. Vehicular access for the purposes of servicing at the rear of commercial premises along The Strand needs to be retained.
14. **Pittwater Road, Collaroy**

Buildings greater than 2 storeys in height within the centre are to be designed so that the massing is substantially reduced on the top floors thereby reducing the visual bulk of the development and enabling views between buildings.

15. **Forestway Shops**
(a) At Forestway Shops, expansion or alteration to the existing approved buildings is to address the relationship of the development with the adjoining residential area and pedestrian and vehicular access and circulation.
(b) Parking and access arrangements are to minimize conflicts between pedestrians and vehicles. Additional vehicular access from streets other than Forest Way is preferred.

F2 Brookvale Brickworks

Applies to Land

This control applies to land known as the Brookvale Brickworks (Lots 11 and 12 in DP 1101677).

Requirements

1. Greendale Creek is not to be piped or channelled where it passes through the Brookvale Brickworks.
2. Development including driveways and paths is to be set back a minimum of 20 metres from the top of the bank of Greendale Creek. This area is to consist of a mixture of native trees, shrubs and groundcovers.
3. Pedestrian access may be provided in the form of a pathway along the alignment of the Creek.
4. An area of communal open space is to be provided which is central to the development and which incorporates information that interprets the significance of the site and a restored building element which relates strongly to the brick making processes once operating on the site.

F3 SP1 Special Activities

Land in the SP1 zone will continue to be used for the special uses identified in the links below. Further development of land will generally need to be sympathetic to the scale and amenity of surrounding development, particularly adjacent to residential zones. The natural landscape will be protected and enhanced and development should not create buildings which dominate long distance views of the area.

Sports Centre, Wakehurst Parkway, Narrabeen

The land will retain its existing bushland character. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and The Wakehurst Parkway. The natural landscape, including landforms and vegetation, will be protected and enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings will be designed to blend with the colours and textures of the surrounding landscape.

A dense bushland layer will be retained or established along Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape and/or adjoining land.

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

The multi-use trail around Narrabeen Lagoon will be maintained for the recreational use of the general public.

War Veterans Village, Narrabeen

The War Veterans site will continue to provide housing for older people and associated uses to meet the needs of residents within the locality.

Future development will respond to the visual prominence of this site by keeping buildings below the predominant tree line when viewed from the Narrabeen Lagoon viewing catchment. Articulated building forms, landscaping and colours will combine to break up apparent building mass and reduce the impact of new development on long distance views of the locality. Landscaping and the redevelopment of existing buildings so that their visual presence in the Narrabeen Lagoon viewing catchment is reduced will be strongly encouraged.

The scale and height of development along Veterans Parade and Lantana Avenue will be consistent with the adjacent established residential development and buildings are to address the street. New buildings will be grouped in areas that will minimise disturbance of vegetation and landforms. Bushfire hazard reduction measures and stormwater detention required as a result of development will be contained within the site.

Visually and ecologically significant vegetation species and communities and significant natural landforms will be preserved in their natural state.

Defence Land, South Creek Road, Collaroy

Future development will be sympathetic to the pattern, scale and landscape character of surrounding residential development. Buildings will be sited and designed to ensure that existing and future residential amenity is maintained or improved. The spread of indigenous tree canopy will be enhanced where possible and natural landscape features such as rock outcrops and remnant bushland preserved.

Salvation Army Centre (Senior's Housing and Function Centre), Collaroy

The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland, will be preserved. Buildings must be designed to integrate with the natural landscape and topography and minimise their visual impact when viewed from afar. The existing bushland on the northern and western portions of the site will be preserved.

Health Services Facility, Collaroy

Future development of Lot 202 and DP1100018 (known as the Old Collaroy Hospital Site) at Collaroy will be sympathetic to the pattern, scale and landscape character of the street and surrounding development. Buildings will be sited and designed to ensure that the existing and future residential amenity for neighbouring properties is maintained or enhanced.

Facilities for People with a Disability, Allambie Heights

The site is characterised by various buildings and associated car parking areas interspersed by landscaping and occasional remnant bushland. Development is to be sited and designed to ensure impacts upon the nearby residential areas are minimised.

Future development will ensure that the relationship of the site with district bushland is reinforced by protecting and enhancing the spread of indigenous tree canopy and preserving the natural landscape, including rock outcrops and remnant bushland. New landscaping works are to comprise predominantly locally indigenous species.

Development is to be designed to ensure that long distance views of the land are not dominated by the built form. The texture, colour and design of new development is to complement the existing bushland within and around the land.

Development is not to compromise the viability of threatened or potentially threatened species populations or habitats. Potential “edge effects” of development on these species, communities, populations and/or habitats are to be minimised and managed.

Development is to include measures to minimise the potential adverse impacts upon the water quality of the Manly Dam. Existing creeks and natural watercourses are to remain undeveloped and are to include a riparian buffer zone comprising appropriate vegetation.

Hydraulics Laboratory (Research Station), King Street, Manly Vale

Substantial regional parklands and bushland are in close proximity to this site. Future development will recognise the relationship of the land to the surrounding bushland and will reinforce this by protecting and enhancing the spread of indigenous tree canopy and preserving remnants of the natural landscape such as rock outcrops, bushland and watercourses.

The use of materials that blend with the colours and textures of the natural landscape will be encouraged. Development on hillsides will integrate with the natural landscape and topography.

Cemetery, Hakea Avenue, French’s Forest

Future development should conserve existing vegetation, particularly bushland. This will be reinforced by protecting and enhancing the spread of indigenous tree canopy and preserving the natural landscape, including rock outcrops and remnant bushland. New landscaping works are to comprise predominantly endemic species. The scale of buildings should complement surrounding properties. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.

F4 SP2 Infrastructure Zone

Kimbriki Recycling and Waste Disposal Centre (Waste or Resource Management Facility), Ingleside

This area will continue to provide the core business functions of a Waste or Resource Management Facility.

The land will be managed appropriately to avoid adverse impacts on Deep Creek and its catchment.

Bare Creek (Waste or Resource Management Facility), Belrose

This land will continue to be used for general waste disposal, including landfill and recycling. Over time the landfill will be phased out and the area rehabilitated. The waste facility including waste transfer, recycling and processing operations will continue to operate. Future development will be integrated with the landscape and topography and be visually unobtrusive. The use of materials that blend with the colours and textures of the natural landscape will be encouraged. The relationship of the land with the surrounding bushland will be reinforced by incorporating locally indigenous plant species in future development.

Part G Special Area Controls

Note

This part of the DCP covers development control in specific parts of Warringah. Part B Built Form Controls does not apply to land described in Part G Special Area Controls. All other parts of the DCP apply to land described in Part G Special Area Controls. In the event of any conflict between this part and other parts of the DCP, the provisions of this part shall prevail in relation to the identified areas.

Notes

Part G1 Dee Why Town Centre

1 Introduction

Applies to Land

This part applies to land identified in the B4 Mixed Use Zone under Warringah Local Environmental Plan 2011 (WLEP 2011) and known as the Dee Why Town Centre, as shown in Figure 1.

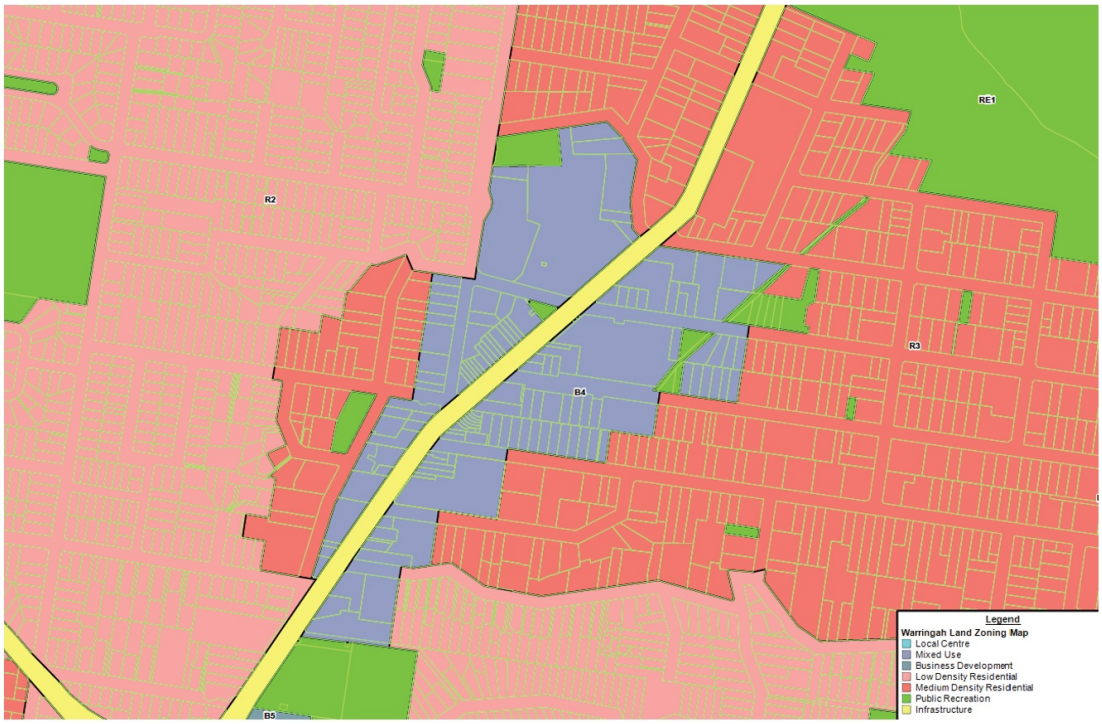


Figure 1 - Dee Why Town Centre B4 Mixed Use Zone

Objectives – Dee Why Town Centre DCP

- To deliver the Dee Why Town Centre Masterplan's (2013) aims and objectives.
- To implement the priorities and actions of the Metropolis of Three Cities and North District Plan.
- To detail specific requirements for Key Sites.
- To cluster taller buildings around the Town Square (Key Site B) with an appropriate transition of height down to the edges of the Dee Why Town Centre.
- To deliver an attractive, vibrant and safe and accessible centre.
- To encourage site amalgamation.

Note

- *Part B Built Form Controls does not apply to land zoned B4 Mixed Use within the Dee Why Town Centre. All other parts of the DCP apply to the land identified within the Dee Why Town Centre.*
- *In the event of any conflict between Part G1 Dee Why Town Centre and other parts of the DCP, the provisions of Part G1 shall prevail.*
- *If there is any inconsistency between WDCP 2011 and the WLEP 2011, the WLEP 2011 shall prevail.*

2 About the Dee Why Town Centre

The Dee Why Town Centre is located within the Brookvale-Dee Why Strategic Centre as identified in the Greater Sydney Commission's Regional Plan - A Metropolis of Three Cities and North District Plan. This Strategic Centre is recognised for providing the greatest number of jobs in the Northern Beaches and is unique by virtue of spanning across two suburbs.

In 2013, Council adopted the Dee Why Town Centre Masterplan to set out the vision, desired built form and public domain improvements required to rejuvenate the Dee Why Town Centre. The Dee Why Town Centre Masterplan incorporates findings from previous studies, detailed urban design analysis and the outcomes of a comprehensive community and stakeholder consultation.

The Dee Why Town Centre Masterplan provides the strategic planning framework and context for this section of the DCP. In addition, these DCP provisions aim to address actions identified in the 2018 North District Plan.

3 Desired Character for the Dee Why Town Centre

The Dee Why Town Centre will be characterised by community, retail, commercial and residential uses.

The vision for Dee Why Town Centre identified in the 2013 Masterplan is as follows:

> *"Dee Why will be home to a thriving cosmopolitan community who cherish their past, celebrate its unique and engaging vibe and embrace its bold commitment to urban sustainability. It will be a place of both energy and refuge, a city at the beach, with a distinctive modern urban identity."*

The North District Plan 2018 identifies Dee Why Town Centre as a mixed-use area that offers a vibrant local night-time economy. It outlines actions that are interpreted as objectives within this section of the DCP.

The desired character for the Dee Why Town Centre is further defined by objectives within this Development Control Plan.

4 Streetscape and Public Domain

This section details design requirements for places accessible to the public, being either on public land or as part publicly accessible areas of a private development. This includes building frontages addressing the street, awnings over footpaths, pedestrian access ways and open spaces.

It also includes requirements for the provision of new public infrastructure on Key Sites shown in Figure 2, including:

- Key Site A – New Road
- Key Site C – New Road
- Key Site D – Road Corner Widening
- Key Site E – New Shared Pathway and Pedestrian Accessway

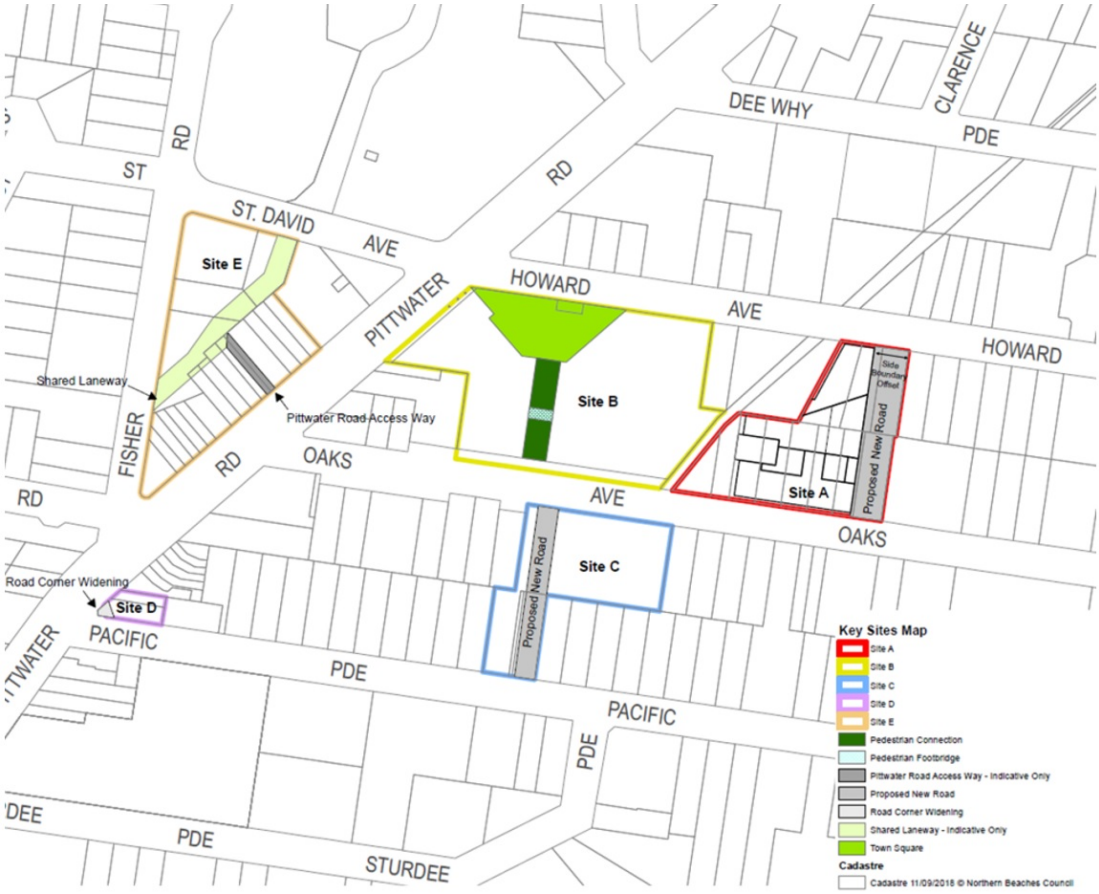


Figure 2 - Key Sites Map indicating public domain upgrades

Objectives

- Prioritise pedestrian, cycling and public transport users.
- Improve access for people of all ages and abilities.
- Ensure high levels of amenity addressing landscape and street tree planting, weather protection, circulation and seating.
- Provide spaces for people to meet, walk and feel safe.
- Integrate the management of stormwater and floodwater.
- Maximise opportunities for landscaping.
- Encourage public art.
- Activate the public domain and create lively, attractive public spaces.
- Create a system of new and improved connected public spaces.

Requirements – General

1. The public domain must be designed:
    a. In accordance with the Warringah Public Spaces Design Guidelines or updated Policy and relevant Australian Standards;
    b. To address Crime Prevention Through Environmental Design;
    c. To incorporate spaces for outdoor seating and dining;
    d. To address disability access;
    e. Be suitably treated with paving, seating and landscaping;
    f. Integrate stormwater and floodwater management;
    g. Include canopy tree planting to provide shade, improve visual amenity, reduce the urban heat island effect and create a pleasant environment for pedestrians and cyclists.

Requirements – Public Art

1. Public art:
    a. Is encouraged on all sites;
    b. Is required in public and civic buildings and Key Sites;
    c. Is to be located so art can be appreciated from streets and public spaces (e.g. in public foyer visible from the street, in the design of building façades or roof features or in the delivery of public domain upgrades).

Requirements – Pedestrian Connections

1. New developments must contribute to an interconnected and co-ordinated network of footpaths providing easy and convenient access to key locations and destinations.
2. Pedestrian connections must be designed to:
    a. Be accessible and safe
    b. Reduce conflicts between pedestrians and other transport modes
    c. Improve safety for pedestrians in high-risk zones (e.g. vehicle crossovers, public car parks).
    d. Improve pedestrian crossing opportunities
3. Publicly accessible through-site links are encouraged to facilitate pedestrian movements away from vehicles.

Requirements – Kerb Setbacks

1. Development is to maintain minimum front building setbacks from the kerb as outlined in Figure 3.
2. High quality facades must be provided and include modulation, articulation and may include planting on structures to create visual interest and contribute to the character of the area.

Figure 3 – Minimum setbacks from the kerb

Requirements – Awnings

1. Awnings must form an integral part of the architecture of the building and be designed:
    a. Along the full extent of the street frontage of the building. ;
    b. At a height to ensure suitable weather protection, having regard to site orientation. ;
    c. At a height that ensures continuity in appearance with adjacent awnings and to relate to any distinctive features of the building;
    d. To ensure:
        i. Any lighting fixtures are recessed into the awning;
        ii. All wiring and conduits are concealed;
    e. To have a minimum width of 2.5 metres;
    f. To provide minimum setbacks of:
        i. 1 metre from the face of the kerb to accommodate utility poles and vehicles in the kerbside lane;
        ii. 1.5 metres from the face of the kerb to accommodate existing and proposed street trees;

g. With a fascia depth not exceeding 700mm, with the preferred depth less than 350mm;
h. To be cantilevered and non-trafficable;
i. To be reflective of the topography of the land;
j. To slope away from the kerb to conceal gutters and downpipes
k. To be integrated within the building front façade;
l. To integrate with adjoining developments.

2. Cut out segments in awnings are not acceptable.

Requirements – Colonnades

1. Colonnades are generally not permitted. However, the consent authority may allow colonnades where:
   a. They are open and allow views of retail frontages;
   b. They do not separate street frontage activity from the street;
   c. They provide a high level of visual and physical access to shopfronts;
   d. They provide adequate weather protection.
   e. They provide a sunlit environment for active pedestrian use including outdoor dining.

Requirements – Retail Activation

1. Active uses must be provided adjacent to the public domain, including streets, open space, pedestrian accessways and laneways.
2. Active frontages are to contribute to the liveliness and vitality of the area by maximising entries or display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction and casual surveillance of the public domain.
3. Large retail tenancies are to be bound by smaller retail tenancies to reduce continuous frontages of the same tenancy to the public domain (refer Figure 4).
4. Internalised, enclosed shopping malls are discouraged.
5. Where possible, retail premises and food and drink premises are to open onto the public domain.
6. Active frontages are to maximise transparent glazing with a predominantly unobstructed view from the adjacent footpath to a depth of 6m within the building.
7. Security grills, where provided, are to be fitted internally behind the shop front, fully retractable and at least 50% transparent when closed.
8. Except where required by flood planning level provisions, ground floor uses are to be at the same level as the footpath at the entry to the individual tenancies.

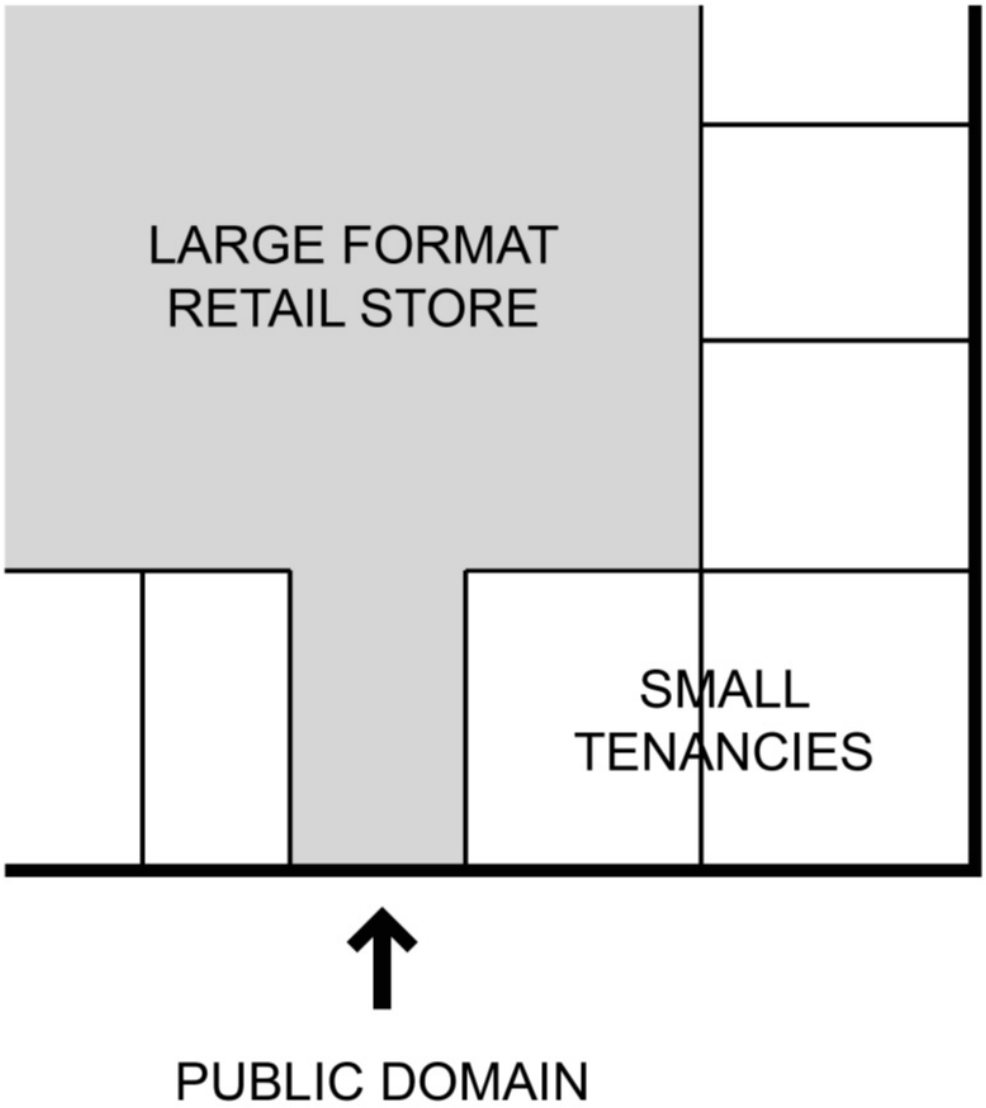


Figure 4 - Screening to large format retail area

5 Design and Architectural Diversity

Objectives

- To achieve architectural diversity and interest in the architectural character of the neighbourhood.
- To ensure that each building contributes to the design quality of Dee Why Town Centre through innovative architecture and landscaping.
- To provide solar access to the ground level and reduce the appearance of building bulk from the public domain.
- To provide a mix of dwellings to cater for the needs of the resident population and to encourage a diverse population.
- To allow dwelling adaptation that that meets the changing needs of people.

Requirements – Architectural Design

1. New developments must be designed to avoid the use of blank walls fronting streets and the public domain. In circumstances where blank walls are unavoidable, they are to be designed in a manner that is consistent with the overall building form that contributes to the public domain and create visual interest.
2. Corner sites must:
    a. Adequately address both street frontages;
    b. Combine architectural features, materials and landscape design to define corners.

Requirements –Housing

1. Housing in new developments must provide for a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 20 percent of 3 bedroom dwellings must be provided.

2. A mix of one and three bedroom apartments are to be located where accessibility is more easily achieved for disabled, elderly people or families with children.
3. Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline silver level universal design features.
4. Where a development comprises at least 5 dwellings, 10% (rounded up to the next whole number) of dwellings shall be capable of being adapted (Class C) under AS 4299. .

Note

Evidence of compliance with the Adaptable Housing Class C requirements of Australian Standard (AS) 4299 shall be submitted when lodging a development application to Council and certified by an experienced and qualified building professional (e.g. Architect or Accredited Building Certifier).

Requirements – Tower Setbacks

1. Development is to maintain minimum tower setbacks from the kerb as outlined in Figure 5.
2. An exception to the tower setbacks can be provided on building corners where they are given visual prominence through a change in articulation, materials or colour or roof expression.

Figure 5 – Tower setbacks from the kerb

6 Site amalgamation

Objectives

- To avoid the isolation of small sites which may result in poor built form outcomes and inability for such sites to be developed to their potential.

Requirements

1. Development should not result in the isolation of land adjacent to the development site, preventing the reasonable development of that land.
2. Development that would result in an isolated lot must be supported by documentary evidence to demonstrate that a genuine and reasonable attempt has been made to purchase an isolated lot adjacent to the development site, based on a fair market value. This is to include at least one recent independent valuation by a licensed valuer and a written offer to cover reasonable expenses likely to be incurred by the owner of the isolated lot during the sale of the property.
3. Where amalgamation of an isolated lot adjacent to the development site is not feasible, applicants will be required to:
    a. Demonstrate that an orderly and economic use and development of the separate sites can be achieved;
    b. Provide a building envelope for the adjacent isolated lot, indicating height, setbacks, resultant site coverage (building and basement), sufficient to understand the relationship between the application and the adjacent isolated lot;
    c. Detail the likely impacts of development on the adjacent isolated lot in terms of solar access, visual privacy, building separation, streetscape and vehicular access.

7 Traffic and Parking

Objectives

- To encourage walking, cycling, public transport and car sharing.
- To encourage integrated basement car parking areas with shared access in suitable locations.
- To reduce overall building bulk and scale (particularly within podiums) by locating parking underground.
- To ensure the security of residential parking areas in mixed use developments.

Requirements – General

1. Site amalgamation is encouraged to enable integrated carparking and service provision using shared driveways where possible.

2. New developments are to be accompanied by a service delivery and loading dock plan.
3. Car parking and vehicle access points shall incorporate the following design elements:
    a. Recessed car park entries from the main building facade alignment;
    b. Avoidance of large voids in the facade by providing security doors or decorative grills to car park entry;
    c. Returning the facade finishes into the car park entry recess for the extent visible from the street;
    d. Concealing all services, pipes and ducts.
4. Parking should be:
    a. Provided underground;
    b. Designed and located to optimise deep soil planting.
5. Walking routes through large car parks are to be clearly delineated with appropriate markings, pedestrian crossings and signposting.
6. Car parking areas should be designed and constructed so that electric vehicle charging points are either installed with the development or can be installed at a later time.
    a. New retail, commercial or mixed use development, with a cost of works equal to or greater than $5 million, must include publically available electric vehicle charging points at the following rate:
        i. 1 charge point per 30 spaces, and
        ii. a minimum of 2 charging points being provided.
    b. Car parking areas should be designed and constructed so that additional electric vehicle charging points can be installed.
7. Security arrangements must be in place to ensure residential car parking areas cannot be accessed by the public (e.g. retail parking to be separated from residential parking by security shutters).

Note

All development applications for new buildings are to be accompanied by a detailed traffic and parking impact assessment prepared by a suitably qualified traffic consultant. The analysis shall confirm any impacts upon road network performance and propose measures to manage and mitigate those impacts. For developments determined by Council as being likely to have a significant level of traffic impact Council may require the developer to update Council's Aimsun traffic modelling to model the impact of the development on the broader traffic network during peak traffic periods and to model the benefits of any proposed mitigation measures.

8 Car Share

Objectives

- To provide off-street parking opportunities for car share.
- To reduce the reliance on private car ownership.
- To reduce traffic impacts and pressure on street parking.
- To support the reduction of car trips and encourage the use of sustainable transport.
- To facilitate public use of car share vehicles.

Requirements – General

1. For properties with more than 25 dwellings, one (1) car share space must be provided per 25 dwellings with each car share space replacing one (1) regular car parking space.
2. Where the proposed number of car share spaces exceed the above minimum, Council may consider reduced private parking, where suitable evidence and justification is provided to Council of the benefits to the road network.
3. Development Applications proposing car share spaces must be accompanied by:
    a. Clearly marked plans identifying the location of all car share parking spaces;
    b. Written evidence demonstrating that offers of a car share space have been made to providers together with the outcome of the offers or a letter of commitment to the service. Letters of commitment must demonstrate the operator's intentions and method of management of the car share space(s).
4. All car share spaces are to be located and designed as follows:

a. Accessible 24 hours a day, seven days a week by any member of the car share provider, and by employees or contractor of the car share operator in order to clean, detail or service the car;
b. In front of boom gates where feasible;
c. In the first level of the basement car park;
d. In a separate location to where other, assigned / subdivided car spaces are provided;
e. Where security arrangements are not required or are simple to follow (and where customers can use me same mechanism that they use to get into the vehicle);
f. In a well-lit part of the site;
g. A short distance from an entry point, lift or staircase;
h. In a standard car space where manoeuvring in and out of the space is limited to no more than three movements;
i. On common property managed by the Owners' Corporation;
j. Minimum height clearance of 2.2 m to allow a cleaning van to enter, manoeuver and exit;
k. With access to mobile data and GPS reception;
l. With markings for exclusive use of the car share vehicle.

5. Car share spaces located on private land are to be retained as common property by the Owners Corporation of the site and not to be sold or leased to an individual owner or occupier at any time.

Council will place a condition of consent that the provision of 'car share services' must be actively in place prior to the provision of an Occupation Certificate.

Definitions

Car share – is a self-service car rental scheme for short periods of time, typically on an hourly basis. For the purposes of this DCP 'car share' refers to commercial car share operations.

Car share space – means a parking space dedicated for use by a commercial car share operator.

9 Sustainability

Objectives

- To supplement controls contained within Part D22 Conservation of Energy and Water.
- To ensure substantial new developments incorporate best practice sustainability.
- To establish benchmarks for building rating scheme compliance.

Requirements – General

1. New development with a cost of works equal to or greater than $5 Million must achieve a minimum 4 Star, Green Star – Design and As Built rating in the Green Building Council of Australia rating system.

;

2. Compliance with another rating tool may be considered by Council, so long as it can be demonstrated this tool:
   a. Is a holistic third party certifying green building rating system covering at least energy, indoor environmental quality, water, transport and waste;
   b. Awards ratings following a review by impartial third-party certifying bodies that meet the 'Principles for Inspiring Confidence' outlined in the international standard ISO/IEC 17021.

Note

Green Star is a sustainability rating system by the Green Building Council of Australia. Green Star – Design and As Built, Interiors and Communities projects can achieve a Green Star certification of 4 to 6 Star Green Stars. The Green Star rating system is:

- *4 Green Star: Best Practice*
- *5 Green Star: Australian Excellence*
- *6 Green Star: World Leadership*

10 Water Sensitive Urban Design (WSUD)

Objectives

- To integrate water sensitive urban design features in the built environment.
- To improve stormwater quality.
- To provide increased biodiversity, amenity and micro-climate benefits which can reduce the heat island effect.

Requirements – General

1. A water sensitive urban design (WSUD) Strategy shall be prepared for all new buildings. The Strategy shall demonstrate compliance with WSUD objectives of this DCP and with Council's Water Management Policy (PL 850). The Strategy must be prepared by a Civil Engineer, who has membership to the Institution of Engineers Australia (NPER-3). The Strategy shall include the following:

a. Proposed development – Describe the proposed development at the site, including site boundaries and proposed land uses;

b. Catchment analysis plan – Clearly showing the surface type (roof, road, landscape, forest etc) and the total areas. This must be consistent with the land use nodes within the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) Model;

c. Stormwater quality requirements – Demonstrate how Stormwater Quality Requirements of the Water Management Policy will be met, including the location, size and configuration of stormwater treatment measures proposed for the development;

d. MUSIC model - Prepared in accordance with the draft NSW MUSIC Modelling Guidelines unless alternative modelling parameters are justified based on local studies. Details of the modelling of those elements, parameters and assumptions used. All MUSIC data files must be provided to Council. Two models are required to be submitted – the existing site, and the proposed development. The modelling should demonstrate a neutral or beneficial effect over the existing scenario;

e. Integration with the urban design – Identify how the treatment measures will integrate with the development layout and the surrounding area. Proprietary devices in isolation to WSUD features are unlikely to be approved.

11 Landscaping

Objectives

• To integrate landscaping into development and the built environment as envisaged by the NSW Government's Greener Places Policy.
• To provide for the protection of existing and provision of new trees, shrubs and ground-covers in the public and private realm.
• To reduce the dominance of built form in the streetscape.
• To enhance the urban forest and reduce the urban heat island effect.
• Protection of existing and provision of new landscaping at ground and above ground levels by all new developments and public domain improvements.

Requirements – General

1. Where possible, existing trees should be retained, particularly where they are adjacent to the public domain.
2. A minimum of 20% of the site area is to be provided as landscaped area, which may be located on balconies, ground, podium and roof top levels or green walls of buildings.
3. Facades at the street level may incorporate planting on structures to enhance views from the public domain.
4. Where green walls are provided, they must be via a cladding structure with growing medium to facilitate extensive plant growth.

Definitions

Landscaped area - means a part of a site used for growing plants, grasses and trees, but does not include any hard paved area.

Planting on structures – means the incorporation of design solutions to contribute to the quality

and amenity of communal and public open spaces, for example with green walls, green roofs, planter boxes (see Objective 4P-3 of the Apartment Design Guide).

12 Key Sites

Applies to Land

Land identified in the Key Sites map (Figure 2).

Objectives

- To facilitate the delivery of public domain infrastructure for Key Sites C, D & E.
- To detail the proposed conditions under which additional building heights and/or floor space ratios will be considered in exchange for public benefits.
- To ensure that publicly accessible open space is integrated with private development.
- To restrict vehicular access from arterial roads to optimise traffic flow and pedestrian safety.
- To ensure that the significance of nearby heritage items are identified and retained.

Requirements – Key Site A

1. The new pedestrian/vehicular roadway must be 20 metres wide and designed to accommodate:
    a. 2 x 3.5m wide traffic lanes, one in each direction;
    b. 2 x 2.5m wide parking lanes;
    c. Parking/standing facilities for wedding and funeral vehicles adjacent to St Kevins Church;
    d. 2 x 4m wide footpaths or provision of both a footpath and shared path;
    e. Roundabouts at both intersections with Oaks Avenue and Howard Avenue.
2. The new building must be designed to:
    a. Respect the heritage significance of adjoining heritage items;
    b. Address the main street frontages and new roadway;
    c. Provide spaces between buildings to add interest to the skyline, reduce the mass of development and facilitate the sharing of views and sunlight.

Requirements - Key Site C

3. The bonus development provisions outlined in WLEP 2011 for Key Site C are subject to the construction and dedication to Council of a new shared pedestrian/vehicular roadway mid-block between Oaks Avenue and Pacific Parade, in accordance with the Key Sites Map within WLEP 2011.
    a. Maximum building heights:
        i. 46m for land fronting Oaks Avenue (refer to building heights map);
        ii. 16m for land fronting Pacific Parade.
    b. Maximum floor space ratio of 3.6:1.
5. The new pedestrian/vehicular roadway must be 15 metres wide and designed to accommodate:
    a. Parking lane/s;
    b. Adequate space for pedestrians, cyclists and outdoor seating and dining;
    c. Priority controlled intersections at Oaks Avenue and Pacific Parade.

Requirements - Key Site D

1. The bonus development provisions outlined in WLEP 2011 for Key Site D are subject to the provision and dedication of an additional bus turning lane on the corner of Pittwater Road and Pacific Parade, in accordance with the Key Sites Map within WLEP 2011.
    a. Allow the development to exceed the maximum floor space ratio by 240m2.
2. The bus turning lane must be designed to facilitate bus and other heavy vehicle movements turning left from Pittwater Road into Pacific Parade.

Requirements - Key Site E

1. The bonus development provisions outlined in WLEP 2011 for Key Site E are subject to the provision of a publicly accessible through site shared pedestrian /vehicular link,

landscaped open space areas and other pedestrian connections to Pittwater Road , in accordance with the Key Sites Map within WLEP 2011:

a. Maximum building heights:

i. 49 metres for land fronting Pittwater Road;

ii. 20 metres for land fronting Fisher Road and St David Avenue.

2. The new buildings are to designed to:

a. Provide generous ground level circulation space including a direct path of travel between Fisher Rd and St Davids Ave with a minimum width of 10m;

b. Maximise solar access to pedestrian areas;

c. Address the heritage significance of the heritage item known as 'Commonwealth Bank' at 691 Pittwater Rd, Dee Why;

d. Retain trees on the Fisher Road frontage;

e. Provide rear lane access for residents, visitors, garbage, service and delivery vehicles for premises fronting Pittwater Road;

f. Prioritise pedestrian access at the ground level either through restricting vehicular access at certain hours or allowing servicing from the basement.

13 Civic Centre Site

Applies to Land

This section applies to Lot 100, DP 1041823, 725 Pittwater Road, Dee Why, which is also known as 'Civic Centre', as set out in Figure 6.

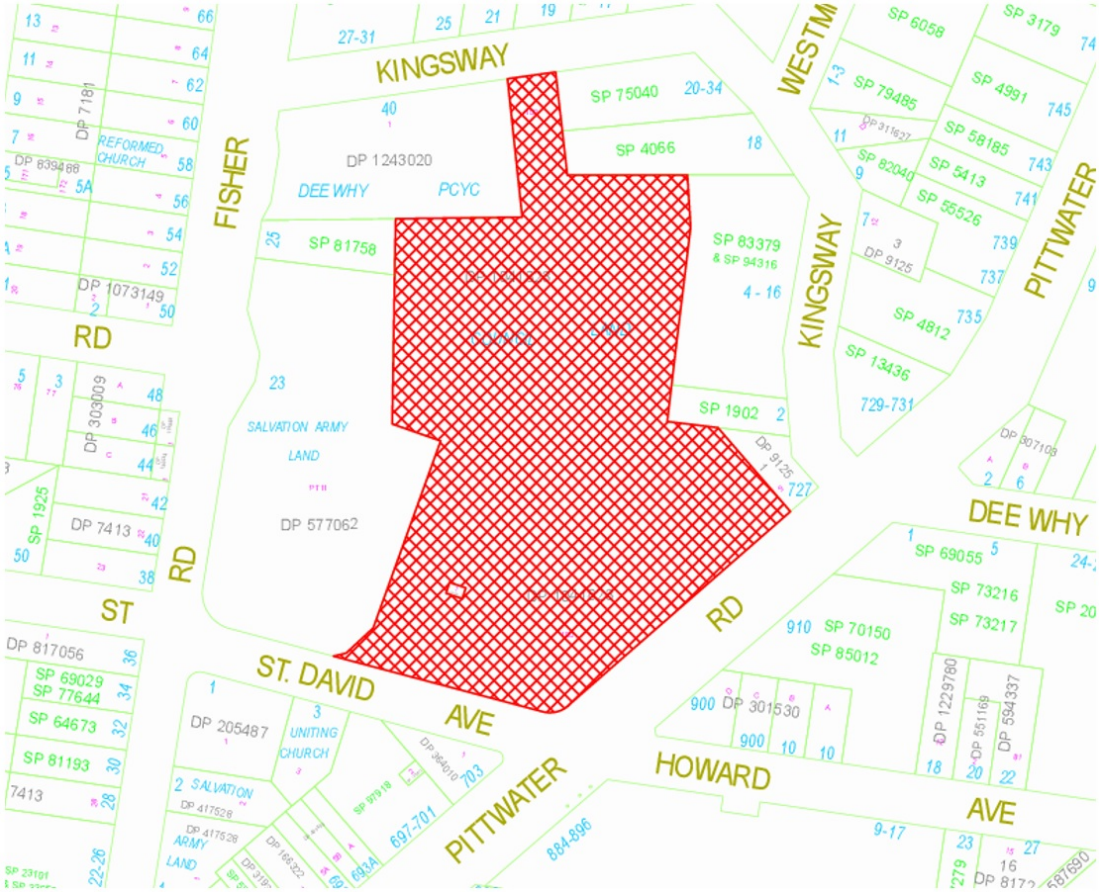


Figure 6 – Civic Centre Site

Objectives

- To preserve the landscape and heritage qualities of the site.
- To provide new pedestrian connections that address changes in topography.
- To achieve Council's Vision for a Community Hub in the Dee Why Town Centre by providing a range of community facilities and services relating to health, early childhood, government services, performing arts and entertainment, cuisine and retail.

Requirements

1. Redevelopment of the Civic Centre Site must be designed with regard to the indicative layout (Figure 7), and:
    a. Provide individual building sites that are interconnected via Civic Drive with new pedestrian pathways and civic plazas, located between buildings;
    b. Retain mature trees along St David Avenue and Pittwater Road;
    c. Retain and respect the heritage significance of Dee Why Public Library and Northern Beaches Council Civic Centre;
    d. Retain and enhance the heritage significance of the Civic Centre landscaping including sandstone outcrops and vegetation between the existing Council administration building, the existing library and along the western side of Civic Drive;
    e. Retain the view corridors to and from the public buildings and landscaping.
2. A new civic plaza must be provided on the corner of Pittwater Road and St David Avenue and be designed to:
    a. Define the corner as a point of interest and main pedestrian access to the site;
    b. Accommodate high quality landscape treatments, outdoor dining, shaded seating and water sensitive urban design features.
3. Development must improve connectivity within the Civic Centre Site (with the Police Citizen's Youth Club and public car park) and with the Dee Why Town Centre.
4. Minimum front building setbacks are to be provided as follows:
    a. 15 metres to Pittwater Road to retain and enhance the existing Norfolk Island Pine trees;
    b. Nil to St David Avenue.

Figure 7 – Indicative Civic Centre Site Layout

14 Residential Flat Buildings

Applies to land

- Lots that share a boundary with the Civic Site (Figure 8):
    - Part Lot 11 DP 577062 (23 Fisher Road);
    - Lot CP SP 81758 (25 Fisher Road);
    - Lot CP SP 75040 (20 Kingsway);
    - Lot CP SP 4066 (18 Kingsway);
    - Lot CP SP 83379 (4-16 Kingsway);
    - Lot CP SP 1902 (Kingsway Court 2 Kingsway).
- Where sites are redeveloped for residential flat buildings on the northern side of Pacific Parade (Figure 9).

Objectives

- To provide apartment style housing in landscape settings of a similar scale to adjacent residential zones.
- To ensure adequate light, solar access and privacy by providing spatial separation between buildings.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.

Requirements – General

1. New development will address the street by locating car parking below ground and maximising the number of premises with pedestrian entrances directly from the street.
2. Shared driveway access will be used where possible.
3. The minimum rear building setback is 6 metres. The rear building setback area is to be landscaped and free of any above or below ground structures. The rear building setback does not apply to corner allotments.
4. Buildings must be sited within an envelope determined by projecting planes at 45 degrees from a height of 5 metres above natural ground level at the side boundaries.
5. The minimum setback from a building to a side boundary is 4.5 metres.
6. On corner allotments, the side boundaries are taken to be the boundaries that do not have frontage to a public street. Fascias, gutters, downpipes, eaves, masonry chimneys, flues, pipes, or other services infrastructure may encroach beyond the side envelope.
7. The minimum area of landscaped open space is 40 per cent of the site area.
8. Above and below ground structures and private open space including basement carparking, vehicle access ramps, balconies, terraces and the like shall not encroach beyond the side boundary envelope or side setback except:
    a. light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above natural ground level including steps, landings, pedestrian ramps and stormwater structures may encroach beyond the required setback to within a minimum of 2 metres of a side boundary.
    b. entrance and stair lobbies at ground floor level may encroach beyond the required setback to within a minimum of 2 metres of a side boundary.
    c. waste management facilities.

Requirements – Pacific Parade

9. Development is to maintain a minimum front building setback of 4 metres.

Requirements – Lots adjoining the Civic Centre Site

10. Development is to maintain a minimum front building setback of 6 metres from the Kingsway and Fisher Road.

Figure 8 - Lots that share a boundary with the Civic Site that are physically and functionally separated by their topography to neighbouring civic uses

Figure 9 - Lots zoned B4 Mixed Use on Pacific Parade within Dee Why Town Centre which currently contain apartment style housing

G2 R3 Medium Density Residential bound by Sturdee Parade, Pacific Parade and land zoned B4 Mixed Use

Applies to Land

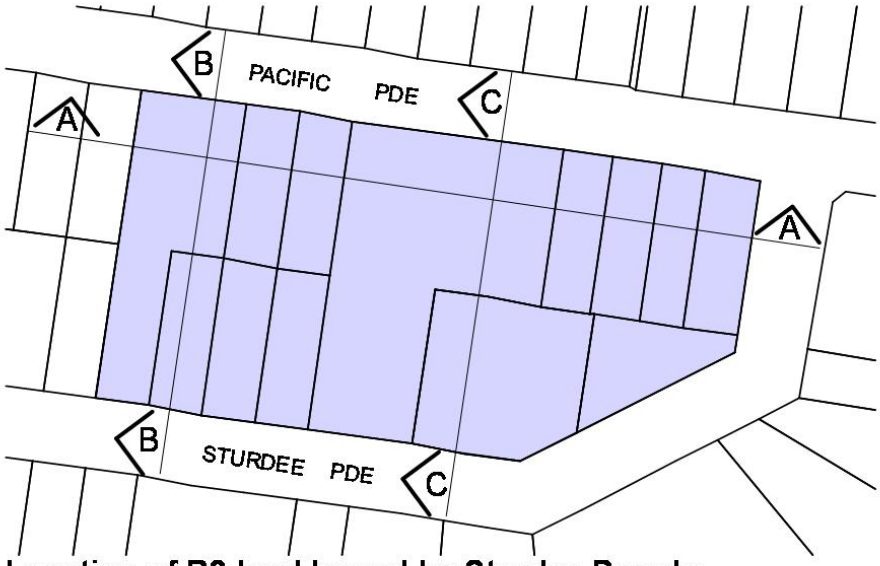
Applies to the land zoned R3 land bound by Sturdee Parade and Pacific Parade as well as land zoned B4 Mixed Use, Dee Why.

Objectives

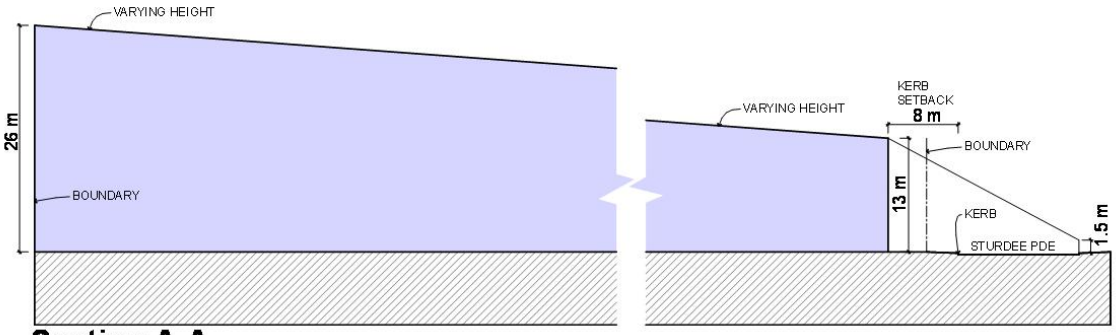
• To create a visual and spatial transition from the mixed use land adjacent to Pittwater Road to the residential area east of Sturdee Parade.
• To retain significant public and private views.
• To provide a suite of controls that will enable development options and encourage design innovation.
• To encourage lot consolidation and sustainability over the land.
• To ensure shops and dwellings enjoy good access to natural light and buildings address the street.

Requirements

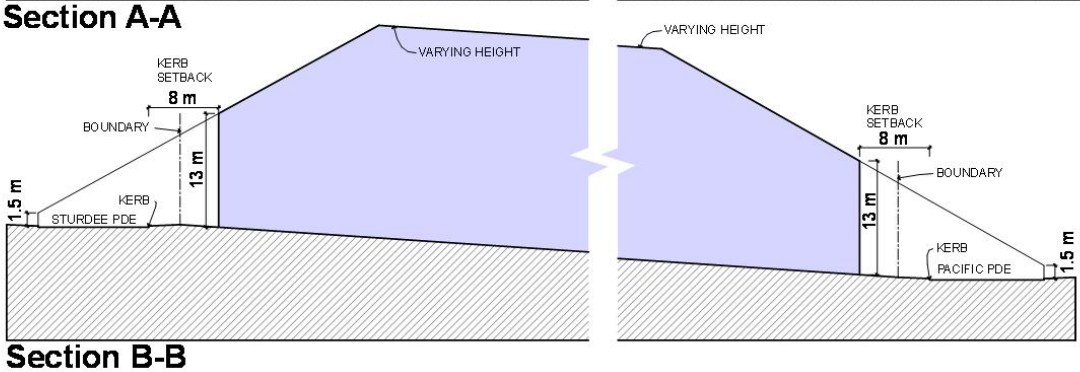
1. The area will remain primarily a medium density residential area. The scale of development at the street frontage is not to be overbearing, and is to be consistent with the scale of existing nearby residential buildings when viewed by pedestrians on either side of Pacific or Sturdee Parades.
2. Within the central part of the block, the height of buildings may be greater.
3. The design and arrangement of buildings are to recognise and preserve existing significant public views (from parks, streets, etc) and significant views from private properties.
4. Buildings are to be articulated and modulated to reduce the apparent building mass and reflect the existing pattern of development in the street. The streetscape and public domain shall incorporate consistent building setbacks being free of any structures, vehicle parking areas or site facilities other than driveways, letterboxes and fences.
5. Future development will address public streets, create visual interest and enable the establishment of substantial landscaping in the spaces between buildings.
6. Development is to be designed to enclose and define mid-block open spaces connected by open space linkages both within the block and to and from the surrounding public street system.
7. Site amalgamation will be encouraged to facilitate new development and car parking is to be provided below ground, using shared driveways where possible. The upgrading of existing buildings will be encouraged to give them a more contemporary and attractive appearance.
8. Building height is to fall within an envelope defined by a sight line taken from 1.5 metres above ground level at the footpath on the opposite side of the street, intersecting with the maximum street frontage height and on to where that line intersects with the maximum allowable height.
9. Buildings at the street frontage are not to exceed 3 storeys.
10. Lightweight structures that do not add to the visual mass of the building, such as pergolas and balconies, may penetrate the building envelope.



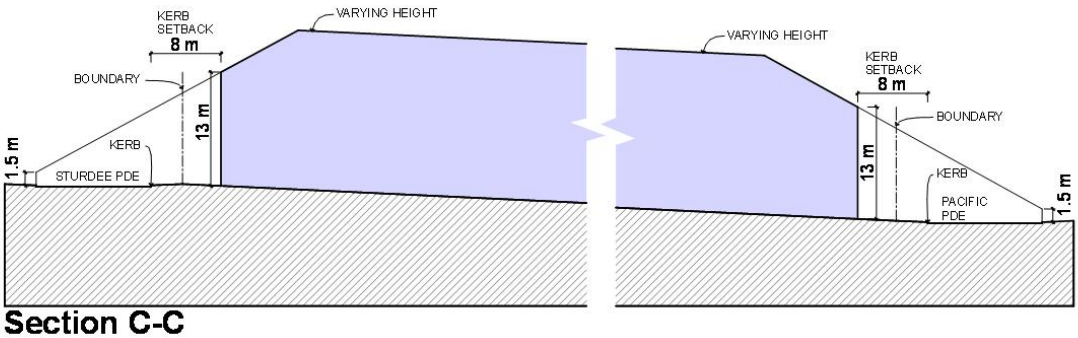
Location of R3 land bound by Sturdee Parade and Pacific Parade zoned R3, Dee Why



Section A-A

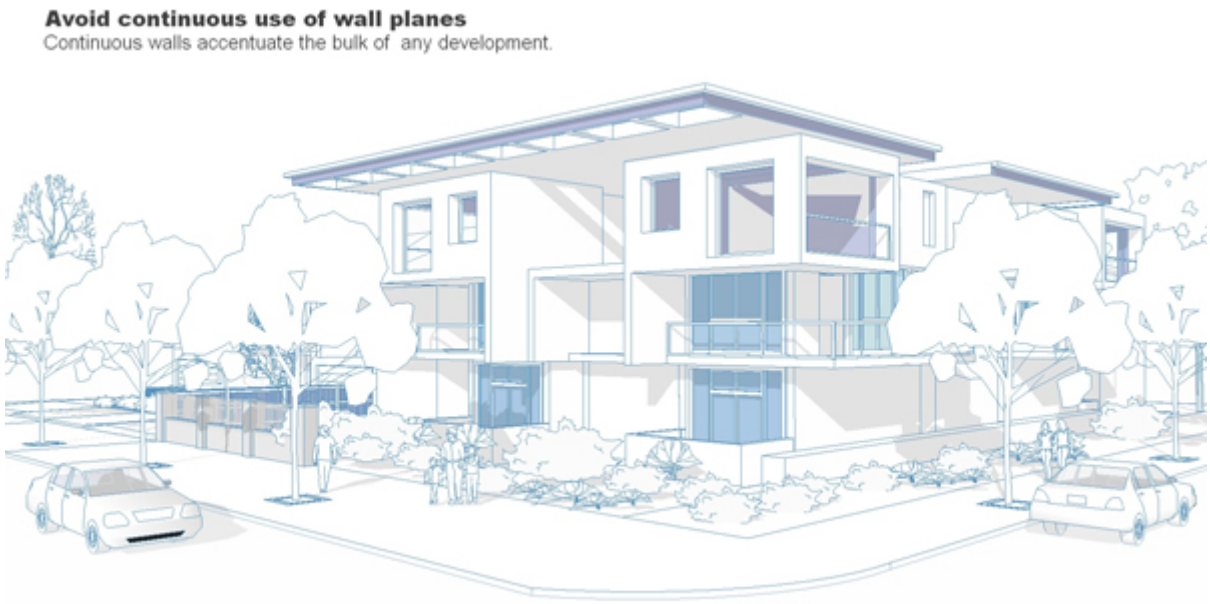


Section B-B



Section C-C

11. The minimum floor to ceiling height for all storeys is 2.7 metres.
12. All buildings are to be setback 8 metres from the street kerb.
13. Minor variations to this setback will be considered to allow buildings to be articulated with strong vertical and horizontal elements to reduce building mass and add visual interest.



14. Where sites are not being consolidated, the side boundary setback is 4.5 metres.
15. The minimum amount of landscaped open space on the land is 40% of the site.
16. Build-to lines have been established to ensure future development defines the streets and public spaces (DCP Map Build To Lines and Central Courts), They are as follows:
• Where a proposed building, or part of a proposed building, adjoins a 100% build-to line the whole of the relevant building facade is to be built on this line.
• Where a proposed building, or part of a proposed building, adjoins a 40- 60% build-to line, between 40-60% of the relevant building facade is to be built on this line.
17. Light weight structures that do not add to the visual mass of the building, such as pergolas and balconies, may also penetrate the build to line.
18. Outside the 40-60% component of the building, buildings are to be set back at least 9 metres from the kerb.
19. The 100% build-to line is 5 metres from the kerb. The 40-60% build-to line is 8 metres from the kerb. illustrates controls in relation to building massing, buildable area within the central portion of the block and the locations where side setbacks and cross block links are envisaged.

The following controls are to apply:
• The preferred built form for the block is a perimeter block where buildings are oriented toward the street, enclosing semi-private spaces within the interior.
• The building wall addressing the street is to be articulated and fragmented into a module which is reflective of the nearby residential context
20. In cases where sites are amalgamated, interior portions of the block may be built upon subject to the following provisions:
• A distance of at least 9 metres is required between the rear façade of any building fronting a street and the façade of any building located within the central portion of the block.
• The siting of individual buildings within the buildable area in the central portion on the block must be guided by the controls applying to open space and access. Under no circumstances may development within the central portion of the block be comprised by a single tower
21. Development proposals need to provide a practical pedestrian/cycle circulation system through the central portions of the site/s, as well as to and from the surrounding streets and the Dee Why Hotel.

Exceptions
Variations of up to 300mm may be permitted to add visual interest and allow articulation of building facades.

G3 Belrose Corridor

Applies to Land
This part applies to land at Belrose shown outlined on the figure below.

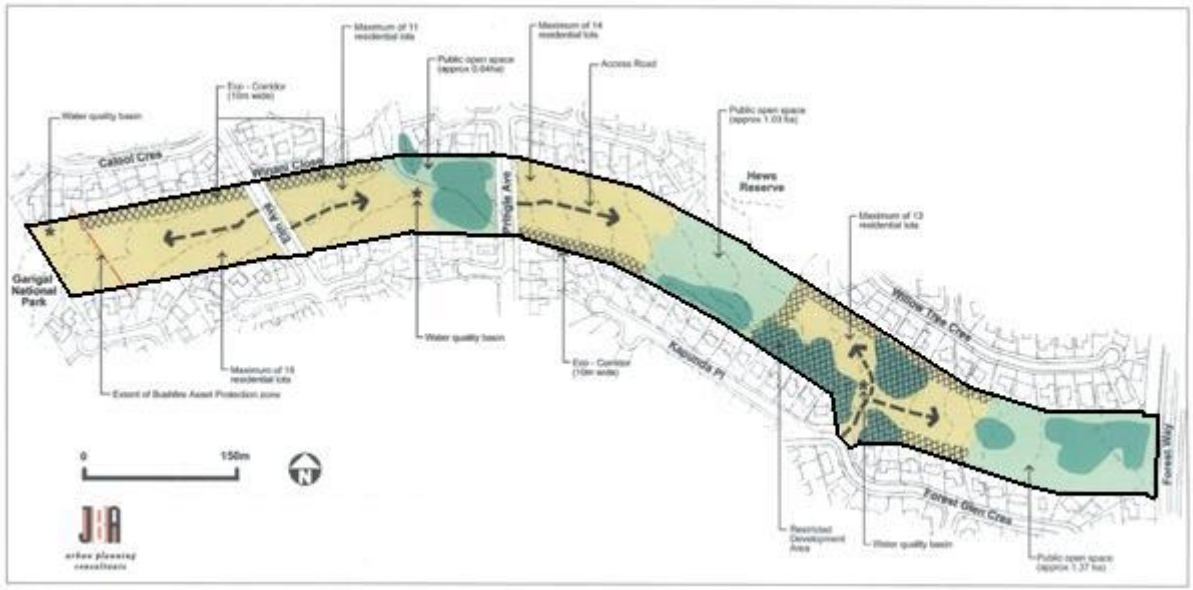


Figure 1: Belrose Corridor

Objectives

• To establish stringent environmental requirements for development within the Belrose corridor.
• To give effect to the principles illustrated in Figure 1 Belrose Corridor.

Requirements

1. Future development will maintain the visual pattern and predominant scale of the existing detached dwelling houses on adjacent residential land. The streets will be characterised by landscaped front gardens and consistent front building setbacks.
2. To provide for fauna movements to and from Garigal National Park, a continuous eco corridor will be provided. The eco corridor is shown cross-hatched. The eco corridor will be at least 10 metres wide and will be rehabilitated and preserved as a bushland corridor. The corridor will be characterised by dense plantings of native trees and shrubs. Future development other than for the purposes of bushfire hazard reduction and water quality devices is to be excluded within the eco corridor. Fences, driveways or other structures likely to hinder fauna movements will not cross the eco corridor.
3. Public open space areas, are to be transferred to Council as public open space after taking into account the Bushland Management Plan adopted by the Council and are to be maintained by the developer (at no cost to Council) for a 5 year period following dedication.
4. The relationship of the land covered by this part to the surrounding bushland will be reinforced by protecting and enhancing the spread of indigenous tree canopy and preserving the natural landscape, including rock outcrops, remnant bushland and natural watercourses. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.
5. Development on hillsides, or in the vicinity of ridge tops, must integrate with the natural landscape and topography. Buildings will be located and grouped in areas that will minimise disturbance of vegetation, landforms and creeks.
6. Development of land will also involve the remediation of the identified localised contamination.

Public Domain and Open Space

Objectives

• To facilitate the restoration and ongoing management of existing remnant vegetation.
• To provide an extension to Hews Reserve.
• To provide refuge for native fauna.
• To enhance the ecological functions of the eco corridor.
• To revegetate non-vegetated areas or areas that cannot be restored using bush regeneration methods with vegetation that as far as possible represents the original 1750 vegetation community.

Requirements

7. A minimum of 3ha of public open space is to be provided within the Belrose corridor and will be transferred to Council at no cost. The land allocated for public open space will be identified with the initial development application for subdivision of the land and transferred to Council with execution of the consent for subdivision. The public open space is to be located generally in accordance with the public open space figure.

8. Prior to the public open space being transferred to Council, the land is to be restored or revegetated in accordance with an adopted Bushland Management Plan for public open space. The land is also to be appropriately remediated in accordance with SEPP 55 - Remediation of Land and in accordance with the environmental safeguards specified in the Bushland Management Plan. Revegetation in non-vegetated areas or in areas that cannot be restored using bush regeneration methods will use vegetation that as far as possible represents the original 1750 vegetation community. Guidelines for the preparation of the Bushland Management Plan, including revegetation details, will be provided by Council. The Bushland Management Plan will apply to the land that is to become public open space and is to be prepared by the applicant and submitted as part of any future subdivision development application.

Figure 2: Public open space

Pedestrian and Road Network

Objectives

- To minimise the extent of new roads within the Belrose corridor.
- To provide pedestrian access between Garigal National Park, Hews Reserve and Forest Way.
- To improve local pedestrian permeability.

Requirements

9. New roads are to be located generally in accordance with Figure 3 (see below).
10. New roads (public or private) are to be designed in accordance with Council's Standard Specifications for Engineering Works (AUSPEC 1).
11. As part of any future subdivision application, a traffic impact assessment is to be submitted to Council confirming compliance with the above specifications, in particular, with respect to road geometry and gradients. The assessment is to also address the impact of any additional traffic on local streets.
12. Publicly accessible pedestrian access is to be provided linking Garigal National Park, Hews Reserve and Forest Way. The access is to be a minimum of 1.2m wide and be designed in accordance with current Australian Standards.

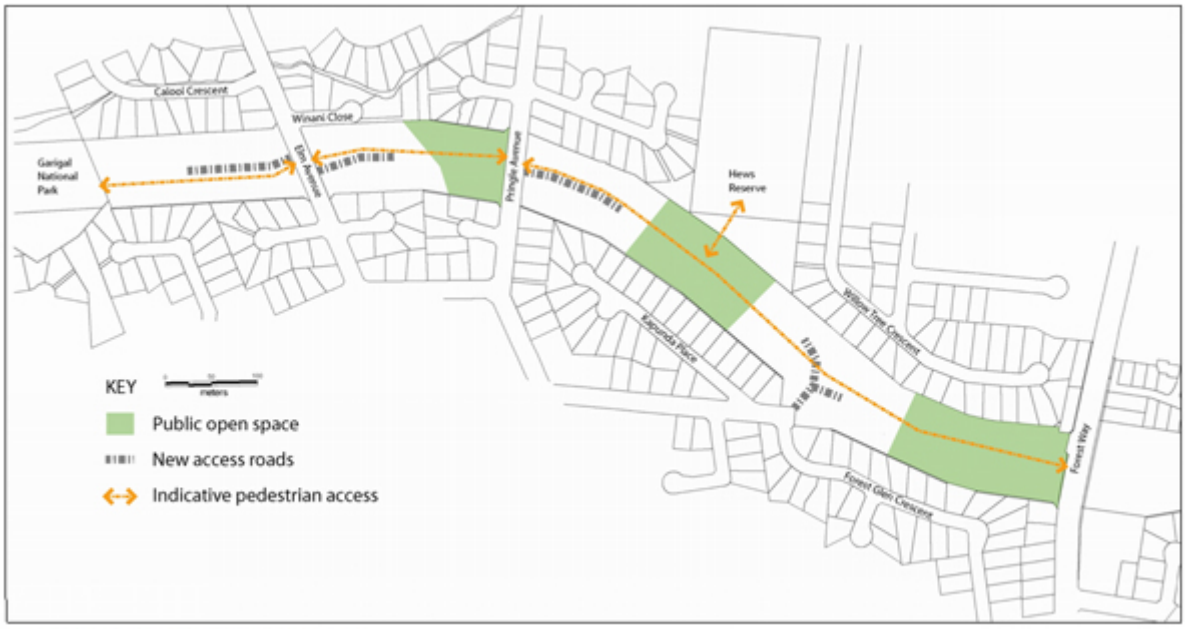


Figure 3: Road and pedestrian network

Environmental Management

Vegetation Retention and Rehabilitation

Objectives

• To ensure existing stands of remnant vegetation are retained and restored.
• To facilitate the movement of fauna along Belrose corridor.
• To ensure that riparian vegetation within public open space and the eco-corridor is retained and restored.

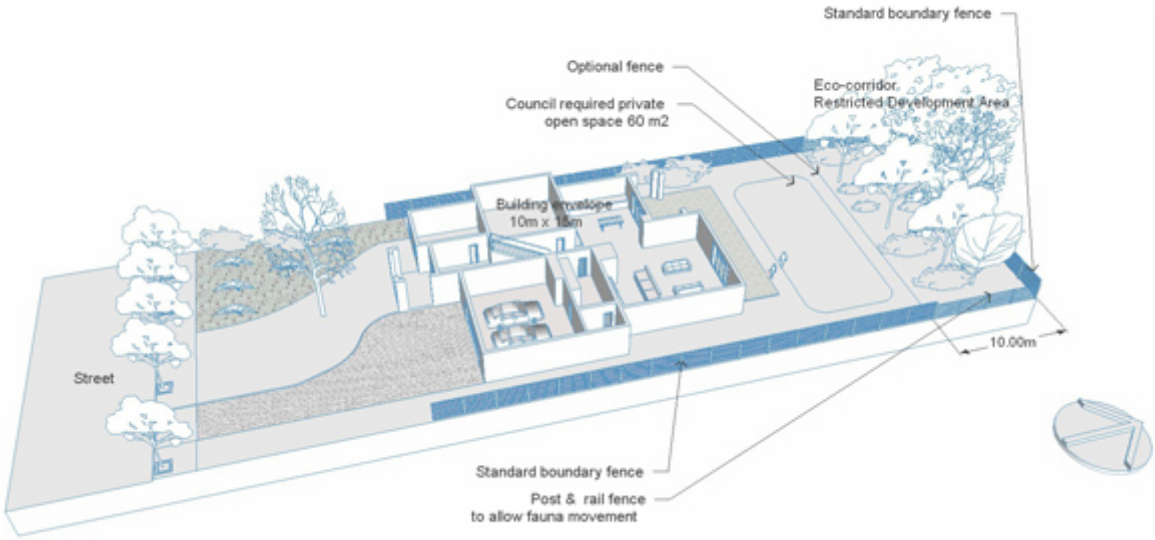
Requirements

13. A Tree Survey Plan is to be submitted as part of any future subdivision development application. The Plan is to identify the location, type and condition of all existing trees and is to indicate those trees proposed to be removed and those to be retained.
14. The existing remnant vegetation shown at the vegetation retention figure and eco corridor (see Figure 4 below) is to be retained and restored within public open space or within private allotments. Where existing remnant vegetation is to be retained within a private allotment, a restrictive covenant is to be placed on the title requiring the ongoing retention and rehabilitation of the vegetation and the restriction of use of the affected area.
15. An eco corridor that is at least 10m wide is to be provided in accordance with the illustrative example of an eco corridor within a lot provided below. The corridor shall be planted and maintained in accordance with revegetation guidelines provided by Council.
16. The corridor may be within private or communal ownership. In either situation, a restrictive covenant or similar mechanism is to be placed on the title requiring the ongoing retention and management of the vegetated corridor.
17. Potential fauna movement along the eco corridor is not to be restricted through fencing, driveways or other structures. Concept details of all fencing is to be submitted as part of the subdivision development application.
18. Any fencing fronting Winani Close is to utilise high quality materials and is to include low landscaping between the fence and the kerb line. Examples of appropriate fencing styles are shown in the illustration ahead.
19. A restrictive covenant or similar mechanism is to be placed on all residential allotments preventing the owning of cats or dogs detailed Bushland Management Plan for private allotments is to be submitted as part of any future subdivision development application. The Plan is to apply to areas of remnant vegetation that are to be retained within private allotments and the proposed eco corridors. The Plan is to be prepared in accordance with guidelines provided by Council and is to address ongoing management, weed control, environmental education and awareness and monitoring.

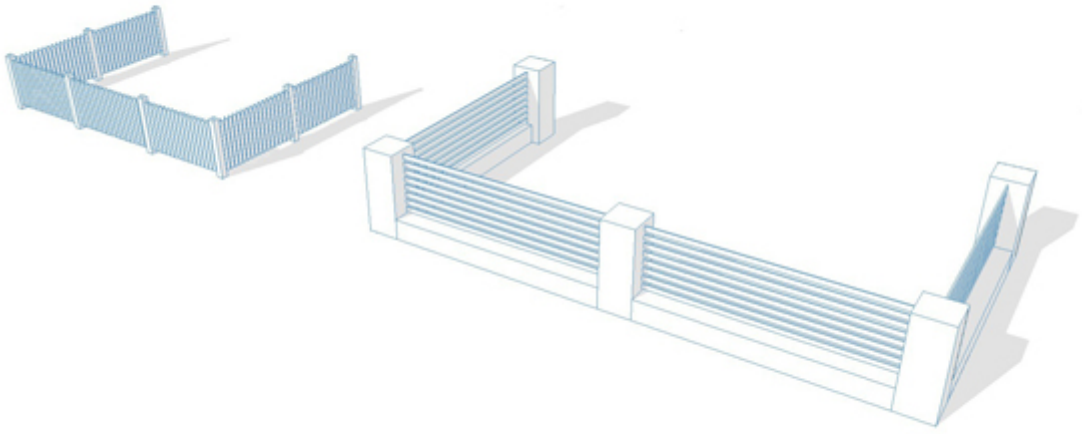
Figure 4: Vegetation retention and Eco-Corridor

Illustrative example of Eco-corridor within a lot

Note: Council will not permit the erection of fencing within the Eco-Corridor if it deems this will interfere with the function of a watercourse



Illustrative example fences styles



Watercycle Management

Objectives

• To incorporate best practice stormwater and watercourse management principles and strategies in all development.
• To minimise risk to life and property from the potential impact of flooding and stream bank erosion on new development within the corridor land, adjoining development and downstream development by incorporating appropriate control and mitigation measures
• To mitigate the impacts of urban development on stormwater quality and stormwater flows to the adjoining and downstream properties.
• To provide a neutral or beneficial effect on the existing watercycle quality.
• To provide flood free access and evacuation routes.

Requirements

20. All development is to incorporate Water Sensitive Urban Design (WSUD). A stormwater management plan incorporating WSUD principles is to be submitted as part of a development application for subdivision of the land. The plan is to include watercycle management measures generally in accordance with the 'Water Quantity and Quality Assessment' prepared by Webb, McKewon and Associates Pty Ltd (May 2002). Alternate watercycle management measures that meet the above objectives may be considered by Council.
21. On site stormwater detention is to be provided in accordance with the Council's On Site Stormwater Detention Technical Specification.
22. Council will not accept responsibility for the ongoing maintenance of water quality/detention basins. A development application for subdivision of the land shall include arrangements to Council's satisfaction that address ongoing maintenance of these facilities.
23. Water Quality monitoring to be carried out before, during and after development works (for a period of 12 months following completion of each stage) in accordance with ANZECC and ARMCANZ (2000) Australian Guidelines for Water Quality Monitoring and Reporting (No.7) – Chapter 3 – Study Design or from an appropriately qualified person.
24. Flooding impacts on new development within the corridor land, adjoining and downstream properties are to be minimised. To this end, flood mitigation measures generally in accordance with those detailed in the 'Water Quantity and Quality Assessment', prepared by Webb, McKeown and Associates Pty Ltd (May 2002) are to be implemented. Alternate flood mitigation measures that meet the above objectives may be considered by Council.

Remediation

Objectives

• To minimise the risks to human health and the environment from the development of potentially contaminated land.
• To ensure that potential site contamination issues are adequately addressed at the subdivision stage/s.

Requirements

25. As part of any future subdivision development application, a detailed Environmental Site Assessment (ESA) and Remedial Action Plan (RAP) is to be submitted to Council. The reports are to be prepared by a suitably qualified and experienced Contaminated Land Consultant in accordance with relevant NSW DECC guidelines.
26. The site, specifically the areas of localised contamination identified in the Preliminary Environmental Site Investigation prepared by Coffey Pty Ltd dated September 2004, shall be remediated in accordance with SEPP 55 - Remediation of Land and made suitable for the uses proposed.
See Guidelines for Consultants Reporting on Contaminated Sites

Soil and Water Management

Objectives

• To ensure measures are implemented as part of the development to prevent any degradation of the existing soil and groundwater environment during construction.

Requirements

27. All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development
28. A Soil and Water Management Plan, prepared in accordance with Managing Urban Stormwater – Soils and Construction and AUSPEC 1 - Council's specification for engineering works is to be

submitted with each development application.
29. All sediment and erosion controls are to be installed prior to the commencement of any construction works and maintained throughout the course of construction until disturbed areas have been revegetated/ established. The applicant will be required to present certification to this effect, to be lodged with Council prior to construction \
30. A Construction Management Plan is to be submitted with each development application. The Plan is to demonstrate that the construction site will not unreasonably impact on the surrounding community, pedestrian or road safety, or the natural environment

Built Form Requirements

Height of buildings

Objectives
• To ensure that development is compatible with and does not visually dominate its surrounds, and that the visual impact of development is minimised when viewed from adjoining properties, streets and land zoned for public recreation purposes.
• To provide equitable sharing of views and vistas to and from public and private properties
• To minimise the impact of development on adjoining or nearby properties from loss of privacy, overshadowing and visual intrusion
• To ensure that development responds to site topography and minimises excavation of the natural landform
• To complement the height of buildings control in the LEP

Requirements
31. Where land is shown on the LEP Height of Buildings Map having a maximum building height of 8.5m, 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). 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 does not exceed the 8.5 metre height standard, is designed and located to minimise bulk and scale and has minimum visual impact when viewed from the downslope sides of the land

Front building setback

Objectives
• To create a sense of openness and arrival.
• To provide opportunities for casual surveillance of the street
• To provide opportunities for landscaping and aesthetic improvements
• To minimise the impact of development on and improve the visual quality of the streetscape
• To maintain the visual continuity, pattern of building placement and front landscaping elements
• To allow for the articulation of buildings

Requirements
32. Development is to maintain a minimum front building setback of 6.5 metres.
33. The front boundary setback is the distance measured perpendicular to the road frontage property boundary up to any structure on the street
34. The front building setback area is to be landscaped and generally free of any structures, car parking or site facilities other than driveways, letter boxes and fences
35. On corner allotments or allotments with double street frontage, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must take into account the character of the secondary street and the predominant setbacks exiting to that street
36. Consent may be given for development to be carried out within the minimum front setback area on allotments constrained by the location and use of existing buildings or by topography, but only if the development is for the provision of car parking

Rear building setback

Objectives
• To provide opportunities for deep planting and planting of suitable and substantial native vegetation.
• To create a sense of openness in rear yards
• To preserve the amenity of adjacent land, particularly relating to privacy between buildings

• To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements
• To provide for the establishment and maintenance of the eco corridor.

Requirements

37. Development is to maintain a minimum rear building setback of 6 metres.
38. The rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to the structure on the allotment that is nearest to that boundary, other than a structure that is exempt development, a swimming pool or an outbuilding
39. The rear building setback area is to be landscaped and free of any structures other than structures that are exempt development, swimming pools or outbuildings
40. The rear building setback may be encroached by exempt development, swimming pools and outbuildings, but only if the total area of all such development does not exceed 50% of the rear setback area. Any encroachments must comply with the objectives of the provision

Note

The rear setback does not apply to corner allotments

Side boundary envelope and side setback

Objectives

• To provide ample opportunities for deep planting
• To ensure that development does not become visually dominant by virtue of its height and bulk
• To maintain the amenity of the surrounding lan0064, particularly regarding privacy and sunlight
• To ensure that development responds to the topography of the site
• To provide spatial separation between buildings to ensure adequate light and sun

Requirements

41. Buildings must be sited within an envelope determined by projecting planes at 45 degrees from a height of 4 metres above natural ground level at the side boundaries
42. the minimum setback from a building to a side boundary is 0.9 metres
43. To measure the side boundary envelope and side setback on corner allotments the side boundaries are taken to be the boundaries that do not have frontage to a public street
44. 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
45. Screens or sunblinds, light fittings, electricity or gas metres or other services infrastructure and structures not more than 1 metre above natural ground level such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback
46. Consent may be granted for development that, to a minor extent, does not comply with:
a) the side boundary envelope, to allow the addition of a second storey to an existing dwelling ,or
b) the side setback, to allow a single storey outbuilding, carport, pergola or the like

Dwelling Design

Objectives

• To encourage innovative and contemporary building designs which result in a high quality and attractive residential environment

Requirements

47. Building facades are to be articulated and roof form is to be varied to provide visual variety. Suitable elements for articulated appearance include verandahs, windows, awnings, eaves, and wall line variation. Suitable elements for roof forms include hips, skillions, flat roofs, curved roofs, and gables. Eave overhangs are to provide sun shading and protect windows and doors and provide aesthetic interest. Eaves should have a minimum of 400mm overhang and be provided to a minimum of 70% of the dwelling
48. Proposed dwelling colours, materials and finishes are to be from a neutral palette of colours. Bright and highly reflective colours are to be avoided. Multi-coloured roof tiles are not permitted
49. The front elevation of dwellings are to incorporate entrances, verandahs, porches and balconies and the like to provide articulation, visual interest and to allow casual surveillance of the street
50. Long, unarticulated facades fronting the street are not permitted
51. Building facades on corner sites shall address both streets and incorporate elements within the

roof and wall to create an articulated appearance
52. All front fencing is to be consistent in design and style with its dwelling. On corner allotments, the front fencing style is to be continued along the secondary street frontage to at least 1m behind the building line of the dwelling
53. Any fence visible to a public place, including common property must be of a decorative finish to Council's satisfaction. Colorbond or timber paling or lapped/capped fencing can only be used internally between dwelling lots

Landscaped Open Space

Objectives
• To provide for the establishment and maintenance of the eco corridor.

Requirements
Refer to DCP Map Landscaped Open Space and Bushland Setting.

Private Open Space and Landscaping

Objectives
• To ensure the provision of high quality private open space that meets residents' needs for outdoor activities, privacy, outlook and amenity.
• To contribute to effective management of stormwater and energy efficiency.
• To encourage the use of native species of flora and low maintenance landscaping

Requirements
54. Private open space is to:
  • have a maximum gradient of 1:10; and
  • incorporate an area of principal private open space with a minimum area of 24m2 (4m x 6m) that is directly accessible from the main living area of a dwelling
55. A Landscape Plan is to be submitted with each development application involving public domain works or a residential dwelling. Use of low flow watering facilities is encouraged to avoid over watering by residents. Low water demand drought resistant vegetation is to be used in common landscaping areas, including native salt tolerant trees.
56. Front setback areas are to contain landscaping. The landscape treatment in these areas is to provide a clear delineation between the private and public domain
57. At least one "tall or low tree" from the list at Appendix 2 is to be provided where possible within the front setback area of every residential dwelling. This may include existing trees that are to be retained within the front setback area.
58. Subsoil drains are to be installed around the perimeter of residences and connected to the stormwater system to prevent accumulation of water and concentration of salts

Access and Parking

Objectives
• To reduce the visual impact of garages, carports, driveways and parking areas on the streetscape, on site layout and on the dwelling's façade

Requirements
59. A maximum of 2 car parking spaces is to be provided for each dwelling.
60. Carports and garages are to be treated as an important element of the dwelling facade and interface to the public domain. They are to be integrated with and complementary, in terms of design and material, with the dwelling design. Garage doors are to be visually recessed though use of materials, colours, and overhangs. Where facing the street, the maximum width of a garage or carport is to be 6m per dwelling and the area of any garage door should not comprise more than 45% of the total frontage of the dwelling's (street-facing) elevation
61. The maximum width of a driveway at the property boundary is to be 4m.

Servicing

Objectives
• To ensure that site facilities are functional and accessible to all residents and are easy to maintain.
• To ensure that site facilities are thoughtfully integrated into development and are unobtrusive

Requirements

62. Utility services including service structures, plant and equipment are to be located under ground or be designed to be an integral part of the development and suitably screened from public places or streets. Where possible, underground utility services are to be provided in a common trench
63. Garbage and mail box structures are to be integrated with the overall design of buildings and/or landscaping

G4 Warringah Mall

Applies to Land

This Plan applies to Lot 100, DP 1015283, 145 Old Pittwater Road, Brookvale which is commonly referred to as 'Warringah Mall Shopping Centre' as set out in Figure 1.

Objectives

• To guide future development within the Warringah Mall Shopping Centre (Warringah Mall) site to 2021.
• To ensure development responds to the characteristics of the site and surrounds, and the amenity of the surrounding neighbourhood, and
• To encourage and facilitate high quality urban design, landscaping, external finishes and signage.

Figure 1: Warringah Mall Shopping Centre Site Area

Built Form

Design Quality & Excellence

Objectives

• To ensure that new development makes a positive contribution to the streetscape and public domain.
• To ensure a high standard of architectural design.
• To achieve high quality urban design internally and externally and high levels of pedestrian comfort in the public spaces of the centre.
• To emphasise key nodes and entry points to create a sense of arrival.
• To encourage the use of high quality, durable and robust materials.
• To ensure the design response reflects the Northern Beaches vernacular/lifestyle.

Requirements

1. Future development on or adjacent to the perimeter of the site must be designed to positively address the street, relate to the natural environment and create a clear distinction between the public and the private domain.
2. Future development on the site is to incorporate design elements that optimize the use of natural light and the ambient environment to the pedestrian malls within the centre.
3. New development along the southern edge of the site must not result in any unreasonable impacts on the amenity of residential properties in Old Pittwater Road and Smith Avenue.
4. New development along the eastern frontage to Pittwater Road/Condamine Street must incorporate a legible pedestrian connection from the street into the centre that is conveniently located in relation to existing bus stops.
5. All future development must be designed to strongly and positively reinforce the corners of the site and street alignment and frame the street. Incorporating landmark or distinctive building elements on “Gateway” street corners is encouraged.
6. Long continuous walls are to incorporate design treatments to reduce their visual mass and bulk. Such design treatments may include the use of architectural treatments or elements that serve to provide building articulation and modulation and the use of a variety of high quality external colours and materials.
7. Views of the ground level car parking areas must be suitably screened from the street by either landscaping or an appropriate architectural building facade treatment.
8. High quality, attractive and durable materials are to be used. The selection of colours is to respond to the natural landscape. A detailed schedule of external colours and finishes, a sample board and photomontages are to be submitted with any application to alter or extend the external façade and roof of Warringah Mall.
9. The roof is to be designed so that the visual impact of the roof form is minimised.
10. Rooftop plant and equipment are to be integrated into the building/roof forms or screened in a manner compatible with the building design to minimise visual and acoustic impacts on the surrounding properties, including elevated properties which have views over the centre.

Building Setbacks and Street Frontages

Objectives

· To protect and enhance the visual quality of streetscapes and public domain spaces.
· To ensure an appropriate interface with adjoining and surrounding land uses and streets is provided.
· To allow for the existing site landscaping to be retained and enhanced.

Requirements

11. Setbacks are to be consistent with those shown in **Figure 2**. Note: The calculation of the setback dimensions along the Green Street and Cross Street frontages (west of Green Street) excludes projections for architectural features and car park ramps which may project into the setback area as identified on **Figure 2**.
12. In the event that there is a change to the current title boundary, the setback as nominated in **Figure 2** is to be measured from the new boundary alignment.

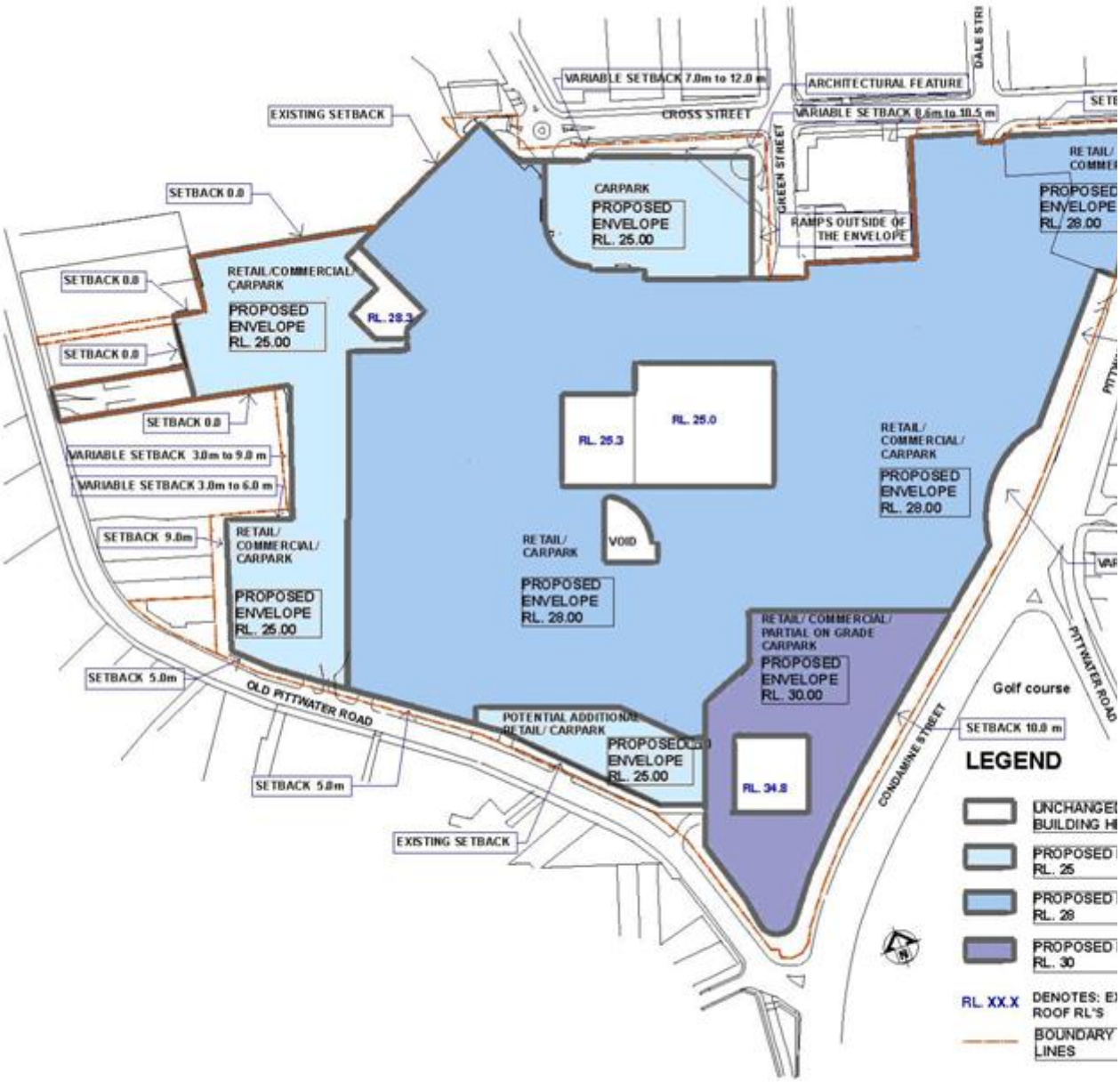


Figure 2: Future Development Envelope Plan

13. Corner of Condamine Street and Old Pittwater Road
• Future development at the corner of Condamine Street and Old Pittwater Road is to create a defined built edge to address the street.
• The existing mature trees along the eastern boundary of the site adjoining Condamine Street are to be retained.
• Any future development at the corner of Condamine Street and Old Pittwater Road is to be designed to strongly define the corner and reinforce the prominence of this “Gateway” site arrival point. • An illustrative example of possible future development outcomes at this location is shown at **Figure 3**

Figure 3: Example of possible future development outcomes at the corner of Condamine Street and Old Pittwater Road.

14. Junction of Condamine Street and Pittwater Road
• A distinctive entry node is to be provided at the junction of Condamine Street and Pittwater Road which incorporates a high quality public space flanked by buildings, landscaping in scale with the building form and public art. The entry node will be the primary pedestrian entrance to the shopping centre.
• An illustrative example of possible future development outcomes at this location is shown at **Figure 4**.

Figure 4: Illustrative example of possible future development outcomes at the junction of Condamine Street and Pittwater Road

15. Pittwater Road
• Future development along Pittwater Road is to create a defined built form edge to address the street.
• The built form is to be setback from the street to allow for the provision of a soft landscaped strip to soften and screen non-active building facades.
• Any future development at the corner of Pittwater Road and Cross Street is to be designed to strongly define and reinforce the prominence of this “Gateway” site arrival point.
• An illustrative example of possible future development outcomes at this location is shown at **Figures 5** and **6**.

Figure 5: Illustrative example of possible future development outcomes along the Pittwater Road frontage.

Figure 6: Illustrative example of possible future development outcomes at the corner of Pittwater Road and Cross Street.

16. Corner of Cross Street and Green Street
• Future development at the corner of Cross Street and Green Street is to be designed to strongly and positively identify this location as a key “Gateway” entry to the centre. An illustrative example of possible future development outcomes at this location is shown at **Figure 7**.

Figure 7: Illustrative example of possible future development outcomes at the corner of Cross Street and Green Street.

Building Height

Objectives
• To provide street edge definition along the main eastern frontage of the site.
• To provide street edges which reinforce, improve or support the hierarchy and character of streets.
• To achieve comfortable street environments for pedestrians in terms of daylight, human scale, sense of enclosure and wind mitigation as well as a healthy and sustainable environment for street trees.
• To ensure solar access to residential properties and public spaces is protected.

Requirements
17. New development is to comply with the maximum building heights as shown at Figure 2 except where provided for in the following requirement.

18. Development may exceed the maximum height controls shown at Figure 2 only in the following circumstances:

(a) Architectural roof features
Architectural roof features may exceed the height controls but only if the consent authority is satisfied that the architectural roof feature:

• satisfies the objectives of the height control, and
• comprises a decorative element on the uppermost portion of a building, and
• does not include floor space area and is not reasonably capable of modification to include floor space area, and
• does not provide access for recreational purposes, and
• is not a structure designed specifically for signage or advertising, and
• is an integral part of the design of the building in its context, and
• will have minimal overshadowing impact, and
• does not add to the visual bulk of the building.

(b) Plant and equipment
Any ancillary plant, equipment or access point may exceed the height controls but only if the consent authority is satisfied that:
• The height of plant, equipment or access point does not exceed 3.0m.
• The total area of the equipment does not exceed 10% of the roof area.
• The plant, equipment and access point is integrated with the architectural design of the building/roof.
• The plant or access point is centrally located within the roof area to minimize the visibility of these structures when viewed from surrounding properties and the public domain.

Floor Space

Objectives
• To facilitate the provision of a wide range of retail, business, office, entertainment, community and other suitable land uses that service the needs of the local and wider community and a growing workforce and population.
• To facilitate the future growth of the shopping centre to support the role of Warringah Mall as a retail centre of sub-regional significance.

Requirements
19. The existing centre currently provides 127,878m2 of Gross Leasable Floor Area (GLFA). The existing shopping centre may be expanded by 35,000m2 GLFA subject to compliance with all other relevant planning objectives and requirements.

Amenity

Landscaping

Objectives
• To allow for existing landscaping to be retained and enhanced.
• To create landscaping zones along the eastern boundary of the site adjoining Pittwater Road and Condamine Street to soften views to the site.
• To ensure landscaping is integrated into the design of development.
• To ensure landscaping is in scale with and provides for the softening and screening of the building form.
• To ensure landscaping provides a high quality aesthetic.

Requirements
20. Landscaping is to be retained and enhanced and provided generally in the zones shown in **Figure 8**.
21. The existing mature landscaping at the junction of Pittwater Road/Condamine Street is to be retained where practical and functional for the future design of this precinct. An illustrative example of possible future development outcomes at this location is shown at **Figure 9**.
22. New development along Condamine Street and Pittwater Road is to incorporate landscaping that screens or softens non-active facades or building elements.
23. Landscaping treatments are to be integrated into the design of new entries to the centre.
24. Recycled water or harvested rainwater is to be used, where possible, to irrigate new landscaped areas.
25. Water efficient plants and/or, locally indigenous vegetation should be used to minimise water consumption.

Figure 8: Landscape Zones

Figure 9: Illustrative example of possible future development outcomes at the junction of Pittwater Road/Condamine Street

Amenity of Surrounding Residential Properties

Objectives
• To protect the amenity of surrounding properties.
• To ensure that development will not result in light overspill or glare from artificial illumination.

Requirements
26. The overspill from artificial illumination or sun reflection is to be minimised. A 'Lighting Strategy' is to be submitted with any development application incorporating new or modified roof top parking or for new development which is adjacent to existing residential areas. The 'Lighting Strategy' is to demonstrate that the development will not result in lighting glare or overspill from artificial illumination.
27. The development is to be designed and managed so that it does not result in an unreasonable adverse acoustic impact on surrounding and nearby residential properties.

Public Art

Objectives
• To encourage the use of quality public art to identify and highlight key site entrances.
• To integrate public art in the new developments on the site to enliven the public domain.
• To ensure public art is relevant to the site and the locality and draws upon the cultural, heritage and lifestyle themes in Warringah.

Requirements
28. Public art is to be integrated into the design of the primary pedestrian entry adjacent to the intersection of Pittwater Road and Condamine Street.
29. Public art is to be incorporated into new development where appropriate. It could include murals to blank walls, freestanding sculpture, pavement art and the like.
30. A 'Public Art Plan' is to be submitted with all future development applications which involve the creation of new public spaces at the interface of the shopping centre and the public domain. The plan is to identify opportunities for the integration of public art in the publicly accessible areas of Warringah Mall, themes for public art, relevance to the local area, durability, robustness and

longevity. The public art concepts shall be prepared by a person with demonstrated expertise in public art.

Advertising and Signage

Objectives

• To encourage well designed and suitably positioned signs which contribute to the aesthetic, vitality and legibility of the shopping centre while respecting the amenity of the area and the safety of motorists and pedestrians.
• To ensure that all business identification signage achieves a high level of design quality in terms of graphic design, its relationship to the architectural design of buildings and the character of streetscapes.
• To promote signs that add character to the streetscape and assist with way finding and the pedestrian usability of the centre.
• To promote signs that complement the architectural style and use of buildings.
• To consider the amenity of residential development and the visual quality of the public domain in the design and illumination of signage.
• To avoid the proliferation of signage along public roads.
• To ensure the provision of signage is proportional to the size and scale of building facades and setbacks.

Requirements

31. A ‘Signage Strategy’ is to be submitted with all development applications proposing a significant increase in floor area or change to external façades of the building. A Signage Strategy must also be submitted with any development application for the provision of signs. The Signage Strategy shall identify the number and location of proposed signs, and demonstrate how the signs will be integrated into the design of the development.
32. All illuminated signs are to comply with any relevant Australian Standards.

Safety and Security

Objectives

• To provide a safe environment for users of Warringah Mall.
• To minimise opportunities for crime.
• To encourage the consideration and application of crime prevention through environmental design (CPTED) principles when designing and siting buildings and surrounding spaces and access ways.

Requirements

33. Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting particularly in public spaces and carparks, and the appropriate landscaping of public areas.
34. The need for technical surveillance which is achieved through mechanical/electronic measures such as the provision of closed circuit television (CCTV), help points and mirrored building panels, is to be addressed in future developments.
35. New development is to be designed to remove any opportunities for the concealment of crime.
36. The incorporation of crime prevention measures in the design of buildings and spaces is not to detract from the quality of the urban design of the development and the streetscape.
37. The development is to be consistent with CPTED principles. A report providing an assessment of the proposal against CPTED principles is to be submitted with all development applications for additions to Warringah Mall.
38. A draft Operational Plan of Management that outlines the potential measures to be implemented to ensure the safety and security of the public is to be submitted with any development application involving a major expansion of Warringah Mall.

Social Impacts

Objectives

• To ensure that any potential social impacts resulting from the expansion of Warringah Mall are appropriately managed or mitigated.

Requirements

39. A Social Impact Assessment (SIA) is to be submitted with a development application where there is the likelihood that the proposed development may significantly impact on the following matters:

• Public Transport
• Child care
• Accessibility
• Health facilities
• Young people
• Facilities for children

Where an SIA is required, a targeted ‘Community Stakeholder and Consultation Plan’ LINK is to be developed and undertaken. The SIA is to identify opportunities to enhance existing community services or provide additional services to meet the community’s needs.

Access & Movement

Road Infrastructure

Objectives

• To ensure that the growth of Warringah Mall does not adversely impact on the performance of the surrounding road network.
• To identify the need for potential traffic infrastructure works and management measures necessary to facilitate the growth of Warringah Mall.

Requirements

40. Significant additions to the floor area on the site will only be supported if traffic modeling is submitted with the development application which demonstrates that the surrounding road network can accommodate the additional traffic generated and that the network can continue to operate at a satisfactory level as determined by Council and the RTA.
41. New development applications for the significant expansion of Warringah Mall are to identify road upgrades and traffic management works in areas adjoining and nearby to the site to adequately accommodate growth in vehicle movements to and from the site. 42. Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.
42.Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.
43. Vehicle access points from surrounding roads shall be provided in accordance with Figure 10.
44. No additional vehicular entries are permitted from Pittwater Road or Condamine Street excluding any future access or egress arrangements for buses associated with the proposed new bus interchange.

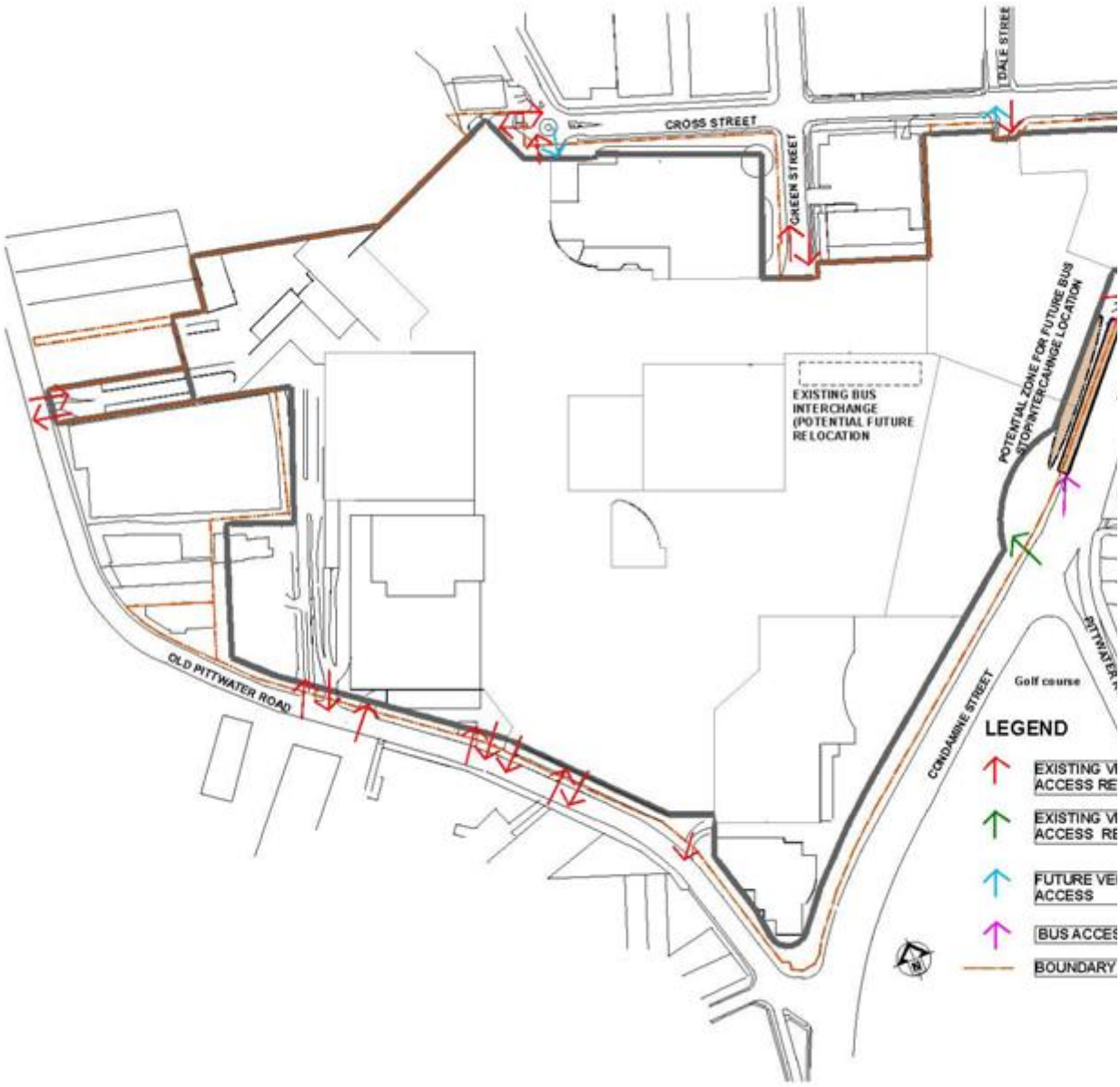


Figure 10: Vehicular Access Plan

Pedestrian Access

Objectives

• To improve pedestrian access to and from the centre through enhancing existing links and / or creating new links as redevelopment occurs.
• To enhance pedestrian connections to Warringah Mall from public transport.
• To provide clearly identifiable and safe pedestrian access.
• To ensure that any new development is designed to provide safe and equitable access to all, including older people, people with a disability and people with prams.
• To ensure that people who visit the centre are able to access and use all spaces, services and facilities through the creation of a barrier-free environment in all public spaces, premises and associated areas.

Requirements

45. Main building entry points are to be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve the clarity of a building's address and contribute to visitor and occupant safety and amenity.
46. New development is to ensure that existing pedestrian links from the surrounding area into the site are strengthened in the locations shown in **Figure 11**.
47. New development shall incorporate measures to achieve safe and continuous paths of travel from existing or proposed bus stops to the Shopping Centre and throughout Warringah Mall.
48. New development along the Cross Street / Green Street frontage shall incorporate enhanced

pedestrian link(s) through to the existing centre.
49. Safe pedestrian access is to be provided through the car parks.
50. Where new development is proposed along the Old Pittwater Road frontage of the site, an improved pedestrian link is to be provided from the TAFE site to the pedestrian entrance of the centre.

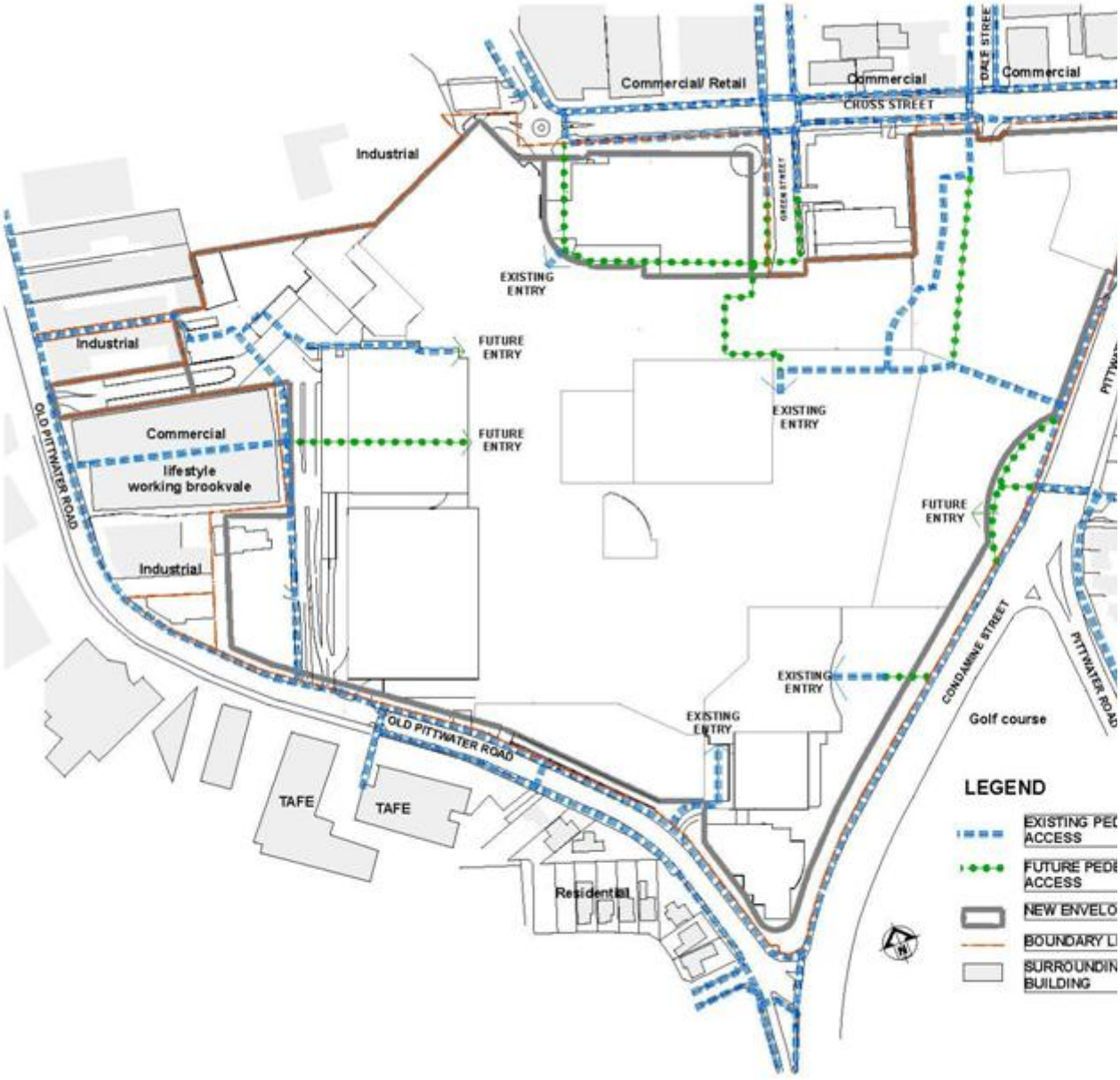


Figure 11: Pedestrian Access Plan

Public Transport

Objectives

• To encourage public transport use by improving / enhancing public transport support infrastructure.

Requirements

51. A single integrated bus interchange for the site is to be provided. The interchange is to be located on the eastern side of the site, generally north of the intersection of Pittwater Road and Condamine Street. The interchange is to be capable of accommodating both the existing local and commuter bus networks and growth in the number of bus services to the Mall. The indicative integrated bus interchange zone is illustrated in **Figure 11**.

The integrated bus interchange is to be provided in association with a related stage of development. The timing for the implementation of the integrated bus interchange is subject to the following considerations:

a. The establishment of a clear physical nexus between the stage of works and the location of the proposed new bus interchange;
b. The ability to properly integrate the future development with the new interchange.
c. The agreement of the Roads and Traffic Authority (RTA) in respect to the design and location of the required works to the arterial road network necessary to support the interchange.
d. Proposed extensions to the centre that would require the re-positioning of the existing internal bus interchange (currently located within the site) to a new location.
e. The widening of Pittwater Road along the frontage of the site north of Condamine Street.

The final design of the interchange is to be accessible for both Warringah Mall customers and general bus users and is to be of a high quality design. The interchange is to provide a high level of amenity and functionality.

The final design of the integrated bus interchange must consider the views of Council, NSW Transport and Infrastructure, the RTA, the STA and private bus operators.

In the event that approval cannot be obtained for a new integrated bus interchange in the zone identified, the applicant must identify alternative options that will achieve a satisfactory upgrade of the existing bus facilities and capacities in accordance with these requirements.

Parking Facilities

Objectives

• To provide adequate parking facilities for staff and visitors to Warringah Mall.
• To provide adequate space for parking and manoeuvring of vehicles.
• To encourage the use of bicycles and motor bikes by people who work at Warringah Mall and visitors to Warringah Mall as an alternative mode of transport.
• To ensure bicycle parking and storage facilities and motor bike parking are designed and located to provide easy, convenient and safe access to Warringah Mall.
• To ensure adequate provision of end of trip shower and locker facilities for employees of Warringah Mall.

Requirements

52. Car parking is to be provided at the rate of 4.1 spaces per 100 square metres of Gross Leaseable Floor Area unless it can be demonstrated that a lesser rate can still achieve sufficient parking provision to meet the needs of the shopping centre.
53. Provision is to be made for the parking of motorcycles in easy to access and clearly visible locations.
54. Car and motorcycle parking space dimensions must comply with the relevant Australian Standard. Note. AS/NZS 2890.1:2004 Parking Facilities - Off-street car parking applied at the time this DCP was adopted.
55. Bicycle parking and storage facilities shall be provided for any additional floor area proposed to allow parking or storage of a minimum number of bicycles, in accordance with the following;

• Bicycle storage facility – 1 per 300sqm
• Bicycle parking facility – 1 per 500sqm

This required provision may be reduced having regard to:
(a) The expected number of employees, and their likely or desired use of bicycles for travel to and from work.
(b) The expected number of visitors, and their likely or desired use of bicycles to visit the development.

56. Bicycle parking and storage facilities shall be designed in accordance with the relevant Australian Standard. **Note.** *AS2890.3 - 1993* Parking facilities – Bicycle parking facilities applied at the time the DCP was adopted.
57. Adequate shower and change room facilities for staff shall be located close to secure bicycle storage facilities.

Environmental Management

Stormwater Management

Objectives

• To ensure that future development on the site conforms with the principles for the development of flood prone land set out in the NSW Government's Floodplain Development Manual, 2005.
• To safeguard the environment through the improvement of water quality and the control of overland flow through the site.
• To provide for the safe conveyance of overland flows through the site without unacceptable risk to human safety and property for floods up to the 100 year Average Recurrence Interval (ARI). The impacts of climate change are to be considered when determining the average recurrence intervals.

Requirements

58. Water quality control measures are to be provided in accordance with the adopted Northern Beaches Stormwater Management Plan and Council's *Water Sensitive Urban Design Policy*.
59. Ground level development is to be avoided in the locations of the proposed concept drainage augmentation system as conceptually illustrated in **Figure 12** and in accordance with Council policy *PAS – PL 130: Building Over or Adjacent to Constructed Council Drainage System and Easements.*
60. Ensure that all new development on the site does not adversely impact upon the stormwater drainage system and any overland flow path through the site.
61. Ensure that all new development on the site does not adversely affect flooding conditions in existing development located both internal and external to the site.
62. New buildings or extensions involving habitable areas are to be designed to prevent the entry of stormwater for floods up to 100 year ARI and all new habitable floor levels are to have a 500mm freeboard to the 100 year ARI flood.
63. Structural measures are to be implemented on the site as part of any significant alterations to existing buildings that will ensure affected habitable floor levels have a 300mm freeboard to the 100 year ARI flood.
64. Structural measures are to be implemented on the site that ensure that overland flows are conveyed through the site in a low hazard nature for floods up to 100 year ARI. All new structural measures are to be confined, as far as is deemed practicable, to the site.

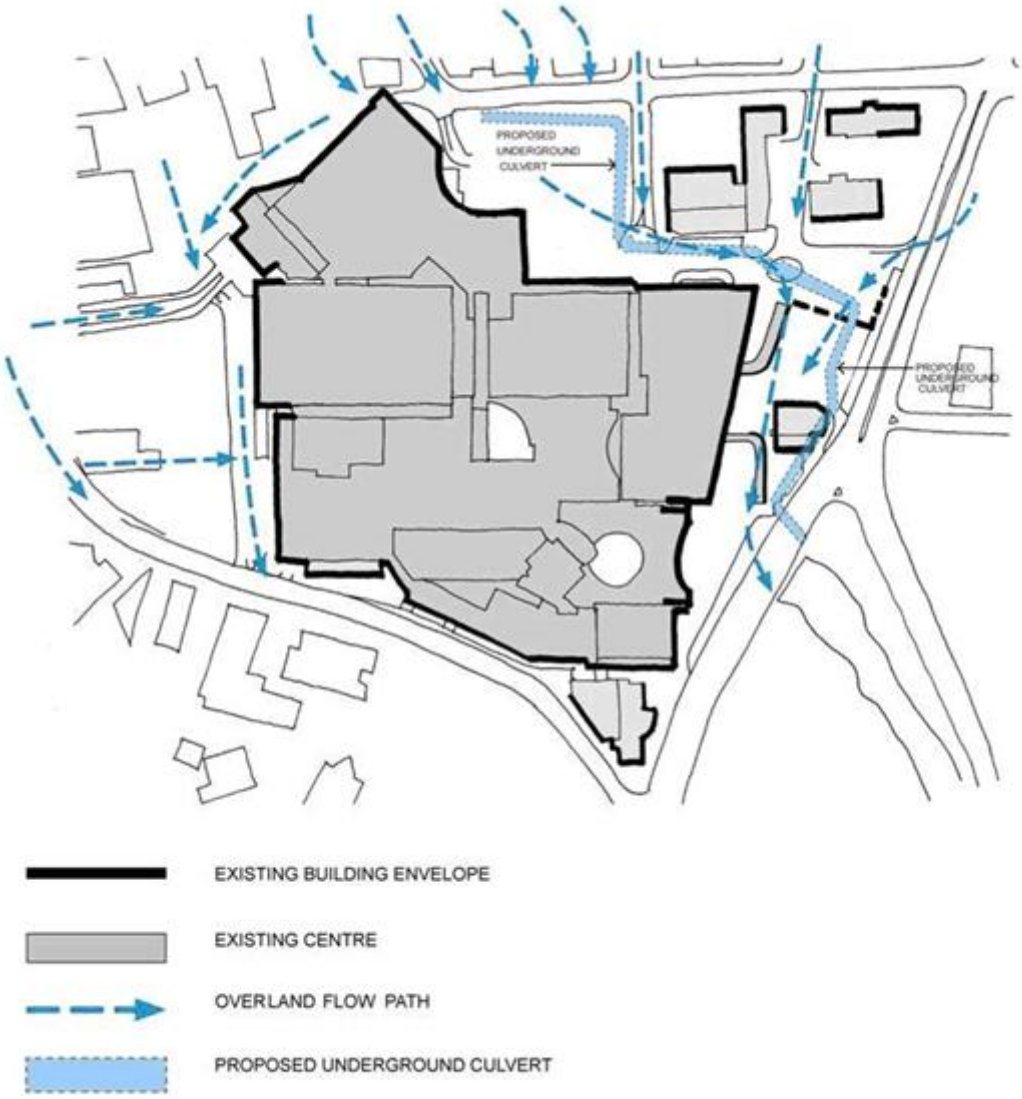


Figure 12: Overland Flow Path Site Constraints

Environmental Sustainability

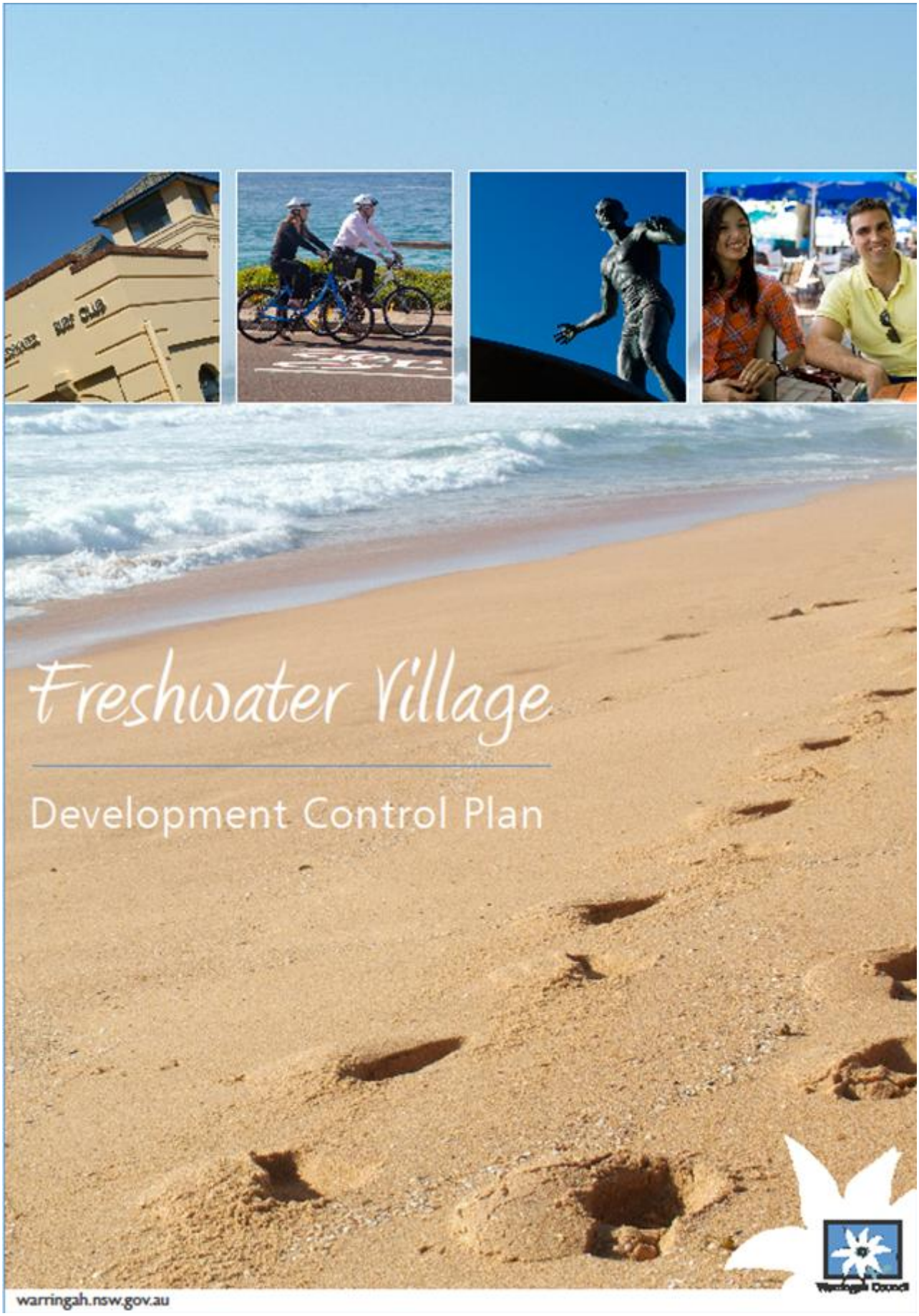
Objectives

• To achieve Australian 'Best Practice' in environmentally sustainable design and construction.
• To minimise energy consumption in the construction and use of buildings
• To minimise water use and encourage water re-use.
• To minimise the need for the mechanical heating and cooling of spaces.

Requirements

65. Development involving an increase in floor space is to achieve a 'Green Star' rating (or equivalent) reflecting Australian 'Best Practice' in environmentally sustainable design and construction for retail centres.
66. Shading devices are to be incorporated where practical, to reduce solar energy loads.
67. Buildings are to be designed and oriented to maximise the use of daylight and solar energy for illumination. This may be achieved through the provision of light wells, skylights and voids.
68. The thermal performance of buildings is to be optimised by using efficient methods of heating and cooling such as insulation and passive solar access.
69. The following water saving measures are to be incorporated into all development:
(a) Water fixtures (low flow shower heads and taps, dual flush toilets, low flush/waterless urinals, etc) are to be 3 stars (WELS Scheme) or better rated.
(b) Stormwater capture and reuse, including water quality management to be in accordance with Council's Policy *Water Sensitive Urban Design*.
(c) Select water efficient plants and / or locally indigenous vegetation.
(d) Use recycled or harvested rainwater for watering new gardens and landscape features.

G5 Freshwater Village



Freshwater Village Context

History

Note: This historical background has been extracted from Gwen Gordon: Harbord Queenscliff and

South Curl Curl 1788 – 1978 (1978)

The following are some key milestones with regards to the history of urban settlement of Freshwater:

- In 1818 the first land grant of 50 acres was made to Thomas Bruin, and in 1884 this 50 acres of land became known as the Freshwater Estate. The land was bounded by the beach, Evans Road, Albert Street, and Undercliff Road.
- Thirty years later, Duke Kahanamoku, the world sprint swimming champion from Hawaii, introduced surfboard riding to Australia at Freshwater Beach in December 1914 spurring some interest in Freshwater.
- In the mid to late 1920s there were about six shops in Lawrence Street and by the late 1930s Lawrence Street had a Post Office, fire station, and bank agencies. The Harbord Literary Institute was the 'centre of social and cultural life' in the area.
- Freshwater became Harbord in 1923, and reverted to Freshwater in 2008. Now a relatively quiet village away from the main roads of the peninsula, Freshwater services the local community with a variety of shops, offices and businesses.

Centres hierarchy

NSW planning policies place a high importance on the value of town centres.

The *NSW Draft North East Subregional Strategy* (2007) applies to Warringah, and in it, Freshwater (referred to as "Harbord – Lawrence Street") is identified as a 'small village'.

Under the *Metropolitan Plan for Sydney 2036* (2010), a village is identified as a group of shops and services for daily shopping with a walking catchment of 400 – 600m (see Map 1).

The *NSW Draft Centres Design Guidelines (2011)* states that centres are the focus of community life, and are places where people can easily go about their daily activities. Well-designed centres are safe and vibrant places where people enjoy spending time, and smaller centres typically provide retail and community facilities to meet the needs for the local population and workforce.

The *NSW Department of Planning Draft Centres Policy – Planning for retail and commercial development* (April 2009) refers to centres as follows:

> *A local centre will be expected to have low traffic impacts and could serve a largely walkable catchment and have retail that serves daily and weekly convenience shopping needs.*
>
> *The centre typology has been designed as a descriptive tool to categorise the likely future function of centres, not a prescriptive tool to limit the growth of those or other centres in the future.*
>
> *The categorisation of a centre as a particular typology is not intended to limit the future growth or diversity of that centre.*
>
> *Planning policies should not be used to limit innovation in the development of different formats and the mix of uses in centres unless there is a public policy justification to do so. Centres should be able to respond when market and consumer preferences change.*

The controls in the DCP aim for Freshwater to continue as a unique, vibrant and sustainable centre in accordance with the overarching principles for centres in NSW, and with its B2 Local Centre zoning under Warringah Local Environmental Plan 2011.

Note

This part of the DCP covers development control in Freshwater Village (see Map 2).

Part B Built Form Controls do not apply to Freshwater Village.

All other parts of the DCP apply to Freshwater Village.

In the event of any conflict between this part and other parts of the DCP, the provisions of this part shall prevail in relation to development in the Freshwater Village area.

Unless otherwise specified, 'Exceptions' apply only to the Requirements of the relevant control.

The Objectives of the control are still applicable, irrespective of any Exceptions.

1. Built form in Freshwater

Applies to land

Within area edged red in DCP Map 1 Freshwater Study Area

Objectives	Requirements
O1.To reinforce and enhance the role of Freshwater Village as a centre for the local community.	R1. Development is to evoke the coastal setting of the area through architectural expression and public art, eg murals or other external treatment of buildings
O2.To achieve high quality built form that enhances the streetscapes and coastal character of Freshwater Village	R2.Buildings, including balconies and carpark entry points, fronting any public place must not contain any utility service pipe or conduit that is visible from the public place. Utility services including 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 including streets.
O3. To maintain and enhance Freshwater as an attractive destination among Sydney's coastal centres	R3.Locate residential uses so that noise, odour and any other adverse impacts are minimised from loading bays, garbage disposal and other service areas
O4. To ensure development responds to the low scale, narrow lot pattern of Freshwater	R4. Retail entries are to be no more than 10m apart A minimum floor to ceiling height of 3.3m for ground floor uses R5.A minimum floor to ceiling height of 2.7m for uses above the ground floor
O5. To achieve comfortable, functional and attractive buildings for residents, workers and visitors	R6.For any development with 10 or more shops or 500m2 or more retail floor space, accessible and well signposted toilet facilities complying with AS 1428 shall be provided. These facilities shall have the same minimum opening and closing hours as the proposed development. Residential entries are to be separate and clearly distinguished from business entries

2. Number of storeys

Applies to land

This control applies to land shown coloured on the DCP Map Number of Storeys.

Objectives	Requirements
O1. To ensure a reasonable level of amenity and solar access is provided and maintained to adjoining and nearby properties	R1. Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum height measured in storeys identified on the map

O2. To complement the height of buildings control in the LEP with a number of storeys control.	
O3. To provide sufficient scope for innovative roof pitch and variation in roof design	

Note

Maximum height of buildings is determined by reference to the WLEP.
To measure the height in storeys:

The number of storeys of the building are those storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building; and

Storeys that are used for the purposes of garages, workshops, store rooms, foundation spaces or the like, that do not project, at any point, more than 1 metre above ground level (existing) are not counted.

3. Street activation

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To reinforce and enhance the main street character of Lawrence Street. O2. To ensure that all new development provides activation to the public domain including streets, lanes and public open space	R1. Ground floor uses are to provide active uses to streets, shareways, lanes, public areas and arcades R2. Ground floor uses are to have direct and convenient entries from streets, shareways, lanes, arcades or public areas R3. The glazed area of street frontage windows at ground floor level is to be maximised R4. Street frontage windows are to be wrapped around corners into side streets, shareways, lanes, and public areas to increase the area of active frontage R5. Shopfronts at any arcade entry are required to wrap around the corner into the arcade, maximising the glazed area of windows, to a minimum distance of 6 metres from the front building line

O3. To achieve attractive, interesting and welcoming street frontages	R6. Buildings are designed to overlook the street R7. Minimise the extent and visual impact of vehicle entrances and other building entries not associated with active uses

Exception
Where a frontage is to a lane or other area dedicated to servicing uses and vehicle access only, active uses and high pedestrian amenity may not be required.

Note

Activation occurs where shopfronts and entrances address the street, where pedestrians circulate to access shops and services and where pedestrians can casually interact.

Activation encourages pedestrians and creates vitality.

4. Street facades and shopfront design

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To respond to the narrow lot pattern and smaller retail frontages with vertical proportions that carry through into the façade above	R1. The design and proportions of the façade elements are to continue and respect the narrow lot frontages R2. The maximum length of a shopfront is to be between 5 – 10m. Frontages greater than 10m must be broken into smaller vertical sections
O2. To reduce apparent bulk and scale	R3. Facades are to have a predominantly vertical emphasis
O3. To ensure that the articulation and fenestration of the proposed development reflects the character of Freshwater and its local beachside culture	R4. No blank walls are to be presented to any public domain area R5. Building fronts and entries are to be clearly visible from the street R6. Air conditioning units, exhaust vents, aerials, clothes lines, water heaters etc are not to be visible from streets or public areas
O4. To provide visual connection between the pubic domain and private development	R7. Glazed shopfronts that allow visual connection between the activities inside the development and the public domain are to be provided

5. Access and loading

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To improve amenity and safety for pedestrians	R1. Service and loading areas should improve the amenity of the streetscape and reduce any potential for vehicle / pedestrian conflict
O2. To minimise the impact of service vehicles and loading	R2. Locate all underground car park entries, service and loading as well as garbage collection areas away from the primary street frontage
O3. To relocate loading and servicing away from Lawrence and Albert Streets	R3. No additional vehicle or loading access is to be provided from Lawrence or Albert Streets R4. Rear or underground loading, garbage collection and access for vehicles is to be provided as part of any new development for lots fronting Lawrence and Albert Streets wherever possible via new connected laneways or through negotiation with Council for access via existing surface carparking areas

6. Lighting

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To limit adverse impact on residents O2. To provide lit access	R1. Lighting is to be designed to not cause glare or unacceptable light spill to adjacent residential uses R2. Lighting is to be located on the underside of awnings or below awnings as wall lights to light the footpath R3. The use of exposed fluorescent batten lighting is not permitted.
O3. To supplement existing street lighting and 'spill' lighting from shop fronts	R4. Special effects lighting may be used to highlight key landscape design elements, major trees and significant buildings subject to compliance with other requirements of this control

7. Safety and security

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements

O1. To reduce opportunities for crime	R1. Proposed development must incorporate the principles of Crime Prevention Through Environmental Design (CPTED), see www.police.nsw.gov.au/community_issues/crime_prevention/safer_by_design http://www.police.nsw.gov.au/__data/assets/pdf_file/0003/9390/duapguide_s79c.p R2. Development is to maximise casual observation of open space areas, access ways, car parks, entries, driveways and the like
O2. To discourage antisocial behaviour	R3. Provide lighting in areas intended for night use and/or areas accessed by pedestrians after dark

8. Signage

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To ensure signage is compatible with the low scale, coastal village character of Freshwater O2. To ensure that signage is compatible with the scale, proportion and other characteristics of the development	R1. Signage is to be appropriately located with no obscuring of architectural features
O3. To provide identification or information on the business being carried out	R2. Signage is to relate to the business being carried out in the building; third party signage is not permitted
O4. To minimise advertising and signage clutter	R3. No signage is to be located above awning level

Note

The building and amenity of the area may be improved through painted wall signs or murals

9. Awnings

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To provide weather protection for buildings and people	R1. Provide continuous awnings along: • Lawrence Street • Albert Street • Moore Road • Any new or upgraded pedestrian access within Freshwater R2. To control sun access/protection, canvas blinds along the street edge may be permitted
O2. To provide a safe and comfortable environment for pedestrians	R3. The underside of awnings should not be less than 3.2m above the footpath R4. Awnings are to be provided over the public area of the footpath generally up to 600mm from the kerb

O3. To ensure awnings are compatible with the development and its context	R5. The design of awnings is to be integrated with the design of the building R6. Where the built form steps down the street, awnings are also to step with the building form to reveal the topography R7. Where a building is sited on a street corner, awnings are to be wrapped or continued around the corner for a minimum 6 metres
O4. To ensure that there is no conflict with vehicles or urban design features	R8. Awnings are to be setback generally 600mm from the kerb R9. The design and location of awnings is not to interfere with any existing or proposed street trees or other urban design features in the public domain





10. Front setback

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To improve pedestrian and customer amenity O2. To expand publicly accessible areas at ground level O3. To help enliven street frontages O4. To maintain uninterrupted pedestrian circulation and flow	Ground level and second storey R1. New buildings may be built to the boundary or may be set back a maximum of 3m, for outdoor seating, display of goods, etc
O5. To create a sense of openness O6. To protect and enhance the visual quality of streetscapes and public spaces	Third storey R2. The third storey is to be set back a minimum of 5m from the property boundary R3. Landscaping or gardens within the 5m setback area of buildings are encouraged

11. Side and rear setbacks

Applies to land

Shaded in DCP Map 2 Freshwater - side and rear setbacks

Objectives	Requirements
O1. To provide a transition to any adjacent residential zones O2. To provide landscaped screening of the built form O3. To help protect the character, amenity and outlook of residential areas surrounding Freshwater Village O4. To help reduce any adverse impact from the business nature of the development on residential amenity	R1. Where a side or rear boundary of the proposed development site adjoins land zoned for residential purposes, excluding roads, a minimum setback of 2m is required R2. This setback area is to be landscaped and densely planted

Exception
This control does not apply where the residential zone is a road

12. Other side and rear setbacks

Applies to land

Hatched in DCP Map 2 Freshwater - lots where rear or side boundaries do not adjoin residential zones under WLEP Land Use Zoning Map, excluding roads

Objectives	Requirements
O1. To ensure that the scale and bulk of buildings is minimised O2. To provide adequate separation between buildings to ensure a reasonable level of amenity and solar access is maintained O3. To provide reasonable sharing of views to and from public and private properties	R1. Where a side or rear boundary of the proposed development site does not adjoin residential zoned land other than roads, the side and rear boundary setbacks will be determined on a merit basis and will have regard to: • streetscape • amenity of surrounding properties • setbacks of neighbouring development
O4. To provide ample opportunities for deep soil landscape areas	R2. The setback area is to be landscaped, densely planted and free of any above or below ground structures, car parking or site facilities other than driveways and fences

13. Roofs and building form

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To retain and enhance the low scale built form of Freshwater	R1. Roof forms are to be an integral response to the building design
O2. To respond to the topography and the coastal context of Freshwater	R2. Step building and roof forms with the topography
O3. To maintain and enhance the aesthetic visual qualities of Freshwater	R3. Services, plant rooms and lift overruns are to be integrated into the design of the roof form and screened from the public domain

O4. To better reflect heat	R4. Lighter roof colours are preferred

Note

Development is encouraged to provide 'green' roofs for landscaped area and rainwater collection.

14. Building massing

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To respond to the original smaller lot subdivision, low scale coastal village character of Freshwater	R1. Ensure that the scale, massing and proportions respond to the narrow lot pattern of Freshwater R2. Buildings are not to exceed a maximum building length of 20m without the provision of separate cores and entry points

15. Building sustainability

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements

O1. To maximise opportunities to achieve resource efficiency, reuse, recycling and reduced consumption O2. To achieve improved sustainability in the built environment, eg lower greenhouse gas emissions, reduced energy and water consumption, less waste, healthier working environments for workers, residents and visitors O3. To facilitate rainwater collection and reuse	R1. For development greater than 2,000 square metres the proposed development is to achieve a minimum 4 star rating under the Green Star rating system under the Green Building Council of Australia or equivalent
O4. To optimise the use of passive technologies in building design, construction, materials and operation	R2. The principles and properties of thermal mass, glazing, insulation and solar energy are to be incorporated into the design of the development
O5. To reduce energy bills and the whole-of-life cost of energy services	R3. Reduce reliance on artificial lighting, heating and cooling and minimise the areas of the building where such lighting, heating/cooling is required through the application of energy efficient passive design principles

Note

Council promotes integrated, whole-building design that is energy efficient in design, materials and function and which considers opportunities for energy generation as well as re-use of energy, water and materials.

The proposed development is to comply with the Building Energy Efficiency Disclosure Act 2010.

Non-residential development Class 5-9 must comply with the Building Code of Australia energy efficiency provisions.

See links below for additional information:

Building Energy Efficiency Disclosure Act 2010
http://www.comlaw.gov.au/Details/C2010A00067

Green Building Council Australia http://www.gbca.org.au/

Building Products Innovation Council www.bpic.asn.au

The National Australian Built Environment Rating System (NABERS) provides ratings for the broad environmental impacts of commercial buildings, ie energy, water, waste, indoor environment and site performance, see www.nabers.com.au

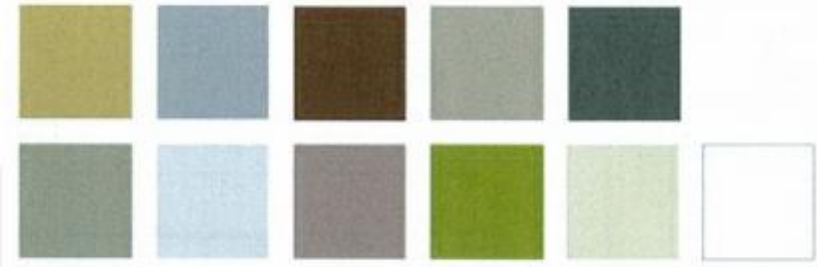
Commercial buildings greater than 2,000m2 for sale, lease or sublease are likely to require a building energy efficiency certificate (BEEC). BEECs are valid for up to 12 months, must be publicly accessible on the online building energy efficiency register at www.cbd.gov.au and include:

- *a National Australian Built Environment Rating System (NABERS) energy star rating for the building;*
- *an assessment of the energy efficiency of tenancy lighting in the area of the building that is being sold or leased; and*
- *general energy efficiency guidance.*

16. Materials and colours

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To encourage materials and colours that are evocative of Freshwater and its coastal setting	R1. Use textures, tones and different natural materials R2. Materials and colours should relate to the context of the proposed development. R3. Heavier materials such as stone should be mainly located at the base of buildings R4. Painted surfaces must be mid-tone or darker
O2. To create visual interest and variation	R5. Colours selected should fall into the spectrum of the preferred colour palette below:  Painted surfaces must be mid-tone or darker
O3. To help express architectural elements and detail	R6. Other colours may be used in small amounts as feature elements

Note

Freshwater is made up of predominantly sandy-coloured development.

17. Active travel links

Applies to land

Within DCP Map 1 Freshwater Study Area edged red

Objectives	Requirements
O1. To improve pedestrian accessibility, safety and amenity through the maintenance or creation of functional, accessible, attractive links	R1. Where appropriate, sites adjoining lanes or parking areas are to maintain existing or incorporate new through-site links for residents, customers, workers and visitors travelling on foot or by bicycle
O2. The proposed development improves connectivity and contributes to an active and vibrant Freshwater Village O3. To provide for permeability between buildings, community facilities and public transport	R2. Provide legible laneways, arcades and pedestrian / cyclist ways where appropriate

18. Development in the vicinity of heritage items

Applies to land

Shaded transparent yellow on the map DCP Map 3 Freshwater – development in the vicinity of heritage items (being properties within 50m of items listed in Schedule 5 Environmental Heritage in WLEP 2011)

Objectives	Requirements

O1. To ensure that any proposed development within the vicinity of a heritage listed item does not have an adverse impact on and complements the heritage significance of the item(s)	R1. Development must be designed to take into account the significance of the heritage listed item(s) and should outline the impact the proposed works will have on that significance in a statement of heritage impact. R2. The statement of heritage impact must take into account the provisions of any conservation plan of management or plan of management for the heritage listed properties R3. The measures proposed to mitigate any negative impacts on the heritage significance are to be detailed in the statement of heritage impact.

Note

The Heritage Branch has a list of guidelines and fact sheets available at http://www.heritage.nsw.gov.au/03_index.htm

G6 Dee Why RSL Club

Preliminary

This part of the DCP is for future development on Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Part B Built Form Controls do not apply to this land.

All other parts of the DCP apply to this land.

In the event of any conflict between this part and other parts of the DCP, the provisions of this part shall prevail in relation to development on this land.

Unless otherwise specified, ‘Exceptions’ apply only to the ‘Requirements’ of the relevant control.

The ‘Objectives’ of the control are still applicable, irrespective of any ‘Exceptions’.

1. Built Form

Applies to Land

This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements

O1. To complement the area surrounding the site. O2. To provide a transition to the scale of residential development. O3. To provide an urban design solution that respects the topography of the site.	R1. Development will step down to the north and east.
O4. To provide an urban design solution that respects the nature of surrounding development.	R2. Residential development will adopt the residential nature of the surrounding area.

2. Boundary envelope

Applies to Land

This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements
O1. To ensure that development does not become visually dominant by virtue of its height and bulk. O2. To ensure adequate light, solar access and privacy by providing spatial separation between buildings. O3. To ensure that development responds to the topography of the site.	R1. Development on this land must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) of 5m at the southern and eastern boundaries.

Exceptions

Balconies, eaves, fascias, gutters, downpipes, masonry chimneys, flue pipes or other services infrastructure provided it is integrated with the building design may encroach beyond the boundary envelope.

3. Boundary setbacks

Applies to Land
This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirement
O1. To create a sense of openness. O2. To protect and enhance the visual quality of streetscapes and public spaces. O3. To maintain the visual continuity and pattern of buildings and landscape elements.	R1. Boundary setback areas are to be landscaped and generally free of any structures or site facilities other than driveways, letter boxes, garbage storage areas and fences.
O4. To provide a wide landscaped strip on the northern frontage of the site.	R2. Northern boundary: development with frontage to Hawkesbury Avenue must not extend at any point beyond the existing building.
O5. To ensure that the scale and bulk of buildings is minimised. O6. To provide adequate separation between buildings and adjacent land to ensure a reasonable level of privacy, amenity and solar access is maintained. O7. To ensure articulation and modulation of facades.	R3. Southern boundaries: development is to maintain a minimum setback of 5.0m from the southern boundaries. R4. Eastern boundary: development is to maintain a minimum setback of 6.5m from the Clarence Avenue boundary and is not to encroach at any point beyond the existing building. R5. Western boundary: development is to maintain a minimum setback of 6.5m from the Pittwater Road boundary and is not to encroach at any point beyond the existing building. R6. Any storey above the second storey is to be set back a minimum of 2.5m from the face of the second storey.

Exceptions
E1. Light fittings, electricity or gas meters or other services infrastructure and structures not more than 1m above ground level (existing) (including steps, landings, pedestrian ramps and stormwater structures) may encroach into the setback up to 2m from a boundary.
E2. Entrance and stair lobbies at ground floor level may encroach into the setback up to 2m from a boundary.

E3. Basement car parking may extend:
• Up to 2m from the boundary, and
• No more than 1m above ground level (existing).

Note

Maximum height of buildings is determined by reference to the WLEP.
To measure the height in storeys:
The number of storeys of the building are those storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building; and
Storeys that are used for the purposes of garages, workshops, store rooms, foundation spaces or the like, that do not project, at any point, more than 1 metre above ground level (existing) are not counted.






4. Safety and security

Applies to Land
This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements
O1. To enhance the safety and security of public and private spaces.	R1. The built form and landscaping elements are to: • achieve casual observation of public domain, • maximise activity in publicly accessible areas, • reduce opportunities for crime and antisocial behaviour, and • discourage vandalism.
O2. To incorporate appropriate lighting.	R2. Provide lighting in areas intended for night use and/or areas accessed by pedestrians after dark.

Note

See also DCP Clause D20 for general requirements for safety and security.

5. Views

Applies to Land
This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements
O1. To retain the existing views to, from and through the site.	R1. Views from the site to the east (Dee Why coastline, Dee Why Lagoon and the South Pacific Ocean) are to be considered and retained.
O2. To promote a high quality outlook for surrounding residential areas.	R2. Development shall provide for the reasonable sharing of views.
O3. To achieve reasonable view sharing to and from public and private properties.	

Note

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.

6. Landscaping and civic improvements

Applies to Land

This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements
O1. To provide high quality landscaping throughout the site including dedication of land to the public domain. O2. To contribute to the public domain.	R1. Substantial landscaping is to be achieved on the site generally by the provision of • trees at 1/10m2, • shrubs and ground-covers at a rate of 4 plants/m2. R2. Opportunities for deep soil landscape areas are to be provided on the site. R3. The northern portion of the site is to be set aside for open spaces and civic improvements such as a war memorial.

O3.To make an appropriate transition to the surrounding residential areas. O4. To soften and improve the built edge and façade.	R4. The northern and eastern boundaries of the site are to be landscaped appropriately utilising predominately local native species reflecting the character of the adjoining Dee Why Lagoon. Exotic species may be used in the context of memorial design and entry definition. R5. Landscaping will provide a vegetative screen of the car park when viewed from adjacent streets.
O5. To create a unique complex.	R6. Landscaping is to be used as part of the building fabric both internally and externally.

7. Economic and social sustainability

Applies to Land
This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements
O1. To upgrade the quality and quantity of services and amenities provided by the Club for the benefit of members, visitors and community groups supported by the Club. O2. To provide a variety of services that will achieve long term economic viability.	R1. Development will support the site's use as a major, high quality and unique entertainment venue in Dee Why. R2. Development will contribute to employment within the Dee Why district

8. Traffic generation, car parking and vehicular access

Applies to Land
This control applies to Lot 1, DP 706230, 932 Pittwater Road Dee Why.

Objectives and Requirements

Objectives	Requirements
O1. To provide appropriate and well-considered traffic planning solutions. O2. To minimise the impact of the club activities and the surrounding road network.	R1. Vehicular access is to be restricted to Clarence Avenue with separate entry and exit driveways.
O3. To accommodate the demand for off-street car parking. O4. To provide adequate car parking facilities.	R2. The Club shall undertake patronage and user surveys of the existing Club facilities and similar club developments. R3. Additional peak traffic generation is to be assessed using the RMS *Guide to Traffic Generating Developments*, and surveys undertaken by the Club.
O5. To provide for safe and convenient pedestrian and vehicular movements within the site and in the car park.	R4. Design and layout of the carpark must demonstrate safe and convenient access for all users. R5. Maintain high quality pedestrian access to the Club from Pittwater Road.

Note

See also DCP Part C Siting Factors C2 Traffic, Access and Safety for general controls and C3 Parking Facilities.

G7 - Evergreen

Introduction

This part provides specific controls for future residential development for small lot housing on the Evergreen Estate.

The following parts of the Warringah DCP do not apply to the Evergreen Estate:

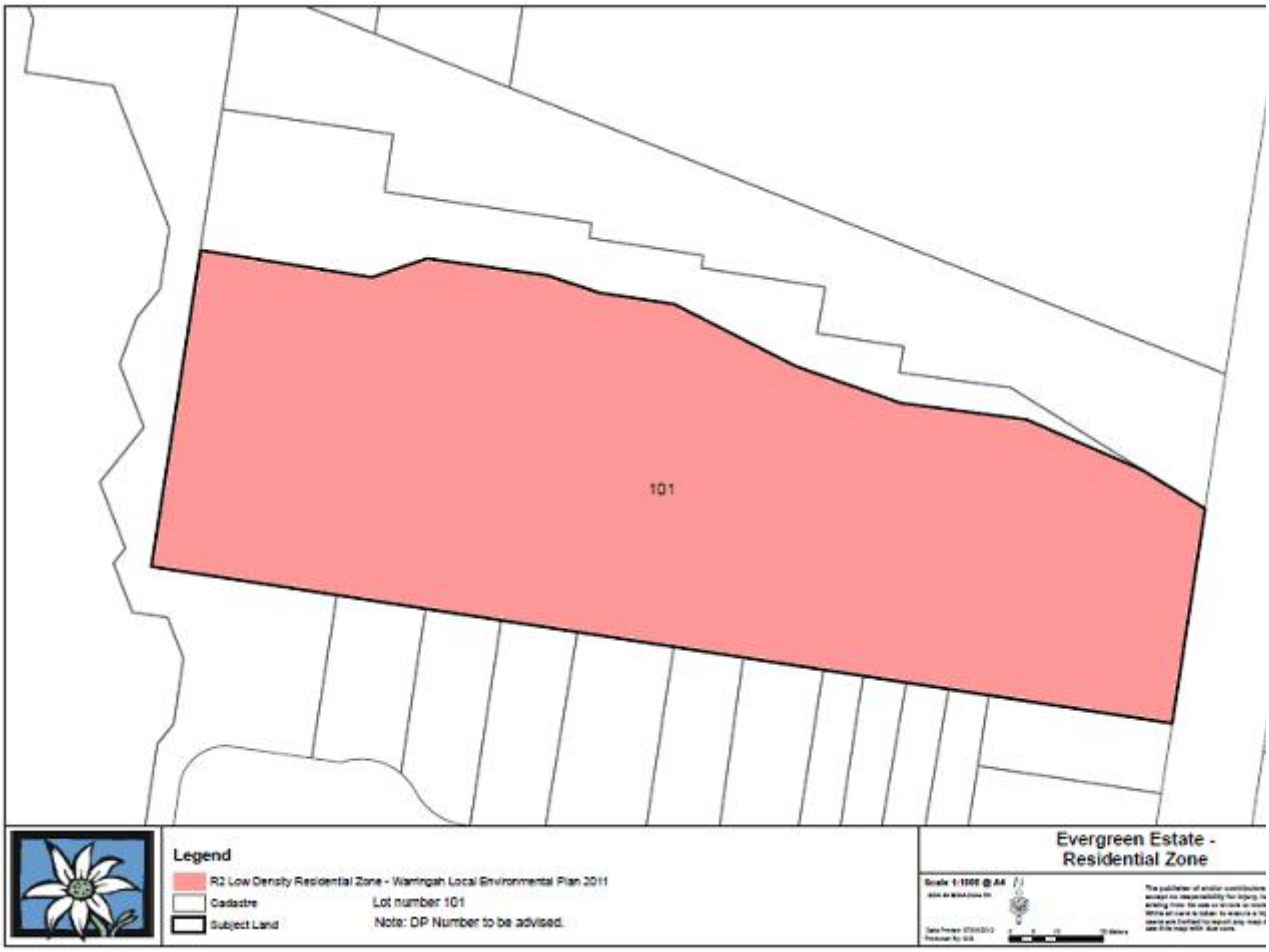
- Part B - Built Form Controls
- Part C1 - Subdivision (requirement 1 only)
- Part D2 - Private Open Space
- Part D6 - Access to Sunlight of Warringah Development Control Plan (DCP).

This is because part G7 includes site specific controls for the land. All other parts of the DCP apply to the land.

Applies to Land

This part applies to land Zoned R2 Low Density Residential in Warringah Local Environmental Plan 2011 and known as the Evergreen Estate at 26 Campbell Avenue Cromer shown outlined on Figure 1 Location of Evergreen Estate.

FIGURE 1 Location of Evergreen Estate



General Objectives

Objectives

1. To provide a residential layout that accommodates small lot, single dwelling and environmentally sustainable housing
2. To facilitate innovative high quality residential development that incorporates principles for good connectivity, access and amenity
3. To ensure development is compatible with the adjoining neighbourhood amenity and to provide an attractive living environment for its occupants
4. To ensure that development enhances and supports the character of the riparian landscape by ensuring that location and design is sensitive to the physical conditions and qualities of the land and its environs

General Requirements

Requirements

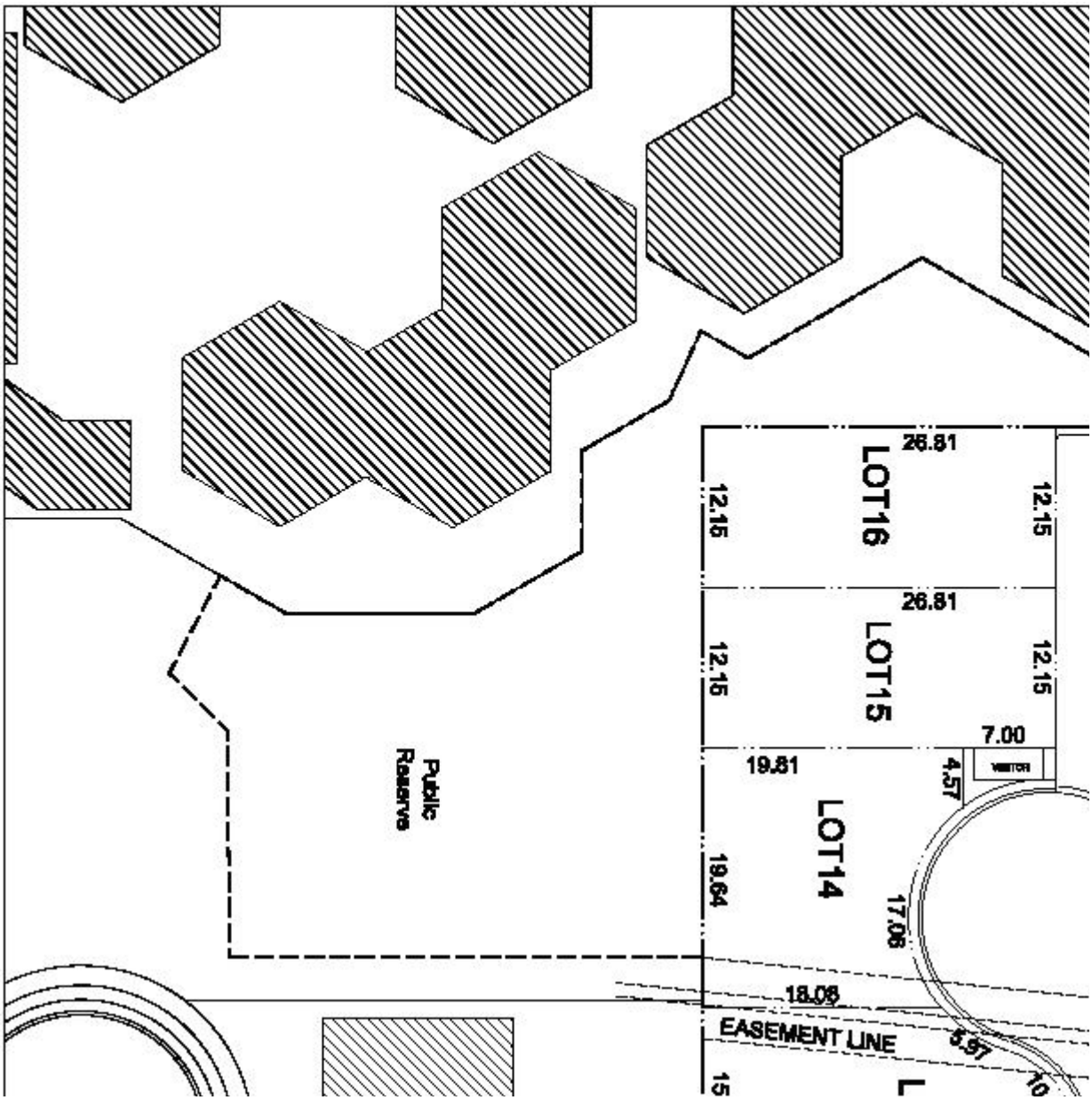
1. Future development will reflect the visual pattern, orientation and predominant scale of adjacent residential development
2. Development should minimise any impacts on the adjacent open space. It shall have regard to the values of the Dee Why Creek open space corridor identified in the Dee Why Creek and South Creek Corridor Plan of Management
3. The quality of the environment will be maintained by the planting of suitable native tree canopy and preserving the natural landscape, including natural watercourses
4. Materials that blend with the colours and textures of the natural landscape are to be incorporated.

Overall Development Layout

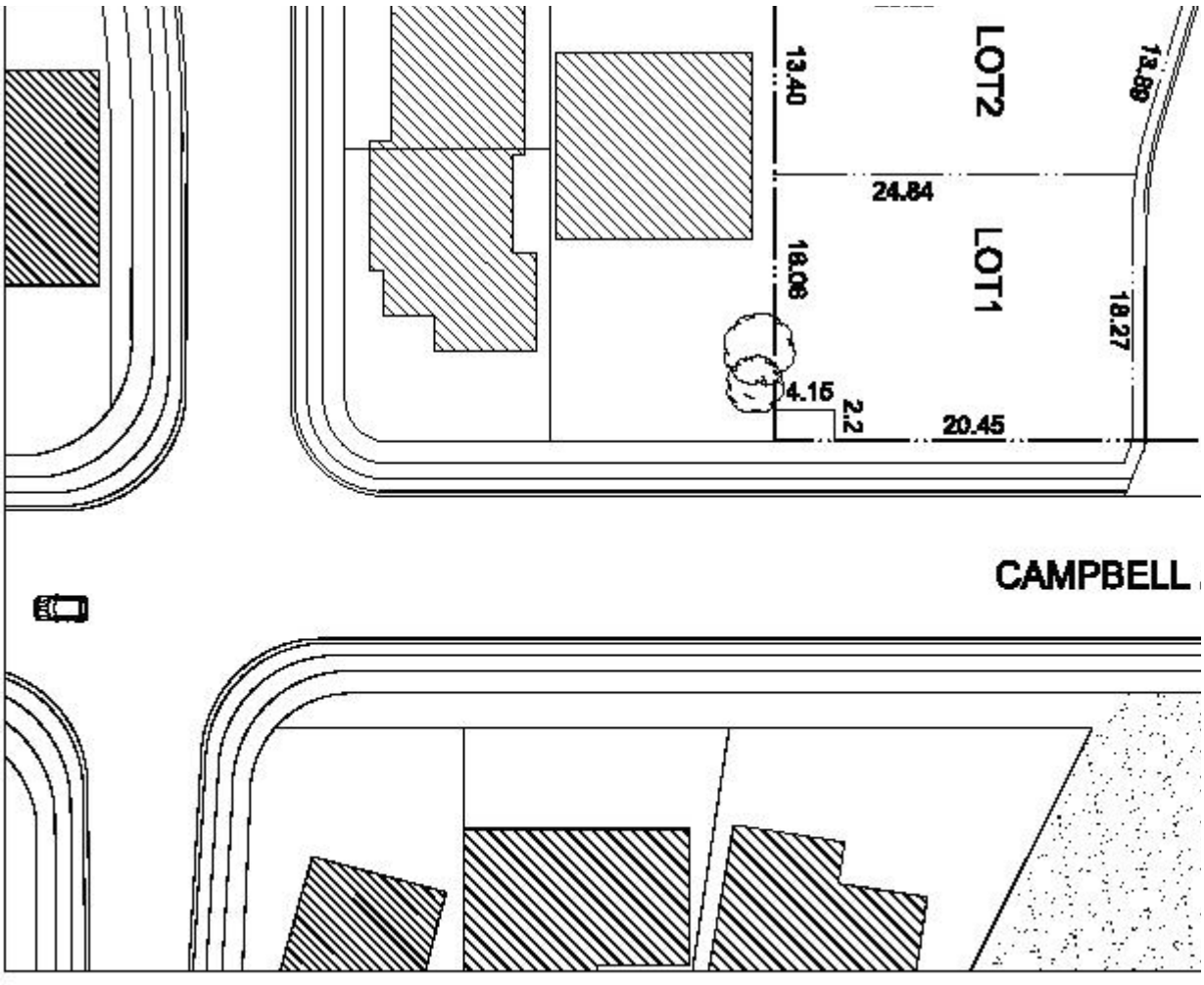
Pedestrian and Access Road Network

Requirements

Objectives	Requirements
O1 To establish a safe internal access road network that serves the development	**R1.1** The road (private or public) and pedestrian network layout is to be generally in accordance with Figure 2 Road and Subdivision Layout, provided the relevant planning controls can be satisfied
O2 To provide appropriate access and egress points between the Evergreen Estate redevelopment and the existing road network	**R2.1** There shall be a high level of internal accessibility and good external connection to Campbell Avenue for local vehicle, pedestrian and cycle movements
O3 To enhance transport access and safety	**R3.1** As part of any future development application for subdivision, a traffic impact assessment is to be submitted to Council confirming compliance with relevant specifications, in particular, with respect to road geometry and gradients. The assessment is to: • address the impact of any additional traffic on local streets • incorporate traffic management measures that restrain vehicle speed and create safe conditions for all road users • allow for emergency access requirements • provide adequate means of efficient evacuation in emergencies




LOT13
LOT12
LOT11
LOT10
LOT9
LOT8
LOT7
LOT6
LOT5
LOT4
LOT3
28.60
28.39
12.2
12.89
16.14
11.34
4.2
4.8
EASEMENT LINE
EASEMENT LINE
BRUZZANO PLACE



Natural Features

Landscaping

Requirements

Objectives	Requirements

O4 To provide appropriate landscaping within the Estate which allows for an attractive sense of amenity for occupants, as well as a suitable site interface with the natural features of the adjoining Dee Why Creek Corridor	**R4.1** A Landscape Plan is to be submitted as part of any future residential subdivision development application. The Plan is to: • be prepared in accordance with Council's requirements • identify the location, type and condition of all existing trees. • be compatible with the recommendations of the Landscape Management and Rehabilitation Strategy (prepared by Woodlots and Wetlands Pty Ltd and Site Image Landscape, June 2012) for lots with an interface to the adjacent open space land to the north • demonstrate the provision of an attractive streetscape that reinforces the functions of the street, enhances the amenity of buildings and is sensitive to the built form, landscape and environmental conditions of the adjoining open space • be prepared in accordance with Biodiversity Management Plan Guidelines • use plants grown from local provenance seed and cuttings • include landscaping in front setback areas • include at least one "tall or low tree" from Appendix A is to be provided within the front setback area of every dwelling house. The mature height of these trees shall be between 5 and 8 metres
O5 To provide adequate protection of Dee Why Creek	**R5.1** The northern boundary demarcates the southern extent of the riparian corridor along Dee Why Creek. The average 30 metre width of the riparian corridor includes both the core riparian zone and a riparian buffer. Development is to be designed and managed to minimise any potential impacts on the corridor
O6 To ensure development of the site does not adversely impact on the riparian corridor	**R6.1** Any setback areas that encroach within the 30 metres of the top of the bank will be treated with increased planting densities. The proposed species, density and distribution of plantings are to be based on the recommendations of a Vegetation Management Plan prepared by a suitably qualified ecologist

Built Form Requirements

Subdivision Layout, Lot Yield, Lot Dimensions and Lot Size

Objectives and Requirements

Objectives	Requirements
O7 To achieve a residential development pattern that provides an opportunity for a small lot subdivision that offers a variety of housing choice	**R7.1** The subdivision layout and lot dimensions are to be generally in accordance with Figure 2 Road and Subdivision Layout, provided the relevant planning controls can be satisfied
O8 To impose a maximum lot yield to limit the density of development	**R8.1** The maximum number of residential lots to be created is 34
O9 To allow for a range of lot sizes to provide an efficient, orderly and sustainable subdivision layout	**R9.1** The size of individual residential lots shall be no less than 300sqm and not more than 490sqm

Wall Height

Objectives and Requirements

Objectives	Requirements
O10 To minimise the visual impact of development when viewed from adjoining properties and land zoned RE1 Public Recreation	**R10.1** 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)

Front Building Setback

Objectives and Requirements

Objectives	Requirements
O11 To create a sense of openness and arrival	**R11.1** Development is to maintain a minimum front building setback of 6.5 metres to Campbell Avenue, except for the provision of an Electricity Substation
O12 To provide an attractive streetscape and sense of amenity, to minimise the visual impact of development on the streetscape and to allow for adequate private open space	**R12.1** Development is to maintain a 4 metre minimum front building setback to the internal access roads. A lesser setback may be considered for lots 13, 14, 15, 19, 33 and 34 (Figure 2 Road and Subdivision Layout) where the front setback objectives can be met. A greater setback may be required on lots south of the main access road to meet the private open space requirements in R23.1 – R23.3 inclusive
O13 To consider the treatment of corner allotments	**R13.1** The setback from the secondary frontage for corner lots 23, 24 and 28 is to be a minimum of 2 metres
O14 To provide opportunities for casual surveillance of the street and provide visual interest	**R14.1** The front building setback area is generally free of any structures or site facilities other than driveways, fences, landscaping and letter boxes **R14.2** Buildings are to be oriented to the street

Rear Building Setback

Objectives and Requirements

Objectives	Requirements
O15 To provide opportunities for deep planting and planting of suitable and substantial native vegetation	**R15.1** Development is to maintain a minimum rear building setback of 6 metres with the exception of: • Lots 3- 6 where a 10 metre rear building setback applies and • Lots 7-13 where an 8 metre rear building setback applies. A lesser setback may be considered for lots 21, 22, 23, 27 and 28 and adjacent land zoned RE1 Public Recreation where the rear setback objectives can be met
O16 To preserve the amenity of adjacent land, particularly relating to privacy between buildings	**R16.1** The rear building setback area is to be open, landscaped and free of any structures other than ancillary development **R16.2** The rear building setback may be encroached by ancillary development but only if the total area of all such development does not exceed 50% of the rear setback area. Any encroachments must comply with the rear setback objectives ***Definition****: Rear building setback is the distance measured perpendicular to the boundary furthest from a public street or the internal access road up to the any building on the allotment*

Side Boundary Setback

Objectives and Requirements

Objectives	Requirements
O17 To ensure that development does not become visually dominant	**R17.1** Development is to maintain a minimum setback of 0.9 metres from side boundaries
O18 To ensure that the scale and bulk of buildings is minimised	**R18.1** Side boundary setback areas are to be free of any above or below ground structures, car parking or site facilities other than fences
O19 To provide adequate separation between buildings and to ensure a reasonable level of privacy and amenity	**R19.1** Overlooking between buildings must be minimised by the location and design of windows and balconies or screening devices

Side Boundary Building Envelope

Objectives and Requirements

Objectives	Requirements
O20 To ensure that development does not become visually dominant by virtue of its height and bulk	**R20.1** To maintain an acceptable level of spatial separation buildings must be sited within a building envelope determined by projecting planes at 45 degrees from a height above existing ground level at the side boundaries of 4 metres. Where the natural ground levels slope from the front to the rear of an allotment a variation to the Side Boundary Envelope may be considered, where: # The Side Boundary Envelope of 4 metres is maintained at the front of the dwelling # The variation doesn't exceed 900mm for more than one-half the length of the dwelling's side wall **R20.2** Fascias, gutters, downpipes, eaves (up to 450mm from the boundary), masonry chimneys, flues, pipes or other services infrastructure may encroach beyond the side boundary envelope (BCA requirements)

Landscaped Open Space

Objectives and Requirements

Objectives	Requirements
O21 To ensure that the appropriate vegetation is planted and maintained within the Estate, and that there is a suitable interface with the land that adjoins the riparian corridor to the north	**R21.1** The open space areas shall be planted and maintained in accordance with Council's requirements and compatible with the recommendations of the Landscape Management and Rehabilitation Strategy (prepared by Woodlots and Wetlands Pty Ltd and Site Image Landscape, June 2012) for the adjacent open space land to the north
O22 That landscape design must enhance personal safety and reduce potential for crime and vandalism by incorporating Crime Prevention Through Environmental Design (CPTED) principles LINK	**R22.1** Ensure landscaping enables visibility along access ways to restrict opportunities for concealment **R22.2** Height of landscaping on the front property boundary is to be maintained at a 1.2m maximum height at a depth of 1 metre. **R22.3** Tree location and species selection must accommodate vehicle and pedestrian sight lines **R22.4** Ground cover should stabilise the site but not excessively increase bushfire hazard risk

Private Open Space

Objectives and Requirements

Objectives	Requirements

O23 To provide functional and well located areas of private open space	**R23.1** Dwellings are to provide the following amount of private open space: • 1 or 2 bedrooms - 35 sq m with a minimum dimension in any direction of 3 metres; • 3 or more bedrooms – 60 sq m with a minimum dimension in any direction of 5 metres **R23.2** Private open space is to: • be directly accessible from a living area • be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play • be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development • have useable proportions for residents and provide space for functions such as clothes drying **R23.3** Private open space is to be located to maximise solar access. On lots south of the main internal access road (that connects to Campbell Avenue) half of the required private open space (see R23.1) is to be provided at the front of the building to maximise solar access. Private open space for Lot 14 shall be provided on the eastern side of the lot.

Dwelling Design

Objectives and Requirements

Objectives	Requirements
O24 To encourage innovative and contemporary building designs which result in a high quality and attractive residential environment	**R24.1** Building facades are to be articulated. Front facades must be suitably articulated. Elements for articulation may include: • verandahs • porches • windows • awnings • eaves • garage doors • wall line variation. **R24.2** Eave overhangs are to provide sun shading and protect windows and doors and provide aesthetic interest. Eaves should have an overhang of 450mm (BCA requirements) **R24.3** Proposed dwelling colours, materials and finishes are to be from a neutral palette of colours. Highly reflective colours are not acceptable

Access and Parking

Objectives and Requirements

Objectives	Requirements
O25 To reduce the visual impact of garages, carports, driveways and parking areas on the streetscape of the internal access roads	**R25.1** Garages are an important element of the dwelling façade. They are to be integrated with and complementary to the dwelling design **R25.2** The maximum width of a driveway at the kerb is to be 4m **R25.3** The maximum width of the driveway at the garage is 5.5 metres

Fencing

Objectives and Requirements

Objectives	Requirements
O26 Fencing is to be suitable to the conditions of the site and is to improve the streetscape amenity.	**R26.1** Concept details of all fencing are to be submitted as part of the residential subdivision development application **R26.2** The fence along the northern boundary of the land is to utilise high quality materials, should be of sufficiently robust construction to limit vandalism/prevent damage or creation of any unapproved access points directly into the adjacent RE1 Public Recreation zone **R26.3** Fencing is to meet Council's requirements with particular reference to the hydrological characteristics of the land

Servicing

Objectives and Requirements

Objectives	Requirements
O27 To ensure that site facilities are integrated, functional, unobtrusive, accessible and easy to maintain	**R27.1** Utility services including service structures, plant and equipment are to be: • located underground or be designed to be an integral part of the development • suitably screened from public places or streets • provided in a common trench where possible • to each separate lot **R27.2** Waste receptacle storage areas and mailboxes are to be integrated with the overall design of buildings and/or landscaping

Appendix A: Suitable Plant Species List

Requirements

Appendix A: Suitable Plant Species List

Canopy / Trees Shrubs

Banksia serrata Acacia floribunda
Glochidion ferdinandi Acacia longifolia
Melaleuca linearifolia Actinotus helianthi
Tristaniopsis laurina Banksia ericifolia var. ericifolia
Banksia oblongifolia
Banksia robur
Banksia spinulosa var. spinulosa
Breynia oblongifolia
Callicoma serratifolia
Callistemon citrinus
Correa alba
Dodonaea triquetra
Goodenia ovata
Grevillea sericea
Kunzea ambigua
Lambertia formosa
Leptospermum polygalifolium
Macrozamia communis
Westringia fruticosa

Part H Appendices

Appendix 1 Car Parking Requirements

Residential	
Use	**Requirement**

Backpackers' accommodation, Boarding house, Group home	Comparisons must be drawn with developments for a similar purpose.
Bed and breakfast accommodation	Comparison must be drawn with developments for a similar purpose.
Caravan park	1 space per caravan site.
Dwelling house and dual occupancy	2 spaces per dwelling, except for land known as Belrose Corridor (see Part G4) which has a maximum of 2 car spaces.
Hotel or motel accommodation	1 space per unit, plus 1 space per 2 employees, plus if a restaurant is included, add the greater of: · 15 spaces per 100 m^2 GFA of restaurant or function room, or · 1 space per 3 seats
Multi-dwelling housing, Residential flat buildings, Serviced apartments (including holiday flats), Shop-top housing (residential component)	General: • 1 space per 1 bedroom dwelling • 1.2 spaces per 2 bedroom dwelling • 1.5 spaces per 3 bedroom dwelling • 1 visitor space per 5 units or part of dwellings Within the Dee Why Town Centre: • 0.6 spaces per 1 bedroom dwelling • 0.9 space per 2 bedroom dwelling • 1.4 spaces per 3 bedroom dwelling • 1 visitor space per 5 units or part of dwellings • 1 car share space per 25 dwellings (for properties with more than 25 dwellings) with each car share space replacing one (1) regular car parking space).

Note

Studies, lofts, or other such rooms capable of being used as bedrooms will also be calculated as a bedroom.

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 property lot.

Office and Business	
Use	**Requirement**
Business park	Apply rates for component uses, i.e. Industry/warehouse or distribution centre component at industry rate; Office premises at office rate (Where office premises is a component of a factory/warehouse distribution centre development, the first 20% of office premises floor area is calculated at the industry rate).
Business premises	1 space per 40 m^2 GFA excluding customer service/access areas, plus for customer service/access areas 1 space per 16.4 m^2 GFA.
Office premises	1 space per 40 m^2 GFA.

Retail and Commercial

Use	Requirement
Bulky goods premises	Comparisons must be drawn with developments for a similar purpose.
Drive-in liquor store	Refer to design principles for drive-in liquor stores in the Roads and Traffic Authority's Guide to Traffic Generating Developments.
Home business	No additional carparking is required.
Landscape and garden supplies	Whichever is greater of: · 15 spaces, or · 0.5 spaces per 100 m^2 of site area.
Markets	2.5 spaces per stall (customers only) plus separate provision for stall holders vehicles
Pub	Comparisons must be drawn with developments for a similar purpose, noting the existing supply of, and demand for, parking in the area and the peak parking periods of individual facilities within the hotel. When the proposed hotel development includes a function room for live music performances or a nightclub, particular attention must be paid to parking requirements to meet peak demands.
Registered club	Comparisons must be drawn with developments for a similar purpose.
Restaurant	Whichever is the greater of: 15 spaces per 100 m2 GFA, or 1 space per 3 seats. The above rate may be reduced if there is, in the consent authority's opinion, suitable available parking in the vicinity during the operating hours of the proposed development.
Roadside stall	4 spaces.
Service station	6 spaces per service bay, plus 5 spaces per 100 m^2 GFA of convenience store. (If restaurant present, then greater of 15 spaces per 100 m^2 GFA, or 1 space per 3 seats).

Sex service premises	1 space per 2 suites for employees plus 1 space per 2 suites for clients. Additional car parking spaces must be provided where other discrete uses (such as function rooms etc) are provided in the premises, at a rate appropriate to the particular use.
Shop (includes retail / business component of shop top housing, retail premises and neighbourhood shop)	1 space per 16.4 m^2 GLFA (6.1 spaces per 100 m^2 GLFA). The above rate may be varied in shopping centre complexes, such as shopping malls, where multi-purpose trips predominate, in accordance with the following: · for 0-10,000 m^2 GLFA - 6.1 spaces per 100 m^2 GLFA · for 10,000-20,000 m^2 GLFA - 5.6 spaces per 100 m^2 GLFA · for 20,000-30,000 m^2 GLFA - 4.3 spaces per 100 m^2 GLFA · for more than 30,000 m^2 GLFA - 4.1 spaces per 100 m^2 GLFA Within the Dee Why Town Centre: 1 space per 23.8m2 GLFA (4.2 spaces per 100 m2 GLFA)
Take away food and drink premises	Drive-in take-away food outlet with no on-site seating: 12 spaces per 100 m^2 GFA Drive-in take-away food outlet with on-site seating: 12 spaces per 100 m^2 GFA or greater of: · 1 space per 5 seats (internal and external), or · 1 space per 2 seats (internal) Drive-in take-away food outlet with on-site seating and drive through facilities: greater of: · 1 space per 2 seats (internal), or · 1 space per 3 seats (internal and external) plus queuing area for 5 to 12 cars
Timber and building supplies	Comparisons must be drawn with developments for a similar purpose.

Recreational and tourist facilities	
Use	**Requirement**
Bowling alley	3 spaces per alley.
Bowling green	30 spaces for the first green and 15 spaces per additional green.
Entertainment facility	Comparisons must be drawn with developments for a similar purpose.

Gymnasium	4.5 spaces per 100 m^2 GFA.
Marina	If a survey of similar existing developments has not been undertaken, the following figures may serve as a general guide: · 0.6 spaces per wet berth · 0.2 spaces per dry storage berth · 0.2 spaces per swing mooring · 0.5 spaces per marina employee If a survey of similar existing developments has been undertaken, regard must be had to the survey.
Squash court	3 spaces per court.
Tennis court	3 spaces per court.

Industry and transport	
Use	**Requirement**
Car tyre retail outlet	Whichever is greater of: · 3 spaces per 100 m^2 GFA, or · 3 spaces per work bay
Depot	Surveys must be taken of developments for a similar purpose.
Industry	1.3 spaces per 100 m^2 GFA (including up to 20% of floor area as office space component. Office space component above 20% determined at office rate).
Road transport terminal	Surveys must be taken of developments for a similar purpose.
Truck stop	1 truck parking space per motel unit plus 1 car space per 2 employees plus for restaurant facilities, the greater of: 15 spaces per 100 m^2 GFA, or 1 space per 3 seats
Vehicle repair station	1.3 spaces per 100 m^2 GFA.
Vehicle sales or hire premises	0.75 spaces per 100 m^2 site area plus 6 spaces per work bay for vehicle servicing facilities.
Warehouse or distribution centre	1.3 spaces per 100 m^2 GFA (including up to 20% of floor area as office premises space component. Office premises component above 20% determined at office premises rate).

Health and community services	
Use	**Requirement**

Child care centre	1 space for every 4 children, having regard to the maximum number of children authorised to be cared for at any particular time.
Community facility	Comparisons must be drawn with developments for a similar purpose.
Educational establishment	1 space per staff member in attendance, plus as relevant, adequate pickup/setdown area on site, plus · adequate provision of bicycle racks, plus · adequate provision for student parking, plus provision of bus standing and turning area
Health consulting rooms	3 spaces per room used to see patients. This may be reduced if not all rooms will be in concurrent operation, or if convenient on-street parking is available, providing that the use of such parking does not adversely affect the amenity of the adjacent area.
Hospital	Comparisons must be drawn with developments for a similar purpose.
Medical centre	4 spaces per 100 m^2 GFA.
Place of public worship	Comparisons must be drawn with developments for a similar purpose. The need for additional parking for church halls must also be addressed in relation to proposed uses and hours of use.
Veterinary hospital	Comparisons must be drawn with developments for a similar purpose.

Appendix 2 Belrose Corridor

Scientific Name	Common Name	Habit
Acacia Longifolia	Sydney Golden Wattle	Tall shrub
Acacia parramattensis	Parramatta Green Wattle	Low tree
Acmena smithii	Lilly Pilly	Low tree
Allocasuarina distyla	Scrub She-oak	Medium shrub
Allocasuarina littoralis	Black She-oak	Low tree
Angophora costata	Sydney Red Gum	Tall tree
Angophora hispida	Dwarf Apple	Medium shrub
Banksia ericifolia	Heath-leaved Banksia	Tall shrub
Banksia oblongifolia	Rock Banksia	Low shrub
Banksia robur	Swamp Banksia	Low shrub
Banksia serrata	Old Man Banksia	Low tree
Banksia spinulosa	Hairpin Banksia	Medium shrub
Callistemon citrinus	Crimson Bottlebrush	Medium shrub
Corymbia gummifera	Red Bloodwood	Tall tree
Eucalyptus capitellata	Brown Stringybark	Tall tree
Eucalyptus haemasioma	Broad-leaved Scribbly Gum	Medium tree
Eucalyptus punctata	Grey Gum	Tall tree
Eucalyptus sieberi	Silvertop Ash	Tall tree
Grevillea speciosa	Red Spider-flower	Medium shrub

Lambertia Formosa	Mountain Devil	Medium shrub

Appendix 6 Environmental Weeds

Botanical Name	Common Name
Acetosa sagittata	Turkey rhubarb
Ageratina spp	Crofton weed, Mist flower
Aristea ecklonii	Blue Stars
Arujia sericifolia	Moth Plant/Vine
Cinnamomum camphora	Camphor Laurel
Cotoneaster glaucophyllus	Cotoneaster
Genista monspessulana	Cape Broom
Impatiens balsamina	Impatiens
Jasminum polyanthum	Jasmine
Lonicera japonica	Honeysuckle
Myrsiphyllum asparagoides	Bridal Creeper
Nephrolepis cordifolia	Fishbone Fern
Paspalum quadrifarium	Tussock paspalum
Senna pendula	Cassia
Tradescantia fluminensis	Wandering Jew

Appendix 7 Noxious Weeds

Botanical name	Common name
Pennisetum macrourum	African feathergrass
Sisymbrium runcinatum	African turnipweed
Sisymbrium thellungii	African turnipweed
Alternanthera philoxeroides	Alligator weed
Eichornia azurea	Anchored water hyacinth
Ambrosia artemisiifolia	Annual Ragweed
Sagittaria montevidensis	Arrowhead
Cynara cardunculus	Artichoke Thistle
Asparagus densiflorus	Asparagus fern
Tamarix aphylla	Athel tree
Cardiospermum grandiflorum	Balloon Vine
Chrysanthemoides monilifera subspecies rotunda	Bitou Bush

Centaurea nigra	Black knapweed
Rubus fruticosus	Blackberry
Chrysanthemoides monilifera subspecies monilifera	Boneseed
Asparagus asparagoides	Bridal creeper
Cytisus scoparius	Broom English /Scotch
Orobanche spp excluding O.cernua variety australiana & O.minor	Broomrapes
Ambrosia confertiflora	Burr ragweed
Cabomba caroliniana	Cabomba
Delairea odorata	Cape ivy
Ricinus communis	Caster oil plant
Macfadyena unguis-cati	Cat’s claw creeper
Stachytarpheta cayennensis	Cayenne snakeweed
Nassella neesiana	Chilean needlegrass
Asystasia gangetica subspecies micrantha	Chinese violet
Asparagus plumosus	Climbing Asparagus fern
Gaura lindheimeri	Clockweed
Gaura parviflora	Clockweed
Sonchus arvensis	Corn sowthistle
Cuscuta spp excluding C. australis, C. tasmanica, C. Victoriana	Dodder
Hygrophila polysperma	East Indian hygrophila
Arundo donax	Elephant grass/Giant reed
Achnatherum brachychaetum	Espartillo
Myriophyllum spicatum	Eurasian water milfoil
Cenchrus brownii	Fine-bristled burr grass
Pennisetum setaceum	Fountain grass
Cenchrus biflorus	Gallon’s curse
Carthamus glaucus	Glaucous starthistle
Scolymus hispanicus	Golden thistle
Cestrum parqui	Green cestrum

Harrisia species	Harrisia cactus
Hieracium species	Hawkweed
Equisetum species	Horsetail
Hygrophila costata	Hygrophila
Hymenachne amplexicaulis	Hymenachne
Acacia karroo	Karoo thorn
Bassia scoparia	Kochia
Lagarosiphon major	Lagarosiphon
Lantana species	Lantana
Lantana camara	Lantana
Ludwigia longifolia	Long-leaf willow primrose
Ludwigia peruviana	Ludwigia
Anredera cordifolia	Madeira vine
Nassella tenuissima	Mexican feather grass
Argemone mexicana	Mexican poppy
Miconia spp	Miconia
Mimosa pigra	Mimosa
Ipomea cairica	Morning glory coastal
Ipomea indica	Morning glory blue
Cenchrus echinatus	Mossman River grass
Ochna serrulata	Ochna
Romulea species excluding R. rosea var australis	Onion grass
Excluding O. chnoodes, O. exilis, O perennans, O. radicosa, O. rubens, O. thompsoniae	Oxalis
Cortaderia species	Pampas grass
Parthenium hysterophorus	Parthenium weed
Parietaria judaica	Pellitory
Annona glabra	Pond apple
Acacia nilotica	Prickly acacia
Opuntia species excluding O. ficus-indica	Prickly pear
Cylindropuntia species	Prickly pear

Ligustrum lucidum	Privet broad leaf
Ligustrum sinense	Privet narrowleaf/chinese
Oryza rufipogon	Red rice
Phyllostachys species	Rhizomatous bamboo
Toxicodendron succedanea	Rhus tree
Cryptostegia grandiflora	Rubbervine
Sagittaria platyphylla	Saggittaria
Salvinia molesta	Salvinia
Avena strigosa	Sand Oat
Gymnocoronis spilanthoides	Senegal tea plant
Nassella trichotoma	Serrated tussock
Chromolaena odorata	Siam weed
Brassica barrelieri sub species oxyrrhina	Smooth stemmed turnip
Picnomon acarna	Soldier thistle
Centaurea maculosa	Spotted knapweed
Hypericum perforatum	St John’s wort
Helianthus ciliaris	Texas blueweed
Acetosa sagittata	Turkey rhubarb
Paspalum quadrifarium	Tussock paspalum
Trapa species	Water caltrop
Eichornia crassipes	Water hyacinth
Pista stratiotes	Water lettuce
Stratiotes aloides	Water soldier
Salix spp excluding S. babylonica, S. x reichardtii, S. x calodendron	Willows
Striga spp excluding native spp and S. parviflora	Witchweed
Limnocharis flava	Yellow burrhead
Cyperus esculentus	Yellow nutgrass

Appendix 8 Removal of Tree Tests

1. The Unacceptable Risk Test
This is an assessment of whether the tree poses an unacceptable risk that cannot be adequately or appropriately managed by arboricultural treatment, fencing, signage, or other risk management measures. The level of risk is to be assessed and reported by a suitably qualified arborist. Other possible methods to mange the risk other than tree removal are to be considered prior to issuing

consent for the removal of a tree.

2. The Diseased Condition Test
This is an assessment of whether the tree is in a diseased condition that cannot be corrected by pruning or other arboricultural treatment. The diseased condition of the tree must be confirmed in a report by a suitably qualified arborist. Options for managing the diseased condition are to be considered prior to issuing consent for the removal of a tree.

3. Remaining Life Expectancy Test
This assessment identifies the remaining life expectancy of the tree. If this is less than 5 years, consent for the removal of the tree subject to replacement planting may be issued. The remaining life expectancy of the trees is to be determined and confirmed in a report by a suitably qualified arborist.

4. Property Damage Test
This is an assessment of whether public or private property is being significantly affected by the presence/location or growth of a tree. Permission for the removal of the tree may be issued if it is shown that removal of the tree is the only option to avoid further conflict, having regard to all other abatement options. Assessment of the damage is to be carried out and reported by a suitably qualified person (e.g. road/civil engineer) in consultation with a suitably qualified arborist.

5. Public Infrastructure Works Test
If a tree is likely to succumb to major injury as a result of public infrastructure work, permission for the removal of the tree may be granted. Other alternatives such as relocation or reconfiguration of the works are to be considered. An assessment of this is to be performed by a suitably qualified person (e.g. infrastructure designer/ public works staff) in consultation with a suitably qualified arborist. A major injury is considered to be an injury that is likely to result in death of the tree, in the tree posing an unacceptable risk, or a reduction in the life expectancy of the tree to less than 5 years.

6. Proposed Driveway Crossings, Private Structures or Works Affecting Public Land Test
Permission for the removal of a tree may be granted where the tree would prevent the installation and function of a proposed driveway crossing, street awning, street balcony, or other private structure. It needs to be demonstrated that:

- the removal of the tree would maximise public benefit,
- that there is no reasonable alternative to removing the tree, and
- the Council is satisfied that the proposal would not have any adverse heritage, pedestrian, streetscape or traffic impacts.

Appendix 9 Tree Retention Assessment

The purpose of the Tree Retention Assessment is to provide a clear method to assess the contribution of individual trees and groups of trees to amenity and the natural and built environments. Through doing so, a balance between the economic imperatives of land development and the preservation of natural features can be achieved.

Step 1. Assess the Sustainability of the tree.
The tree or group of trees are to be categorized into the following groups:
Greater than 40 years
from 15 to 40 years
from 5 to 15 years
less than 5 years
Dead or hazardous

Figure 1 demonstrates how a tree’s sustainability is to be determined.

Step 2. Identifying landscape significance
This step involves allocating each tree to be removed or retained a Landscape Significance rating. This is to be obtained through the categories and identifiers contained within Table 1 ahead. This rating is to then be contrasted against the Sustainability rating of the tree as shown in Figure 2 ahead, resulting in a retention value of each tree.

Step 3. Categorise each tree on its Retention value
Through the use of Figure 2 and the Landscape significance rating and tree sustainability rating, each tree to be removed or impacted upon by development is to be allocated a Retention Value.

	Landscape Significance Rating						
Tree Sustainability	1	2	3	4	5	6	7
Greater than 40 Years	**High retention value**						
15 to 40 years			**Moderate**				
5 to 15 Years				**Low**			
Less than 5 Years					**Very low retention value**		
Dead or Hazardous							

Table 1: *Landscape Significance*

1. Significant

The tree is listed as a Heritage Item within the WLEP with a local, state or national significance; or
The tree forms part of the curtilage of a Heritage Item and has a known or documented association with the item; or
The tree is a Commemorative Planting having been planted by an important historical person(s), or to commemorate an important historical event; or
The tree is scheduled as a Threatened Species or is a key indicator species of an Endangered Ecological Community as defined under the *Threatened Species Conservation Act 1995* (NSW) or the *Environmental Protection and Biodiversity Conservation Act (1999)*; or
The tree is a locally indigenous species, representative of the original vegetation of the area and is known as an important food, shelter, or nesting tree for an endangered or threatened fauna species; or
The tree is a remnant tree, being a tree in existence prior to development of the area; or
The tree has a very large live crown size exceeding 300m^2 with 70-100% foliage cover, is visible against the skyline, exhibits very good form and habitat typical of the species and makes a significant contribution to the amenity and visual character of the area by creating a sense of place or creating a sense of identity; or
The tree is visually prominent in a view from surrounding areas, being a landmark or visible from a considerable distance.

2. Very High

The tree has a strong historical association with a heritage item within or adjacent to the property and/or exemplifies a particular era or style of landscape design associated with the original development of the site; or
The tree is a locally-indigenous species and representative of the original vegetation of the area and the tree is located within a defied Wildlife Corridor or has known wildlife habitat value; or
The tree has a very large live crown size exceeding 200m2, a crown density exceeding 70% Crown Cover, is very good representative of the species in terms of its form and branching habitat or is aesthetically distinctive and makes a positive contribution to the visual character and the amenity of the area.

3. High

The tree has a suspected historical association with a heritage item or landscape supported by anecdotal or visual evidence; or

The tree is a locally-indigenous species and representative of the original vegetation of the area; or
The tree has a large crown size exceeding 100m^2, and

Is a good representative of the species in terms of its form and branching habitat with minor deviations from the normal (e.g. crown distortion/suppression) with a crown density of at least 70% Crown Cover, and

The subject tree is visible form the street and surrounding properties and makes a positive contribution to the visual character and the amenity of the area.

4. Moderate

The tree has a medium live crown size exceeding 40m^2, and

The tree is a fair representative of the species, exhibiting moderate deviations from typical form (e.g. distortion/suppression) with a crown density or more than 50% Crown Cover, and

The tree makes a fair contribution to the visual character and amenity of the area, and

The tree is visible from surrounding properties, but is not visually prominent – view may be partially obscured by other vegetation or built forms, or
The tree has known or suspected historical association

5. Low

The tree has a small live crown size of less that 40m^2 and can be replaced within the short term with a new tree planting; or
The tree is a poor representative of the species, showing significant deviations from the typical form and branching habit with a crown density of less that 50% Crown Cover; and

The tree is not visible from the surrounding properties and makes a negligible contribution or a has a negative impact on the amenity and visual character of the area.

6. Very Low

The subject tree is listed as an Environment Weed Species in the relevant Local Government Area, being invasive, or a nuisance species; or
The subject tree is of a species listed in Appendix 5; or

7. Insignificant

The tree is a declared Noxious Weed under the *Noxious Weed Act 1993 (NSW)*; or
The tree poses a threat to human life or property.

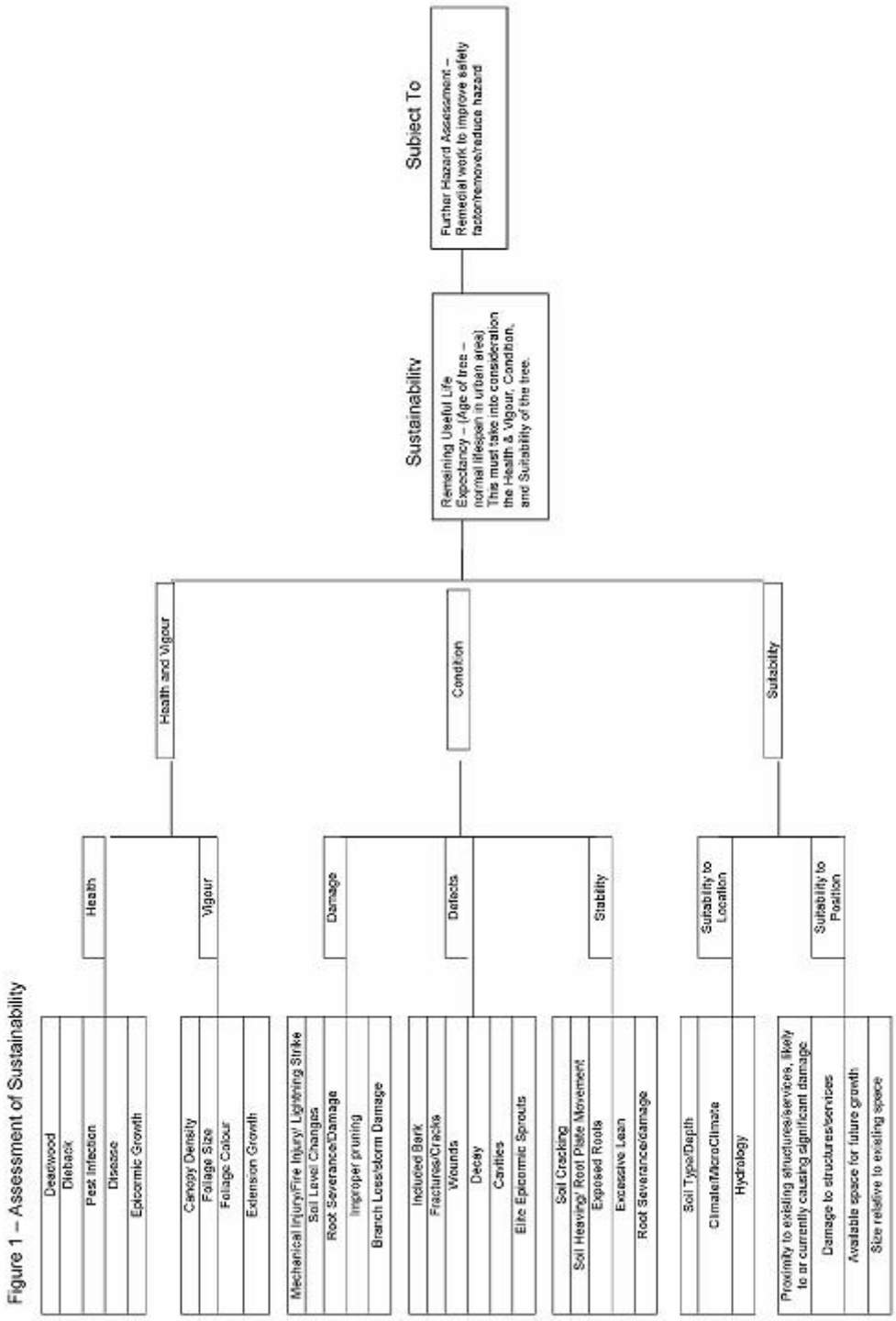


Figure 1 – Assessment of Sustainability

Appendix 11 Class 2-9 Buildings

All of the below reports and plans are to be undertaken by a suitably qualified person such as an arborist with the appropriate qualifications.

Pre-site Assessment Report

A pre-site assessment report is to show the following:

a) Trees on and adjacent to the site to be retained or pruned

b) Trees to be removed

c) Protection measures to be used during construction

d) Present condition of trees within the site, i.e. Life expectancy, retention value, hazard assessment

e) Soil assessment may be required at this stage, where significant excavation is to take place where the exposing of sub grade soils may result in a negative impact upon the existing trees and vegetation located on the site

Impact Assessment Report

An impact assessment report is to identify and discuss the following:

a) Location of building footprints, underground services and structures in relation to existing trees and any new trees to be planted.

b) Site access

c) Site establishment

d) Temporary services

e) Stockpiling areas

f) Likely impact of the development on the long term conditions of trees identified in the pre-site assessment

g) Estimated quantities (%) of loss of canopy

h) Estimated quantities (%) of loss of roots

i) Alterations to ground levels

j) Protection measures to be used during construction

Tree Management Plan

A tree management plan is to show the following:

a) Protection measures to be used during construction

b) Approximate life cycle of the existing trees and those to be planted

c) When and where replacement trees are to be planted

d) How long term management of trees on the site will be achieved.

Appendix 12 Tree Protection Plan

A Tree Protection Plan is to detail how trees to be retained are to be protected from injury and damage during construction and development works. A Tree Protection Plan is to:

- Be clear and readable
- Be prepared by a suitably qualified arborist
- Include an inventory in tabular form of the trees to be protected.

Specifically, a Tree Protection Plan is to consist of:

a) A composite base plan – The purpose of this is to aid Council in its assessment of the feasibility of the protective measures and to inform the installation process on site. The plan is to be prepared on a composite base of the land survey with the layout superimposed to allow for the relationship between new and old to be clearly seen. The composite base plan must show:

- All trees to be removed and their details such as survey numbers
- All trees to be retained (nominated trees) and their details in tabular form including survey number, common name, species, DBH, height, and condition
- Crown spread of all nominated trees
- Proposed root protection area and treatment to be used

Grading and trenching details where applicable

b) A tree protection statement – This is to detail measures to ensure the future health and stability of the nominated trees. This is to include details of manual and machine excavation, vehicle access, site controls on waste disposal, storage of materials, root and crown pruning, and installation of utilities.

The Tree Protection Plan is also to identify any trees located on adjoining sites that may be impacted upon by the development. If these trees will be impacted upon, details of how they are to be protected are to be provided