

Pittwater 21 Development Control Plan

Origin and Amendments

Pittwater 21 DCP Origin:

Date Adopted: 8 December 2003

Date in Effect: 1 February 2004

Amendments to Pittwater 21 DCP:

Amendment No.	Date Adopted	Date in Effect	Description
1	6 Aug 2007	10 Sept 2007	Major review of Parts Preliminary, A, B, C and D
2	5 Nov 2007	3 Dec 2007	Newport Masterplan Amendment – Major changes to controls for the Newport Commercial Centre (incorporating the Newport Masterplan at Appendix 12) and minor changes to controls for development in all centres and multiunit housing developments.
3	4 Feb 2008	18 Feb 2008	Clarification of various controls.
4	20 Oct 2008	28 Nov 2008	Introduction of Secondary Dwellings
5	15 June 2009	6 July 2009	Major review of Parts Preliminary, A, B, C, D and Appendices
6	21 Sept 2009	12 Oct 2009	Geotechnical Policy Amendments
7	21 May 2012	14 July 2012	Red Tape Review (Minor Amendments of Parts Preliminary, A,B, C, D and Appendices 1,2 & 10)
8	6 Aug 2012	3 Nov 2012	Elanora Heights Village Centre Masterplan Amendment – Major changes to controls for the Elanora Heights Village Centre (incorporating the Masterplan at Appendix 14).
9	17 Dec 2012	9 Feb 2013	Amendment to Development Control D10.2
12	18 Nov 2013	27 Nov 2013	Flood Controls Overland Flow Category 3 - B3.22, B3.24 & B5.12 and Appendix 8
10	18 Nov 2013	6 Dec 2013	Warriewood Valley Land Release Area review
13	7 April 2014	19 April 2014	Flood Controls for Warriewood Valley - C6.4, C6.5, C6.7, C6.20
14	2 June 2014	27 June 2014	Flood Controls B3.11 - B3.24 and B5.12 and Appendix 8
11	18 Nov 2013	27 June 2014	Pittwater Local Environmental Plan 2014 associated changes
15	15 Dec 2014	20 Dec 2014	Administrative amendments
18	20 April 2015	4 May 2015	B3.25 Flood Hazard - Flood Emergency Response planning and Appendix 15
17	18 May 2015	26 May 2015	B2.2 Subdivision - Low Density Residential Areas
16	19 Oct 2015	14 Nov 2015	Warriewood Valley Review
19	19 Oct 2015	14 Nov 2015	Pittwater Community Based Heritage Study Review 2015

20	27 June 2017	8 July 2017	Removal of Preliminary Section and Repeal of Notification Policy (Appendix 1)
21	26 July 2017	7 August 2017	Harmonisation of Flood controls across all three DCP's. Removal of Appendix 8 and Appendix 15.
22	8 August 2017	28 August 2017	Harmonisation of Tree and Bushland Vegetation control across all three DCP's. Addition of Appendix 16-19.
23	19 Dec 2017	13 Jan 2018	Changes made to Control C6.11
24	25 Sept 2018	20 Oct 2018	Tree and Waste Management amendments made to A1, A5 B4.22, C1.12, C2.9 and C3.10
25	26 Nov 2019	1 Dec 2019	Removal of Section A.5 Exhibition, Advertisement and Notification of Applications to give effect to the Northern Beaches Community Participation Plan

Section A Shaping Development in Pittwater

A1 Introduction

A1.1 Name of this plan

The name of this plan is Pittwater 21 Development Control Plan (Pittwater 21 DCP).

A1.2 Land covered by this plan

This plan applies to the local government area of Pittwater.

A1.3 Purpose of this plan

The purpose of this plan is to provide best practice standards for development.

A1.4 Relationship to plans, policies and other documents

Development must be consistent with the provisions of the *Environmental Planning and Assessment Act 1979*, and any relevant State Government plan, policy or legislation including the NSW Government Metropolitan Strategy.

The provisions contained in this plan are in addition to the provisions of *Pittwater Local Environmental Plan 2014*. If there is any inconsistency between this plan and the *Pittwater Local Environmental Plan 2014*, the *Pittwater Local Environmental Plan 2014* will prevail.

All other DCPs that applied to the land to which this plan applies immediately before the commencement of this plan, are no longer applicable.

A1.5 Savings Provision

Any Development Applications submitted before, but not finally determined when this plan took effect for the land to which they relate, are to be determined as if the previous development control plans continue to have effect and as if this DCP had been exhibited but had not yet been made.

A1.6 Applicant's obligations

Pittwater 21 DCP is the community's vision for planning and development in Pittwater. It is a guide to the applicant as to the community's expectations for their Locality and for Pittwater as a whole.

It is the applicants responsibility to realise their expectations in the context of the community's expectations. The applicant has an obligation to demonstrate to the community that their development is well designed, comprehensive and consistent with the community's vision.

A1.7 Considerations before consent is granted

Before granting development consent, Council must be satisfied that the development is consistent with:

- i. *Pittwater Local Environmental Plan 2014*; and
- ii. the desired character of the Locality; and
- iii. the development controls applicable to the development.

Council will also have regard to the matters for consideration under section 4.15 Evaluation of the *Environmental Planning and Assessment Act 1979*.

Before granting consent for development within a Locality, Council may consider the provisions of a neighbouring Locality to the extent to which it affects the subject site.

A1.8 Advisory Notes

The Contents Table and "Advisory Notes" in the text do not form part of this plan.

A1.9 Definitions

All definitions from the *Pittwater Local Environmental Plan 2014* are adopted for the purposes of interpreting the Pittwater 21 DCP. In addition the following definitions are also applicable:

abutting dwelling

Is a building containing one dwelling on its own lot of land that is designed and constructed on a zero lot line immediately adjacent to another dwelling on a different lot of land, also built to the zero lot line, and is structurally independent of any other dwelling.

adequate buffer

means a minimum distance of:

i) landward:

- the foreshore building line (FBL) or
- for structures permitted within the FBL 10m from astronomical high tide mark; and

ii) seaward

- 50m to seagrass beds or saltmarsh
- 30m to mangroves

iii) buffer from the feature:

- 10m to wetlands or
- 10 m to other endangered ecological community (as per *Threatened Species Conservation Act 1995*)

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.

adjacent land

means land that abuts the site or is separated from it by a pathway, driveway, roadway or similar thoroughfare

adverse impact

means (in relation to the controls for Pittwater Spotted Gum Forest Endangered Ecological Community, Saltmarsh and other Foreshore Vegetation, Sydney Freshwater Wetland and the Sydney Coastal Estuarine Swamp Forest Complex - Endangered Ecological Community) development, works or activity that may lead to any negative influence on these communities or their habitats

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

allotment (lot)

means a piece of land or space described in a land title (DAF)

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.

Arborist

Means a specialist in the care of trees and vegetation with relevant qualifications i.e. as a minimum the Arborist would require an AQF Level 5 equivalent or above.

arterial road

means Pittwater Road, McCarrs Creek Road, Mona Vale Road and Barrenjoey Road

articulation zone

the partially buildable area that extends in front of the front façade of a building to allow for modulation and articulation to occur on the front elevation (and, in the case of corner allotments, the side elevation). This may include an entry portico, projecting balconies/roof elements or other architectural features to provide visual interest to the building. No habitable floor space is permitted within the articulation zone. The articulation zone should not be more than 25% of the total length of the front elevation so that it does not visually dominate the vertical plane of the front façade of the building. Any steeping of the front wall in relation to the front boundary must occur at or behind the minimum front building line and not within the articulation zone.

assistance animal

means an animal referred to under the *Disability Discrimination Act 1992*

attached dwelling

is a building containing three or more dwellings, where each dwelling is attached to another dwelling by a common wall, and each dwelling is on its own lot of land, and none of the dwellings is located above any part of another dwelling.

Australian Height Datum (AHD)

is a common national plain of level corresponding approximately 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.

balcony

means any unenclosed balustraded platform 0.3 metres or more above adjacent finished ground level either cantilevered or supported over open space, which is attached to a dwelling and used for the exclusive enjoyment of the occupants.

buffer

means a strip of land separating a disturbance from a place by reducing the shock or damage due to the disturbance. The land is to be vegetated and acts a cushion and a protective barrier against a place being impacted by development

Building Code of Australia (BCA)

is a uniform set of technical provisions for the design and construction of buildings and other structures throughout Australia, produced and maintained by the Australian Building Codes Board (ABCB) on behalf of the Commonwealth Government and each State and Territory Government.

building envelope

means a diagram which defines the external limits of a building for the purposes of siting and establishing building and wall heights from the site boundaries

building footprint

means the area of the site occupied by the building.

building(s) to which the general public have access

means a building that is classified under the Building Code of Australia as class 3, 5, 6, 7, 8, 9, or 10.

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*).

Business development - New Construction or Alteration and Additions

means the following types of development and any ancillary uses:

- Amusement centres;
- Car parks;
- Commercial premises;
- Entertainment facilities;
- Function centres;
- Marinas;
- Medical centres;
- Passenger transport facilities;
- Public administration building;
- Recreation facilities (indoor);
- Registered clubs;
- Restricted premises;
- Service stations;
- Sex services premises;
- Tourist and visitor accommodation;
- Veterinary hospitals;

canopy tree

means a locally native tree which provides a vegetated covering providing shelter and food for fauna. The canopy tree provides leafy branches, forming a dense cover of vegetation covering the area beneath. Canopy trees also provide for scenic amenity and define much of the character of the Pittwater LGA.

charter boats

means those vessels used for organised group cruises including vessels used as restaurants or floating reception areas but do not include sail or motor boats hired and skippered by individuals for private recreational purposes

commercial swimming pool

means a pool, whether in a residential zone or not, that provides for public usage of the pool for educational or recreational purposes, and where a fee for usage, entrance or tuition is charged.

companion

has the same meaning as in the *Companion Animals Act 1998*.

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.

conservation

includes preservation, protection, maintenance, restoration and adaptation (*Heritage Act 1977*)

contaminated land

means land that is affected by contamination. Contamination has the same meaning as it has in Section 5 of the *Contaminated Land Management Act 1997*.

As at September 2013, Section 5 of this Act defines contaminated as the following: *Contamination* of land, for the purpose of this Act, means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

contaminated land planning guidelines

means guidelines under Section 145C of the Act. (At the time of adoption of this DCP, the relevant guidelines were *State Environmental Planning Policy No. 55 - Remediation of Land*, and associated *Managing Land Contamination Planning Guidelines SEPP 55 - Remediation of Land* (Department of Urban Affairs and Planning & Environment Protection Authority, 1998))

core bushland

means a place where the ecosystem largely retains its natural biodiversity and other natural processes and characteristics

de facto building line

means the line of the facade of structures created by the location of structures on nearby properties. There may be separate de facto building lines for dwellings and decks, verandahs, etc. See also established building line.

Detached dwelling

is a building containing one dwelling, on its own lot of land, and the building is not attached to any other dwelling.

Development ancillary to residential development

means development that is subordinate or subservient to a residential use located on the same land, and may include development such as swimming pools, spa pools, boat sheds, outbuildings, tennis courts, inclinators, jetties etc.

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form does not have to be residential)

Subdivision and development of a sector, buffer area or development site within the Warriewood Valley Release Area, including earthworks, site preparation, infrastructure delivery and construction of the building(s) under a single development application.

development

has the same meaning as in Section 4 of the *Environmental Planning & Assessment Act 1979*;

dredging

means removal of material from the bed of a harbour, river, creek, bay or inlet within the area of Pittwater for the purpose of constructing a new or deeper navigational area or channel, but does not include maintenance dredging; See also maintenance dredging.

Duffys Forest Vegetation - Endangered Ecological Community

means an endangered ecological community listed under the *Threatened Species Conservation Act 1995*. See "final determination". All vegetation within the forest is included in the community, it is not restricted to just the trees.

ecological community

has the same meaning as given in the *Threatened Species Conservation Act 1995*.

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).

endangered ecological community

has the same meaning as given in the *Threatened Species Conservation Act 1995*.

endangered population

has the same meaning as given in the *Threatened Species Conservation Act 1995*.

established building line

means a building line that is established by map (foreshore building line) or a de facto building line

final determination

has the same meaning as contained in the *Threatened Species Conservation Act 1995*

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 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.

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.

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

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.

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).

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*.

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".

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.

floor

means that space within a building which is situated between one floor level and the floor level next above or if there is no floor above, the ceiling or roof above.

foreshore vegetation

means a strip of vegetation margining a body of water, this includes all vegetation growing in that part of a shoreline between high-water and low-water marks

fragmented or degraded

any significant decline in the quality of natural resources or the natural integrity of a place or the viability of an ecosystem, caused directly or indirectly by human activity.

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).

front loaded lot

is a lot designed for a dwelling that has vehicular access from the front of the property.

ground floor area

means the total floor area of the floor that has direct access to ground level (existing). This area is to be measured to the external structural walls (means supports permanent roof or floor above) and may include garages, but does not include lightweight structures such as pergolas. On sloping sites only one floor may be nominated as the ground floor.

habitable floor

means any floor containing a room or rooms used or adapted for use for residential purposes such as a bedroom, living room, study, dining room, kitchen, bathroom, laundry or toilet, but excluding any floor used solely for the purpose of carparking or storage.

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.

habitable room

means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods (DAF)

habitat

has the same meaning as given in the *Threatened Species Conservation Act 1995*.

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.

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.

Hydraulic hazard

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

Industrial development - New Construction or Alterations and Additions

means the following types of development and any ancillary uses:

- Boat building and repair facilities
- Crematorium
- Depots
- Freight transport facilities
- Industrial retail outlets
- Industrial training facilities
- Light industries
- Mortuaries
- Storage premises
- Transport depots
- Truck depots
- Vehicle body repair workshops
- Vehicle repair stations
- Warehouse or distribution centres
- Waste disposal facilities
- Water supply systems
- Wholesale supplies

injury

for the purposes of the DCP means damage to a tree or bushland vegetation and includes

- Pruning, damaging / tearing live branches and roots;
- Vines growing to the trunk and branches of trees which is or will result in detrimental impact on tree health;
- Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in detrimental impact on tree health;
- Damaging the root zone of a tree by way of compaction, including storage and stockpiling of materials;
- Changing of ground levels within the root zone of a tree by way of excavation, trenching, filling or stockpiling;
- Poisoning

integrated development

is development that requires development consent, and which also requires at least one approval, permit, licence, authority or consent under Section 91 of *Environmental Planning and Assessment Act 1979*.

lateral limit lines

means the perpendicular extension, from the shoreline, of the common side property boundaries below mean high water mark.

light well

means an open or covered courtyard with all three of the following characteristics:

- a) it has one or more habitable rooms opening onto it; and
- b) it is enclosed in plan on at least three sides by either built form or a boundary; and
- c) any dimension from a habitable room or balcony to:
 - a habitable room or balcony is less than 12m, and/or
 - a habitable room or balcony is less than 12m, and/or a non-habitable room or solid wall is less than 9.0m.

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.

locally native flora and fauna

means plants and animals that are native in Pittwater at any stage of their life cycle.

Lot width

This is different to "Effective Lot Width" in controls C6.8, C6.9 and D16.1.

Is the width of a lot measured from one side boundary to the other at the primary street front building line not including access handles.

main road

means a main road within the meaning of the *Roads Act 1993*.

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.

maintenance dredging

means removal of material from the bed of a harbour, river, creek, bay or inlet within the area of Pittwater for the purpose of maintaining the previously established depth; See also dredging.

major

means (in relation to extensions, alterations, additions, etc of dwellings) equal to or exceeds 50% of the original floor space of the existing dwelling

mangroves

refer to the protected marine vegetation listed in the *Fisheries Management Act 1994*.

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.

NatHERS

means "Nation Wide House Energy Rating Software". NatHERS is a computer software simulation tool for rating the thermal performance of houses across Australia. The Energy Management Task Force is responsible for delivering a NatHERS compliance protocol. Any software or paper checklist which passes under this protocol is deemed "NatHERS or equivalent".

net loss

means the net amount (area) of canopy within the Pittwater Local Government Area shall remain the same after taking into account losses and gains

non-frontage lot

means a lot with a frontage of 6.5m or less to a road

notification

in relation to where an establishment handles food as part of its service, the business must be notified with NSW Health.

Other development

means the following types of development and any ancillary uses:

- Agriculture
- Animal training and boarding establishments
- Boat launching ramps
- Camping grounds
- Caravan parks
- Cemetery
- Charter and tourism boating facilities
- Community facilities
- Eco-tourist facilities
- Educational establishments
- Emergency services facilities
- Environmental facilities
- Environmental protection works
- Farm buildings
- Flood mitigation works
- Forestry
- Health consulting rooms
- Home-based child care
- Home industries
- Information and education facilities
- Mooring pens
- Moorings
- Places of public worship
- Public utility undertaking
- Recreation areas
- Recreation facilities (outdoor)
- Research stations
- Respite day care centres
- Roads
- Wharf or boating facilities

and includes any other land use or development not identified elsewhere in this DCP.

Pittwater Spotted Gum Forest

means an endangered ecological community listed under the *Threatened Species Conservation Act 1995*. All vegetation within the forest is included in the community, it is not restricted to just the trees.

Planning for Bushfire Protection (2006)

guidelines produced by the Department of Planning and the NSW Rural Fire Service that detail the requirements to be met by a development in relation to bushfire.

pollution

has the same meaning as given in the *Protection of the Environment Operations Act, 1997*

principal living area

means the living room currently benefiting from the most solar access during mid winter.

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).

rear loaded lot

is a lot designed for a dwelling that has vehicular access from the rear of the property.

recovery

means the enhancement of a place towards the natural integrity of organisms, genotypes, species or elements of habitat or biodiversity that would have existed in that place

regeneration

means assisting in the natural recovery of the natural integrity of a place following disturbance, degradation or fragmentation

relevant plan of management

for a particular parcel of land, means a plan of management (being a plan prepared and adopted by the council under the *Local Government Act 1993* or the *Crown Lands Act 1989* for that parcel.

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.

Residential development

means the same as residential accommodation

restoration

means returning existing habitats (bushland) to a known past state or to an approximate of the natural condition by repairing degradation or fragmentation, by removing introduced species or reinstatement

restricted

in relation to domestic animals, means prevented from entering wildlife habitat, by use of a cat run, or keeping the cat in a house or similar structure

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.

saltmarsh

means a community of plants and animals that grow along the upper-intertidal zone (to the astrological high-tide) of coastal waterways. Salt marshes are habitats for communities of salt-tolerant vegetation (halophytes including: grasses, reeds, sedges and shrubs) and associated animals. Where salt marshes and mangroves coexist, salt marshes are typically found at slightly higher elevations than the mangroves

seagrass

refers to the protected marine vegetation listed in the *Fisheries Management Act 1994*

secondary street

does not include Barrenjoey Road, Mona Vale Road, Pittwater Road, McCarrs Creek Road or the Wakehurst Parkway

significant trees

are described as any local endemic trees, habitat trees, trees with historical/cultural significance or large amenity trees with visual significance.

site

means the land to which the application relates

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 a sector, buffer area or development site in a Release Area

Land subdivision of a sector, buffer area or development site within the Warriewood Valley Release Area, including earthworks, site preparation and infrastructure delivery. It does not include the construction of any building as part of its development application.

submission

means any letter, fax, e-mail, comments, or other written advice received by council in regard to an application

Suitable 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.

surrounding land

means any land, other than adjacent land, which may be affected by the proposed development or use of the site.

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.

Sydney Coastal Swamp Complex

refers to the plant community listed in the *Threatened Species Conservation Act 1995*.

Sydney Freshwater Wetland Endangered Ecological Community

refers to the plant community listed in the *Threatened Species Conservation Act 1995*. See "final determination"

threatened species

has the same meaning as given in the *Threatened Species Conservation Act 1995*.

tree

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

Vegetation Class

Category 1

Areas with high quality intact bushland with good connectivity of predominately native vegetation. Native vegetation in this category includes rainforest, forest, woodland, scrub, heath, mangroves, saltmarsh and wetland vegetation. Depending on vegetation type, all structural layers including canopy, sub-canopy, understorey and groundcovers are generally present but some local disturbances may occur. Disturbances such as weed incursion, if present, is limited to very few scattered perennial/annual ground cover species; one or two discrete patches; or limited to edges.

Category 2

Areas of fragmented bushland in moderate condition and occurring outside of core bushland areas. This includes developed areas interspersed with small patches of remnant bushland with good connectivity of predominately native vegetation. Native vegetation in this category includes rainforest, forest, woodland, scrub, heath, mangroves, saltmarsh and wetland vegetation. Depending on vegetation type, all structural layers including canopy, sub-canopy, understorey and groundcovers are generally present but vegetation in this category is likely to be affected by moderate localised disturbance such as partial clearing and weed incursions (with weeds often limited to disturbed areas and remnant edges). Fragmented bushland may include large numbers of native trees and shrubs retained in gardens and parks.

Category 3

Areas of highly disturbed or cleared bushland with poor connectivity which has been negatively impacted by activities in adjacent areas (e.g. land clearing). These areas are located outside areas identified as wildlife corridors. These areas can be modified landscapes with predominately planted native and exotic vegetation such as typical of suburban gardens, although they still have potential for habitat recreation or enhancement through appropriate landscaping. Native vegetation in this category includes rainforest, forest, woodland, scrub,

heath, mangroves, saltmarsh and wetland vegetation. Depending on vegetation type, vegetation in this category is likely to have a reduced canopy and substrata (including groundcover). Weed incursion is likely to be moderate to very high with widespread perennial/annual weeds dominating the understorey and groundcover structural layers. Exotic vine thickets smothering remnant native canopy species may also be present.

view

means a mid to distant view containing an attractive feature/s including bushland (particularly escarpments and skylines), water bodies and geographical features including beaches, islands, headlands etc. It may include built form but is predominantly natural in character.

virgin excavated natural material

Definition of 'virgin excavated natural material' within the meaning of the *Protection of the Environment Operations Act 1997*:

Natural material (such as clay, gravel, sand, soil or rock fines) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues (as a result of industrial, commercial, mining or agricultural activities). And that does not contain any sulfidic ores or soils or any other waste.

Definition of 'waste' within the meaning of the *Protection of the Environment Operations (Waste) Regulation 2005*: See Part 1, Clause 3B of the regulation.

vulnerable species

has the same meaning as given in the *Threatened Species Conservation Act, 1995*

wall height

is the average vertical distance between the existing ground level (prior to any excavation or filling) and the underside of the roof lining (ceiling of the topmost floor or the underside of roof beams) at any point on the building.

wetland edge

means the water level in a five (5 year flood event).

works

means

- a) any disturbance of more than one (1) tonne of soil (such as occurs in carrying out agriculture, the construction or
- b) maintenance of drains, extractive industries, dredging, the construction of artificial waterbodies (including canals, dams and detention basins) or foundations, or flood mitigation works), or
- c) any other works that are likely to lower the watertable.

zero lot line

refers to a type of construction where the side of a building is directly on the property boundary.

zero lot line dwelling

is a building containing one detached dwelling on its own lot of land that is constructed with one exterior wall directly on a side boundary but is not an attached dwelling or abutting dwelling.

A1.11 Structure of this plan

This plan is divided into five parts:

Part A: Introduction

Gives background information to the plan, the procedural context, definitions, what shapes development in Pittwater, and locality statements.

Part B: General Controls

Contains controls that relate to the whole or large areas of Pittwater defined by natural or physical attributes such as heritage, density, hazards, natural environment, water management, access and parking, and site works management.

Part C: Development Type Controls

Sets design criteria for residential development, business development, industrial development, subdivision, and other development.

Part D: Locality Specific Development Controls

Sets development controls that are specific to localities in Pittwater.

Appendices

Contains additional information over and above what is included in the body of this DCP.

A2 The Community and its Plan

"To be leaders in the provision of local government services, to strive for sustainability through conservation, then protection and enhancement of the natural environment and built environment of Pittwater and to improve the quality of life for our community and for future generations".

(Pittwater Council Management Plan 2008-2012)

Pittwater 21 DCP is a strategic whole-of-Council DCP to guide the sustainable management, development, and conservation of Pittwater. In essence, the Pittwater 21 DCP will guide the future planning and development of Pittwater.

The plan focuses on a holistic approach to managing the diverse, interrelated, multidisciplinary issues facing Pittwater, rather than any single land use issue. Pittwater 21 is based on Localities rather than land uses.

The plan seeks a partnership with the community. It has been developed to reflect the communities aspirations in regard to the environment, development, infrastructure, and public areas. It is about a vision that the community has as to how their area will develop, their expectations as to how their needs will be met, and how they, as a community, will collectively manage change. In short, the plan is a viable blueprint for Pittwater that can evolve and reflect the changes and refinements in the aspirations of the community.

To fully understand how the Pittwater 21 DCP will work, there needs to be a fundamental acknowledgment of the interconnection between environmental, social, and economic issues, these three factors being the pillars of the plan. All development control links back to one, two, or all of these pillars. The three pillars represent the linchpin of the Pittwater 21 DCP.

A3 What Shapes Development in Pittwater

A3.1 The characteristics of Pittwater

Pittwater is characterised by spectacular natural beauty. Being a peninsula, the landscape is dominated by waterways, with the landform being predominantly a sandstone plateau that has weathered to a series of headlands and beaches on the ocean frontage. A series of bays, inlets and Scotland Island exist along the Pittwater estuary that is a drowned river valley, being the southern arm of Broken Bay which also connects to the Hawkesbury River, Brisbane Waters and the Pacific Ocean.

With spectacular scenery comes strong natural forces that have helped to shape the environment. Accordingly many natural hazards are apparent in the area including land slip, wave action, tidal inundation, flooding and bushfires. Vegetation communities are diverse and include eucalypt forest and woodland, escarpment and coastal heath, seagrass and mangroves, fresh water wetlands and remnant littoral rainforest. Urbanisation continues to impact on natural areas, and therefore, careful consideration needs to be given when developing land, especially in respect to the natural hazards, endangered vegetation communities and populations, a number of Threatened Species, and a wide range of biodiversity that needs to be protected and maintained.

The urban development of Pittwater consists of a series of interconnected urban villages which have grown from the valley floors. Between these village centres, residential development is interspersed with open space that focuses on a physical attribute of the area e.g. beach, bay or hilltop. Whilst having similar characteristics the urban development has remained sympathetic to the topography which has resulted in treed leafy residential areas that prize their views and proximity to the various waterways, which is reflected in the property values of the area.

Pittwater is valued by the community and visitors as an important recreational playground for Sydneysiders, with the emphasis being on the abundant waterways of the area. Many recreational activities involve boats including ferries, motor cruisers, yachts and kayaks; or the water including wave jumpers, swimmers, surfers, surf carnivals, seaplanes and hang gliders; which are all regular sights in the area.

The western foreshores of Pittwater and Scotland Island are unique pockets of residential development that are isolated communities bordered by National Park and water. These areas are only accessible via boat (no road access), with no reticulated water or sewerage provided to properties. These communities rely on the mainland for major transport routes, community and retail services.

The urban villages, together with non-urban land on the plateau, bushland, beaches, waterways, National Park, Scotland Island and the Western Foreshores, form the unique area that is Pittwater today.

A3.2 Desired character of Pittwater

Any future growth of Pittwater must conserve, protect and enhance the natural environment and beauty of the area. Development will need to be ecologically sustainable and considerate of the natural hazards of the area that have helped to shape the region, which will ensure a safe and good quality of life for the community and future generations.

Pittwater will remain water orientated with recreational use of the waterways and public access to these waterways being actively promoted. Improved access by both pedestrian and cycle paths needs to be provided around the waterways and through the area. The built environment shall not extend above existing ridgelines, and shall remain below existing tree canopy levels.

A vital array of interrelated land uses should be encouraged within the village centres, yet maintain their village feel and community focus. This will maintain their economic viability, make them safe and pleasant places to work and live, as well as maintaining their individual identities giving people a sense of community.

Mona Vale, at the junction of Pittwater's major transport links and with major council and community infrastructure and services will continue to develop as Pittwater's main community, commercial and shopping centre.

Future development growth is dependant on state government infrastructure improvements in the area. This includes roads and transport links; water, sewerage and reticulated systems; electricity, gas and telecommunication facilities as well as upgrading of Mona Vale Hospital and maintenance of community services on which the aging population depends.

A3.3 Pittwater context

The Pittwater area is within the Guringai homeland. Guringai people have lived in the area for thousands of years. The diverse flora and fauna, rock overhangs, sandstone outcrops, large trees and other natural features provide for the spiritual and physical requirements of the people.

Pittwater Council was proclaimed on 1st May 1992 following its separation from neighbouring Warringah Council. It was the first New South Wales Council to be created by secession since Lane Cove Council was similarly established in 1895. Pittwater Council commenced its operations as Provisional Council, and the first elected Council came to office some six months later.

Pittwater Local Government Area is situated on the northern fringe of the Sydney metropolitan area. Pittwater's boundaries are Narrabeen Lakes and Deep Creek in the south, Palm Beach and Barrenjoey Headland in the north, Coal and Candle Creek in the west and Garigal National Park to the south west. Pittwater covers approximately 109 square km including a large part of Ku-ring-gai Chase National Park 46 square km, 18 square kilometres of waterways, and 9 coastal beaches.

Pittwater comprises 43% National Park, 41% residential/urban use, 9% commercial, 6% recreational open space reserves and 1% light industrial. Bushland is a feature of both the residential and reserve areas, as well as a number of islands, bays and semi-rural settlements.

Pittwater lies along a peninsula of hilly terrain making infrastructure provision difficult and costly and access and building difficult. The three main roads in and out of the area are Mona Vale Road, Pittwater Road, and the Wakehurst Parkway leading out of the peninsula to pinch-points at the Spit and Roseville bridges. Public transport is limited to buses primarily using Pittwater and Barrenjoey Roads. This lack of public transport has resulted in a high rate of car ownership and usage.

In 2011 the estimated residential population of Pittwater was 60,260 persons up 6.5% from the 2006 Census. More than one quarter of the population is aged 55+ years, with 22.6% of Pittwater residents aged 0-17 years. Pittwater residents generally live in separate houses 72.7% and consist mostly of couples with children 38.4 % and couples without children 26.9%. 72.9% of Pittwater residents are born in Australia, with the Sydney average being 59.9%. Pittwater residents have a higher than average median weekly household income (Pittwater \$1,819; Sydney \$1,447). The tenure of private dwellings in Pittwater owned/purchased compared with rented is 75.4% and 18.4% respectively compared with the Sydney average of 62.3% and 30.4%. Source: ABS Census of Population & Housing 2011.

For further more detailed information on the Pittwater Local Government Area please refer to Pittwater State of Environment Report, Pittwater Social Plan, Sustainability Plan and Pittwater 2025: Our Community Strategic Plan.

A3.4 Key objectives of the Pittwater 21 Development Control Plan

Integrating our Built Environment is about the need to create a sustainable and relaxed living environmental including appropriate development effective transport choices and efficient support services.

(Pittwater Council Management Plan 2008-2012)

Ecologically sustainable development (ESD) forms the basis of this DCP. The objectives of the plan consist of three broad categories or pillars Environmental (En), Social (S), and Economic (Ec). Each decision made concerning a development in the Pittwater Local Government Area will be based on these objectives and accountability.

Ecologically Sustainable Development

In this DCP, ecologically sustainable development means development that maintains the ecological processes on which life depends while meeting the needs and improving the total quality of life of the present generation, without compromising the ability of future generations to do the same.

Ecologically sustainable development is fundamental to the environmental, social and economic objectives of this DCP.

Environmental Objectives

The environmental objectives of this DCP are to:

- a) conserve and enhance the ecological integrity, biodiversity, wildlife corridors, aquatic habitats, water quality, environmental heritage and environmental significance of Pittwater;
- b) maintain the natural beauty of the area by retaining natural landforms, minimising land excavation and fill, and by minimising erosion, pollution and other forces that may impact on the landscape;
- c) prescribe limits to urban development having regard to the potential impacts of development on the natural environment, natural hazards, and the provision, capacity and management of infrastructure; and
- d) plan, design and site development to achieve the principles of ecologically sustainable development.

Social Objectives

The social objectives of this DCP are to:

- a) meet the social needs of our community and future generations through provision of an appropriate balance and mix of land uses and development, including community facilities, open space and services;
- b) promote the provision of accessible, diverse and affordable housing options to cater for the changing housing needs of the community;
- c) plan, design and site development to minimise conflict between land uses and ensure the safety and security of people and property; and
- d) identify and conserve the heritage of the built forms and landscapes of Pittwater.
- e) maintain the village atmosphere of the centres, giving each a distinct identity and the people a sense of belonging.

Economic Objectives

The economic objectives of this DCP are to:

- a) meet the economic and employment needs of our community and future generations through provision of an appropriate balance and mix of land uses and built forms;
- b) promote a strengthening of the local economic base by providing a range of sustainable employment opportunities that respond to lifestyle choices and technological change, while protecting local amenity, character and environmental values;
- c) encourage attractive and viable commercial areas through quality urban design;
- d) integrate development with transport systems and promote safe and sustainable access opportunities emphasising public transport initiatives, walking and cycling within, to and from the Pittwater local government area; and
- e) encourage appropriate recreational industries which respect the natural attributes and character of Pittwater.

A4 Localities

"Pittwater's bush, beach and water character is retained with high quality development and functional land uses which are in harmony with the community's needs and aspirations".

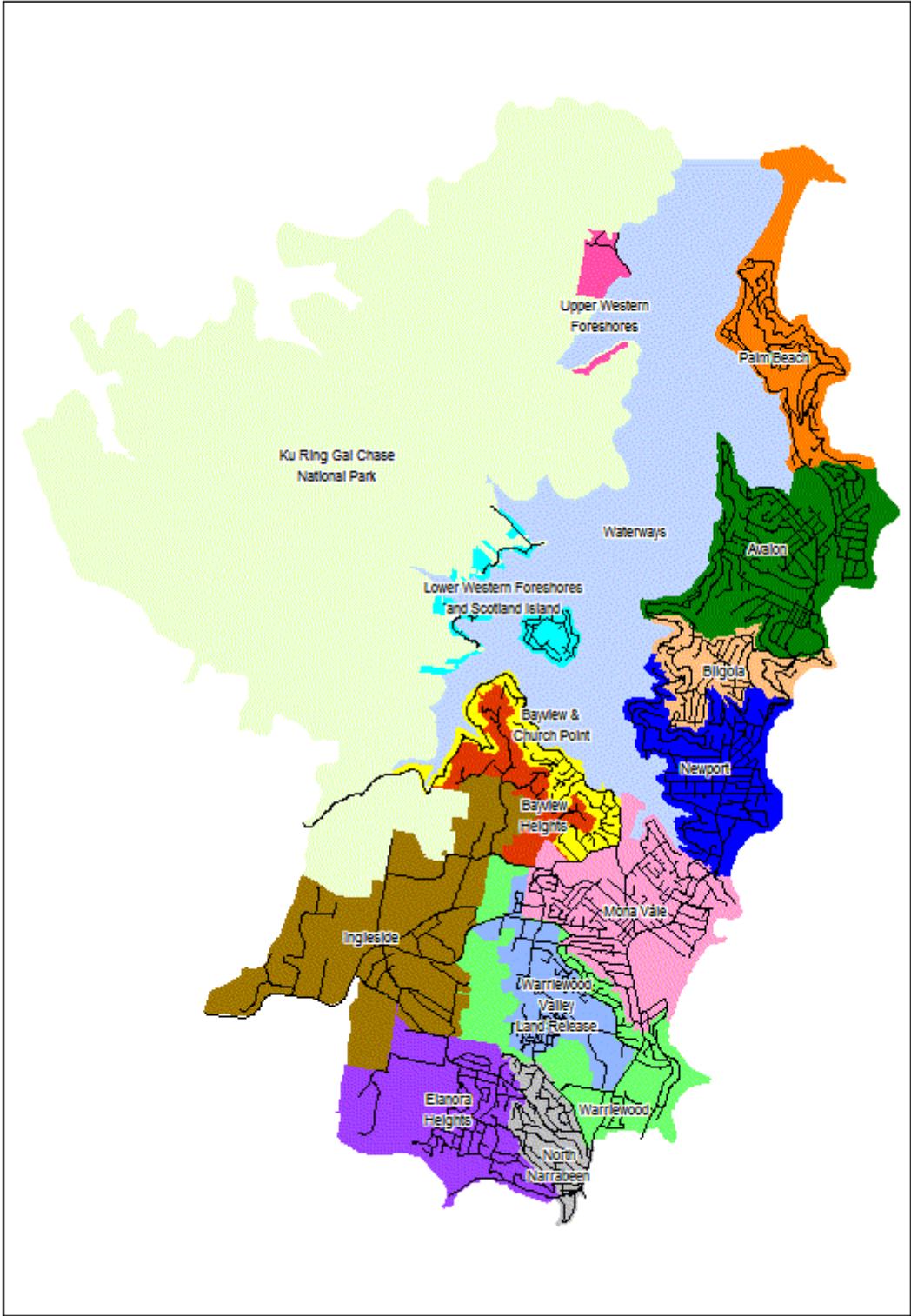
(Pittwater Council Management Plan 2008-2012)

Land in Pittwater is divided into 16 Localities, as listed below and shown on the map Pittwater 21 Localities.

Avalon Beach Locality
Bayview Heights Locality
Bilgola Locality
Church Point and Bayview Locality
Elanora Heights Locality
Ingleside Locality
Ku-Ring-Gai Chase National Park Locality
Lower Western Foreshores and Scotland Island Locality
Mona Vale Locality
Newport Locality
North Narrabeen Locality
Palm Beach Locality
Upper Western Foreshores Locality
Warriewood Locality
Waterway Locality
Warriewood Valley Land Release Area

Each Locality contains an area recognisable as distinct in terms of its land uses, geography, and social character.

Pittwater 21 Localities



A4.1 Avalon Beach Locality

Land within the Locality

Land within the Avalon Beach Locality is identified on the Avalon Locality Map.

Context

Until the early 1900s, Avalon Beach remained a tiny settlement of isolated farms and fishermen's cottages. Developer Arthur J Small sought to create a retreat similar to that of King Arthur at Avalon, Glastonbury, England, and in the early 1920s, land on the northern peninsula of the locality was subdivided, the Avalon Golf Course and Palm Grove Park established, and Norfolk Island Pines planted along the beachfront. Avalon Beach became a popular holiday destination. Early dwellings consisted of weekenders and holiday homes constructed of local rock, fibro and weatherboard. Residential development and permanent occupation of dwellings increased from the 1950s.

Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along valley floor, slopes, and ridges. The locality is characterised mainly by one and two-storey dwelling houses on 600-1,000 square metre allotments (some smaller blocks may exist), increasing to 950-1,600 square metres on the plateau and slopes, and up to 8,000 square metres in Ruskin Rowe. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. The dominant feature of the Avalon Beach locality is houses setback from the street with low and no front fencing and vegetation used extensively to delineate boundary lines. Medium-density housing is located around the Avalon Beach Commercial Centre and neighbourhood retail centres.

The locality is serviced by the Avalon Commercial Centre at the intersection of Old Barrenjoey Road and Avalon Parade, and neighbourhood retail centres at the intersection of Hudson Parade and Hilltop Road, Elvina Avenue, North Avalon Road, and Careel Head Road. The locality also contains Avalon Primary School, Maria Regina Primary School, Barrenjoey High School, Avalon Surf Life Saving Club, Careel Bay Wetlands, and recreational facilities including Hitchcock Park, Avalon Golf Course, tennis courts, beaches, and several bushland reserves.

Houses, built structures, and vegetation in the vicinity of Cabarita Road, Chisholm Avenue, Hilltop Road, Palmgrove Road, Old Barrenjoey Road, Whale Beach Road, Avalon Golf Course, and Stapleton Park, indicative of early settlement in the locality, have been identified as heritage items. Land in Ruskin Rowe, primarily the subdivision pattern, domination of vegetation over built form, wildlife corridor and lack of fences, has been gazetted as a heritage conservation area.

The locality is characterised by steep slopes to the south, northwest, and east of Careel Bay, leading down to the valley floor. Due to the topography, some significant views can be obtained to the north, east and west. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the indigenous vegetation has been retained, particularly where there are large areas of open space, and there are significant wildlife habitats and corridors within the locality. The locality is well serviced by areas of open space including several large parks or bushland areas as well as many smaller reserves. These areas vary greatly from structured golf courses and playing fields to beaches, headlands, and natural bushland (such as Angophora Reserve).

The natural features of the locality result in a high risk of bushfire, landslip, flood, coastal (bluff) hazard, and estuary wave action and tidal inundation.

The major roads within the locality are Barrenjoey Road, Avalon Parade, and Hudson Parade. Barrenjoey Road is the primary access road to the northern suburbs of Pittwater. Many pedestrian links and pathways exist within the locality, including the Bicentennial Coastal Walkway on the headland.

Desired Character

The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses.

Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

Most houses are set back from the street with low or no fencing and vegetation is used extensively to delineate boundary lines. Special front building line setbacks have been implemented along Avalon Parade to maintain the unique character of this street. This, coupled with the extensive street planting of canopy trees, gives the locality a leafy character that should be maintained and enhanced.

The design, scale and treatment of future development within the Avalon Beach Village will reflect the 'seaside-village' character of older buildings within the centre, and reflect principles of good urban design. External materials and finishes shall be natural with smooth shiny surfaces avoided. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors. The natural landscape of Careel Bay, including seagrasses and mangroves, will be conserved. Heritage items and conservation areas indicative of early settlement in the locality will be conserved, including the early subdivision pattern of Ruskin Rowe.

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

Hazards, Natural Environment and Heritage

Hazards

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

Natural Environment

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

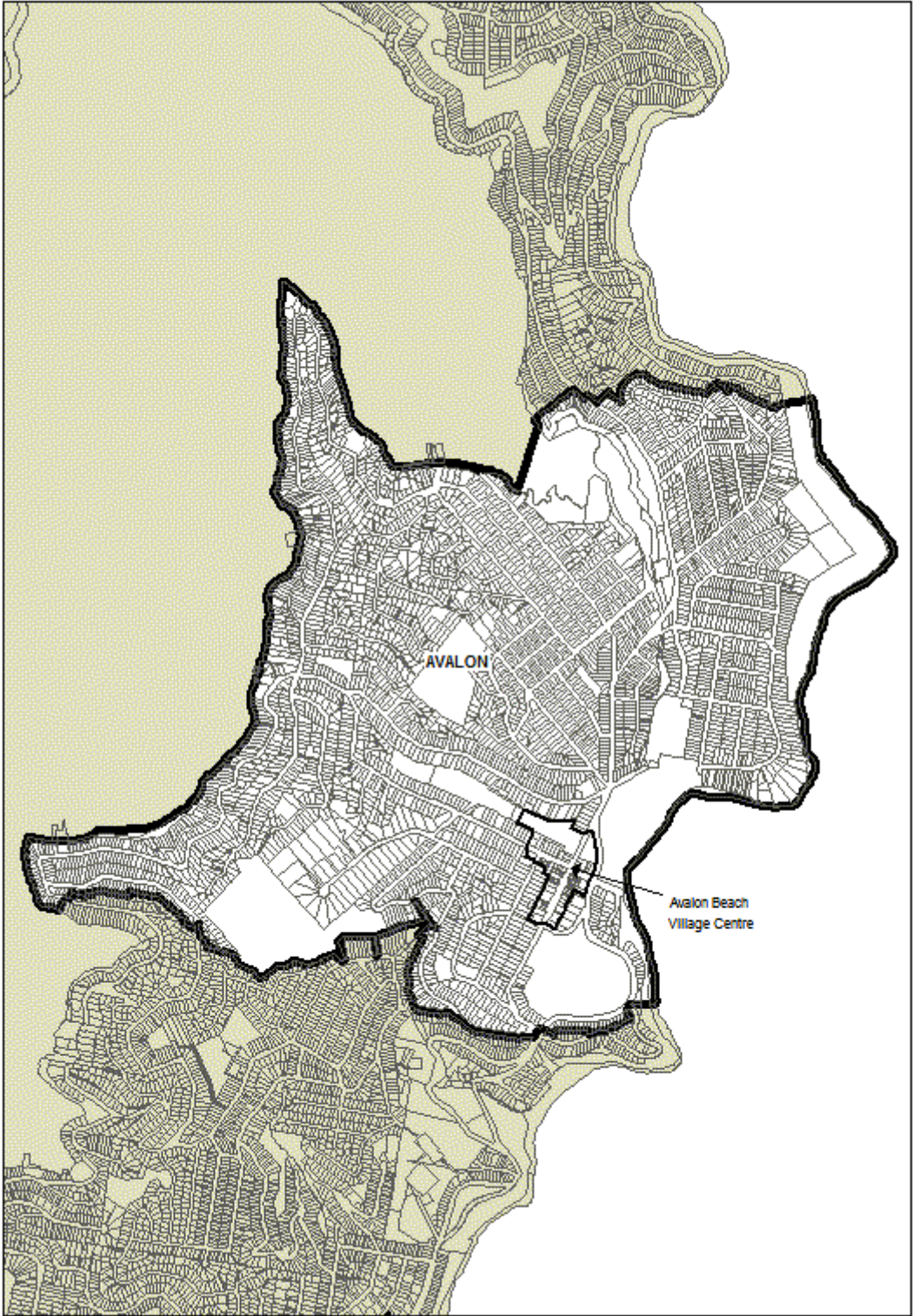
Heritage

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

Careel Bay Masterplan

For Careel Bay a preliminary identification of these matters for consideration are listed in the Careel Bay Masterplan. The Masterplan is located in the Appendix.

Avalon Beach Locality Map



A4.2 Bayview Heights Locality

Land within the Locality

Land within the Bayview Heights Locality is identified on the Bayview Heights Locality Map.

Context

The locality remained an isolated small farming settlement until the 1850s. By 1886, land speculation had resulted in the subdivision of land into rural allotments ranging in size from 20 to 640 acres.

The locality has developed into a predominantly low-density rural residential area, with dwellings built along the plateau and slopes. The locality is characterised mainly by one and two-storey dwelling houses on 4,000-6,000 square metre allotments (some smaller blocks do exist). To the north large resort style homes have been built incorporating swimming pools and outbuildings. To the south adjoining Cabbage Tree Road, rural residential dwellings occupy 2 hectare allotments. The residential area is of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. The locality is not fully serviced by sewerage or water mains.

The locality does not contain any retail centres. The locality contains several bushland reserves.

The locality is characterised by an elevated and undulating plateau and upper slopes. Due to the topography, extensive views can be obtained to the east and south, to the north spectacular views can be achieved over the Pittwater waterway. Conversely, the slopes and ridge tops of the locality are visually prominent.

There are extensive stands of natural bushland containing flora and fauna habitats, particularly along the ridgelines, which have high conservation and visual value.

The natural features of the locality result in a high risk of bushfire and landslip.

The major roads within the locality are Cabbage Tree Road, Narla Road, and Minkara Road. Some roads have no kerb and guttering. Few, if any, pedestrian links and pathways exist within the locality.

Desired Character

The Bayview Heights locality will remain a low-density rural residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary Dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Dual occupancy (attached) may be located throughout the locality on rural residential land. Recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Currently, few of these services exist, and development for anything other than a dwelling house will need to ensure that these services can be provided to the site. Care will need to be taken with future developments to ensure that outbuildings and ancillary recreational structures do not dominate the natural landscape and bushland setting.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Such development will need to consider its impact upon the slope of the land both from a hazard point of view (landslip & bushfires) and visually, especially when viewed from outside the locality such as the Pittwater waterway and Mona Vale valley.

Existing and new native vegetation, including canopy trees, will be integrated with the development. Development shall maintain generous spatial separation of the built form and low site coverage on large lots. Contemporary buildings will utilise facade modulation and/or

incorporate shade elements, such as pergolas, verandas and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors. Fencing where provided, shall enable the native fauna to pass through yet contain livestock animals where needed.

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

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

Hazards, Natural Environment and Heritage

Hazards

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

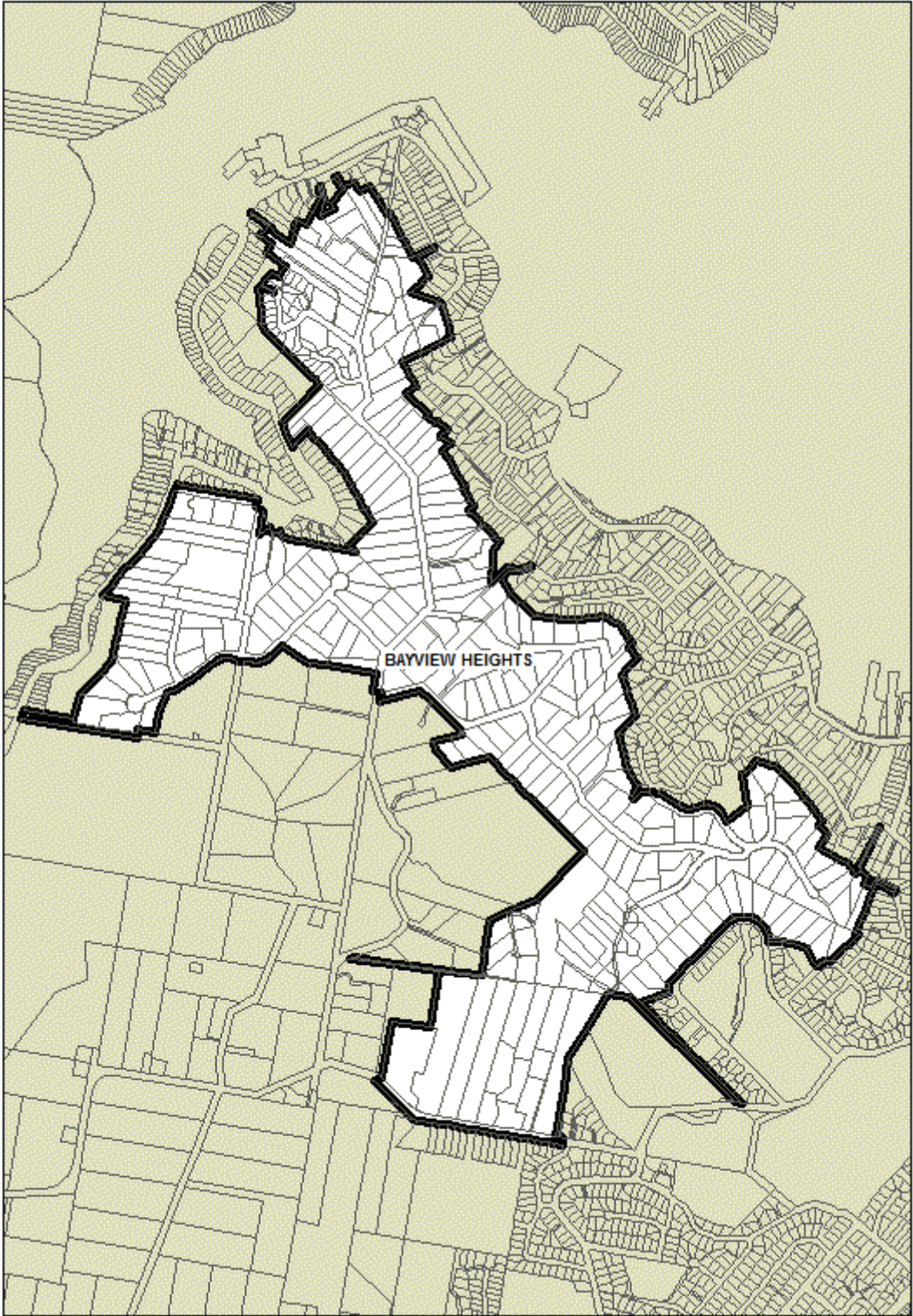
Natural Environment

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

Heritage

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

Bayview Heights Locality



A4.3 Bilgola Locality

Land within the Locality

Land within the Bilgola Locality is identified on the Bilgola Locality Map1.

Context

The Locality was occupied by small farming settlements from the early 1800s, and included the grazing of cattle. As the road improved and beach holidays became popular, Bilgola expanded. Until the 1950s, Bilgola remained largely a holiday location with few permanent residents. Residential development and permanent occupation of dwellings increased from the 1950s.

Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along plateau and slopes. The locality is characterised mainly by one and two-storey dwelling houses on 550-950 square metre allotments (some smaller blocks may exist). The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes.

The Bilgola Locality is characterised by a small steeply rising ridgeline to the north, plateau to the south, and small self-contained valley to the east. Due to the topography, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops and headlands of the locality are visually prominent. Due to this visual prominence, the building height along the beach area shall be reduced.

Extensive areas of natural vegetation are dominated by large specimens of the Smooth barked Apple (*Angophora costata*) on the escarpments upper slopes with the Rough Barked apple, Turpentine (*Syncarpia glomulifera*) and Bloodwood (*Eucalyptus gummifera*) present along the lower slopes and Cabbage Tree Palms (*Livistona australis*) in the Bilgola valley.

Much of the indigenous vegetation has been retained, particularly where there are large areas of open space, and there are significant wildlife habitats and corridors within the locality, such as on the original Wentworth Estate in the Pittwater Foreshore Area.

A unique flora and fauna green belt exists in the Bilgola Beach Area by the interconnection of Hewitt Park with Attunga Reserve via the dedicated portion of public land, previously known as Hamilton Estate, at the western end of the Bilgola Valley.

Many of the areas unique features are contained in the Bilgola Beach Area, notably:

- The remnant littoral rainforest, recognised as one of the largest and best urban examples remaining on the New South Wales coast, and characterised by the abundant subtropical vegetation which includes a mixed variety of shrubs, ferns and palms such as the Cabbage Tree Palms (*Livistona australis*) along Bilgola Creek and its drainage lines and in the valley,
- The headlands with the formalised public lookout at Bilgola Head, which provides expansive coastal views,
- The Bilgola Bends section of Barrenjoey Road that traverses the valley escarpment and is bordered by thick indigenous vegetation,
- The Bicentennial Coastal walkway that passes over the southern headland to the valley, along the beach and on to the Bilgola Head lookout.
- Houses, vegetation, stone walls and structures in the vicinity of Bilgola Avenue, The Serpentine and Barrenjoey Road Bilgola Beach are indicative of the early settlement in the Locality, and have been identified as heritage items.

Additionally the Bilgola Beach, headlands and valley escarpment provide unique cultural and social significance. Surveys of beach usage have revealed that crowd attendance was the fifth to sixth largest of the twenty ocean beaches in Warringah and Pittwater. Reasons for this include: uncrowded, quiet, natural environment and absence of commercial facilities. Respondents indicated that preservation of the beach and the surrounding areas unique character is desirable.

All of these unique features are valued by the community and contribute to the essence of the

Bilgola Beach Area. These are to be retained and protected

Strong community objection to the widening of Barrenjoey Road and straightening the bends, and the sub-division of the Hamilton Estate, are indicative of the extent of community concern for the need to retain the unique character of the Bilgola Beach amphitheatre and limit further public infrastructure development.

The Plateau Area is serviced by neighbourhood retail centres at Bilambee Avenue and at the intersection of Plateau Road and Grandview Drive. The locality also contains the Bilgola Plateau Primary School, Bilgola Surf Life Saving Club, and recreational facilities including rock baths, Bilgola Beach, and several reserves.

The Localities particular topographic and natural features create a particular fragility in the area, which is characterised by its vulnerability to bushfire, landslip, flood, coastal (bluff) erosion and beach fluctuation, and estuary wave action and tidal inundation. Attempts to stabilise the bluff erosion on the southern headland in the mid 1990s with wire netting, resulted in a disastrous environmental and visual outcome.

Desired Future Character

The Bilgola locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary Dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

The three distinct areas within the Bilgola locality (as identified in Bilgola Locality Map 2) will, by their unique differences, require differing and distinct degrees of control to ensure the individual characteristics and essence of each area are maintained and enhanced:

The Bilgola Beach Area:

Is a visual catchment that is environmentally significant and extremely susceptible to degradation. Its unique local and regional significance requires protection and preservation, and further investigation for listing as an environmental protection and/or conservation area. Strict development controls will apply to this area (including a reduced building height limit to 8m) to ensure that its unique qualities are preserved through development that is sensitive to the area's characteristics. A Visual Protection Area (as identified in Bilgola Locality Map 3) contains particular controls to minimise the impact of development that is visible from public places. The beach, valley and headlands represent a quiet uncrowded environment with no formal commercial activity. Its unique natural, unspoilt, non-commercial character makes it attractive to local residents and visitors alike and reflects the relaxed beach lifestyle. The local topography and natural features, notably the beachfront, headlands and stands of cabbage tree palms in the valley demand different sets of constraints on building design.

The Plateau Area:

Will provide for some dual occupancies, on land that does not have tree canopy coverage, species and habitat diversity, or other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

The Pittwater Foreshore Area:

Contains areas of visual significance when viewed from the public open space of Pittwater. The visual amenity, natural flora and fauna, heritage and social values of the Pittwater Foreshore should be retained and protected.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated

with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance.

Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.

Natural scenic views from the Bicentennial Walkway will be preserved.

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

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

Hazards, Natural Environment and Heritage

Hazards

The Bilgola Locality is affected by various hazards. Land affected in the Bilgola Locality is shown on the Hazard Map held in the offices of Council.

Natural Environment

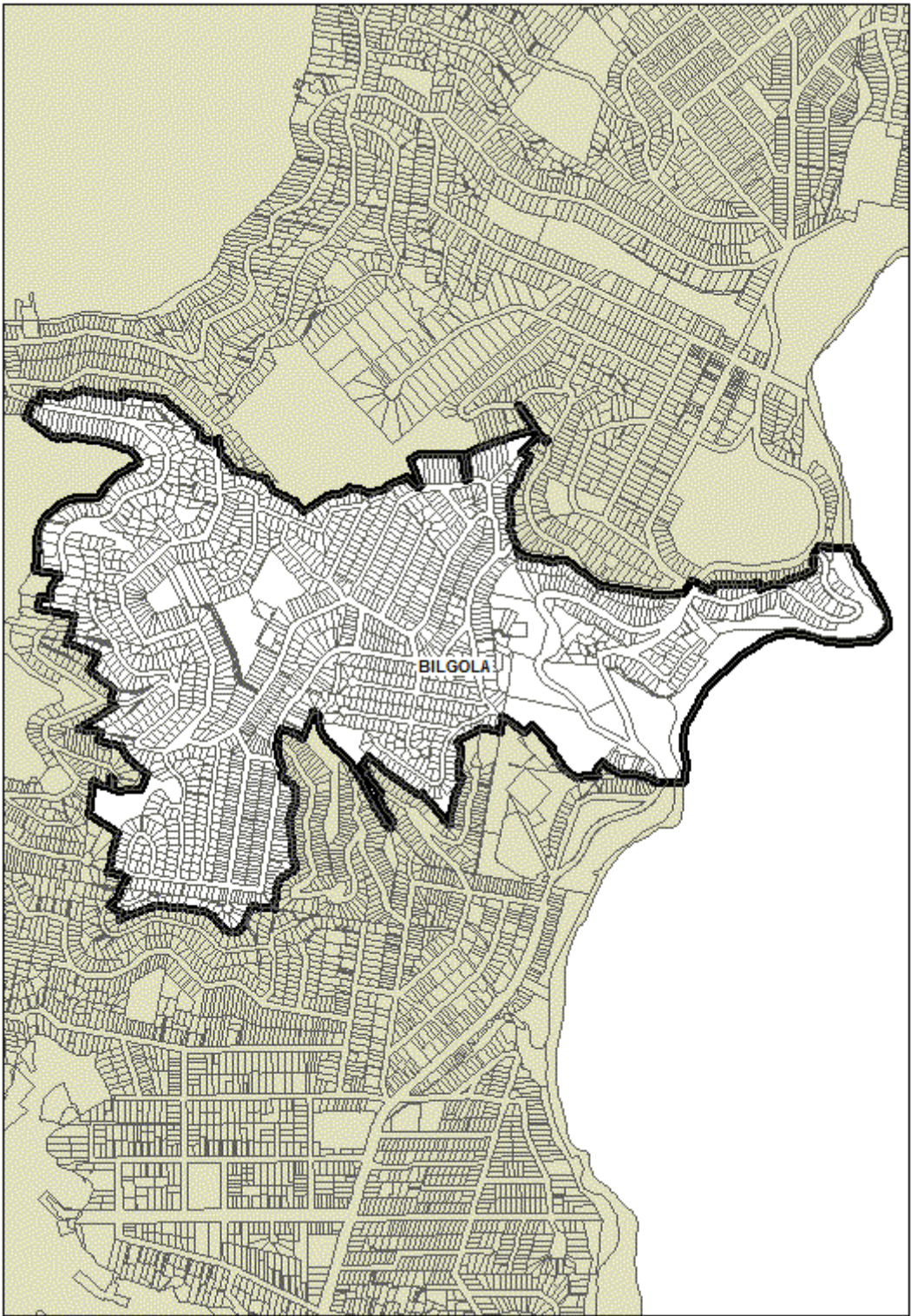
The Bilgola Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Bilgola Locality is shown on the Natural Environment Map held in the offices of Council.

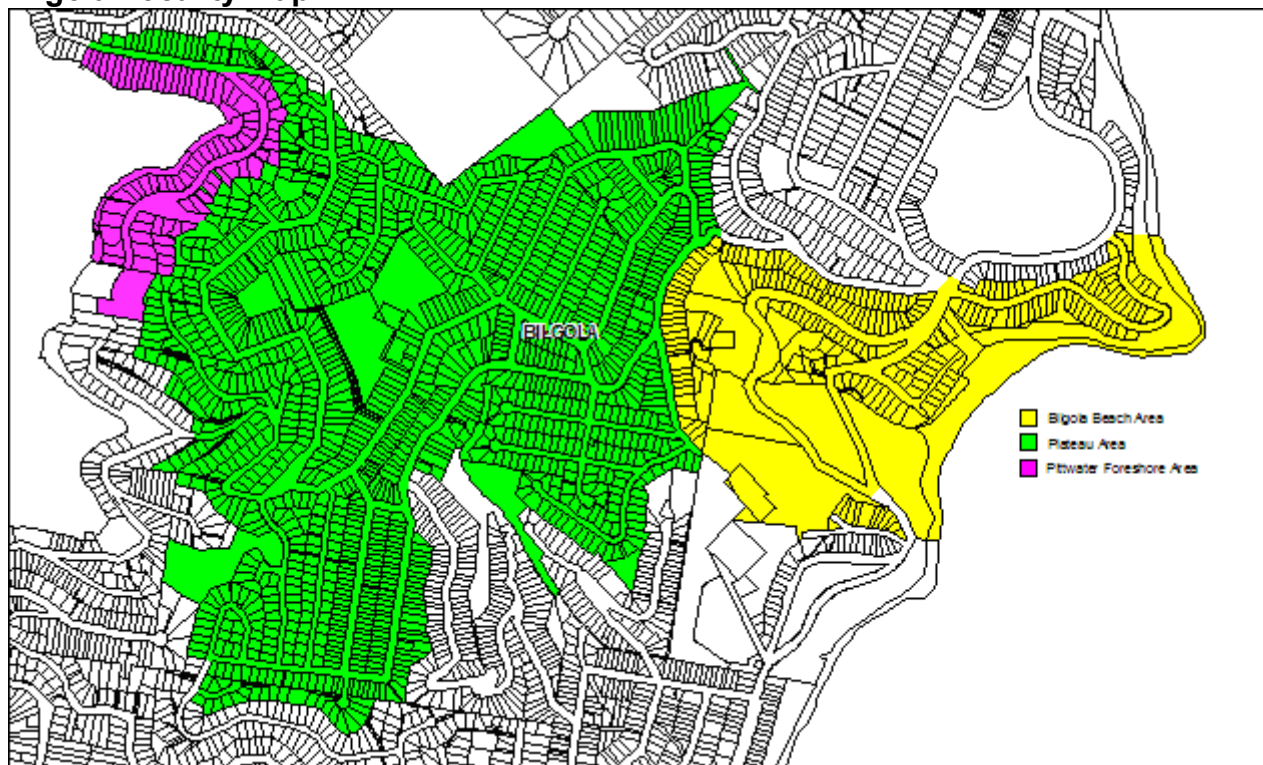
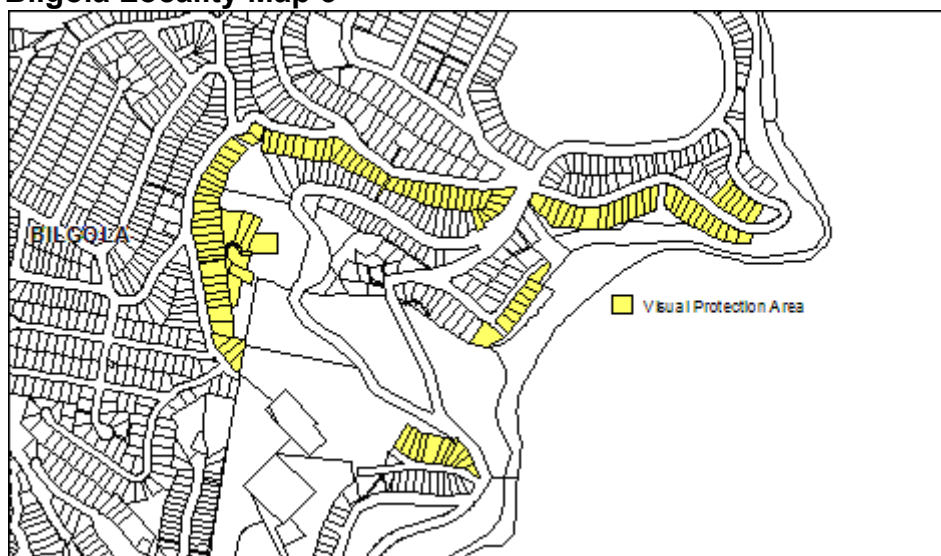
Endangered and vulnerable species of fauna exist within the Bilgola Beach Amphitheatre, such as the Squirrel Glider, Glossy Black Cockatoo, Powerful Owl, Koala, Long-nosed Bandicoot, Pigmy Possum and Common Bent-wing Bat.

Heritage

The Bilgola Locality includes Heritage items and/or conservation areas. Land affected in the Bilgola Locality is shown on the Heritage Map held in the offices of Council.

Bilgola Locality Map 1



Bilgola Locality Map 2**Bilgola Locality Map 3**

A4.4 Church Point and Bayview Locality

Land within the Locality

Land within the Church Point and Bayview Locality is identified on the Church Point and Bayview Locality Map.

Context

The locality was named for its outlook onto Pittwater, and was officially recognised when Bayview Post Office was opened in 1882. During the nineteenth century, several small farms producing fruit, vegetables, and poultry were established along the sheltered north-facing shore. Church Point, containing a wharf, chapel, school, post office, and cemetery, developed as an important link to the island and western foreshores. With the extension of the coach service from Manly in the 1880s, the locality became a holiday destination. Visitors also reached the locality by boat. Residential development intensified in the locality in the 1960-70s.

The locality has developed into a predominantly low-density residential area, with dwellings built along the steep slopes and lowlands around the base of the plateau. The locality is characterised mainly by one and two-storey dwelling houses on 600-1,000 square metre allotments (some smaller blocks may exist), increasing to 1 hectare on the steeper slopes. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Although parts of the locality are steep, the natural fall of the land in most cases has been retained, and where retaining walls have been constructed, these are screened by natural vegetation. Terraced gardens are not a feature of the area and should not be encouraged.

The locality is serviced by neighbourhood retail facilities at Church Point, which remains an important link to the offshore communities. The locality also contains a school, the Pasadena restaurant and function centre and several reserves.

Houses, vegetation, cemetery, post office and store, and other structures, indicative of early settlement in the locality, have been identified as heritage items.

The locality is characterised by steep slopes and lowlands around the base of the plateau to the waters edge and by the bushland approach to Kuringai Chase National Park which exists because of abandoned RMS road reserves which have preserved the diverse environment and form a scenic transition along McCarrs Creek Road between the National Park and Church Point. Due to the topography, significant views can be obtained to the north, east, and west. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the natural tree canopy has been retained, especially on the steeper slopes.

The natural features of the locality result in a high risk of bushfire, landslip, flood, and estuary wave action and tidal inundation

The major roads within the locality are Cabbage Tree Road, McCarrs Creek Road and Pittwater Road. McCarrs Creek Road provides access to Ku-ring-gai Chase National Park to the west, while Pittwater Road provides access to land to the east. Several pedestrian links and pathways exist within the locality, including adjacent to the Pittwater waterway. Pedestrian access along the waterfront is difficult in some locations but should be improved, especially over private property.

Desired Character

The Church Point and Bayview locality will remain a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on lowlands in the locality on land that has less tree canopy coverage, species and

habitat diversity and fewer other constraints to development. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. The locality is characterised by steeply sloping blocks so the provision of facilities such as inclinator, driveways and carparking need to be sensitively designed. The shared use of vehicular/pedestrian access, and the use of rooftops as parking areas can be solutions that minimise the physical and visual impact on the escarpment or foreshore.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Views from the buildings shall be maintained below the tree canopy level capturing spectacular views up the Pittwater waterway. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The locality is visually prominent particularly from Scotland Island, Bilgola Plateau, and the Pittwater waterway. Therefore, a balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

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

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

Pedestrian/cycle access around the foreshore and to areas of open space will be upgraded and maintained.

Church Point will remain an important link to the offshore communities.

Hazards, Natural Environment and Heritage

Hazards

The Church Point and Bayview Locality is affected by various hazards. Land affected in the Church Point and Bayview Locality is shown on the hazard maps held in the offices of Council.

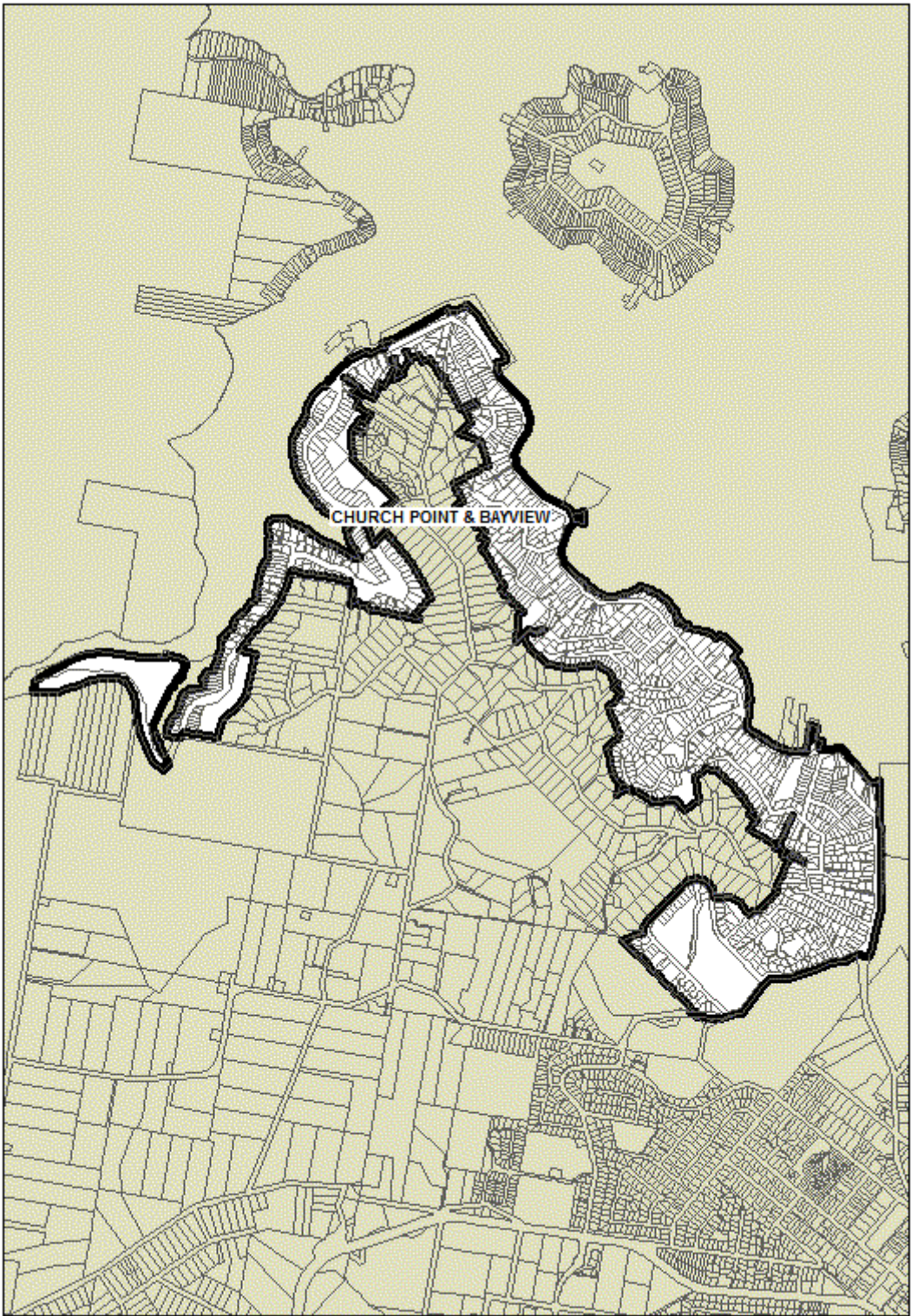
Natural Environment

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

Heritage

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

Church Point and Bayview Locality Map



A4.5 Elanora Heights Locality

Land within the Locality

Land within the Elanora Heights Locality is identified on the Elanora Heights Locality Map.

Context

The subdivision of the Elanora Heights Estate in 1929, which included the Elanora Country Club, initiated development in the locality. Residential development increased from the 1950s with improved access to the area.

Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along plateau and slopes. The locality is characterised mainly by one and two-storey dwelling houses on 700-950 square metre allotments (some smaller blocks may exist). To the west, rural residential dwellings occupy 2 hectare allotments. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes.

The locality is serviced by neighbourhood retail centres at Kalang Road and the intersection of Elanora and Anana Roads. The locality also contains the Elanora Heights Primary School, community/youth centres, and recreational facilities including the Elanora Golf Course, squash courts, and several reserves.

The locality is characterised by a plateau, spur to the east, and steep slopes. Due to the topography, significant views can be obtained to the east (over Warriewood and the Narrabeen Lakes inlet), west (over Deep Creek and bushland beyond), and south (over Narrabeen Lakes). Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the natural vegetation has been removed and replaced with non-indigenous species, and significant amount of natural vegetation has been removed in areas adjoining open space to reduce the risks associated with bushfires. Much of the tree canopy around the escarpment has been retained.

The natural features of the locality result in a high risk of bushfire and landslip.

The major roads within the locality are Powderworks Road, Anana Road, Elanora Road and Kalang Road. Powderworks Road is a common through-route from the beaches to land further west. Several pedestrian links and pathways exist within the locality.

Desired Character

The Elanora Heights locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located only on the plateau on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Land in the vicinity of Caladenia Close and Dendrobium Crescent to the west will remain a low-density rural residential area due to the constraints and characteristics of the land, including steepness of slope, species and habitat diversity, and lack of infrastructure. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community, and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate

shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development on non-urban zoned land shall maintain generous spatial separation of the built form and low site coverage on large lots. Development will be designed to be safe from hazards including landslip and bushfire.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

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

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

Hazards, Natural Environment and Heritage

Hazards

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

Natural Environment

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

Heritage

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

Desired Character of Elanora Heights Village Centre

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

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

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

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

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

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

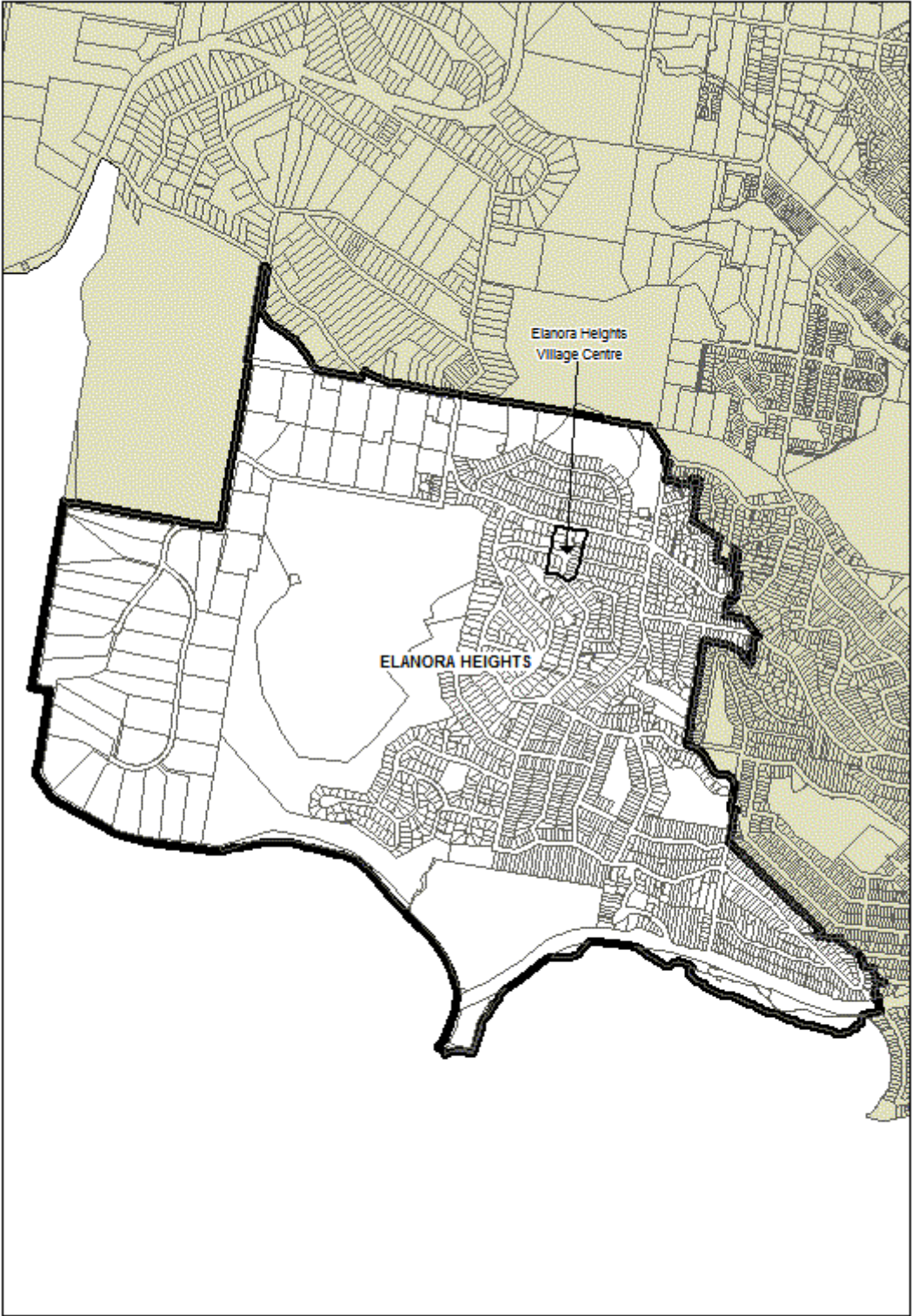
The extensive street trees give Kalang Road a dappled, leafy character emphasised by the tree planted central median.

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

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

- To enhance and activate the existing character of Kalang Road;
- To create a high quality public domain environment;
- To encourage upgrades to existing properties and shops;
- To ensure development achieves design excellence;
- To create a strong sense of place as a small scale coastal village centre;
- To extend the village centre uses and activity to the southern block on Kalang Road;
- To ensure the whole length of the village centre is active and vibrant with increased visitation to the southern block;
- To ensure the village retains a low scale fine grain character;
- To maximize opportunities for cafes and restaurants;
- To announce arrival at the village centre through architectural and landscape markers;
- To improve visibility of the existing Community Centre and children's playground to Kalang Road and the rest of the village centre; and
- To encourage greater knowledge of Kywong Reserve.

Elanora Heights Locality Map



A4.6 Ingleside Locality

Land within the Locality

Land within the Ingleside Locality is identified on the Ingleside Locality Map.

Context

Ingleside remained an isolated small farming settlement until the 1850s. By 1886, land speculation had resulted in the subdivision of land into rural allotments ranging in size from 20 to 640 acres (8 to 259 hectares). In 1923, land in Ingleside was further subdivided and designated for residential development under the Ingleside Heights Plan, with allotments ranging in size from 0.2 to 8 acres (0.08 to 3.2 hectares), although some smaller allotments may exist. This area is now known as the blue-hatched area. In 1951, subdivision of land was restricted to a minimum allotment size of 2 hectares (4.9 acres). In 1991, land at Ingleside was included on the State Government Urban Development Program, although due to environmental and infrastructure difficulties, the land has not yet been rezoned for urban purposes.

The rural residential and bushland character of the locality has remained to the present day. The locality is characterised mainly by dwellings, agricultural, horticultural and like land uses on 2 hectare allotments, although allotments up to 13 hectares are evident. Smaller allotments characterise the blue-hatched area, generally north of Powderworks Road and south of Lane Cove Road. The locality is not fully serviced by sewerage or water mains, or sealed roads.

The locality does not contain any retail centres. The locality contains several schools, a youth centre, Ingleside Scout Camp, Bahai House of Worship, Minkara Retirement Village, and Rural Fire Service, and recreational facilities including the Monash Golf Course and several reserves.

The ruins of the Powder Works, Ingleside House, and vegetation in the vicinity of Manor Road and Mona Vale Road, indicative of the early entrepreneurial and farming history of Ingleside, have been identified as heritage items. The Bahai House of Worship on Mona Vale Road has also been identified.

The locality is characterised by an elevated and undulating plateau. Due to the topography, significant and panoramic views can be obtained to the east. Conversely, the slopes and ridge tops of the locality are visually prominent.

There are extensive stands of natural and secondary regrowth bushland containing flora and fauna habitats, particularly along the ridgelines and creeklines, which have high conservation and visual value. However large areas have been cleared for development.

The natural features of the locality result in a high risk of bushfire and landslip.

The major roads within the locality are Mona Vale Road, Powderworks Road, Lane Cove Road, and Walter Road. Mona Vale Road is a major link with land to the west. Few, if any, pedestrian links and pathways exist within the locality.

Desired Character

The Ingleside locality will remain a low-density area consisting of rural residential, agricultural, horticultural and other permissible development on large lots in a natural landscaped setting, integrated with the landform and landscape. The high visual significance of the escarpment will be maintained, and development limited on this land. Development will also be limited in the "blue-hatched Area" due to a lack of infrastructure and small lot sizes. Community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Currently, few of these services exist, and development for anything other than a dwelling house will need to ensure that these services can be provided to the site. Care will need to be taken with future developments to ensure that outbuildings and ancillary recreational structures do not dominate the natural

landscape and bushland setting.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Single storey buildings will be preferred where the site has little opportunity for canopy trees or is visually prominent. Existing and new native vegetation, including canopy trees, will be integrated with the development. Development shall maintain generous spatial separation of the built form and low site coverage on large lots. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors. Fencing where provided, shall enable the native fauna to pass through yet contain livestock animals where needed.

Heritage items and conservation areas indicative of the Guringai Aboriginal people, of early settlement, entrepreneurial and farming history in the locality, and the Baha'i House of Worship, will be conserved.

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

Ingleside Urban Land Release Project

In August 2006 the Minister for Planning, the Honourable Frank Sartor requested that Council investigate releasing land at Ingleside for urban purposes.

Some of the land in Ingleside is now the subject of planning investigations with the view to rezone the land for urban purposes. Further controls relating to the Ingleside Urban Land Release Area will be developed when the Area is rezoned.

Hazards, Natural Environment and Heritage

Hazards

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

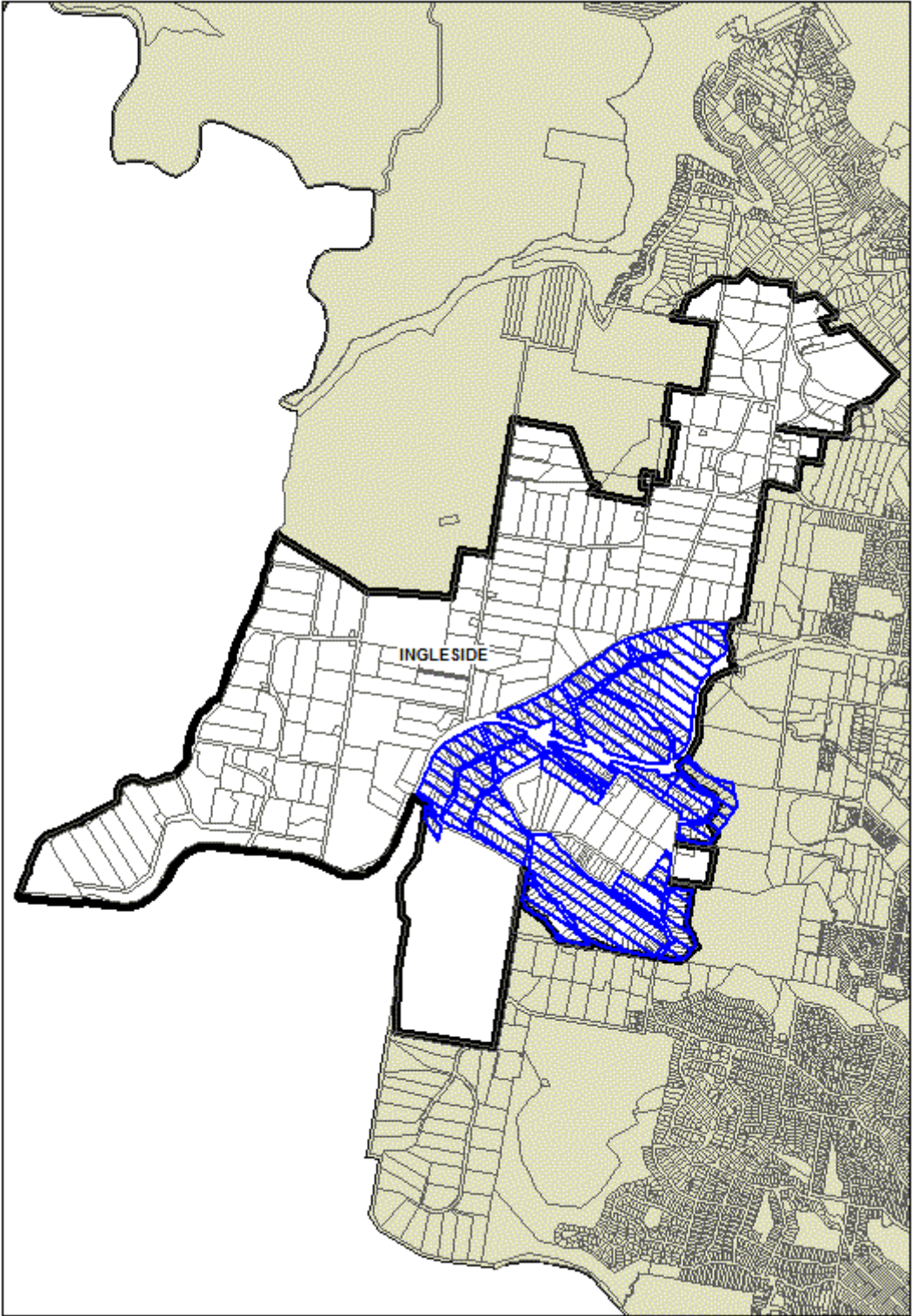
Natural Environment

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

Heritage

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

Ingelside Locality Map



A4.7 Ku-ring-gai Chase National Park Locality

Land within the Locality

Land within the Ku-ring-gai Chase National Park Locality is identified on the Ku-ring-gai Chase National Park Locality Map.

Context

Ku-ring-gai Chase National Park was established in 1894 largely through the efforts of Eccleston Du Faur, a draftsman and keen geographer who was appalled at the destruction of local native plants with the expansion of Sydney. The national park covers 14, 712 hectares, extending to Berowra to the west, the Hawkesbury River to the north, Pittwater to the east, and Ingleside, Terrey Hills, Duffys Forest, St Ives and North Wahroonga to the south. Within Pittwater, Ku-ring-gai Chase National Park comprises approximately 4,500 hectares and around 50 percent of the land area of the local government area.

The national park remains essentially undisturbed. Evidence of early Aboriginal occupation, including middens, axe-grinding grooves, cave art sites and rock engravings, is found throughout the park.

The national park is characterised by steep slopes, ridgelines and valleys, natural creeklines, and extensive areas of native flora and fauna. Due to the topography and physical location, the national park is visually prominent from many areas within Pittwater.

The natural features of the locality result in a high risk of bushfire.

The major road within the locality is West Head Road which extends from McCarrs Creek Road in the south to West Head in the north, providing access to a viewing area. Walking tracks extend from the road to the western foreshores and other areas within the national park.

Desired Character

The Ku-ring-gai Chase National Park Locality will remain relatively undisturbed, ensuring the conservation of native flora, fauna, and aboriginal heritage. The national park will be managed by the NSW National Parks and Wildlife Service.

Hazards, Natural Environment and Heritage

Hazards

The Ku-ring-gai Chase National Park Locality is affected by various hazards. Land affected in the Ku-ring-gai Chase National Park Locality is shown on the hazard maps held in the offices of Council.

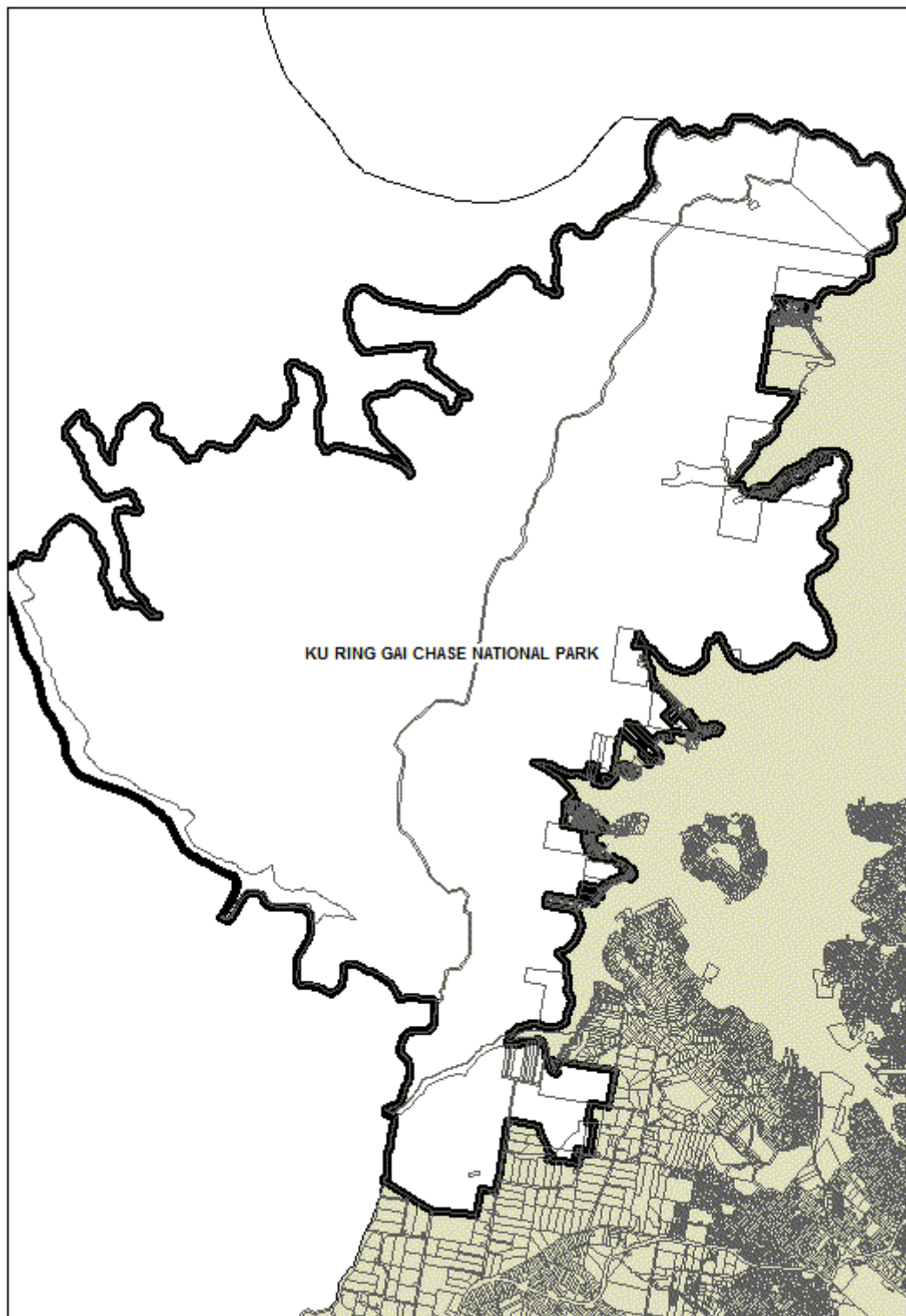
Natural Environment

The Ku-ring-gai Chase National Park Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Ku-ring-gai Chase National Park Locality is shown on the natural environment maps held in the offices of Council.

Heritage

The Ku-ring-gai Chase National Park Locality may include Heritage items and/or conservation areas. Land affected in the Ku-ring-gai Chase National Park Locality is shown on the Heritage Map held in the offices of Council.

Ku-ring-gai Chase National Park Locality Map



A4.8 Lower Western Foreshores and Scotland Island Locality

Land within the Locality

Land within the Lower Western Foreshores and Scotland Island Locality is identified on the Lower Western Foreshores and Scotland Island Locality Map.

Context

The Lower Western Foreshores and Scotland Island Locality was sparsely inhabited by small settlements during the nineteenth century. With the extension of the coach service from Manly in the 1880s, the locality became a holiday destination. Development intensified in the locality from the 1950s.

Since this time, the island and western foreshores have developed into a low-density residential area, with dwellings built throughout the lowlands, slopes and ridges. These offshore areas are characterised mainly by one and two-storey dwelling houses on 600-1,300 square metre allotments (some blocks may be smaller), although some allotments up to 4,000 square metres are evident. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed environment and subdued external finishes. Accordingly, the area is characterised by large expanses of native bushland with minimal fencing between properties.

The offshore areas are not serviced by sewage or water mains for domestic use, or vehicular access. Accordingly, further subdivision within the locality is prohibited. Many residences have private boathouses, wharves and jetties. These should be shared where ever possible to minimise the number of waterfront structures, and provide clear pedestrian access along the foreshore. Access to the offshore areas is principally by ferry from Church Point, although walking tracks through adjacent Ku-ring-gai Chase National Park provide access from the Western Foreshores to West Head Road.

The locality does not contain any retail centres. The locality does contain a community centre, youth hostel, Rural Fire Service posts, and several reserves. Minor waterfront industrial activities, including commercial boatsheds, are located within the offshore areas.

A youth hostel, houses, and other structures within the lower Western Foreshores, indicative of early settlement in the locality, have been identified as heritage items.

The locality is characterised by its remoteness in western Pittwater. Scotland Island is characterised by moderate to steep slopes surrounded by water, and the lower Western Foreshores by lowlands to the waters edge rising to the steeper slopes of the Ku-ring-gai Chase National Park to the west. Due to the topography and physical location, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops of the locality, and land adjoining the Pittwater waterway, are visually prominent.

Much of the natural vegetation has been retained which gives the appearance of a natural environment. Many residential blocks adjoin the national park. The minimal use of fencing aids wildlife corridors through the area, and domestic pets should be restricted/contained within property boundaries to protect the native fauna.

The natural features of the locality result in a high risk of bushfire, landslip, flood, and estuary wave action and tidal inundation.

There are no major roads within the locality. Several pedestrian links and pathways exist within the locality providing access to/from wharves.

Desired Character

The Lower Western Foreshores and Scotland Island locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Development will be limited primarily due to the locality's remoteness and lack of vehicular access, but also due to the

steepness of slope, proximity to the waterway, species and habitat diversity, and visual prominence. Community and recreational facilities will serve the community. Church Point will remain an important link to the offshore communities.

Future development is to be limited by the proximity of Ku-ring-gai Chase National Park, until it can be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. A proliferation of domestic animals should also be restricted on the Western Foreshores to ensure the survival of native animals that reside in the National Park but frequent the area from time to time.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

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

Pedestrians will continue as the dominant desired land traffic within the locality. Private land based vehicles are to be discouraged on Scotland Island and not permitted on the Western Foreshores. Pedestrian access within the locality will be maintained and upgraded, especially public access along the Pittwater foreshore.

Hazards, Natural Environment and Heritage

Hazards

The Lower Western Foreshores and Scotland Island Locality is affected by various hazards. Land affected in the Lower Western Foreshores and Scotland Island Locality is shown on the hazard maps held in the offices of Council.

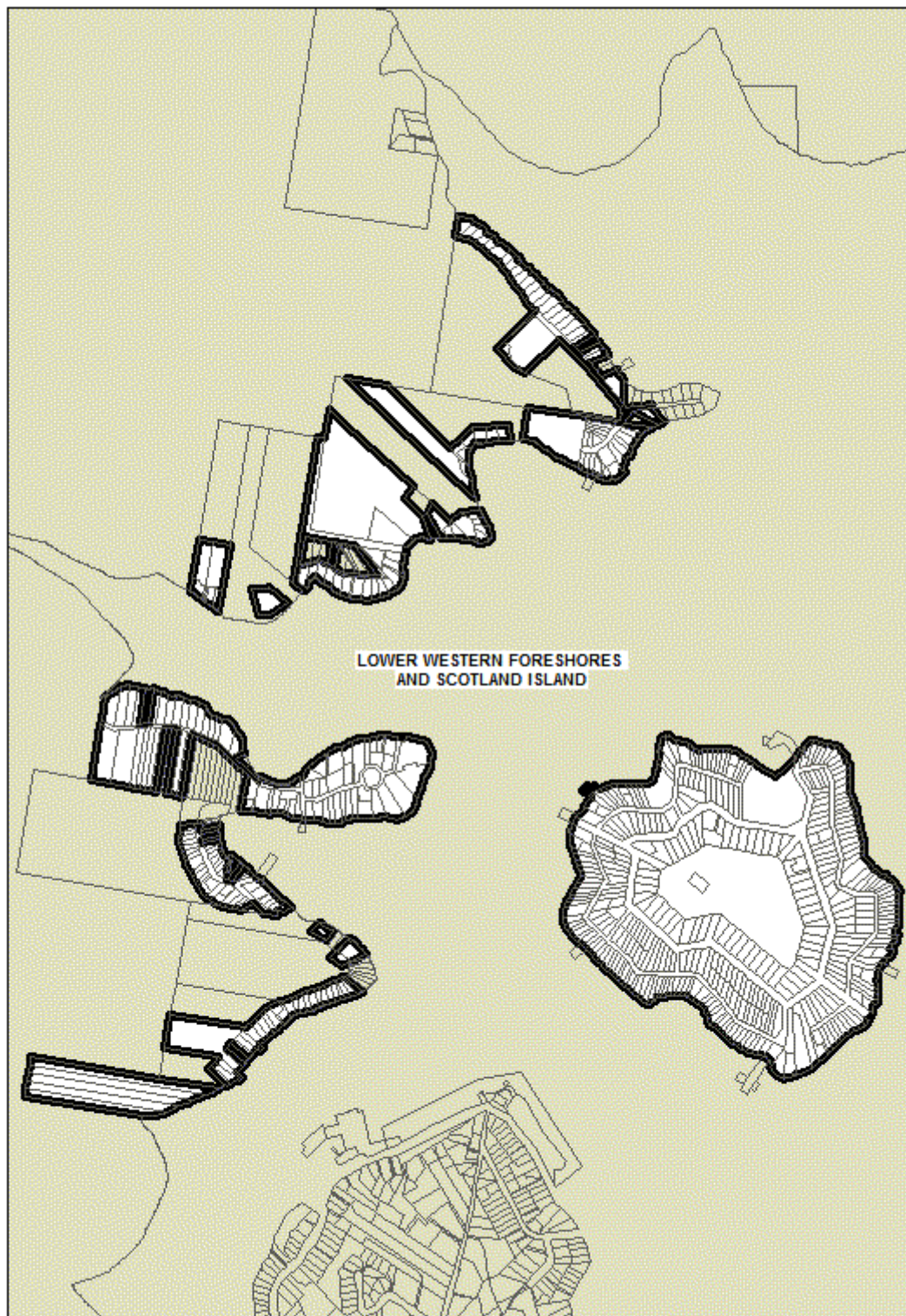
Natural Environment

The Lower Western Foreshores and Scotland Island Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Lower Western Foreshores and Scotland Island Locality is shown on the natural environment maps held in the offices of Council.

Heritage

The Lower Western Foreshores and Scotland Island Locality may include Heritage items and/or conservation areas. Land affected in the Lower Western Foreshores and Scotland Island Locality is shown on the Heritage Map held in the offices of Council.

Lower Western Foreshores and Scotland Island Locality Map



A4.9 Mona Vale Locality

Land within the Locality

Land within the Mona Vale Locality is identified on the Mona Vale Locality Map.

Context

Strategically positioned at the convergence of routes north to Palm Beach, west to Church Point, and south to Warringah, Mona Vale became the centre of trade and travel in the Pittwater area during the nineteenth century. The Rock Lily Hotel operating from 1886 became a landmark coaching inn where horses were changed and travellers rested. Industries developed among farming settlements and market gardens, including a timber yard in Waratah Street, and blacksmith and boat-building at Winnererremy Bay. From 1947 to 1976, food for Taronga Zoo animals was grown on 40 acres of land in the vicinity of Darley Road, Bassett and Mona Streets. Residential development in the locality increased from the 1950s.

Since this time, the locality has developed with a mix of residential, retail/commercial, industrial, recreational, community and educational land uses. Today, Mona Vale centre is the main commercial centre for the Pittwater area.

Low-density residential development is built along the valley floor and slopes to the north, south and west of the locality. These areas are characterised by one and two-storey dwelling houses on 680-760 square metre allotments (some blocks may be smaller) to the south, east and north, increasing to 930-1,200 square metres on the valley floor and headland. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Medium-density housing adjoins the Mona Vale Commercial Centre on Mona Vale Road, and extends along Darley Street, Park Street, Pittwater Road, Terrol Crescent and Golf Avenue.

The locality is serviced by the Mona Vale Commercial Centre, a major commercial, retail and community centre situated at the crossroads of Barrenjoey, Pittwater, and Mona Vale Roads. The Commercial Centre is focused around Mona Vale Village Park, Memorial Hall and Library. A hub of light industrial, automotive and like businesses adjoins the Commercial Centre to the north in the vicinity of Darley Road and Bassett Streets. The locality also contains neighbourhood retail centres at the intersect of Pittwater Road and Vineyard Street, the eastern end of Darley Street, and Parkland Road. The locality also contains the Mona Vale Hospital, Mona Vale Primary School, Sacred Heart Catholic Primary School, Pittwater High School, Mona Vale Hotel, Mona Vale SLSC, Mona Vale library, Pittwater Council offices, community centre, cemetery, police station, fire station, and bus depot, and recreational facilities including Mona Vale Golf Course, Bayview Golf Course, Mona Vale Bowling Club, skateboard ramp, beaches and several reserves.

The facade of the Rock Lily Hotel, houses, and structures in the vicinity of Darley Street, Grandview Parade, Maxwell Street, Mona Street, Orana Road, Park Street, and Pittwater Road, indicative of early settlement in the locality and historical context as a focal point in Pittwater, have been identified as heritage items.

The locality is characterised by a large valley floor to the coast in the east, and ridgelines to the north, southwest and northwest. Due to the topography, some significant views can be obtained to the north and east. Conversely, the slopes of the locality are visually prominent.

Much of the natural vegetation has been removed and replaced with non-indigenous species, although some remnant species, in particular canopy trees, are evident.

The natural features of the locality result in a high risk of bushfire, landslip, flood, coastline (beach) hazards, and estuary wave action and tidal inundation

The major roads within the locality are Barrenjoey Road, Pittwater Road, Mona Vale Road, and Samuel Street. Barrenjoey Road, Pittwater Road, and Mona Vale Road are major links with land to the north, west and south. Several pedestrian links and pathways exist within the locality,

including on the headland and Winnererremy Bay.

Desired Character

The Mona Vale locality will contain a mix of residential, retail, commercial, industrial, recreational, community, and educational land uses.

Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities.

Retail, commercial and light industrial land uses will be employment-generating. The Mona Vale commercial centre status will be enhanced to provide a one-stop convenient centre for medical services, retail and commerce, exploiting the crossroads to its fullest advantage and ensuring its growth and prosperity as an economic hub of sub-regional status. The permissible building height limit is increased to promote economic growth within the centre. The Mona Vale Hospital, as a regional facility servicing the Peninsula, is an essential part of the future local economy.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the Mona Vale commercial centre will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

Light industrial land uses in Darley and Bassett Streets will be enhanced as pleasant, orderly, and economically viable areas.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

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

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. Improved public transport, pedestrian accessibility and amenity, carparking and an efficient surrounding local network will support the commercial centre, moving people in and out of the locality in the most efficient manner. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

Hazards, Natural Environment and Heritage

Hazards

The Mona Vale Locality is affected by various hazards. Land affected in the Mona Vale Locality

is shown on the hazard maps held in the offices of Council.

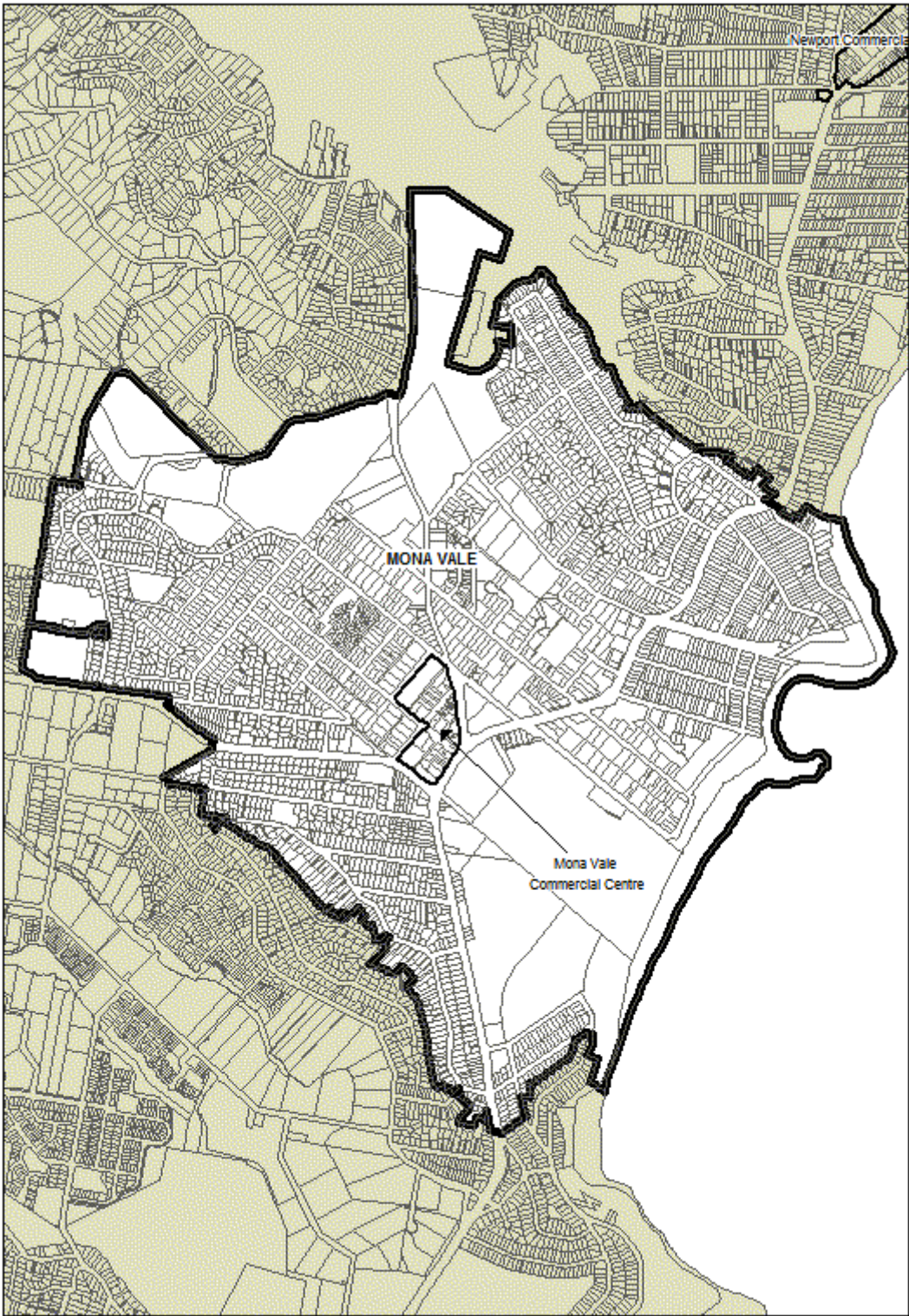
Natural Environment

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

Heritage

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

Mona Vale Locality



A4.10 Newport Locality

Land within the Locality

Land within the Newport Locality is identified on the Newport Locality Map.

Context

The Newport Locality was occupied by farming settlements from the early 1800s, and was a port for coastal steamers in the latter part of the nineteenth century. The Newport Hotel built in 1880 attracted visitors from Manly by coach and Sydney by steamer. As the road improved and beach holidays became popular, Newport expanded. Until the 1950s, Newport remained largely a holiday location with few permanent residents. Residential development and permanent occupation of dwellings increased from the 1950s.

Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along valley floor, plateau and slopes. The locality is characterised mainly by one and two-storey dwelling houses on 500-1,300 square metre allotments (some blocks may be smaller), increasing to 950-1,600 square metres on the plateau and slopes. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Medium-density housing adjoins the Newport Commercial Centre along Ocean and Foamcrest Avenues, and in pockets along Kalinya Road, Gladstone Street, Livingston Place, and Queens Parade.

The locality is serviced by the Newport Commercial Centre on Barrenjoey Road, north of Bardo Road and South of Coles Parade, and neighbourhood retail centre at Kalinya Street. The locality also contains the Newport Primary School, Newport Arms Hotel, and recreational facilities including the Newport Bowling Club and several reserves.

The eastern side of the locality is dominated by the beach and adjoining headlands, with its recreational facilities including Newport Surf Life Saving Club. Whilst the western side is dominated by the Pittwater waterway and its nautical uses. Public pedestrian access around the Pittwater frontage is difficult and should be enabled and enhanced in future developments.

Houses and vegetation in the vicinity of Burke Street, Bungan Head Road, Prince Alfred Parade, Queens Parade and Myola Road, indicative of early settlement in the locality, have been identified as heritage items.

The locality is characterised by the steep slopes to the north and south, and valley floor. Due to the topography, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops of the locality are visually prominent.

Substantial tree growth has been established, although the locality contains few natural reserves and bushland areas.

The natural features of the locality result in a high risk of bushfire, landslip, flood, coastal (bluff) hazard, and estuary wave action and tidal inundation.

The major roads within the locality are Barrenjoey Road, Prince Alfred Parade, Beaconsfield Street, Irrubel Road and Myola Road. Barrenjoey Road which forms a distinct barrier between the east and western sides of the locality, is the primary access road to the northern suburbs of Pittwater. Few pedestrian/cycle links and pathways exist within the locality.

Desired Character

The Newport locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural landscaped setting, integrated with the landform and landscape. Secondary Dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the valley floor and lower slopes that have less tree canopy coverage, species and

habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.

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

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

Newport's coastal setting is what contributes most to the distinctive character of the commercial centre. Responsive, energy efficient buildings will support and enhance this relaxed, beachfront character and its outdoor lifestyle, contributing to a unique sense of place. Contemporary design solutions within the commercial centre will respond to Newport's climate and setting, including providing shade and shelter to streets and entries, generous private outdoor spaces, openings that capture ocean breezes, and shade elements.

Hazards, Natural Environment and Heritage

Hazards

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

Natural Environment

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

Heritage

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

Desired Character Within the Newport Commercial Centre

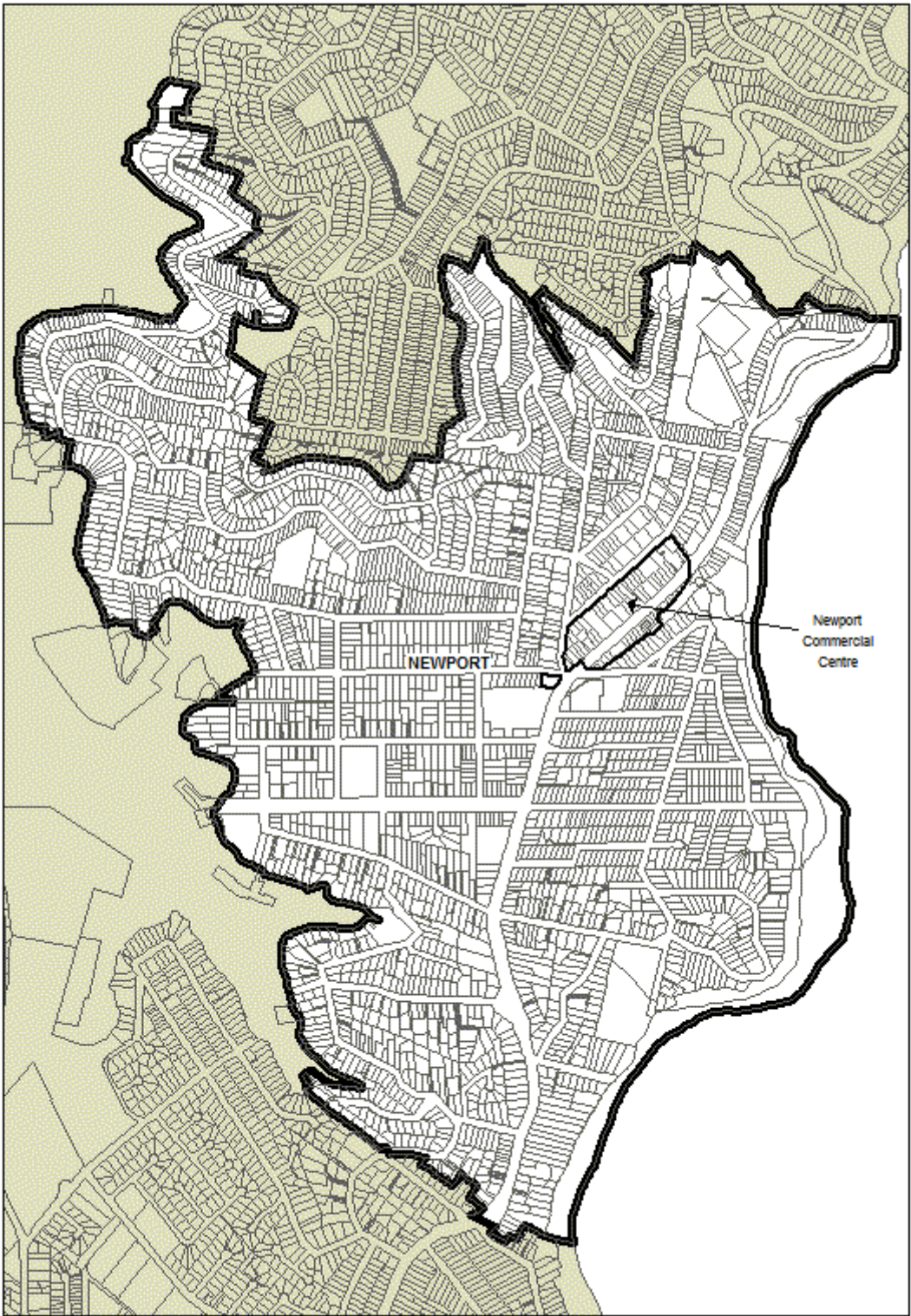
- Diversity rather than uniformity of building type and style is a desirable part of the existing character and is encouraged to continue. Strategies to achieve this include modulating buildings in both the vertical and horizontal plane, and enabling a variety of fenestration, awning treatments and roof forms. This diversity, including the mix of new and remodelled buildings, will be unified by the streetscape and public domain treatments.

- At the topmost level of buildings, setbacks to front, sides and rear will break down the overall scale of the street, support view sharing, and will also provide useable roof terraces and garden areas. Views from the upper slope down and across the roofscape will be significantly improved by thoughtful roof design. The permeability of the centre will be further improved by both protecting and creating views through and between buildings.
- Building orientation, internal layouts, the location and design of balcony and courtyard areas, should all optimise people's ability to use and enjoy the spaces.
- The architectural character will be expressed strongly through the design of facades, including shading and screening devices, lightness and transparency of materials, and elements that promote natural ventilation.
- Shop fronts will be largely transparent, with large openings, connecting directly with the footpath areas, to contribute to a sense of permeability.
- Building users will benefit from terraces, balconies and openings with a pleasant outlook, while the space benefits from passive surveillance and from being attractively edged.

The desired future character for the commercial centre includes an increased diversity and range of retail, commercial and community activities for the Newport community. Barrenjoey Road and Robertson Road will be consolidated as the primary retail streets, and the role of Robertson Road as an activity hub for the village will be enhanced. Further development of shop top housing will enliven the village, particularly at nights and weekends, and increase the retail customer base. The Newport Commercial Centre will have increased patronage from visitors as well as local residents, due to:

- A range of small scale commercial, professional and residential uses on Seaview Parade, Foamcrest Avenue and the western portion of Coles Parade, distinct from the primary retail 'main street' focus on Barrenjoey Road and Robertson Road.
- Retention and enhancement of the clusters of cafe/dining uses on Barrenjoey Road and Robertson Road.
- Active land uses on highly visible sites at the northern and southern ends of the commercial centre, with a high degree of interaction with the public domain.
- The retention and enhancement of special character sites and uses that contribute to Newport's identity including beachfront areas, the openness of the Bramley Avenue car park, the church and the community facilities at the southern end of the villa
- Consolidation of the community focus of the Bowling Club / Croquet Club site with new, diverse community and recreational uses.

Newport Locality Map 1



A4.11 North Narrabeen Locality

Land within the Locality

Land within the North Narrabeen Locality is identified on the North Narrabeen Locality Map.

Context

The extension of the tram to Narrabeen in 1913 established the North Narrabeen Locality as a popular area for holidays and camping. Until this time, the locality remained relatively undeveloped, used mainly as a through-route to Mona Vale and land further north. A bridge constructed across Narrabeen Lagoon in 1880, and the opening of the Wakehurst Parkway in 1946, connected the locality and rest of Pittwater with land to the south. From the 1950s, residential development intensified in the locality.

Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along the valley floor, slopes, and adjacent to Narrabeen Lagoon. The locality is characterised by one and two-storey dwelling houses on 450-650 square metre allotments (some smaller allotments may exist). The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes.

The locality is serviced by a neighbourhood retail centre at Pittwater Road, which also serves as a retail centre for passing motorists, and nearby residents descending from Elanora Heights. A smaller neighbourhood centre is located at the corner of Powderworks Road and Garden Street. This services the local industrial area that is dominated by car uses including servicing, repair and sales, that is located between Garden and Warraba Road. The locality also contains Narrabeen RSL club, a community centre and recreational facilities including tennis courts, several reserves and Narrabeen Lake.

The locality is characterised by a valley and steeper slopes to the north, south, and west, and lowlands extending to Narrabeen Lake to the east and Mullet Creek. Due to the topography, some significant views can be obtained to the east and south. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the natural vegetation has been removed and replaced with non-indigenous species. Much of the tree canopy around the escarpment has been retained.

The natural features of the locality result in a high risk of bushfire, landslip and flood.

The major roads within the locality are Pittwater Road, Rickard Road, and the Wakehurst Parkway. Powderworks Road is a common through-route from the beaches to land further north/west, and similarly, the Wakehurst Parkway is a major link with land further west and south. Several pedestrian links and pathways exist within the locality, including a popular pedestrian/cycleway adjacent to Narrabeen Lake.

Desired Character

The North Narrabeen locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the North Narrabeen commercial centre on Pittwater Road will reflect the status of the centre as the 'gateway' to Pittwater through building design, signage and landscaping, and will reflect principles of good urban design.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

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

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

Hazards, Natural Environment and Heritage

Hazards

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

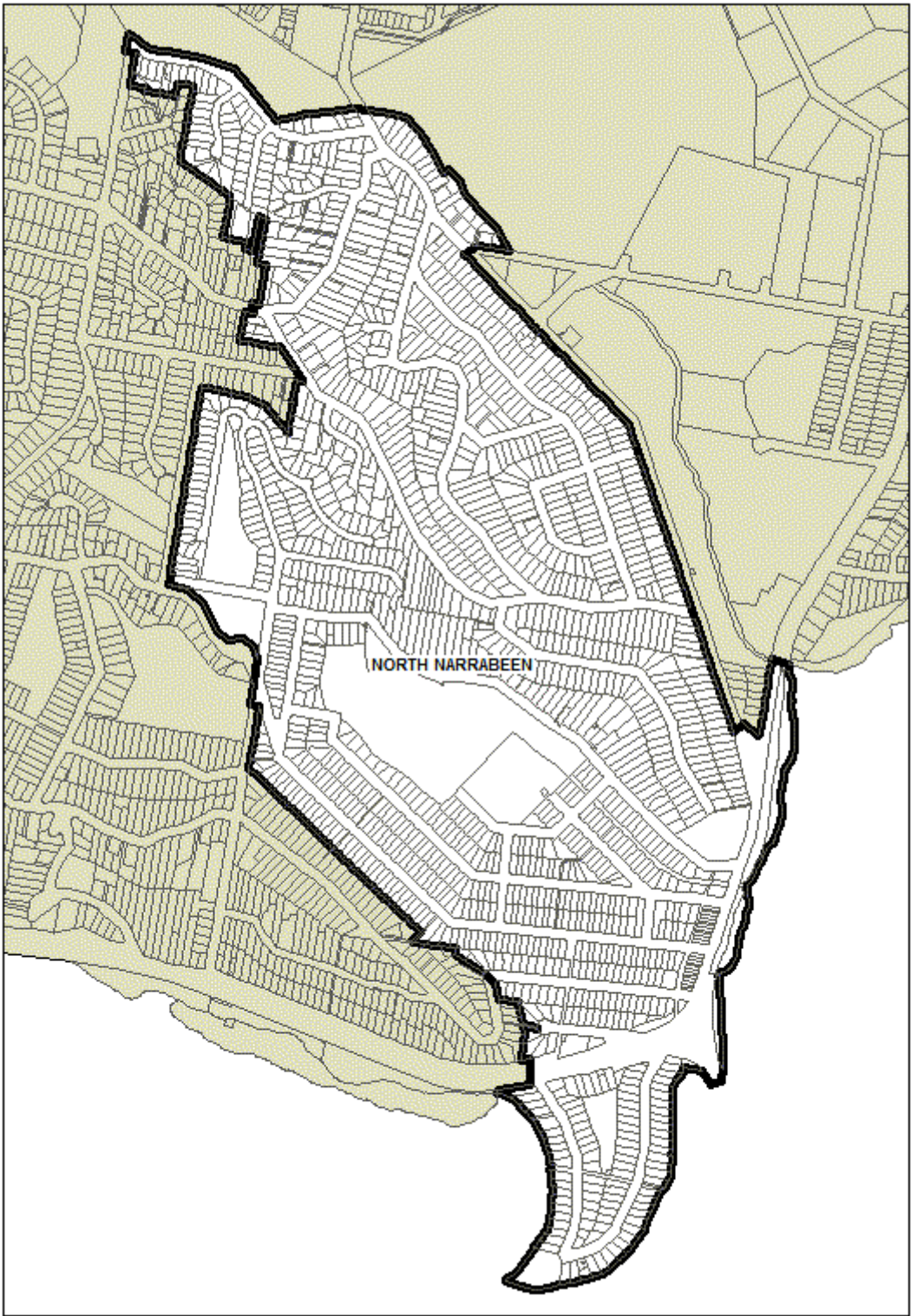
Natural Environment

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

Heritage

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

North Narrabeen Locality



A4.12 Palm Beach Locality

Land within the Locality

Land within the Palm Beach Locality is identified on the Palm Beach Locality Map.

Context

Until the early 1900s, the locality remained a tiny settlement of isolated farms and fishermen's cottages. In 1912, land was subdivided and Palm Beach became a popular holiday destination, its popularity increasing with the development of the Palm Beach Golf Course in 1920. The Barrenjoey peninsula remained a popular camping area until it was closed in the 1960s. Residential development and permanent occupation of dwellings increased from the 1960s, although the area still remains a secluded peninsula at the northern point of Pittwater. Barrenjoey Headland at the northernmost point of Pittwater was host to a Customs House from 1843, and Barrenjoey Lighthouse from 1881, which remains today.

Since that time, the locality has developed into a predominantly low-density residential area, with dwellings built along the ridges, slopes and lowlands. The locality is characterised mainly by two-storey dwelling houses on 750-1,400 square metre allotments, with allotments of 550-650 square metres (some smaller blocks may exist) adjoining the waterfront to the west. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. In the vicinity of Ocean Rd, the informal and casual nature of the parking carriageway and pedestrian pathway adds to the relaxed beach character of the locality and should be retained. Medium density housing concentrates around the Palm Beach neighbourhood retail centre on Barrenjoey Road.

Residents and visitors are attracted to the Palm Beach Locality by its natural beauty, by the relatively unspoilt nature of the region and by the relaxed seaside atmosphere of the locality. To the west is the Pittwater waterway, to the east the ocean beaches and headlands, with a spur running north south ending in a bluff at the sand isthmus that ties Barrenjoey Headland to the mainland. Here it is an easy walk over the sand dunes from the protected water of Pittwater to the ocean beach. Due to the topography, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops of the locality are visually prominent.

The locality is serviced by two neighbourhood retail centres at the intersect of Barrenjoey Road and Iluka Avenue, opposite the public wharf, Ocean Road; and the intersection of Whale Beach Road and Surf Road, where the bus service terminates. The public wharf provides a vital link for the Upper Western Foreshore communities, as well as a regular ferry service to these communities and further afield including Patonga and Gosford. The locality also contains Barrenjoey Lighthouse, Palm Beach RSL, Palm Beach SLSC, and recreational facilities including Palm Beach Golf Course, rock baths, beaches, Governor Phillip Park, McKay Reserve and other reserves.

Barrenjoey Lighthouse, remnants of Customs House, houses, vegetation, and other structures in the vicinity of Barrenjoey Headland, Barrenjoey Road, Bynya Road, Florida Road, Ocean Road, Northview Road, Palm Beach Road, Pacific Road, Sunrise Road, and beach and waterfront reserves, indicative of early settlement in the locality, have been identified as heritage items. Land in Florida Road, Ocean Road, and Sunrise Road, indicative of early subdivision patterns and built form, have been identified as heritage conservation areas.

The Palm Beach locality gives the impression that much of the native vegetation has been retained. Bushland reserves predominate. Native plants proliferate in private gardens. The natural fall of the land has been preserved in most cases with retaining walls and terracing kept to a minimum. A few poor exceptions to this are located at the northern end of Ocean Road. The retention of the natural features and native plants within private gardens should be encouraged, and help to reinforce the natural beauty of the area the main characteristic of the locality. The natural features of the locality result in a high risk of bushfire, landslip, flood, coastal (bluff) hazard, and estuary wave action and tidal inundation.

The major roads within the locality are Barrenjoey Road, Florida Road, Ocean Road, and Whale

Beach Road. Barrenjoey Road is the primary access road from the south. Several pedestrian links and pathways exist within the locality.

Desired Character

The Palm Beach locality will remain primarily a low-density residential area with dwelling houses in maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the lowlands and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale whilst ensuring that future development respects the horizontal massing of the existing built form. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the commercial centres will reflect a 'seaside-village' character through building design, signage and landscaping, and will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.

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

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

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

Hazards, Natural Environment and Heritage

Hazards

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

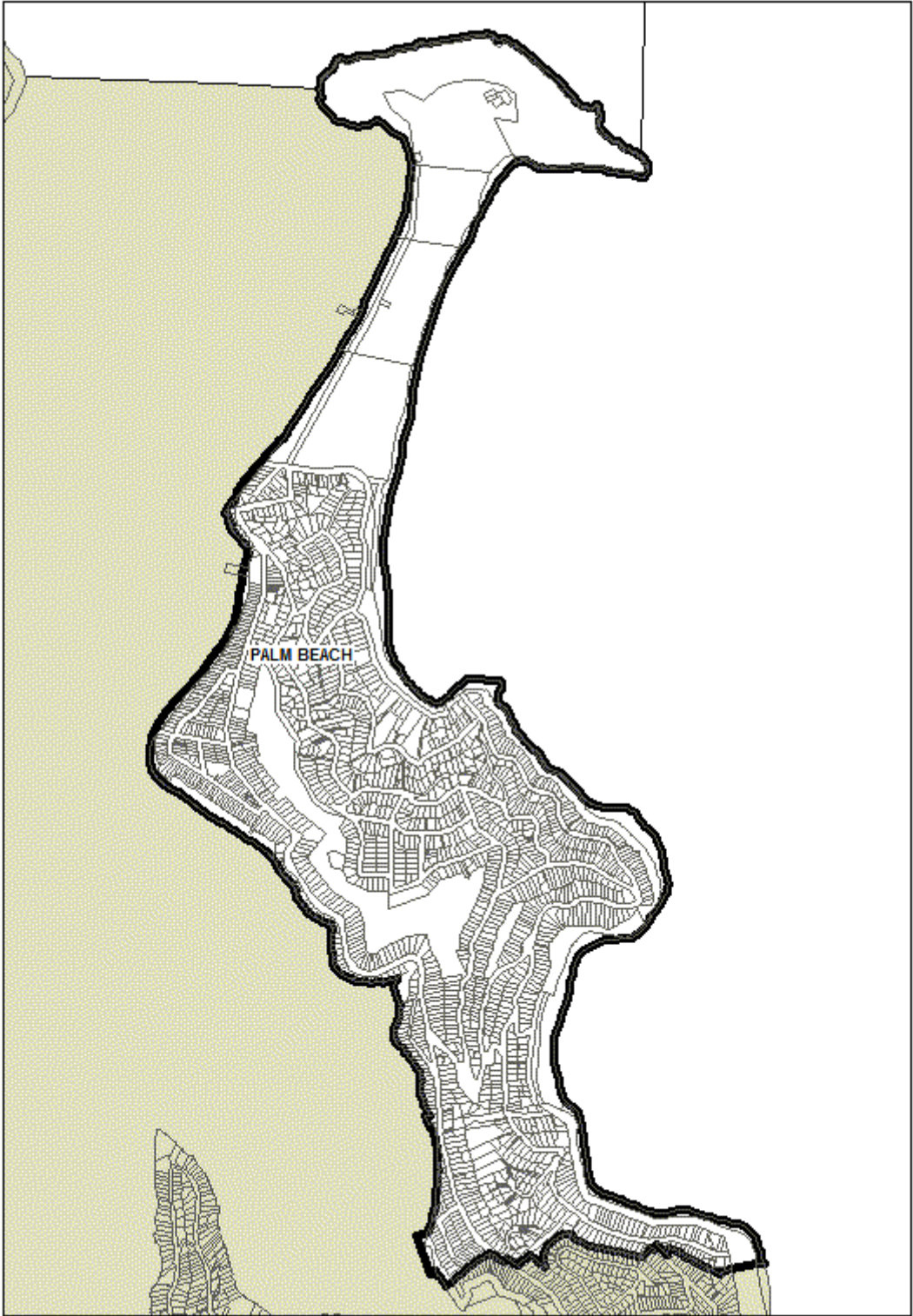
Natural Environment

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

Heritage

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

Palm Beach Locality Map



A4.13 Upper Western Foreshores Locality

Land within the Locality

Land within the Upper Western Foreshores Locality is identified on the Upper Western Foreshores Locality Map.

Context

The locality was sparsely inhabited by small settlements during the nineteenth century. Land at Coasters Retreat and Great and Little Mackerel Beach was first subdivided in the early 1920s, and the construction of holiday houses and weekenders soon followed. In 1949, land at Little Mackerel Beach (now known as Currawong Beach) was purchased by the Labor Council of New South Wales as an affordable holiday retreat for union members and their families. The resort was called Currawong.

Since this time, the locality has developed into a low-density residential area, with dwellings built along the lowlands and slopes. The residential areas of Coasters Retreat and Great Mackerel Beach are characterised mainly by one and two-storey dwelling houses on 550-900 square metre allotments (some blocks may be smaller), although some allotments up to 2,500 square metres are evident. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed environment and subdued external finishes. Many residential blocks adjoin the national park. The minimal use of fencing aids wildlife corridors through the area, and domestic pets should be restricted/contained within property boundaries to protect the native fauna.

Currawong has remained as a Labor Council holiday retreat to the present day. The locality is not serviced by sewage or water mains for domestic use, or vehicular access. Access to the locality is principally by ferry from Palm Beach, although walking tracks through adjacent Ku-ring-gai Chase National Park provide access to West Head Road.

The largest settlement in the locality is Great Mackerel Beach which consists of a beach front, sand dune, a small rocky cliff and a long flat valley along the floor of which are designated streets. This valley was formed by sea action with sand deposited on its floor. Rain and run-off from the sandstone cliffs bordering the valley created a creek which now drains the valley. A small bridge crosses the creek but otherwise the valley floor remains essentially as nature created it. Apart from some sandy areas, it is a long grassy sward which provides access to the dwellings in the valley and which traditionally has been an area for children to play cricket and other games. The preservation of the natural landscape has produced a unique and idyllic environment with the charm of days gone by.

The locality does not contain any retail centres. The locality contains Rural Fire Service posts and several reserves.

Currawong, indicative of early settlement in the locality and socially significant in its association with the NSW Labour Council, has been identified as a heritage item.

The locality is characterised by its remoteness on the western foreshores of Pittwater. Coasters Retreat is characterised by low to moderate slopes from the waters edge to Ku-ring-gai Chase National Park to the west, while Great Mackerel Beach and Currawong are characterised by a small flat valley floor located immediately behind the beach frontage, with the steeper slopes of the national park to the west. Due to the topography and physical location, significant views can be obtained to the north and east. Conversely, the slopes of the locality and land adjoining the Pittwater waterway are visually prominent.

Much of the natural vegetation has been retained which gives the appearance of a natural environment.

The natural features of the locality result in a high risk of bushfire, landslip, flood, and estuary wave action and tidal inundation.

Roads within the locality serve as pedestrian links and very few are paved. These roads and pathways provide access to/from wharves.

Desired Character

The Upper Western Foreshores locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Development will be limited primarily due to the locality's remoteness and lack of vehicular access, but also due to the steepness of slope, proximity to the waterway, species and habitat diversity, and visual prominence. Community and recreational facilities will serve the community. Palm Beach will remain an important link to the offshore communities.

Future development is to be limited by the proximity of Ku-ring-gai Chase National Park, until it can be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. A proliferation of domestic animals should also be restricted on the Western Foreshores to ensure the survival of native animals that reside in the National Park but frequent the area from time to time.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors. Domination of vegetation over built form, with developed areas hardly distinguishable from Ku-ring-gai Chase National Park especially when viewed from mainland and waterway, will be achieved.

Currawong heritage item, indicative of early settlement in the locality and socially significant in its association with the NSW Labor Council, will be conserved. Heritage items and conservation areas indicative of the Guringai Aboriginal people will be conserved.

The essential nature of Mackerel Beach with its grassy sward, its yesteryear charm and its harmony with the natural environment should be preserved. Because it is a community which is largely self-reliant, it is imperative that every effort be made to foster social harmony and that Council take no action that would allow any other body to assume control over the use and enjoyment of the public areas which are an essential part of its unique environment. Pedestrian access within the locality will be maintained and upgraded, especially public access along the Pittwater foreshore.

Hazards, Natural Environment and Heritage

Hazards

The Upper Western Foreshores Locality is affected by various hazards. Land affected in the Upper Western Foreshores Locality is shown on the hazard maps held in the offices of Council.

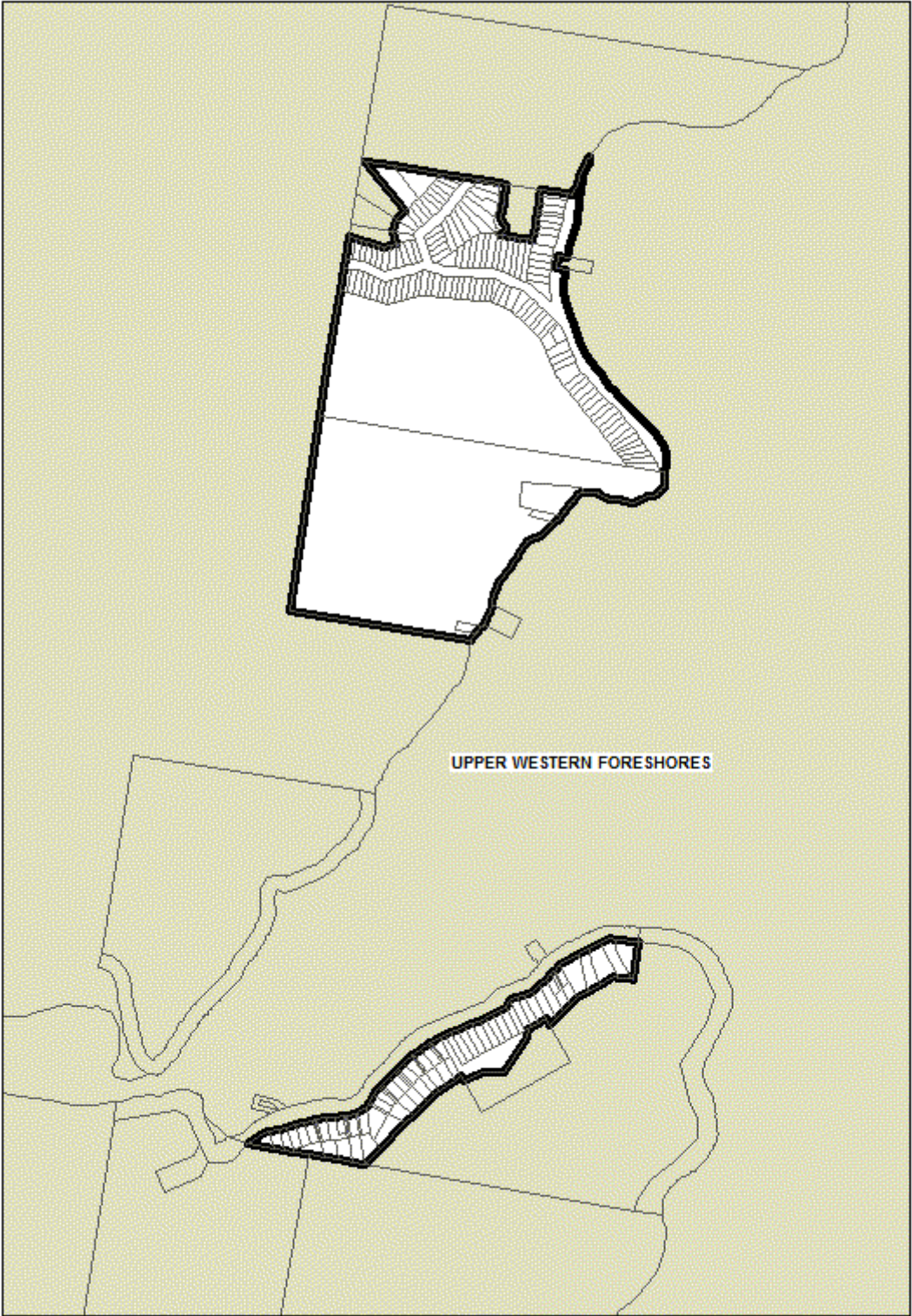
Natural Environment

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

Heritage

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

Upper Western Foreshores Locality Map



A4.14 Warriewood Locality

Land within the Locality

Land within the Warriewood Locality is identified on the Warriewood Locality Map.

Context

The extension of the tram to Narrabeen in 1913 established land north of Narrabeen Lagoon as a popular area for holidays and camping. From the 1950s, residential development intensified in this area, and along the slopes to the north, south and east of the locality.

From the 1920s, the Warriewood locality area expanded as a farming district as new settlers, including many from former Yugoslavia, moved into the area. Market gardening, primarily in the cultivation of tomatoes, reached its peak in 1947 and 1954, before declining in the 1960s. The rural character of the valley remained until the 1980s, when land was subdivided for industrial/commercial and townhouse development in the vicinity of Macpherson Street, Ponderosa Parade and Vuko Place.

The locality has developed with a mix of residential, retail/commercial, industrial, recreational, and educational land uses.

Low-density residential development is built along the slopes to the north and east of the locality, and within the lowland areas adjoining Pittwater Road. These areas are characterised by one and two-storey dwelling houses on 550-750 square metre allotments, generally increasing to 950 square metres on steeper slopes and the headland. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes.

The locality is serviced by a Warriewood Square, a major retail centre, and neighbourhood retail centres at Narrabeen Park Parade and the intersection of Garden Street and Powderworks Road. The locality also contains the Narrabeen Sports High School, Narrabeen North Primary School, Mater Maria Catholic School, two youth/community centres, the Coastal Environment Centre, Warriewood Sewage Treatment Plant, Pittwater RSL Club, and recreational facilities including the Lakeside Caravan Park, several reserves, beaches and rockbaths. The locality also enjoys many significant natural environmental features, including the Warriewood Escarpment, Warriewood Wetlands, Narrabeen Lagoon, and Katandra Bushland Sanctuary.

Cottages and vegetation on Macpherson Street, indicative of the early farming history of the valley, have been identified as heritage items.

The locality is characterised by a valley surrounded by the escarpment to the west, headland to the east, slopes to the north and Narrabeen Lagoon and Mullet Creek to the south. Due to the topography, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the natural vegetation in the valley has been removed and replaced with non-indigenous species. Much of the tree canopy around the escarpment, which is protected as an area of environmental significance, has been retained.

The natural features of the locality result in a high risk of bushfire, landslip, flood, and coastline (beach) hazards.

Two major roads pass through the locality being Pittwater Road and Mona Vale Road, these are major links with other Sydney suburbs to the west and south.

The major roads within the locality are Pittwater Road, Mona Vale Road, Garden Street, Jacksons Road, Macpherson Street, Narrabeen Park Parade, and Sydney Road. Several pedestrian links and pathways/cycleways exist within the locality, including on the headland, within the Warriewood Wetlands, and adjacent to Narrabeen Lagoon.

Desired Character

The Warriewood locality will remain characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses.

Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies (detached) will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities.

Warriewood Square will meet the retail needs of the local and regional community as well as some smaller neighbourhood centres.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

Hazards, Natural Environment and Heritage

Hazards

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

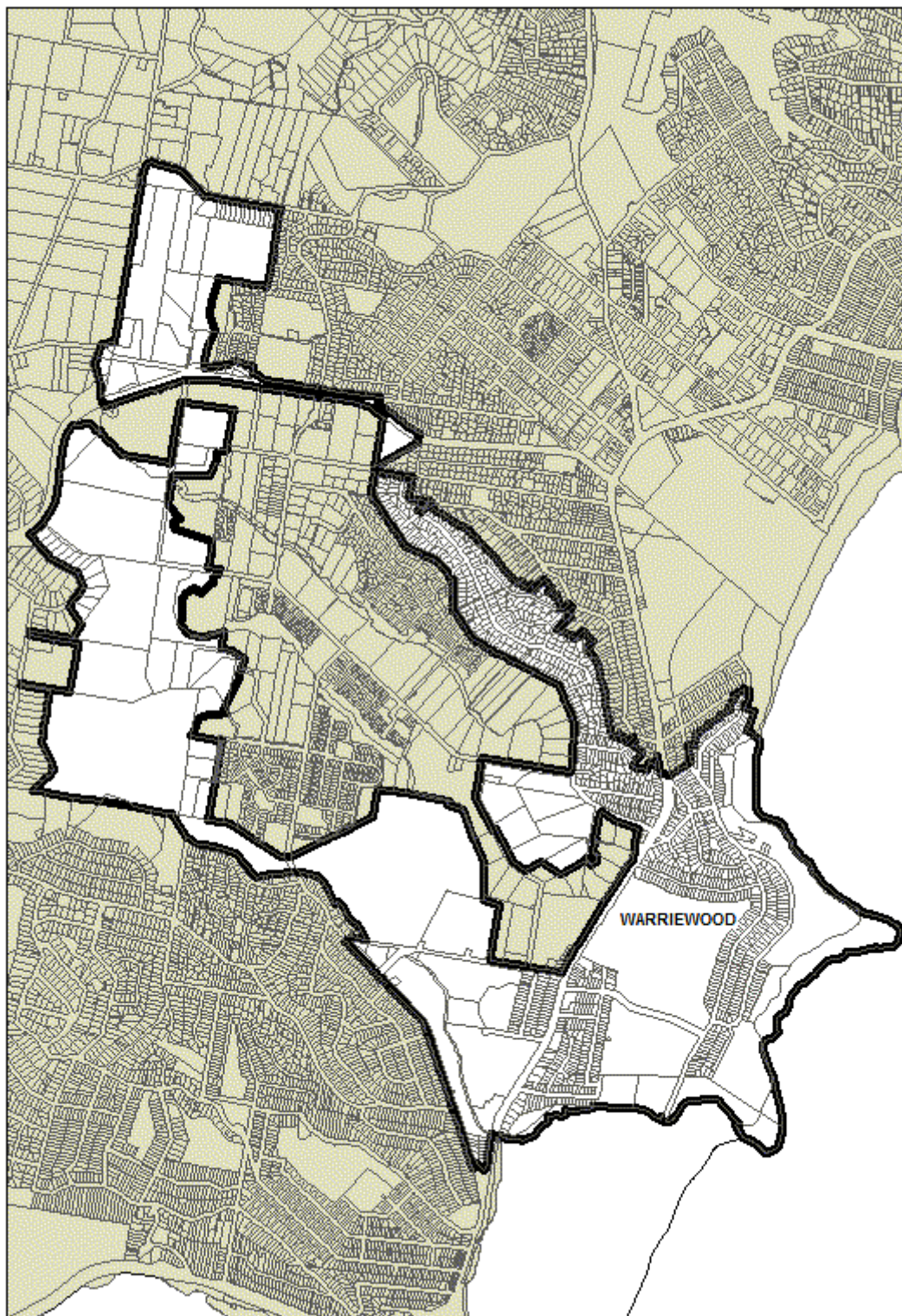
Natural Environment

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

Heritage

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

Warriewood Locality Map



A4.15 Waterways Locality

Land within the Locality

Land within the Waterway Locality is identified on the Waterway Locality Map.

Context

On 2 March 1788, Captain Arthur Phillip sailed north to the inlet described by Captain James Cook as a 'broken land'. Phillip explored the southern arm of Broken Bay and declared it 'the finest piece of water I ever saw'. He honoured it with the name of Pitt Water, after William Pitt, the Younger, who was Prime Minister of England at the time.

Since this time, the waterway has become a popular recreational boating area. Land adjoining the waterway has largely developed with low-density residential housing, waterfront business and yacht clubs, and areas of public open space. Many residences with waterfront access enjoy private boating facilities including jetties, boatsheds and the like. Yacht clubs and marinas, including the Royal Prince Alfred Yacht Club, Royal Motor Yacht Club, and Pittwater Aquatic Club enjoy sheltered conditions at the southern end of the waterway at Horseshoe Cove, Crystal Bay, and McCarrs Creek.

Water transport access is possible to the Western Foreshores and to the Hawkesbury River and Brisbane Waters. A public ferry service runs from the public wharf at Palm Beach to Patonga, Ettalong and Gosford. Public ferries can also be caught to Scotland Island and the Western Foreshore communities, as well as a water taxi service. Many waterfront homes also have private watercraft which operate from private boathouse, wharves, jetties, floating ramps and/or pontoons. These should be shared facilities to minimise the number of waterfront buildings and structures.

Other commercial traffic that uses the Pittwater waterway include barges for the removal of rubbish from the off-shore communities, and also for the transportation of building materials. A seaplane operates on the northern end of the waterway adjacent to Palm Beach.

Marine structures adjacent to the Western Foreshores and Clareville, indicative of early settlement in Pittwater, have been identified as heritage items.

The Pittwater waterway contains important estuarine habitats. Mangrove communities (predominantly *Avicennia marina* grey mangrove) exist around the foreshores, with large stands evident at Careel Bay and the heads of embayments along the western foreshores and McCarrs Creek. Seagrasses exist between Barrenjoey Headland and Observation Point at Palm Beach, Careel Bay, and between Church Point and Bayview. Important intertidal sand/mud flat areas exist as transition zones between the foreshore and seagrass beds at Heron Cove, Newport, Bayview, Church Point, Careel Bay, and along some of the embayments along the western foreshores. Other habitats such as rocky shorelines and beaches are of significance to a variety of marine organisms.

The natural features of the locality result in a high risk of estuary wave action and tidal inundation.

Desired Character

The Waterway locality will remain primarily a recreational boating area. Waterfront businesses, yacht clubs and the like will meet the waterway recreational and boating needs of the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development should ensure that access is available at all times to public boating facilities, such as launching ramps. Future development will not restrict public access adjoining the foreshore, or pedestrian access along the foreshore.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development will be designed to be safe from hazards. Development will co-exist with adjoining residential areas. Development will not restrict public access adjoining the foreshore, and will not obstruct navigation within the waterway.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors. Future development will include measures to ensure protection of the water quality and estuarine habitats of the locality, including mangroves, sea grasses, intertidal sand/mud flats, rocky shorelines, and beaches.

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

Hazards, Natural Environment and Heritage

Hazards

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

Natural Environment

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

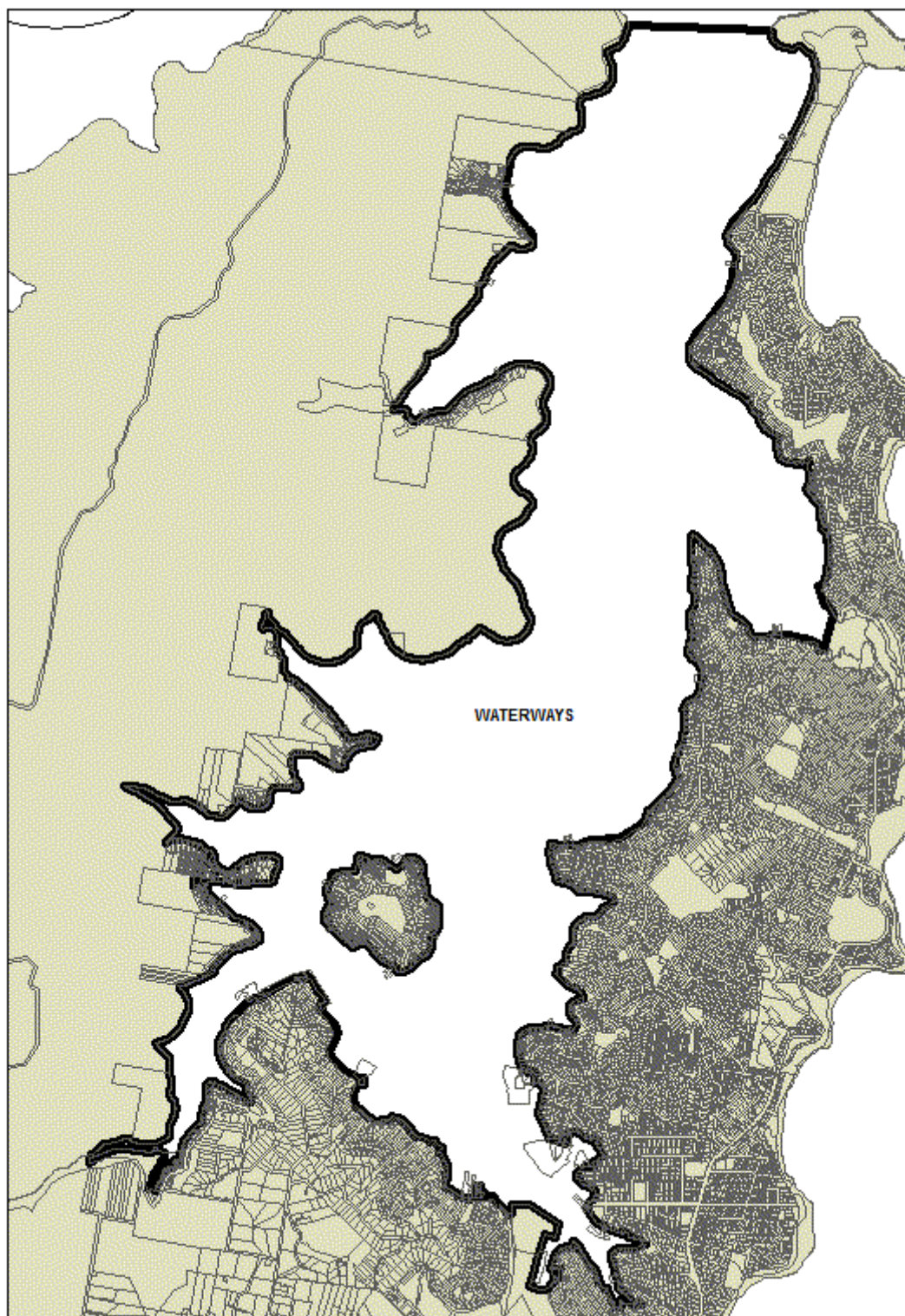
Heritage

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

Careel Bay Masterplan

For Careel Bay a preliminary identification of these matters for consideration are listed in the Careel Bay Masterplan. The Masterplan is located in the Appendix.

Waterways Locality Map



A4.16 Warriewood Valley Locality

Warriewood Valley is situated at the base of the escarpment, known as Ingleside Chase Reserve, between Mona Vale and Warriewood (see map). It comprises of land known as “Stage 1 Release” and land identified as the Warriewood Valley Release Area.

The Warriewood Valley Release Area, first identified in 1997 as a Release Area, comprises of 110 hectares including 32.68 hectares of industrial/commercial land and associated community facilities and infrastructure. Two recent reviews have been undertaken, firstly the Warriewood Valley Strategic Review 2012 and secondly the Warriewood Valley Strategic Review Addendum Report 2014. The Release Area now includes land within 400m of the Warriewood Sewerage Treatment Plant (known as Buffer Areas 1, 2 and 3) encompassing an area of approximately 190 hectares.

Warriewood Valley Release Area is primarily a residential area expected to provide a total of 2,451 new dwellings (this figure includes the dwellings approved under the former Part 3A legislation but does not include development in Stage 1 Release considered to be completed in 1997.). When completed, it is anticipated to accommodate 6,618 residents (based on an average household occupancy of 2.7 persons per household).

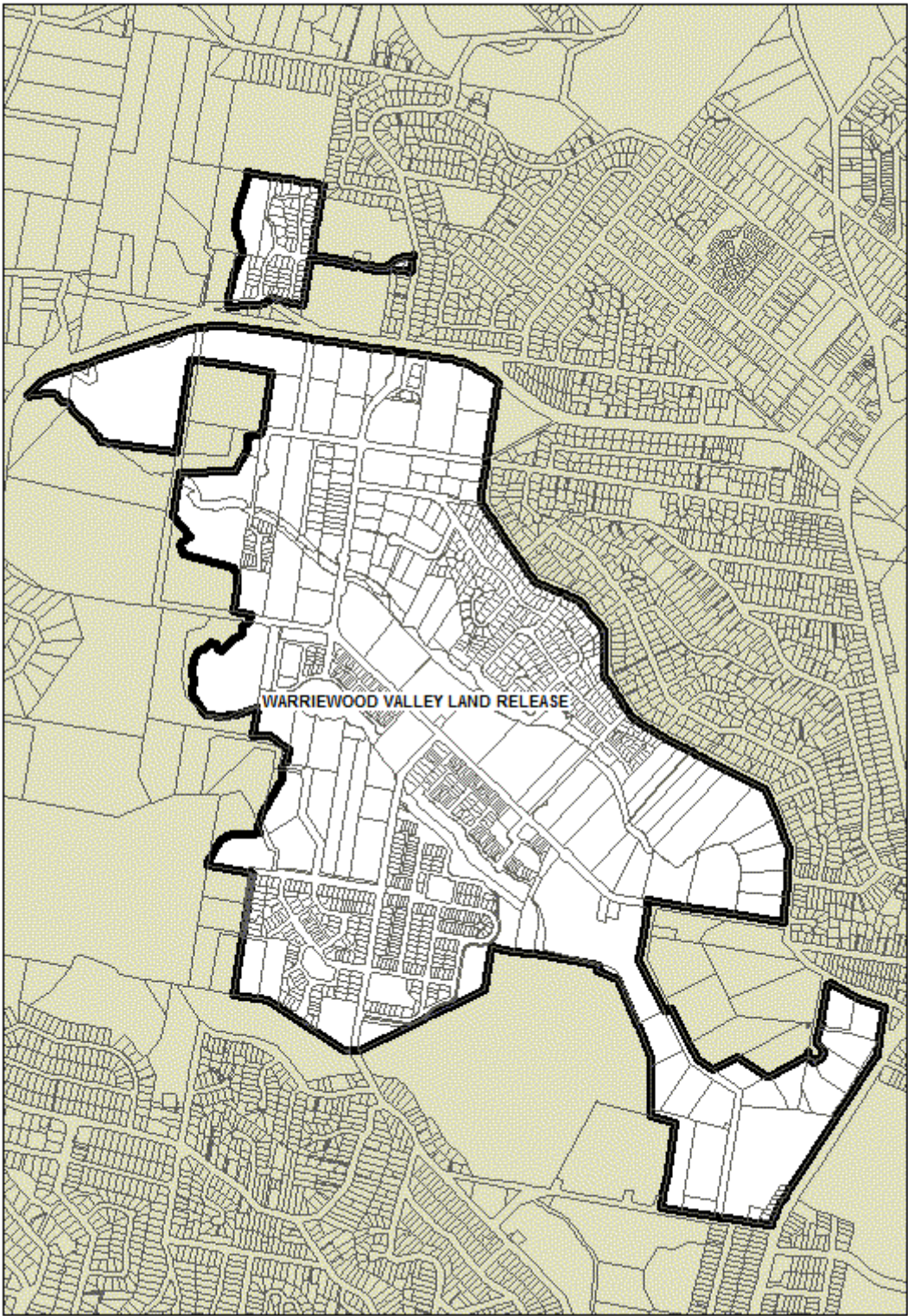
Warriewood Valley Release Area continues to be developed as a desirable urban community in accordance with the adopted planning strategy for the area, and will include a mix of low to medium density housing, industrial/commercial development, open space and community services. The creekline corridors, roads and open space areas form the backbone of the new community, complemented with innovative water management systems, the natural environment, pedestrian/cycle path network, public transport, and recreation facilities.

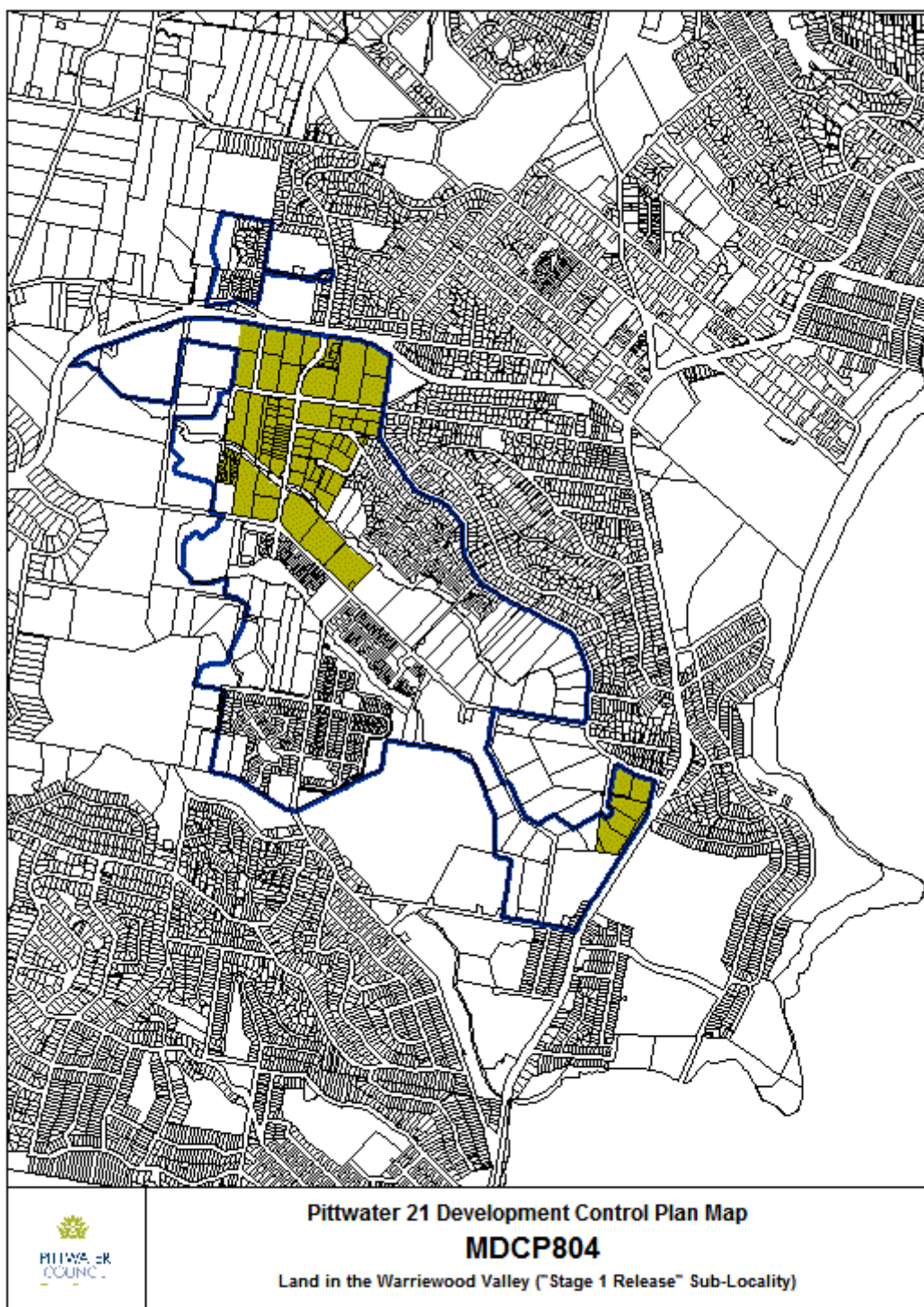
Stage 1 Release, has a residential component and a business/industrial component. The residential area is characterised by two storey residential attached dwellings with the area fully developed. The industrial/business area is defined by up to three storey large complexes that generally contain smaller units. The majority of the business/industrial zoned land has been developed with some smaller parcels still to be developed in the northern industrial area.

The Warriewood Valley locality is characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses.

Warriewood Valley is affected by various hazards and contains heavily vegetated areas, threatened species, or areas of natural environmental significance, which are identified on various maps within the Pittwater LEP 2014.

A number of identified heritage items are located in Warriewood Valley.





Section B General Controls

B1 Heritage Controls

B1.1 Heritage Conservation - Heritage items, heritage conservation areas and archaeological sites listed in Pittwater Local Environmental Plan 2014

Land to which this control applies

Land on which a heritage item, heritage conservation area or archaeological site is located, and that is listed in Schedule 5 and shown on the Heritage Maps in the Pittwater Local Environmental Plan 2014 excluding items in the Warriewood Valley Locality.

Uses to which this control applies

All Uses

Outcomes

Conservation of the environmental heritage of Pittwater in accordance with the principles contained in the Burra Charter.

Enhancement of the identified heritage values and significant character of the heritage conservation areas and encourage design that responds appropriately to their character.

Development that is respectful of environmental heritage, undertaken in a manner that is sympathetic to, and does not detract unnecessarily from, any identified heritage significance.

Recording of identified cultural heritage throughout the development process.

Controls

Heritage Items or Archaeological Sites

Any development application involving work likely to impact the heritage significance of a heritage item or archaeological site is to be accompanied by a Heritage Impact Statement, prepared by an appropriately qualified heritage professional. Guidance on preparing a Heritage Impact Statement (Statement of Heritage Impact) is available at NSW Office of Environment & Heritage in the NSW Heritage Manual or superseding publication.

Alterations and additions to buildings and structures, and new development of sites containing a heritage item or archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.

Development on land containing a heritage item or archaeological site is to minimise the impact on the setting of the item or site by providing an adequate buffer zone where appropriate, and maintaining and respecting significant views to and from the heritage item or archaeological site.

Fencing and gates that are complementary to a heritage item should be retained, particularly those constructed from sandstone and are significant or represent important character elements for a locality.

New fencing and gates to a heritage item are to be compatible with the style and scale of the heritage item.

Original face brick or stone surfaces are not to be painted nor rendered.

Garages and carports are to be located as far behind the front building alignment of a heritage item as possible, if the site conditions allow. Garages and carports ideally should not be attached or integrated with heritage items, but set carefully next to them. Where possible they should not entail alteration of the heritage item to accommodate them, so that the heritage item is not distorted.

The scale and form of any alterations and additions are not to dominate the existing building, especially when viewed from the most significant elevations. New alterations and additions should be consistent with the existing building form with respect to roof shape and pitch, façade articulation, fenestrations, proportions and position of windows and door openings.

Alterations and additions to heritage items should not necessarily attempt to replicate the architectural or decorative detail of the original but be sympathetic and compatible so as to maintain a distinction between old and new in a subtle manner. Alterations and additions should

complement a heritage item's existing period style and character. Reconstruction or reinstatement of the original details and finishes is encouraged.

Original roofing materials should be retained wherever possible. New roofing material should match the original as closely as possible in terms of colour, texture and profile.

The materials, finishes and colours used in alterations and additions should complement the heritage item. Modern materials can be used if their proportions and details are harmonious within the surrounding heritage context or with the heritage item.

Colour schemes for heritage buildings should generally be compatible with the particular architectural style and period of the building.

If work associated with a development approval is likely to adversely impact the heritage item, Council requires an archival recording of a heritage item to be prepared by an appropriately qualified heritage professional.

Heritage Conservation Areas

Development applications in heritage conservation areas, involving work likely to impact the heritage significance of the conservation area, must be accompanied by a Statement of Heritage Impact, establishing and assessing how the significance of the heritage conservation area will be affected by the development.

The existing street pattern that reflects the original subdivision pattern of the estates is to be retained. Development is to respond to the established development patterns of the area as displayed by the subdivision layout, and front and side setbacks.

Distinctive characteristics of the streetscapes including fitting into the unique topography, leafy quality and garden settings is to be retained.

No new intrusive changes or elements will be permitted in the heritage conservation areas, including high, visually impenetrable front fences, painting of face brick façades, removal of original detailing, or unsympathetic alterations and additions.

Development must minimise the visual impact on the surroundings, in particular the landscaped setting.

Development in heritage conservation areas is to be carefully designed to respond to the heritage significance of the heritage conservation area, and to complement the existing character of buildings within the heritage conservation area, particularly the nearby heritage item(s) in terms of height, massing, form, bulk, setbacks, scale and detailing. Solid to void ratios of elevations are to be similar to those of nearby buildings with heritage significance.

Where there are uniform levels or setbacks within the streetscape, development is to be consistent with the levels and setbacks of the adjoining buildings.

Development is not to obscure existing significant views to and from heritage items.

Contemporary design for new houses and for alterations and additions is acceptable and encouraged as long as it respects its context and achieves a cohesive relationship with historically and architecturally significant existing fabric.

The materials and finishes of new houses are to be compatible with the materials and finishes of adjoining buildings of heritage significance. They must be similar to, but should not copy, the characteristic materials, finishes, textures and colours of the buildings of heritage significance within the streetscape. Contemporary materials may be used where their proportions, detailing and quantities are consistent with the existing and desired future character of the heritage conservation area.

Variations

To help preserve environmental heritage in Pittwater, Council may consider varying other controls within this DCP to help preserve the significance of heritage items and heritage conservation areas.

Advisory Notes

Section 5.10(3) of Pittwater LEP 2014 includes provisions for minor work or maintenance work to proceed without receiving development consent.

Refer to Appendix 2 for additional information on heritage in Pittwater.

The Burra Charter provides guidance for the conservation and management of places of cultural significance and is published by Australia ICOMOS Incorporated.

Technical Reports and Supporting Information

Subject to the significance of the item or area and the nature and complexity of the works proposed, this may take the form of either a Statement of Heritage Impact or a Conservation Management Plan as defined in the Local Government Heritage Guidelines.

B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites**Land to which this control applies**

Land within the vicinity of a heritage item, heritage conservation area or archaeological site that is listed in Schedule 5 and shown on the Heritage Maps in the Pittwater Local Environmental Plan 2014 excluding items in the Warriewood Valley Locality.

Uses to which this control applies

All Uses

Outcomes

Conservation of the environmental heritage of Pittwater LGA in accordance with the principles contained in the Burra Charter.

Enhancement of the identified heritage values and significant character of the heritage conservation areas and encourage contemporary design that responds appropriately to their character.

Development respectful of environmental heritage, undertaken in a manner that is sympathetic to, and does not detract from, any heritage significance.

Controls

Any development application involving work likely to impact the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site is to be accompanied by a Statement of Heritage Impact prepared by an appropriately qualified heritage professional. Guidance on preparing a Heritage Impact Statement (Statement of Heritage Impact) is available at NSW Office of Environment & Heritage in the NSW Heritage Manual or superseding publication.

Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.

Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to minimise the impact on the heritage significance by providing an adequate buffer zone, and maintaining and respecting significant views to and from the heritage item, heritage conservation area, archaeological site or potential archaeological site.

Variations

Nil

Advisory Notes

Refer to Appendix 2 for additional information on heritage in Pittwater.

The Burra Charter provides guidance for the conservation and management of places of cultural significance and is published by Australia ICOMOS Incorporated.

Information to be included in the Statement of Environmental Effects

The Statement of Environmental Effects must contain sufficient information so that any impact on the heritage item or area can be fully assessed.

Applicants must demonstrate and address the likely effect of the proposed development on the heritage significance of the heritage item or area, and on its setting, when lodging a development application for consent to carry out development on land in its vicinity.

Technical Reports and Supporting Information

Subject to the nature and complexity of the works proposed and likely impacts on the heritage significance of the item or area in the vicinity, this may take the form of a Statement of Heritage Impact as defined in the Local Government Heritage Guidelines.

B1.3 Heritage Conservation - General**Land to which this control applies**

All land NOT including the Warriewood Valley Locality on which there are no heritage items, heritage conservation areas or archaeological sites and is not in the vicinity of a heritage item, heritage conservation area or archaeological site.

Uses to which this control applies

All Uses

Outcomes

Conservation of the environmental heritage across Pittwater LGA in accordance with the principles contained in the Burra Charter.

Enhancement of the existing heritage values and encouragement of contemporary design that responds appropriately to their context.

Development respectful of environmental heritage undertaken in a manner that is sympathetic to, and does not detract from, any heritage significance.

Controls

If a property, the subject of a development application, is identified as possibly meeting any of the criteria for heritage listing (encompassing the four values of the Burra Charter, being historical, aesthetic, scientific and social significance) then additional independent information on the potential heritage significance may be requested. If the property meets the criteria for heritage listing then development control B1.1 of this DCP will apply.

Variations

Nil

Advisory Notes

Refer to Appendix 2 for additional information on heritage in Pittwater.

The Burra Charter provides guidance for the conservation and management of places of cultural significance and is published by Australia ICOMOS Incorporated.

B1.4 Aboriginal Heritage Significance

Land to which this control applies

All Land

Uses to which this control applies

All Uses

Outcomes

Provide protection for Aboriginal place of heritage significance or Aboriginal object. (S)

Potential Aboriginal places of heritage significance and Aboriginal objects are identified and protected. (S)

Controls

If a property, the subject of a development application is identified as possibly meeting any of the criteria for being a potential Aboriginal place or containing an Aboriginal object then additional independent information on the potential heritage significance may be requested.

If a property, the subject of a development application, is in the vicinity of an identified or potential Aboriginal place of heritage significance or Aboriginal object then additional independent information on the potential heritage significance may be requested.

The additional information requested may take the form of a report prepared by a suitability qualified person as defined by the NSW Office of Environment and Heritage, as well as consultation with the NSW Office of Environment and Heritage and appropriate Aboriginal groups.

If an Aboriginal site or relic is discovered, it must be reported to the NSW Office of Environment and Heritage and all works stopped.

Development must conserve the significance of any Aboriginal place of heritage significance or Aboriginal object.

Variations

Nil

Advisory Notes

Refer to Appendix 2 for additional information on Aboriginal heritage in Pittwater.

There is an increased potential for Aboriginal sites to be present if the landscape features any element such as

- creek line/watercourse or
- foreshore, or
- a cliff line higher than 1 metre, or
- an overhang in any of the cliff lines, or
- level sandstone outcrops greater than 2 square metres

A site analysis plan is to be included that indicates the presence of any of the following features:

- creek line/watercourse (even if intermittent)
- foreshore
- a cliff line/boulders higher than 1 metre,
- overhangs in any of the cliff lines/boulders
- level sandstone outcrops greater than 2 square metres

Information to be included in the Statement of Environmental Effects

The Statement of Environmental Effects to include a description addressing Aboriginal Heritage Significance. The statement must address:-

- the landscape features of the above list that are present, and
- landscape disturbance history that outlines if the area has been subject to intensive disturbance like quarrying, excavation and levelling so where the original ground surface has been removed or heavily modified and
- any additional information that suggest why an Aboriginal site may be in this location. For example, local resident knowledge, documentary evidence or historical source linking the location with past Aboriginal activity.

B2 Density Controls

B2.1 Subdivision - Rural and Large Lot Residential Land

Land to which this control applies

Land zoned RU2 Rural Landscape or R5 Large Lot Residential.

Uses to which this control applies

Subdivision

Outcomes

Achieve the desired future character of the Locality. (S)

Maintenance of the existing environment. (En)

Equitable preservation of views and vistas to and/or from public/private places. (S)

The built form does not dominate the natural setting. (En)

Population density does not exceed the capacity of local and regional services. (En, S, Ec)

Population density does not exceed the capacity of local and regional transport facilities. (En, S, Ec)

Controls

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) zoned R5 shall have a minimum width of 40 metres.

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) zoned RU2 shall have a minimum width of 80 metres, except in Warriewood, where they shall have a minimum width of 60 metres.

Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.

The minimum depth to width ratio shall be 3:1.

Not more than 10 lots can share a privately owned common access corridor.

Variations

Nil

- The site plan shall show all proposed lot boundaries and areas and provide clear dimension (including the dimensions of proposed easements, rights of carriageway and areas affected by covenants).

Information to be shown on the Development Drawings

- shall show the long sections (and where cut and fill is in excess of 1metre) cross sections of any roads, drainage lines, driveways proposed to be constructed to service the development

Information to be included in the Statement of Environmental Effects

An analysis demonstrating that the proposed subdivision will, when fully developed:

- Achieve the Desired Future Character of the Locality
- Maintain the existing environment
- Provide for equitable preservation of vistas and views to and / or from public / private places
- Result in a development, the built form of which does not dominate the natural setting
- Will not cause population density to exceed the capacity of local and regional services or transport facilities.

B2.2 Subdivision - Low Density Residential Areas

Land to which this control applies

Land zoned R2 Low Density Residential, E3 Environmental Management or E4 Environmental Living.

Uses to which this control applies

Subdivision

Outcomes

Achieve the desired future character of the locality. (S)

Maintenance of the existing environment. (En)

Equitable preservation of views and vistas to and/or from public/private places. (S)

The built form does not dominate the natural setting. (En)

Population density does not exceed the capacity of local and regional infrastructure and community services. (En, S, Ec)

Population density does not exceed the capacity of local and regional transport facilities. (En, S, Ec)

Controls

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot depth of 27 metres.

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 1 on the Landscaped Area Map shall have a minimum lot width at the building line of 16 metres.

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 2 or 3 on the Landscaped Area Map shall have a minimum lot width at the building line of 15 metres.

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot width at the building line of 9 metres at the waterfrontage.

Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.

A person shall not subdivide land if the allotment(s) intended to be created have a slope in excess of 16.7 degrees (30%), measured between the highest and lowest points on any such allotment(s).

The minimum area for building shall be 175m².

Variations

Provided the outcomes of this control are achieved, Council may consider a variation for the following purposes:

- the making of an adjustment to a boundary between allotments that does not create an additional lot;
- the rectifying of an encroachment on an allotment;
- the excising from an allotment of land that is or is intended to be used for public purposes, including drainage, rescue services, public conveniences or public reserve.

Advisory Notes

To determine which area on the Landscaped Area Map that applies to your property, please use the property search function via Council's ePlanning Portal or call the Assistant Development Officers on 9970 1674.

- The site plan shall show all proposed lot boundaries and areas and provide clear dimension (including the dimensions of proposed easements, rights of carriageway and areas affected by covenants).

Information to be shown on the Development Drawings

- shall show the long sections (and where cut and fill is in excess of 1metre) cross sections of any roads, drainage lines, driveways proposed to be constructed to service the development

Information to be included in the Statement of Environmental Effects

- An analysis demonstrating that the proposed subdivision will, when fully developed
- Achieve the Desired Future Character of the Locality
- Maintain the existing environment
- Provide for equitable preservation of vistas and views to and / or from public / private places
- Result in a development, the built form of which does not dominate the natural setting
- Will not cause population density to exceed the capacity of local and regional services or transport facilities.

B2.3 Subdivision - Business Zoned Land

Land to which this control applies

Land zoned B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use or B6 Enterprise Corridor.

Uses to which this control applies

Business Development
Subdivision

Outcomes

Achieve the desired future character of the locality.

Maintenance of the existing environment. (En)

Equitable preservation of views and vistas to and/or from public/private places. (S)

The built form does not dominate the natural setting. (En)

Meet the economic and employment needs of the Pittwater community (En, S, Ec)

Promote and strengthen the local economic base (En, S, Ec)

Controls

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall be accessible from a public road or street.

Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.

The re-subdivision of individual or groups of shops or office units subsequent to development consent may be carried out by any method of subdivision including Strata Subdivision, Community Title Subdivision, or Torrens Title Subdivision. Parking spaces, loading bays, and space for any other purpose forming a part of a sole occupancy unit are to be allocated to the unit. Landscaped areas, access areas and signage not forming part of an individual unit must be included as common property.

Variations

Nil

Advisory Notes

For specific controls in relation to the subdivision and amalgamation of lots in the Elanora Heights Village Centre, refer to Part D5.15 of this DCP.

For specific controls in relation to the subdivision and amalgamation of lots in the Newport Commercial Centre, refer to Part D10.19 of this DCP.

- The site plan shall show all proposed lot boundaries and areas and provide clear dimension (including the dimensions of proposed easements, rights of carriageway and areas affected by covenants).

Information to be shown on the Development Drawings

- shall show the long sections (and where cut and fill is in excess of 1metre) cross sections of any roads, drainage lines, driveways proposed to be constructed to service the development

Information to be included in the Statement of Environmental Effects

- An analysis demonstrating that the proposed subdivision will, when fully developed
- Achieve the Desired Future Character of the Locality
- Maintain the existing environment
- Provide for equitable preservation of vistas and views to and / or from public / private places
- Result in a development, the built form of which does not dominate the natural setting
- Will not cause population density to exceed the capacity of local and regional services or transport facilities.

B2.4 Subdivision - Light Industrial and Business Park Zoned Land

Land to which this control applies

Land zoned B7 Business Park or IN2 Light Industrial.

Uses to which this control applies

Industrial Development

Subdivision

Subdivision of a sector, buffer area or development site in a Release Area

Outcomes

Achieve the desired future character of the locality.

Maintenance of the existing environment. (En)

Equitable preservation of views and vistas to and/or from public/private places. (S)

The built form does not dominate the natural setting. (En)

Meet the economic and employment needs of the Pittwater community. (En, S, Ec)

Promote and strengthen the local economic base (En, S, Ec).

Controls

Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.

The maximum mean depth to width ratio shall be 3:1.

Any frontage lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum street frontage of 20 metres.

Any lot (or lots) to be created by a subdivision of an existing lot (or lots) zoned IN2 Light Industrial in Mona Vale and North Narrabeen shall have a minimum lot width of 20 metres.

Not more than 5 lots can share a common access corridor.

Any additional non frontage lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have an access corridor width in accordance with the following table:

Number of lots sharing access corridor	Width of corridor (metres)
1 - 2	4
3 - 4	6
5	8

The re-subdivision of individual or groups of factory or office units subsequent to development consent may be carried out by any method of subdivision including Strata Subdivision, Community Title Subdivision, or Torrens Title Subdivision. Parking spaces, loading bays, and space for any other purpose forming a part of a sole occupancy unit are to be allocated to the unit. Landscaped areas, access areas and signage not forming part of an individual unit must be included as common property.

Variations

Council may consider variation to the above controls in the following instances:-

- the making of a minor adjustment to a boundary between lots which does not reduce the size of an existing lot by more than 10 percent of its land area, and that does not create an additional lot;
- the rectifying of an encroachment on an allotment; and
- the excising from an allotment of land that is or is intended to be used for public purposes.

- The site plan shall show all proposed lot boundaries and areas and provide clear dimension (including the dimensions of proposed easements, rights of carriageway and areas affected by covenants).

Information to be shown on the Development Drawings

- shall show the long sections) and where cut and fill is in excess of 1metre) cross sections of any roads, drainage lines, driveways proposed to be constructed to service the development

Information to be included in the Statement of Environmental Effects

- An analysis demonstrating that the proposed subdivision will, when fully developed
- Achieve the Desired Future Character of the Locality
- Maintain the existing environment
- Provide for equitable preservation of vistas and views to and / or from public / private places
- Result in a development, the built form of which does not dominate the natural setting
- Will not cause population density to exceed the capacity of local and regional services or transport facilities.

B2.5 Dwelling Density and Subdivision - Medium Density Residential

Land to which this control applies

Land zoned R3 Medium Density Residential excluding Warriewood Valley Land Release Area.

Uses to which this control applies

Attached dwellings
Multi dwelling housing
Residential flat building
Semi-detached dwellings
Subdivision

Outcomes

Achieve the desired future character of the Locality.

The density and scale of development reflects the infrastructure capability of the area. (En, S)

Design opportunities and site layout efficiencies are improved through amalgamation of allotments. (En, S)

The development does not adversely impact upon adjoining residential development. (En, S)

To encourage development of sites with sufficient width to provide design opportunities and site integration and to avoid long, narrow "gun barrel" development (En.S).

Controls

Medium density housing must not be carried out unless the street frontage is greater than or equal to one third of the length of the longest side boundary.

The re-subdivision of individual or groups of dwellings subsequent to development consent may be carried out by any method of subdivision including Strata Subdivision, Community Title Subdivision, or Torrens Title Subdivision. Parking spaces, loading bays, and space for any other purpose forming a part of a sole occupancy unit are to be allocated to the dwelling. Landscaped areas, access areas and signage not forming part of an individual dwelling must be included as common property.

Variations

Variations to this control may be permitted provided it is demonstrated that the outcomes are achieved.

Variations may be applied to the following: development on a battleaxe lot, non-frontage lot or on an isolated lot that would otherwise be prohibited only because of non-compliance with the street frontage controls.

Information to be included in the Statement of Environmental Effects

- An analysis of the proposed development demonstrating that the density and scale of the development reflects the infrastructure capabilities of the area
- The design opportunities and site layout efficiencies have where possible been approved through an amalgamation of adjoining properties
- The development does not adversely impact on adjoining residential development.
- The statement should also include an analysis of the dwelling density of the proposal and comment on its compliance with the control requirements.

B2.6 Dwelling Density and Subdivision - Shop Top Housing

Land to which this control applies

Land zoned B1 Neighbourhood Centre, B2 Local Centre or B4 Mixed Use.

Uses to which this control applies

Business Development

Shop top housing

Subdivision

Outcomes

Achieve the desired future character of the Locality. (S)

The density and scale of development reflects the infrastructure capability of the area. (En, S)

Design opportunities and site layout efficiencies are improved through amalgamation of allotments. (En, S)

The development does not adversely impact upon adjoining residential development. (En, S)

An appropriate mix of residential and commercial development is provided, ensuring the functionality of commercial centres. (S, Ec)

Meet the economic and employment needs of Pittwater Community (Ec.S).

Controls

The commercial/retail component of the development must be a minimum of 25% of the gross floor area of the building.

The re-subdivision of individual or groups of dwellings subsequent to development consent may be carried out by any method of subdivision including Strata Subdivision, Community Title Subdivision, or Torrens Title Subdivision. Parking spaces, loading bays, and space for any other purpose forming a part of a sole occupancy unit are to be allocated to the dwelling. Landscaped areas, access areas and signage not forming part of an individual dwelling must be included as common property.

Variations

Where variation is sought to the minimum requirement for commercial floor space, the applicant is required to justify that the commercial viability of the centre will not be affected in the short or long term and that residents can continue to be provided with a full range of services and facilities.

Information to be included in the Statement of Environmental Effects

- An analysis of the proposed development demonstrating that the density and scale of the development reflects the infrastructure capabilities of the area
- The design opportunities and site layout efficiencies have where possible been approved through an amalgamation of adjoining properties
- The development does not adversely impact on adjoining residential development.
- The statement should also include an analysis of the dwelling density of the proposal and comment on its compliance with the control requirements.

B3 Hazard Controls

B3.1 Landslip Hazard

Land to which this control applies

Land identified on the Pittwater Local Environmental Plan 2014 Geotechnical Hazard Map.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form does not have to be residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision
 Subdivision of a sector, buffer area or development site in a Release Area
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Protection of people. (S)
 Protection of the natural environment. (En)
 Protection of private and public infrastructure and assets. (S)

Controls

All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5).

Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development.

The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to remove risk to an acceptable level.

Technical Reports and Supporting Information

The application is to be accompanied by a report and certified forms as set out in Councils Geotechnical Risk Management Policy for Pittwater.

B3.2 Bushfire Hazard

Land to which this control applies

The certified Pittwater LGA bushfire prone land map

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form does not have to be residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site in a Release Area
 Telecommunications facility
 Waste water disposal system

Outcomes

Protection of people. (S)
 Protection of the natural environment. (En)
 Protection of private and public infrastructure and assets. (Ec)

Controls

All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development.

Development land to which this control applies must comply with the requirements of:

- Planning for Bushfire Protection (2006)
- Australian Standard AS 3959:2009 - *Construction of a building in a bushfire-prone area*

Scotland Island

Properties on Scotland Island are now subject to the Scotland Island Bushfire Management Plan. Please refer to the Scotland Island Bushfire Management Plan on Council's website in

order to understand what implications it may have on your development.

Variations

If the provisions of Planning for Bushfire Protection (2006) and/or *AS 3959:2009 - Construction of a building in a bushfire-prone area* cannot be incorporated in the development, the proponent must demonstrate that the dwelling will withstand the impact of bushfire.

Advisory Notes

All residential/rural subdivision and development that is special fire protection purposes will be required to obtain a Bushfire Safety Authority from the NSW Rural Fire Service. Development may be referred to the NSW Rural Fire Service for assessment.

A list of certified consultants can be downloaded from the NSW Rural Fire Service website. Copies of Planning for Bushfire Protection (2006) are available on this site.

- The inner and outer protection zones are to be clearly shown on the site plan.

Information to be shown on the Development Drawings

- Must clearly show or specify any proposed construction elements (shutters, screens etc) to be included in the proposal to achieve protection of the development from bushfire

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Bushfire Hazard Risk.
- The statement is required to identify the development type i.e. Class of Building in accordance with the Building Code of Australia, and if the proposal is subject to Section 79BA of the *Environmental Planning and Assessment Act 1979* or Section 100B of the *Rural Fires Act 1997*.

Technical Reports and Supporting Information

Bushfire Risk Assessment Report

- A Bushfire Risk Assessment Report is to be prepared by a suitably qualified Bushfire consultant demonstrating that the proposal complies with the requirements of Planning for Bushfire Protection (2006) and AS 3959 - *Construction of buildings in bushfire-prone areas*.
- The report is to clearly define the inner and outer protection zones and provide all the information required in Appendix 4 of Planning for Bushfire Protection 2006.
- The Bushfire Assessment Report (or the Statement of Effects) is required to identify the development type i.e. Class of Building in accordance with the Building Code of Australia, and if the proposal is subject to Section 79BA of the *Environmental Planning and Assessment Act 1979* or Section 100B of the *Rural Fires Act 1997*.
- Where an **Alternate Solution** is proposed the Bushfire Assessment Report is to be accompanied by a completed checklist form, relevant to Section 79BA. This form is available from the NSW Rural Fire Service website.
- Where an **Alternate Solution** is proposed it must be supported by Evidence of Suitability.

Bushfire Risk Assessment Certificate

- A Bushfire Risk Assessment Certificate, in the form available from Council's website, must be provided by the qualified bushfire consultant

Integrated Development under s100B Rural Fires Act 1997

- Where the application is for subdivision or a special fire protection purpose (see cl 100B of *Rural Fires Act 1997*) a declaration that the requirements of clause 44 of *Rural Fire Regulations 2013* have been met.
- For integrated development, the Bushfire Assessment Report is to be accompanied by a completed checklist form, relevant to Section 100B. This form is available from the NSW Rural Fire Service website.
- A fee is payable to NSW Rural Fire Service at the time of lodgement

NOTE: Section 100B of the *Rural Fires Act 1997* requires an approval (bush fire safety authority) from the NSW Rural Fire Service for the following:

1. a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or
2. development of bush fire prone land for a special fire protection purpose.

special fire protection purpose means the purpose of the following:

- a school,
- a child care centre,
- a hospital (including a hospital for the mentally ill or mentally disordered),
- a hotel, motel or other tourist accommodation,
- a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
- housing for older people or people with disabilities within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with Disability) 2004*,
- a group home within the meaning of *State Environmental Planning Policy (Infrastructure) 2007*,
- a retirement village,

- any other purpose prescribed by the regulations.

B3.3 Coastline (Beach) Hazard

Land to which this control applies

Land identified as Beach Management Area on the Coastal Hazards Map 97003 - P21DCP-BCMDCP016

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Protection of people. (S)
 Protection of the natural environment. (En)
 Protection of private and public infrastructure and assets. (S)

Controls

All development on land to which this control applies must comply with the requirements of the Coastline Risk Management Policy for Development in Pittwater (see Part B Appendix 6).

Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level for the life of the development.

The development must not adversely affect or be adversely affected by coastal processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to coastal processes.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Coastal (Beach) Hazard

Technical Reports and Supporting Information

The application is to be accompanied by a report prepared by a NPER Engineer with coastal engineering as a core competency and having an appropriate level of professional indemnity insurance.

The report is to provide an assessment of the risk and should demonstrate that the proposal is designed and has been located to achieve the control requirements.

The report should also provide management procedures to be carried out during construction and over the life of the development to achieve an acceptable level of Risk Management.

B3.4 Coastline (Bluff) Hazard

Land to which this control applies

Land identified on the Pittwater 21 Development Control Plan - Bluff Management Area - P21DCP-BC-MDCP017

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Protection of people. (S)
 Protection of the natural environment. (En)
 Protection of private and public infrastructure and assets. (S)

Controls

All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Part B Appendix 5).

Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Part B Appendix 5) for the life of the development.

The development must not adversely affect or be adversely affected by geotechnical and coastal processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical and coastal processes.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Coastal (Bluff) Hazard.

Technical Reports and Supporting Information

- The application is to be accompanied by a report prepared by a NPER Engineer having an appropriate level of professional indemnity insurance. The report is to provide an assessment of the risk and should demonstrate that the proposal is designed and has been located to achieve the control requirements. The report should also provide management procedures to be carried out during construction and over the life of the development to achieve an acceptable level of Risk Management.
- The application is also to be accompanied by a report and certified forms as set out in Council's *Geotechnical Risk Management Policy for Pittwater*.

B3.6 Contaminated Land and Potentially Contaminated Land

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form does not have to be residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Protection of public health. (S)
 Protection of the natural environment. (En)
 Successful remediation of contaminated land. (En, S)

Controls

Council shall not consent to the carrying out of any development on land unless it has considered *State Environmental Planning Policy No. 55 Remediation of Land*.

In particular, Council shall consider:

- whether the land is contaminated; and
- if the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and
- if the land requires remediation, whether the land will be remediated before the land is used for that purpose.

Where a development would involve a change of use on land listed below, Council must consider a preliminary investigation report prepared in accordance with the contaminated land planning guidelines.

The land concerned is land:-

- on which development for a purpose referred to in the table below is being, or is known to have been, carried out; or
- on which it is proposed to carry out development for residential, educational, recreational or child care purposes, or for the purposes of a hospital, and there is no or incomplete knowledge as to whether development for a purpose referred to in the table below has been carried out, and on which it would have been lawful to carry out; or
- that is within an investigation area (as declared under Division 2 Part 3 of the *Contaminated Land Management Act 1997*).

List of some activities that may cause contamination:-

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

Remediation of contaminated land shall be carried out in accordance with the contaminated land planning guidelines under Section 145C of the *Environmental Planning & Assessment Act 1979*.

Variations

Nil

Advisory Notes

A Development Application is required if the remediation work is Category 1 under the provisions of *State Environmental Planning Policy No 55 Contamination of Land*. If the work is Category 2, notification is required to Council 30 days before the commencement of work.

Only a small number of developments fall into this category of development and require referral.

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development shall be provided demonstrating that the land has not been used in the past for a purpose that might cause contamination and identify whether asbestos is or has been present.
- If the land is considered to be contaminated, or potentially contaminated the Statement of Environmental Effects should outline what measures have been taken to investigate the contamination and what procedures are to be carried out to overcome the hazard caused by contamination.

Technical Reports and Supporting Information

Note: This is a control which only applies to a very small number of Developments.

Applicants are advised to review past land uses on the site and disclose any land contamination issues. Councils assessment process will also consider this Control and if the process identifies that the site is contaminated or potentially contaminated applicants will be requested to address the issue and provide the relevant information.

IF LAND IS CONTAMINATED OR POTENTIALLY CONTAMINATED a report prepared by a suitably qualified professional assessing the contamination and a Remediation Plan prepared in accordance with the relevant legislation is to be provided.

B3.7 Estuarine Hazard - Low density residential

Land to which this control applies

Land identified on the Estuarine Hazard Map as affected by estuarine processes. - P21DCP-BCMDCP018

Uses to which this control applies

Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Rural worker's dwelling
Secondary dwelling

Outcomes

Protection of people. (S)
Protection of the natural environment. (En)
Protection of private and public infrastructure and assets. (S)

Controls

Obtaining Estuarine Planning Level

To apply this control, the Estuarine Planning Level must first be established by:

- Obtaining Estuarine Planning Level (EPL) advice from Council, or;
- An independent assessment undertaken by a Coastal Engineer (as defined in Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater).

The Estuarine Planning Level may vary landward across the site based on foreshore edge treatment and distance from the foreshore edge.

The Estuarine Planning Level does not apply to Jetties, Bridging Ramps or Pontoons located on the seaward side of the foreshore edge.

Estuarine Risk Management Policy for Development in Pittwater

For additional information, applicants are referred to Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater.

Protection of Development from Wave Action and Tidal Inundation

Development is to be protected from the effects of wave action or tidal inundation either by mitigation works to protect the development or ensuring that the floor levels of the development are at or above the Estuarine Planning Level.

General to all Development

The following applies to all development:

- All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes; and,
- All structural elements below the Estuarine Planning Level shall be constructed from flood compatible materials; and,
- All structures must be designed and constructed so that they will have a low risk of damage and instability due to wave action and tidal inundation; and,
- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Estuarine Planning Level; and,
- The storage of toxic or potentially polluting goods, materials or other products, which may be hazardous or pollute the waterway, is not permitted below the Estuarine Planning Level; and,
- For existing structures, a tolerance of up to minus 100mm may be applied to the Estuarine Planning Level in respect of compliance with these controls.
- To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

Wave Action and Tidal Inundation Mitigation Works

Developments that propose mitigation works that modify the wave action or tidal inundation behaviour within the development site including the filling of land, the construction of retaining structures and the construction of wave protection walls may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that:

- The wave action or tidal inundation mitigation works do not have an adverse impact on any surrounding property or estuarine processes up to the Estuarine Planning Level; and,
- The wave action or tidal inundation mitigation works result in the protection of the existing and proposed development from inundation up to the Estuarine Planning Level.
- The wave action or tidal inundation mitigation works do not have an adverse impact on the environment. (This includes but is not limited to the altering of natural flow paths and the clearing of vegetation).

Where wave action or tidal inundation mitigation works are undertaken to protect the development from inundation as set out above, the application of the Estuarine Planning Level requirements of this control need not apply.

A Section 88B notation under the *Conveyancing Act 1919* may be required to be placed on the title describing the location and type of wave action or tidal inundation mitigation works with a requirement for their retention and maintenance.

Floor Levels - New Development and Additions

All floor levels within the dwelling, including floor levels of the existing dwelling, but excluding open balconies (with open balustrades), shall be at, or above, or raised to the Estuarine Planning Level.

Floor Levels - Carparking Facilities

- **New enclosed garage:** All floor levels shall be at or above the Estuarine Planning Level.
- **Basement (i.e. below ground level (existing)) garage:** All access, ventilation and any other potential water entry points must be above the Estuarine Planning Level. A clearly signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level, separate from the vehicular access ramps, shall be provided. The access ramp to the basement, where practical should not face the direction of wave action.
- **Open carpark areas and carports (including covered carpark areas):** Are permissible at the existing ground level. Vehicle barriers or restraints are to be provided to prevent floating vehicles leaving the site where finished surface levels are more than 300mm below the Estuarine Planning Level.

Floor Levels - Boat shed Facilities

- **New boat shed:** All floor levels shall be at or above the Estuarine Planning Level.
- **Basement (i.e. below ground level (existing)) boat shed facilities:** All access and potential water entry points must be above the Estuarine Planning Level and a clearly signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level, separate from the access ramps, shall be provided. The access ramp to the basement, where practical should not face the direction of wave action. All access and potential water entry points must be above the Estuarine Planning Level and a clearly signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level, separate from the access ramps, shall be provided. The access ramp to the basement, where practical should not face the direction of wave action.

Variations

Innovative Design in Wave Action and Tidal inundation Protection Measures

Innovative and alternative design in wave action and tidal inundation protection measures may be permitted on a merit basis subject to demonstration through and Estuarine Risk Management Report that the protection measures can be achieved.

Alterations and Additions - Existing Dwelling - Retain existing floor level below Estuarine Planning Level

An alteration or addition to an existing residential dwelling may be permissible where existing floor levels are retained below the Estuarine Planning Level provided that:

- The total gross floor area (GFA) of any additions to the dwelling, at any point in time can only be increased to a maximum total area not exceeding 30m² if any part of the existing gross floor area (GFA) of the dwelling is below the Estuarine Planning Level; and,
- The floor levels of the addition must be at or above the Estuarine Planning Level; and,
- If the floor level of the existing dwelling is to be retained below the Estuarine Planning Level, the existing dwelling must be satisfactorily protected to minimise risk against wave action or tidal inundation; and,
- The addition must be designed and constructed such that it does not preclude the raising of the floor level of the existing structure to the Estuarine Planning Level when further additions are undertaken; and,
- Where a first floor addition to the dwelling is to be constructed the floor level of the first floor is to be of a height that allows for the internal ground floor of the existing dwelling to be either at or raised to the Estuarine Planning Level (whilst maintaining minimum floor to ceiling height requirements).

Floor Levels - Carparking Facilities - New Enclosed Garage

Consideration may be given to a floor level of an enclosed garage at or above 300mm below the Estuarine Planning Level where it can be demonstrated that:

- The enclosed garage is not connected internally to the dwelling; and
- The enclosed garage is to be used for car parking purposes only; and,

- The entrance to the garage does not face the direction of wave action.

Floor Levels - Boat shed Facilities

Consideration may be given on a merit basis to a floor level of a boat shed at a level lower than the Estuarine Planning Level where it can be demonstrated through an Estuarine Risk Management Report that the boat shed is structurally designed to withstand periodic wave action and tidal inundation up to the Estuarine Planning Level.

Advisory Notes

- For a detached Secondary Dwelling the controls for new development apply.
- See also D15.15 Waterfront Development Controls.

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Estuarine Hazard.

B3.8 Estuarine Hazard - Medium Density Residential

Land to which this control applies

Land identified on the Estuarine Hazard Map as affected by estuarine processes. - P21DCP-BCMDCP018

Uses to which this control applies

Attached dwelling
Boarding house
Group home
Hostel
Multi dwelling housing
Residential flat building
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Protection of people. (S)
Protection of the natural environment. (En)
Protection of private and public infrastructure and assets. (S)

Controls

Obtaining Estuarine Planning Level

To apply this control, the Estuarine Planning Level must first be established by:

- Obtaining Estuarine Planning Level (EPL) advice from Council, or;
- An independent assessment undertaken by a Coastal Engineer (as defined in the Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater).

The Estuarine Planning Level may vary landward across the site based on foreshore edge treatment and distance from the foreshore edge.

The Estuarine Planning Level does not apply to Jetties, Bridging Ramps or Pontoons located on the seaward side of the foreshore edge.

Estuarine Risk Management Policy for Development in Pittwater

For additional information, applicants are referred to Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater.

Protection of Development from Wave Action and Tidal Inundation

Development is to be protected from the effects of wave action or tidal inundation either by mitigation works to protect the development or ensuring that the floor levels of the development are at or above the Estuarine Planning Level.

General to all Development

The following applies to all development:

- All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes; and
- All structural elements below the Estuarine Planning Level shall be constructed from flood compatible materials; and,

- All structures must be designed and constructed so that they will have a low risk of damage and instability due to wave action and tidal inundation; and,
- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Estuarine Planning Level; and,
- The storage of toxic or potentially polluting goods, materials or other products, which may be hazardous or pollute the waterway, is not permitted to be stored below the Estuarine Planning Level; and,
- For existing structures, a tolerance of up to minus 100mm may be applied to the Estuarine Planning Level in respect of compliance with these controls.
- To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

Wave Action and Tidal Inundation Mitigation Works

Developments that propose mitigation works that modify the wave action or tidal inundation behaviour within the development site including the filling of land, the construction of retaining structures and the construction of wave protection walls may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that:

- The wave action or tidal inundation works do not have an adverse impact on any surrounding property or estuarine processes up to the Estuarine Planning Level; and
- The wave action or tidal inundation mitigation works result in the protection of the existing and proposed development from inundation up to the Estuarine Planning Level.
- The wave action or tidal inundation mitigation works do not have an adverse impact on the environment (this includes but is not limited to the altering of natural flow paths and the clearing of vegetation).

Where wave action or tidal inundation mitigation works are undertaken to protect the development from inundation as set out above, the application of the Estuarine Planning Level requirements of this control need not apply.

A Section 88B notation under the *Conveyancing Act 1919* may be required to be placed on the title describing the location and type of wave action or tidal inundation mitigation works with a requirement for their retention and maintenance.

Floor Levels - New Development and Additions

All floor levels within the development, excluding balconies (with open balustrades) are to be at, or above, or raised to the Estuarine Planning Level.

Floor Levels - Carparking Facilities

- **Enclosed garage or enclosed car park:** All floor levels shall be at or above the Estuarine Planning Level.
- **Basement (i.e. below ground level (existing)) carparking facilities:** All access, ventilation and any other potential water entry points must be above the Estuarine Planning Level. A clearly signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level separate from the vehicular access ramps, shall be provided. The access ramp to the basement where practical should not face the direction of wave action.
- **Open carpark areas (including covered carpark areas) and carports used for residential carparking:** All floor levels/pavement levels shall be at or above the Estuarine Planning Level.
- **Open carpark areas (including covered carpark areas) and carports used by visitors, staff and service delivery vehicles spaces:** Are permissible at the existing ground level. Vehicle barriers or restraints are to be provided to prevent floating vehicles leaving where finished surface levels are more than 300mm below the Estuarine Planning Level.

Floor Levels - Boat shed Facilities

- **New boat shed:** All floor levels shall be at or above the Estuarine Planning Level.
- **Basement (i.e. below ground level (existing)) boat shed facilities:** All access and potential water entry points must be above the Estuarine Planning Level and a clearly signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level , separate from the access ramps, shall be provided. The access ramp to the basement where practical should not face the direction of wave action.

Variations

Innovative Designs in Wave Action and Tidal Inundation Protection Measures

Innovative and alternative designs in wave action and tidal inundation protection measures may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that the protection measures can be achieved.

Floor Levels - Boatshed Facilities

Consideration may be given on a merit basis to a floor level of a boatshed at a level lower than the Estuarine Planning Level where it can be demonstrated through an Estuarine Risk Management Report that the boatshed is structurally designed to withstand periodic wave action and tidal inundation up to the Estuarine Planning Level.

Advisory Notes

- See also D15.15 Waterfront Development Controls

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Estuarine Hazard.

B3.9 Estuarine Hazard - Business, Light Industrial and Other Development

Land to which this control applies

Land identified on the Estuarine Hazard Map as affected by estuarine processes. - P21DCP-BCMDCP018

Uses to which this control applies

Business Development
Child care centre
Hospital
Industrial Development
Other Development

Outcomes

Protection of people. (S)
Protection of the natural environment. (En)
Protection of private and public infrastructure and assets. (S)

Controls

Obtaining Estuarine Planning Level

To apply this control, the Estuarine Planning Level must first be established by:

- Obtaining 'Estuarine Planning Level (EPL) advice' from Council, or;;
- An independent assessment undertaken by a Coastal Engineer (as defined in Appendix 7 Estuarine Risk Management Policy for Development in Pittwater

The Estuarine Planning Level may vary landward across the site based on foreshore edge treatment and distance from the foreshore edge.

The Estuarine Planning Level does not apply to Jetties, Bridging Ramps or Pontoons located on the seaward side of the foreshore edge.

Estuarine Risk Management Policy for Development in Pittwater

For additional information, applicants are referred to Appendix 7 Estuarine Risk Management Policy for Development in Pittwater.

Protection of Development from Wave Action and Tidal Inundation

Development is to be protected from the effects of wave action or tidal inundation either by mitigation works to protect the development or ensuring that the floor levels of the development are at or above the Estuarine Planning Level.

General to all Development

The following applies to all development:

- All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes; and
- All structural elements below the Estuarine Planning Level shall be constructed from flood compatible materials; and,
- All structures must be designed and constructed so that they will have a low risk of damage and instability due to wave action and tidal inundation; and,

- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Estuarine Planning Level; and,
- The storage of toxic or potentially polluting goods, materials or other products, which may be hazardous or pollute the waterway, is not permitted to be stored below the Estuarine Planning Level; and,
- For existing structures, a tolerance of up to minus 100mm may be applied to the Estuarine Planning Level in respect of compliance with these controls.
- To ensure Council's recommended flood evacuation strategy of 'shelter-in-place' it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

Wave Action and Tidal Inundation Mitigation Works

Developments that propose mitigation works that modify the wave action or tidal inundation behaviour within the development site including the filling of land, the construction of retaining structures and the construction of wave protection walls may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that:

- The wave action or tidal inundation mitigation works do not have an adverse impact on any surrounding property or estuarine processes up to the Estuarine Planning Level; and,
- The wave action or tidal inundation mitigation works result in the protection of the existing and the proposed development from inundation up to the Estuarine Planning Level; and
- The wave action or tidal inundation mitigation works do not have an adverse impact on the environment. (This includes but is not limited to the altering of natural flow paths and the clearing of vegetation).

Where wave action or tidal inundation mitigation works are undertaken to protect the development from inundation as set out above the application of the Estuarine Planning Level requirements of this control need not apply.

A Section 88B notation under the *Conveyancing Act 1919* may be required to be placed on the title describing the location and type of wave action or tidal inundation mitigation works with a requirement for their retention and maintenance.

Floor Levels - New Development and Additions

All floor levels within the development, excluding balconies (with open balustrades) are to be at or above, or raised to the Estuarine Planning Level.

Floor Levels - Carparking Facilities

- **Enclosed garage or enclosed car park:** All floor levels shall be at or above the Estuarine Planning Level.
- **Basement (i.e. below ground level (existing)) carparking facilities:** All access, ventilation and any other potential water entry points must be above the Estuarine Planning Level. A clearly signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level separate from the vehicle access ramps, shall be provided. The access ramp to the basement, where practical should not face the direction of wave action.
- **Open carpark areas (including covered carpark areas) and carports:** Are permissible at the existing ground level. Vehicle barriers or restraints are to be provided to prevent floating vehicles leaving the site where finished surface levels are more than 300mm below the Estuarine Planning Level.

Floor Levels - Boat shed Facilities

- **New boat shed:** All floor levels shall be at or above the Estuarine Planning Level.
- **Basement (i.e. below ground level (existing)) boat shed facilities:** All access and potential water entry points must be above the Estuarine Planning Level. A clearly

signposted pedestrian access to a 'safe haven' above the Estuarine Planning Level separate from the access ramps, shall be provided. The access ramp to the basement, where practical should not face the direction of wave action.

Variations

Innovative Designs in Wave Action and tidal Inundation Protection Measures

Innovative and alternative designs in wave action and tidal inundation protection measures may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that the protection measures can be achieved

Floor Levels - Change of Use and Alterations and Additions for Existing Premises - Business and Industrial Development Only

Where constructing the floor level at the Estuarine Planning Level or raising the floor level of the existing development to the Estuarine Planning Level may be difficult to achieve, due to practical, heritage or other constraints, consideration may be given to a floor level at a level lower than the Estuarine Planning Level for the non-residential component of the development, subject to demonstration through a Estuarine Risk Management Report that all precautions have been taken to minimise risk from the effect of wave action and tidal inundation up to the Estuarine Planning Level.

Floor Levels - Boat shed Facilities

Consideration may be given on a merit basis to a floor level of a boat shed at a level lower than the Estuarine Planning Level where it can be demonstrated through an Estuarine Risk Management Report that the boat shed is structurally designed to withstand periodic wave action and tidal inundation up to the Estuarine Planning Level.

Advisory Notes

- See also D15.15 Waterfront Development Controls

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Estuarine Hazard.

B3.10 Estuarine Hazard - Subdivision

Land to which this control applies

Land identified on the Estuarine Hazard Map as affected by estuarine processes. - P21DCP-BCMDCP018

Uses to which this control applies

Subdivision

Outcomes

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

Controls

Obtaining Estuarine Planning Level

To apply this control, the Estuarine Planning Level must first be established by:

- Obtaining 'Estuarine Planning Level (EPL) advice' from Council, or;
- An independent assessment undertaken by a Coastal Engineer (as defined in Appendix 7 - >Estuarine Risk Management Policy for Development in Pittwater.

The Estuarine Planning Level may vary landward across the site based on foreshore edge treatment and distance from the foreshore edge.

The Estuarine Planning Level does not apply to Jetties, Bridging Ramps or Pontoons located on the seaward side of the foreshore edge.

Estuarine Risk Management Policy for Development in Pittwater

For additional information, applicants are referred to Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater>.

Protection of Development from Wave Action and Tidal Inundation

Development is to be protected from the effects of wave action or tidal inundation either by mitigation works to protect the development or ensuring that the floor levels of the development are at or above the Estuarine Planning Level.

General to all Development

The following applies to all development:

- All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes; and
- All structural elements below the Estuarine Planning Level shall be constructed from flood compatible materials; and,
- All structures must be designed and constructed so that they will have a low risk of damage and instability due to wave action and tidal inundation; and,
- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Estuarine Planning Level; and
- The storage of toxic or potentially polluting good, materials or other products which may be hazardous or pollute the waterway, is not permitted below the Estuarine Planning Level; and

- For existing structures, a tolerance of up to minus 100mm may be applied to the Estuarine Planning Level in respect of compliance with these controls
- To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

Wave Action and Tidal Inundation Mitigation Works

Developments that propose mitigation works that modify the wave action or tidal inundation behaviour within the development site including the filling of land, the construction of retaining structures and the construction of wave protection walls may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that:

- The wave action or tidal inundation mitigation works do not have an adverse impact on any surrounding property or estuarine processes up to the Estuarine Planning Level.
- The wave action or tidal inundation mitigation works result in the protection of the existing and proposed development from inundation up to the Estuarine Planning Level; and
- The wave action or tidal inundation mitigation works do not have an adverse impact on the environment. (This includes but is not limited to the altering of natural flow paths and the clearing of vegetation).

Where wave action or tidal inundation mitigation works are undertaken to protect the development from inundation as set out above, the application of the Estuarine Planning Level requirements of this control need not apply.

A Section 88B notation under the *Conveyancing Act 1919* may be required to be placed on the title describing the location and type of wave action or tidal inundation mitigation works with a requirement for their retention and maintenance.

Land Subdivision - Building Platforms

The subdivision of land requires the area of land contained on the landward side of the Foreshore Building Line for each additional allotment created to be at or above the Estuarine Planning Level.

Variations

Innovative Designs in Wave Action and Tidal Inundation Protection Measures

Innovative and alternative designs in wave action and tidal inundation protection measures may be permitted on a merit basis subject to demonstration through an Estuarine Risk Management Report that the protection measures can be achieved.

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Estuarine Hazard.

B3.11 Flood Prone Land

Land to which this control applies

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

Uses to which this control applies

Outcomes

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

Requirements

Controls

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	Recreation & Environme
A	Flood effects caused by Development	A1 A3 A4	A1 A3 A4	A1 A3	A1 A3	A1 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
D	Storage of Goods	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
F	Floor Levels	F2 F3 F7	F2 F3 F7	F5	F1 F2 F3 F6 F8	F2 F2 F3 F6 F8 F10	F2
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
H	Fencing	H1	H1	H1	H1	H1	H1
I	Pools	I1	I1	I1	I1	I1	I1

Medium Flood Risk

		Critical Uses	Vulnerable Uses	Subdivision	Residential	Business & Industrial	Recreation & Environme
A	Flood effects caused by Development	A1 A3 A4	A1 A3 A4	A1 A3	A1 A3	A1 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
D	Storage of Goods	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
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
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
H	Fencing	H1	H1	H1	H1	H1	H1
I	Pools	I1	I1	I1	I1	I1	I1

		Low Flood Risk					
		Critical Uses	Vulnerable Uses	Subdivision	Residential	Business & Industrial	Recreation & Environment
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

Business & industrial		
Marina	Medical centre	Mortuary
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	<p>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:</p> <p>(a) There are no adverse impacts on flood levels and velocities caused by alterations to the flood conveyance;</p> <p>(b) There are no adverse impacts on surrounding properties; and (c) It is sited to minimise exposure to flood hazard.</p> <p>Where relevant certification shall also be provided in Northern Beaches Council's Standard Certification Form (Forms A and A1 of Northern Beaches</p>

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	<p>New floor levels within the development shall be at or above, the Flood Planning Level.</p> <p>A reduced Flood Planning Level may be considered only where it is permitted in this Development Control Plan.</p> <p>The structure must be flood proofed (wet or dry) to the Flood Planning Level. This control cannot be applied to critical or vulnerable uses.</p>
F2	<p>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.</p>
F3	<p>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.</p>
F4	<p>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:</p> <ul style="list-style-type: none"> (a) it is an extension to an existing room (b) the Flood Planning Level is incompatible with the floor levels of the existing room <p>This control will not be permitted if this provision has previously been utilised since the making of this Plan.</p> <p>The structure must be flood proofed to the Flood Planning Level.</p>
F5	<p>The applicant must demonstrate that future development following a subdivision proposal can be undertaken in accordance with this Control.</p>

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	<p>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.</p> <p>All access, ventilation and any other potential water entry points to any enclosed car parking shall be above the relevant Flood Planning Level.</p> <p>Council will not accept any options that rely on electrical, mechanical or manual exclusion of the floodwaters from entering the enclosed carpark</p>
G4	<p>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.</p> <p>The minimum height of the vehicle barriers or restraints must be at or above the Flood planning Level.</p> <p>Vehicle barriers or restraints must comply with the Flood Prone Land Design Standard.</p>
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	<p>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.</p> <p>All electrical equipment associated with the pool (including pool pumps) is to be waterproofed and/or located at or above the Flood Planning Level.</p> <p>All chemicals associated with the pool are to be stored at or above the flood planning level.</p>
----	---

Advisory Notes

Applications must demonstrate compliance with the following references:

- *Flood Prone Land Design Standard*
- *Flood Risk Management Policy*

B3.12 Climate Change (Sea Level Rise and Increased Rainfall Volume)

Land to which this control applies

Land identified on the Flood Hazard Map as affected by flood - P21DCP-BCMDCP014

Land identified as Beach Management Area on the Coastal Hazards Map 97003 - P21DCP-BCMDCP016

Land identified on the Estuarine Hazard Map as affected by estuarine processes. - P21DCP-BCMDCP018

Land identified as being within the Warriewood Valley Land Release Area - P21DCP-BCMDCP055

Uses to which this control applies

Attached dwelling

Boarding house

Business Development

Child care centre

Group home

Hospital

Hostel

Industrial Development

Multi dwelling housing

Residential flat building

Semi-detached dwelling

Seniors housing

Shop top housing

Subdivision

Outcomes

To protect people. (S)

To protect the natural environment. (En)

To protect private and public infrastructure and assets. (Ec)

Controls

When this control applies:

This control applies where 'intensification of development' is proposed. 'Intensification of development' includes but may not be limited to:

- an increase in the number of dwellings (but excluding dual occupancies and secondary dwellings);
- an increase in commercial or retail floor space.

Climate Change Scenarios

The following climate change scenarios shall be considered:

- **Scenario 1:** Impacts of sea level rise only:
- **Scenario 2:** Impacts of sea level rise combined with increased rainfall volume:

1) Climate Change Assessment for Land Identified as Beach Management Area on the Coastal Hazards Map

The impacts of climate change on land identified as Beach Management Area on the Coastal Hazards Map, involving development to which this control applies, shall be assessed in accordance with Clause B3.3 Coastline (Beach) Hazard and Appendix 6 - Coastline Risk Management Policy for Development in Pittwater.

2) Climate Change Assessment for Land Identified on Flood Hazard Maps

For land identified on Council's Flood Hazard Maps involving development to which this control applies, a Flood Risk Management Report shall be prepared in accordance with Appendix 8 - Flood Risk Management Policy for Development in Pittwater, which includes an assessment of

climate change. This assessment shall include the impacts of climate change on the property over the life of the development and the adaptive measures to be incorporated in the design of the project. The following climate change scenarios shall be considered:

- **Scenario 1:** Impacts of sea level rise only
- **Scenario 2:** Impacts of sea level rise combined with increased rainfall volume

Flood Planning Levels for Scenario 1 and 2 have not been adopted by Council to date.

Applicants should contact Council to be directed to the source of the best available information to determine the likely increase in Flood Planning Levels as a result of climate change.

3) Climate Change Assessment for Land Identified within the Warriewood Valley Land Release Area

For land identified within the Warriewood Valley Land Release Area involving development to which this control applies, a climate change assessment shall be incorporated in the Water Management Report as required by Clause C6.4 Flood - Warriewood Valley Residential Sectors, Buffer Areas or Development Sites, Clause C6.5 Flood - Warriewood Valley Employment Generating Sectors, Buffer Areas or Development Sites and in accordance with Council's *Warriewood Valley Urban Land Release Water Management Specification* (February 2001 or as amended). The climate change assessment shall include the impacts of climate change on the property over the life of the development and the adaptive measures to be incorporated in the design of the project. The following climate change scenarios shall be considered:

- **Scenario 1:** Impacts of sea level rise only
- **Scenario 2:** Impacts of sea level rise combined with increased rainfall volume

Flood Planning Levels for Scenario 1 and 2 have not been adopted by Council to date.

Applicants should contact Council to be directed to the source of the best available information to determine the likely increase in Flood Planning Levels as a result of climate change.

4) Climate Change Assessment for Land Identified on the Estuarine Hazard Map

For land identified on Council's Estuarine Hazard Maps involving development to which this control applies, an assessment of climate change shall be undertaken as part of the Estuarine Risk Management described in Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater. This assessment shall include the impacts of climate change on the property over the life of the development and the adaptive measures to be incorporated in the design of the project. The following climate change scenarios shall be considered:

- **Scenario 1:** Impacts of sea level rise only

Estuarine Planning Levels for Scenario 1 have not been adopted by Council to date.

Applicants should contact Council to be directed to the source of the best available information to determine the likely increase in Estuarine Planning Levels as a result of climate change.

Variations

Nil

Advisory Notes

Nil

Information to be shown on the Development Drawings

- clearly show the minimum floor height requirements plus climate change on the sections and elevations

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the flood hazard risk with climate change.

B3.13 Flood Hazard - Flood Emergency Response planning

Land to which this control applies

Land identified on the Flood Life Hazard Category Maps as H3-4, H5 and H6 in a Probable Maximum Flood event.

Class 10 classified buildings and structures (as defined in the Building Codes of Australia) are excluded from this control.

Uses to which this control applies

Refer to *Table 1-2 Land Use Groups* in Appendix 15 - Flood Emergency Response Planning for Development in Pittwater Policy.

Class 10 classified buildings and structures (as defined in the Building Codes of Australia) are excluded from this control.

Outcomes

Protection of people. (S)

Protection of the natural environment. (En)

Protection of public and private infrastructure and assets. (S)

Controls

Areas of the Pittwater LGA potentially impacted by flash flooding or overland flow or lagoon flooding or a combination of flooding are to ensure development is undertaken in a way that is reflective of the flood risk.

Form 1 (Attachment C of Appendix 15 - Flood Emergency Response Planning for Development in Pittwater Policy.) is to be completed and submitted to Council

If safe evacuation can be demonstrated to Council's satisfaction through the submitted Flood risk Emergency Assessment, then the controls for shelter in place are not applicable.

Development Matrix

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

- Determine the Flood Life Hazard within which your site is situated. The Flood Life Hazards are divided into four categories, i.e. H1-2, H3 -H4, H5 & H6;
Note: Where a property is located in more than one Hazard, the assessment must consider the controls relevant to each Hazard.
- Determine the Land Use Group relevant to your proposal. The various land use or development types have been grouped into Land Use Groups (refer table 1 below);
- Address each of the prescriptive controls for the relevant land use category in the applicable Hazard.

Table 1: Flood Risk to Life Development Matrix

Adopted Emergency Response	Land-Use Group	Flood Life Hazard Category			
		H1-H2	H3-H4	H5	H6
Evacuation	All	No control	1a	1a	1a
Shelter-in-Place	Recreational and environmental	No control	1b, 2, 3, 4, 5a	1b, 2, 3, 4, 5b	Development not permitted
	Concessional	No control	1b, 2, 3, 4, 5a	1b, 2, 3, 4, 5b	Development not permitted
	Residential	No control	1b, 2, 3, 4, 5a, 6a	1b, 2, 3, 4, 5b, 6a	Development not permitted
	Business and Industrial	No control	1b, 2, 3, 4, 5a, 6a	1b, 2, 3, 4, 5b, 6a	Development not permitted
	Vulnerable Uses	No control	1b, 2, 3, 4, 5a, 6b	1b, 2, 3, 4, 5b, 6b	Development not permitted
	Critical	No control	1b, 2, 3, 4, 5a, 6b	1b, 2, 3, 4, 5b, 6b	Development not permitted

Where,

Green = Acceptable risk;

Yellow = Tolerable risk; and,

Orange = Unacceptable risk.

Evacuation

Control 1a – Flood Risk Emergency Assessment

Requires the preparation of a Flood Risk Emergency Assessment report for the evacuation strategy as outlined in Appendix 15 - Flood Emergency Response Planning for Development in Pittwater Policy.

Shelter-in-Place

Control 1b - Flood Risk Emergency Assessment

Requires the preparation of a Flood Risk Emergency Assessment report addressing the shelter-in-place requirements as outlined in Appendix 15 - Flood Emergency Response Planning for Development in Pittwater Policy.

Control 2 - Minimum Floor Level

Minimum floor level equal to the PMF flood event for shelter-in-place refuge

Control 3 - Floor Space Requirement

Minimum floor space of the shelter-in-place refuge is:

- 2 m² per person is required for all long duration flooding in a PMF event unless it can be shown the development lies within an area only inundated for a “short duration” (less than 6 hours in the PMF); or,
- 1 m² per person is required for shelter-in-place refuge impacted by short duration flooding in a PMF event.

Control 4 - Accessibility

Shelter-in-place refuge must be:

- Intrinsically accessible to all people on the site, plainly evident, and self-directing, with sufficient capacity of access routes for all occupants.
- There must be sufficient time for all occupants to access shelter-in-place refuges, with fail safe access provided with no reliance on elevators. Flood warning systems should be considered where the number of occupants is significant.

Control 5a - Building Stability

Structural stability of the building is to be verified by a suitably qualified structural engineer considering lateral flood flow, buoyancy, suction effects, and debris load impact of the 1% AEP design flood depths and velocities.

Control 5b - Building Stability

Structural stability of the building is to be verified by a suitably qualified structural engineer considering lateral flood flow, buoyancy, suction effects, and debris load impact of PMF design flood depths and velocities.

Control 6a – Serviceability

For developments with long duration flooding regions unless it can be shown the development lies within this region but is only inundated for a “short duration” (less than 6 hours in the PMF) shelter-in-place refuge is to provide:

- Sufficient clean water for all occupants; and
- Portable radio with spare batteries; and
- Torch with spare batteries; and
- First Aid Kit.

Control 6b – Serviceability

For developments with long duration flooding regions unless it can be shown the development lies within this region but is only inundated for a “short duration” (less than 6 hours in the PMF) shelter-in-place refuge is to provide:

- Sufficient clean water for all occupants; and
- Portable radio with spare batteries; and
- First Aid Kit; and
- Torch with spare batteries; and
- Emergency power; and
- Practical means of medical evacuation.

Variations

The following variations may apply to a change of use of an existing premises and alterations and additions to existing residential and commercial premises (as defined in the DCP):

A variation to the controls requiring a Flood Risk Emergency Assessment Report and/or shelter in place refuge shall only be considered if justified appropriately by a suitably qualified professional.

A completed Form 1 (Attachment A of the Flood Emergency Response Planning for Development in Pittwater Policy), must also be submitted with the development application.

A section 88b instrument (or similar) will be required to be placed on the lot that outlines that the property has no ‘shelter-in-place refuge’ and that there is a risk of persons being inundated by floodwaters with no place to seek refuge on the lot.”

Advisory Notes

For additional information, applicants are referred to Appendix 15 - Flood Emergency Response Planning for Development in Pittwater Policy. of this DCP.

Obtaining Flood Life Hazard Categories

To apply this control the Flood Life Hazard Categories on the parcel of land/lot must first be established by:

Obtaining the Flood Life Hazard Category Map from Council through the Flood Information Request service;
or

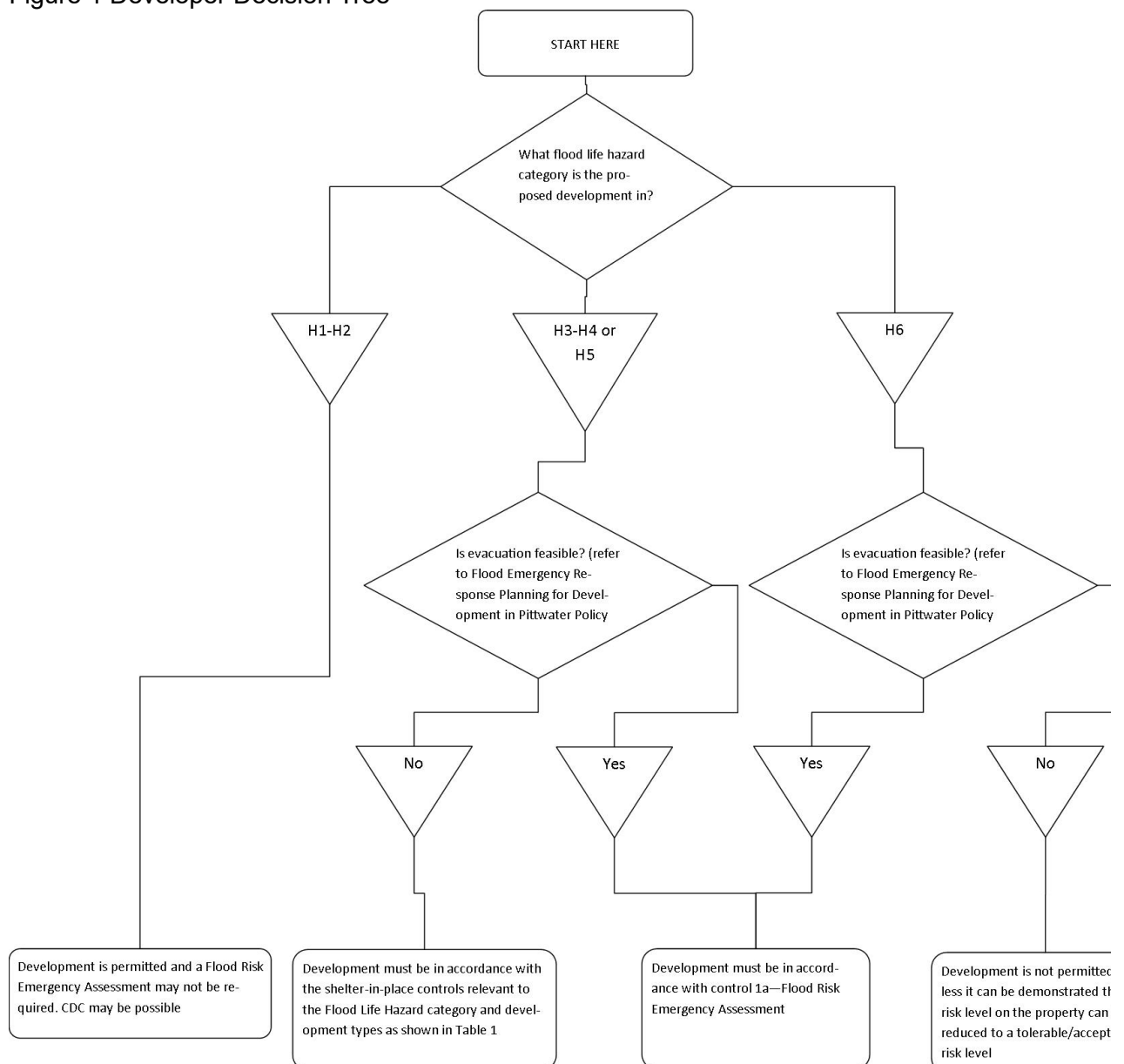
An independent assessment undertaken by a Hydraulic Engineer to determine the flood life hazard categories based on consideration of the following factors:

- Flood hazard curves to identify the degree of flooding which poses a risk to life for demographics of the population (refer to Updating National Guidelines on Best Practice Flood Risk Management by McLuckie, D et al, 2014), and
- The design flood event to be adopted as the basis of the life hazard categories as the PMF event

Developer Decision Tree

The decision tree shown in Figure 1 has been prepared to assist developers in determining whether or not flood risk to life development controls apply to their development and assist in the application of the development matrix shown in Table 1.

Figure 1 Developer Decision Tree



B4 Controls Relating to the Natural Environment

B4.1 Flora and Fauna Conservation Category 1 Land

Land to which this control applies

Areas of core habitat mapped as Flora and Fauna Conservation Areas, Category 1 that are not included in other Natural Environment Controls - P21DCP-BCMDCP060

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

The long-term viability of locally native flora and fauna and their habitats in the Pittwater Local Government Area. (En)

Controls

Development shall not directly negatively impact on threatened species, endangered populations or endangered ecological communities.

Development shall retain and enhance habitat for locally native species, threatened species, endangered populations or endangered ecological communities.

Development shall result in no significant onsite loss of canopy cover and no net loss in native canopy trees.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of core bushland and not include environmental weeds.

Caretakers of domestic animals shall prevent them from entering wildlife habitat areas.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.
- Where development is proposed on parts of the site identified as not containing core bushland providing the development does not impact on core bushland on the site or

adjoining properties.

- Where a development is proposed in the area of least impact on core bushland and where there will be no net loss of core bushland.
- Where fencing is required to contain domestic animals and is located on a part of the site that does not impede native fauna from traversing the site.
- In Bushfire Asset Protection Zones - vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the actual & possible impact of the proposal on the environment demonstrating that it has been designed to minimise any impact on flora and fauna.

Technical Reports and Supporting Information

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 B4.21): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information, provided ALL information to be submitted requirements are set out in the various Controls as provided.

Note: Other Controls relating to the Environment (B4.1 - B4.21) MAY relate to the proposed development site in these cases.

(a) No modification/removal of vegetation or fauna habitat

If the development will not result in the modification or removal of native vegetation and does not fall into any of the categories below (b) this control does not apply except for the following conditions,

- removal/ control of noxious and environmental weeds
- the planting two canopy trees or appropriate native vegetation
- appropriate management of domestic animals

protection of vegetation or natural features to be retained for the life of the development
or

(b) Development that disturbs/removes up to 25m² of native vegetation, involves no removal of native trees, and is not where there is habitat for NPWS listed species/populations/communities.

- List of Noxious and Environmental Weeds
- or

(c) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level and disturbs/removes 0 - 25m² of vegetation.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed(included a detailed Tree Locatio Plan).
- 7-part tests for any NPWS listed species/populations/communities.
- Statement of Environmental Effects is to clearly state the extent of actual and possible impact on the Natural Environment.

or

(d) Development that disturbs between 25m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment/Flora and Fauna Assessment (ESA)
- Ecological Impact Assessment (EIA)
- Ecological Sustainability Plan/Bushland Management Plan (ESP/BMP)

Minimum requirements for the (Environmental Site Assessment (ESA),Ecological Impact Assessment (EIA) and Ecological Sustainability Plan (ESP) - Please contact Council
or

(e) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (d) and (e) is the same, however the survey intensity required for developments in category (e) is greater.

- Environmental Site Assessment (ESA)
- Ecological Impact Assessment (EIA)
- Ecological Sustainability Plan (ESP)

Minimum requirements for the (Environmental Site Assessment (ESA),Ecological Impact Assessment (EIA) and Ecological Sustainability Plan (ESP) - Please contact Council

B4.2 Flora and Fauna Conservation Category 1 and Wildlife Corridor

Land to which this control applies

Land mapped as Flora and Fauna Conservation Areas-Category 1 that overlap with land mapped as Wildlife Corridors but excluding where this land is covered in other Natural Environment Controls - P21DCP-BCMDCP061

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

The long-term viability of locally native flora and fauna and their habitats and the retention and enhancement of wildlife corridors in the Pittwater LGA. (En)

Controls

Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.

Development shall provide wildlife corridors via creation, restoration, and / or regeneration of habitat.

Development shall result in no significant onsite loss of canopy cover and no net loss in native canopy trees.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds. Development shall provide an adequate buffer to wildlife corridors.

Caretakers of domestic animals shall prevent them from entering wildlife habitat areas.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.

- Where development is proposed on parts of the site identified as not containing existing bushland providing the development does not impact on existing bushland on the site or adjoining properties.
- Where a development is proposed in the area of least impact on existing bushland and or the wildlife corridor and where there will be no net loss of existing bushland.
- Where fencing is required to contain domestic animals and is located on a part of the site that does not impede native fauna from traversing the site.
- In Bushfire Asset Protection Zones - vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the actual & possible impact of the proposal on the environment demonstrating that it has been designed to minimise any impact on flora and fauna.

Technical Reports and Supporting Information

Note A: The Information Required to be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 B4. 21): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information, provided ALL information to be submitted requirements are set out in the various Controls as provided.

Note: Other Controls relating to the Environment (B4.1 - B4. 21)) MAY relate to the proposed development site in these cases.

(a) No modification/removal of native vegetation or fauna habitat

If the development will not result in the modification or removal of native vegetation and does not fall into any of the categories below (be) this control does not apply except for the following conditions,

- removal/ control of noxious and environmental weeds
- he planting two canopy trees or appropriate native vegetation (if currently lacking)
- appropriate management of domestic animals
- protection of vegetation or natural features to be retained for the life of the development

or

(b) Development that disturbs/removes up to 25m² of native vegetation, involves no removal of native trees, and is not where there is habitat for NPWS listed species/populations/communities.

- List of Noxious and Environmental Weeds

or

(c) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level and disturbs/removes 0 - 25m² of vegetation.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- 7-part tests for any NPWS listed species/populations/communities.
- Statement of Environmental Effects is to clearly state the extent of actual and possible impact on the natural

environment.

or

(d) Development that disturbs between 25m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment or Flora and Fauna Assessment
- Ecological Impact Assessment (EIA)
- Ecological Sustainability Plan (ESP) or Bushland Management Plan (BMP)

Minimum requirements for the Environmental Site Assessment (ESA), Ecological Impact Assessment (EIA) and Ecological Sustainability Plan (ESP) - Please contact Council

or

(e) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (d) and (e) is the same, however the survey intensity required for developments in category (e) is greater.

- Environmental Site Assessment (ESA)
- Ecological Impact Assessment (EIA)
- Ecological Sustainability Plan (ESP)/BMP

Minimum requirements for the Environmental Site Assessment (ESA), Ecological Impact Assessment (EIA) and Ecological Sustainability Plan (ESP) - Please contact Council

B4.3 Flora and Fauna Habitat Enhancement Category 2 Land

Land to which this control applies

Areas of habitat mapped as Flora and Fauna Conservation Areas-Category 2 that are not included in other Natural Environment Controls - P21DCP-BCMDCP062

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Water recreation structure

Outcomes

Conservation, enhancement and/or creation of habitats for locally native flora and fauna to ensure the long-term viability of locally native flora and fauna and their habitats. (En)

Controls

Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.

Development shall provide flora and fauna habitat by active restoration, regeneration, and / or creation.

Development shall not result in a significant onsite loss of canopy cover or a net loss in native canopy trees.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of core bushland and not include environmental weeds.

Caretakers of domestic animals shall prevent them from entering bushland.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- for those activities listed in adopted Plans of Management for public reserves, where development is proposed on parts of the site identified as not containing native vegetation providing the development does not impact on bushland on the site or adjoining properties.

- where development is proposed in the area of least impact on native vegetation and where there will be no net loss of native vegetation.
- where fencing is required to contain a domestic animals and is located on a part of the site that does not impede native fauna from traversing the site.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on flora and fauna.

Technical Reports and Supporting Information

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 - B4.16): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 40m² of vegetation, does not including tree removal/modification and is where habitat for NPWS Threatened species/populations/communities does not occur on the site.

- Nil

or

(b) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- An 7-part test is to be provided where existing native canopy trees are proposed for removal.
- 7-part tests for any NPWS Listed species/populations/communities.

or

(c) Development that disturbs between 40m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (c) and (d) is the same, however the survey intensity required for developments in category (d) is greater minimum requirements given below.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(e) Other

If the development does not fall into any of the above categories (ad) this control does not apply except for conditioning,

(a) the planting two canopy trees or appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

Land to which this control applies

Areas of habitat mapped as Flora and Fauna Conservation Areas-Category 2 that overlap with land mapped as Wildlife Corridors but excluding where this land is covered in other Natural Environment Controls - P21DCP-BCMDCP063

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Water recreation structure

Outcomes

Conservation, enhancement and/or creation of habitats for locally native flora and fauna to ensure the long-term viability of locally native flora and fauna and their habitats. (En)

Controls

Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.

Development shall provide an adequate buffer to wildlife corridors.

Development shall provide flora and fauna habitat and wildlife corridors by active restoration, regeneration, and/or creation.

Development shall result in no significant onsite loss of canopy cover or net loss in native canopy trees.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds.

Planting is to maximise linkage to the wildlife corridor.

Development shall not negatively impact on threatened species, endangered populations or endangered ecological communities.

Caretakers of domestic animals shall prevent them from entering bushland.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.

- Where development is proposed on parts of the site identified as not containing native vegetation providing the development does not impact on bushland on the site or adjoining properties.
- Where a development is proposed in the area of least impact on native vegetation and where there will be no net loss of native vegetation.
- Where fencing is required to contain domestic animals and is located on a part of the site that does not impede native fauna from traversing the site.
- In Bushfire Asset Protection Zones - vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on flora and fauna.

Technical Reports and Supporting Information

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 - B4.16): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 40m² of vegetation, does not including tree removal/modification and is where habitat for NPWS Threatened species/populations/communities does not occur on the site.

- Nil

or

(b) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- An 7-part test is to be provided where existing native canopy trees are proposed for removal.
- 7-part tests for any NPWS Listed species/populations/communities.

or

(c) Development that disturbs between 40m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (c) and (d) is the same, however the survey intensity required for developments in category (d) is greater minimum requirements given below.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(e) Other

If the development does not fall into any of the above categories (ad) this control does not apply except for conditioning,

(a) the planting two canopy trees or appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land

Land to which this control applies

Land in the Pittwater LGA not covered by other Natural Environment Controls - P21DCP-BCMDCP064

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

The long-term viability and enhancement of locally native flora and fauna and their habitats. (En)

Controls

Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and locally native species.

Development shall provide flora and fauna habitat by active restoration, regeneration, and / or creation.

Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.

Landscaping is not to include environmental weeds.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.
- Where a development is proposed in the area of least impact on native vegetation and where there will be no significant net loss of native vegetation.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on flora and fauna.

Technical Reports and Supporting Information

(a) Development that disturbs/removes less than 40m² of vegetation, does not including tree removal/modification and is where habitat for NPWS Threatened species/populations/communities does not occur on the site.

- Nil.

(b) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- An 7-part test is to be provided where existing native canopy trees are proposed for removal.
- 7-part tests for any NPWS listed species/populations/communities.

(c) Development that disturbs between 40m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment hyperlink to requirements of ESA (also stated in Biodiversity DCP to be updated)
- Biodiversity Impact Assessment hyperlink to requirements BIA (also stated in Biodiversity DCP to be updated)
- Ecological Sustainability Plan hyperlink to requirements of ESP (also stated in Biodiversity DCP to be updated)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP are given in the xxxxx..

(d) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (c) and (d) is the same, however the survey intensity required for developments in category (d) is greater minimum requirements given below.

- Ecological Site Assessment hyperlink to requirements of ESA (also stated in Biodiversity DCP to be updated)
- Biodiversity Impact Assessment hyperlink to requirements BIA (also stated in Biodiversity DCP to be updated). Survey intensity required increases with area being disturbed.
- Ecological Sustainability Plan hyperlink to requirements of ESP (also stated in Biodiversity DCP to be updated)
- or combined report covering all issues.

Minimum requirements of ESA, EIA and ESP are given in the xxxxx.

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 B4.16): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

B4.6 Wildlife Corridors

Land to which this control applies

Land mapped as Wildlife Corridor but excluding where this land is covered in other Natural Environment Controls - P21DCP-BCMDCP065

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Water recreation structure

Outcomes

Retention and enhancement of wildlife corridors ensuring/providing the connection of flora and fauna habitats. (En)

Controls

Development shall not directly impact on / or significantly reduce / degrade habitat for locally native species, threatened species, endangered populations or endangered ecological communities.

Development shall retain, and provide an adequate buffer to, wildlife corridors.

Development shall provide wildlife corridors via creation, restoration, and / or regeneration of habitat.

Development shall not result in a significant loss of canopy cover or a net loss in native canopy trees.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and not include environmental weeds.

Planting is to maximise linkage within the wildlife corridor.

Caretakers of domestic animals shall prevent them from entering areas of wildlife habitat.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.

- Where development is proposed on parts of the site identified as not containing a wildlife corridor providing the development does not impact on bushland on the site or adjoining properties.
- Where a development is proposed in the area of least impact on a wildlife corridor and where there will be no significant net loss of native vegetation.
- Where fencing is required to contain a domestic animals and is located on a part of the site that does not impede native fauna from traversing the site.
- In Bushfire Asset Protection Zones - vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on wildlife corridors.

Technical Reports and Supporting Information

Note A: The Information Required to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 B4.16): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 40m² of vegetation, does not including tree removal/modification and is where habitat for NPWS Threatened species/populations/communities does not occur on the site.

- Nil.

or

(b) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- An 7-part test is to be provided where existing native canopy trees are proposed for removal.
- 7-part tests for any NPWS listed species/populations/communities.

or

(c) Development that disturbs between 40m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council

or

(d) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (c) and (d) is the same, however the survey intensity required for developments in category (d) is greater minimum requirements given below.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

Land to which this control applies

Land containing or adjoining Pittwater Spotted Gum Forest - P21DCP-BCMDCP025

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)

Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Water recreation structure

Outcomes

Conservation of intact Pittwater Spotted Gum Forest EEC. (En)
 Regeneration and/or restoration of fragmented and / or degraded Pittwater Spotted Gum Forest EEC. (En)
 Reinstatement of Pittwater Spotted Gum Forest to link remnants. (En)
 Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors. (En)

Controls

Development shall not have an adverse impact on Pittwater Spotted Gum Endangered Ecological Community.

Development shall restore and/or regenerate Pittwater Spotted Gum Endangered Ecological Community and provide links between remnants.

Development shall be in accordance with any Pittwater Spotted Gum Forest Recovery Plan.

Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.

Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations.

Caretakers of domestic animals shall prevent them from entering wildlife habitat.

Fencing shall allow the safe passage of native wildlife.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community).

Development shall ensure any landscaping works are outside areas of existing Pittwater Spotted Gum Endangered Ecological Community and do not include Environmental Weeds.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.
- Where development is proposed on parts of the site identified as not containing a PSGF providing the development does not impact on PSGF on the site or adjoining properties.
- Where a development is proposed in the area of least impact on PSGF and or core bushland and where there will be no significant net loss of PSGF vegetation.

- Where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.
- In Bushfire Asset Protection Zones - vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on the Pittwater Spotted Gum Forest.

Technical Reports and Supporting Information

Note A: The Information Required to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 to B4.22): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 25m² of native vegetation and does not involve removal of native trees.

- 7-part test for removal/modification of native vegetation in Pittwater Spotted Gum Endangered Ecological Community
- 7-part test for any Threatened species/populations/communities in the area
or

(b) Development that may impact/remove up to two native trees including those within 5m of excavation, fill or changes in soil level and remove/modify 0 - 25m² of native vegetation.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- 7-part tests are required for all trees and understorey vegetation being modified/removed.
- 7-part tests for NPWS Threatened species/populations/communities.
or

(c) Development that disturbs between 25m² and 500m² of vegetation and/or more than two native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or involves the subdivision of land.

The following are the minimum requirements. Where trees are proposed for removal/modification an Arborist Report is also required.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.
- Species Impact Statement (SIS) for Pittwater Spotted Gum Endangered Ecological Community as per requirements required in EPA Act.

Minimum requirements of ESA, BIA, ESP and SIS - Please contact Council.

or

(e) Other

If the development does not fall into any of the above categories (a-d) this control does not apply except for conditioning,

(b) the planting two canopy trees or appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.8 Freshwater Wetland Endangered Ecological Communities

Land to which this control applies

Land containing or adjoining, Sydney Coastal Estuarine Swamp Forest Complex - P21DCP-BCMDCP026

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form does not have to be residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site in a Release Area
 Water recreation structure

Outcomes

Conservation of intact Sydney Freshwater Wetlands Endangered Ecological Communities. (En)
 Regeneration and/or restoration of fragmented and / or degraded Sydney Freshwater Wetlands Endangered Ecological Communities. (En)
 Reinstatement of Sydney Freshwater Wetlands Endangered Ecological Communities to link remnants. (En)

Controls

Development shall not have an adverse impact on Sydney Freshwater Wetlands Endangered Ecological Community on Coastal Floodplains.

Development shall restore and/or regeneration Sydney Freshwater Wetlands Endangered Ecological Community on Coastal Floodplains and provide links between remnants.

Development shall be in accordance with any Recovery Plan or priority action statement Recovery Plan.

Development shall not significantly affect the hydrology, hydraulic or water quality entering Sydney Freshwater Wetlands Endangered Ecological Community.

Development shall not result in a significant onsite loss of canopy cover or a net loss in native canopy trees.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or those listed in wetland endangered ecological communities)

Development shall ensure any landscaping works are outside areas of existing Sydney Freshwater Wetlands Endangered Ecological Community and do not include Environmental Weeds.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- for those activities listed in adopted Plans of Management for public reserves.
- where development is proposed on parts of the site identified as not containing Sydney Freshwater Wetlands EEC providing the development does not impact on Sydney Freshwater Wetlands EEC on the site or adjoining properties.
- where a development is proposed in the area of least impact on Sydney Freshwater Wetlands EEC and where there will be no net loss of Sydney Freshwater Wetlands EEC
- where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.
- in Bushfire Asset Protection Zones - vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on the Sydney Coastal Estuarine Swamp Forest Complex.

B4.9 Duffys Forest Endangered Ecological Community

Land to which this control applies

Land containing or adjoining Duffys Forest Vegetation - P21DCP-BCMDCP027

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

Conservation of intact Duffys Forest Vegetation. (En)
Regeneration and/or restoration of fragmented and / or degraded Duffys Forest Vegetation. (En)
Reinstatement of Duffys Forest Vegetation to link remnants. (En)

Controls

Development shall not have an adverse impact on Duffys Forest Vegetation Forest.

Development shall restore and/or regeneration Duffys Forest Vegetation Forest and provide links between remnants.

Development shall be in accordance with Duffys Forest Vegetation Forest Recovery Plan.

Development shall not result in a significant onsite loss of canopy cover or a net loss in native canopy trees.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Duffys Forest Endangered Ecological Community).

Development shall ensure any landscaping works are outside areas of existing Duffys Forest Endangered Ecological Community and do not include Environmental Weeds.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management for public reserves.

- Where development is proposed on parts of the site identified as not containing a Duffys Forest community providing the development does not impact on Duffys Forest on the site or adjoining properties.
- Where a development is proposed in the area of least impact on Duffys Forest and where there will be no net loss of native vegetation.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on the Duffys Forest Vegetation Community.

B4.10 Themeda Grasslands - Endangered Ecological Community

Land to which this control applies

Land containing Themeda Grassland Endangered Ecological Community - P21DCP-BCMDCP085

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

Conservation of intact Themeda Grassland EEC. (En)
Regeneration and/or restoration of fragmented and / or degraded Themeda Grassland EEC (En)
Reinstatement of Themeda Grassland EEC to link remnants. (En)
Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors. (En)

Controls

Development shall not adversely impact areas of Themeda Grassland Endangered Ecological Community.

Development shall restore and/or regenerate Themeda Grassland Endangered Ecological Community and provide links between remnants.

Development shall be in accordance with any Themeda Grassland Recovery Plan.

Development shall result in no significant onsite loss in native vegetation.

Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations.

Caretakers of domestic animals shall prevent them from entering wildlife habitat.

Fencing shall allow the safe passage of native wildlife.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Themeda Grassland Endangered Ecological Community).

Development shall ensure any landscaping works are outside areas of existing Themeda Grassland Endangered Ecological Community and do not include Environmental Weeds.

Variations

Council may consider variation to this control for:

- For those activities listed in adopted Plans of Management for public reserves.
- Where development is proposed on parts of the site identified as not containing Themeda Grassland EEC providing the development does not impact on Themeda Grassland EEC on the site or adjoining properties.
- Where a development is proposed in the area or least impact on Themeda Grassland EEC and where there will be no significant net loss of Themeda Grassland vegetation.
- Where fencing is required to contain domestic animals and that fencing is located on part of the site that does not impede native fauna from transversing the site.
- In Bushfire Asset Protection Zones- vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on the Sydney Freshwater Wetland Endangered Ecological Community.

B4.11 Land Adjoining Bushland

Land to which this control applies

Land adjoining bushland reserves but excluding where this land is covered in other Natural Environment Controls - P21DCP-BCMDCP067

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

To protect bushland from impacts associated with development on adjoining land. (En)
Biodiversity, ecological processes and other bushland values are conserved. (En)

Controls

Development shall not adversely impact on the adjoining reserve.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in *Native Plants for Your Garden* available on the Pittwater Council website).

Landscaping works are to be outside areas of bushland and do not include Environmental Weeds.

Development shall dispose of stormwater, wastewater and other drainage in a manner that will not adversely impact on the adjoining bushland.

Domestic animals will be restricted from entering bushland.

Development shall not result in a significant loss of canopy cover or a net loss in native canopy trees.

Fencing, where permitted, shall be passable to native wildlife.

Variations

Council may consider variation to this control for:

- environmental restoration projects whose sole objective is the restoration and regeneration of bushland.
- those activities listed in adopted Plans of Management for public reserves.
- Where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.

Advisory Notes

This land may be affected by the provisions of *State Environmental Planning Policy No 19 - Bushland in Urban Areas*.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on adjoining bushland.

Technical Reports and Supporting Information

Note A: The Information Required to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 B4.16): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 40m² of vegetation, involves no removal of native trees and is not where there is habitat for NPWS Threatened species/populations/communities.

- Nil.

or

(b) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- An 7-part test is to be provided where existing native canopy trees are proposed for removal.
- 7-part tests for any NPWS Listed species/populations/communities.

or

(c) Development that disturbs between 40m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP) or combined report covering all issues

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (c) and (d) is the same, however the survey intensity required for developments in category (d) is greater than minimum requirements given below.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council

or

(e) Other

If the development does not fall into any of the above categories (ad) this control does not apply except for conditioning,

(a) the planting two canopy trees or appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.12 Mangrove Conservation

Land to which this control applies

Land containing mangroves and their habitat - P21DCP-BCMDCP030

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

To conserve and enhance mangroves in the Pittwater Local Government Area. (En)

Controls

Development shall not adversely impact on existing mangroves or their habitat.

Development shall provide an adequate buffer to mangroves.

Variations

Provided the outcomes of this control are achieved, Council may consider variation to this control for environmental restoration projects whose sole objective is the restoration and regeneration of mangroves.

Advisory Notes

All development with potential to impact on Mangroves will be referred to NSW Fisheries as required under the *Fisheries Management Act 1994* and may require a permit.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on mangroves.

B4.13 Freshwater Wetlands (non Endangered Ecological Communities)

Land to which this control applies

Land containing areas of wetland, other than Sydney Freshwater Wetland EEC - P21DCP-BCMDCP031

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

Wetlands in Pittwater are conserved and enhanced. (En)

The physical, chemical and biological processes of wetlands in Pittwater are improved, maintained or restored. (En)

The social and cultural values of wetland areas are conserved and enhanced. (S)

Biodiversity, ecological processes and other wetland values are conserved. (En)

Controls

Development shall not adversely impact on wetlands.

Development shall restore or regenerate wetlands.

Development shall dispose of stormwater, wastewater and other drainage in a manner that will not adversely impact on wetlands.

Development must minimise changes to the following:

- local surface runoff, groundwater flows and water flow regimes to the wetland;
- temperature, salinity, chemical makeup and sediment loads;
- environmental flows; and
- patterns of inflow.

Stormwater is to mimic natural conditions.

Existing wildlife corridors are to be maintained and functional habitat links provided wherever

possible.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or those listed in *Native Plants for your Garden* on Pittwater Council website).

Variations

Provided the outcomes of this control are achieved, Council may consider variation to this control for:

- Environmental restoration projects whose sole objective is the restoration and regeneration of wetlands.
- Development related to education and recreation that are unlikely to affect wetland values and functions.
- Maintenance of existing structures.
- Any activities which form part of an adopted Plan of Management for the subject land.
- Where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.
- In Bushfire Asset Protection Zones- vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on wetlands.

Technical Reports and Supporting Information

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 B4.16): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that will not alter hydrology, that disturbs/removes less than 25m² of native vegetation and does not involve removal of native trees, filling, excavation, on-site wastewater disposal or changes in storm-water input or subdivision of land.

- Species list of native plants and noxious, environmental weeds on the site.
- 7-part test for any Threatened species/populations/communities
- Plan showing wetland boundary relative to proposed development.

or

(b) Development that may impact/remove up to two native trees including those within 5m of excavation, fill or changes in soil level and remove/modify 0 - 25m² of native vegetation.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- Species list of native plants and noxious, environmental weeds on the site.
- 7-part test for any Threatened species/populations/communities.
- Plan showing wetland boundary relative to proposed development

or

(c) Development that disturbs between 25m² and 500m² of vegetation and/or 39 native trees and/or installation of an on-site waste-water disposal systems and/or subdivision of land.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment for Wetlands (ESA)
- Biodiversity Impact Assessment for Wetlands (BIA)
- Ecological Sustainability Plan for Wetlands (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or 10 or more native trees and/or change in soil level (filling or excavation) and/or changes in hydrology.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.

Minimum requirements of ESA, BIA, ESP - Please contact Council.

or

(e) Other

If the development does not fall into any of the above categories (ad) this control does not apply except for conditioning,

(a) planting/restoration of appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.14 Development in the Vicinity of Wetlands

Land to which this control applies

Land adjacent to freshwater wetlands, including Sydney Freshwater Wetland, Swamp Sclerophyll Forest, Swamp Oak Forest. - P21DCP-BCMDCP066

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form does not have to be residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site in a Release Area
 Water recreation structure

Outcomes

Development in the catchment of a wetland is to result in wetland conditions being maintained or enhanced (En)
 The physical, chemical and biological processes of wetland habitats in Pittwater are improved, maintained or restored. (En)
 The social and cultural values of wetland areas are conserved and enhanced (S)
 Biodiversity, ecological processes and other wetland values are conserved (En).

Controls

Development in a wetlands catchment shall not adversely impact on the wetlands.

Development shall dispose of stormwater, wastewater and other drainage in a manner that will not adversely impact on wetlands.

Development must minimise changes to the following:

- local surface runoff, groundwater flows and water flow regimes to the wetland;
- temperature, salinity, chemical makeup and sediment loads

Stormwater is to mimic natural conditions.

Development shall provide adequate buffering to wetlands

Existing wildlife corridors are to be maintained and functional habitat links provided wherever possible.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species found on the site or those listed in *Native Plants for your Garden* on Pittwater Council website)

Variations

Provided the outcomes of this control are achieved, Council may consider variation to this control for:

- Environmental restoration projects whose sole objective is the restoration and regeneration of wetlands.
- Development that demonstrates it will not affect wetland values and functions.
- Maintenance of existing structures.

A minimum setback of 10m may be considered for development where there will be no adverse impact on the wetland and there is an adequate zone for wildlife.

Any activities which form part of an adopted Plan of Management for the subject land.

Where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.

In Bushfire Asset Protection Zones- vegetation species need not be native to the site but are to be native to Pittwater.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on wetlands.

Technical Reports and Supporting Information

B4.15 Saltmarsh Endangered Ecological Community

Land to which this control applies

Land containing areas of saltmarsh vegetation - P21DCP-BCMDCP032

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Water recreation structure

Outcomes

To conserve and enhance saltmarsh vegetation. (En)

Controls

Development shall retain and enhance saltmarsh vegetation.

Development shall restore and/or regenerate saltmarsh vegetation.

Stormwater, wastewater and other drainage shall not be disposed of into saltmarsh.

Development shall have an adequate buffer to saltmarsh and foreshore vegetation.

Where mangroves have been shown as invading saltmarsh vegetation, Council may consider mangrove removal (with permission from NSW Department of Primary Industries) for the purposes of restoring or regenerating these habitats.

Any works or activities proposed within the foreshore building line must be consistent with ensuring the long term survival of saltmarsh vegetation.

Variations

Provided the outcomes of this control are achieved, Council may consider variation to this control for environmental restoration projects whose objective is the restoration and regeneration of foreshore vegetation

Advisory Notes

Adequate buffer to saltmarsh depends on the proposed development. Minimum buffers to saltmarsh are the Foreshore Building Line on the landward side, and 50m on the seaward side.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on Saltmarsh or other Foreshore Vegetation.

B4.16 Seagrass Conservation

Land to which this control applies

All areas of the Pittwater waterway containing seagrass - P21DCP-BCMDCP033

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Demolition
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Waste water disposal system
Water recreation structure

Outcomes

The conservation of seagrass beds in Pittwater. (En)

The replacement of lost/damaged seagrass beds. (En)

Controls

Development shall not significantly affect seagrass beds.

Development shall replace seagrass in areas where it has been lost or damaged.

No filling, dredging or other disturbance shall be undertaken within a 50m buffer area of seagrass beds.

Development proposed adjacent to seagrass beds shall incorporate a buffer zone of at least 50 metres between the development and the seagrass beds.

Jetties, ramps, wharves, pontoons and other instream structures shall be designed and constructed in accordance with NSW Department of Primary Industries specifications to maximise light filtration to seafloor. Proponents are advised to consult with the Department of Primary Industries to discuss their existing requirements.

Nutrients release into waterway shall not be increased. Development shall not result in turbidity

in the vicinity of seagrass.

On-site waste water system systems shall include removal of Phosphorus and Nitrogen to below P 0.05 and N 0.05mg/L.

Variations

Development shall not be permitted within a buffer area unless it can be demonstrated that the outcomes of this control can be met.

Provided the outcomes of this control are achieved, Council may consider variation to this control for:

- environmental restoration projects whose objective is the improvement of estuarine water quality; or
- activities within an approved Pittwater Council Plan of Management.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on Seagrass.

B4.17 Littoral Rainforest - Endangered Ecological Community

Land to which this control applies

Lands containing Littoral Rainforest - P21DCP-BCMDCP034

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

The conservation of littoral rainforest vegetation in Pittwater. (En)
The regeneration and /or restoration of littoral rainforest. (En)
The preservation of littoral rainforest as habitat for fauna. (En)

Controls

Development shall retain, enhance and regenerate areas of Littoral Rainforest and its habitat.

Development shall not result in an onsite loss of canopy cover or a net loss in native canopy trees or Littoral Rainforest.

Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations.

Caretakers of domestic animals shall prevent them from entering bushland.

Fencing, where permitted, shall allow the safe passage of native wildlife.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Littoral Rainforest Endangered Ecological Community).

Development shall ensure any landscaping works are outside areas of existing Littoral Rainforest Endangered Ecological Community and do not include environmental weeds.

Variations

Council may consider variation to this control:

- for those activities listed in adopted Plans of Management.
- where development is proposed on parts of the site identified as not containing Littoral Rainforest providing the development does not impact on Littoral Rainforest on the site or adjoining properties.
- where a development is proposed in the area of least impact on Littoral Rainforest and where there will be no net loss of Littoral Rainforest vegetation.
- where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on Littoral Rainforest.

Technical Reports and Supporting Information

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 to B4.22): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 25m² of native vegetation and does not involve removal of native trees.

- 7-part test for removal/modification of native vegetation in Littoral Rainforest Endangered Ecological Community
- 7-part test for any Threatened species/populations/communities in the area
or

(b) Development that may impact/remove up to two native trees including those within 5m of excavation, fill or changes in soil level and remove/modify 0 - 25m² of native vegetation.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- 7-part tests are required for all trees and understorey vegetation being modified/removed.
- 7-part tests for NPWS Threatened species/populations/communities.
or

(c) Development that disturbs between 25m² and 500m² of vegetation and/or more than two native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or involves the subdivision of land.

The following are the minimum requirements. Where trees are proposed for removal/modification an Arborist Report is also required.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.
- Species Impact Statement (SIS) for Pittwater Spotted Gum Endangered Ecological Community as per requirements required in EPA Act.

Minimum requirements of ESA, BIA, ESP and SIS - Please contact Council.

or

(e) Other

If the development does not fall into any of the above categories (a-d) this control does not apply except for conditioning,

(b) the planting two canopy trees or appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.18 Heathland/Woodland Vegetation

Land to which this control applies

Land containing of heathland vegetation - P21DCP-BCMDCP035

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer are or development site in a Release Area
 Water recreation structure

Outcomes

Conservation of intact heathland. (En)
 Regeneration and/or restoration of fragmented and / or degraded heathland. (En)
 Reinstatement of heathland to link remnants. (En)
 Long-term viability of locally native flora and fauna and their habitats in the Pittwater LGA through conservation, enhancement and/or creation of habitats and wildlife corridors. (En)
 Long-term sustainability of hanging swamps and other wetlands (En).

Controls

Development shall retain and enhance habitat and wildlife corridors for threatened species, endangered populations, endangered ecological communities and other locally native species.

Development shall not reduce or degrade habitat for locally native species, threatened species, endangered populations or endangered ecological communities.

Wastewater shall receive tertiary treatment and not be discharged directly into heathland.

Water entering heathland from the development shall be free from pollutants and elevated nutrients.

Caretakers of domestic animals shall prevent them from entering wildlife habitat areas.

Fencing, where permitted, shall allow the safe passage of native wildlife.

Development shall not negatively impact on heathland.

Development shall ensure long-term sustainability of wetlands and must include an appropriate buffer - minimum of 10 metres from wetland edge.

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in *Native Plants for Your Garden* available on the Pittwater Council website).

Landscaping works are to be outside areas of bushland and do not include environmental weeds.

Variations

Council may consider variation to this control:

- For those activities listed in adopted Plans of Management.
- Where development is proposed on parts of the site identified as not containing a heathland/woodland providing the development does not impact on heathland/woodland on the site or adjoining properties.
- Where a development is proposed in the area of least impact on heathland/woodland/wetlands and loss of native vegetation is minimal.
- Where fencing is required to contain domestic animals and that fencing is located on up to 20% of the site, and does not impede native fauna from traversing the site.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development clearly stating the extent of the impact on the natural environment demonstrating that it has been designed to minimise any impact on Heathland Vegetation.

Technical Reports and Supporting Information

Note A: The Information Require to Be Submitted to address this Control is similar to that required for other Controls relating to the Natural Environment (B4.1 to B4.22): Where more than one of these Controls apply, the information to be submitted can be combined into a single set of Plan(s), Document(s) and Report(s) which does not provide duplicated information provided ALL information to be submitted requirements are set out in the various Controls as provided.

(a) Development that disturbs/removes less than 40m² of vegetation, does not including tree removal/modification and is where habitat for NPWS Threatened species/populations/communities does not occur on the site.

- Nil

or

(b) Development that may impact/remove up to five native trees, including those within 5m of excavation, fill or changes in soil level.

- A tree survey and Arborist Report indicating location, species, health and size of all trees within 5m of proposed development. Clearly indicating all trees that may be impacted on or removed.
- An 7-part test is to be provided where existing native canopy trees are proposed for removal.
- 7-part tests for any NPWS Listed species/populations/communities.

or

(c) Development that disturbs between 40m² and 500m² of vegetation and/or more than five native trees and/or installation of an on-site waste-water disposal systems.

The following are the minimum requirements, where trees are proposed for removal/modification an Arborist Report is also required.

- Ecological Site Assessment (ESA)
- Biodiversity Impact Assessment (BIA)
- Ecological Sustainability Plan (ESP)
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(d) Development that disturbs more than 500m² of vegetation and/or the subdivision of land.

The following are the minimum requirements where trees are proposed for removal/modification an Arborist Report is also required. Information required for development types (c) and (d) is the same, however the survey intensity required for developments in category (d) is greater minimum requirements given below.

- ESA
- BIA. Survey intensity required increases with area being disturbed.
- ESP
- or combined report covering all issues.

Minimum requirements of ESA, BIA and ESP - Please contact Council.

or

(e) Other

If the development does not fall into any of the above categories (ad) this control does not apply except for conditioning, (a) the planting two canopy trees or appropriate native vegetation and removal/ control of noxious and environmental weeds.

B4.19 Estuarine Habitat

Land to which this control applies

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Land adjacent to estuarine wetlands, including Saltmarsh, Seagrass Beds, Mangroves, Estuarine Habitat - P21DCP-BCMDCP036

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Water recreation structure

Outcomes

To protect and enhance the mangroves, saltmarsh, seagrasses, intertidal sand/mud flats and other foreshore habitats that comprise the estuarine habitat of Pittwater. (En)

Development in the catchment of estuarine habitat is to result in estuarine habitat being retained or enhanced with respect to that development. (En)

The physical, chemical and biological processes of estuarine habitats in Pittwater are improved, maintained or restored. (En)

The social and cultural values of estuarine habitats are conserved and enhanced. (S)

Biodiversity, ecological processes and other estuarine habitat values are conserved. (En)

Controls

Development shall not be permitted which could result in the destruction of mangroves or seagrass beds, saltmarsh and other estuarine habitats.

Development in an estuarine habitat catchment shall not adversely impact on the wetlands.

Development shall dispose of stormwater, wastewater and other drainage in a manner that will not adversely impact on estuarine habitat.

Development must minimise changes to the following:

- local surface runoff, groundwater flows and water flow regimes to the estuarine habitat;
- temperature, salinity, chemical makeup and sediment loads

Stormwater is to mimic natural conditions.

Development shall provide adequate buffering to estuarine habitat.

Existing wildlife corridors are to be maintained and functional habitat links provided wherever possible.

Development shall ensure 80% of the area that is not covered by approved buildings or associated structures, is native vegetation either through retention of existing bushland or planting with locally native plant species (as per species found on the site or those listed in 'Native Plants for your Garden' on Pittwater webpage).

Development within the Pittwater Waterway shall have regard to any adjoining important estuarine habitats at all time, particularly during the construction phase. Any impact upon estuarine habitats within the Pittwater Waterway, particularly mangroves, saltmarsh and seagrass beds, must be minimised.

Adequate compensatory works shall be undertaken where damage to estuarine habitats occurs.

Habitat for locally and migratory birds shall not be reduced or degraded. Development that will result in increased disturbance to migratory wading bird habitat shall not be permitted.

Variations

Development shall not be permitted within a buffer area unless it can be demonstrated that the outcomes of this control can be met.

Provided the outcomes of this control are achieved, Council may consider variation to this control for:

- environmental restoration projects whose objective is the improvement of estuarine water quality and/or estuarine habitats: or
- activities within an approved Pittwater Council Plan of Management.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that it has been designed to minimise any impact on Estuarine Habitat.

Technical Reports and Supporting Information

A Marine Habitat Survey/Aquatic Ecology report is required for all works below the Mean High Water mark.

B4.20 Protection of Estuarine Water Quality

Land to which this control applies

Land adjacent to estuarine wetlands, including Saltmarsh, Seagrass Beds, Mangroves, Estuarine Habitat - P21DCP-BCMDCP036

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

To ensure that water quality is not adversely affected by pollutants including increased nutrient levels, pathogens, and siltation. (En)

To protect the mangroves, seagrasses, intertidal sand/mud flats and other habitats that comprise the estuarine habitat of Pittwater. (En)

Development in the catchment of estuarine habitat is to result in estuarine habitat being retained or enhanced with respect to that development. (En)

The physical, chemical and biological processes of estuarine habitats in Pittwater are improved, maintained or restored. (En)

The social and cultural values of estuarine habitats are conserved and enhanced. (S)

Biodiversity, ecological processes and other estuarine habitat values are conserved. (En)

Controls

Development shall not have an adverse impact on water quality through pollution including turbidity, siltation or increased nutrients.

Development shall not impact on the existing water circulation within the Pittwater Waterway, its individual embayments or tidal tributaries in a manner that is likely to adversely affect water quality or the physical well being of natural estuarine habitats.

Environmental safeguards (silt curtains, booms etc) are to be used during construction of the

proposed works to ensure there is no escape of turbid plumes into the aquatic environment. Turbid plumes caused by runoff, driving of piles, etc. have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms.

Variations

Council may consider variation to this control for:

- environmental restoration projects whose objective is the improvement of estuarine water quality and/or estuarine habitats; or
- activities within an approved Pittwater Council Plan of Management.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that it has been designed to minimise any impact on Estuarine Water Quality.

Technical Reports and Supporting Information

A Marine Habitat Survey/Aquatic Ecology report is required for all works below the Mean High Water mark.

B4.21 Bush-Stone Curlew Habitat

Land to which this control applies

Land Identified as Bush Stone Curlew Habitat - P21DCP-BCMDCP084

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Water recreation structure

Outcomes

To protect the known habitat of the Bush-Stone Curlew in the Pittwater Local Government Area.
(En)

To ensure long-term survival of local Bush-Stone Curlew population.

Controls

Development shall retain and enhance the habitat of the Bush-Stone Curlew.

Works on the seaward side of the approved built form is to be compatible with Bush-Stone Curlew habitat and the Recovery Plan (Office of Environment and Heritage weblink:

<http://www.environment.nsw.gov.au/>)

Landscaping should provide appropriate habitat for the Bush-Stone Curlew
(www.pittwater.nsw.gov.au/environment/animals_and_plants/threatened_species/animals/bush-stone_curlew)

Caretakers of domestic animals shall prevent them from entering the seaward side of approved built form which include Bush-Stone Curlew habitat areas. Cats are not permitted to be kept in known Bush-Stone Curlew habitat areas.

Fencing, where permitted, shall be passable by native wildlife.

Variations

Council may consider variation to this control:

- where fencing is required to contain domestic animals and that fencing is located on a part of the site that does not impede native fauna from traversing the site.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that it has been designed to minimise any impact on the habitat of the Bush-Stone Curlew.

B4.22 Preservation of Trees and Bushland Vegetation

Land to which this control applies

This control applies to all land, waterways and Bushland covered by the Pittwater Local Environmental Plan 2014

Uses to which this control applies

Tree and/or bushland removal

Outcomes

- 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.

Controls

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 (clause 10(3)) 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 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.

An authority to clear vegetation is not required under the Vegetation SEPP:

- i. if it is clearing authorised by development consent i.e. a 'DA' under Part 4 of the Environmental Planning and Assessment Act 1979. Note: However this authority to clear vegetation without a permit does not extend to clearing merely because it is a part of or ancillary to the carrying out of exempt development (see clause 8(1) of Vegetation SEPP).
- ii. if it is clearing of a kind that is an activity authorised by an approval, or carried out by a determining authority within the meaning of Part 5 of the Environmental Planning & Assessment Act after compliance with that Part.
- iv. if the clearing was an emergency firefighting act or emergency bush fire hazard reduction work within the meaning of the Rural Fires Act 1997 (the 'Act'), or bush fire hazard reduction work to which section 100C(4) of the Act applies or vegetation clearing work under section 100R of the Act.

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 16 (P21DCP) and the Tree Retention Assessment in Appendix 17 (P21DCP). An arborist report may be required to satisfy this requirement.

Requirements for other Development Applications

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

5. 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.
6. 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.
7. Development must also avoid any impact on trees on public land.
8. For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.
9. 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 19 (P21DCP) is to be submitted.

Variations

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 which 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.

Notes:

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
<i>Acacia baileyana</i>	Cootamundra Wattle
<i>Acacia saligna</i>	Golden Wreath Wattle, Golden Willow Wattle
<i>Acera negundo</i>	Box Elder
<i>Alanthus altissima</i>	Tree of Heaven
<i>Alnus jorullensis</i>	Evergreen Alder
<i>Araucaria bidwillii</i>(Not Norfolk Island Pines)	Bunya Bunya Pine
<i>Syagrus (Arecastrum) romanzoffianum</i>	Cocos Palm
<i>Brachychiton acerifolium</i>	Illawara Flame Tree
<i>Cassia</i> spp	Cassia
<i>Castanospermum australe</i>	Black Bean, Moreton Bay Chestnut
<i>Celtis australis</i>	Hackberry
<i>Cinnamomum camphora</i>	Camphor laurel
<i>Citharexylum spinosum</i>	Fiddlewood
<i>Cotoneaster glaucophyllus</i> .	Cotoneaster
<i>Cupaniopsis laurina</i>	Tuckeroo
<i>Cupressus</i> spp. <i>Cupressocyparis</i> spp.	Cypress Pine
<i>Chamaecyparis</i> spp.	

<i>Eriobotrya japonica</i> , <i>Carica papaya</i> , <i>Citrus</i> spp., <i>Fortunella</i> spp. <i>Malus</i> , spp. <i>Morus</i> spp. <i>Persea</i> spp. <i>Prunus</i> spp.	All non-native fruit producing trees (Loquat, Paw Paw, Citrus, Kumquat, Apple, Mulberry, Avocado, Apricot, Almond, Cheery, Plum Peach)
<i>Eucalyptus nicolii</i>	Peppermint Gum
<i>Eucalyptus scoparia</i>	Wallangarra White Gum
<i>Erythrina</i> spp	Coral Tree
<i>Fraxinus griffithii</i>	Himalayan Ash/Evergreen Ash/Griffiths Ash
All <i>Ficus</i> spp. (except <i>F. macrohylla</i> , <i>F. rubiginosa</i> , <i>F. coronata</i>)	All <i>Ficus</i> spp. (except Moreton Bay Fig, Port Jackson Fig and Sandpaper Fig)
<i>Gleditsia triacanthos</i>	Honey Locust
<i>Grevillea robusta</i>	Silky Oak
<i>Harephyllum cafferum</i>	Kaffir Plum
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Lagerstroemia</i>	Crepe Myrtle
<i>Lagunaria patersonia</i>	Norfolk Island Hibiscus
<i>Liquidambar styraciflua</i>	Liquidambar
<i>Ligustrum</i> spp.	Liquidambar
<i>Nerium oleander</i>	Oleander
<i>Olea</i> spp.	Olive
Palms (other than <i>Livistona australis</i>)	Palms other than Cabbage-tree Palm
<i>Paraserianthes lophantha</i>	Crested Wattle
<i>Pinus</i> spp.	Pine
<i>Pittosporum</i> spp. (up to 8m)	Pittosporum
<i>Populus</i> spp.	Poplar
<i>Pyracantha angustifolia</i>	Orange Fire Thorn
<i>Raphiolepis indica</i>	Indian Hawthorn
<i>Robinia pseudoacacia</i>	False Acacia
<i>Salix</i> spp.	Willow
<i>Sapium sebiferum</i>	Chinese tallow
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Spathodea campanulata</i>	African Tulip Tree
<i>Ulmus parvifolia</i>	Chinese Elm

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.

B5 Water Management

B5.1 Water Management Plan

Land to which this control applies

All Land NOT including the Warriewood Valley Locality.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

Effective management of all water and wastewater resources. (En, S)

Protection of receiving environments downstream of all water management systems. (En, S)

Controls

An Integrated Water Management approach must be undertaken on all land subject to development for the effective water management of all water on the site including:

- rainwater
- stormwater
- greywater, and
- wastewater

in accordance with:

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- The Pittwater 21 Development Control Plan (this DCP)
- All relevant legislation

A Water Management Plan is required to be submitted setting out the proposed Integrated Water Management System which may comprise of the following components including (but not limited to):

- Wastewater treatment system
- Greywater Treatment system
- Land Application System (Wastewater and Greywater systems)
- Water Harvesting and Reuse System
- Rainwater Tank (collection from roof area)
- Rainwater Tank "top up" from the Sydney Water potable water supply
- Stormwater tank (collection from ground area)
- Run-off area to each collection system
- On-Site Detention System (OSD) - type, size, location, discharge orifice plate size
- Water Quality Filtration System
- Water Quality System
- Infiltration / Dispersal System
- Site Discharge system to the public drainage system waterways and/or coastal area
- Natural and artificially modified water courses on the land
- Piped Drainage System on the land
- Overland/surface flow paths
- Easements (existing and proposed)
- Site constraints (e.g.: location of services, heritage orders, trees)

The Water Management Plan is to be clearly drafted, of a minimum 1:200 scale, showing the development, surface contours to AHD, all components of the Integrated Water Management System, and the proposed development. The Water Management Plan is to be professionally drafted and capable of being electronically scanned.

The Water Management Plan must clearly nominate the location, the direction of water flow between system elements, and integration of all components in the Water Management System.

The Water Management Plan is also to be accompanied by supporting Assessment Reports and documentation by an appropriately qualified and accredited Professional Engineer, where required, relevant to the proposed Water Management System.

All Water Management System components must be located on private lands except for the discharge line to the public stormwater system.

Variations

Nil

Advisory Notes

The minimum requirements for *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* takes precedence over the requirements of this control.

- locations of the system
- schematic direction of water flow into, within, and out of the Integrated Water Management System
- system connectivity between elements of the Integrated Water Management system
- sizes and design/system capacities
- relevant technical descriptions
- proprietary product names (where applicable).
- The connection point(s) of the stormwater management elements to a public drainage system and/or waterways and coastal areas.
- The sewerage connection point, sewer main (and service lines for existing development).
- All existing and proposed easements.
- All site constraints having impact on the Integrated Water Management system

Technical Reports and Supporting Information

Depending on the individual property the Development Application may also need to be accompanied by Consultant Reports eg:

- On-Site Wastewater Management Study (B5.2)
- Environmental and Health Risk Management Plan (for Stormwater Harvesting & Reuse)
- Operation and Maintenance Plan (for Stormwater Harvesting & Reuse)

Please also check to ascertain if any of the following reports are required for your proposal:

1. Geotechnical Engineering Report (for properties as classified within Councils Interim Geotechnical Risk Management Policy),
2. Flood Study,
3. Hazard Report (Bluff/Coastal Erosion, Wave/Tidal Action),
4. Bush Fire Report,
5. Contaminated Land Study,
6. Species/Fauna Impact Study,

B5.3 Greywater Reuse

Land to which this control applies

All Land NOT including the Warriewood Valley Locality.

Uses to which this control applies

All Uses

Outcomes

Effective management of grey water treatment systems which maintain disposal to Sydney Water central reticulation system (for disposal in cases of emergency breakdown/malfunction). (En, S)

Effective management of on-site sewage and effluent systems to ensure environmental and public health protection. (En, S)

Water Conservation (En)

Controls

Blackwater reuse and on-site disposal is not permitted on sewerage lands.

Council will only consider approval of on-site treatment, disposal and/or reuse of greywater subject to demonstration of scheme feasibility and compliance with all relevant State and Federal regulatory requirements and the referenced guidelines.

The greywater treatment and reuse system shall have a current NSW Health Accreditation (where accreditation is necessary).

All premises must maintain a connection to the Sydney Water centralised sewerage waste disposal system.

Variations

Nil

Advisory Notes

References

Environment and Health Protection Guidelines - Onsite Sewage Management for Single Households (Department of Local Government et al. January 1998)

NSW Guidelines for Greywater reuse in Sewered, Single Household Residential Premises (Department of Water and Energy, May 2008)

Interim NSW Guidelines for Management of Private Recycled Water Schemes (Department of Water and Energy, May 2008). This includes the approval to install and approval to operate a private recycled water scheme requirements.

Use of Effluent by Irrigation (Department of Environment and Conservation, October 2004)

National Guidelines for Water Recycling: Managing Health and Environmental Risks (Natural Resource Management Ministerial Council et al. November 2006)

Note: This control does not relate to Greywater Diversion Devices or manual bucketing of greywater.

Information to be shown on the site plan:

- the sewage connection point, sewer main (and service lines for the existing development)
- the proposed location of greywater storage and treatment tanks, greywater irrigation areas and any internal uses with the building/s.

Technical Reports and Supporting Information

1. Single Residential Premises

All applications must be accompanied by a Greywater Management Study prepared by an appropriately qualified wastewater consultant meeting the requirements of the *NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises*, published by the Department of Water & Energy, May 2008.

2. Premises other than Single Residential Premises

All applications must be accompanied by a Greywater Management Study prepared by an appropriately qualified wastewater consultant meeting the requirements of the *Interim Guidelines for the Management of Private Recycled Water Schemes*, published by the Department of Water & Energy, May 2008.

B5.4 Stormwater Harvesting

Land to which this control applies

All Land NOT including the Warriewood Valley Locality.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Minimise quantity of stormwater runoff.
Minimise surcharge from the existing drainage systems.
Reduce water consumption and waste in new development.
Implement the principles of Water Sensitive Urban Design (En)

Controls

Where development is proposing a stormwater harvesting scheme, it shall be designed to comply with all relevant State and Federal regulatory requirements.

A stormwater management plan describing the design for stormwater harvesting and reuse is

required to be submitted setting out effective water management of all water on-site.

The stormwater management plan is required to demonstrate:

- A reduction of water consumption and waste through the provision of re-use devices, conservation practices and recycling runoff.
- Water Sensitive Urban Design principles have been incorporated into the design of drainage, on-site detention, landscaping and orientation of development.
- A reduction of stormwater draining from the development site and facilitating water re-use through the use of rainwater tanks, on-site detention and re-use of greywater .

The design for the stormwater harvesting and reuse scheme is to be certified by a suitably qualified and experienced Professional Engineer and is to be submitted with the Water Management Plan and any accompanying assessment reports and documentation.

The Water Management Plan and accompanying assessment reports and documentation shall demonstrate the feasibility of the scheme.

Variations

Nil

Advisory Notes

Reference

Managing Urban Stormwater: Harvesting and Reuse (Department of Environment and Conservation, 2006)

National Water Quality Strategy - Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (Natural Resource Management Ministerial Council *et al.*, November 2006)

(Draft) National Water Quality Strategy - Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) - Stormwater Harvesting and Reuse (Natural Resource Management Ministerial Council *et al*)

Interim NSW Guidelines for Management of Private Recycled Water Schemes (Department of Water and Energy, May 2008)

- A scale plan showing scheme arrangement including locations and description of system components (eg. water treatment capacity, methods, pipe sizes)
- locations of the system components (eg. stormwater extraction and reuse locations, system bypasses)
- schematic direction of water flow into, within, and out of the Integrated Water Management System
- system connectivity between elements of the Integrated Water Management system
- sizes and design/system capacities
- relevant technical descriptions
- proprietary product names (where applicable)
- The connection point(s) of the stormwater management elements to a public drainage system and/or waterways and coastal areas.
- The sewerage connection point, sewer main (and service lines for existing development).
- All existing and proposed easements.
- All site constraints having impact on the Integrated Water Management system

Technical Reports and Supporting Information

The Water Management Plan and accompanying assessment reports and documentation shall demonstrate the feasibility of the scheme, and shall include, but not be limited only to:

- Description of proposed stormwater uses
- Results of water balance modelling, including estimates of stormwater quantities to be extracted and reused
- A demonstration of compatibility of the proposed scheme with local and regional water management plans or stormwater strategies
- An Environmental and Health Risk Management Plan with clear identification of public health and safety risks and environmental risk (eg. the impacts of extraction on environmental flows), and how each risk is to be addressed
- The environmental and health risks and/or financial obligations that would be transferred to others (eg. if the proponent intends to transfer part or all of the scheme to another stakeholder after construction), and legal agreements to formalise arrangements for risk apportionment and recourse in these circumstances of transfer of responsibility
- An Operation and Maintenance plan, including a description of the ongoing management arrangements for the scheme and demonstration of adequate on-going funding for operation and maintenance.

B5.5 Rainwater Tanks - Business, Light Industrial and Other Development

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Business Development
Child care centre
Hospital
Industrial Development
Other Development

Outcomes

Water conservation and reduction in mains water demand. (En, Ec)

Development is compatible with Water Sensitive Urban Design principles. (En)

Controls

All development creating an additional hard (impervious) roof area of greater than 50m² must provide a rainwater tank for non-potable use connected to external taps for the purpose of landscape watering and car washing and a functional water reuse system including, water supply for toilet flushing and other uses as permissible under the current Code of Practice for Plumbing and Drainage.

Rainwater tanks may be above or below ground and are required to have storage capacities in

accordance with the following table:

Additional Hard (Impervious) Surface Area (square metres)	Minimum Rainwater Tank Storage Capacity
0 - 50	Nil
50 - 75	1,500 litres
75 - 100	2,000 litres
100 - 150	3,000 litres
150 - 200	4,000 litres
200 - 300	6,000 litres
300 - 400	8,000 litres
400 - 500	10,000 litres
500 - 600	12,000 litres
600 - 700	14,000 litres
700 - 800	16,000 litres
800 - 900	18,000 litres
900 - 1,000	20,000 litres
Above 1,000*	See note (1) below, minimum size 20,000 litres

Note (1): Developments exceeding 1,000 square metres of additional hard (impervious) surface area must also provide with the Water Management Plan, and Integrated Water Management Strategy including rainwater tank sizing prepared by a suitably qualified and experienced Water Engineer, demonstrating that Water Sensitive Urban Design principles have been practically maximised within the proposed development. The rainwater tank storage shall be no less than 20,000 litre capacity.

Variations

Council may consider a variation where a rainwater tank of this size already exists or a tank of the size nominated in the table above is not appropriate and it can be demonstrated that the outcomes of this control are achieved.

Advisory Notes

References

Guidance on Use of Rainwater Tanks (Enhealth, 2004)

Rainwater Tanks Where a Public Water Supply is Available - Use of. NSW Health Guidelines GL2007_009 (June 2007)

The Plumbing Code of Australia

Information to be shown on the Development Drawings

Shall show the location and state the size of proposed water storage tanks together with overflow provision.

B5.6 Rainwater Tanks - Water Supply

Land to which this control applies

Land zoned E3 Environmental Management, RU2 Rural Landscape or R5 Large Lot Residential.

Uses to which this control applies

Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Other Development
Rural industry
Rural worker's dwelling
Secondary dwelling

Outcomes

An alternative safe water supply is provided for properties not connected to a Sydney Water main. (S)

Controls

Where connection to a Sydney Water main is not able to be provided, rainwater tanks must be provided for potable (i.e. drinking, bathing, cooking, washing etc) and non-potable (i.e. toilet flushing, watering garden, irrigation, fire fighting etc) uses.

The minimum capacity tank requirements for new dwellings and major additions to existing dwellings, where there is no connection to mains water, must be 45,000 litres of which up to 10,000 litres may be used for non-potable uses and stored in a separate system.

The minimum capacity tank requirements for development (other than new dwellings and major additions to existing dwellings) where there is no connection to mains water must be in accordance with relevant Australian Standards.

Variations

Council may consider a variation where a rainwater tank of this size already exists or a tank of this size is not appropriate and it can be demonstrated that the outcomes of this control are achieved.

Advisory Notes

In Bushfire Prone Lands, a minimum of 10,000 litres is to be set aside for fire fighting purposes.

References

Guidance on Use of Rainwater Tanks (Enhealth, 2004)

Rainwater Tanks Where a Public Water Supply is Available - Use of. NSW Health Guidelines GL2007_009 (June 2007)

The Plumbing Code of Australia

Destruction, Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems and Other Sewage Management Facility Vessels. (NSW Department of Health - Advisory No 3, May 2006)

Information to be shown on the Development Drawings

Shall show the location and state the size of proposed water storage tanks together with overflow provision.

B5.7 Stormwater Management - On-Site Stormwater Detention

Land to which this control applies

Land identified as requiring On-site detention NOT including the Warriewood Valley Locality - P21DCP-BCMDCP043

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Rates of stormwater discharged into receiving environment maintained or reduced. (Ec, S)

Controls

An On-Site Detention (OSD) facility is to be installed where the development results in additional hard (impervious) surface area of greater than 50m² (on a cumulative basis since February 1996) and on land designated through mapping as requiring OSD facility.

OSD facilities are to be designed and installed to temporarily detain stormwater on a site to limit the discharge leaving the property to ensure that the development does not increase stormwater discharge downstream of the land over and above that of the existing stormwater discharge conditions up to the 1% AEP storm event.

All additional roof surface area of the development is to be drained initially to the rainwater tank which is to be fitted with an overflow pipework system connected to the OSD facility.

All additional ground surface hard stand (impervious) areas are to be drained via a stormwater tank/pit to the OSD facility.

Surface stormwater runoff from properties upstream of the land is to be independently managed to that of the additional ground surface stormwater collection and OSD system and is required to bypass the OSD system.

Rainwater tanks and OSD facilities may also be combined in an integrated system and may be either above or below ground. Should an oversized rainwater tank be used, then 25% of the excess storage volume can be credited towards the OSD tank capacity.

The OSD system may be in the form of an underground tank and/or an above ground tank or open area and is to be designed to the storage and discharge requirements detailed in the following table.

REQUIREMENTS FOR SIZE AND ALLOWABLE DISCHARGE FROM ON-SITE DETENTION SYSTEMS

Additional Hard (Impervious) Surface Area (square metres)	Minimum Capacity of On-Site Detention Tank (Litres)	Discharge Rate Litres/Sec
0 -50	Nil	Nil
>50 - 75	4,500	2
>75 - 100	6,000	3
>100 - 150	9,000	4
>150 - 200	12,000	6
>200 - 250	15,000	7
>250 - 300	18,000	9
>300 - 400	24,000	12
>400 - 500	30,000	15
>500 - 600	36,000	18
>600 - 700	42,000	21
>700 - 800	48,000	24
>800 - 900	54,000	27
>900 - 1,000	60,000	30
>1,000*	A minimum storage capacity of 60 litres per m ² of additional hard/impervious surface area, and a discharge rate which replicates the discharge from the site were it to be undeveloped.	

*Developments exceeding 1,000 square metres of additional hard (impervious) surface area must also provide with the Water Management Plan, an Integrated Water Management Strategy prepared by a suitably qualified and experienced Water Engineer, demonstrating that stormwater flows discharged from the site is to be no greater than what would have occurred predevelopment, and that Water Sensitive Urban Design principles have been practically maximised within the proposed development.

The discharge from the outlet of the OSD facility shall be controlled by an orifice plate set into the discharge line to control the rate of flow from the system. The required size of orifice plate is set out in Appendix 11 - Stormwater Management Technical Data - Table 1.

The orifice plate is to be located at the invert of all storage facilities to avoid stagnant water (silt traps will not be permitted).

A high-level outlet to the OSD facility is to be provided to cater for surcharge/overflow during major storm events and/or blockages.

Surface flow paths, including the provision of an emergency overflow to cater for blockage of the system must be provided between the OSD facility and the point of stormwater discharge from the land.

All habitable floor levels are to be a minimum of 300mm above and garage floor levels are to be a minimum of 150mm above the maximum design storage water surface level and flow path levels.

The OSD facility may be an underground storage facility as follows:

1. Underground Storage facility:

- Storage tank located underground provided with a maintenance access hatch
 - A stainless or galvanised mesh screen is to be installed a minimum of 300mm from the outlet to prevent blockage of the orifice by debris
 - Discharge orifice plate installed
 - High level outlet for discharge during a major storm event
 - Venting of the storage tank to prevent the build up of gases
2. Landscaped OSD storage facility:
- Storage volumes in landscaping areas shall include an allowance for 10 percent additional storage for vegetation growth and construction inaccuracies
 - Discharge orifice plate installed
 - A stainless or galvanised mesh screen is to be installed a minimum of 300mm from the outlet to prevent blockage of the orifice by debris
 - High level outlet for discharge during a major storm event
 - The desirable minimum surface slope to the discharge outlet is 1.5 percent, with the absolute minimum being 1.0 percent
 - Subsoil drainage should be provided in landscaped areas to prevent the ground becoming saturated during prolonged wet weather
3. Driveway and car park OSD storage facility:
- To avoid damage to vehicles, depths of ponding on driveways and car parks is not to exceed 200mm under design conditions
 - Discharge orifice plate installed
 - A stainless or galvanised mesh screen is to be installed a minimum of 300mm from the outlet to prevent blockage of the orifice by debris
 - High level outlet for discharge during a major storm event
 - The minimum transverse paving slopes within storage areas to the discharge outlet is 0.7 percent

OSD systems are structures intended to control site discharges over the entire life of the development.

Variations

Independently Derived OSD Assessment

Applicants may provide an independent assessment of the water management and On-Site Detention requirements through an On-Site Detention Assessment Report to be submitted with the Water Management Plan prepared by a suitably qualified and experienced Water Engineer.

Data for Stormwater Assessment

To assist in the assessment of stormwater design, the following rainfall data is provided:

- i) Design rainfall Intensity-Frequency-Duration (IFD) relationships for various locations within Pittwater Local Government Area (PLGA) are given in Appendix 11 - Stormwater Management Technical Data - Tables 2, 3, 4, 5 and 6.
- ii) Design rainfall temporal patterns from Australian Rainfall and Runoff - A Guide to Flood Estimation are provided for average recurrence intervals (ARI's) less than 30 years and greater than 30 years for the Pittwater Local Government Area in Appendix 11 - Stormwater Management Technical Data - Table 7.

Information to be shown on the Development Drawings

The Integrated Water Management Plan is to show the location, design details, dimensions and discharge details for the on site detention system.

B5.8 Stormwater Management - Water Quality - Low Density Residential

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Rural worker's dwelling
Secondary dwelling

Outcomes

No increase in pollutants discharged with stormwater into the environment. (En)
Development is compatible with Water Sensitive Urban Design principles. (En)

Controls

The control is applicable when the development results in an additional hard (impervious) area of more than 50 square metres.

Development shall incorporate the installation of the following stormwater quality improvement measures:

- Pre-screening of organic matter (eg leaf litter) prior to the collection of rainwater in the rainwater tank
- A water quality filtration basket or equivalent primary treatment Stormwater Quality Improvement Device (SQID) to collect leaf litter and coarse sediments is to be installed prior to the discharge of stormwater from the land.

All Stormwater Quality Improvement Devices (SQIDs) must make provision for convenient and safe regular inspection, periodic cleaning, and maintenance.

Applicants are also encouraged to apply advanced water quality techniques through primary and secondary treatment techniques to reach and/or exceed the following objectives:

- Primary treatment (eg. physical screening, rapid sedimentation techniques) of stormwater to collect and retain gross pollutants (i.e. litter and organic matter) and coarse sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land.
- Secondary treatment (eg. fine particle sedimentation and filtration techniques) of stormwater to collect and retain medium to fine sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land.

Variations

Nil

Advisory Notes

Examples of SQIDs that provide primary treatment include litter collection baskets, litter racks, gross pollutant traps, and sediment traps. Examples of SQIDs that provide secondary treatment include filter strips, grass swales, extended detention basins, porous pavers, infiltration trenches, infiltration basins and sand filters.

References

Urban Stormwater - Best Practice Environmental Management Guidelines (CSIRO, 1999)

Australian Runoff Quality - A Guide to Water Sensitive Urban Design (Engineers Australia, 2006)

Information to be shown on the Development Drawings

Stormwater plan is to show type(s) of stormwater quality improvement measures, their location and footprint (where applicable), the sequence of stormwater treatment (treatment train) and the directions of stormwater bypass flows.

B5.9 Stormwater Management - Water Quality - Other than Low Density Residential

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

No increase in pollutants discharged with stormwater into the environment. (En)
Development is compatible with Water Sensitive Urban Design principles. (En)

Controls

The control is applicable when the development results in an additional hard (impervious) area of more than 50 square metres.

Land Size up to 1500 sqm

Development shall incorporate stormwater quality improvement measures:

- Pre-screening of organic matter (eg. leaf litter) prior to the collection of rainwater in the rainwater tank.
- A water quality filtration basket or equivalent primary treatment Stormwater Quality Improvement Device (SQID) device to collect leaf litter and coarse sediments is to be installed within the integrated water management system prior to the discharge of stormwater from the land.

All Stormwater Quality Improvement Devices (SQIDs) must make provision for convenient and safe regular inspection, periodic cleaning, and maintenance.

Applicants are also encouraged to apply advanced water quality techniques through primary and secondary treatment techniques to reach and/or exceed the following objectives:

- Further Primary treatment (eg. physical screening, rapid sedimentation techniques) of stormwater to collect and retain gross pollutants (i.e. litter and organic matter) and coarse sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land.

and

- Secondary treatment (eg. fine particle sedimentation and filtration techniques) of stormwater to collect and retain medium to fine sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land.

Land Size greater than 1500 sqm

Development shall incorporate stormwater quality improvement measures (as indicated on Table 1) to undertake (where specified) the following:

- Pre-screening of organic matter (eg. leaf litter) prior to collection of rainwater.
- Primary treatment (eg. physical screening, rapid sedimentation techniques) of stormwater to collect and retain gross pollutants (i.e. litter and organic matter), coarse sediments (with associated entrained pollutants), and oil and grease prior to the discharge of stormwater from the land
- Secondary treatment (eg. fine particle sedimentation and filtration techniques) of stormwater to collect and retain medium to fine sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land
- Tertiary treatment (eg. enhanced sedimentation and filtration, biological uptake, absorption onto sediments) to remove dissolved pollutants (including nutrients and heavy metals) prior to the discharge of stormwater from the land.

Table1: Stormwater Treatment Requirements

LEVEL OF TREATMENT	Pre	Primary	Secondary	Tertiary
DEVELOPMENT TYPE				
Shop top housing	X	X		
Business development	X	X		
Industrial development	X	X		
Subdivision		X	X	X
Tennis court		X		
Multi dwelling housing	X	X	X	
Residential flat building	X	X		
Seniors housing	X	X	X	
Child care centre	X	X	X	
Hospital	X	X	X	
Rural industry	X	X	X	X
Other development	X	X	X	

Note: **X** Indicates the minimum level of stormwater pollution treatment required for the development.

All stormwater quality improvement devices (SQIDs) must be compatible with site constraints and the integrated water management system.

All stormwater quality improvement devices must make provision for convenient and safe regular inspection, periodic cleaning, and maintenance.

Certification is to be provided by a suitably qualified and experienced Water Engineer with the Water Management Plan demonstrating that the proposed stormwater quality improvement devices proposed at the site will achieve the Control requirements and all applicable legislation.

Variations

Nil

Advisory Notes

Examples of SQIDs that provide primary treatment include litter collection baskets, litter racks, gross pollutant traps, and sediment traps. Examples of SQIDs that provide secondary treatment include filter strips, grass swales, extended detention basins, porous pavers, infiltration trenches, infiltration basins and sand filters.

Examples of SQIDs that provide tertiary treatment include constructed ponds, constructed wetlands, and chemical treatments.

References:

Urban Stormwater - Best Practice Environmental Management Guidelines (CSIRO 1999)

Australian Runoff Quality - A Guide to Water Sensitive Urban Design (Engineers Australia 2006)

Information to be shown on the Development Drawings

Stormwater plan is to show type(s) of stormwater quality improvement measures, their location and footprint (where applicable), the sequence of stormwater treatment (treatment train) and the directions of any stormwater bypass flows.

Secondary and Tertiary treatment measures shall include design details and dimensions for the treatment system.

B5.10 Stormwater Discharge into Public Drainage System

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

All new development is to have no adverse environmental impact at the discharge location. (En, S)

Controls

This control applies where stormwater can discharge into the public drainage system.

Direct Connection to the Public Drainage System

Stormwater drainage is to be connected to a public drainage system by gravity means to which it would naturally flow.

Where the development has legal access to a piped drainage system within the development land or adjacent land, a channel or a natural watercourse within the development land or adjacent land, a constructed public road within a road reserve adjacent to the development land (with or without kerbing and guttering), all concentrated stormwater must be discharged directly to that system.

Where stormwater discharge is to be connected to the kerb and gutter of a public roadway, it is not to exceed a discharge rate of 30 litres per second (L/s) in a 1% AEP storm event per property. The number of outlets to the kerb and gutter should be limited to the minimum practically possible (typically one per property). Where discharge exceeds the above values,

Council will require that the site discharge be piped to the nearest Council piped drain, channel or natural watercourse, with a minimum 375mm diameter pipe, to Council's standards.

Where an outlet pipe size exceeds 100mm diameter (or insufficient cover exists over the pipe) and flow is to be discharged to the kerb and gutter of a Council roadway, the following is required:

- A minimum 600 mm x 600 mm grated converter pit is to be constructed inside the front boundary of the property. (Note: in the case of the main Commercial Centres where downpipes are located on the property boundary, the connection is required to be by direct connection at the base of the downpipe with an overflow system at the head of the downpipe.)
- Flows between the converter pit and the kerb and gutter are to be discharged using galvanised steel box-section pipes as follows:
 - 100 diameter outlet pipe - use 1 x 100 mm x 100 mm x 6 mm thick (w x h x t)
 - 150 diameter outlet pipe - use 1 x 200 mm x 100 mm x 6 mm thick
 - 225 diameter outlet pipe - use 2 x 200 mm x 100 mm x 6 mm thick

Where a stormwater system discharges into a public road reserve that does not contain an existing kerb and guttering or into a channel or natural water course, an outlet structure is required to be installed and designed to defuse the concentrated stormwater discharge to reduce flow velocities to prevent scour, be safe and be easily maintained.

Connection to Public Drainage System via Inter-allotment Drainage and Easement

Where direct access to a public drainage system (i.e. street kerb and gutter, piped system or open channels and watercourses) is not possible, the installation of inter-allotment drainage system and the acquisition of drainage easements over intervening properties (at the developer's cost) will be required.

Written consent for the piping and acquisition of an easement is to be obtained from adjoining owners and provided to Council at the time of lodging the Development Application. Creation of easement(s) will be required to be completed prior to the issue of the Subdivision Certificate. For other uses other than subdivision, where the easement has not been created prior to the issue of consent, then a deferred commencement condition will be applied.

Connection to Public Drainage System via Public Reserve

Conveyance of stormwater that is required to traverse a public reserve (other than a public road reserve) in order to gain access to a piped drainage system, natural watercourse, estuary and lagoon may be permitted, but will require the prior approval in writing from the Council or the relevant statutory authority and in some instances the creation of a drainage easement.

General

All drainage structures and measures are to be designed to be visually unobtrusive and sympathetic with the environment.

All outlet connections into watercourses, estuary or lagoons shall be designed according to the design principles in *Controlled Activities on Waterfront Land: Guideline for outlet structures on waterfront land* (NSW Office of Water, July 2012).

A Water Management Plan to a minimum scale of 1:200 including survey contours to AHD must demonstrate the feasibility of the proposed drainage system within the site and connection to a public drainage system.

Adequate overflow paths to the public drainage system must be provided to cater for major storm events (up to the 1% AEP storm event) or blockages within the drainage system serving the development.

Variations

Where the development does not have legal access to the public drainage system and is unable to gain adjoining owner's consent on alternative access through drainage easements as required, Council will consider the following on merit:

- An on-site infiltration/dispersion system on suitable land. Land affected by landslip may not be suitable for installation of an on-site infiltration/dispersion system, however, may be acceptable if supported by Geotechnical Risk Assessment stating that on-site disposal achieves the 'Acceptable Level' of risk as defined in the Geotechnical Risk Management Policy for Pittwater.
- Redirection of stormwater flow
- A split system
- An alternative discharge approach

If such a variation is sought it must be accompanied by a supporting report by an appropriately qualified Water Engineer and Geotechnical Engineer (where applicable), outlining the collection, use, reuse and disposal method and demonstrating that it will provide an acceptable standard of safety, will not have any adverse impact on adjoining properties, bushland or public places, and will not adversely impact on the downstream drainage system, downstream bushland or any downstream public places.

Information to be included in the Statement of Environmental Effects

A description of the proposed stormwater discharge method.

B5.11 Stormwater Discharge into Waterways and Coastal Areas

Land to which this control applies

All land adjacent to a river system, foreshore or coastline NOT including the Warriewood Valley
Locality - P21DCP-BCMDCP038

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

All new development to have no adverse environmental impact at the discharge location. (En, S)

Controls

This control applies where stormwater can legally discharge into a natural waterway, estuary, lagoon or coastal area.

Direct Connection to Waterways and Coastal Areas

The discharge of stormwater into the waterways (including Pittwater, Narrabeen Lagoon and creek systems) or any of its tributary watercourses and coastal areas will only be permitted from land directly adjoining a waterway or coastal area provided that it can demonstrated through the Water Management Plan, that:

- discharge to the public drainage system is not available
- discharge over any bluff or cliff area will not cause slope instability
- the discharge system does not result in cliff/bluff/dune or shoreline erosion, sedimentation or water quality impacts
- the discharge system will minimise the visual/environmental impact of any drainage discharge structure along the foreshore.

Connection to Public Drainage System via Public Reserve

Conveyance of stormwater that is required to traverse a public reserve (other than a public road reserve) in order to gain access to a natural watercourse, estuary and lagoon or coastal area may be permitted, but will require the prior approval in writing by the Council or the relevant statutory authority and in some instances the creation of an easement.

General

Where a stormwater system discharges into a natural watercourse, estuary, lagoon or coastal area, an outlet structure is required to be installed and designed to defuse the concentrated stormwater discharge to reduce flow velocities to prevent scour, be safe and be easily maintained. The outlet structure shall be designed according to the design principles in *Controlled Activities on Waterfront Land: Guideline for outlet structures on waterfront land* (NSW Office of Water, July 2012).

Adequate overflow flowpaths to a natural watercourse, estuary, lagoon or coastal area must be provided to cater for major storm events (up to the 1% AEP storm event) or blockage within the drainage system serving the development.

A Water Management Plan to a minimum scale of 1:200 including survey contours to AHD must demonstrate the feasibility of the proposed drainage system within the site and connection to a natural watercourse, estuary, lagoon or coastal area.

Variations

Nil

Advisory Notes

Reference:

Controlled Activities on Waterfront Land: Guideline for outlet structures on waterfront land (NSW Office of Water, July 2012).

B5.12 Stormwater Drainage Systems and Natural Watercourses

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

The integrity of stormwater drainage systems, easements and natural watercourses are maintained. (En)

Stormwater flows including overland flow have continuity and are not impeded. (En)

Controls

Structures Over and Adjacent to Easements, Piped Drainage System or Natural Watercourses

No encroachments or low lying overhangs of the development are permitted over and/or within easements for stormwater drainage or over piped drainage systems or over natural water courses.

On a merit basis, Council may allow light, open sided, easily removable structures to be built over drainage easements, piped drainage systems or floodways if it can be demonstrated through a water level and flow assessment that it does not affect the flow of water in overland flow paths.

Structural support elements are not permitted within an easement or within the cross sectional area of an open or natural watercourse.

Structural support elements adjacent to an easement, piped drainage or natural water course located on the development site or on adjacent lands must be founded on a stable foundation a minimum of 300mm below the invert level of the pipe (or as directed by the Structural Engineer) to provide stability to both structure and drainage system particularly during maintenance operations.

Stormwater Drainage Systems

Council approach to the management of the stormwater drainage system is through the Major/Minor concept (as described in *Australian Rainfall and Runoff A Guide to Flood Estimation*

(Institution of Engineers Australia, 1998)(AR&R)) for its piped urban drainage design.

The Minor Stormwater Drainage System refers to the underground piped system, which shall be designed to cater for a 5% Annual Exceedance Probability (20 year Annual Recurrence Interval) flood event.

The Major Stormwater Drainage System refers to overland flow paths designed to convey major storm flows when the capacity of the minor system is exceeded.

Major Stormwater Drainage Systems shall be designed to cater for the 1% Annual Exceedance Probability (100 year Annual Recurrence Interval) storm event.

The Minor Stormwater Drainage System may in some instances be required to accommodate higher flow rates if the Major Stormwater Drainage System cannot safely or adequately carry the required flow rate.

Piped stormwater drainage systems can usually be categorised as:

- public stormwater drainage system - this system accepts stormwater discharges from both public and private lands;
- private stormwater drainage system - this system accepts stormwater discharges from private land only. This is commonly referred to as an interallotment drainage system.

Any public stormwater drainage system piped through private land must remain on the land and cannot be diverted into adjoining land without the adjoining owner's permission.

Where the Applicant proposes to pipe the public stormwater drainage system, the minimum sized pipe is to be 375mm diameter. The piped drainage system shall be constructed using the appropriate class of rubber ring joint reinforced concrete pipes

Where overland flows from upstream catchments impact the site, this control should also be read in conjunction with the Flood Category 3 Controls of this DCP.

The design of stormwater systems for the property is to demonstrate through a water level and flow assessment that:

- The proposed development does not have an adverse impact on adjoining properties through diversion, concentration or damming of such flows;
- The proposed development accommodates the passage of overland flow through the site and where applicable illustrates that the proposed development is designed to withstand damage due to scour, debris or buoyancy forces so that the risk of incidental damage is minimised;
- The proposed development is not sited where flows will create a hazardous situation for future occupants in terms of depth and velocity of flows through the property;
- Floor levels within the development are set to comply with the freeboard requirements as set out in Flood Risk Management Policy;
- The proposed development is compatible with any future mitigation strategies to be implemented by Council in terms of such overland flows.

Where determined necessary, Council will impose conditions on a proposed development, to protect overland flow paths. This could include the construction of flowpaths with openings through fencing to protect overland flow paths. An 'interallotment drainage system' shall be designed to cater for a 5% Annual Exceedance Probability (20 year Annual Recurrence Interval) storm event for subdivisions creating separate lots. It shall be assumed that an appropriate percentage of the lot area is impervious to determine the design flow rate.

For developments not specified in this control, an 'inter-allotment drainage system' shall be designed to carry the 5% Annual Exceedance Probability (20 year Annual Recurrence Interval) flow rate for the total site area.

For an 'inter-allotment drainage system', the minimum sized pipeline is to be 150mm diameter. The piped drainage is to be constructed from an appropriate class of pipe with watertight and

flexible joints.

Natural Watercourses

Any natural watercourses on the property shall be retained in their natural state wherever possible to carry stormwater flows through the property. Natural water courses cannot be diverted onto adjoining lands.

Any natural watercourses on the land where in a degraded state, must be restored and rehabilitated in accordance with the guidelines for controlled activities under the *Water Management Act 2000*.

Council encourages the replacement of a piped stormwater system with a restored creek system with appropriate flow carrying capacity.

A Water Management Plan is to be submitted demonstrating the feasibility of the proposed natural watercourse works within the site.

Variations

Diversion of Stormwater Systems

Easements and piped drainage system may be diverted around proposed development where it can be demonstrated, through a Water Management Plan, that:

- the diversion is wholly contained within the land,
- that the flows are not diverted to an adjoining/alternative watercourses and
- flow capacities are maintained.

The diversion of natural watercourses is only permissible with a controlled activity approval for the work from the NSW Office of Water.

Any alteration to an easement, piped drainage system or natural watercourse including all legal and consultant costs shall be at the full cost to the applicant.

Overhang of Easement

An overhang, over and/or within an easement will be considered on merit. A minimum vertical clearance to allow appropriate machinery to allow easy access and ample clearances to undertake maintenance replacement operations is required. Alternative construction techniques to allow removal of sections of the building structure by the property owner will also be considered.

Alternative Pipe Materials

Council will consider the use of pipelines made of different materials for a public stormwater drainage system should site conditions not suit concrete pipes (eg. Steeply sloping sites).

Advisory Notes

i. Waterway design is to be in accordance with guidelines such as:

- *Controlled Activities on Waterfront Land: Guideline for outlet structures on waterfront land* (NSW Office of Water, July 2012).
- *Controlled Activities on Waterfront Land: Guideline for riparian corridors on waterfront land* (NSW Office of Water, July 2012).
- *Controlled Activities on Waterfront Land: Guideline for laying pipes and cables in watercourses on waterfront land* (NSW Office of Water, July 2012).
- *Controlled Activities on Waterfront Land: Guideline for instream works on waterfront land* (NSW Office of Water, July 2012).
- *Controlled Activities on Waterfront Land: Guideline for watercourse crossings on waterfront land* (NSW Office of Water, July 2012).

- *A Rehabilitation Manual for Australian Streams* (CRC for Catchment Hydrology, 1999).
- *Guidelines for Stabilising Waterways* (Standing Committee on Rivers & Catchments Victoria, 1991).
- *Hydraulic Geometry of Brisbane Streams - Guidelines for Natural Channel Design* (I.D. & A. Pty Ltd. 1996)

These guidelines refer to techniques such as the use of 'regime theory' with approaches published by various researchers in the field of fluvial hydraulics (eg. Simons and Alverston, 1963).

ii. Data for Stormwater Assessment

To assist in the assessment of stormwater design, the following rainfall data is provided:

- Design rainfall Intensity-Frequency-Duration (IFD) relationships for various locations within Pittwater Local Government Area (PLGA) are given in Appendix 11 - Stormwater Management Technical Data - Tables 2, 3, 4, 5 and 6.
- Design rainfall temporal patterns from Australian Rainfall and Runoff - A Guide to Flood Estimation are provided for average recurrence intervals (ARI's) less than 30 years and greater than 30 years for the Pittwater Local Government Area in Appendix 11 - Stormwater Management Technical Data - Table 7.

iii. Flood Controls

Reference is also made to Flood Controls of this DCP and Flood Risk Management Policy.

Information to be shown on the Development Drawings

The Integrated Water Management Plan is to show the location, description, design details (including cross sections and long sections of drainage lines and watercourses), dimensions and discharge details for all proposed stormwater system work elements. The location and dimensions of all existing and proposed drainage easements, and easements to be extinguished is also to be shown.

B5.13 Development on Waterfront Land

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

Protection of waterways and improved riparian health (En)
Stormwater and creek flows are safely managed. (S)
Appropriate setback between waterways and development (En)

Controls

Any waterfront land (as defined in the *Water Management Act 2000*) on a the property shall be retained in their natural state to: carry stormwater/flood flows, maintain aquifers, retain stability, and provide habitat functions.

Natural or artificially modified water courses cannot be diverted onto adjoining lands, filled, channelised and/or dammed.

Waterfront land in a degraded state, should be restored and rehabilitated.

Development within waterfront land shall incorporate appropriately sized riparian corridor zones into the design based on *Controlled Activities on Waterfront Land: Guideline for outlet structures on waterfront land* (NSW Office of Water, July 2012).

Development adjoining waterfront land is to be landscaped with local native plants.

Council encourages the replacement of a piped stormwater system where appropriate with a restored waterway, wherever feasible.

The piping or artificial channeling of natural watercourses and drainage channels is not permitted.

Water Management Plan with supporting documentation is to be submitted demonstrating the feasibility of the proposed watercourse works within the site.

Variations

Variations may be considered when an activity or work is permissible with a controlled activity approval from the NSW Office of Water.

Variations will be considered where the activity or work is required to mitigate risk including: landslip; geotechnical risk; flooding; erosion; risk to utilities; and bushfire hazard.

Advisory Notes

Waterway design is to be in accordance with guidelines such as:

- *Controlled Activities on Waterfront Land: Guideline for instream works on waterfront land* (NSW Office of Water, July 2012).
- *Controlled Activities on Waterfront Land: Guideline for riparian corridors on waterfront land* (NSW Office of Water, July 2012).
- *Controlled Activities on Waterfront Land: Guideline for vegetation management plans on waterfront land* (NSW Office of Water, July 2012).
- *A Rehabilitation Manual for Australian Streams* (CRC for Catchment Hydrology, 1999).
- *Guidelines for Stabilising Waterways* (Standing Committee on Rivers & Catchments Victoria (1991).
- *Hydraulic Geometry of Brisbane Streams - Guidelines for Natural Channel Design* (I.D. & A. Pty Ltd. 1996)

Estuarine Hazard Controls

Reference is made to Estuarine Hazard Controls in this DCP and Appendix 7 Estuarine Risk Management Policy for Development in Pittwater

Landslip Controls

Reference is made to Landslip Controls in this DCP and Appendix 5 Geotechnical Risk Management Policy for Pittwater

Flood Controls

Reference is also made to Flood Controls of this DCP and Flood Risk Management Policy.

Information to be shown on the Development Drawings

The Integrated Water Management Plan is to show the location, description, design details (including cross sections and longsections of drainage lines and watercourses), dimensions and discharge details for all proposed stormwater system work elements. The location and dimensions of all existing and proposed drainage easements, and easements to be extinguished is also to be shown.

B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System)

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

The integrity of stormwater drainage systems and natural watercourses are maintained. (En)
Stormwater flows including overland flow have continuity and are not impeded. (En)

Controls

Easements

Where there is no current easement over the Public Stormwater Drainage System or Natural Watercourse, a suitable easement to benefit the Council will be required to be placed on the title of the land as part of the development process.

For a natural watercourse or open stormwater system the width of an easement shall be defined by the flow rate required to convey the 1% AEP flow plus 1.0m, or the minimum as set out in the Table below.

For a piped drainage system and overland flow path the minimum width of an easement is to be as indicated in the table below.

Easement Widths

Pipe Diameter (D) (mm)	Minimum Width of Easement to Drain Water (m)
D less than or equal to 675	2.5

675 < D less than or equal to 900	3.0
900 < D less than or equal to 1200	3.5
1200 < D less than or equal to 1500	4.0
1500 < D less than or equal to 1800	4.5
D > 1800 and box culverts	As required by Council
Open Stormwater System, Natural Watercourse	Total Width of (1% AEP design flows + 0.3m free board) + 1m (may increase where downstream structures are present) but not less than 2.5m.

Where multiple pipes, deep pipes, pits or associated structures are proposed, a wider easement will be required and is to be determined in consultation with Council.

Where pits/headwalls are required, easements shall be 600mm wider than the structure but not less than the minimum width denoted above.

Variations

The requirement for an easement does not apply on lands owned by the Council or Crown Land where Council has full access rights for maintenance purposes.

B6 Access and Parking

B6.1 Access driveways and Works on the Public Road Reserve

Land to which this control applies

All land in the Pittwater LGA NOT including the Warriewood Valley Locality and the Pittwater waterway, Scotland Island and the Western Foreshores.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development – New Construction or Alterations and Additions
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development – New Construction or Alterations and Additions
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Tourist and visitor accommodation

Outcomes

Safe and convenient access.
 Adverse visual impact of driveways is reduced.
 Pedestrian safety.
 An effective road drainage system.
 Maximise the retention of trees and native vegetation in the road reserve.

Controls

General Requirements

Access Driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve between the road edge and property boundary as illustrated in Appendix 10 -Driveway Profiles.

An Access Driveway to the standards as set out below must be provided for:

- any new development;
- any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and>
- where additional car parking spaces and/or garages are proposed.

Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to demonstrate compliance with this control.

Access Driveway Design

The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:

- Australian Standard AS/NZS 2890.1-2004: *Parking Facilities - Part 1: Off-Street Car Parking*.
- Australian Standard AS/NZS 2890.2-2002: *Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities* except as qualified in this control.

Number of Access Driveways per Allotment

The number of permissible Access Driveways to an allotment is as follows:

- where the frontage of an allotment to a local public road is less than 30m, one only access driveway.
- where the frontage of an allotment to a local public road is 30m or more, a second access driveway will be considered on merit.
- where the allotment has a frontage to a second local public road, one additional access driveway to the second local road frontage will be considered on merit, based on Council's consideration of the site constraints.

Council, under the *Local Government Act 1993*, may direct as to which frontage access is to be gained where traffic safety issues are a consideration.

Shared Driveways and Access Driveways located in front of adjoining properties

Shared Access Driveways shared between adjoining private properties and Access Driveways located in front of adjoining properties will be considered on merit, based on Council's consideration of the site constraints.

Access Driveway for Service Vehicles to Loading Dock

Access Driveways providing access for service vehicles to loading docks must be separated from access used by the general public for access to public parking areas.

Access Driveways providing access for service vehicles to loading docks shall, where practical, be located on a rear public road frontage providing separation from pedestrian activity.

Where Access Driveways are located on the same frontage, the minimum distance between an Access Driveway for service vehicles and an Access Driveway for the general public shall be 5 metres from the inside edge to the inside edge of the Access Driveways.

Access Driveway Location

Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:

- minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 kph speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and
- minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary.

For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of adjoining roads, being no closer than 6m from the tangent point at the kerb.

For corner allotments adjacent to traffic signals, the location of the Access Driveway will be subject to the approval of the Roads and Maritime Services as the authority responsible for traffic signal facilities.

For developments in commercial centres where separate entry/exit vehicular access is required, access driveways for entry and exit are to be separated by a minimum distance of 2 metres.

The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.

Access Driveway Width

The maximum width of an Access Driveway for dual occupancies, dwellings houses, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation shall be as follows:

Distance Building Line to Boundary	Width at Boundary	Width at Kerb
Nil to 3.5m	Width of car parking area or garage opening	Width of car parking or garage opening plus 0.5m
Greater than 3.5m to 6.5m	4.0m	4.5m
Greater than 6.5m	3.0m	3.5m

Access Driveway width can be varied subject to a merit based consideration.

Access Driveway Profile and Gradient

Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles.

Access Driveway Construction and Finishes

All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction.

Gutter crossings are to be in plain concrete.

Access Driveways are to be in plain concrete. Cosmetic Access Driveways on a public road reserve are not permitted.

Access Driveways are to match with the adjacent constructed footpaths or alternatively adjacent constructed footpaths are to be adjusted to provide a continuous surface with no trip points with a maximum 1:14 (V:H) transition.

The Access Driveway is to be structurally adequate for its intended use.

Suspended driveways must not use the existing road structure for support.

Ancillary Structures within the Road Reserve

Ancillary structures within the Road Reserve will be supported for the purposes of structurally supporting the access driveway only. Ancillary structures include retaining walls.

Encroachment into the road reserve is to be minimised.

Where retaining walls and structures are visible from a public place, preference is given to the use of textured finishes of dark earthy tones or sandstone-like finishes.

All structural elements within the Road Reserve must be certified by a Structural Engineer.

In addition, where the land is identified on the Landslip Hazard Map, the design of all structural elements must satisfy the Landslip Hazard Controls.

Access Driveway - Stormwater Drainage

All Access Driveways on the low side of the road are to be designed and constructed such that stormwater drainage is directed away from the Access Driveway.

Access Driveway and Public Utilities Costs

The cost for Access Driveways construction and maintenance and adjustment of any utility service is the responsibility of the Applicant.

Variations

Access Driveway Location

If driveways are located where the sight distance is below the minimum criteria, consideration will be given on a merit basis subject to the submission of a Traffic Assessment Report by a suitably qualified Traffic Engineer.

Access Driveway Profile and Gradient

A new driveway or an existing structurally sound driveway with gradients up to 1:3 (V:H) may be permitted to remain on merit subject to demonstration through a Traffic Assessment Report and relevant certification that the Access Driveway including surface finish is safe for its intended use and that a pedestrian footpath either can be accommodated in the road reserve or is not required.

Dual Occupancy / Secondary Dwelling Development

For Dual Occupancy and Secondary Dwelling development, a separate Access Driveway to each dwelling will be considered on merit, based on Council's consideration of the site constraints.

Alternative Design on steeply sloping sites

Where it can be demonstrated to Council's satisfaction that this control is not applicable in the case of steeply sloping sites and steeply sloping public road reserve verges, the design of the Access Driveway may be in accordance with the current edition of the following Australian standard, based on turning paths for a B85 vehicle and subject to provision for a 1.5metre footpath width, kerb and gutter and stormwater drainage being directed away from the Access Driveway:

- Australian Standard AS/NZS 2890.1 "Parking Facilities Part 1" Off-Street Car Parking.

Category 5 Access Driveways as Defined in ASNZS 2890.1: Parking Facilities - Off-Street Car Parking

Category 5 Access Driveways are to be constructed as an intersection to the public road either by way of 'T'-intersection, signalised intersection or roundabout. A section of land of a minimum depth of 3 metres by the width of the entry road plus provision for footpaths will be required to be dedicated to Council as public road reserve.

The cost for all intersection improvements is the responsibility of the Applicant.

Information to be shown on the Development Drawings

Shall include plans, cross sections and driveway long sections (along both sides of driveway) and access driveway ancillary structures drawn to a suitable scale that the proposed access driveway complies with Council's Controls or with Australian Standard AS/NZ 2890-2004 Part 1 Off Street Car Parking.

Shall include plans, cross sections and long sections drawn to a suitable scale demonstrating that the proposed access driveway complies with Council's Controls and with Australian Standard AS/NZ2890.1-2004 Part 1 and 2 Off Street Car Parking and street commercial vehicle facilities.

Information to be included in the Statement of Environmental Effects

A statement outlining that the satisfactory access driveway is provided to the proposed development.

Technical Reports and Supporting Information

- For proposed driveways with grades greater than 25% a certification by a NRPE registered Engineer participating in the field of Traffic Engineering that the access driveway is safe for the purpose.
- For proposed access driveways to main roads involving a suspended driveway or retaining walls, written advice from the RMS that they approve of the proposed driveway.
- For all access driveways that propose variation to councils controls, suspended driveways or retaining walls or where there is no kerb and gutter or other works on the public road reserve, written advice of approval (Section 139 Approval) by Council's Urban Infrastructure Unit of the proposed driveway should be provided.
- For all access driveways that propose variation to Council's controls, suspended driveways or retaining walls or where there is no kerb and gutter or other works on the public road reserve, written advice of approval (Section 139 Approval) by Council's Urban Infrastructure Unit of the proposed driveway should be provided.
- For proposed access driveways to main roads involving a suspended driveway or retaining walls, written advice from the RTA that they approve of the proposed driveway.
- For proposed driveways with grades greater than 25% a certification by an NRPE registered engineer participating in the field of traffic engineering that the access driveway is safe for the purpose.

Note:

- Applicants are encouraged to obtain the Section 139 Consent for Works on the Public Road Reserve during preparation of the development application and lodge the Section 139 Consent with the development application.
- The consent provides authorisation from Council as the Roads Authority for the applicant to construct an Access Driveway and associated works (including steps footpaths, landscaping gardens, retaining walls and letter boxes) located on the public road reserve subject to development consent for the adjacent land being issued.
- A Section 139 Consent will be issued subject to satisfactory plans prepared by the Applicant being provided to and approved by Council.
- To apply for this consent [Click Here](#).
- Certification by a NPER registered Engineer participating in the field of Traffic Engineering that the access driveway complies with the Australian Standards and Council Controls.
- For Proposed Access driveways to Main Roads or to Local Roads within 90 m of a Main Road, written advice from the RTA that they approve of the proposed driveway and of any structure forming part of the driveway or its support.
- For all access driveways that propose to use other than Normal-High or Normal Low driveway profiles, variations to Councils Controls, suspended driveways or retaining walls or where there is no kerb and gutter, written advice of approval by Council's Urban Infrastructure Manager of the proposed driveway.

Section 139 Consent for Works on the Public Road Reserve

- Applicants are encouraged to obtain the Section 139 Consent for Works on the Public Road Reserve during preparation of the development application and lodge the Section 139 Consent with the development application.
- The consent provides authorisation from Council as the Roads Authority for the applicant to construct an Access Driveway and associated works (including steps footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road subject to development consent for the adjacent land being issued.
- A Section 139 Consent will be issued subject to satisfactory plans prepared by the Applicant being provided to and approved by Council.

To apply for this consent [CLICK HERE](#)

B6.2 Internal Driveways**Land to which this control applies**

All land in the Pittwater LGA NOT including the Warriewood Valley Locality and the Pittwater waterway, Scotland Island and the Western Foreshores.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Tourist and visitor accommodation

Outcomes

Safe and convenient access.
 Reduce visual impact of driveways.
 Pedestrian safety.
 An effective road drainage system.
 Maximise the retention of trees and native vegetation.
 Reduce contaminate run-off from driveways.

Controls**General**

An Internal Driveway must be provided for in:

- any new development;
- development where additional car parking spaces and/or garages are required by Council's plans or policies;
- any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m² ; and

- development where additional car parking spaces and/or garages are proposed.

If the applicant proposes to retain the existing driveway, the applicant will need to demonstrate compliance with the outcomes and driveway standards of this control.

Internal Driveway

Internal Driveway Profiles

Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). Recommended maximum gradient of an Internal Driveway for a distance of 2m on the approach to a garage, parking area or carport is 1:20 (V:H). There must be a minimum 2 metre long transition between the driveway and the garage/parking area/carport in accordance with the standards.

For Internal Driveways on steeply sloping or difficult sites, gradients may be increased up to 1:4 (V:H) over a maximum 20 metre length.

Provision is to be made for vehicles to enter and leave the site in a forward direction, where:

- the internal driveway grade exceeds 1:4 (V:H);
- the land abuts a roadway subject to high pedestrian use (e.g. School, Commercial Centre);
- driveways are more than 30m in length; and
- the driveway enters onto a classified road.

Internal Driveway Stormwater Drainage

Internal Driveway grades, cross falls and grated drains are to be designed to reduce discharge into the public drainage system and to maximise stormwater discharge into adjacent landscape areas by the use of grass swales and soakage pits.

Internal Driveway Construction/Finishes

Internal Driveways shall have a stable surface for all weather construction.

Internal Driveways where visible from a public road or public place are to be constructed of materials that blend with the environment and of dark earthy tones or natural materials.

Internal Driveway Design for all other uses than dual occupancies, dwelling house, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.

The design of all Internal Driveways and ramps shall be in accordance with the current edition of the following Australian Standards:

- Australian Standard AS/NZS 2890.1-2004: *Parking Facilities - Off-Street Car Parking*.
- Australian Standard AS/NZS 2890.2-2002: *Parking Facilities - Off-Street Commercial Vehicle Facilities* except as qualified in this control.

Driveway width for dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.

The Internal Driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be as follows:

- Single Dwelling: 3.0 metres minimum.
- Dual Occupancy: 3.0 metres minimum.
- Combined driveway for more than 2 dwellings: 3.0 metres minimum except where the driveway length exceeds 40 metres, a passing bay to an overall minimum width of 5.0 metres for a length of 10 metres with suitable transitions to the adjacent narrow driveway.

Internal Driveway and Driveway Corridor Width for all other development than dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation

Internal Driveways shall be designed and constructed to the minimum practical pavement width needed to facilitate access and turning movements.

Internal Driveways shall be designed and constructed to minimise the area of impervious pavement within the land. Track style driveways are encouraged where practical.

Turning movements are to be in accordance with the turning paths for a B85 vehicle (Australian Standard AS/NZS 2890.1-2004: *Parking Facilities - Part 1: Off-Street Car Parking*).

Variations

For existing Internal Driveways on steeply sloping or difficult sites proposing dual occupancies, dwelling houses, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation, gradients up to a maximum of 1:3 (V:H) may be maintained subject to demonstration through a Traffic Assessment Report and the relevant certification that the Internal Driveway including surface finish is safe for its intended use.

Any alternate design of the Internal Driveway (based on turning paths for a B85 vehicle) is to be in accordance with the current edition of Australian Standard AS/NZS 2890.1 "Parking Facilities Part 1" Off-Street Car Parking.

A variation may be considered subject to demonstration through a Traffic Assessment Report and the relevant certification that an alternate vehicular access arrangement to the site is safe for all pedestrian and vehicular traffic.

Advisory Notes

See Appendix 10 Driveway Profiles

Information to be shown on the Development Drawings

Shall include plans, cross sections and driveway long sections (along both sides of driveway) drawn to a suitable scale that the proposed access driveway complies with Council's Controls and with Australian Standard AS2890 Part 1 Off Street Car Parking.

Shall include plans, cross sections and long sections drawn to a suitable scale demonstrating that the proposed access driveway complies with Council's Controls and with Australian Standard AS2890 Part 1 and 2 Off Street Car Parking and street commercial vehicle facilities.

Information to be included in the Statement of Environmental Effects

A statement outlining that satisfactory access is provided to the proposed development.

Technical Reports and Supporting Information

Certification by a NPER registered Engineer participating in the field of Traffic Engineering that the access driveway complies with the Australian Standards and Council Controls.

For Proposed Access driveways to Local Roads within 90 m of a Main Road, written advice from the RMS that they approve of the proposed driveway and of any structure forming part of the driveway or its support.

For all access driveways that propose to use other than Normal-High or Normal Low driveway profiles, variations to Council's Controls, suspended driveways or retaining walls or where there is no kerb and gutter, written advice of approval by Councils Urban Infrastructure Manager of the proposed driveway.

For proposed driveways with grades greater than 25% a certification by a NPER registered Engineer participating in the field of Traffic Engineering that the access driveway is safe for the purpose.

For all access driveways that propose to use other than Normal-High or Normal Low driveway profiles variations to Councils Controls, suspended driveways or retaining walls or where there is no kerb and gutter, written advice of approval by Council's Urban Infrastructure Manager of the proposed driveway.

B6.3 Off-Street Vehicle Parking Requirements

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway, Scotland Island and the Western Foreshores.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Development of a Sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Multi dwelling housing
 Occupation/change of use of an existing premises
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling

Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Tourist and visitor accommodation

Outcomes

An adequate number of parking and service spaces that meets the demands generated by the development.

Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.

Safe and convenient parking.

Controls

The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dual occupancies, dwelling houses, secondary dwellings, exhibition homes, rural workers' dwellings and tourist and visitor accommodation:

Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling
1 bedroom	1 space
2 bedrooms or more	2 spaces

For a Secondary Dwelling a minimum of 1 space is required in addition to existing requirement for the principal dwelling (based on number of bedrooms in principal dwelling).

Minimum dimensions of internal space for on-site parking are:

Single car parking spaces on hard stand and Single Carport	2.4 metre x 5.5 metre with 0.3m minimum clear space each side for access to doors
Enclosed garage(internal dimension)	3.0 metre x 6.0 metre, with 2.4 metre minimum width entry
Multiple side by side carport and enclosed garage(internal dimension)	5.7 metre x 6.0 metre for 2 adjacent vehicles + 2.7 metre width for each additional vehicle with, 2.4 metre minimum width entry per vehicle space

The maximum cross-fall in any direction for an open car parking space is 1:20 (V:H).

For all other uses, the minimum number of vehicle parking and service spaces to be provided within the development site for new development and extensions to existing development is to be in accordance with the following:

- The total number of spaces as set out in TABLE 1 below;
- PLUS the number of on-street parking spaces lost as a direct result of the development due to access and traffic facilities requirements.

Bicycle Storage

For residential development (other than a dwelling house, dual occupancy, secondary dwellings, exhibition homes and rural workers' dwellings), secure bicycle storage facilities must be provided within the building at the rate of 1 bicycle rack per 3 dwellings.

For Business/Industrial development or additions, comprising of 200m² GFA or more, secure enclosed bicycle storage facilities must be provided within the building at the rate of 1 bicycle rack per 1000m² GFA, or a minimum of 4 bicycle racks, whichever is the greater.

Motor Cycle Parking

For Business/Industrial development or additions, comprising of 200m² GFA or more, provision is to be made for motor cycle parking at a rate of 1 motor cycle parking space per 100 motor vehicle spaces.

Shop Top Housing

The provision of parking is to be in accordance with the associated land use parking requirements i.e. parking must be provided at the requirement rate for the commercial floor space requirements if commercial floor space is proposed.

Location of patron parking for Retail and/or Commercial land use should not to be restricted or obstructed (for example behind roller doors).

On-Site Car Parking Facilities

The design of all parking areas shall be in accordance with the current edition of the following Australian Standards:

- Australian Standard AS/NZS 2890.-12004: *Parking Facilities Part 1: Off Street Car Parking*;
- Australian Standard AS/NZS 2890.2-2002: *Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities*;
- Australian Standard AS/NZS 2890.3-1993: *Parking Facilities Part 3: Bicycle Parking Facilities*; and
- Australian Standard AS/NZS 2890.6-2009: *Parking Facilities – Part 6: Off-Street Parking for People with Disabilities* except as qualified in this control.

Surface Car Parking Areas

At grade car parking areas are to be landscaped to a minimum of 20% of the car parking area using primarily native species of vegetation and are to achieve the following:

- shade, shelter and amenity;
- protection and management of existing trees, bushland habitat and existing/potential wildlife corridors;
- enhancement of the streetscape and internal areas by the provision of canopy trees;
- minimum 2 metre width for landscape islands to break up parking rows;
- application of Water Sensitive Urban Design Principles to landscaped areas,
- safety and amenity of pedestrians and vehicles; and
- lighting.

Residential Car Parking for Residential Flat Buildings, Shop Top Housing, Mixed Use Development, Multi Dwelling Housing and Seniors Housing

The following are applicable in respect of residential car parking areas:

- Where there are dwellings with two (2) or more bedrooms in a development, tandem parking spaces may be permitted where all of the following criteria are met:
- two (2) parking spaces have been allocated per two (2) or more bedroom apartments;
- the proportion of tandem parking spaces does not exceed 10% of the total residential parking for two (2) or more bedroom units; and
- it can be clearly demonstrated that vehicles parked are directly associated to a single dwelling/unit and that such vehicles do not restrict or impede the parking, manoeuvring or access of other vehicles;
- parking spaces are to be located as close as possible to their respective dwelling;
- rows of multiple garages and long driveways, particularly those that create a "gun barrel" effect are avoided;
- visitor parking spaces are to be easily accessible and clearly marked "Visitor";
- for developments resulting in 10 or more dwellings, Control C1.18 Car/Vehicle/Boat Wash Bays also apply; and

- Parking spaces for people with disabilities must be appropriately signposted and in accordance with Australian Standard AS/NZS 2890.6-2009: *Parking Facilities – Part 6: Off-street Parking for People with Disabilities*.

TABLE 1: Onsite Car Parking requirements

Development Type	Minimum Number of. Car Spaces	
Multi Dwelling Housing, Residential Flat Buildings and Shop-Top Housing:	1 bedroom dwellings	1 space per dwelling
	2 or more bedroom dwellings	2 spaces per dwelling
	Adaptable Housing in accordance with control C1.9 of the Pittwater 21 Development Control Plan.	1 space per dwelling in accordance with AS 4299-1995: Adaptable Housing.
	The provision of parking for people with disabilities must be provided at a rate of 3% of the required parking spaces, excluding parking required for Adaptable Housing.	
	Separate visitor parking is to be provided at a rate of 1 space per 3 dwellings rounded up.	
	Provision must be made for garbage collection, removalist vans and emergency vehicles.	
	For developments with 10 or more dwellings, a vehicle wash bay is to be provided.	
Business Premises and Office Premises	2.5 car parking spaces per 100m ² Gross Lettable Area (GLA) Provision of accessible parking spaces for people with disabilities must be at the rate of 3% of required car parking spaces and must be appropriately signposted. Where the Gross Floor Area (GFA) exceeds 400m ² , provision is to be made for: <ul style="list-style-type: none"> Delivery vehicles at 1 space per 4000m² GFA or 1 space whichever is greater; Courier parking at 1 space per 1000m² GFA or 1 space, whichever is greater. 	
Bed and Breakfast	1 per residence plus 1 per guest room.	
Retail Premises (Not including Shopping Centre Developments)	1 per 30m ² GLA Parking spaces are to be accessible to the public. Adequate space for delivery vehicles is to be provided. Provision of accessible parking spaces for people with disabilities must be at the rate of 3% of the required car parking spaces or part thereof, or 1 space, whichever is greater.	
Restaurants and Cafes	1 per 30m ² GLA Parking spaces are to be accessible to the public. Time of operation and availability of adjacent car parking facilities either within or adjacent to the Commercial Centres may be taken into account. Provision of accessible parking spaces for people with disabilities must be at the rate of 3% of the required car parking spaces or part thereof, or 1 space, whichever is greater. Adequate space for delivery vehicles and garbage collection is to be provided.	

Sex services Premises	<p>1 space for every 2 employees working at any one time.</p> <p>Parking spaces are to be accessible to the public. Council may vary this requirement provided it is satisfied that there is adequate on-street parking or public transport services close to the premises or if the premises only operates after business hours.</p> <p>Provision of accessible parking spaces for people with disabilities must be at the rate of 3% of the required car parking spaces or part thereof, or 1 space, whichever is greater.</p> <p>Adequate space for delivery vehicles and garbage collection is to be provided.</p>
Food and Drink Premises with drive through/drive in component.	<p>Where the site has a frontage to a main or arterial road:</p> <ul style="list-style-type: none"> not less than 30 spaces. <p>Where the site has a frontage to any other road:</p> <ul style="list-style-type: none"> spaces are to be provided in accordance with the Roads and Maritime Services Guide to Traffic Generating Development. <p>Parking spaces are to be accessible to the public.</p> <p>Adequate space for delivery vehicles and garbage collection is to be provided.</p> <p>Provision of accessible parking spaces for people with disabilities must be at the rate of 3% of the required car parking spaces or part thereof, or 1 space, whichever is greater.</p>

Development not included in the above table

The minimum number of vehicle parking requirements must be determined using the appropriate guidelines for parking generation and servicing facilities based on development type comparison based on the *Roads and Maritime Services Guide to Traffic Generating Development* or analysis drawn from surveyed data for similar development uses. Provision must be made within the development site for access and parking of all service vehicles servicing the site, visitor parking and parking for people with disabilities.

Variations

Car Parking for Secondary Dwelling or Dual Occupancy

A reduction in the car parking requirements for a secondary dwelling or dual occupancy to a minimum of 2 spaces per allotment may be considered on merit.

Changes in Use

For change of use and developments within existing commercial centres consideration may be given to a variation to the minimum parking and service facilities requirements subject to the outcomes of this control being achieved and adequate justification being provided.

In the Mona Vale Commercial Centre, no additional on-site parking is required for lots where there is a 'change of use' to residential and where the street frontage is to Bungan Street or Pittwater Road (between Barrenjoey Road and Bungan Street) and the subject site has a street frontage width of less than 15 metres.

Variations to parking requirements will be considered for the temporary use of vacant premises for a maximum period of 3 months.

Off-Set of On-Site Car Parking Requirements

Visitor parking requirements may be offset by:

- the provision of additional on-street parking facilities over and above existing provisions within the public road reserve or proposed road reserve (provided the additional on-street parking facilities can be accommodated within the road reserve adjacent to the site and not to the detriment of the streetscape environment and authorisation provided by Council as the road authority under Section 138 of the *Roads Act 1993*) and on the basis that the offset only applies to the visitor parking component of the residential development.

Masterplans

Variations to the minimum car space number will be considered on a merit basis where a Masterplan has been adopted by Council nominating car space numbers based on an overall development scenario.

A variation to the minimum number of car spaces required will be considered on merit where such variation can be justified based on an analysis drawn from survey data for similar development uses or alternate use of an existing development or in a case of Avalon, Newport and Mona Vale Commercial Centres, the time of operation of the business and availability of adjacent carparking facilities.

Newport Commercial Centre

In the Newport Commercial Centre, no on-site parking is required for lots with vehicular access solely from Barrenjoey Road and with a street frontage width of less than 18 metres.

Parking Requirements on Steeply Sloping Sites

On steeply sloping sites, car parking solutions may need to be negotiated for each individual site.

The range of possible car parking solutions is outlined below:

- the provision of suspended or rooftop car parking to provide direct access from the road; and/or
- shared vehicular access with adjoining properties may be acceptable where there is a mutual agreement.

The provisions for car parking on the steepest sloping sites may be waived, subject to the merit consideration for each case.

Parking Requirements on Sites with High Environmental Value

On sites with high environmental value, carparking solutions may need to be negotiated for each individual site.

Alternative Design

The design of off-street parking facilities may alternatively be in accordance with the current edition of the following Australian standard based on turning paths for a B85 vehicle:

- Australian Standard *AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking*.

Advisory Notes

In the Newport Commercial Centre, refer to clauses D10.2 and D10.19 of this DCP and the Appendix 12 Newport Masterplan for controls in relation to site amalgamations, vehicular access and underground parking arrangements (including the provision of right of access through some sites).

For specific controls in relation to Off-Street Vehicle Parking Requirements in the Elanora Heights Village Centre, refer to Part D5.45 of this DCP.

Information to be shown on the Development Drawings

Development Drawings shall include plans, cross sections, road long section and driveway long sections (along both side of driveway) drawn to suitable scale demonstrating that the proposed parking area complies with Council's Controls and with the appropriate Australian Standards.

Information to be included in the Statement of Environmental Effects

A statement outlining how the provision of carparking addresses the control requirements.

B6.5 Access Driveways and Works on Road Reserves on or Adjacent to a Main Road

Land to which this control applies

Land in Barrenjoey Road, Mona Vale Road, Pittwater Road (from Wakehurst Parkway to Barrenjoey Road) and Wakehurst Parkway and land adjoining these roads NOT including the Warriewood Valley Locality.

Uses to which this control applies

All Uses

Outcomes

Compliance with the requirements of the *Environmental Planning and Assessment Act* and the *Roads Act 1993* (s 138). (S)

Safety. (S)

Pedestrian access and amenity (En).

Maximise retention of native vegetation and trees.

Reduce contaminate run-off from driveways.

Controls

Approval for works on the public road reserve under Section 138 of the *Roads Act 1993*

Applicants will be required to obtain approval under Section 138 of the *Roads Act 1993*, providing authorisation for works on the main road to construct an Access Driveways and associated structures located on a public road reserve except in the case for a Dwelling House where there is existing kerb and gutter and the proposed driveway is of slab or paving on ground construction requiring minimal alteration of the existing ground level.

The issue of the approval for works on a public road reserve to be undertaken by the Applicant, will be subject to development consent for the adjacent land being issued by the Council.

Egress from an Access Driveway.

All Access Driveways with access to a Main Road shall be designed to ensure vehicles enter and leave in a forward direction.

Access to Alternative Public Road

An Access Driveway from allotments adjoining a Main Road is not permitted where alternative access to a local road is available or can be made available via a right-of-way or easement.

Access Driveways in Newport Commercial Precinct and Mona Vale Commercial Precinct

An Access Driveway from allotments adjoining a Main Road in the Newport Commercial Precinct and Mona Vale Commercial Precinct is not permitted onto the Main Road where alternative access to a local road is available or can be made available via a right-of-way or easement.

The number of Access Driveways is to be minimised within the Commercial Precincts to enhance the pedestrian amenity. Access Driveways are to be combined with adjoining allotments where practical.

Access Driveways for allotments adjoining a Main Road providing access for service vehicles to loading docks are not permitted onto the Main Road.

VariationsEgress from an Access Driveway

Egress from an Access Driveway in the reverse direction where allotments front a Main Road where the traffic volumes are low may be considered on a merit based consideration.

Access to Alternative Public Road

Where access via the alternative public road is not considered suitable due to steep grades, safety or other access constraints, consideration on a merit basis may be given to waiving this requirement.

Advisory Notes

Approval under Section 138 of the *Roads Act 1993* may not be required in a number of circumstances of Main Roads with low traffic volumes and residential dwellings. Applicants should enquire with Council prior to applying for approval to undertake works on the Public Road Reserve.

Information to be shown on the Development Drawings

Development Drawings shall include plans, cross sections and long sections drawn to a suitable scale demonstrating that the proposed access driveway complies with Council's Controls and with Australian Standard AS/N2 2890.1 - 2004 Part 1 and 2 Off Street Car Parking and street commercial vehicle facilities.

Information to be included in the Statement of Environmental Effects

A statement outlining that satisfactory access is provided to the proposed development.

Technical Reports and Supporting Information

Certification by a NPER registered Engineer participating in the field of Traffic Engineering that the access driveway complies with the Australian Standards and Council Controls.

For proposed access driveways to Main Roads or to Local Roads within 90 m of a Main Road, written advice from the RMS that they approve of the proposed driveway and of any structure forming part of the driveway or its support.

For all access driveways that propose to use other than Normal-High or Normal Low driveway profiles, variations to Council's Controls, suspended driveways or retaining walls or where there is no kerb and gutter, written advice of approval by Council's Urban Infrastructure Manager of the proposed driveway.

B6.6 On-Street Parking Facilities

Land to which this control applies

All land not including the Warriewood Valley Locality, Pittwater waterway, Scotland Island and the Western Foreshores.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural industry
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

Safe and convenient parking that meets the demands of all modes of transport. (S)
Functional car parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety. (En, S)
Safe public access. (S)
Maximise retention of native vegetation and trees in road reserve.
Reduce contaminate run-off.

Controls

On-Street Parking Facilities

On-street parking facilities may be provided within the public road reserve or proposed public road reserve adjacent to the development site, either as additional parking facilities to enhance the development or as part of the development to offset the on-site parking requirements, both of which are subject to a merit based consideration. On-street parking facilities must not reduce

similar opportunities for adjacent development sites.

Design Requirements

The design of all On-street Parking Facilities shall be in accordance with the current edition of Australian Standard:

- Australian Standard *AS/NZS 2890.5-1993 - Parking Facilities On-Street Parking*

except as qualified in this control.

On-Street Parking Facilities Requirements

On-street parking facilities must also comply with the following requirements:

- A fully constructed and sealed road pavement with kerb and street drainage is to be provided to accommodate on-street parking facilities.
- A footpath on public road reserve is to be provided around the on-street parking facilities for public access along the road and to the development.
- Landscaping of the area adjacent to the on-street parking facilities must be provided with maximum retention of native vegetation and trees in the public road reserve.
- On-street parking facilities are to provide for the safety and amenity of pedestrians, vehicles and other transport modes.
- Adequate street lighting, signs and traffic facilities are to be provided.

On-Street Parking Facilities and Public Utilities Costs

The cost for on-street parking and adjustment of any utility services required to service the development is the responsibility of the Applicant.

Variations

On-Street Parking on a Main Road

On-street parking facilities may be permitted on a Main Road subject to low traffic volumes and Roads and Maritime Services authorisation.

Information to be shown on the Development Drawings

Note: This Control only applies where On-Street Parking is proposed.

- Shall include plans, cross sections and long sections drawn to a suitable scale demonstrating that the proposed on-street parking facilities comply with Australian Standard AS 2890.5: *Part 5 On-Street Parking - Pedestrian access* is preserved.

Information to be included in the Statement of Environmental Effects

Note: This Control only applies where On-Street Parking is proposed.

A statement outlining the reasons and justifying the provision of parking on-street to service the development.

Technical Reports and Supporting Information

Section 139 Consent for Works on the Public Road Reserve

- Applicants are encouraged to obtain the Section 139 Consent for Works on the Public Road Reserve during preparation of the development application and lodge the Section 139 Consent with the development application.
- The consent provides authorisation from Council as the Roads Authority for the applicant to construct on-street parking facilities and associated works (including steps, footpaths, landscaping gardens and retaining walls) located on a public road subject to development consent for the adjacent land being issued.
- A Section 139 Consent will be issued subject to satisfactory plans prepared by the Applicant being provided to and approved by Council.

To apply for this consent [CLICK HERE](#)

Note: This Control only applies where On-Street Parking is proposed.

- Certification, by NPRE registered Engineer practicing in the field of Traffic Engineering, that the proposed on-street parking facilities comply with the Australian Standards.
- Copy of advice from Council's Traffic Committee of its approval of the location and design of the proposed on-street car park.

B6.7 Transport and Traffic Management

Land to which this control applies

All land not including the Warriewood Valley Locality, Pittwater waterway, Scotland Island and the Western Foreshores.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural industry
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision

Outcomes

Safe and orderly traffic, pedestrian and cyclist access to and from all development via the surrounding road network and transport infrastructure. (En, S)

The developer meets the cost of upgrading the surrounding road, and traffic and transport infrastructure to meet the needs generated by the development. (S, Ec)

Controls

Transport and Traffic Planning

Where development generates pedestrian, cyclist, traffic and transport requirements in excess of the capacity of the existing road and transport network, the capacity of the surrounding public infrastructure and transport network is required to be upgraded to at least match the additional demands generated by the development.

Any improvement works external to the development site, required to ensure the development complies with this control, must be provided as part of the development at the full cost to the applicant.

All traffic assessments are to be undertaken in accordance with the Roads and Maritime Services *Guidelines for Traffic Generating Developments* or similar guidelines.

All proposed traffic facilities must comply with the Roads and Maritime Services and/or relevant Australian Standards.

An assessment of the impact of traffic generated by the proposed development on the local street system must be undertaken.

Adequate vehicular entrances to and exits from the site are to be provided so that vehicles using those entrances and exits will not endanger persons using adjoining roads.

Adequate space is to be provided within the site of the building or development for the loading, unloading or fueling of vehicles, and for the picking up and setting down of passengers.

Traffic and Transport Facilities and Public Utilities Costs

The cost for traffic and transport facilities and adjustment of any utility service is the responsibility of the Applicant.

Variations

Nil

Information to be included in the Statement of Environmental Effects

A Statement demonstrating that the proposed development can be provided with adequate transport and will not cause any adverse or unsafe traffic management issues.

Technical Reports and Supporting Information

Section 139 Consent for Works on the Public Road Reserve

- Applicants are encouraged to obtain the Section 139 Consent for Works on the Public Road Reserve during preparation of the development application and lodge the Section 139 Consent with the development application.
- The consent provides authorisation from Council as the Roads Authority for the applicant to construct traffic and transport facilities located on a public road subject to development consent for the adjacent land being issued.
- A Section 139 Consent will be issued subject to satisfactory plans prepared by the Applicant being provided to and approved by Council.

To apply for this consent [CLICK HERE](#)

- A Traffic and Transportation Report prepared by an NPER Registered Engineer practicing in the field of Traffic Engineering demonstrating that the traffic, pedestrian and transport requirements generated by the development overlaid on the existing network with proposed upgrading requirements to minimise impacts and at least match the additional demands generated based on the RMS guide to traffic generating developments.
- Concept Plans drawn to a suitable scale of any works on any road identified in the Traffic and Transport report as necessary to address the traffic impacts of the development.

B6.8 Access Driveways and Works on the Public Road Reserves on or Adjacent to a Commercial Centre Primary Road

Land to which this control applies

Land in Old Barrenjoey Rd, Avalon Pde, Bungan St, Waratah St, and Park St in the Avalon & Mona Vale Commercial precincts. - P21DCP-BCMDCP073

Uses to which this control applies

All Uses

Outcomes

Protection of public assets.(Ec)

The public domain is enhanced.(En)

Pedestrian access and amenity.(S)

Controls

Access to Alternative Public Road

An Access Driveway from allotments adjoining Avalon Parade and Old Barrenjoey Road in the Avalon Commercial Precinct and Bungan Street, Waratah Street, and Park Street in the Mona Vale Commercial Precinct is not permitted onto either Avalon Parade, Old Barrenjoey Road, Bungan Street, Waratah Street, or Park Street where alternative access to a local road is available or can be made available via a right-of-way or easement.

The number of Access Driveways is to be minimised within the Commercial Precincts to enhance the pedestrian amenity. Access Driveways are to be combined with adjoining allotments where practical.

Access Driveways for allotments adjoining Avalon Parade and Old Barrenjoey Road in the Avalon Commercial Precinct providing access for service vehicles to loading docks are not permitted onto Avalon Parade and Old Barrenjoey.

Access Driveways for allotments adjoining Bungan Street, Waratah Street, and Park Street in the Mona Vale Commercial Precinct providing access for service vehicles to loading docks are not permitted onto Bungan Street, Waratah Street, and Park Street.

Variations

Nil.

Information to be shown on the Development Drawings

Development drawings shall include plans, cross sections and long sections drawn to a suitable scale demonstrating that the proposed access driveway complies with Council's Controls and with Australian Standard AS2890 Part 1 and 2 Off Street Car Parking and street commercial vehicle facilities.

Information to be included in the Statement of Environmental Effects

A statement outlining that satisfactory access is provided to the proposed development.

Technical Reports and Supporting Information

Certification by a NPER registered Engineer participating in the field of Traffic Engineering that the access driveway complies with the Australian Standards and Council Controls.

For Proposed Access driveways to Local Roads within 90 m of a Main Road, written advice from the RMS that they approve of the proposed driveway and of any structure forming part of the driveway or its support.

For all access driveways that propose to use other than Normal-High or Normal Low driveway profiles, variations to Councils Controls, suspended driveways or retaining walls or where there is no kerb and gutter, written advice of approval by Council's Urban Infrastructure Manager of the proposed driveway.

B6.11 Access Driveways, Internal Driveway and Off Street Parking Requirements - Dwelling House - Scotland Island

Land to which this control applies

All Land in Scotland Island - P21DCP-D08MDCP404

Uses to which this control applies

Dwelling house
Earthworks
Exhibition home
Rural worker's dwelling

Outcomes

Safe and convenient access (S).
Adverse visual impact of driveways is reduced (En).
Pedestrian safety (S).
An effective road drainage system (En, S).
Maximise retention of native vegetation and trees in public road reserve.
Reduce contaminate run-off from driveways.

Controls

General

The use of vehicles on Scotland Island is discouraged due to the environmental damage to the public roads.

On-Site Carparking Requirements

Where proposed, the maximum number of vehicle parking spaces provided for on-site parking is one space.

Internal Driveway

An internal driveway where proposed, is to be designed and constructed to provide safe access, reduce the impacts of stormwater run-off to any public land and provide a high value visual amenity.

The internal driveway shall be designed and constructed to a minimum practical impervious pavement width to accommodate access and turning movements to minimise the area of impervious pavement within the land. Track style driveways or driveways of natural pavement

materials are encouraged.

Access Driveway in Public Road Reserve

The access driveway where proposed, is to fit within the natural topography linking to the adjacent roadway such as not to interfere with road table drain. The access driveway may be constructed in natural materials, concrete or textured materials in dark or earthy tones. Driveway location to maximise retention of native vegetation, trees in particular, in the public road reserve.

Access driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles.

Variations

Nil.

Advisory Notes

See Appendix 10 - Driveway Profiles

Information to be shown on the Development Drawings

- Shall include plans, cross sections and driveway long sections (along both sides of driveway) and access driveway ancillary structures, drawn at a suitable scale that the access and internal driveway complies with Council controls.

Information to be included in the Statement of Environmental Effects

- A statement outlining how the provision of carparking addresses the control requirements.
- A statement outlining that satisfactory internal access is provided to the proposed development.
- A statement outlining that a satisfactory access driveway is provided to the proposed development.

B8 Site Works Management

B8.1 Construction and Demolition - Excavation and Landfill

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (Built form does not have to be residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Site disturbance is minimised. (En)

Excavation, landfill and construction not to have an adverse impact. (En)

Excavation and landfill operations not to cause damage on the development or adjoining property. (S)

Controls

Excavation and landfill on any site that includes the following:

- Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;
- Any excavation greater than 1.5 metres deep below the existing surface;
- Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;
- Any landfill greater than 1.0 metres in height; and/or
- Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils,

must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical

Engineer and/or Structural Engineer with the detail design for the Construction Certificate.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the potential for landslip and subsidence as a result of excavation.

Technical Reports and Supporting Information

The application is to be accompanied by a report and certified forms as set out in Council's Geotechnical Risk Management Policy for Pittwater relating to the potential impact of excavation on land stability. An Applicant may elect not to provide this information however, should Council's assessment process deem that it is required the assessment of the application will be suspended while this information is sought and provided.

Note: This requirement only applies when:

- Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation, and/or;
- Any excavation greater than 1.5 metres deep below the existing surface, and/or;
- Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property, and/or;
- Any landfill greater than 1.0 metres in height, and/or;
- Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils. An Applicant may elect not to provide this information however, should Council's assessment process deem that it is required the assessment of the application will be suspended while this information is sought and provided.

B8.2 Construction and Demolition - Erosion and Sediment Management

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Demolition
Development ancillary to residential accommodation
Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (Built form is not limited to residential)
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Subdivision of a sector, buffer area or development site in a Release Area
Telecommunications facility

Waste water disposal system
Water recreation structure

Outcomes

Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)

Reduction of waste throughout all phases of development. (En)

Public safety is ensured. (S)

Protection of the public domain. (S, En)

Controls***Erosion and Sediment Management***

Erosion and sedimentation prevention measures must be installed on all sites to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.

Erosion and sedimentation prevention measures must be installed in accordance with Managing Urban Stormwater: Soils and Construction (Landcom 2004) on the downstream side of any works undertaken on the boundary of the site or on public lands adjoining the site to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.

Appropriate devices are to be in place at all times to prevent the migration of sediment off the site.

Variations

Nil

Advisory Notes

For further information refer to Managing Urban Stormwater: Soils and Construction (Landcom 2004).

B8.3 Construction and Demolition - Waste Minimisation

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Demolition
Development ancillary to residential accommodation
Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (Built form is not limited to residential)
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Subdivision of a sector, buffer area or development site in a Release Area
Telecommunications facility
Waste water disposal system
Water recreation structure

Outcomes

Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)

Controls

Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.

Variations

Nil

B8.4 Construction and Demolition - Site Fencing and Security

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Demolition
Development ancillary to residential accommodation
Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (Built form is not limited to residential)
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Subdivision
Subdivision of a sector, buffer area or development site in a Release Area
Telecommunications facility
Waste water disposal system
Water recreation structure

Outcomes

Ensuring public safety. (S)
Protection of public domain. (S, Ec)

Controls

All sites are to be protected by site fencing for the duration of the works.

Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the *Roads Act 1993*.

Variations

Nil

B8.5 Construction and Demolition - Works in the Public Domain

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (Built form is not limited to residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site in a Release Area
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Protection of Infrastructure. (S, Ec)
 Ensuring Public Safety. (S)
 Compliance with the *Roads Act 1993*. (S)

Controls

All works undertaken within the public road reserve must be protected in a manner to ensure pedestrian and vehicular safety at all times.

All works undertaken on site or in the public road reserve must make provision for pedestrian and traffic flow and not adverse nuisance.

All works undertaken on a site or in the public road reserve must make good any damage or disruption to the public infrastructure.

Variations

Nil

Technical Reports and Supporting Information

All construction works undertaken in the public road reserve (ie; the road verge between the property boundary and road edge and on the road pavement) requires prior to the commencement of any construction works, the following:

- The issue of the Construction Certificate including a Section 139 Consent for Works on the Public Road Reserve issued by the Council under the provisions of S138 of the *Roads Act 1993* for the design and construction of any works located on the road reserve and/or
- The issue of a Road Opening Permit required under the provisions of Section 138 of the *Roads Act 1993* issued by the Council for utility services installation activities (gas, electricity, sewer, water, communications etc) not covered by a Section 139 Consent for Works on the Public Road Reserve.

B8.6 Construction and Demolition - Traffic Management Plan

Land to which this control applies

All Land.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Demolition
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (Built form is not limited to residential)
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Subdivision
 Subdivision of a sector, buffer area or development site in a Release Area
 Telecommunications facility
 Waste water disposal system
 Water recreation structure

Outcomes

Minimal disturbance to the residential community. (S)
 Protection of Roads. (S, Ec)

Controls

For all development where either excavated materials to be transported from the site or the importation of fill material to the site is 100m³ or greater, a Construction Traffic Management Plan indicating truck movements, and truck routes is to be provided and approved by Council prior to the commencement of works.

All transport works must not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.

Variations

Nil

Section C Development Type Controls

C1 Design Criteria for Residential Development

This part contains general design criteria relating to residential development.

This part applies to all forms of residential development, including but not limited to:

- Attached dwellings
- Boarding houses
- Dual occupancies
- Dwelling houses
- Exhibition homes
- Group homes
- Hostels
- Multi dwelling housing
- Residential flat buildings
- Rural worker's dwellings
- Secondary dwellings
- Semi-detached dwellings
- Seniors housing
- Shop top housing (residential portion only)

(Note: Controls relating to the business/commercial portion of shop top housing are contained in Part C2 Design Criteria for Business Development).

C1.1 Landscaping

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Newport Commercial Centre or Elanora Heights Village Centre or Warriewood Valley Land Release Area - P21DCP-BCMDCP081

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

A built form softened and complemented by landscaping. (En)
Landscaping reflects the scale and form of development. (En)
Retention of canopy trees by encouraging the use of pier and beam footings. (En)
Development results in retention of existing native vegetation. (En)
Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)
Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)
Landscaping enhances habitat and amenity value. (En, S)
Landscaping results in reduced risk of landslip. (En, Ec)
Landscaping results in low watering requirement. (En)

Controls

All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.

In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.

At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.

Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.

The following soil depths are required in order to be counted as landscaping:

- 300mm for lawn
- 600mm for shrubs
- 1metre for trees

The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:

- A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments,
- 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and
- 50% for all other forms of residential development.

Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.

In bushfire prone areas, species shall be appropriate to the bushfire hazard.

Landscaping shall not unreasonably obstruct driver and pedestrian visibility.

Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.

Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.

Noxious and undesirable plants must be removed from the site
(www.pittwater.nsw.gov.au/environment/noxious_weeds/a-z_list_of_weeds)

Residential Flat Buildings, Multi Dwelling Housing, Shop Top Housing and Seniors Housing

For development containing 3 or more dwellings, permanent seating is to be provided in the landscaped area.

For residential flat buildings and multi dwelling housing, a communal area for children's play is to be provided.

For shop top housing, a minimum landscaped area of 20% of the site area, or 35m² per dwelling, whichever is the greater, shall be provided.

Above ground gardens are to be incorporated into each dwelling at all levels (other than ground floor).

For shop top housing, a minimum 4m² planter or landscaped area is to be provided as a feature at the ground level of the front building facade.

For shop top housing development landscaping is to be provided at the front and rear of the development.

Variations

Where canopy trees are to be retained on a site, planting of additional canopy trees shall be assessed on a merit basis.

Where street trees are provided or canopy trees are provided in a courtyard, provision of landscaped areas shall be assessed on a merit basis for shop top housing.

Advisory Notes

- For species lists please refer to Pittwater Council's *Native Plants for your Garden* available on Council's website.
- For specific details on landscaping refer to Pittwater Council's Appendix 9 Landscape and Vegetation Management of this DCP.
- Canopy trees selected should be capable of achieving the desired level of canopy cover for the site within 5 - 10 years of completion of the development.
- For shop top housing developments also refer to C2.1.

- Additional landscaping controls for the Newport Commercial Centre are provided in Part D10.29 of this DCP.
- For specific controls in relation to the landscaping in the Elanora Heights Village Centre, refer to Part D5.35 of this DCP.

As part of the landscaping works associated with the development any existing variety of Leightons cypress pine / Leyland cypress (xCupressocyparis leylandii) on the site are to be identified and nominated for removal and replacement planting consistent with Council's *Native Plants for Your Garden* guidelines and relevant identified 'vegetation community' provided (details of which are available on Council's website at www.pittwater.nsw.gov.au/environment/plants__and__animals/native_plants).

Information to be included in the Statement of Environmental Effects

- An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping, or retaining existing vegetation, and the proposed landscaping reflects the scale and form of the development.

Technical Reports and Supporting Information

- A landscaping plan and accompanying details shall be provided. The plan should have sufficient detail to clearly demonstrate that the outcomes of the control will be achieved.
- The plan needs to include a plant schedule which lists the scientific names (inclusion of common names as well would be preferred but not essential) of all plants to be used and their quantities.
- The site plan must include the location of all plants (either through labeling or a code/key). Marking out sections and listing numerous species is not generally acceptable unless they are ground covers and the quantities are still listed.
- Landscaping plans shall include elevations of the development when viewed from public places and surrounding properties, showing the combined impact of trees and vegetation to be retained as well as plantings to be implemented as part of the development proposal.
- The landscaping plan is to be prepared by an appropriately qualified person (e.g. AILA listed Landscape Architect) and should provide sufficient details for assessment of the proposal in terms of the visual character of the proposal and the sustainability of the proposed landscaping.
- Landscape plans should also incorporate recommendations of any Arborist Reports or Bushland Management Plans. Note if a Vegetation Management Plan has been required a Landscape Plan may not be required providing the outcomes of this control are covered in the Vegetation Management Plan.

The plan should show : -

- Street tree planting to the Building Frontage (minimum 8m soil volume per tree)
- Existing trees and vegetation to be retained, and any existing trees to be removed (as per the arborist report)
- Proposed canopy tree plantings
- Garden areas sufficient to soften scale / bulk of the proposed buildings.
- Planting schedule indicating upper-advanced planting to garden areas

Schedule of materials including:-

- Pavement type / installation
- Root barriers / structural soil
- Stormwater drainage
- Pits and utility lines
- Seating / lighting
- Irrigation (drip/stationed)
- Landscape

When is a Landscaping plan NOT REQUIRED ? Where a proposal : -

- Does not involve changes to the external appearance, or increase the footprint of an existing building and / or
- Does not cause any substantial change to the visual character of the site.
- A landscaping plan is not required provided trees and vegetation are to be retained, and proposed canopy tree planting and screen planting details are shown on the ground floor plans.
- A landscaping plan is not required where a Vegetation Management Plan has been required and the Outcomes of this control are covered in the Vegetation Management Plan.

C1.2 Safety and Security

Land to which this control applies

All land in the Pittwater LGA NOT including the Warriewood Valley Locality, Pittwater waterway or Elanora Heights Village Centre

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group Home
Hostel
Jetty
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Water Recreation structure

Outcomes

On-going safety and security of the Pittwater community. (S)
Opportunities for vandalism are minimised. (S, Ec)
Inform applicant's of Council's requirements for crime and safety management for new development.(S)
Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)
Identify crime and safety priority areas in Pittwater LGA (S, Ec)
Improve community safety and reduce the fear of crime in the Pittwater LGA (S)
Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

Controls

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

1. Surveillance

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

Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.

Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners.

Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting*.

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

Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.

Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.

2. Access Control

Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.

Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.

Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.

The street number of the property is to be clearly identifiable.

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

3. Territorial reinforcement

Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

Where a retail/commercial use and residential dwellings are provided in the same development, separate entries for the different uses are to be provided.

Blank walls along all public places (streets, open space etc) shall be minimised.

4. Space management

Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.

A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies.

Variations

Nil

Advisory Notes

For related controls in relation to Safety and Security in the Elanora Heights Village Centre, refer to Part D5.28 of this DCP.

Information to be included in the Statement of Environmental Effects

- A statement demonstrating how the safety and security of people using or visiting the proposed development has been addressed in the design of the proposal

C1.3 View Sharing

Land to which this control applies

All land in the Pittwater LGA NOT including the Newport Commercial Centre or Elanora Heights Village Centre - P21DCP-BCMDCP082

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Subdivision of a sector, buffer area or development site in a Release Area

Outcomes

A reasonable sharing of views amongst dwellings. (S)
Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)
Canopy trees take priority over views. (En, S)

Controls

All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.

The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.

Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.

Views are not to be obtained at the expense of native vegetation.

Variations

Nil

Advisory Notes

Visit: Tenacity vs. Warringah,
http://www.lec.lawlink.nsw.gov.au/lec/principles/planning_principles.html
for planning principles.

Additional View Sharing controls for the Newport Commercial Centre are provided in Part D10.26 of this DCP.

Additional View Sharing controls for Elanora Heights Village Centre are provided in Part D5.38 of this DCP.

Where there is the potential for view loss to adjoining developments and / or public viewing points, an assessment of the view loss, supported by a clearly documented photographic analysis shall be provided.

It may also be appropriate that height poles be erected to demonstrate the impact of the finished development on view lines.

Where height poles are erected, a statement by a Registered Surveyor should be provided certifying the height and location of the poles in relation to the proposed structures.

Information to be shown on the Development Drawings

- clearly show the view lines from the property, adjoining properties and public domain areas on floor plans and elevations.

Information to be included in the Statement of Environmental Effects

- An assessment of the views available from the property, and views from other properties and public domain areas which may be affected by the proposal.
- An analysis of any view loss and explanation of the design features and location of the proposed structure in terms of how the proposal seeks to achieve equitable view sharing and view retention.
- An explanation of the proposal's compliance with the Land and Environment Court's Planning Principles for viewsharing.

Technical Reports and Supporting Information

- Where there is the potential for view loss to adjoining developments and / or public viewing points, an assessment of the view loss, supported by a clearly documented photographic analysis shall be provided.
- It may also be appropriate that height poles be erected to demonstrate the impact of the finished development on view lines.
- Where height poles are erected, a statement by a Registered Surveyor should be provided certifying the height and location of the poles in relation to the proposed structures.
- Additional View Sharing controls for the Newport Commercial Centre are provided in Part D10.26 of this DCP.
- Applicants are advised to consult with the possible affected parties where view sharing is an issue with a view to obtaining consensus in the earliest stages of the development process.

C1.4 Solar Access

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Newport Commercial Centre or Elanora Heights Village Centre or Warriewood Valley Land Release Area - P21DCP-BCMDCP081

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Residential development is sited and designed to maximise solar access during mid-winter. (En)
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)
Reduce usage and/dependence for artificial lighting. (En)

Controls

The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.

Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.

The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.

Variations

General

Where the following constraints apply to a site, reasonable solar access to the main private open space and to windows to the principal living area will be assessed on a merit basis:

- where the orientation or shape of a lot precludes northerly orientation (20° west to 30° east of north),
- where there is adverse slope or topography,
- where there is existing vegetation, obstruction, development or fences that overshadow, or
- where other controls have priority, e.g. heritage and landscaping considerations.

Subject to a merit assessment, consent may be granted where a proposal does not comply with the standard, provided the resulting development is consistent with the general principles of the development control, the desired future character of the locality and any relevant State Environmental Planning Policy.

Shop top housing

Council may consider a variation for shop top housing on sites constrained by orientation, existing or proposed development, etc provided that:

- the outcomes of this clause are achieved
- the principal living area and private open space for at least 70% of dwellings proposed receive a minimum 3 hours of sunlight between 9am and 3pm on 21st June, and
- the number of single-aspect dwellings with a southerly (SW/SE) aspect are limited to 10% of the total number of dwellings proposed.

Advisory Notes

Controls for Solar Access for the Newport Commercial Centre are in Part D10.32 of this DCP.

For specific controls in relation to the above mentioned controls for the Elanora Heights Village Centre, refer to Part D5.36 of this DCP.

Consideration should be given to the planning principle regarding solar access when assessing potential impact on neighbouring properties.

Visit: Parsonage vs Ku-ring-gai Council

(<http://www.lawlink.nsw.gov.au/lecjudgments/2004nswlec.nsf/00000000000000000000000000000000/2e6bcb5e19eefebcca256ec?opendocument>)

Visit: The Benevolent Society vs Waverley Council [2010] NSWLEC 1082

(http://www.leg.lawlink.nsw.gov.au/lec/principles/planning_principles.html)

Information to be shown on the Development Drawings

- the ground floor plan shall include shadow diagram(s) demonstrating the impact of the proposed development on adjoining properties (at a minimum shadow lines to be cast by the proposal at 9am, 12noon, and 3pm on June 21st, shall be provided).
- Drawings should not show magnetic north.
- Show all windows on the affected proportion of the neighbouring property on the elevation shadow diagrams at 9am, 12 noon, and 3pm on June 21st.

Information to be included in the Statement of Environmental Effects

- A statement outlining how solar access and natural light will be accessible to the proposed development, and demonstrating that the impact of the proposed development on the adjoining properties is acceptable in terms of restriction of solar access and natural light.

Technical Reports and Supporting Information

- Where solar access and access to natural light are a significant factor in the proposal, particularly in terms of medium density and shop top development, a report, with a comprehensive shadow analysis, specifically addressing solar access to the proposal and its impact on adjoining development should be provided.

C1.5 Visual Privacy

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Newport Commercial Centre or Elanora Heights Village Centre or Warriewood Valley Land Release Area - P21DCP-BCMDCP081

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)

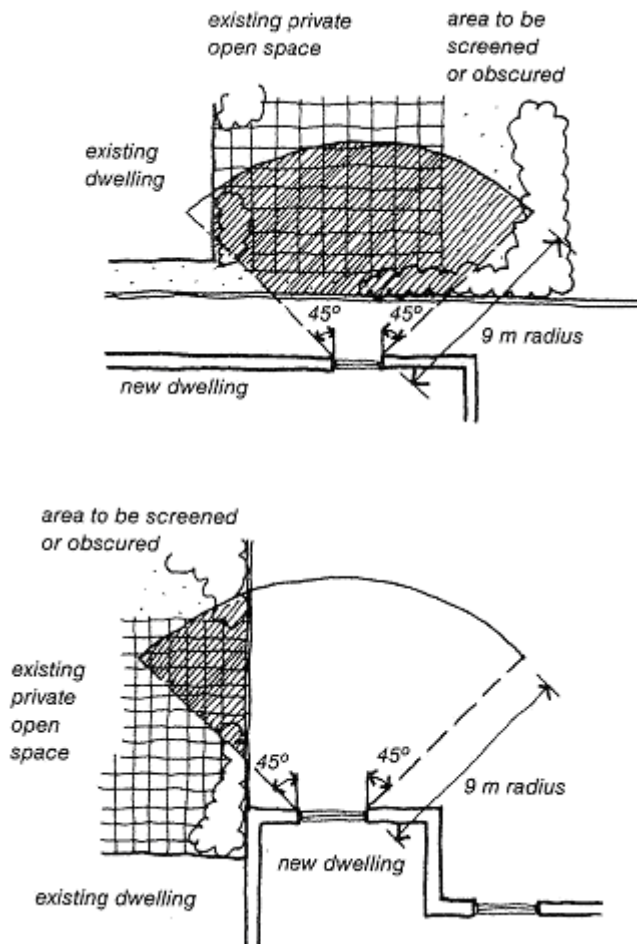
A sense of territory and safety is provided for residents. (S)

Controls

Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).

Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.

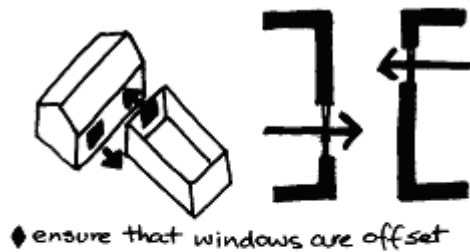
Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.



(Source: AMCORD 1995)

Direct views of private open space or any habitable room window within 9m can be restricted (see diagram below) by:

- vegetation/landscaping
- a window sill height 1.7 metres above floor level, or
- offset windows
- fixed translucent glazing in any part below 1.7 metres above floor level, or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials; and
 - designed and painted or coloured to blend in with the dwelling.



Variations

Secondary Dwellings:-

For a secondary dwelling informal sharing arrangement for open space for occupiers is encouraged.

Advisory Notes

Visual Privacy controls for the Newport Commercial Centre are in Part D10.33 of this DCP.

For specific controls in relation to the above mentioned controls for the Elanora Heights Village Centre, refer to Part D5.37 of this DCP.

Information to be included in the Statement of Environmental Effects

- An analysis outlining how the proposal achieves an acceptable level of privacy for residents and users and protects the privacy of any adjoining development.
- All windows along the nearest elevation of the adjoining properties on both sides of the proposed development site should be shown on the survey plan.

C1.6 Acoustic Privacy

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Warriewood Valley land release area or Elanora Heights Village Centre - P21DCP-BCMDCP091

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited. (S)

Noise is not to be offensive as defined by the *Protection of the Environment Operations Act 1997*, including noise from plant, equipment and communal or private open space areas (S)

Controls

Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.

Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the *Building Code of Australia*. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the *Building Code of Australia*).

Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.

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

Variations

Nil

Advisory Notes

Additional Acoustic Privacy controls for the Newport Commercial Centre are in Part D10.33 of this DCP.

For specific controls in relation to the above mentioned controls for the Elanora Heights Village Centre, refer to Part D5.39 of this DCP.

Information to be included in the Statement of Environmental Effects

- An analysis outlining how the proposal achieves an acceptable level of acoustic privacy for residents and users and protects the acoustic privacy of any adjoining development.

C1.7 Private Open Space

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Newport Commercial Centre or Elanora Heights Village Centre or Warriewood Valley Land Release Area - P21DCP-BCMDCP081

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)

Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)

Private open space receives sufficient solar access and privacy. (En, S)

Controls

Private open space shall be provided as follows:-

a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-

Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.

Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).

Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.

Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).

Private open space should be located to the rear of the dwelling to maximise privacy for occupants.

Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.

A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.

Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.

An accessible and usable area for composting facilities within the ground level private open space is required.

b) Secondary Dwellings:-

For a secondary dwelling informal sharing arrangement for open space for occupiers is encouraged.

c) All other residential development:-

Minimum area of 15% of the floor area of the dwelling (not including the floor area of garages or internal laundries), with no dimension less than 2.5 metres and a grade no steeper than 1 in 10 (10%).

Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.

Ground floor units are to have a minimum area of private open space of 30sq.m and with no dimension less than 4 metres.

Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constrains this orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access and Natural Light).

Walled enclosure of private open space is prohibited. Such areas shall not be modified to be incorporated into the dwelling.

Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.

For Shop Top Housing, residential flat buildings and multi dwelling housing, private open space at upper levels in the form of front/rear or internal courtyard balconies and terraces are required. The dimension of the balcony should be sufficient so that the area can be usable for recreational purposes (ie a minimum area of 10m² and a minimum width of 2.4 metres). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residences.

Balconies are prohibited from overhanging public property.

Variations

Where a dual occupancy is located at first floor or above, the controls in (c) above will apply.

Advisory Notes

Additional private open space requirements are provided for the Newport Commercial Centre in D10.28 of this DCP.

For specific controls in relation to the above mentioned controls for the Elanora Heights Village Centre, refer to Part D5.40 of this DCP.

Information to be shown on the Development Drawings

- the floor plan(s) shall clearly define the private open space to be provided and a table stating the area(s) available for private open space is to be shown on the drawings

Information to be included in the Statement of Environmental Effects

- An analysis of how private open space requirements will be achieved as part of the proposed development

C1.8 Dual Occupancy Specific Controls

Land to which this control applies

Land zoned RU2 Rural Landscape, R2 Low Density Residential, R3 Medium Density Residential or R5 Large Lot Residential not including the Warriewood Valley Locality.

Uses to which this control applies

Dual occupancy (attached)

Dual occupancy (detached)

Outcomes

Limitation of the visual bulk and scale of development. (En, S)

Provision of design flexibility for second storey development.

Restriction of the footprint of development on site. (En)

Retention of the natural vegetation and facilitation of planting of additional landscaping. (En)

Provision of rental accommodation (S)

Controls

A landscaping strip of 1.5m minimum width shall be provided along the side boundary where any driveway is located adjacent to an existing dwelling.

Where dual occupancies (detached) are proposed, the maximum number of storeys of each dwelling shall be:

- 2 storeys for one dwelling, and
- 1 storey for the second dwelling.

Second storeys shall cover a maximum of 50% of the ground floor area. Second storey's shall be located to:

- Maximise solar access
- Minimise overlooking of private yards
- Complement the existing streetscape.
- Minimise the appearance of visual bulk.

Where a building site is less than 16.5 metres wide the rear dwelling of a dual occupancy must be single storey unless there are adverse slope or topography issues.

Dual occupancies shall have a floor space ratio in accordance with the following:

Area description	Maximum Floor Space Ratio
Area 2	0.3:1
Area 3	0.4:1

Variations

Nil

Advisory Notes

To determine which area on the Landscaped Area Map that applies to your property, please use the property search function via Council's ePlanning Portal or call the Assistant Development Officers on 9970 1674.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that: -

- The visual bulk and scale of the development fits in with surrounding development
- Design flexibility for second storey development has been provided
- The footprint of the development on the site has been restricted
- The retention of natural vegetation and the planting of additional landscaping can be achieved

Information to be shown on the Development Drawings

- The ground floor plans shall clearly show any landscaping strips to be provided between the driveway and adjacent boundaries and a table stating the ground floor area and the second storey floor area and the floor space ratio is to be provided.

C1.9 Adaptable Housing and Accessibility

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway.

Uses to which this control applies

Attached dwelling

Boarding house

Cafe

Development ancillary to residential accommodation

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)

Dual occupancy (attached)

Dual occupancy (detached)

Dwelling house

Entertainment facility

Exhibition home

Group home

Hostel

Multi dwelling housing

Residential flat building

Restaurant

Rural worker's dwelling

Secondary dwelling

Semi-detached dwelling

Seniors housing

Shop top housing

Subdivision of a sector, buffer area or development site in a Release Area

Outcomes

The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.

All members of the community enjoy equitable access to buildings to which the general public have access.

Housing for Seniors or People with a Disability is accessible, adaptable and safe.

Equitable access in the public domain.

Controls

Adaptable Housing

The design of residential development shall meet the criteria of Australian Standard AS 4299:1995 Adaptable Housing as follows:

Development	Percentage (%) of adaptable units (rounded up)	Minimum class under AS 4299:1995

Multi Dwelling Housing, Boarding Houses, Group Homes and Hostels, excluding those in Warriewood Valley	50	Class B
Residential Flat Buildings, Shop Top housing and Mixed Use developments comprising residential accommodation.	20	Silver level of the <i>Liveable Housing Guideline</i> .
Residential development in Warriewood Valley not elsewhere identified in this table.	25	Class B
Seniors Living	100	Per the requirements of the <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>

The development application must be accompanied by certification from an accredited access consultant confirming that the nominated adaptable dwellings are capable of being modified, when required by the occupant, to comply with *AS 4299:1995 Adaptable Housing*.

Accessibility for all development

Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.

Development within areas subject to flooding must provide for access on land within private ownership. In this regard ramps must not encroach into the public domain.

Variations

Council may consider a variation for works associated with accessibility relating to the construction of works in the public domain where the development is a single dwelling or dual occupancy.

Advisory Notes

Control B6.2 also applies to the land.

C1.10 Building Facades

Land to which this control applies

All land in the Pittwater LGA NOT including the Newport Commercial Centre or Elanora Heights Village Centre and the Warriewood Valley Locality

Uses to which this control applies

Attached dwelling
Boarding house
Group home
Hostel
Multi dwelling housing
Residential flat building
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Improved visual aesthetics for building facades. (S)

Controls

Building facades to any public place including balconies and carpark entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.

For multi dwelling housing, residential flat buildings or seniors housing and similar development that includes multiple dwellings with multiple letterboxes, where possible mailboxes should be orientated obliquely to the street to reduce visual clutter and the perception of multiple dwellings.

Variations

Council will consider the incorporation of service pipes or conduits into facades where treated as a design element of the facade

Advisory Notes

For specific controls in relation to the building facades design for the Elanora Heights Village Centre, refer to Part D5.24 of this DCP.

C1.11 Secondary Dwellings and Rural Worker's Dwellings

Land to which this control applies

Land zoned RU2 Rural Landscape, R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential or E4 Environmental Living not including the Warriewood Valley Locality.

Uses to which this control applies

Secondary dwelling
Rural worker's dwelling

Outcomes

Limitation of the visual bulk and scale of development. (En, S)
Provision of design flexibility for second storey development.
Restriction of the footprint of development site. (En)
Retention of natural vegetation and facilitation planting of additional landscaping. (En)
Provision of rental accommodation. (S)

Controls

The development of a secondary dwelling or rural worker's dwelling will result in not more than two (2) dwellings being erected on an allotment of land.

A secondary dwelling or rural worker's dwelling contains not more than two (2) bedrooms and not more than one (1) bathroom.

A landscaping strip of 1.5m minimum width shall be provided along the side boundary where any driveway is located adjacent to an existing dwelling.

Where the secondary dwelling or rural worker's dwelling is separate from the principal dwelling, only one storey will be allowed.

Where the secondary dwelling or rural worker's dwelling is located within, or is attached to the principal dwelling (including the garage) the maximum building height is to be in accordance with the height controls contained within *Pittwater Local Environmental Plan 2014*.

A secondary dwelling above a detached garage is not supported.

Variations

Nil

Information to be shown on the Development Drawings

- The ground floor plans shall clearly show any landscaping strips to be provided between the driveway and adjacent boundaries.
- The floor plans shall clearly show gross floor area calculations.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that: -

- The visual bulk and scale of the development fits in with surrounding development
- Design flexibility for second storey development has been provided
- The footprint of the development on the site has been restricted
- The retention of natural vegetation and the planting of additional landscaping can be achieved
- The total floor area provisions can be achieved

C1.12 Waste and Recycling Facilities

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Elanora Heights Village Centre - P21DCP-BCMDCP092

Uses to which this control applies

Attached dwelling

Boarding house

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)

Dual occupancy (attached)

Dual occupancy (detached)

Dwelling house

Exhibition home

Group home

Hostel

Multi dwelling housing

Residential flat building

Rural worker's dwelling

Secondary dwelling

Semi-detached dwelling

Seniors housing

Shop top housing

Outcomes

To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development.

To encourage environmentally protective waste management practices on construction and demolition sites which include:

- sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities;
- adoption of design standards that complement waste collection and management services offered by Council and private service providers;
- building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and
- appropriately designed waste and recycling receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area.

To encourage the ongoing minimisation and management of waste handling in the future use of premises.

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.

Controls

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

Variations

Nil

Information to be shown on the Development Drawings

- Floor plans shall clearly show the location and dimension of waste and recycling storage facilities proposed on the site.

C1.13 Pollution Control

Land to which this control applies

All Land

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Subdivision of a sector, buffer area or development site in a Release Area

Outcomes

Development that does not adversely impact on public health, the environment or other lands.
(S, E)

Controls

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

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

Variations

Nil

Advisory Notes

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under Section 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recovery exemptions are available on the Environment Protection Authority's website at <http://www.environment.nsw.gov.au/waste/>

C1.14 Separately Accessible Structures

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway - P21DCP-BCMDCP047

Uses to which this control applies

Attached dwelling

Boarding house

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)

Development ancillary to residential accommodation

Dual occupancy (attached)

Dual occupancy (detached)

Dwelling house

Exhibition home

Group home

Hostel

Multi dwelling housing

Other Development

Residential flat building

Rural worker's dwelling

Semi-detached dwelling

Seniors housing

Shop top housing

Outcomes

Separately accessible structures that provide a recreational or office function for residents. (S)

Controls

A separately accessible structure may be permitted for use as a studio, home office, workshop area, rumpus room and the like, provided that:

- i) it is ancillary to a dwelling;
- ii) it is not designed for separate habitation and does not contain any cooking facilities.

Variations

Where the purpose of the structure or its distance from the nearest bathroom facility dictates, bathroom/toilet facilities may be allowed.

C1.15 Storage Facilities

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including Elanora Heights Village Centre - P21DCP-BCMDCP93

Uses to which this control applies

Attached dwelling

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)

Multi dwelling housing

Residential flat building

Semi-detached dwelling

Seniors housing

Shop top housing

Outcomes

Provision of convenient storage with the development. (S)

Controls

A lockable storage area of minimum 8 cubic metres per dwelling shall be provided. This may form part of a carport or garage.

Variations

Nil

Advisory Notes

For specific controls in relation to the Storage facilities in Elanora Heights Village Centre, refer to Part D5.42 of this DCP.

Information to be shown on the Development Drawings

- Floor plans shall clearly show the location of storage facilities.

C1.16 Development ancillary to residential accommodation - Tennis Courts**Land to which this control applies**

All land in the Pittwater LGA NOT including the Pittwater waterway - P21DCP-BCMDCP047

Uses to which this control applies

Development ancillary to residential accommodation

Outcomes

Minimal adverse impact on the existing landform, natural vegetation or visual quality of the site.
(En)

Controls

Night lighting of tennis courts ancillary to a dwelling is not permitted.

Fence colour must be dark green or black.

Landscaping should be provided between the tennis court fencing and external boundaries of the property where possible.

Variations

Night lighting of tennis courts may be permitted on allotments having a site area of 1 hectare or more, provided time switches are installed and the amenity of adjoining land is not adversely affected. Night lighting of existing approved tennis courts on allotments having a site area of less than 1 hectare shall be considered on a merit basis.

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating that the tennis court has been:

- Designed and located so as to minimise adverse impact on existing landforms, natural vegetation or visual quality of the site.

A statement that the proposed colours of the tennis court are green or black.

C1.17 Swimming Pool Safety**Land to which this control applies**

All Land

Uses to which this control applies

Development ancillary to residential accommodation

Dwelling house

Exhibition home

Rural worker's dwelling

Outcomes

The promotion of personal safety. (S)

Compliance with Swimming Pools Act 1992 and Regulations (En, S)

Controls

Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the *Swimming Pools Act 1992* and regulations. The fencing and warning notices (resuscitation chart) shall be permanent structures.

Variations

Nil

Advisory Notes

Hard copies of the Australian Standard *AS1926.1-2007 Swimming Pool Safety - Part 1: Safety barriers for swimming pools*, the swimming pool regulations and the guidelines for Cardiopulmonary Resuscitation (CPR) can be accessed at Council's libraries or at Council's customer service centres.

Information to be shown on the Development Drawings

- Floor plans and elevations shall clearly show the location of fencing and warning notices (resuscitation chart). Sufficient Information shall be included to ensure that the proposal meets the requirements of the *Swimming Pools Act 1992*.

C1.18 Car/Vehicle/Boat Wash Bays**Land to which this control applies**

All land in the Pittwater LGA NOT including the Pittwater waterway - P21DCP-BCMDCP047

Uses to which this control applies

Attached dwelling

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (*built form is not limited to residential*)

Multi dwelling housing

Residential flat building

Semi-detached dwelling

Seniors housing

Shop top housing

Outcomes

Prevent pollution from entering the stormwater system. (En)

Prevent stormwater entering the sewer system. (En)

Controls

A designated wash bay is to be incorporated on the site where developments have more than ten units.

The wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain and stormwaters do not enter the sewer.

Variations

Where the use of vehicles or boats is not part of the activity associated with the proposed development this control does not apply.

Information to be shown on the Development Drawings

- Floor plans shall clearly show bunded wash bays and the location of the drainage facilities for the wash bays. The wash bay floor is to be graded to allow for waste waters to drain to sewer.

C1.19 Incline Passenger Lifts and Stairways

Land to which this control applies

All Land

Uses to which this control applies

Attached dwelling
Boarding house
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Incline passenger lifts and stairways that cause minimal visual and acoustic disturbance to the environment and neighbours. (En, S)

Controls

Incline passenger lifts and stairways shall:

- be designed and located so they do not involve excessive excavation, or the removal of natural rock or trees, and
- be erected as near as possible to the ground level (existing) of the site, and shall not involve the erection of high piers or visible retaining structures, and
- be located and designed to minimise the effects of noise from the motor and overlooking of adjoining dwellings, and
- be painted to blend in with surrounding vegetation and screened by landscaping and
- be set back two (2) metres from the side boundary to the outer face of the carriage
- be located wholly on private land, and
- have a privacy screen where there is a direct view within 4.5m to a window of a habitable room of another dwelling.

On steeply sloping existing lots, incline passenger lifts are preferred to driveways where the required driveway grade may be difficult to achieve and would have an adverse impact on the landform, appearance, vegetation and species habitat. In such cases, a proposal will be subject to assessment based on merits, and should be no more than 1 metre above the existing ground level.

Incline passenger lifts will not be accepted in lieu of vehicular access for new subdivisions.

The noise level shall not exceed 60dB(A), when measured one metre from any adjoining premises.

Variations

Where an incline passenger lift is shared between lots, the 2m side boundary setback does not apply to those lots.

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating that the incline passenger lifts and associated stairways cause minimal visual and acoustic disturbance to environment and neighbours.

Technical Reports and Supporting Information

An acoustic assessment prepared by an acoustic engineer demonstrating that the noise level from the incline passenger lift will not exceeds 5D(b)A above background noise when measured from the nearest property boundary

C1.20 Undergrounding of Utility Services

Land to which this control applies

All Land not including the Warriewood Valley Locality

Uses to which this control applies

Attached dwelling
Boarding house
Group home
Hostel
Multi dwelling housing
Residential flat building
Semi-detached dwelling
Seniors housing

Outcomes

Visual pollution by aerial cables is reduced (En, S)
Improved safety by removal of visual clutter (En, S)
Opportunities for street tree planting is enhanced (En)
Safety of building occupants is maintained and enhanced. (S)
Security of utility services is improved. (S)
Design and construction of undergrounding is funded by the developer. (Ec)

Controls

All existing and proposed utility services within the site are to be placed underground or encapsulated within the building.

All existing and proposed utility services to the site, or adjacent to the site within a public road reserve, are to be placed underground for the total frontage of the site to any public road.

Design and construction of the undergrounding of utility services is to be at full cost to the developer.

Variations

Based on technical practicalities and advice from the energy supplier the merit for not proceeding with undergrounding of utility services will be considered for the following circumstances subject to achieving the outcomes of this control:

- electricity wires carrying 16,000 volts, 33,000 volts or more, and/or
- short lengths of overheads of two spans or less

C1.21 Seniors Housing

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway - P21DCP-BCMDCP001

Uses to which this control applies

Seniors housing

Outcomes

Visual bulk and scale of development is limited. (En, S)

Restricted footprint of development on site. (En)

Retention of the natural vegetation and facilitate planting of additional landscaping where possible. (En)

Achieve desired future character of the locality. (En, S)

Social mix of residents in the neighbourhood. (S)

Minimal cumulative impact from *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. (S)

Controls

Cumulative Impact

Seniors housing developed in accordance with the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, outside the R3 Medium Density Residential and B4 Mixed Use zones shall:

- Be in keeping with the development of the surrounding area in regard to bulk, building height, scale and character.
- Not result in such an accumulation of Seniors Housing developments to create a dominant social type in the surrounding neighbourhood.
- Not result in such an accumulation of Seniors Housing developments to create a dominant 'residential flat building' appearance in the neighbourhood.

Variations

Nil

Advisory Notes

The Desired Future Character for each locality can be found in Part A4 of this DCP.

Information to be shown on the Development Drawings

- A locality and neighbourhood plan that satisfactorily addresses the minimum site analysis criteria of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, and identifies the elements contributing to the desired future character of the locality.

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that: -

- The visual bulk and scale of the development fits in with surrounding development
- The development contributes positively to the Desired Future Character of the locality
- The footprint of the development on the site has been restricted and has responded to significant vegetation and other site constraints
- The retention of natural vegetation and the planting of additional landscaping can be achieved

As part of the Statement of Environmental Effects, applicants shall:

- include an assessment of the cumulative impact of the proposal, and
- demonstrate that the potential cumulative impact of the development has been minimised, and
- make reference to reports prepared by suitably qualified professionals such as urban designers and social planners.

C1.23 Eaves

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Elanora Heights Village Centre - P21DCP-BCMDCP092

Uses to which this control applies

Attached dwelling
Boarding house
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

Housing that reflects the coastal heritage and character of Pittwater. (S)
Optimise roof forms. (S)
Appropriate solar access and shading is achieved. (En)

Controls

Dwellings shall incorporate eaves on all elevations.

Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.

Variations

Council may consider a variation to this control where the development is shop top housing, residential flat buildings or multi dwelling housing.

Where Dutch gables are proposed eaves may be reduced to 300mm in width.

C1.24 Public Road Reserve - Landscaping and Infrastructure

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area or Elanora Heights Village Centre - P21DCP-BCMDCP091

Uses to which this control applies

Attached dwelling
Boarding house
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing

Outcomes

Desirable character of the Pittwater streetscape. (S)

Consistency in the design and construction of landscape works in the road reserve. (En)

Controls

Landscaping General - All Development

Landscaping within the public road reserve is to include street trees planted at 6m centres.

Street trees are to be planted to encourage the free passage of pedestrians.

Street trees should not interfere with existing powerlines.

All existing trees over 3m in height and native vegetation within the road reserve areas are to be retained where practical. The existing trees are to be protected during the construction of works through temporary perimeter fencing that is 1.8m high.

New tree plantings are to be a minimum 35 litre size with 1m x1m hole and backfilled with suitable planting medium.

Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with Hessian ties.

To ensure a consistent streetscape the new tree plantings are to be the same as the existing adjacent street trees.

Where appropriate, Council encourages the use of local endemic native species according to the list of local native species in Pittwater.

(http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists)

Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.

All work is subject to a Section 139 approval from Council.

Dwelling Houses, Secondary Dwellings and Dual Occupancy

The location of new landscaping (street trees) is not to hinder the future construction of a 1.5m

wide footpath in location to be nominated by Council and is subject to a Section 139 approval from Council.

Residential Development - less than 6 dwellings (excluding dwelling houses, secondary dwellings, rural worker's dwellings and dual occupancies)

Infrastructure General

Development with a frontage within a residential street is required to design and construct (Section 139 approval required from Council):

- a footpath 1.5m wide, or
- where a multi-use pathway is required the footpath is to be constructed to a 2.1m width, and
- kerb and gutter to Council specification, and
- landscaping for the full width of the development site on the public road reserve.

Residential Development - comprising 6 or more dwellings

Infrastructure General

Development with a frontage within a residential street is required to design and construct (Section 139 approval required from Council):

- a footpath 1.5m wide, or
- where a multi-use pathway is required the footpath is to be constructed to a 2.1m width, and
- kerb and gutter to Council specification, and the making good of the road pavement from the kerb and guttering to the road centreline, and (See note below)
- streetlighting and
- landscaping for the full width of the development site on the public road reserve.

Note: Making good of the road pavement shall be to the following engineering standard Asphaltic Concrete finish:

- Sub-arterial road: 4 x106 ESA's
- Collector road 2 x106 ESA's
- Local road 6 x105 ESA's
- Access road 1 x105 ESA's

Variations

Where the landscaping or infrastructure in the public road reserve currently exists, the requirements of this control in respect to the specific landscaping or infrastructure item need not apply.

Where the landscaping or infrastructure in the public road is located in steep terrain the landscaping and infrastructure requirements will be considered on merit.

The merit for deciduous trees will only be considered on the grounds of solar access.

Advisory Notes

For specific controls in relation to the Public Road Reserve - Landscaping and Infrastructure in Elanora Heights Village Centre, refer to Part D5.35 of this DCP.

Section 139 Consent for Works on the Public Road Reserve

Technical Reports and Supporting Information

Applicants will be required to obtain, prior to the issue of the Construction Certificate, a Section 139 Consent for works on the public road reserve issued by the Council under the provisions of S138 of the *Roads Act 1993* for the design and construction of any works on the road reserve.

The consent provides authorisation from Council as the Road Authority for the applicant to construct works (including roads, access driveways, steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on the public road reserve subject to development consent for the adjacent land being issued.

A Section 139 Consent for works on the public road reserve will be issued subject to satisfactory plans prepared by the Applicant and being provided to and approved by Council.

Applicants are encouraged to obtain the Section 139 Consent for works on the Public Road Reserve during the preparation of the development application and lodge a Section 139 Consent for Works on the Public Road Reserve with the Development Application.

To apply for this consent [CLICK HERE](#)

C1.25 Plant, Equipment Boxes and Lift Over-Run

Land to which this control applies

All Land not including the Warriewood Valley Locality

Uses to which this control applies

Attached dwelling
Boarding house
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised. (En, S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

To achieve reduction in visual clutter. (En, S)

The appropriate location and design of noise generating equipment.

Controls

Where provided, plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the building. Council does not encourage air conditioning units on the roof of residential flat buildings and multi dwelling housing. The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement.

Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.

Variations

Subject to achievement of the outcomes of this control, consideration may be given to the location of plant, equipment boxes and lift over-runs on the roof a building where it can be shown that there will not be a non-compliance with Council's built form controls including building height and building envelope.

Where located on the roof any plant, equipment boxes and lift over-runs are to be adequately screened from view from adjoining properties and the public domain.

C2 Design Criteria for Business Development

This part contains general design criteria relating to business development.

This part applies to all forms of business development, including but not limited to -

- Amusement centres
- Car parks
- Commercial premises
- Entertainment facilities
- Function centres
- Marinas
- Medical centres
- Passenger transport facilities
- Public administration building
- Recreation facilities (indoor)
- Registered clubs
- Restricted premises
- Service stations
- Sex service premises
- Tourist and visitor accommodation
- Veterinary hospitals

(Note: Controls relating to the residential portion of shop top housing are contained in Part C1 Design Criteria for Residential Development. Controls relating to industrial development are contained in Part C3 Design Criteria for Industrial Development.)

C2.1 Landscaping

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater Waterway, Warriewood Valley Land Release Area, land Adjoining Bushland Reserves, Newport Commercial Centre or Elanora Heights Village Centre - P21DCP-BCMDCP053

Uses to which this control applies

Business Development
Rural industry
Shop top housing
Tourist and visitor accommodation

Outcomes

A built form softened and complemented by landscaping. (En)
Landscaping that reflects the scale and form of development. (En)
Landscape elements provided in accordance with an approved masterplan. (En, Ec)

Controls

Canopy trees are to be located a minimum of five metres from any footing walls of the actual built structure of the development. Closer proximity can be accommodated through the use of pier and beam footings and will be assessed on a risk to structure basis.

A range of ground covers shrubs and trees shall be provided to soften the built form from the street.

For bed and breakfast accommodation and rural industry, landscape elements both hard and soft should dominate the built form and be incorporated into the building fabric and design through the use of setback and modulation incorporating such landscape elements.

For shop top housing, a planter or landscaped area with minimum area of 4m² is to be provided as a feature at the ground floor of the front building facade. This feature is to be positioned to soften any hard edges of the building including any ramps, podiums or changes in levels.

Planter areas are to be a minimum area of 4m² and where canopy trees are proposed a minimum soil volume of 8m³ is required. Provision of available root volume may need to incorporate the use of structural soils.

All plant material is to be of a super advanced nature given the difficulty of establishing plant material in heavily used urban areas. Minimum plant sizes are to be as follows:-

- Ground covers 5 litre (200) mm pot
- Shrubs 35 litre
- Trees 400 litre

A minimum depth of 500mm of garden mix (ANL Botany Mix or equivalent) must be provided to all garden areas with 150mm hardwood chip mulch to cover all garden areas.

Plants are to be arranged and spaced, so that at completion of works, they present as a grown completed landscape. Plant material should be arranged through pre-order plant contracts to achieve required advanced sizes.

Tree species to include indigenous smaller rainforest and creekline species such as:-

- Tristania Laurina - Watergum
- Hymenosporous flavum - Native Frangipani
- Cupaniopsis arachanoides - Tuckeroo
- Syzigium Jambos - Syzigium
- Banksia Intergrifolia/Serrata - Banksia

Tree species selection needs to understand root growth and location and impact upon utility services such as wires/cables/pipes both overhead and underground and generally match the existing character of the street.

All garden areas containing proposed trees are to have root barriers installed to all edges. Such barriers are preferred 100mm thick concrete to a 300 mm depth.

All garden areas to include a drip irrigation system based on station timer and be maintained by the proposed strata body of the subject building.

For shop top housing, a minimum landscaped area (at ground floor level) of 20% of the site area, or 35m² per dwelling, whichever is the greater, shall be provided.

In bushfire prone areas, species shall be appropriate to the bushfire hazard.

Noxious and undesirable plants must be removed from the site.

Landscaping is to be provided at the front and rear of shop top housing developments.

Variations

For isolated business premises not within a commercial centre or neighbourhood commercial centre, variation to requirements may be given.

Advisory Notes

- For species lists please refer to Pittwater Council's *Native Plants for your Garden* available on Council's website.
- For specific details on landscaping refer to Appendix 9 - Landscape and Vegetation Management of this DCP.
- For shop top housing developments also refer to C1.1 of this DCP.
- For specific controls in relation to the landscaping in the Elanora Heights Village Centre, refer to Part D5.35 of this DCP.

As part of the landscaping works associated with the development any existing variety of Leightons cypress pine / Leyland cypress (xCupressocyparis leylandii) on the site are to be identified and nominated for removal and replacement planting consistent with Council's *Native Plants for Your Garden* guidelines and relevant identified 'vegetation community' provided (details of which are available on Council's website at www.pittwater.nsw.gov.au/environment/plants__and__animals/native_plants).

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping, and the proposed landscaping reflects the scale and form of the development.

Technical Reports and Supporting Information

A landscaping plan and accompanying details shall be provided. The plan should have sufficient detail to clearly demonstrate that the outcomes of the control will be achieved.

Landscaping plans shall include elevations of the development when viewed from public places and surrounding properties, showing the combined impact of trees and vegetation to be retained as well as plantings to be implemented as part of the development proposal.

The landscaping plan is to be prepared by an appropriately qualified person (e.g. Australia Institute of Landscape Architects (AILA) listed Landscape Architect) and should provide sufficient details for assessment of the proposal in terms of the visual character of the proposal and the sustainability of the proposed landscaping.

The plan should show:

- Street tree planting to the Building Frontage (minimum 8m soil volume per tree)
- Existing trees and vegetation to be retained
- Proposed canopy tree plantings
- Garden areas sufficient to soften scale / bulk of the proposed buildings.
- Planting schedule indicting upper-advanced planting to garden areas
- Schedule of materials including:
 - Pavement type / installation
 - Root barriers / structural soil
 - Stormwater drainage
 - Pits and utility lines
 - Seating / lighting
 - Irrigation (drip/stationed)
 - Landscape

When is a Landscaping plan NOT REQUIRED?

- Where a proposal: -
 - Does not involve changes to the external appearance, or increase the footprint of an existing building and/ or
 - Does not cause any substantial change to the visual character of the site.
 - A landscaping plan is not required provided trees and vegetation are to be retained, and proposed canopy tree planting and screen planting details are shown on the ground floor plans.

C2.2 Safety and Security

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including the Warriewood Valley locality and Elanora Heights Village Centre

Uses to which this control applies

Business Development
Occupation/change of use of an existing premises
Rural industry
Shop top housing
Tourist and visitor accommodation

Outcomes

On-going safety and security of the Pittwater community. (S)
Opportunities for vandalism are minimised. (Ec, S)
Unobtrusive security devices that are sympathetic to the character of the building and the streetscape. (S)
Inform applicant's of Council's requirements for crime and safety management for new

development.(S)

Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)

Identify crime and safety priority areas in Pittwater LGA (S, Ec)

Improve community safety and reduce the fear of crime in the Pittwater LGA (S)

Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

Controls

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

1. Surveillance

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

Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.

Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners.

Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS4282-1997: *The control of the obtrusive effects of outdoor lighting*.

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

Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.

Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.

2. Access Control

Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.

Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.

Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.

The street number of the property is to be clearly identifiable.

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

3. Territorial reinforcement

Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

Where a retail/commercial use and residential dwellings are provided in the same development, separate entries for the different uses are to be provided.

Blank walls along all public places (streets, open space etc) shall be minimised.

4. Space Management

Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.

A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies.

Security Devices

Solid roller shutters are not permitted as security devices on shop fronts (windows and doors).

Open grille security devices, if considered necessary, are to be unobtrusive and sympathetic to the character of the building and the streetscape, with a minimum transparency of 65%.

Variations

Nil

Advisory Notes

For related controls in relation to Safety and Security in the Elanora Heights Village Centre, refer to Part D5.28 of this DCP.

Information to be included in the Statement of Environmental Effects

A statement demonstrating how the safety and security of people using or visiting the proposed development has been addressed in the design of the proposal

C2.3 Awnings**Land to which this control applies**

Land zoned B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use or B6 Enterprise Corridor NOT including Newport Commercial Centre or Elanora Heights Village Centre - P21DCP-BCMDCP049

Uses to which this control applies

Business Development
Shop top housing

Outcomes

Weather protection for pedestrians. (S)
Awnings are setback to allow uninterrupted street tree growth. (E)
Safe, structurally sound awnings. (S)

Controls

Continuous footpath awnings should be provided to the street adjoining business development for weather protection for pedestrians.

Awnings shall be constructed of any suitable and durable material, excluding glass, Perspex and the like due to heat transmission.

Awnings should be compatible in scale and height to adjoining awnings.

Awnings shall not impact on street trees.

Awnings are to comply with the relevant adopted Masterplan for the area. Where there is no Masterplan, new buildings shall provide awnings setback 3.5m from the face of the street kerb.

Variations

Merit consideration shall be given to awnings when existing buildings are being altered.

Advisory Notes

For specific controls in relation to Awnings in Elanora Heights Village Centre, refer to Part D5.31 of this DCP.

Technical Reports and Supporting Information

Structural Engineers details showing structural integrity for the awning for the life of the building.

C2.5 View Sharing

Land to which this control applies

All land in the Pittwater LGA NOT including the Newport Commercial Centre or Elanora Heights Village Centre - P21DCP-BCMDCP082

Uses to which this control applies

Business Development
Rural industry
Shop top housing

Outcomes

A reasonable sharing of views. (S)

Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)

Canopy trees take priority over views. (En, S)

Controls

All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.

The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.

Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.

Views are not to be obtained at the expense of native vegetation.

Variations

Nil

Advisory Notes

Visit: Tenacity vs Warringah

http://www.lec.lawlink.nsw.gov.au/lec/principles/planning_principles.html
for planning principles.

Refer to Part D10.26 of this DCP for additional controls in relation to views in the Newport commercial centre.

Additional View Sharing controls for Elanora Heights Village Centre are provided in Part D5.38 of this DCP.

Where there is the potential for view loss to adjoining residential developments and / or public viewing points, an assessment of the view loss, supported by a clearly documented photographic analysis shall be provided.

It may also be appropriate that height poles be erected to demonstrate the impact of the finished development on view lines.

Where height poles are erected, a statement by a Registered Surveyor should be provided certifying the height and location of the poles in relation to the proposed structures.

Information to be shown on the Development Drawings

Clearly show the view lines from the property, adjoining properties and public domain areas on floor plans and elevations.

Information to be included in the Statement of Environmental Effects

- An assessment of the views available from the property, and views from other properties and public domain areas which may be affected by the proposal.
- An analysis of any view loss and explanation of the design features and location of the proposed structure in terms of how the proposal seeks to achieve equitable view sharing and view retention.
- An explanation of the proposal's compliance with the Land and Environment Court's Planning Principles for view sharing.

Technical Reports and Supporting Information

Where there is the potential for view loss to adjoining developments and / or public viewing points, an assessment of the view loss, supported by a clearly documented photographic analysis shall be provided.

It may also be appropriate that height poles be erected to demonstrate the impact of the finished development on view lines.

Where height poles are erected, a statement by a Registered Surveyor should be provided certifying the height and location of the poles in relation to the proposed structures.

Applicants are advised to consult with the possible affected parties where view sharing is an issue with a view to obtaining consensus in the earliest stages of the development process.

C2.6 Adaptable Housing and Accessibility

Land to which this control applies

All Land not including the Warriewood Valley locality.

Uses to which this control applies

Business Development
Child care centre
Rural industry
Shop top housing
Tourist and visitor accommodation

Outcomes

The community's accessibility needs are met within Pittwater through well designed adaptable development. (S)

All members of the community enjoy equitable access to buildings to which the general public have access. (S)

Equitable access in the public domain. (S)

Controls

Convenient and safe access for all people, including people with a disability, older people, and people with prams, must be provided to and within all buildings to which the general public have access.

The siting and design of a building to which the general public has access shall comply with Australian Standard *AS 1428-2009.1: Design for access and mobility – General requirements for access – New building work*, and shall incorporate the following:

- i) continuous accessible path of travel to all areas that the public or a section of the public is entitled or allowed to enter or use; and
- ii) walkways, ramps and landings at a reasonable gradient and width, with handrails and kerbs provided on all ramps, and slip-resistant materials on all floor surfaces; and
- iii) accessible toilet facilities, tactile ground surface indicators, effective signage and illumination, and adequate circulation space through passageways and doorways; and

- iv) carparking for people with a disability.

This clause applies to development that involves:

- a) a new building to which the general public has access;
- b) major alterations and additions to an existing building to which the general public has access; and
- c) alterations to the shopfront/entrance of an existing building to which the general public has access.

Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.

Development shall include design and construction of the footpath, cycleway, kerb and guttering, drainage facilities, street furniture, street lighting and landscaping and make good the adjacent road and pavement for the full frontage of the site to any public road at full cost to the developer.

The design and construction shall be in accordance with the Village Streetscape Masterplans. See Section 94 Contributions Plan.

Development within areas subject to flooding must provide access on land within private ownership. In this regard ramps must not encroach into the public domain.

Variations

Council may consider non-compliance with this clause where alterations to an existing public administration building to which the general public has access are proposed if it would impose unjustifiable hardship on the owner or occupant.

Council may consider variation to controls relating to the public domain where there is 50 square metres or less increase in gross floor area.

Information to be shown on the Development Drawings

Provide sufficient detail, dimensions and gradients to demonstrate that structural compliance can be achieved

Information to be included in the Statement of Environmental Effects

A statement of compliance with the Accessibility Control and the objectives of the *Disability Discrimination Act 1992*.

Technical Reports and Supporting Information

Access Report completed by an accredited access adviser and including the following:

1. An Executive Summary at the front of the report that includes:
2. A Statement of Expertise and Accreditation,
3. A summary of recommendations for compliance that maybe applied as conditions and
4. Certification that the plans submitted are capable of meeting the requirements of the BCA, Accessibility Control and the objectives of the *Disability Discrimination Act 1992*.
5. The main body of the Access Report must include a detailed assessment of the proposed development that identifies access issues and recommendations relating to compliance with this control.
6. Two copies of the Access Report are to be submitted with the development application.

C2.7 Building Facades**Land to which this control applies**

All land in the Pittwater LGA NOT including the Warriewood Valley locality, the Newport Commercial Centre or Elanora Heights Village Centre

Uses to which this control applies

Business Development
Rural industry

Outcomes

Improved visual aesthetics for building facades. (S)

Controls

Building facades to any public place including balconies and carpark entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.

Variations

Council will consider the incorporation of service pipes or conduits into facades where treated as a design element of the facade

Advisory Notes

For specific controls in relation to the building facades design for the Elanora Heights Village Centre, refer to Part D5.24 of this DCP.

C2.8 Energy and Water Conservation

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including the Warriewood Valley locality and Elanora Heights Village Centre

Uses to which this control applies

Business Development
Occupation/change of use of an existing premises
Rural industry
Tourist and visitor accommodation

Outcomes

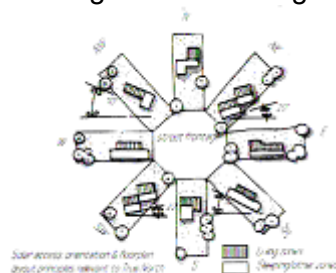
More efficient use of resources in Pittwater. (En)

The orientation, design and siting of buildings makes the best use of natural ventilation, daylight and solar energy. (En)

Water sensitive urban design. (En)

Controls

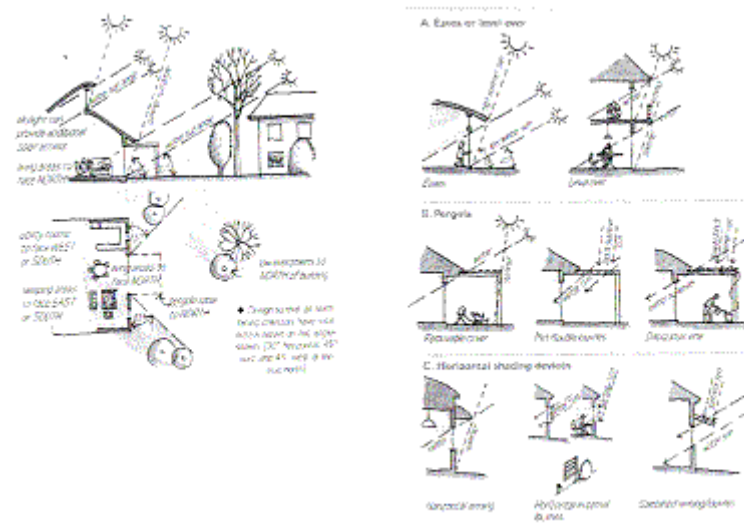
Buildings shall be designed to be energy and water efficient.



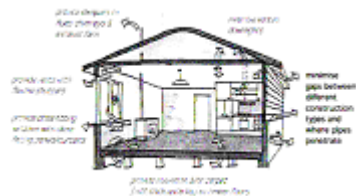
All new hot water systems must be either solar, heat pump or gas and must have a minimum rating of 3.5 stars.

Water efficient appliances shall be used in all development (including AAA rated water efficient shower heads, water tap outlets and dual flush toilets).

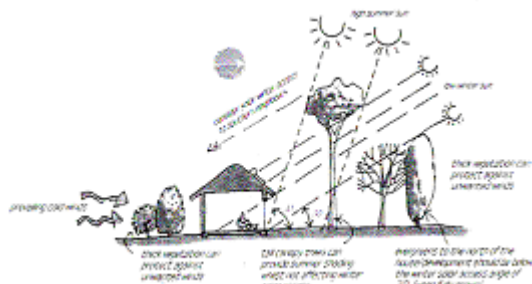
Windows are to be sized, located and shaded (by structures or vegetation) to reduce summer heat and allow entry of winter sun. Deep eaves are required to achieve this where appropriate, in addition to other horizontal shading devices, such as verandahs, pergolas, awnings, and external horizontal blinds.



Buildings are to be designed to maximise ventilation in summer. This can be achieved by positioning openings (windows and doors) to prevailing summer winds to encourage cross ventilation, and the installation of fans, roof vents and high level windows.



The species type, location and design of landscape planting are to assist in the conservation of energy.



The installation of in-sink food waste disposers in any development is prohibited.

Nil

Check *State Environmental Planning Policy (Building Sustainability Index: BASIX)* 2004 as it may apply.

For specific controls in relation to the energy and water conservation in Elanora Heights Village Centre, refer to Part D5.33 of this DCP.

Information to be included in the Statement of Environmental Effects

- An analysis of the proposed development demonstrating how the proposed development has been oriented, designed and sited to make the best use of the natural ventilation, daylight and solar energy.
- A statement that any new hot water system is either solar, heat pump or gas, and has NatHERS rating of a least 3.5 stars.
- A statement that any new clothes dryer will have a minimum energy rating of 2 stars (equal to 3.5 SEDA Greenhouse score).
- A statement that AAA rated water efficient shower heads, water tap outlets and dual flush toilets will be installed
- A statement that new solar fuel or woodburning appliances comply with AS 4013 1999 (or subsequent amending standard).
- A statement that no in-sink food waste disposer will be installed

Technical Reports and Supporting Information

Certification by an accredited certifier that the building addresses 3.5 star NatHERS rating or when 3.5 stars cannot be achieved, a statement by the certifier regarding the special condition(s) under which an exemption may be claimed.

When is a certification NOT REQUIRED?

- Certification is not required when the proposed development is a minor alteration or addition (ie. less than 50% of the gross floor area) to an existing residential building.

C2.9 Waste and Recycling Facilities

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including Elanora Heights Village Centre.

Uses to which this control applies

Business Development
Occupation/change of use of an existing premises
Rural industry

Outcomes

To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development.

To encourage environmentally protective waste management practices on construction and demolition sites which include:

- sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities;
- adoption of design standards that complement waste collection and management services offered by Council and private service providers;
- building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and
- appropriately designed waste and recycling receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area.

To encourage the ongoing minimisation and management of waste handling in the future use of premises.

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.

Controls

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

Variations

Nil

Advisory Notes

Floor plans shall clearly show the location and dimension of waste and recycling facilities proposed on the site.

Information to be shown on the Development Drawings

Floor plans shall clearly show the location and dimension of waste storage facilities proposed on the site.

C2.10 Pollution Control**Land to which this control applies**

All land in the Pittwater LGA including the Pittwater waterway but NOT including Elanora Heights Village Centre - P21DCP-BCMDCP93

Uses to which this control applies

Business Development
Occupation/change of use of an existing premises
Rural industry
Shop top housing

Outcomes

Development does not adversely impact public health, the environment or other lands. (S, E)

Controls

All developments must be designed, constructed, maintained, and operated in a proper and efficient manner to prevent air, water, noise or land pollution.

Development and business operation must comply with the *Protection of the Environment Operations Act 1997*, and any relevant legislation.

Compliance with the *NSW Environment Protection Authority Industrial Noise Policy (January 2000)*.

Variations

Nil

Advisory Notes

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under Section 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recovery exemptions are available on Environment Protection Authority's website at <http://www.epa.nsw.gov.au/waste/>

C2.11 Signage

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including Elanora Heights Village Centre - P21DCP-BCMDCP93

Uses to which this control applies

Business Development
Child care centre
Occupation/change of use of an existing premises
Rural industry
Shop top housing
Signage
Tourist and visitor accommodation

Outcomes

Signage is compatible with the desired amenity and visual character of the locality. (S)
Signage does not adversely impact upon any heritage item or conservation area. (S)
Signage does not result in visual clutter of the landscape. (S)
Signage is of high quality design and finish. (S)

Controls

Signage shall meet the following criteria:

Sign	Criteria
Awning fascia sign (attached to the fascia or return end of an awning)	i) shall not project above, below or beyond the fascia or return end of the awning to which it is attached.
Freestanding sign (not being a sign elsewhere listed in this table, and includes a hoarding, bulletin board, list of businesses within a complex, and the like)	i) shall not have a signage area greater than 4.5sq m; ii) shall not project beyond the boundary of the premises; iii) shall not extend beyond the height of the built form within whose context it sits; and iv) shall not be illuminated.
Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)	i) shall not be less than 2.6m above ground; ii) shall not have a signage area greater than 4.5sq m; iii) shall not project beyond the boundary of the premises; and iv) shall not extend beyond the height of the built form within whose context it sits.
Top hamper sign (attached to the transom of a doorway or display window of a building)	i) 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; ii) shall not exceed 600mm in height; and iii) shall not have a signage area greater than 5sq m.

Under awning sign (attached to underside of awning)	<ul style="list-style-type: none"> i) shall not exceed 2.5m in length or 0.5m in height; ii) shall have a signage area not exceeding 1.25sq m each side; iii) shall be erected horizontal to the ground no less than 2.6m above the ground, and at right angles to the building to which the awning is attached; iv) shall not project beyond the awning; v) shall be securely fixed by metal supports; and vi) no more than one per business permitted.
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)	<ul style="list-style-type: none"> i) shall not extend laterally beyond the wall of the building upon which it is attached; ii) shall not cover any window or architectural projections; iii) shall not have a signage area greater than 4.5sq m; iv) where illuminated, shall not be less than 2.6m above the ground; and v) shall not project more than 300mm from the wall.
Window sign (painted or letters stuck onto the inside or outside of a display window)	<ul style="list-style-type: none"> i) shall not cover the whole of the display window so as to obstruct natural light; ii) shall only be permitted on ground floor windows.
Bed and Breakfast establishment (sign associated with)	<ul style="list-style-type: none"> i) no greater than 0.75sq m in area; ii) no more than 1 sign shall be erected; iii) the sign is to indicate that the dwelling house is a bed and breakfast establishment and include the name and telephone number of the proprietor.
Home occupation/business/industry, home-based child care and health consulting rooms (sign associated with)	<ul style="list-style-type: none"> i) no greater than 0.75sq m in area; ii) no more than 1 sign shall be erected; iii) not erected on a heritage item; iv) the sign is to indicate the name and occupation of the business.

Sex services premises & Restricted premises

In addition to all other signage controls, no signage may display words or images, which are in the opinion of Council, sexually explicit, lewd or otherwise offensive.

Council must be satisfied that the content, size and shape of the signage are not likely to interfere with the amenity of the neighbourhood.

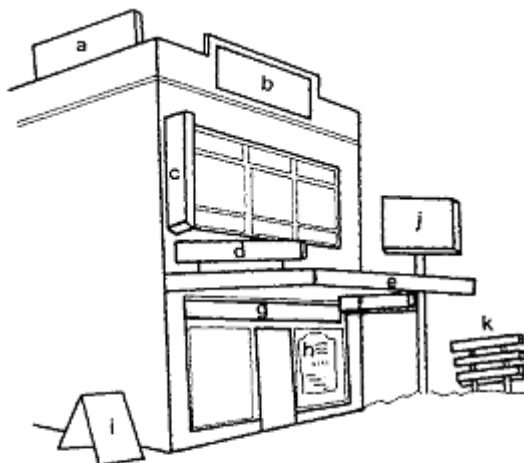
Signage for sex services premises shall be restricted to the address and telephone number.

The diagram below illustrates different types of signage.

Any signage erected within a residential, environmental or rural zone shall not be visually obtrusive.

The following signage shall not be permitted in Pittwater:

1. where erected on or above the roof, canopy, or parapet of a building
2. where attached to the upperside of an awning
3. where attached to the wall of a building and projecting more than 300mm from that wall
4. where illuminated at frequent intervals (i.e. flashing)
5. where capable of movement by source of power or wind
6. where illuminated (within a residential zone or environmental zone)
7. where incorporates bill/fly posters, bunting and airborne signage, including hot air balloons, blimps, and the like
8. where located on motor vehicles and which renders the motor vehicle stationary



- | | |
|----------------------------|-----------------------|
| a) Roof Sign | g) Top Hamper Sign |
| b) Flush Mounted Wall Sign | h) Window Sign |
| c) Projecting Wall Sign | i) "A" Frame Sign |
| d) Above Awning Sign | j) Pole or Pylon Sign |
| e) Awning Fascia Sign | k) Freestanding Sign |
| f) Under Awning Sign | |

Variations

Nil

Advisory Notes

Certain signage is permitted without Council consent, see Schedule 2 of the *Pittwater Local Environmental Plan 2014* and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

State Environmental Planning Policy No 64 Advertising and Signage must be considered prior to granting consent for the display of any signage.

For specific controls in relation to signage in Elanora Heights Village Centre, refer to Part D5.30 of this DCP.

The *Summary Offences Act 1998 No 25* restricts signage in relation to premises used for prostitution, including sex services premises

C2.12 Protection of Residential Amenity

Land to which this control applies

All land in the Pittwater LGA NOT including the Newport Commercial Centre or Elanora Heights Village Centre and Warriewood Valley locality.

Uses to which this control applies

Business Development
Occupation/change of use of an existing premises
Rural industry
Shop top housing
Tourist and visitor accommodation

Outcomes

Development that does not have an adverse impact upon adjoining residential accommodation.

(S)

Maintenance of a reasonable level of solar access and visual privacy to residential properties.

(En, S)

Controls

Where development adjoins land zoned or used for residential purposes, the following apply:

Solar Access

The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.

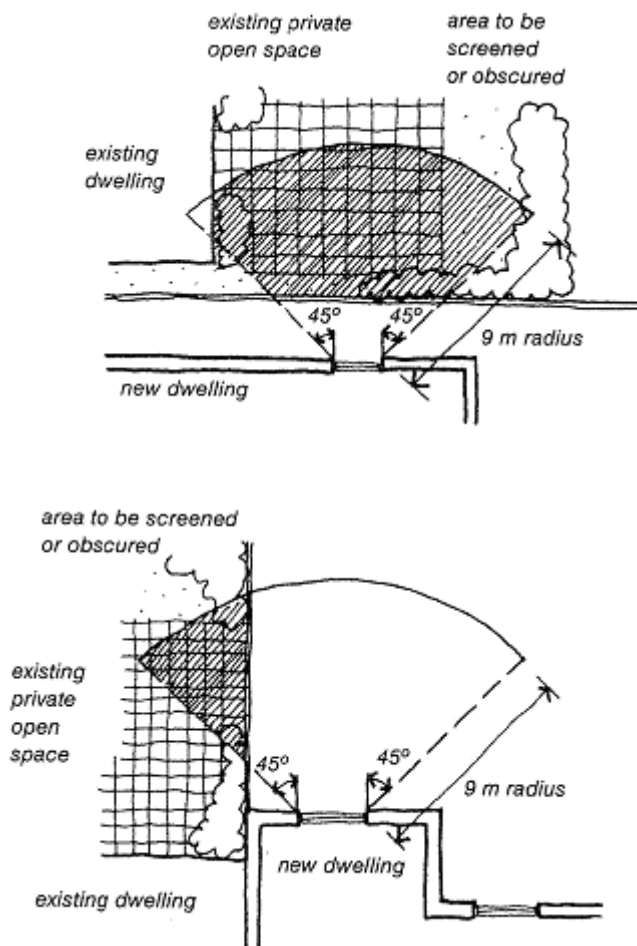
Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.

Privacy

Private open spaces and living rooms of proposed and any existing adjoining dwellings may be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).

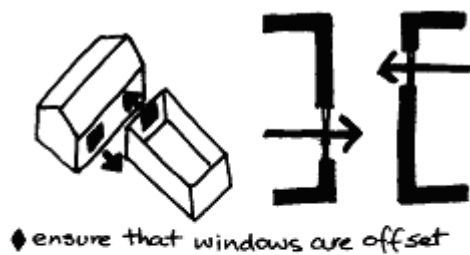
Elevated decks, verandahs and balconies may incorporate privacy screens where necessary and should, where possible, be located at the front or rear of the building. Such areas shall not be modified to be incorporated into the dwelling.

Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.



Direct views of private open space or any habitable room window within 9 metres may be restricted (see diagram below) by:

- vegetation/landscaping
- a window sill height 1.7 metres above floor level, or
- offset windows
- fixed translucent glazing in any part below 1.7 metres above floor level, or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials; and
 - designed and painted or coloured to blend in with the house.



Variations

Nil

Advisory Notes

Refer to Part D10.33 of this DCP for controls in relation to the Newport Commercial Centre.

For specific controls in relation to the protection of residential amenity in Elanora Heights Village Centre, refer to Part D5.36, D5.37, D5.38, D5.39 and D5.41 of this DCP.

C2.13 Tourist and Visitor Accommodation

Land to which this control applies

All Land

Uses to which this control applies

Tourist and visitor accommodation

Outcomes

Tourist and visitor accommodation that promotes and protects the Pittwater environment and lifestyle. (Ec)

Tourist and visitor accommodation that is compatible with the character of the existing built form and residential amenity of the locality. (S, Ec)

Provision of tourist and visitor accommodation that are safe, clean and sanitary. (S, Ec)

Tourist and visitor accommodation that is designed, developed and managed to provide a high standard of amenity for guests, whilst not impacting on the amenity of the surrounding area. (S, Ec)

Serviced apartments that provide a level of amenity for residents that is comparable with residential development. (S, Ec)

Controls

Bed and Breakfast Accommodation & Farm Stay Accommodation

- i) Clause 5.4 of the *Pittwater Local Environmental Plan 2014* requires bed and breakfast accommodation to consist of no more than 3 guest bedrooms.
- ii) No more than 6 paying guests, boarders or lodgers shall be accommodated at any one time.
- iii) No more than 12 persons, including guests, owner/proprietor and family, shall be accommodated in the dwelling house at any one time.
- iv) Accommodation shall be provided on a short-term basis only, up to a maximum of one month for each paying guest, boarder or lodger.

Health

- i) No animals are permitted in guest rooms, dining rooms or kitchens, other than an assistance animal which may enter all public areas except the kitchen.
- ii) Toilet and bathroom facilities are required for guests separate from those used by the permanent residents of the dwelling house. Access to these facilities is to be obtained without the need to enter the owner/occupiers dwelling.
- iii) The establishment must comply with the *Food Act 2003* and Regulations (inclusive of the NSW Food Authority Notification requirements), the Food Safety Standards Code (Standard 3.2.3 - Food Premises and Equipment) and *Australian Standard 4674-2004 (Construction and fitout of food premises)*.
- iv) Adequate provision is to be made to the satisfaction of Council for the supply of water and the disposal of stormwater, sewage and garbage/recycling.
- v) Bed and breakfast accommodation is not required to incorporate solid walls, false bases to benches and kickplates.

Fire safety

- i) A fire blanket and fire extinguisher, with appropriate instructions for use, are to be installed in the kitchen area.
- ii) Deadlocks requiring an internal key release are not to be installed on doors to guest's rooms or external doors.
- iii) Approved single-station smoke detector alarms (connected to a permanent 240 volt supply with a battery operated back-up device) are to be installed in all habitable rooms (excluding kitchens) and all corridors, passageways or hallways.

Sound proofing

Where the proposal involves a new building or extensions to an existing building, the walls

separating guest bedrooms are to achieve a sound transmission rating in accordance with the *Building Code of Australia*. Walls separating a guest bedroom from an adjacent bathroom, kitchen, toilet, laundry or stairway are to achieve a sound transmission rating in accordance with the *Building Code of Australia*.

Signage

- i) Council will approve (1) non-illuminated sign of a maximum area of 0.75sqm.
- ii) The sign is to indicate that the dwelling house is bed and breakfast accommodation and ir

Backpackers Accommodation

- i) Backpacker accommodation is to be located with 400m of public transport.
- ii) The number of people a sleeping room can accommodate will be determined by allocating a minimum of 3.25m² of floor area for each person.
- iii) The maximum length of stay for guests is 28 consecutive days.
- iv) The minimum combined floor area of communal areas including kitchen and living areas (excluding toilets, bathrooms and laundries) is to be determined on a basis of 1.75m² per person based on the maximum number of guests. At least one of these communal areas should have a minimum area of 20m² with a minimum dimension of 3 metres.
- v) Toilet facilities are required to be provided in a separate compartment from the shower/bathroom.
- vi) Rooftop terraces are not permitted.
- vii) Developments are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbours by locating:
 - a) The main entry point and indoor and outdoor communal areas away from side boundary areas near adjoining properties, and away from the main living area or bedroom windows of any adjacent buildings;
 - b) Screen fencing, plantings and acoustic barriers in appropriate locations; and
 - c) Double glaze windows or glass blocks where noise transmission could affect neighbouring properties.
- viii) An acoustic assessment prepared by an appropriately qualified consultant including recommended noise attenuation measures is to be submitted with a development application.
- ix) Exhausts/motor units and generators should be housed in acoustic enclosures or located in areas away from living or sleeping rooms, within the building or adjacent properties.

Hotel or Motel Accommodation & Serviced Apartments

- i) The maximum permitted length of stay is 3 months for motels and hotels.
- ii) Sleeping rooms are to provide a minimum of 5.5m² per occupant.
- iii) Serviced apartments are to be designed so that the level of residential amenity within each apartment is equivalent to that required to be provided within residential flat buildings.
- iv) A wash tub, washing machine and clothes drying facilities shall be provided within each serviced apartment.
- v) Buildings shall be orientated and designed to minimise potential impacts of the development on the surrounding residential amenity.

Variations

Variations may be considered where the development meets the outcomes of the control.

Advisory Notes

All development must comply with the *Building Code of Australia*.

Information to be shown on the Development Drawings

A floor plan showing the kitchen and sanitary facilities layout is to be submitted.

C2.14 Commercial Swimming Pools

Land to which this control applies

All Land

Uses to which this control applies

Business Development

Other Development

Outcomes

Improvement in the quality and operation of commercial recreational/educational swimming pool operations, both in commercial areas and residential areas, giving due regard to the sensitivity of Pittwater's natural and built context. (Ec)

Encouragement of a high standard of educational and recreational pool development of a design that fits into the context of, and is sensitive to the existing surrounding locality and protects Pittwater's environmental integrity. (En, S, Ec)

Encouragement of the adequate provision for all matters associated with commercial swimming pools, providing for appropriate car parking, health regulations and acoustic controls and design. (S, Ec)

Controls

Design

The pool coping should be located a minimum 4 metres from any residential boundary. Within this area a maximum width of 1 metre of pool concourse would be allowed. The area between the pool concourse and any dividing fence should be landscaped with adequate species of plants and trees that would have the effect of visually screening the pool area from the neighbours.

Acoustic

In a residential area or where the pool adjoins residential development, the development must meet Environmental Protection Authority's Guidelines with regard to noise. Any acoustic controls that are needed to comply with the guidelines are to be of an acceptable aesthetic standard in terms of height, design, colour and location.

Carparking

Adequate car parking is to be provided in accordance with this DCP. In the residential area one car space must be provided for each person attending a tuition period (note: where more than one pupil are members of the same family group, only one car parking space is required for the family group) plus two spaces for residents.

In this regard, particularly in residential areas, due regard must be had to the provision of carparking on site for all patrons, taking into account the overlap of the sessions of use of the commercial swimming pool, which must be a minimum of 15 minutes between classes.

Class numbers must be limited to ensure adequate parking is available for the vehicles of all people in attendance.

Health/Safety

- a) The pool area and its surrounds should be kept in a clean and healthy state.
- b) The pool area should be fenced in accordance with the Swimming Pools Act 1992, to provide for safety to children.
- c) Compliance with the Public Health Act 2010, Public Health Regulation 2012 and the Public Swimming Pool and Spa Pool Advisory Document (NSW Health 2013).

- d) A register of water quality testing is to be maintained for inspection. In this regard the register is to be provided to Council on an annual basis. Water quality testing is to be carried out by a registered or qualified practitioner.
- e) No dogs or animals should be allowed to enter into the designated area of public recreation/education at any time.
- f) Any proposed commercial swimming pool must be conducted by a suitably qualified/accredited teacher of swimming and water safety. Proof of this qualification must be submitted with the application and displayed in a visually prominent position in the pool area.
- g) Access to toilet facilities shall be made available for patrons of the pool.
- h) A qualified person in swimming and water safety is to be on duty at all times the commercial swimming pool is operating. This person is also to be trained in resuscitation techniques by a recognized course.
- i) Appropriate water safety, first aid and resuscitation equipment is to be provided at the pool side at all times of the pool operating. A current qualified person (also trained in resuscitation techniques) is to be at pool side at all times of the operation. The qualified persons accreditation documents in water safety, first aid and resuscitation are to be prominently displayed in the pool area.
- j) The operation must be conducted in full awareness of the potential hazard of solar radiation and appropriate protection provided.
- k) Appropriate public liability insurance is to be obtained and evidence of annual renewal of this cover be provided to Council.
- l) The storage and handling of bulk chemicals must be in accordance with the requirements of WorkCover NSW.
- m) Sanitary Facilities shall be provided in accordance with the *Building Code of Australia*.

Variations

Nil

Advisory Notes

Where it is proposed to convert an existing residential pool to a commercial use and where the operation cannot comply with the standards in this part, Council will not approve such a conversion.

Information to be shown on the Development Drawings

Floor plans and elevations shall clearly show the location of fencing and resuscitation charts. Sufficient information shall be included to ensure that the proposal accords with the requirements of the Swimming Pools Act

C2.15 Car/Vehicle/Boat Wash Bays**Land to which this control applies**

All Land

Uses to which this control applies

Business Development

Occupation/change of use of an existing premises

Rural industry

Outcomes

Prevention of pollution from entering the stormwater system. (En)

Prevention of stormwaters from entering the sewer system. (En)

Controls

A designated wash bay is to be incorporated on the site.

The wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain and stormwaters do not enter the sewer.

Variations

Where the use of vehicles or boats is not part of the activity associated with the proposed development this control does not apply.

Information to be shown on the Development Drawings

The Development Application plans shall incorporate detail regarding the proposed location and design of the bunded wash bays. The wash bay floor is to be graded to allow for wastewaters to drain to the sewer.

C2.16 Undergrounding of Utility Services**Land to which this control applies**

All Land not including the Warriewood Valley locality

Uses to which this control applies

Business Development

Rural industry

Shop top housing

Outcomes

Visual pollution by aerial cables is reduced (En, S)

Improved safety by removal of visual clutter (En, S)

Opportunities for street tree planting is enhanced (En)

Safety of building occupants is maintained and enhanced. (S)

Security of utility services is improved. (S)

Design and construction of undergrounding is funded by the developer. (Ec)

Controls

All existing and proposed utility services within the site are to be placed underground or encapsulated within the building.

All existing and proposed utility services to the site, or adjacent to the site within a public road reserve, are to be placed underground for the total frontage of the site to any public road.

Design and construction of the undergrounding of utility services is to be at full cost to the developer.

Variations

Based on technical practicalities and advice from the energy supplier the merit for not proceeding with undergrounding of utility services will be considered for the following circumstances subject to achieving the outcomes of this control:

- electricity wires carrying 16,000 volts, 33,000 volts or more, and/or
- short lengths of overheads of two spans or less

C2.20 Public Road Reserve - Landscaping and Infrastructure

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including the Warriewood Valley locality and Elanora Heights Village Centre

Uses to which this control applies

Business Development
Rural industry
Shop top housing
Tourist and visitor accommodation

Outcomes

Achieve the desired future character of the locality.
Consistency in the design and construction of landscape works in the road reserve.

Controls

A) Development located in commercial centres

Development located in commercial centres with frontage to a public road reserve requires the design and construction of the paving area, kerb and gutter, the making good of the road pavement from the kerb and gutter to the road centre line, streetlighting and soft landscaping to the full width of the development site on the public road reserve frontage to the development.

Infrastructure Design Criteria - Commercial Centres

All works within the road reserve areas are to be in accordance with masterplans as proposed for the individual commercial precincts. All applicants should make themselves aware of Council's short and long term works proposed for the Commercial centres.

The owner/builder/strata manager will be responsible for failures within the pavement/landscape works for the period of the defects liability period being 12 months from the issue of occupation certificate.

The Strata Management for the subject development will be responsible for the maintenance and on going upkeep of garden/landscape areas located within the property frontage public road reserve area.

A minimum of 2 seats (street furniture Australia Plaza Seat with back and arm rests or equivalent) to be provided to property frontage.

All road reserve areas within designated shop top housing precincts are subject to Council's *Pittwater Streetscape Management Guidelines*.

All utility pits as located in the road reserve frontage are to be replaced if more than 12 months old. Replacement of pits to be liaised and approved by relevant utility authorities with evidence of such submitted prior to release of the Occupation Certificate.

Stormwater discharge line located within the road reserve from building to kerb and gutter are to be installed using a steel rectangular hollow sections or similar to provide structural support to the paving over.

Landscaping Design Criteria - Commercial Centres

Landscaping within the public road reserve is to include street trees planted to the road reserve frontage of the development placed in accordance with any Masterplan requirements. Where there is no Masterplan requirement trees are to be planted at 1 tree per 6 linear metres of frontage.

Street trees are to be planted so as not to obstruct the free passage of pedestrians along the road reserve.

Street trees should not interfere with existing power lines.

All existing trees over 3m in height and native vegetation within the road reserve area are to be retained where practical. The existing trees are to be protected during construction work by placement of perimeter fencing that is 1.8m high.

New tree planting are to be a minimum 400 litre size with 1m x1m hole and backfilled with suitable planting medium.

Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with hessian ties.

All new pavements in Commercial Centres are to be unit pavers as the following schedule:

- Avalon - Paver Type - Header Course - CM 60mm Plazapave Harvest Gold (290x60mm)
 - Infill Paver - CM 60mm Plazapave Avalon Sand (290x60mm)
 - Pattern - Header course to shopfront, kerb, boundary edges of Harvest Gold infilled with Avalon Sand in stretcher course of 45 degree angle to kerb/shopfront
- Newport - Paver Type - Claypave Pittwater Council 'Monarch Tan' (230x115x50mm)
 - Pattern - Header course to shopfront, kerb, boundary edges infilled with 45 degree Herringbone pattern
- Mona Vale - Paver Type - Grant (600x300x30mm) Exfoliated/Top Flamed with 2mm bevel edge
 - Pattern - Stretcher bond
 - All nominated paving types to be laid on 30mm sand/cement mix over 100mm 20mpa biscuit slab or 400mm compacted DGB (engineer certified) sub-base to be independently certified by a registered engineer for CBR compaction prior to installation.

The perimeter of paving areas are to be fixed with a concrete haunch of at least 150mm thickness.

B) Development located outside commercial centres

Landscaping General - All Development

Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.

Street trees are to be planted so as not to obstruct the free passage of pedestrians along the road verge and not interfere with existing power lines.

Tree species are to be a minimum 400 litre size with 1m x1m hole and backfilled with planting medium. Trees are to be staked with 2/50mm x 50mm stakes with hessian ties.

All existing trees over 3m in height and native vegetation and trees within the road reserve areas are to be retained where practical. Such trees are to be protected through perimeter 1.8m high temporary fencing during the construction of works.

Selected species are to as per the existing adjacent street trees or native species to the area.

Council encourages the use of local endemic native species according to the list of local native species in Pittwater http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists

Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.

- i) Development up to 1000sq m Gross Floor Area- Landscaping and Infrastructure
Development with frontage to a public road reserve requires the design and construction of a footpath 1.5m wide (2.1m wide where a multi-use pathway is

required to be installed), kerb and gutter and landscaping for the full width of the development site on the public road reserve frontage to the development.

- ii) Development greater than 1000sq m Gross Floor Area- Landscaping and Infrastructure Development with frontage to a public road reserve requires the design and construction of a footpath 1.5m wide (2.1m wide where a multi-use pathway is required to be installed), kerb and gutter, the making good of the road pavement from the kerb and gutter to the road centre line, street lighting and landscaping for the full width of the development site on the public road reserve frontage to the development.

Making good of the road pavement shall be to the following engineering standard Asphaltic Concrete finish:

- Sub-arterial road: 4 x106 ESA's
- Collector road 2 x106 ESA's
- Local road 6 x105 ESA's
- Access road 1 x105 ESA's

Variations

Where the landscaping or infrastructure in the public road reserve currently exists, the requirements of this Control in respect to the specific landscaping or infrastructure item need not apply.

Where the landscaping or infrastructure in the public road is located on steep terrain, the landscaping and infrastructure requirements will be considered on merit.

Variations of deciduous trees are to be considered for solar access.

Advisory Notes

For specific controls in relation to the Public Road Reserve - Landscaping and Infrastructure in Elanora Heights Village Centre, refer to Part D5.35 of this DCP.

Information to be shown on the Development Drawings

Where any works are proposed to be carried out on the public road reserve, a plan needs to be provided for the full width of the development site showing any proposed works on the public road reserve. This plan may be incorporated within the landscaping plan provided for the site and must be in accordance with the relevant masterplan for the commercial centre if applicable.

Technical Reports and Supporting Information

Section 139 Certificate for Works on the Public Road Reserve

Applicants will be required to obtain prior to issue of the Construction Certificate, a section 139 Certificate for Works on the Public Road Reserve issued by the Council under the provisions of S138 of the Road Act 1993 for the design and construction of any works located on the road reserve.

The consent provides authorisation from Council as the Road Authority for the applicant to construct works (including roads, driveways, steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road reserve.

A section 139 consent for works on the Public Road Reserve will be issued subject to satisfactory plans prepared by the applicant being provided to and approved by Council.

Applicants are encouraged to obtain the section 139 Consent for Works on the Public Road Reserve during preparation of the Development Application and lodge the section 139 consent for Works on the Public Road Reserve with the Development Application.

To apply for this consent [CLICK HERE](#)

All new pavements are to be unit pavers as the following schedule:

- Avalon - Paver Type - Header Course - CM 60mm Plazapave Harvest Gold (290x60mm)
 - Infill Paver - CM 60mm Plazapave Avalon Sand (290x60mm)
 - Pattern - Header course to shopfront, kerb, boundary edges of Harvest Gold infilled with Avalon Sand in stretcher course of 45o angle to kerb/shopfront
- Newport - Paver Type - Claypave Pittwater Council 'Monarch Tan' (230x115x50mm)
 - Pattern - Header course to shopfront, kerb, boundary edges infilled with 45o Herringbone pattern
- Mona Vale - Paver Type - Grant (600x300x30mm) Exfoliated/Top Flamed with 2mm bevel edge
 - Pattern - Stretcher bond

All nominated paving types to be laid on 30mm sand/cement mix over 100mm 20mpa biscuit slab or 400mm compacted DGB (engineer certified) sub-base to be independently certified by a registered engineer for CBR compaction prior to installation.

All free edges or edges adjacent edges to be fixed with a concrete haunch of at least 150mm thickness.

All street frontages to include provision for street tree planting (1 tree per 6-8 linear metres frontage). Tree pit to be 2 metres long by 1 metre wide, completely excavated and replaced with garden mix and installation of 400 litre street tree to match existing species located in street.

C2.21 Food Premises Design Standards

Land to which this control applies

All Land

Uses to which this control applies

Business Development

Occupation/change of use of an existing premises

Controls

Compliance with Australia New Zealand Food Standards Code 3.2.3 (Food Premises and Equipment).

Compliance with Australia Standard AS 4674-2004: *Construction and fit-out of food premises*

Mechanical Ventilation systems are to be designed, manufactured, installed, operated and maintained in accordance with:

- i) Australian Standard AS 1668.1:1998 *The use of ventilation and air conditioning in buildings Part 1 - Fire and smoke control in multicompartment buildings*
- ii) Australian Standard AS 1668.2:2012 *The use of mechanical ventilation and air conditioning in buildings Part 2 - Mechanical ventilation in buildings.*

Mechanical Ventilators or other air conditioning equipment shall be screened from view from public and private domain to avoid clutter on the side, front and rear walls of development in the Elanora Heights Village Centre.

Food businesses must ensure that the premises are provided with the necessary services of water waste disposal, light ventilation, cleaning and personal hygiene facilities, storage space and access to toilets.

Variations

Nil

Information to be shown on the Development Drawings

- Floor Plan and Section Plan
- Design and construction of the food premises (including all server, food storage and preparation areas) in accordance with divisions 1 to 5 of Australian New Zealand Food Standards Code 3.2.3.
- Food premises and Equipment and Australian Standard AS 4674-2004: *Construction and fit-out of food premises*.

Technical Reports and Supporting Information

Documented evidence is to be submitted confirming that the mechanical ventilation system has been designed in accordance with AS 1668.1 and 1668.2.

C2.22 Plant, Equipment Boxes and Lift Over-Run

Land to which this control applies

All Land not including the Warriewood Valley locality.

Uses to which this control applies

Business Development

Occupation/change of use of an existing premises

Shop top housing

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised. (En, S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

To achieve reduction in visual clutter. (En, S)

The appropriate location and design of noise generating equipment.

Controls

Where provided, plant and equipment boxes and lift over-runs are to be integrated internally into the design fabric of the built form of the building.

Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.

Variations

Subject to achievement of the outcomes of this control, consideration may be given to the location of plant, equipment boxes and lift over-runs on the roof a building where it can be shown that there will not be a non-compliance with Council's built form controls including building height and building envelope.

Where located on the roof any plant, equipment boxes and lift over-runs are to be adequately screened from view from adjoining properties and the public domain.

C2.23 Service Stations

Land to which this control applies

All Land

Uses to which this control applies

Service station

Outcomes

To ensure service stations are appropriately located with minimal adverse impacts on vehicular traffic and pedestrian movement.

To minimise adverse impacts on surrounding land uses.

Controls

A building or work shall not be erected or used, and land shall not be used for the purpose of a service station unless:

- a) the site is more than 90 metres from the junction or intersection of a main or arterial road, with another main or arterial road;
- b) where the site has frontage to a main or arterial road -
 - (i) the Traffic Authority of New South Wales has been consulted; and
 - (ii) where the site is not a corner lot, the frontage to the road is not less than 38 metres, or, where the site is a corner lot, the frontage to the road is not less than 30 metres;
- c) where the site has frontage to a road other than a main or arterial road, the frontage is not less than 30 metres;
- d) the width of a vehicular crossing over a footpath is not more than 9 metres;
- e) any a vehicular crossing over a footpath is not closer than 6 metres to a road intersection;
- f) separate entrances to and exits from the site are provided and those entrances and exits are separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering;
- g) where the site is a corner lot, separate entrances and exits are provided to and from each of the adjoining roads and a physical barrier is erected so that a vehicle entering a site must, when leaving it, use an exit leading only to the road from which the entrance was gained;
- h) inlets to bulk fuel storage tanks are so situated on the site as to ensure that tankers, while discharging fuel into such tanks, shall stand wholly within the site;
- i) fuel pumps are within the site not closer than 3 metres to the road alignment;
- j) the layout of the site is such as to facilitate the movement of vehicles entering into or leaving the site with the flow of traffic on the adjoining road;
- k) vehicular access to or from the site from or to an adjoining road is situated not less than 24 metres to any traffic lights on the roads; and
- l) the site is suitably landscaped.

Advisory Notes

Nil

Variations

Nil.

C2.24 Take-away Food Premises

Land to which this control applies

All Land

Uses to which this control applies

Food and drink premises

Outcomes

To ensure food and drink premises are appropriately located with minimal adverse impacts on vehicular traffic and pedestrian movement.

To minimise adverse impacts on surrounding land uses, including parking.

Controls

A food and drink premise, that includes a drive-in or drive-through component shall not be erected or used unless the following conditions are complied with:

- a. the site area is not less than 1,000m²;
- b. where the site has a frontage to a main or arterial road, the frontage is not less than 27 metres; and
- c. where the site has a frontage to any other road, the frontage is not less than 21 metres; and
- d. the vehicle crossing is not:
 - i. less than 6 metres wide;
 - ii. closer than 9 metres to another vehicular crossing on the site; or
 - iii. closer than 7.6 metres to a road intersection.

Variations

Nil.

Advisory Notes

Nil.

C3 Design Criteria for Industrial Development

This part contains general design criteria relating to industrial development.

This part applies to all forms of industrial development, including but not limited to:

- Boat building and repair facilities
- Crematorium
- Depots
- Freight transport facilities
- Industrial retail outlet
- Industrial training facilities
- Light industries
- Mortuaries
- Storage premises
- Transport depot
- Truck depot
- Vehicle body repair workshops
- Vehicle repair stations
- Warehouse or distribution centres
- Waste disposal facilities
- Water supply systems
- Wholesale supplies

C3.1 Landscaping

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality.

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

A built form softened and complemented by landscaping. (En)

Landscaping that reflects the scale and form of development. (En)

Water Sensitive Urban Design. (En)

Controls

A range of low-lying shrubs, medium-high shrubs and canopy trees shall be provided to soften the built form.

Landscaping shall reflect the scale and form of development, and shall be incorporated into the building design through setback and modulation.

Landscaping shall not unreasonably obstruct driver and pedestrian visibility.

Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used, to prevent interference with the built form.

All canopy trees, and a majority (>50%) of other vegetation, shall be locally native species.

Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries.

Noxious and undesirable plants must be removed from the site.

Variations

Nil

Advisory Notes

For species lists please refer to Pittwater Council's *Native Plants for your Garden* available on Council's website.

For specific details on landscaping refer to Appendix 9 -Landscape and Vegetation Management of this DCP.

As part of the landscaping works associated with the development any existing variety of Leightons cypress pine / Leyland cypress (*xCupressocyparis leylandii*) on the site are to be identified and nominated for removal and replacement planting consistent with Council's *Native Plants for Your Garden* guidelines and relevant identified 'vegetation community' provided (details of which are available on Council's website at www.pittwater.nsw.gov.au/environment/plants__and__animals/native_plants).

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping, and the proposed landscaping reflects the scale and form of the development.

Technical Reports and Supporting Information

A landscaping plan and accompanying details shall be provided. The plan should have sufficient detail to clearly demonstrate that the outcomes of the control will be achieved.

Landscaping plans shall include elevations of the development when viewed from public places and surrounding properties, showing the combined impact of trees and vegetation to be retained as well as plantings to be implemented as part of the development proposal.

The landscaping plan is to be prepared by an appropriately qualified person (eg AILA listed Landscape Architect) and should provide sufficient details for assessment of the proposal in terms of the visual character of the proposal and the sustainability of the proposed landscaping.

The plan should show : -

- Street tree planting to the Building Frontage (minimum 8m soil volume per tree)
- Existing trees and vegetation to be retained
- Proposed canopy tree plantings
- Garden areas sufficient to soften scale / bulk of the proposed buildings.
- Planting schedule indicting upper-advanced planting to garden areas
- Schedule of materials including:-
 - Pavement type / installation
 - Root barriers / structural soil
 - Stormwater drainage
 - Pits and utility lines
 - Seating / lighting
 - Irrigation (drip/stationed)
 - Landscape

When is a Landscaping plan NOT REQUIRED ?

Where a proposal : -

- Does not involve changes to the external appearance, or increase the footprint of an existing building and / or
- Does not cause any substantial change to the visual character of the site.

A landscaping plan is not required provided trees and vegetation are to be retained, and proposed canopy tree planting and screen planting details are shown on the ground floor plans.

C3.2 Safety and Security

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

On-going safety and security of the Pittwater community. (S)

Opportunities for vandalism are minimised. (Ec, S)

Inform applicants of Council's requirements for crime and safety management for new development. (S)

Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements. (S)

Identify crime and safety priority areas in Pittwater LGA. (S, Ec)

Improve community safety and reduce the fear of crime in the Pittwater LGA. (S)

Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

Controls

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

1. Surveillance

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

Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.

Development design and design of the public domain is to minimise opportunities for concealment and avoid blind corners.

Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*.

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

Where provided, public facilities (toilets, telephone etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.

Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.

2. Access Control

Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.

Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.

Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.

The street number of the property is to be clearly identifiable.

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

3. Territorial reinforcement

Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

Blank walls along all public places (streets, open space etc) shall be minimised.

4. Space Management

Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately

utilised and well cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.

A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies.

Variations

Nil

Information to be included in the Statement of Environmental Effects

A statement demonstrating how the safety and security of people using or visiting the proposed development has been addressed in the design of the proposal

C3.3 View Sharing**Land to which this control applies**

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park

Uses to which this control applies

Industrial development

Outcomes

Maintain reasonable sharing of views from public places and living areas. (S)

No one development is sited to maximise the views of its occupants to the exclusion of adjoining residences. (S)

Public views and vistas are protected, maintained and where possible, enhanced. (S)

Canopy trees take priority over views. (En, S)

Controls

Building lines and height are to be sympathetic to the topography of the site and to maintain a reasonable sharing of views available from surrounding and nearby properties and those available to the public from nearby public domain areas.

Variations

Nil

Advisory Notes

Visit: Tenacity vs Warringah

http://www.lec.lawlink.nsw.gov.au/lec/principles/planning_principles.html
for planning principles.

Refer to Part D10.26 of this DCP for additional controls in relation to views in the Newport commercial centre.

Where there is the potential for view loss to adjoining residential developments and / or public viewing points, an assessment of the view loss, supported by a clearly documented photographic analysis shall be provided.

It may also be appropriate that height poles be erected to demonstrate the impact of the finished development on view lines.

Where height poles are erected, a statement by a Registered Surveyor should be provided certifying the height and location of the poles in relation to the proposed structures.

Information to be shown on the Development Drawings

Clearly show the view lines from the property, adjoining properties and public domain areas on floor plans and elevations.

Information to be included in the Statement of Environmental Effects

- An assessment of the views available from the property, and views from other properties and public domain areas which may be affected by the proposal.
- An analysis of any view loss and explanation of the design features and location of the proposed structure in terms of how the proposal seeks to achieve equitable view sharing and view retention.

Technical Reports and Supporting Information

Applicants are advised to consult with the possible affected parties where view sharing is an issue with a view to obtaining consensus in the earliest stages of the development process.

C3.4 Accessibility

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

The community's accessibility needs are met within Pittwater through well designed adaptable development. (S)

All members of the community enjoy equitable access to buildings to which the general public have access. (S)

Equitable access in the public domain. (S)

Controls

Convenient and safe access for all people, including people with a disability, older people, and people with prams, must be provided to and within all buildings to which the general public have access.

The siting and design of a building to which the general public has access shall comply with Australian Standard *AS 1428-2009.1: Design for access and mobility – General requirements for access – New building work*, and shall incorporate the following:

- continuous accessible path of travel to all areas that the public or a section of the public is entitled or allowed to enter or use; and
- walkways, ramps and landings at a reasonable gradient and width, with handrails and kerbs provided on all ramps, and slip-resistant materials on all floor surfaces; and
- accessible toilet facilities, tactile ground surface indicators, effective signage and illumination, and adequate circulation space through passageways and doorways; and
- carparking for people with a disability.

This clause applies to development that involves:

- a new building to which the general public has access;
- major alterations and additions to an existing building to which the general public has access; and
- alterations to the shopfront/entrance of an existing building to which the general public has access.

Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site

from the public domain.

Development shall include design and construction of the footpath, cycleway, kerb and guttering, drainage facilities, street furniture, street lighting and landscaping and make good the adjacent road and pavement for the full frontage of the site to any public road at full cost to the developer.

The design and construction shall be in accordance with the Village Streetscape Masterplans.

Development within areas subject to flooding must provide for access on land in private ownership. In this regard ramps must not encroach into the public domain.

Variations

Council may consider non-compliance with this clause where alterations to an existing public administration building to which the general public has access are proposed if it would impose unjustifiable hardship on the owner or occupant.

Council may consider variation to controls relating to the public domain where there is 50 square metres or less increase in gross floor area

Information to be shown on the Development Drawings

Provide sufficient detail, dimensions and gradients to demonstrate that structural compliance can be achieved

Information to be included in the Statement of Environmental Effects

A statement of compliance with the Accessibility Control and the objectives of the Disability Discrimination Act 1992.

Technical Reports and Supporting Information

Access Report completed by an accredited access adviser and including the following:

An Executive Summary at the front of the report that includes:

1. A Statement of Expertise and Accreditation,
2. A summary of recommendations for compliance that maybe applied as conditions and
3. Certification that the plans submitted are capable of meeting the requirements of the BCA, Accessibility Control and the objectives of the *Disability Discrimination Act 1992*.
4. The main body of the Access Report must include a detailed assessment of the proposed development that identifies access issues and recommendations relating to compliance with this control.
5. Two copies of the Access Report are to be submitted with the development application.

C3.6 External Storage Areas**Land to which this control applies**

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

External storage areas integrate with the site and are effectively screened when viewed from a public place. (S)

Controls

External storage areas are to be effectively screened from view.

External storage areas should not encroach on parking areas, driveways or landscaped areas.

External storage areas are not to interfere with the amenity of the locality due to smell, fumes, smoke, vapour, steam, soot, ash, grit, oil, dust, or otherwise.

Variations

Nil

C3.7 Pollution Control

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

Development does not adversely impact on public health, the environment or other lands. (En, S)

Controls

Industrial premises must be designed, constructed, maintained and operated in a proper and efficient manner to prevent air, water, land or noise pollution.

Development and business operation must comply with the *Protection of the Environment Operations Act, 1997*, and any relevant legislation.

Development and business operation must comply with the *Environment Protection Authority's NSW Industrial Noise Policy, January 2000*.

Variations

Nil

Advisory Notes

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under Section 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recovery exemptions are available on Environment Protection Authority's website at <http://www.epa.nsw.gov.au/waste/>

C3.8 Building Facades

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

Improved visual aesthetics for building facades. (S)

Controls

Building facades to any public place and including carpark entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.

Variations

Council will consider the incorporation of service pipes or conduits into facades where treated as a design element of the facade.

C3.9 Energy and Water Conservation

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

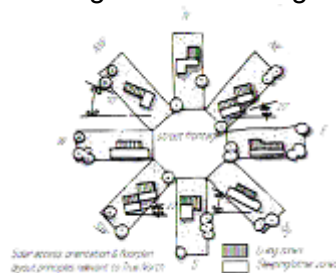
More efficient use of resources in Pittwater. (En)

The orientation, design and siting of buildings makes the best use of natural ventilation, daylight and solar energy. (En)

Water sensitive urban design. (En)

Controls

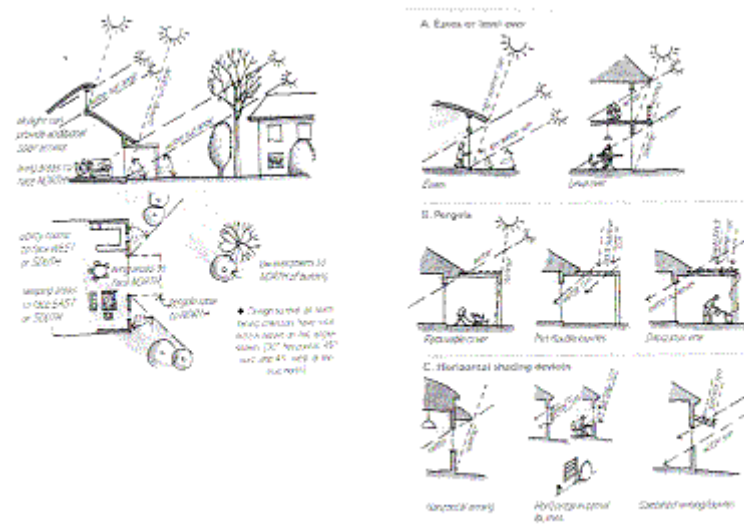
Buildings shall be designed to be energy and water efficient



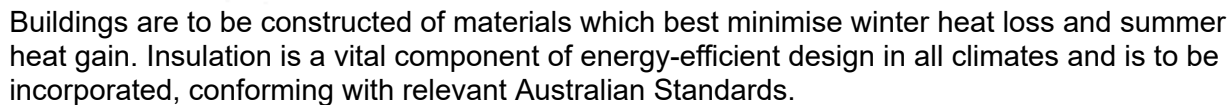
All new hot water systems must be either solar, heat pump or gas and must have a minimum rating of 3.5 stars.

Water efficient appliances shall be used in all development (including AAA rated water efficient shower heads, water tap outlets and dual flush toilets).

Windows are to be sized, located and shaded (by structures or vegetation) to reduce summer heat and allow entry of winter sun. Deep eaves are required to achieve this where appropriate, in addition to other horizontal shading devices, such as verandahs, pergolas, awnings, and external horizontal blinds.



Buildings are to be designed to maximise ventilation in summer. This can be achieved by positioning openings (windows and doors) to prevailing summer winds to encourage cross ventilation, and the installation of fans, roof vents and high level windows.



The installation of in-sink food waste disposers in any development is prohibited.

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the proposed development demonstrating how the proposed development has been oriented, designed and sited to make the best use of the natural ventilation, daylight and solar energy.
- A statement that any new hot water system is either solar, heat pump or gas, and has NatHERS rating of a least 3.5 stars.
- A statement that any new clothes dryer will have a minimum energy rating of 2 stars (equal to 3.5 SEDA Greenhouse score).
- A statement that AAA rated water efficient shower heads, water tap outlets and dual flush toilets will be installed
- A statement that new solar fuel or woodburning appliances comply with Australian Standard AS/NZS 4013:1999 *Domestic solid fuel burning appliances - Method for determination of flue gas emission* (or subsequent amending standard).
- A statement that no in-sink food waste disposer will be installed.

Technical Reports and Supporting Information

Certification by an accredited certifier that the building addresses 3.5 star NatHERS rating or when 3.5 stars cannot be achieved, a statement by the certifier regarding the special condition(s) under which an exemption may be claimed.

When is a certification NOT REQUIRED?

- Certification is not required when the proposed development is a minor alteration or addition (ie. less than 50% of the gross floor area) to an existing residential building.

C3.10 Waste and Recycling Facilities

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park.

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development.

To encourage environmentally protective waste management practices on construction and demolition sites which include:

- sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities;
- adoption of design standards that complement waste collection and management services offered by Council and private service providers;
- building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and
- appropriately designed waste and recycling receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area.

To encourage the ongoing minimisation and management of waste handling in the future use of premises.

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.

Controls

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

Variations

Nil

Advisory Notes

Floor plans shall clearly show the location and dimension of waste and recycling storage facilities proposed on the site.

Information to be shown on the Development Drawings

Floor plans shall clearly show the location and dimension of waste and recycling storage facilities proposed on the site.

C3.12 Signage

Land to which this control applies

Land zoned IN2 Light Industrial

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

Signage is are compatible with the desired amenity and visual character of the locality. (S)

Signage does not adversely impact upon any heritage item or conservation area. (S)

Signage does not result in visual clutter of the landscape. (S)

Signage is of high quality design and finish. (S)

Controls

Signage shall meet the following criteria:

Sign	Criteria
Awning fascia sign (attached to the fascia or return end of an awning)	i) shall not project above, below or beyond the fascia or return end of the awning to which it is attached.
Freestanding sign (not being a sign elsewhere listed in this table, and includes a hoarding, bulletin board, list of businesses within a complex, and the like)	i) shall not have a signage area greater than 4.5sq m; ii) shall not project beyond the boundary of the premises; iii) shall not extend beyond the height of the built form within whose context it sits; and iv) shall not be illuminated.
Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)	i) shall not be less than 2.6m above ground; ii) shall not have a signage area greater than 4.5sq m; iii) shall not project beyond the boundary of the premises; and iv) shall not extend beyond the height of the built form within whose context it sits.
Top hamper sign (attached to the transom of a doorway or display window of a building)	i) 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; ii) shall not exceed 600mm in height; and iii) shall not have a signage area greater than 5sq m.

Under awning sign (attached to underside of awning)	<ul style="list-style-type: none"> i) shall not exceed 2.5m in length or 0.5m in height; ii) shall have a signage area not exceeding 1.25sq m each side; iii) shall be erected horizontal to the ground no less than 2.6m above the ground, and at right angles to the building to which the awning is attached; iv) shall not project beyond the awning; v) shall be securely fixed by metal supports; and vi) no more than one per business permitted.
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)	<ul style="list-style-type: none"> i) shall not extend laterally beyond the wall of the building upon which it is attached; ii) shall not cover any window or architectural projections; iii) shall not have a signage area greater than 4.5sq m; iv) where illuminated, shall not be less than 2.6m above the ground; and v) shall not project more than 300mm from the wall.
Window sign (painted or letters stuck onto the inside or outside of a display window)	<ul style="list-style-type: none"> i) shall not cover the whole of the display window so as to obstruct natural light; ii) shall only be permitted on ground floor windows.

The diagram below illustrates different types of signage.

No more than 1 sign per allotment shall be permitted in the building setback to a road.

No more than 1 sign per allotment shall be erected on a building elevation visible from a road.

Signage for individual units within an industrial premises may be permitted provided signage is of a uniform design and harmonious with the architectural integrity of the building.

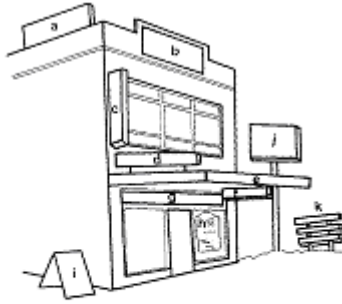
Within the Warriewood Valley Locality, the following additional controls apply:

- a) floodlighting and illumination of signage shall not be permitted
- b) pole or pylon signage shall not be permitted
- c) signs fronting Warriewood Road shall not be permitted

The following signage shall not be permitted in Pittwater:

- a) where erected on or above the roof, canopy, or parapet of a building
- b) where attached to the upperside of an awning
- c) where attached to the wall of a building and projecting more than 300mm from that wall
- d) where illuminated at frequent intervals (i.e. flashing)
- e) where capable of movement by source of power or wind
- f) where illuminated (within a residential zone)

- g) where the proposal incorporates bill/fly posters, bunting and airborne signage, including hot air balloons, blimps, and the like
- h) where located on motor vehicles and which renders the motor vehicle stationary



- | | |
|----------------------------|-----------------------|
| a) Roof Sign | g) Top Hamper Sign |
| b) Flush Mounted Wall Sign | h) Window Sign |
| c) Projecting Wall Sign | i) "A" Frame Sign |
| d) Above Awning Sign | j) Pole or Pylon Sign |
| e) Awning Fascia Sign | k) Freestanding Sign |
| f) Under Awning Sign | |

Variations

Nil

Advisory Notes

Certain signage is permitted without Council consent, see Schedule 2 of *Pittwater Local Environmental Plan 2014* and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

State Environmental Planning Policy No. 64 Advertising and Signage must be considered prior to granting consent for the display of any signage.

C3.13 Industrial Development Adjoining Residential Land

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

Industrial development that does not have an adverse impact upon adjoining residential development. (S)

Maintenance of a reasonable level of solar access and visual privacy to residential properties. (En, S)

Controls

Where industrial development adjoins land zoned or used for residential purposes, the following apply:

Solar access

The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.

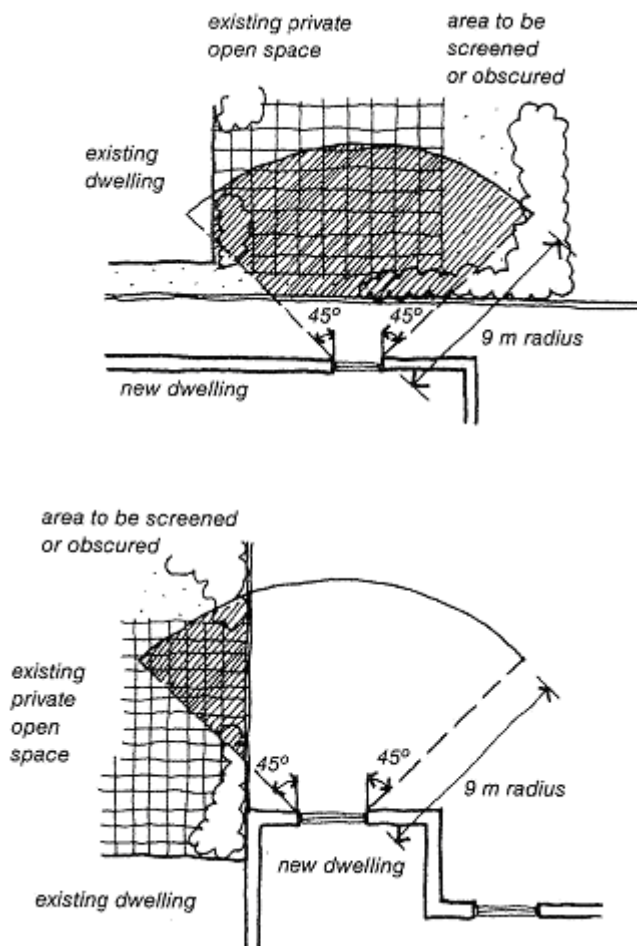
Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.

Privacy

Private open space and living rooms of any existing adjoining dwellings may be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).

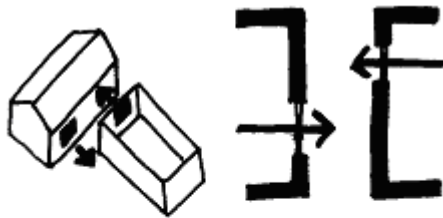
Elevated decks, verandahs and balconies may incorporate privacy screens where necessary and should, where possible, be located at the front or rear of the building. Such areas shall not be modified to be incorporated into the dwelling.

Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.



Direct views of private open space or any habitable room window within 9 metres may be restricted (see diagram below) by:

- vegetation/landscaping
- a window sill height 1.7 metres above floor level, or
- offset windows
- fixed translucent glazing in any part below 1.7 metres above floor level, or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials; and
 - designed and painted or coloured to blend in with the house.



◆ ensure that windows are offset



◆ locate balconies to avoid overlooking



◆ minimise overlooking by use of vegetated screens

◆ inhibit overlooking by raising sill height to 1.7 metres



Variations

Nil

C3.14 Car/Vehicle/Boat Wash Bays

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

Prevention of pollution entering the stormwater system. (En)

Prevention of stormwaters from entering the sewer system. (En)

Controls

A designated wash bay is to be incorporated on the site.

The wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain and stormwaters do not enter the sewer.

Variations

Where the use of vehicles or boats is not part of the activity associated with the proposed development this control does not apply.

Information to be shown on the Development Drawings

The Development Application plans shall incorporate detail regarding the proposed location and design of the bunded wash bay.

The wash bay floor is to be graded to allow for wastewaters to drain to the sewer.

C3.15 Undergrounding of Utility Services**Land to which this control applies**

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial development

Outcomes

Visual pollution by aerial cables is reduced (En, S)

Improved safety by removal of visual clutter (En, S)

Opportunities for street tree planting is enhanced (En)

Safety of building occupants is maintained and enhanced. (S)

Security of utility services is improved. (S)

Design and construction of undergrounding is funded by the developer. (Ec)

Controls

All existing and proposed utility services within the site are to be placed underground or encapsulated within the building.

All existing and proposed utility services to the site, or adjacent to the site within a public road reserve, are to be placed underground for the total frontage of the site to any public road.

Design and construction of the undergrounding of utility services is to be at full cost to the developer.

Variations

Based on technical practicalities and advice from the energy supplier the merit for not proceeding with undergrounding of utility services will be considered for the following circumstances subject to achieving the outcomes of this control:

- electricity wires carrying 16,000 volts, 33,000 volts or more, and/or
- short lengths of overheads of two spans or less

Information to be shown on the Development Drawings

Services to be undergrounded are shown on development plans submitted.

C3.18 Public Road Reserve - Landscaping and Infrastructure

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

Achieve desired future character of the Pittwater locality. (S, Ec)

Ensure consistency in the design and construction of landscape works in the road reserve. (S, En)

Controls

Landscaping General - All Development

Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.

Street trees are to be planted so as not to obstruct the free passage of pedestrians along the road verge and not interfere with existing power lines.

Tree species are to be a minimum 400 litre size with 1m x1m hole and backfilled with planting medium. Trees are to be staked with 2/50mm x 50mm stakes with hessian ties.

All existing trees over 3m in height and native vegetation and trees within the road reserve areas are to be retained where practical. Such trees are to be protected through perimeter 1.8m high temporary fencing during the construction of works.

Selected species are to as per the existing adjacent street trees or native species to the area.

Council encourages the use of local endemic native species according to the list of local native species in Pittwater

http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists

Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.

All work is subject to a Section 139 approval from Council.

Development up to 1000sq m Gross Floor Area - Landscaping and Infrastructure

Development with frontage to a public road reserve requires the design and construction of a footpath 1.5m wide (2.1m wide where a multi-use pathway is required to be installed), kerb and gutter and landscaping for the full width of the development site on the public road reserve frontage to the development.

Development greater than 1000sq m Gross Floor Area - Landscaping and Infrastructure

Development with frontage to a public road reserve requires the design and construction of a footpath 1.5m wide (2.1m wide where a multi-use pathway is required to be installed), kerb and gutter, the making good of the road pavement from the kerb and gutter to the road centre line, streetlighting and landscaping for the full width of the development site on the public road reserve frontage to the development.

Note: Making good of the road pavement shall be to the following engineering standard Asphaltic Concrete finish:

- Sub-arterial road: 4 x106 ESA's
- Collector road 2 x106 ESA's
- Local road 6 x105 ESA's
- Access road 1 x105 ESA's

Variations

Where the landscaping or infrastructure in the public road reserve currently exists, the requirements of this control in respect to the specific landscaping or infrastructure item need not apply.

Where landscaping or infrastructure in the public road reserve is located in steep terrain, the landscaping and infrastructure requirements will be considered on merit.

Information to be shown on the Development Drawings

Where any works are proposed to be carried out on the public road reserve, a plan needs to be provided for the full width of the development site showing any proposed works on the public road reserve. This plan may be incorporated within the landscaping plan provided for the site and must be in accordance with the relevant masterplan for the commercial centre if applicable.

Section 139 Consent for Works on the Public Road Reserve

Technical Reports and Supporting Information

Applicants will be required to obtain prior to the issue of the Construction Certificate, a section 139 Certificate for works on the public road reserve issued by Council under the provisions of section 138 of the *Roads Act 1993* for the design and construction of any works located in the road reserve.

The consent provides authorisation from Council as the Road Authority for the applicant to construct works (including roads, access driveways, steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road reserve subject to development consent for the adjacent land being issued.

A section 139 Consent for works on the Public Road Reserve will be issued subject to satisfactory plans prepared by the Applicant being provided to and approved by Council.

Applicants are encouraged to obtain the section 139 Consent for Works on the Public Road Reserve during preparation of the development application and lodge the section 139 Consent for Works on the Public Road Reserve within the Development Application.

To apply for this consent [CLICK HERE](#)

C3.19 Food Premises Design Standards

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Controls

Compliance with Australia New Zealand Food Standards Code 3.2.3 (Food Premises and Equipment).

Compliance with Australia Standard *AS 4674-2004 Construction and fit-out of food premises*.

Mechanical ventilation systems are to be designed, manufactured, installed, operated and maintained in accordance with

- i) Australian Standard *AS 1668.1:1998 The use of ventilation and air conditioning in buildings Part 1- Fire and smoke control in multicompartment buildings*
- ii) Australian Standard *AS 1668.2:2012 The use of mechanical ventilation and air conditioning in buildings Part 2 - Mechanical ventilation in buildings*.

Food businesses must ensure that the premises are provided with the necessary services of water waste disposal, light ventilation, cleaning and personal hygiene facilities, storage space and access to toilets.

Variations

Nil

Information to be shown on the Development Drawings

Floor Plan and Section Plan:

- Design and construction of the food premises (including all server, food storage and preparation areas) in accordance with divisions 1 to 5 of Australian & New Zealand Food Standards Code 3.2.3.
- Food premises and Equipment and Australian Standard AS 4674-2004: *Construction and fit-out of food premises*.

Technical Reports and Supporting Information

Documented evidence is to be submitted confirming that the mechanical ventilation system has been designed in accordance with AS 1668.1 and 1668.2.

C3.20 Plant, Equipment Boxes and Lift Over-Run

Land to which this control applies

Land zoned IN2 Light Industrial, IN4 Working Waterfront, B6 Enterprise Corridor or B7 Business Park not including the Warriewood Valley locality

Uses to which this control applies

Industrial Development

Occupation/change of use of an existing premises

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised. (En, S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

To achieve reduction in visual clutter. (En, S)

The appropriate location and design of noise generating equipment.

Controls

Where provided, plant and equipment boxes and lift over-runs are to be integrated internally into the design fabric of the built form of the building.

Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.

Variations

Subject to achievement of the outcomes of this control, consideration may be given to the location of plant, equipment boxes and lift over-runs on the roof a building where it can be shown that there will not be a non-compliance with Council's built form controls including building height and building envelope.

Where located on the roof any plant, equipment boxes and lift over-runs are to be adequately screened from view from adjoining properties and the public domain.

C4 Design Criteria for Subdivision

C4.1 Subdivision - Protection from Hazards

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

Controls

All subdivision is to be designed such that adequate building platforms/building areas are provided that have a low risk due to hazards including flood, landslip, bushfire, coastline and estuarine hazards.

The subdivision must not have any adverse affect or provide a threat on public or private infrastructure, assets and people in the vicinity.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- A statement outlining how the proposed development has been designed and will be constructed to address hazards which affect the site.

C4.2 Subdivision - Access Driveways and Off-Street Parking Facilities**Land to which this control applies**

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Safe and functional access for vehicles, cyclists and pedestrians. (S)
Safe and convenient access and parking is provided on each lot.

Controls(i) Off-Street Parking Requirements

The design of each individual lot created within the subdivision is to provide for off street parking facilities compatible with the proposed development uses for that lot.

(ii) Access Driveways (ie; driveway crossings)

A safe and functional access driveway must be designed and constructed from the road edge/kerb and gutter to the lot boundary for each individual lot within the subdivision as part of the subdivision works.

Only one driveway access to a public road is permitted for each lot.

(iii) Internal Driveways

The design of each individual lot created within the subdivision is to provide for an internal driveway compatible with the proposed development uses for each individual lot.

Where an internal driveway is located within a 'right of way' or proposed 'right of way', the internal driveway is to be designed and constructed as part of the subdivision works.

VariationsAccess Driveways

Council may permit a second driveway access to a public road if the street frontage to the road is 30m or more, or where rear access to the lot is provided.

Internal Driveways

Consideration will be given on a merit basis where the applicant is proposing not to construct the internal driveway located within a right of way or proposed right of way as part of the subdivision works phase.

Access driveways, where not to be constructed as part of the subdivision

Technical Reports and Supporting Information

Where the applicant is proposing not to construct the access driveways as part of the subdivision works phase but as part of the building works phase. Applicants will be required to obtain, prior to the issue of a Construction Certificate, a section 139 Consent for works on the public road reserve issued by the Council under the Provisions of 138 of the *Road Acts 1993* for the design of any works proposed to be located on the road reserve and that demonstrate that the Access Driveway and Internal Driveway are fully compliant with the Access Driveways and Internal Driveway Controls.

The consent provides authorisation from the Council as the Road Authority for the applicant to construct access driveways and associated works (including steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road reserve subject to a development consent for the adjacent land to be used.

A Section 139 Consent for works on the public road reserve will be issued subject to satisfactory plans prepared by the applicant being provided and approved by Council.

Applicants are encourage to obtain the Section 139 Consent for works on the public road reserve during preparation of the development application and lodge the section 139 consent for works on the public road reserve with the development application.

C4.3 Subdivision - Transport and Traffic Management

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Safe and orderly traffic and pedestrian access to and from all development via the surrounding road network and transport infrastructure. (En, S)

The cost of upgrading the surrounding road, traffic and transport infrastructure to meet the needs generated by the development is met by the developer. (S, Ec)

Controls

Where development generates pedestrian, traffic and transport requirements in excess of the capacity of the road and transport network, the capacity of the surrounding public infrastructure and transport network is required to be upgraded to at least match the additional demands generated by the development.

Any improvement works external to the development site, required to ensure the development complies with this control, must be provided as part of the development at the full cost to the applicant.

A traffic assessment is to be undertaken in accordance with the *RTA Guidelines for Traffic Generating Developments* or similar guidelines.

All proposed traffic facilities must comply with the Roads and Maritime Services and/or relevant Australian Standards and be approved by Council's Traffic Committee when on local roads or the Roads and Maritime Services on classified roads.

Variations

Where there is no increase in the number of lots this control may be dispensed with.

C4.4 Subdivision - Public Roads, Footpath and Streetscape

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Safe and orderly pedestrian and traffic access to and from all subdivision development. (S)
Design and construction of works is funded by the developer. (Ec)

Controls

Proposed public roads within the subdivision

Where the proposed public roads within the subdivision are to be dedicated to the Council, the design and construction of the road pavement, vertical kerb and gutter, footpaths (minimum 1.5m width) or cycleways (minimum 2.1m width), street lighting and landscaping to service the lots to be created shall be for the full width between the proposed lot boundaries within the subdivision land created as a road reserve by subdivision. The design and construction of works are to be funded by the applicant.

Subdivision to be created as a Community Title

Where a subdivision is to be created as a community title, allowing full public access, the design and construction of the road and pedestrian networks shall provide for full pedestrian and vehicular access and on-road parking as a public road network.

Subdivision adjoining a public road reserve

Where the subdivision adjoins a public road reserve, the subdivision shall include the design and construction of the perimeter road for half width construction including road pavement, vertical kerb and gutter, footpaths or cycleways (minimum 1.5m width or minimum 2.1m width where a cycleway is required), street lighting and landscaping, for full width of the development site frontage to all public road reserves and shall include any intersection to provide access the subdivision all at the full cost to the applicant.

Variations

Where the landscaping or infrastructure in the public road reserve currently exists to Council standard, the requirements of this control in respect to the specific landscaping or infrastructure item need not apply.

Section 139 Consent for works on the existing Public Road Reserve

Technical Reports and Supporting Information

Applicants will be required to obtain prior to issue of a Construction Certificate, a section 139 Consent for works on the existing public road reserve issued by the Council under the provisions of section 139 of the *Roads Act 1993* for the design and construction of any works located on the road reserve.

The consent provides authorisation from Council as the road authority for the applicant to construct works (including roads, access driveways, steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road reserve subject to development consent for the adjacent land being issued.

A section 139 consent for works on the public road reserve will be issued subject to satisfactory plans prepared by the applicant provided to and approved by Council.

Applicants are encouraged to obtain a section 139 Consent for works on the public road reserve during preparation of the development application and lodge the section 139 Consent for works on the public road reserve with the development application

C4.5 Subdivision - Utility Services

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Adequate utility services capacity to meet the demands of subdivision development. (En, S)

Safety of building occupants being maintained and enhanced. (S)

Security of utility services is improved. (S)

Opportunities for street tree planting enhanced. (En)

Visual pollution by aerial cables is reduced. (En, S)

Improved safety by removal of visual clutter. (En, S)

Controls

All lots created within the subdivision are to be fully serviced by:

- Electricity
- Water
- Gas
- Communications
- Sewer

All existing and proposed utility services to the site (where not already located underground) are to be located underground within the proposed road reserve within the developed lands and within the lots created within the subdivision.

All utility services existing or otherwise located (where not already located underground) on the perimeter of the subdivision lands within the road reserve or within adjacent public reserves (within a distance of 6m from the boundary) are to be relocated underground for the width of the development site frontage to the public reserve or public road reserve.

Design and construction of the undergrounding of utility services are to be at full cost to the developer.

Variations

Based on technical practicalities and advice from the energy supplier the merit for not proceeding with undergrounding of utility services will be considered for the following circumstances subject to achieving the outcomes of this control:

- electricity wires carrying 16,000 volts, 33,000 volts or more, and
- short lengths of overheads of two spans or less

C4.6 Service and delivery vehicle access in subdivisions

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Safe and adequate service, delivery and removal of materials by vehicles within the development.

Controls

Roads and accessways within the subdivision are to be designed and constructed to accommodate access for waste, recycling, service, emergency and delivery vehicles.

Variations

Nil

C4.7 Subdivision - Amenity and Design

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Desired character of the locality.
 Protection of the natural environment. (En)
 Ecologically sustainable development. (En)
 Minimal design constraints. (S)
 Adequate access and services. (En, S)
 Access driveways to public roads are minimised.

Controls

Subdivision Design

Subdivision should be designed to ensure that

- a) all properties, both existing and proposed, achieve/retain a level of amenity commensurate with the locality and the desired character of the area;
- b) the impact on the environment of the completed development (including buildings to be constructed on the proposed lots) has an acceptable impact on the environment.

A comprehensive site analysis taking into account the following characteristics is to be carried out as part of the subdivision design process. This analysis should take into account the final development which will occur on the site as a result of the subdivision. The analysis and resultant subdivision design should address the following issues:-

- the slope, topography and any natural features (e.g. creeklines);
- trees and vegetation (particularly trees worthy of retention);
- viewlines from within the proposed lots and from adjoining properties;
- solar access to the subdivision site;
- the side, rear and front setbacks of future dwellings and structures in relation to the proposed new boundaries and development on adjoining properties;
- the visual impact of built development which will occur as a result of the subdivision process (building height, bulk and scale, visual impact of buildings);
- the provision of vehicular access to the future buildings on the proposed lots;
- the provision of landscaping and/or recreation space for each proposed lot;
- the provision of onsite car parking on each proposed lot;
- the provision of services to each lot, including sewerage, water, electricity, communications and gas (where available);
- the provision of emergency services to each (bushfire, fire brigade, ambulance).

In order to address these issues, a building envelope area is to be nominated on each proposed lot within which any future building is to be contained. The application should clearly demonstrate that a building envelope can be built on site that has regard for the following:

- retention of trees and bushland,
- vehicular access,
- provision of services,
- provision of emergency services,
- and safety from hazard,
- A building which achieves the desired character of the area and is commensurate with the amenity standards of surrounding development, and does not overly impact on the environment, and can be erected within that envelope.

In this regard, an assessment of the buildings which will be erected as a result of the proposed subdivision is to be carried out demonstrating that the requirements and outcomes of the controls in this DCP which will apply to those buildings will be able to be complied with.

Usable Site Area

Where a right-of-carriageway to another lot is provided over a lot, the width of that right-of-carriageway shall not be more than 20% of the required minimum width of the lot over which it is located.

Where an allotment has a boundary dimension of 6.5 metres or less to a road, then the site area of the allotment shall be increased by 20% over that required for the area.

Variations

Nothing shall preclude land being added to an existing lot which complies with the design criteria notwithstanding that the final lot does not comply in regard to minimum width or width at a specific location.

Information to be shown on the Development Drawings

- Shall show proposed lot boundaries, building envelopes, access structures. Long and cross sections shall be provided for all access roads and driveways to the proposed building envelopes, and watercourses.

Information to be included in the Statement of Environmental Effects

- An analysis of the proposed subdivision demonstrating that it complies with Council's requirements in terms of lot size and configuration, access and services, impact on the natural environment and safety.

Technical Reports and Supporting Information

A site analysis and report addressing the design issues outlined in the control.

C4.8 Subdivision - Landscaping on the Existing and proposed public road reserve frontage to subdivision lots

Land to which this control applies

All land in the Pittwater LGA not including the Pittwater waterway or Warriewood Valley land release area - P21DCP-BCMDCP037

Uses to which this control applies

Subdivision

Outcomes

Achieve the desired character of the locality.

Consistency of landscape works in the road verge. (S)

Controls

Landscaping General

Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.

Street trees are to be planted to encourage the free passage of pedestrians along the road verge and not interfere with existing power lines.

Tree species are to be a minimum 35 litre size with 1m x1m hole and backfilled with planting medium. Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with hessian ties.

All existing trees over 3m in height and native vegetation and trees within the road reserve areas are to be retained where practical. Such trees are to be protected through perimeter 1.8m high temporary fencing during the construction of works.

Selected species are to as per the existing adjacent street trees or native species to the area.

Council encourages the use of local endemic native species according to the list of local native species in Pittwater

http://www.pittwater.nsw.gov.au/environment/plants__and__animals/native_plants/species_lists

Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.

Variations

Where landscaping or infrastructure in the public road reserve currently exists, the requirements of this Control in respect to the specific landscaping or infrastructure item need not apply.

Information to be shown on the Development Drawings

- Landscape plan is to show proposed landscaping works to be provided within road reserve.

C5 Design Criteria for Other Development

This part contains general design criteria relating to other development (i.e. not being residential, business or industrial development).

This part applies to all forms of other development, including but not limited to

Agriculture
Animal training and boarding establishments
Boat launching ramps
Camping grounds
Caravan parks
Cemetery
Charter and tourism boating facilities
Community facilities
Eco-tourist facilities
Educational establishments
Emergency services facilities
Environmental facilities
Environmental protection works
Farm buildings
Flood mitigation works
Forestry
Health consulting rooms
Home-based child care
Home industries
Information and education facilities
Mooring pen
Moorings
Places of public worship
Public utility undertaking
Recreation areas
Recreational facilities (outdoor)
Research stations
Respite day care centres
Roads
Wharf or boating facilities

C5.1 Landscaping

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater waterway or Newport Commercial Centre or Elanora Heights Village Centre or Warriewood Valley Land Release Area - P21DCP-BCMDCP081

Uses to which this control applies

Child care centre
Earthworks
Hospital
Other Development
Signage
Telecommunications facility
Waste water disposal system

Outcomes

A built form softened and complemented by landscaping. (En)
Landscaping that reflects the scale and form of development. (En)
Use of pier and beam footings to prevent interference with canopy trees. (En)

Controls

A range of low-lying shrubs, medium-high shrubs and canopy trees shall be provided to soften the built form.

Landscaping shall reflect the scale and form of development, and shall be incorporated into the building design through setback and modulation.

All canopy trees, and a majority of other vegetation, shall be locally native species.

Landscaping shall not unreasonably obstruct driver and pedestrian visibility.

Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.

In bushfire prone areas, species shall be appropriate to the bushfire hazard.

Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.

Noxious and undesirable plants must be removed from the site.

Every tree planted is to have a minimum area of 3 metres x 3 metres and a minimum of 8m³ to ensure growth is unrestricted.

The following soil depths are required in order to be considered as landscaping:

- 300mm for lawn
- 600mm for shrubs
- 1metre for trees

For non-residential uses in residential zones, at least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site, this may include existing trees on site

Variations

Where canopy trees exist on a site, planting of additional canopy trees shall be assessed on a merit basis to ensure that a minimum of 3 trees exist on site for residential zones.

Advisory Notes

- For species lists please refer to Pittwater Council's *Native Plants for your Garden* available on Council's website.
- For specific details on landscaping refer to Appendix 9 - Landscape and Vegetation Management of this DCP.

As part of the landscaping works associated with the development any existing variety of Leightons cypress pine / Leyland cypress (xCupressocyparis leylandii) on the site are to be identified and nominated for removal and replacement planting consistent with Council's *Native Plants for Your Garden* guidelines and relevant identified 'vegetation community' provided (details of which are available on Council's website at www.pittwater.nsw.gov.au/environment/plants__and__animals/native_plants).

Information to be included in the Statement of Environmental Effects

- An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping, and the proposed landscaping reflects the scale and form of the development.

Technical Reports and Supporting Information

A landscaping plan and accompanying details shall be provided. The plan should have sufficient detail to clearly demonstrate tht the outcomes of the control will be achieved.

Landscaping plans shall include elevations of the development when viewed from public places and surrounding properties, showing the combined impact of trees and vegetation to be retained as well as plantings to be implemented as part of the development proposal.

The landscaping plan is to be prepared by an appropriately qualified person (eg AILA listed Landscape Architect) and should provide sufficient details for assessment of the proposal in terms of the visual character of the proposal and the sustainability of the proposed landscaping.

The plan should show : -

- Street tree planting to the Building Frontage (minimum 8m soil volume per tree)
- Existing trees and vegetation to be retained
- Proposed canopy tree plantings
- Garden areas sufficient to soften scale / bulk of the proposed buildings.
- Planting schedule indicting upper-advanced planting to garden areas

Schedule of materials including:-

- Pavement type / installation
- Root barriers / structural soil
- Stormwater drainage
- Pits and utility lines
- Seating / lighting
- Irrigation (drip/stationed)
- Landscape

When is a Landscaping plan NOT REQUIRED?

Where a proposal : -

- Does not involve changes to the external appearance, or increase the footprint of an existing building and / or
- Does not cause any substantial change to the visual character of the site.

A landscaping plan is not required provided trees and vegetation are to be retained, and proposed canopy tree planting and screen planting details are shown on the ground floor plans.

C5.2 Safety and Security

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including the Warriewood Valley locality and Elanora Heights Village Centre

Uses to which this control applies

Child care centre
Hospital
Other Development
Signage
Telecommunications facility

Outcomes

On-going safety and security of the Pittwater community. (S)

Opportunities for vandalism are minimised. (Ec, S)

Inform applicants of Council's requirements for crime and safety management for new development. (S)

Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements. (S)

Identify crime and safety priority areas in Pittwater LGA. (S, Ec)

Improve community safety and reduce the fear of crime in the Pittwater LGA. (S)

Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

Controls

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

i. Surveillance

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

Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.

Development design and design of the public domain is to minimise opportunities for concealment and avoid blind corners.

Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting*.

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

Where provided, public facilities (toilets, telephone etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.

Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.

ii. Access

Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.

Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.

Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.

The street number of the property is to be clearly identifiable.

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

iii. Territorial reinforcement

Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

Blank walls along all public places (streets, open space etc) shall be minimised.

Where a retail/commercial use and residential dwellings are provided in the same development separate entries are to be provided.

iv. Space management

Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.

A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- A statement demonstrating how the safety and security of people using or visiting the proposed development has been addressed in the design of the proposal

C5.4 View Sharing**Land to which this control applies**

All land in the Pittwater LGA NOT including the Newport Commercial Centre or Elanora Heights Village Centre - P21DCP-BCMDCP082

Uses to which this control applies

Child care centre
Hospital
Other Development
Signage
Telecommunications facility

Outcomes

Achieve a reasonable sharing of views amongst dwellings. (S)

Views and vistas from roads and public places to water, headland, beach or bushland are to be protected, maintained and where possible, enhanced. (S)

Canopy trees take priority over views. (En, S)

Controls

All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.

The proposal must demonstrate that viewsharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.

Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.

Views are not to be obtained at the expense of native vegetation.

Variations

Nil

Advisory Notes

Visit: Tenacity vs Warringah

http://www.lec.lawlink.nsw.gov.au/lec/principles/planning_principles.html for planning principles.

Refer to Part D10.26 of this DCP for additional controls in relation to views in the Newport Commercial Centre.

Information to be shown on the Development Drawings

- Clearly show the view lines from the property, adjoining properties and public domain areas on floor plans and elevations.

Information to be included in the Statement of Environmental Effects

- An assessment of the views available from the property, and views from other properties and public domain areas which may be affected by the proposal.
- An analysis of any view loss and explanation of the design features and location of the proposed structure in terms of how the proposal seeks to achieve equitable view sharing and view retention.

Technical Reports and Supporting Information

Where there is the potential for view loss to adjoining residential developments and / or public viewing points, an assessment of the view loss, supported by a clearly documented photographic analysis shall be provided.

It may also be appropriate that height poles be erected to demonstrate the impact of the finished development on view lines.

Where height poles are erected, a statement by a Registered Surveyor should be provided certifying the height and location of the poles in relation to the proposed structures.

Applicants are advised to consult with the possible affected parties where view sharing is an issue with a view to obtaining consensus in the earliest stages of the development process.

C5.5 Accessibility

Land to which this control applies

All Land not including the Warriewood Valley locality

Uses to which this control applies

Child care centre
Hospital
Other Development
Telecommunications facility

Outcomes

The community's accessibility needs are met within Pittwater through well designed adaptable development. (S)

All members of the community enjoy equitable access to buildings to which the general public have access. (S)

Equitable access in the public domain. (S)

Controls

Convenient and safe access for all people, including people with a disability, older people, and people with prams, must be provided to and within all buildings to which the general public have access.

The siting and design of a building to which the general public has access shall comply with *Australian Standard AS 1428-2009. 1: Design for access and mobility – General requirements for access – New building work*, and shall incorporate the following:

- Continuous accessible path of travel to all areas that the public or a section of the public is entitled or allowed to enter or use; and
- Walkways, ramps and landings at a reasonable gradient and width, with handrails and kerbs provided on all ramps, and slip-resistant materials on all floor surfaces; and
- Accessible toilet facilities, tactile ground surface indicators, effective signage and illumination, and adequate circulation space through passageways and doorways; and
- Carparking for people with a disability.

This clause applies to development that involves:

- a) A new building to which the general public has access;
- b) Major alterations and additions to an existing building to which the general public has access; and
- c) Alterations to the shopfront/entrance of an existing building to which the general public has access.

Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.

Development shall include design and construction of the footpath, cycleway, kerb and guttering, drainage facilities, street furniture, street lighting and landscaping and make good the adjacent road and pavement for the full frontage of the site to any public road at full cost to the developer.

The design and construction shall be in accordance with the Village Streetscape Masterplans.

Development within areas subject to flooding must provide for access on land within private ownership. In this regard ramps must not encroach into the public domain.

Variations

Council may consider non-compliance with this clause where alterations to an existing public administration building to which the general public has access are proposed if it would impose unjustifiable hardship on the owner or occupant.

Council may consider variation to controls relating to the public domain where there is 50 square metres or less increase in gross floor area

C5.7 Energy and Water Conservation

Land to which this control applies

All Land not including the Warriewood Valley locality

Uses to which this control applies

Child care centre
Hospital
Other Development

Outcomes

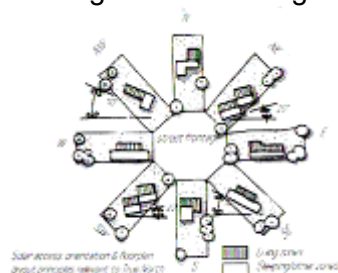
More efficient use of resources in Pittwater. (En)

The orientation, design and siting of buildings makes the best use of natural ventilation, daylight and solar energy. (En)

Water sensitive urban design. (En)

Controls

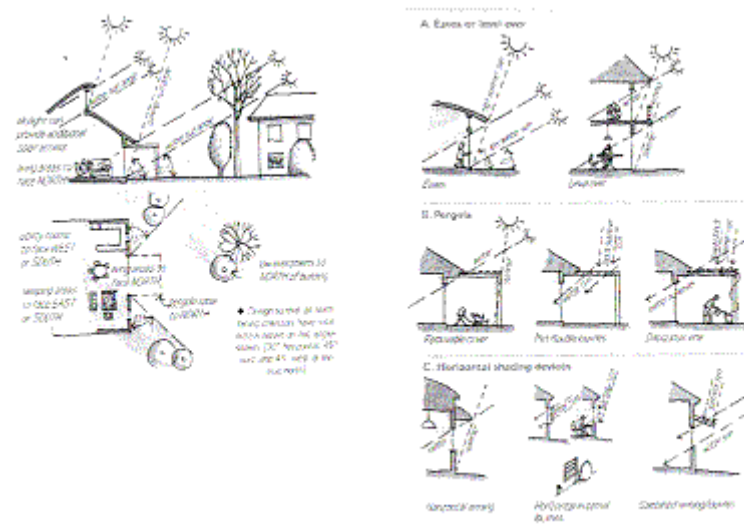
Buildings shall be designed to be energy and water efficient.



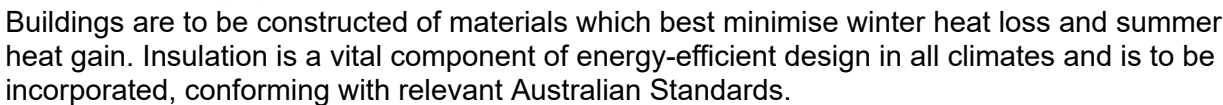
All new hot water systems must be either solar, heat pump or gas and must have a minimum rating of 3.5 stars.

Water efficient appliances shall be used in all development (including AAA rated water efficient shower heads, water tap outlets and dual flush toilets).

Windows are to be sized, located and shaded (by structures or vegetation) to reduce summer heat and allow entry of winter sun. Deep eaves are required to achieve this where appropriate, in addition to other horizontal shading devices, such as verandahs, pergolas, awnings, and external horizontal blinds.



Buildings are to be designed to maximise ventilation in summer. This can be achieved by positioning openings (windows and doors) to prevailing summer winds to encourage cross ventilation, and the installation of fans, roof vents and high level windows.

[illegible]

Solid fuel or wood burning appliances must comply with Australian Standard AS 4013-1999: Domestic solid fuel burning appliances – Method for determination of flue gas emissions or any subsequent amending standard.

The installation of in-sink food waste disposers in any development is prohibited.

Variations

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the proposed development demonstrating how the proposed development has been oriented, designed and sited to make the best use of the natural ventilation, daylight and solar energy.
- A statement that any new hot water system is either solar, heat pump or gas, and has NatHERS rating of a least 3.5 stars.
- A statement that any new clothes dryer will have a minimum energy rating of 2 stars (equal to 3.5 SEDA Greenhouse score).
- A statement that AAA rated water efficient shower heads, water tap outlets and dual flush toilets will be installed
- A statement that new solar fuel or woodburning appliances comply with AS/NZS 4013:1999 *Domestic solid fuel burning appliances - Method for determination of flue gas emission* (or subsequent amending standard).
- A statement that no in-sink food waste disposer will be installed.

Technical Reports and Supporting Information

Certification by an accredited certifier that the building addresses 3.5 star NatHERS rating or when 3.5 stars cannot be achieved, a statement by the certifier regarding the special condition(s) under which an exemption may be claimed.

When is a certification NOT REQUIRED?

- Certification is not required when the proposed development is a minor alteration or addition (i.e. less than 50% of the gross floor area) to an existing residential building.

C5.8 Waste and Recycling Facilities

Land to which this control applies

All land.

Uses to which this control applies

Child care centre
Hospital
Other Development
Waste water disposal system

Outcomes

Adequately sized, accessible, convenient waste and recycling facilities that integrate with the development.

Waste and recycling facilities located such that they do not adversely impact upon amenity of the adjoining development or natural environment.

Controls

All waste and recycling materials shall be contained within an approved enclosure and adequate vehicular provision is to be provided to remove waste.

Waste and recycling enclosures are to be provided at or behind the front, side and rear setback requirements contained within the Controls of this document. This enclosure shall not occupy parking or landscaped areas.

The waste and recycling enclosure is to be of an adequate size, integrated with the building design and site landscaping, suitably screened, and located for convenient access for collection.

For larger scale development more than one waste and recycling enclosure may be appropriate.

The waste and recycling enclosure/s shall be designed as follows:

- constructed of solid material, cement rendered and steel, trowelled to a smooth, even surface and made vermin proof. Framing in timber is not permitted;
- the floor shall be of impervious material covered at the intersection with the walls, graded and drained to an approved floor waste within the enclosure. Wastewaters shall be drained to the sewer;

- stormwater shall not enter the floor of the enclosure such that the sewer system will be contaminated by rainwater;
- the enclosure is to be roofed. Roof water shall be directed to an approved stormwater disposal system;
- enclosures shall be vented to the external air by natural or artificial (mechanical ventilation) means. The installation and operation of the mechanical ventilation system shall comply with Australian Standard *AS/NZS 1668.1 1998: The use of ventilation and air conditioning in buildings – Fire and smoke control in multi-compartment buildings* and Australian Standard *AS 1668.2:2012: The use of ventilation and air conditioning in buildings – Mechanical ventilation in buildings*; and
- hot and cold water hose cocks shall be located within the enclosure.

The waste and recycling enclosure construction requirements do not apply to Bed and Breakfast establishments.

For Shop Top Housing developments the residential waste and recycling enclosure is to be physically separated from the commercial/trade waste and recycling enclosure.

Variations

Nil

Advisory Notes

Floor plans shall clearly show the location and dimension of waste and recycling storage facilities proposed on the site.

For specific controls in relation to the Waste and Recycling Facilities for the Elanora Heights Village Centre, refer to Part D5.46 of this DCP.

Information to be shown on the Development Drawings

Floor plans shall clearly show the location and dimension of waste and recycling storage facilities proposed on the site.

C5.9 Signage

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including Elanora Heights Village Centre - P21DCP-BCMDCP93

Uses to which this control applies

Other development

Outcomes

Signage is compatible with the desired amenity and visual character of the locality. (S)

Signage does not adversely impact upon any heritage item or conservation area. (S)

Signage does not result in visual clutter of the landscape. (S)

Signage is of high quality design and finish. (S)

Controls

Signage shall meet the following criteria:

Sign	Criteria
Awning fascia sign (attached to the fascia or return end of an awning)	i) shall not project above, below or beyond the fascia or return end of the awning to which it is attached.
Freestanding sign (not being a sign elsewhere listed in this table, and includes a hoarding, bulletin board, list of businesses within a complex, and the like)	i) shall not have a signage area greater than 4.5sq m; ii) shall not project beyond the boundary of the premises; iii) shall not extend beyond the height of the built form within whose context it sits; and iv) shall not be illuminated.
Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)	i) shall not be less than 2.6 metres above ground; ii) shall not have a signage area greater than 4.5sq m; iii) shall not project beyond the boundary of the premises; and iv) shall not extend beyond the height of the built form within whose context it sits.
Top hamper sign (attached to the transom of a doorway or display window of a building)	i) 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; ii) shall not exceed 600mm in height; and iii) shall not have a signage area greater than 5sq m.

Under awning sign (attached to underside of awning)	<ul style="list-style-type: none"> i) shall not exceed 2.5 metres in length or 0.5 metres in height; ii) shall have a signage area not exceeding 1.25sq m each side; iii) shall be erected horizontal to the ground no less than 2.6 metres above the ground, and at right angles to the building to which the awning is attached; iv) shall not project beyond the awning; v) shall be securely fixed by metal supports; and vi) no more than one per business permitted.
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)	<ul style="list-style-type: none"> i) shall not extend laterally beyond the wall of the building upon which it is attached; ii) shall not cover any window or architectural projections; iii) shall not have a signage area greater than 4.5sq m; iv) where illuminated, shall not be less than 2.6 metres above the ground; and v) shall not project more than 300mm from the wall.
Window sign (painted or letters stuck onto the inside or outside of a display window)	<ul style="list-style-type: none"> i) shall not cover the whole of the display window so as to obstruct natural light; ii) shall only be permitted on ground floor windows.
Bed and Breakfast accommodation (sign associated with)	<ul style="list-style-type: none"> i) no greater than 0.75sq m in area; ii) no more than 1 sign shall be erected; iii) the sign is to indicate that the dwelling house is a bed and breakfast establishment and include the name and telephone number of the proprietor.
Home occupation/business/industry, home-based child care and health consulting rooms (sign associated with)	<ul style="list-style-type: none"> i) no greater than 0.75sq m in area; ii) no more than 1 sign shall be erected; iii) not erected on a heritage item; iv) the sign is to indicate the name and occupation of the business.

The diagram below illustrates different types of signage.

Any signage erected within a residential, environmental or rural zone shall not be visually obtrusive or have dimensions greater than 0.75sqm in area (other than for bed and breakfast accommodation).

The following signage shall not be permitted in Pittwater:

1. where erected on or above the roof, canopy, or parapet of a building;
2. where attached to the upperside of an awning;
3. where attached to the wall of a building and projecting more than 300mm from that wall;
4. where illuminated at frequent intervals (i.e. flashing);

5. where capable of movement by source of power or wind;
6. where illuminated (within a residential zone);
7. where the proposal incorporates bill/fly posters, bunting, and airborne signage, including hot air balloons, blimps, and the like;
8. where located on motor vehicles and which renders the motor vehicle stationary.



- | | |
|----------------------------|-----------------------|
| a) Roof Sign | g) Top Hamper Sign |
| b) Flush Mounted Wall Sign | h) Window Sign |
| c) Projecting Wall Sign | i) "A" Frame Sign |
| d) Above Awning Sign | j) Pole or Pylon Sign |
| e) Awning Fascia Sign | k) Freestanding Sign |
| f) Under Awning Sign | |

Variations

Nil

Advisory Notes

Certain signage is permitted without Council consent, see Schedule 2 of *Pittwater Local Environmental Plan 2014* and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

State Environmental Planning Policy No 64 Advertising and Signage must be considered prior to granting consent for the display of any signage.

C5.10 Protection of Residential Amenity

Land to which this control applies

All land in the Pittwater LGA NOT including the Warriewood Valley locality, Newport Commercial Centre or Elanora Heights Village Centre

Uses to which this control applies

Child care centre
Hospital
Other Development
Telecommunications facility
Waste water disposal system

Outcomes

Development does not have an adverse impact upon adjoining residential development. (S)
A reasonable level of solar access and visual privacy is maintained to residential properties. (En, S)

Controls

Where development adjoins land zoned or used for residential purposes, the following apply:

Solar access

The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.

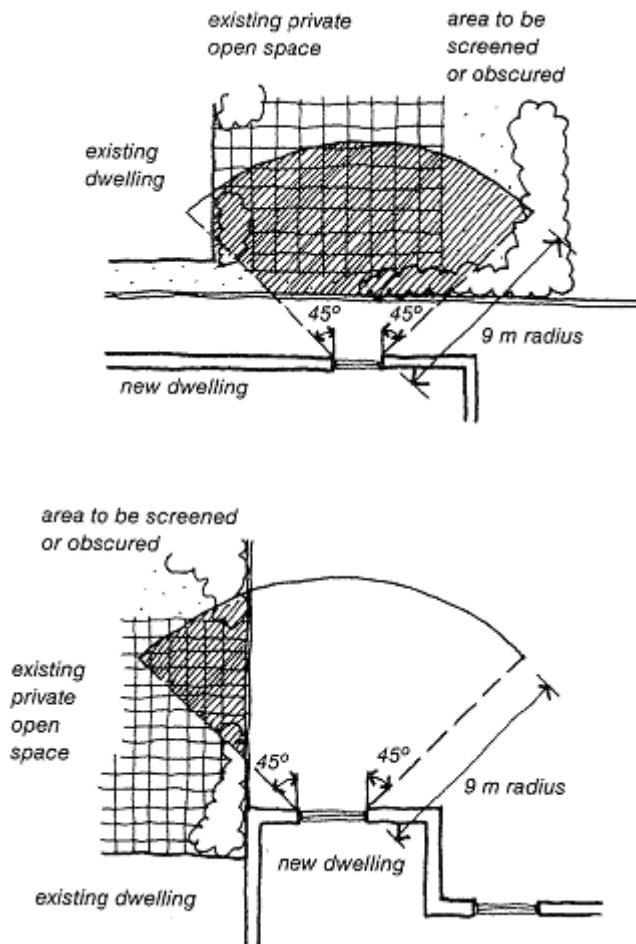
Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.

Privacy

Private open space and living rooms of proposed and any existing adjoining dwellings may be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7m above floor level).

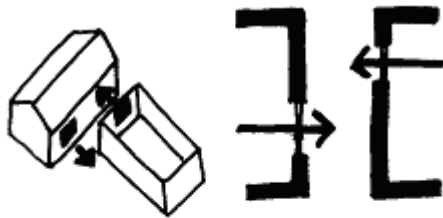
Elevated decks, verandahs and balconies may incorporate privacy screens where necessary and should, where possible, be located at the front or rear of the building. Such areas shall not be modified to be incorporated into the dwelling.

Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.



Direct views of private open space or any habitable room window within 9m may be restricted (see diagram below) by:

- vegetation/landscaping
- a window sill height 1.7m above floor level, or
- offset windows
- fixed translucent glazing in any part below 1.7m above floor level, or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials; and
 - designed and painted or coloured to blend in with the house



◆ ensure that windows are offset



◆ locate balconies to avoid overlooking



◆ minimise overlooking by use of vegetated screens

◆ inhibit overlooking by raising sill height to 1.7 metres



Variations

Nil

C5.11 Third Party Signage

Land to which this control applies

All Land

Uses to which this control applies

All Uses

Outcomes

Ensure signage is compatible with the desired amenity and visual character of the locality.
Achieve the desired future character of Pittwater and prevent visual clutter.

Controls

Third party signage is not permitted.

Variations

Nil.

Advisory Notes

Nil.

C5.12 Child Care Centres

Land to which this control applies

All Land

Uses to which this control applies

Child care centre

Outcomes

Childcare centres are suitably located. (S)

Safe, accessible, and educational childcare centres are facilitated. (S)

Controls

Childcare facilities that carry out food preparation and/or service must comply with the requirements of the *Food Act 2003*, and Food Safety Standards which include the requirement for Notification the Food Standards Code (*Food Premises and Equipment Standard 3.2.3* and Australian Standard *AS 4674-2004: Construction and fit-out of food premises*).

Sanitary Facilities for staff and patrons shall be provided in accordance with the Building Code of Australia.

Cooking that requires mechanical ventilation is not permitted.

Child Care Centres located within a residential dwelling are not required to incorporate solid walls, false bases to benches and kickplates.

Variations

Nil

Advisory Notes

Council's Environmental Health Officer offers a pre-construction inspection prior to submission of the Development Application. Information about this service can be found on Council's website.

Information to be shown on the Development Drawings

Information to be shown on the Development Application Floor Plan showing compliance with Australian Standard *AS4674-2004: Construction and fitout of food premises* and sanitary facilities is to be submitted.

C5.13 Telecommunications Facilities

Land to which this control applies

All Land

Uses to which this control applies

Telecommunications facility

Outcomes

The health and well-being of the Pittwater community. (S)

The siting of telecommunications facilities that is compatible with existing and likely future surrounding land uses. (S)

Telecommunications facilities that have minimal impact on the environment and amenity of the area. (En, S)

Efficient use of existing infrastructure and services. (En, S)

Telecommunications facilities are provided in a manner that meets community expectations for modern telecommunications infrastructure. (S, Ec)

Controls

Siting

Telecommunications facilities should be sited within industrial and business zones and not in close proximity to residential or environment protection zones. The siting of facilities in any zone other than industrial or business must be justified having regard to the outcomes of this clause.

Telecommunications facilities should not be located within a floodway and not obstruct the flow of water through the site.

Co-location

Telecommunications facilities must be co-located with other facilities wherever possible. In particular:

- a) telecommunications lines should be located within any existing underground conduit or duct; and
- b) antennae and similar structures should be attached to existing utility poles, towers, structures, buildings or other telecommunications facilities so as to minimise clutter.

The erection of any new tower must be justified where no available alternative for co-location is available. Any new tower must have the demonstrated potential for co-location of additional facilities.

Visual Impact

The visual impact of telecommunications facilities is to be reduced by:

integrating the facility with the design and appearance of the building or structure on or within which it is located;

- a) screening through landscaping or other means;
- b) sympathetic or co-ordinated colouring and finish to blend with the streetscape and surrounding environment; and
- c) ensuring that the scale of the facility is in keeping with the area (bearing in mind that the scale may be affected by the intended coverage of the facility).

Telecommunications facilities shall not:

- a) obstruct any views of significant vistas, significant landmarks or items of environmental heritage; or

- b) contain any signage except for appropriate warning and safety information signage; or
- c) contain any night illumination except where required for aircraft safety pursuant to relevant legislation.

Health standards

Telecommunications facilities must be designed, installed and operated to comply with standards relating to human exposure to electromagnetic energy appearing in the applicable code or standard made under the applicable law of the Commonwealth.

The cumulative impact of installing more than one telecommunications facility on the land must be considered.

Low impact facilities on Council owned land

Any low-impact facility (as defined in the *Telecommunications Act 1997*) on Council owned land must also comply with the requirements of this part.

Variations

Nil

C5.14 Car/Vehicle/Boat Wash Bays

Land to which this control applies

All Land

Uses to which this control applies

Other Development

Outcomes

Prevention of pollution from entering the stormwater system. (En)

Prevention of stormwaters from entering the sewer system. (En)

Controls

A designated wash bay is to be incorporated on the site.

The wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain and to ensure stormwaters do not enter the sewer.

Variations

Where the use of vehicles or boats is not part of the activity associated with the proposed development this control does not apply.

Information to be shown on the Development Drawings

The Development Application plans shall incorporate detail regarding the proposed location and design of the bunded wash bays. The wash bay floor Ground floor plans shall clearly show wash bays and the location of the drainage facilities for the wash bays.

C5.15 Undergrounding of Utility Services**Land to which this control applies**

All Land not including the Warriewood Valley locality

Uses to which this control applies

Child care centre

Hospital

Other Development

Outcomes

Visual pollution by aerial cables is reduced (En, S)

Improved safety by removal of visual clutter (En, S)

Opportunities for street tree planting is enhanced (En)

Safety of building occupants is maintained and enhanced. (S)

of utility services is improved. (S)

Design and construction of undergrounding is funded by the developer. (Ec)

Controls

All existing and proposed utility services to the site are to be placed underground or encapsulated within the building.

All existing and proposed utility services to the site, or adjacent to the site within a public road reserve, are to be placed underground for the total frontage of the site to any public road.

Design and construction of the undergrounding of utility services are to be at full cost to the developer.

Variations

Based on technical practicalities and advice from the energy supplier the merit for not proceeding with undergrounding of utility services will be considered for the following circumstances subject to achieving the outcomes of this control:

- electricity wires carrying 16,000 volts, 33,000 volts or more, and
- short lengths of overheads of two spans or less

C5.16 Building Facades

Land to which this control applies

All land in the Pittwater LGA including the Pittwater waterway but NOT including Elanora Heights Village Centre and the Warriewood Valley locality

Uses to which this control applies

Child care centre
Hospital
Other Development
Telecommunications facility
Waste water disposal system

Outcomes

Improved visual aesthetics for building facades. (S)

Controls

Building facades to any public place and including balconies and carpark entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.

Variations

Council will consider the incorporation of service pipes or conduits into facades where treated as a design element of the facade.

C5.17 Pollution control

Land to which this control applies

All Land

Uses to which this control applies

Child care centre
Demolition
Hospital
Other Development
Telecommunications facility
Waste water disposal system

Outcomes

Development does not adversely impact health, the environment or other lands. (S, E)

Controls

Developments must be designed, constructed, maintained, and operated in a proper and efficient manner to prevent air, water, noise or land pollution.

Development and operations must comply with the *Protection of the Environment Operations Act 1997*, and any relevant legislation.

Compliance with the *NSW Environment Protection Authority Industrial Noise Policy* (January 2000).

Variations

Nil

Advisory Notes

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recovery exemptions are available on Environment Protection Authority's website.

C5.18 Public Road Reserve - Landscaping and Infrastructure

Land to which this control applies

All land in the Pittwater LGA NOT including the Pittwater Waterway, Warriewood Valley Land Release Area, land Adjoining Bushland Reserves, Newport Commercial Centre or Elanora Heights Village Centre - P21DCP-BCMDCP053

Uses to which this control applies

Child care centre
Earthworks
Hospital
Other Development
Signage
Telecommunications facility

Outcomes

Desired future character of the locality. (S, Ec)

Consistency in the design and construction of landscape works in the road verge (S,En)

Controls

General - All Development

Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.

Street trees are to be planted so as to not obstruct the free passage of pedestrians along the road verge and not interfere with existing power lines.

Tree species are to be a minimum 400 litre size with 1m x 1m hole and backfilled with planting medium. Trees are to be staked with 2/50mm x 50mm stakes with hessian ties.

All existing trees over 3m in height and native vegetation and trees within the road reserve areas are to be retained where practical. Such trees are to be protected through perimeter 1.8m high temporary fencing during the construction of works.

Selected species are to be as per the existing adjacent street trees or native species to the area.

Council encourages the use of local endemic native species according to the list of local native species in Pittwater

http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists

Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.

Development up to 1000sq m Gross Floor Area

Development with frontage to a public road reserve requires the design and construction of a footpath 1.5m wide (2.1m minimum width where a multi-use pathway is required to be installed), kerb and gutter and landscaping for the full width of the development site on the public road reserve frontage to the development.

Development greater than 1000sq m Gross Floor Area

Development with frontage to a public road reserve requires the design and construction of a footpath 1.5m wide (2.1m wide where a multi-use pathway is required to be installed), kerb and gutter, the making good of the road pavement from the kerb and gutter to the road centre line, streetlighting and landscaping for the full width of the development site on the public road reserve frontage to the development.

Note: Making good of the road pavement shall be to the following engineering standard.

Asphaltic Concrete finish:

- Sub-arterial road 4 x 106 ESA's
- Collector road 2 x 106 ESA's
- Local road 6 x 105 ESA's
- Access road 1 x 105 ESA's

Variations

Where the landscaping or infrastructure in the public road reserve currently exists, the requirements of this control in respect to the specific landscaping or infrastructure item need not apply.

Where landscaping or infrastructure in the public road reserve is located in steep terrain, the landscaping and infrastructure requirements will be considered on merit.

Information to be shown on the Development Drawings

Where any works are proposed to be carried out on the public road reserve, a plan needs to be provided for the full width of the development site showing any proposed works on the public road reserve. This plan may be incorporated within the landscaping plan provided for the site and must be in accordance with the relevant masterplan for the commercial centre if applicable.

Section 139 Consent for Works on the Public Road Reserve

Technical Reports and Supporting Information

Applicants will be required to obtain prior to the issue of the Construction Certificate, a section 139 Certificate for works on the public road reserve issued by Council under the provisions of section 138 of the *Road Act 1993* for the design and construction of any works located in the road reserve.

The consent provides authorisation from Council as the Road Authority for the applicant to construct works (including roads, access driveways, steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road reserve subject to development consent for the adjacent land being issued.

A section 139 Consent for works on the Public Road Reserve will be issued subject to satisfactory plans prepared by the Applicant being provided to and approved by Council.

Applicants are encouraged to obtain the section 139 Consent for Works on the Public Road Reserve during preparation of the development application and lodge the section 139 Consent for Works on the Public Road Reserve within the Development Application.

To apply for this consent [CLICK HERE](#)

C5.19 Food Premises Design Standards

Land to which this control applies

All Land

Uses to which this control applies

Child care centre

Development/subdivision of a sector, buffer area or development site in a Release Area

Hospital

Other Development

Rural industry

Seniors housing

Tourist and visitor accommodation

Outcomes

Compliance with *Food Act 2003*. (S)

Compliance with relevant Australian Standards. (S)

Ensure food businesses have appropriate facilities and services in place for patrons (S)

Ensure food businesses meet design standards for work and food safety . (S)

Controls

Food Premises must comply with the requirements of:

- *Food Act 2003*
- Australian New Zealand Food Standards Code 3.2.3 (Food Premises and Equipment).
- Australian Standard 4674-2004 Design, Construction and Fit-out of Food Premises.

Mechanical Ventilation systems are to be designed, manufactured, installed, operated and maintained in accordance with:

- Australian Standard 1668.1:1998 *The use of ventilation and air conditioning in buildings Part 1 - Fire and smoke control in multicompartment buildings*
- Australian Standard 1668.2:2012 *The use of mechanical ventilation and air conditioning in buildings Part 2 - Mechanical ventilation in buildings*.

Food Business must ensure that the premises are provided with the necessary services of waste water disposal, light, ventilation, cleaning and personal hygiene facilities, storage space and access to toilets.

Variations

Nil

Information to be shown on the Development Drawings

The drawings shall clearly indicate:

Floor Plan and Section Plan

- Design and construction of the food premises (including all server, food storage and preparation areas) in accordance with divisions 1 to 5 of Australian New Zealand Food Standards Code 3.2.3
- Food premises and Equipment and Australian Standard AS 4674-2004: *Construction and fit-out of food premises*.

Technical Reports and Supporting Information

Documented evidence to be submitted confirming that the mechanical ventilation system has been designed in accordance with Australian Standard AS 1668.1:1998 *The use of ventilation and air conditioning in buildings Part 1 - Fire and smoke control in multicompartiment buildings* and Australian Standard AS 1668.2:2012 *The use of mechanical ventilation and air conditioning in buildings Part 2 - Mechanical ventilation in buildings*.

C5.20 Liquor Licensing Applications

Land to which this control applies

All Land

Uses to which this control applies

Business Development

Occupation/change of use of an existing premises

Other Development

Outcomes

Compliance with *Liquor Act 2007*. (S)

Compliance with Council's Liquor Licensing Applications Policy or relevant policy. (S)

Regulate and control the sale, supply and consumption of liquor in a way that is consistent with the expectations, needs and aspirations of the community. (S)

Manage the social impacts of Liquor Licensing on the local residential community. (S)

Controls

Development to which this control applies must comply with the requirements of:

- Council Policy - *Liquor Licensing Applications* or relevant policy.
- *Liquor Act 2007*.

Development such as pubs, registered clubs and restaurants or cafes must comply with Council's *Liquor Licensing Applications Policy*.

A premise that intends to serve alcohol, which may include pubs, registered clubs and restaurants or cafes, must obtain a liquor license from the Casino, Liquor and Gaming Control Authority prior to the serving of alcohol for sale on premises

Variations

Nil

Advisory Notes

For more information in regards to Liquor Licence Applications and Community Impact Statements (CIS) refer to the NSW Office of Liquor, Gaming and Racing website (www.olgr.nsw.gov.au/olgr_default.asp).

For a copy of Council's *Liquor Licensing Policy* refer to Council's website or a copy can be obtained from Council's customer service centres.

All Liquor Licensing applications must be lodged through the Independent Liquor & Gaming Authority. Visit their website at <http://www.igca.nsw.gov.au/> for more information.

C5.21 Plant, Equipment Boxes and Lift Over-Run

Land to which this control applies

All Land not including the Warriewood Valley locality

Uses to which this control applies

Development ancillary to residential accommodation

Hospital

Other Development

Rural industry

Telecommunications facility

Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised. (En, S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

To achieve reduction in visual clutter. (En, S)

The appropriate location and design of noise generating equipment.

Controls

Where provided, plant and equipment boxes and lift over-runs are to be integrated internally into the design fabric of the built form of the building.

Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.

Variations

Subject to achievement of the outcomes of this control, consideration may be given to the location of plant, equipment boxes and lift over-runs on the roof a building where it can be shown that there will not be a non-compliance with Council's built form controls including building height and building envelope.

Where located on the roof any plant, equipment boxes and lift over-runs are to be adequately screened from view from adjoining properties and the public domain.

C5.22 Environmental Sustainability

All Land
 Amusement centre
 Boat building and repair facility
 Business development
 Commercial premises
 Educational establishment
 Entertainment facility
 Function centre
 Health services facility
 Industrial development
 Industrial retail outlet
 Industrial training facility
 Information and education facility
 Light industry
 Public administration building
 Recreational facility (indoor)
 Storage premises
 Vehicle body repair workshop
 Vehicle repair station
 Warehouse or distribution centre

Apply principles and processes that contribute to ecologically sustainable development (ESD).
 Any development with a gross floor area of 2,000m² or more must achieve a minimum 4 Star Green Star Design and As Built rating certified rating from the Green Building Council of Australia (GBCA, where there is an applicable Green Star rating tool.

Where it can be demonstrated that the above requirement is unreasonably onerous or where no applicable GreenStar tool exists, it must be demonstrated that the development achieves sustainability outcomes equivalent to a 4 Star Green Star Design and As Built rating.

Where the Green Star Design and As Built tool is not utilised to demonstrate the level of sustainability of the proposal, a sustainability report must be submitted with the development application clearly demonstrating how the development addresses sustainability. The issues to be addressed within the sustainability report include, but are not limited to, the following:

- Management of the development which is to be coordinated with all stakeholders, ensuring that all are aware of the required sustainable outcomes.
- Commitment to and incorporation of delivery of sustainable initiatives and performance monitoring.
- Education of users and stakeholders to foster sustainable behaviour and systems.
- Increased comfort and wellbeing of the occupant, through ventilation and thermal, visual and acoustic comfort.
- Reduced exposure to pollutants through low toxicity environments and the removal of harmful environments.
- Reduction in greenhouse gas emissions and peak electricity demand.
- Reduction in carbon intensive modes of transport through the provision of access to public transport options, access to amenities and the provision of facilities to encourage bicycle usage, as well as the encouragement of the use of alternate sustainable transport options.
- Reduction in potable water consumption.
- Consideration of the lifecycle assessment of materials and products used in construction on fit outs of the development,
- Reduction in landfill waste across the entire project life cycle.
- Where required, the remediation of the site in accordance with state policy.
- Stormwater runoff management and reduction.
- Reduction in heat island effect through the reduction of hard surfaces.
- Reduction of light pollution.

Certification verified by a GBCA Accredited Professional or other recognised sustainability professional that the development achieves a 4 Star Green Star Design and As Built rating or equivalent sustainability rating is to be received prior to the issue of Occupation Certificate.

Advisory Notes

Refer to Green Building Council of Australia website.

The indoor environmental quality of occupants can be improved by:

- natural ventilation and air circulation that, in turn, reduces the need for mechanical ventilation;
- optimising the thermal comfort of occupants through the zoning of sections of the dwelling that enables individual control of heating and cooling;
- installation of lighting systems and fittings appropriate for the use/activity located in that part of the building(s), resulting in reduced energy consumption; and
- selecting materials and furniture from renewable resources that have minimal emission of toxic substances, have minimal and safe production techniques and that produce minimal waste. Timber should be reused or come from sustainable forestry practices.

C5.23 Sex Services Premises

Land to which this control applies

Land zoned B2 Local Centre or B4 Mixed Use

Uses to which this control applies

Sex services premises

Outcomes

Sex services premises are suitably located . (S)

Sex services premises are safe and accessible. (S)

Sex services premises are sensitively designed so that they do not create adverse social impacts or detrimental impacts on the amenity of the surrounding area. (S)

Controls

Access and layout of premises

- No part of the premises (other than an access corridor to the premises) is to be located at ground floor level or street level of a building. The floor level of any sex services premises is to be a minimum of 2.5 metres above street level measured vertically at each and every point at the street front which has the highest RL (reduced level - AHD).
- No part of the premises or building in which the premises are situated is to be used as a dwelling unless separate access is available to the dwelling.

Amenity

- The operation of the premises shall not interfere with the amenity of the neighbourhood because of its:
 - Size;
 - Operating hours;
 - Traffic generation;
 - Lighting;
 - Noise; or
 - The number of employees and clients.
- A suitable waiting area must be located within the sex services premises so as to prevent clients gathering or waiting on the street or in other areas outside the premises.
- The location of the premises must not lead to a concentration of sex services premises that is likely to cause a disturbance in the neighbourhood or change the character of the street or area.
- The interior of the premises must not be visible from any place in the public domain.
- Where the interior is visible from neighbouring buildings, adequate measures are to be taken to screen the interior of the building, for example, through the use of blinds or screens.

Staff rooms and facilities

All premises are to have a safe and accessible non-working area with appropriate facilities for food and beverage preparation; a rest area with seating; a sink, water boiling facilities and fridge; lockers to store personal belongings; and sanitary facilities, including toilet, hand basin and shower available for staff on breaks. All required hand wash basins and showers shall be provided with an adequate supply of potable hot and cold running water.

Presentation of the building and premises

- No merchandising relating to the premises is to be erected, displayed or exhibited at any entry or in any window or in any access corridor (including any stairwell) to the premises.

- The premises must be clearly numbered, with the number being clearly visible from the street, in order to minimise nuisance to neighbours.
- The building is not to be of a colour which draws undue attention to the premises.
- There must be no display of restricted material, sex-related products, sex workers, performers, or nude or semi-dressed staff in windows or doors, or outside the premises.

Health and safety

- All rooms where sexual activity occurs and staff areas are to have an alarm or intercom. These alarms are to connect back to a central base (such as reception) that is to be monitored at all times. This is to ensure the safety of both clients and sex workers.
- Each room used for the provision of sexual services must be provided with separate sanitary facilities, comprising a toilet, shower and hand basin, directly accessible from that room for use of both sex workers and their clients. All required hand wash basins and showers shall be provided with an adequate supply of potable hot and cold running water.
- Pools, spas, saunas or steam rooms also require toilet and shower facilities to be provided.

Limits to consent

Development consents granted to sex services premises applications may be initially limited to a period of twelve months. At the completion of this period, Council will re-evaluate the proposal in terms of any complaints received regarding the approved operations, and compliance with any conditions of development consent.

Council may also impose conditions of consent relating to the hours of operation. This will also be the subject of review after 12 months. If after the 12-month trial, the approved hours of operation are causing a disturbance in the neighbourhood, Council may further restrict operating hours.

Where consent is granted, a specified operator will be nominated on the consent. Should the operator change, Council must be notified prior to work commencing. If the number of sex workers, hours of operation or signage are proposed to be changed, a new development application may be required.

Variations

Nil.

Advisory Notes

It should be noted that Clause 7.11 of the *Pittwater Local Environmental Plan 2014* contains provisions regarding the location of sex services premises.

Applicants should make themselves aware of the requirements of all relevant legislation and guidelines in relation to the operation of sex services premises, including but not limited to the *Crimes Act 1900*, *Summary Offences Act 1988*, *Criminal Code Act 1995*, *Public Health Act 2010*, *Public Health Regulation 2010*, *Restricted Premises Act 1943*, *Classification (Publications, Films and Computer Games) Enforcement Act 1995 (NSW)*, *Local Government Act 1993*, *Occupational Health & Safety Act 2000*, *Industrial Relations Act 1996*, *Protection of the Environment Operations Act 1997*, *Workplace Surveillance Act 2005*, *Weapons Prohibition Act 1998*, *Anti-Discrimination Act 1977*, *Building Code of Australia*, *Food Act, 2003*, *Food Regulation 2001*, *WorkCover NSW's Health and Safety Guidelines for Brothels in NSW 2001* and *Australian Standards*.

In relation to sex services premises, Council's responsibilities are primarily concerned with land use planning under the Environmental Planning & Assessment Act 1979. Public health complaints in relation to the operation of sex services premises are the responsibility of the NSW

Department of Health. Workplace Health & Safety issues are matters for the WorkCover Authority. The NSW Department of Health is responsible for safe health practices in the workplace, ensuring safe sex practices, dealing with public health complaints and advising sex workers working with sexually transmissible conditions.

However, as a consent authority, Council may undertake inspections of sex services premises so as to determine compliance with NSW *Public Health Act 2010* and Regulations, *Protection of the Environment Operations Act 1997* and conditions of a development consent made in accordance with this DCP.

The Australian Federal Police and the Department of Immigration deal with issues of illegal immigrant sex workers.

C6 Design Criteria for Warriewood Valley Release Area

This part contains criteria for development of land in the Warriewood Land Release Area.

In recognition of the fragmented landownership, Warriewood Valley was divided into 'development' sectors to ensure orderly and coordinated development of land and infrastructure (see Urban Release Area Map in the *Pittwater Local Environmental Plan 2014*). For this reason, controls were developed specifically for sector development/subdivision including the requirement that each sector develop a masterplan. The recently adopted *Warriewood Valley Strategic Review 2012* recommended relinquishing the 'sector by sector' approach to advance development in Warriewood Valley and allow individual land parcels to develop separately.

Where a sector has been rezoned and there is no approved sector masterplan, Council may develop additional controls that specifically apply to land in that sector. These additional controls must be read in conjunction with all other controls relevant to the development of a sector, buffer area or development sites in this DCP.

(Note: Controls relating to development on newly created allotments are in Part D16 of this DCP).

C6.1 Integrated Water Cycle Management

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Business Development – New Construction or Alterations and Additions

Café

Development ancillary to residential development

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Entertainment facility

Industrial Development – New Construction or Alterations and Additions

Restaurant

Subdivision of a sector, buffer area or development site in a Release Area.

Outcomes

Development is designed with an integrated approach to water management and conservation, addressing water quality and quantity, watercourse and creekline corridors, stormwater and groundwater, and minimises the risk posed by flooding and adapts to climate change impacts. Establish a network of multi-functional living creekline corridors particularly Narrabeen Creek, Fern Creek and Mullet Creek for flood conveyance, environmental flows, flora and fauna habitat, water quality improvement, cyclist and pedestrian access, and drainage, linking the Warriewood Escarpment with the Warriewood Wetlands and Narrabeen Lagoon, and facilitates the long-term environmental protection of the receiving waters including the Warriewood Wetlands and Narrabeen Lagoon.

Remnant native vegetation along creekline corridors, escarpment vegetation, and the Warriewood Wetlands, including stands of Swamp Mahogany, Forest and Swamp Oaks, and Angophora Woodlands are conserved and restored to provide linkages and stepping stones for wildlife movement.

A range of aquatic habitats within the creeks are protected and restored as natural creekline and wildlife corridors with riparian vegetation, providing a functioning habitat for birds and diverse native flora.

Landscaping enhances the required functions of the creekline corridor and reduces the impact of utilitarian drainage structures on the open space.

Effective management of grey water treatment systems (where relevant) which maintain disposal to Sydney Water central reticulation system (for disposal in cases of emergency breakdown/malfunction).

Effective management of onsite sewage and effluent systems to ensure environmental and public health protection.

Controls

Water Management Report and Accompanying Plans

The Water Management Report, submitted with the application, must demonstrate how the water cycle will be managed and integrated with the development. The Water Management Report is to be prepared by appropriately qualified professionals and certified by an experienced and qualified engineer specialising in hydraulics. It is to be in accordance with Council's *Warriewood Valley Urban Land Release Water Management Specification (February 2001 as amended)* and relevant legislation taking into account the *Narrabeen Lagoon Flood Study (September 2013 as amended)* and the *Pittwater Overland Flow Flood Study (2013 as amended)*.

Elements for consideration include, but are not limited to:

- Water Sensitive Urban Design;
- flooding implications including mainstream flooding and overland flow and flood emergency response;
- climate change impacts on flooding and designs of stormwater management infrastructure;
- demonstration that all new allotments to be created are above the Flood Planning Area;

- where a creek passes through/aligns or abuts a sector, buffer area or development site, the development has integrated the creekline corridor requirements into the design of the development;
- the Inner Creekline Corridor is designed and constructed to contain the 1% Annual Exceedance Probability (AEP) flow;
- with the exception of the Inner Creekline Corridor, the water management facilities will remain in private ownership. The maintenance responsibility for this private infrastructure remains with the owners of the land/development;
- the integrated water cycle management scheme must be supplementary to the BASIX requirement to reduce potable water consumption where subdivision only is proposed. Where a proposal involves the construction of residential accommodation and subdivision and a minimum 3000L rainwater tank is proposed for each dwelling, the reduction in potable water reuse achieved under the BASIX cannot then be duplicated/reused for the purpose of offsetting the onsite detention volume requirements for the integrated water cycle management. No offset is available as only the minimum sized rainwater tanks are being applied to meet BASIX;
- stormwater quantity management, including inter-allotment drainage systems and public (existing and/or proposed) stormwater drainage systems;
- groundwater impacts and mitigation measures; and
- alterations and additions to a development must consider the existing approved water cycle management already established for the Sector, buffer area or development site.

Plans detailing the integrated water cycle management system recommended by the Water Management Report, including a plan detailing the quantum of pervious and impervious areas (refer to "Landscape Area" in Control C6.7) are to accompany the Water Management Report.

Flooding

The flood levels are to be determined as part of the Water Management Report. The information to be obtained includes:

- the 50% Annual Exceedance Probability (AEP) flood levels with climate change impacts including sea level rise combined with increase rainfall volume;
- the 20% AEP flood levels with climate change impacts including sea level rise combined with increase rainfall volume;
- the 1% AEP flood levels with climate change impacts including sea level rise combined with increase rainfall volume;
- the Flood Planning Level (FPL) - equal to the 1% AEP flood level plus freeboard (as defined within clause A1.9 of this DCP) with climate change impacts including sea level rise combined with increase rainfall volume;
- the Probable Maximum Flood (PMF) level with climate change impacts including sea level rise combined with increase rainfall volume;
- the flow velocities for the 1% AEP flood and Probable Maximum Flood with climate change impacts including sea level rise combined with increase rainfall volume; and
- the Flood Category and Flood Hazard Classification as defined in clause A1.9 of this DCP with climate change impacts including sea level rise combined with increase rainfall volume.

Likely flood impacts from the development must also be assessed and where required, mitigated.

The filling of land will only be permitted where it can be demonstrated within the Water Management Report that:

- there is no net decrease in the floodplain volume of the floodway or flood storage area within the property, for any flood event up to the 1% AEP flood event and the PMF event including climate change considerations for both design events; and/or
- there is no additional adverse flood impact on the subject and surrounding properties and flooding processes for any flood event up to the PMF event including climate change impacts.

The Water Management Report must identify the minimum floor level requirements for development in accordance with the Flood Hazard and Flood Category applicable to the proposed land use specified in Flood Risk Management Policy.

The subdivision of land requires the building platforms for each additional allotment to be created at or above the Flood Planning Level (plus climate change). The Plan of Subdivision is to include the Flood Planning Level (plus climate change) for each new allotment created.

Creekline Corridor

Creekline corridors in the Warriewood Valley Release Area are to be restored to a 'natural watercourse' that results in healthy ecosystems whilst maintaining their capacity for flood conveyance during high flows as stipulated in the *Warriewood Valley Urban Land Release Water Management Specification (2001)*. The creekline corridors are intended to fulfil a multi-functional purpose, containing the pedestrian and cycle network.

Where a creek passes through/aligns/abuts a Sector, buffer area or development site, the creekline corridor is to generally comprise a total width of 100 metres, comprising of a 50 metre wide Inner Creekline Corridor (being 25 metres either side of the centreline of the creek) and an Outer Creekline Corridor 25 metres wide each side of the Inner Creekline Corridor.

The 50 metre wide Inner Creekline Corridor (25m either side of the centreline of the creek), to be brought into public ownership, is a corridor that contains the creek, floodway and flora and fauna habitat. The Inner Creekline Corridor is to be designed and constructed to contain the 1% Annual Exceedance Probability (AEP) flow plus climate change. Detailed engineered plans are to be submitted with the application depicting the creek construction.

The 25 metre Outer Creekline Corridor (commonly known as the 'private buffer strip') to be provided on each side of the Inner Creekline Corridor is to be retained in private ownership and is to perform the functions of part water quality control and a fauna/flora corridor (Lawson & Treloar, 1998). The private buffer strip is to be a multifunctional corridor, appear to be part of the public domain, and may contain:

- the pedestrian path/cycleway sited above the 20% AEP flood level to reduce the incidence of flood damage to a manageable level and achieve a satisfactory safety level for regular use. The location of the pedestrian path/cycleway is variable to ensure connectivity with existing sections of the path and retention of vegetation. The alignment of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists;
- water quality control ponds;
- other water quality treatment measures; and/or
- roads and other impervious areas traditionally sited in the public domain, for up to 25% of the outer Creekline Corridor area subject to merit assessment.

Any part of residential lots, dwellings, garages, fences and other vertical built structures are not permitted within the 25 metre wide Outer Creekline Corridor.

A landscape plan for the Inner and Outer Creekline Corridors is to be prepared and submitted with the application. Extensive stands of *Casuarina glauca*, groves of *Eucalyptus robusta* with other native feature trees, an indigenous understorey and ground covers are to comprise a minimum of 75% of the total creekline corridor area. Native groundcovers should be used as an alternative to lawn.

Stormwater Drainage Management

The design of the stormwater management system (quantity and quality) is to be included in the integrated water cycle management scheme for the development.

A piped stormwater drainage system network is to be designed for a 5% AEP flood event including climate change impacts. A failsafe flood overflow system for flood events greater than a 5% AEP flood is to be provided and managed. Appropriate system blockages are to be included in the stormwater drainage system design.

The stormwater pipe drainage system network is to include private inter-allotment drainage systems that are to be connected to the public drainage system. Stormwater drainage easements will be required over all inter-allotment drainage systems and where a public stormwater drainage system traverses private property. The required easements are to be shown on the Plan of Subdivision.

Water Quality Management, Assessment and Monitoring

All development stages are to meet or exceed the water quality acceptance criteria within the *Warriewood Valley Urban Land Release Water Management Specification (2001)* for site discharges. Validation of the acceptance criteria is required by water and sediment quality monitoring and reporting.

Sediment and pollution control facilities are to be designed, installed and maintained so that upon completion of construction the facilities will prevent, discourage and intercept accidental and deliberate discharge of harmful substances in Warriewood Valley waterways.

Groundwater

The Water Management Report must identify the depth of the groundwater table. If groundwater is to be managed as a result of excavation/basements/stormwater or flood mitigation measures on the proposed development, the groundwater management measures are to be detailed in the report.

Greywater Reuse

In the event that greywater reuse is proposed as part of the integrated water cycle management scheme, the on-site treatment, disposal and/or reuse of greywater must:

- demonstrate scheme feasibility;
- comply with all relevant State and Federal regulatory requirements and the referenced guidelines; and
- achieve current NSW Health Accreditation (where accreditation is necessary).

Blackwater reuse systems and onsite disposal are not permitted on sewerage lands.

All premises must maintain a connection to the Sydney Water centralised sewerage waste disposal system.

Alterations and Additions to Existing Development

Alterations and additions to a development must consider the existing approved water cycle management already established for the development particularly in regards to water quality, water balance and stormwater detention.

For water management requirements relating to alterations and additions to existing development, refer to Control D16.4.

Variations

The width of the Outer Creekline Corridor (known as the 'private buffer strip') may at any one point be less than 25 metres provided the outcomes of this control are met and subject to this

buffer strip having an average 25 metres width.

Where there is a coordinated, multi-lot approach, Council may consider the placement of water management infrastructure within public land (excluding under the road carriageway) subject to:

- demonstration that such infrastructure will not unduly compromise the purpose or functionality of the public land;
- construction of the infrastructure is entirely at the applicant's cost;
- adherence to best practice guidelines for water quantity and quality management;
- infrastructure is not to be located in the first 25m creekline corridor known as the Inner Creekline Corridor.

Advisory Notes

The creek centreline may, as a result of the proposed design, vary within the 50m wide Inner Creekline Corridor.

Warriewood Valley Urban Land Release Water Management Specification (2001), *Narrabeen Lagoon Flood Study (2013)*, and *Pittwater Overland Flow Flood Study (2013)* are available on Council's website, www.pittwater.nsw.gov.au/flooding.

NSW Office of Water is the approval authority for a "Controlled Activity" under the *Water Management Act 2000*, with regards to rehabilitation of the creekline corridor and groundwater. If groundwater impacts are likely as a result of the proposal, the development application is to be as Integrated Development.

Where water management infrastructure is proposed to be provided on public land, owners consent for the use of the public land must be submitted with the application.

- The extent of the inner and outer creekline corridor.
- All aspects of the water management scheme set out in the water management report including water storage/reuse and retention/detention facilities with dimensions clearly labelled.
- Building footprints
- Plan identifying and quantifying the areas that are pervious and impervious.
- Trees to be retained.

Information to be shown on the Development Drawings

- Plan identifying extent and quantum of cut and fill works.
- Existing and proposed floor levels in accordance with the control.
- If land subdivision is proposed, the plan of subdivision is to identify the flood planning level for each proposed allotment.

Information to be included in the Statement of Environmental Effects

- An assessment of the development in terms of the objectives of the *Warriewood Valley Water Management Specification* and the interrelationship of the proposed development with the creekline corridor system including recommendations from the Water Management Report, who prepared the said report and a completed Development Application checklist as contained in the *Warriewood Valley Water Management Specification*.
- Details on the future ownership and maintenance of all water management facilities and if required proposed arrangements for inter-allotment drainage systems.

Technical Reports and Supporting Information

- A water management report in accordance with the *Warriewood Valley Water Management Specification* (February 2001). This report must also address how water will be managed on future individual allotments in the context of SEPP (Exempt and Complying Development Code) 2008 and SEPP (Building Sustainability Index: BASIX) 2004.
- Concept design plan of the creekline corridor rehabilitation and water management in accordance with accompanying water management report prepared for the site.
- If proposal involves the retention of existing trees, a report by a qualified arborist outlining proposed tree protection measures.

C6.2 Natural Environment and Landscaping Principles

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing

Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision of a sector, buffer area or development site in a Release Area.
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

Landscaping enhances and complements the natural environment and surrounding landscape character, reinstating elements of the natural environment, reducing the visual bulk and scale of development, and complementing the design of the proposed development.

Promotion of ecologically sustainable outcomes by maintaining and enhancing remnant bushland, creekline corridors, wetland areas, local indigenous trees, shrubs and groundcover where possible to enhance the visual landscape, environmental qualities, biological diversity and ecological processes.

The canopy cover and the habitat value are increased.

Provision of a pleasant and safe living environment that is environmentally responsive, resulting in a unified, high quality landscape character and high level of visual amenity that in turn contributes to the sense of place.

New development is blended into the streetscape and neighbourhood.

Controls

Landscaping Principles

- Ensure that landscape design and planning is part of a fully integrated approach to site development.
- Be sensitive to the site attributes and context, such as streetscape character, natural landform, soils, existing vegetation, views, land capability, and drainage.
- Development must be designed to maximise the restoration, retention and preservation of indigenous trees, shrubs and groundcovers, as well as natural features, including wildlife corridors, fauna habitats, rock features and watercourses.
- Provide planting schemes that reinforce the framework of endemic canopy trees with supplementary plantings species suitable for the understorey and groundcover. These may include species that have high ornamental qualities and/or provide food and habitat for native fauna and/or have aromatic flowers and foliage. In areas of high sensitivity only locally indigenous tree species should be used for the canopy.
- Create visually pleasing environments that integrate the built form of the development into the natural and cultural landscapes of the Warriewood Valley.
- Manage the micro-climate through the provision of canopy trees for shade resulting in the reduction in the buildings energy consumption.
- Deep soil areas are areas of soil unobstructed at any point by buildings or structures above or below the ground. Deep soil areas have important environmental benefits, such as allowing the infiltration of rain water into the water table and reduction of stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees.
- Maximise landscaped areas for on-site infiltration of stormwater.
- Integrate and form linkages with parks, reserves and transport corridors.

- Complement the functions of the street e.g. reinforce desired traffic speed and behaviour; consider lines of sight for pedestrians, cyclists and vehicles promote safety and casual street surveillance.
- Satisfy maintenance and utility requirements and minimise their visual impact. For example, undesirable visual elements such as blank walls, service areas, loading docks, and electrical sub-stations are adequately screened by shrub and tree plantings of suitable species at appropriate spacings.
- Paving, structures, fencing and wall materials complement the architectural style and finishes of the buildings on the site.

Integration with Creekline Corridor and the Public Domain

For land adjoining creekline corridors, buffer strips and reserves, preference should be given to local species identified as food sources for native fauna. Refer to the species lists contained in the *Warriewood Valley Landscape Masterplan and Design Guidelines* (Public Domain).

If the development site contains a section of Creekline Corridor, a landscape plan for the Creekline Corridor must be prepared. Details are to include:

- the creek and floodway, particularly the Inner Creekline Corridor, being designed and constructed to contain the 1% Annual Exceedance Probability (AEP) flow;
- a planting schedule (location, density and plant selection) to facilitate flora and fauna habitat;
- the location of the pedestrian path/cycleway within the Outer Creekline Corridor, where practicable, and above the 20% AEP flood level;
- if relevant, the location of any water quality control ponds and other water quality treatment measures;
- extensive stands of *Casuarina glauca*, and groves of *Eucalyptus robusta* with other native feature trees, indigenous understorey and ground covers, which are to comprise a minimum of 75% of the total creekline corridor area;
- creekline interface such as details of boulder retaining walls instead of sheer block walls or steep batters; and
- the landscaping treatment of the 25 metre wide Outer Creekline Corridor to appear as part of the public domain.

The alignments of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists.

Any part of residential lots, dwellings, garages, fences and other vertical built structures (wholly or in part) must not encroach into the 25 metre wide Outer Creekline Corridor.

Landscaping of existing and proposed Public Road Reserves

Planting within the existing or proposed public road reserve is to be in accordance with the *Warriewood Valley Landscape Masterplan and Design Guidelines* (Public Domain) and the following:

- street trees planted within the road verge placed at 6-12 metre intervals, dependent on the plants location and species;
- species selected in accordance with the species list in the Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain);
- species selected must not interfere with existing or proposed power lines;
- street trees 35-500 litre in size dependent of species and plant location;
- street trees planted so as not to obstruct the free passage of pedestrians along the road verge or the future construction of a 1.5 metre footpath where none currently exists;

- where possible, all existing trees over 3 metres in height are to be retained within the road reserve areas, with consideration to health and condition. Such trees are to be protected through perimeter 1.8 metre high temporary fencing during the construction of works; and
- grassed areas are to be turfed with couch species (weed free) to a maximum 4% grade.

Landscaped Area

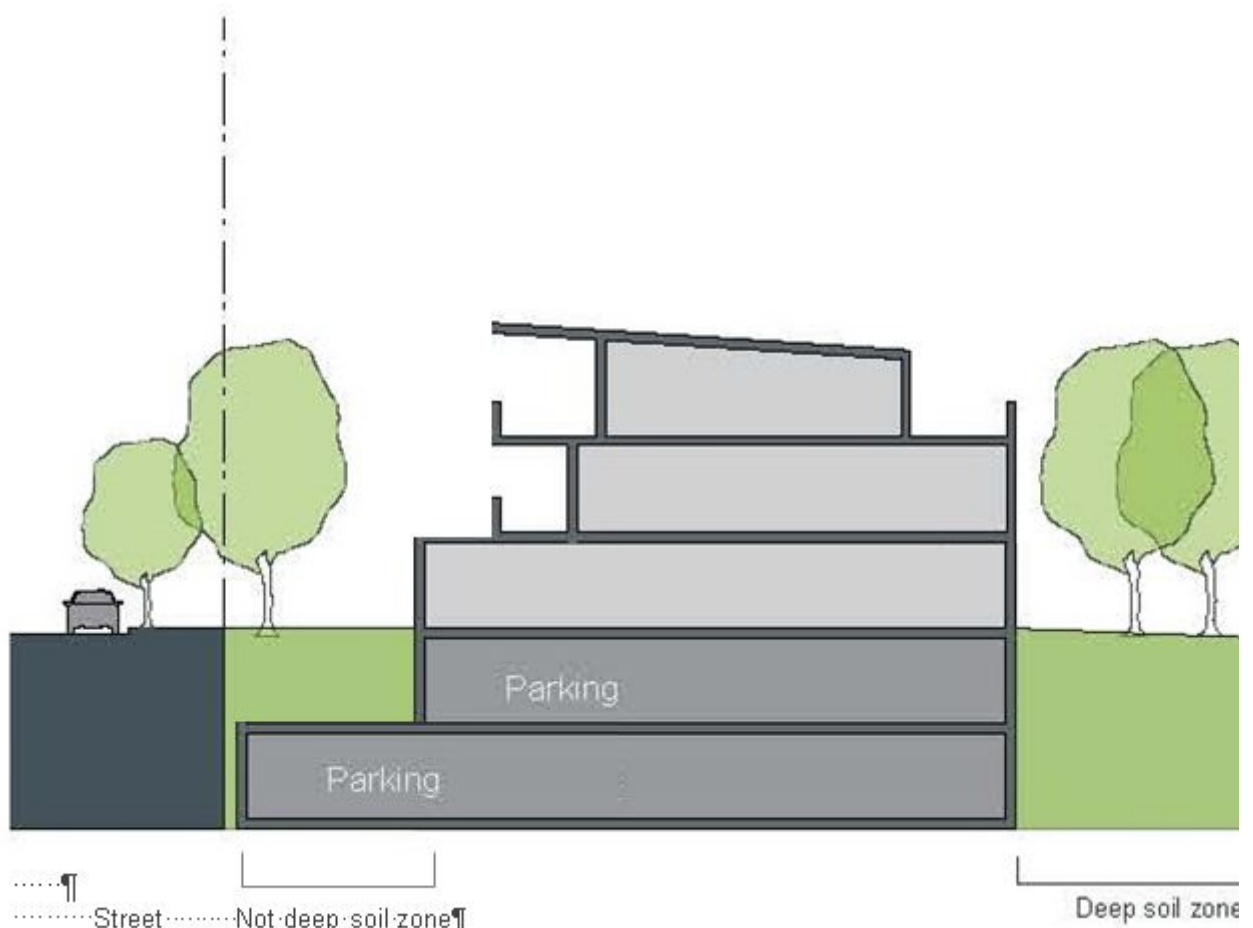
A landscape plan documenting the proposed landscape treatment and planting species as selected from the *Warriewood Valley Release Area Landscape Masterplan and Design Guidelines* (Public Domain)(as amended), is to be submitted with the Development Application.

Due to the smaller lot sizes anticipated in Warriewood Valley and the resultant smaller dimensions of landscaped area, areas intended for landscaping should be predominately areas of deep soil. Minor overhangs and protrusions such as Juliette balconies will be considered on merit. Planter boxes and rooftop gardens are not considered to be areas of deep soil.

In designing and siting dwellings, the following principles should be adhered to:

- areas intended for landscaping should be predominately areas of deep soil;
- the location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation;
- basement car parking should be contained within the building footprint where possible to maximise areas of deep soil planting (refer to figure 1 below); and
- deep soil areas should be co-located with areas of private open space or communal open space, in the case of residential flat buildings and multi dwelling housing, to provide shade and amenity for residents.

Figure 1 below- Example of deep soil areas.



Communal Open Space Area

25% of the site area is to be provided as communal open space within residential flat buildings, shop top housing, mixed use and multi dwelling housing developments.

Areas of communal open space should be co-located with deep soil areas. They are to provide amenity for residents and are to receive a minimum of 50% direct sunlight to the principle usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June.

A landscape plan for communal open space areas is to be prepared, showing connection and utility of this communal open space area for future residents of the development.

Variations

The width of the Outer Creekline Corridor (known as the 'private buffer strip') may at any one point be less than 25 metres provided the outcomes of this control are met and subject to this buffer strip having an average 25 metres width.

Up to a maximum of 25% of the outer Creekline Corridor may contain roads and other impervious areas but not part of residential lots/dwellings/fencing, and will be subject to merit assessment.

Advisory Notes

This control is to complement the related provisions under *Pittwater LEP 2014* and Control B4.22 Preservation of Trees and Bushland Vegetation of this DCP.

For landscape guidelines associated with creekline or road reserve interface, refer to the *Warriewood Valley Release Area Landscape Masterplan and Design Guidelines* (Public Domain) as amended.

For further deep soil area requirements see control C6.8 Landscaped Area (Sector, buffer area or development site).

For landscaped area requirements for individual allotments see control D16.5 Landscape Area for Individual Allotments.

Information to be included in the Statement of Environmental Effects

- An assessment of the development in terms of how it addresses the Natural Environment.
- An assessment of the proposed development in terms of its interrelationship with public recreation and open space.
- An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping.

Technical Reports and Supporting Information

- A report prepared by suitably qualified person detailing existing flora and fauna within the development site, identifying trees to be retained/removed, details of any proposed regeneration, and the impact of the development on adjoining properties particularly in regard to creekline corridors, buffer strips and reserves.
- An arborist report prepared by a suitably qualified person.
- Landscaping Plans and accompanying details prepared by a qualified person which addresses the landscaping treatment for the overall development including road reserves and creekline corridor consistent with the plans and demonstrates compliance with Control C6.1 is to be submitted with the application. The plans should have sufficient detail to clearly demonstrate that the outcomes of the control will be achieved. Landscaping Plans shall include elevations of the development when viewed from public places and surrounding properties, showing the combined impact of trees and vegetation to be retained as well as plantings to be implemented as part of the development proposal. The plans should show:
 - Tree planting to the building frontage
 - Existing trees and vegetation to be retained and removed
 - Proposed canopy tree plantings
 - Garden areas sufficient to soften scale / bulk of the proposed buildings.
 - Planting schedule indicating upper-advanced planting to garden areas
 - Schedule of materials including:
 - ☐ Pavement type / installation
 - ☐ Root barriers / structural soil
 - ☐ Stormwater drainage
 - ☐ Pits and utility lines
 - ☐ Seating / lighting
 - ☐ Irrigation (drip/stationed)
 - Landscape treatments and planting layout in the road reserve accounting for verge dimensions, driveways and the undergrounding of services.

C6.3 Ecologically Sustainable Development, Safety and Social Inclusion

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling

Boarding house

Business development

Cafe

Child care centre

Development ancillary to residential accommodation

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Dual occupancy (attached)

Dual occupancy (detached)

Dwelling house

Entertainment facility

Exhibition home

Funeral home

Group home

Hardware and building supplies

Industrial Development

Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision of a sector, buffer area or development site in a Release Area.
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

An ecologically sustainable environment is developed and maintained.

Ensure that development is designed on a 'whole of development/site' approach by applying the principles and processes that contribute to Ecological Sustainable Development (ESD).

Ensure that the development (including the public domain) has incorporated the Crime Prevention Through Environmental Design (CPTED) principles of surveillance, access control, territorial management and space management control into its design.

Maximise access and adaptive reuse of the development including the public domain for all members of the community.

The land release development results in a liveable community fostering a strong sense of community and facilitates social interaction among residents.

Controls

Designing for ESD

Development should be designed and located with consideration to orientation, ventilation, topography, vegetation, microclimate, adjoining development and landscape, that incorporates:

- passive solar building design;
- a reduction in greenhouse gas emissions;
- opportunities to monitor consumption performance, for example through the installation of SMART metering;
- safe connections to the existing pedestrian/cycleway networks and public transport routes; and
- principles of Universal Design.

Sub-metering of building services to enable individual tenancies to facilitate individual monitoring of consumption performance is required.

Integration of CPTED

Development is designed to incorporate the following CPTED principles:

Principle 1 – Natural Surveillance

Provide opportunities for effective surveillance (natural and technical) to reduce the attractiveness of crime targets. Good surveillance means that people can see what others are doing thereby deterring 'would be offenders' from committing crimes in areas with high levels of surveillance and can be achieved by (but not limited to):

- locating public services in areas of high activity;

- providing clear sightlines between public and private spaces;
- providing natural surveillance into communal and public areas;
- locating entries that are clearly visible from the street;
- avoiding blind corners in pathways, stairwells, hallways and carpark; and
- installation of effective lighting in public spaces that does not produce glare or dark shadows.

Principle 2 – Access Control

Physical and symbolic barriers can be used to attract, channel or restrict the movement of people and in turn, minimise opportunities for crime. Effective access control can be achieved by (but not limited to):

- creating landscapes/settings that channel and group pedestrians into target areas or conversely, use vegetation as barriers to deter unauthorised access;
- designing public spaces that attract rather than discourage people from gathering; and
- providing clear entry points and ensuring buildings (or tenancies in buildings) are clearly identified by the street number (in regard to tenancies, unit number).

Solid roller shutters are not permitted as security devices on buildings or tenancies.

Principle 3 – Territorial Reinforcement

This principle relies on the users of the spaces or areas feeling that they have some ownership of the public space and are therefore more likely to gather and enjoy that space. Territorial reinforcement can be achieved in the design of the development by:

- Having distinct transitions and boundaries between the public and private areas; and
- Clearly defining spaces to express a sense of ownership and reduce illegitimate use/entry.

Principle 4 – Space Management

Public space that is attractive and well maintained is inviting to users and becomes a well-used space. Linked to the principle of territorial reinforcement, space management ensures that the space is appropriately utilised and well cared for. It may include:

- proper and regular maintenance regimes;
- rapid repair of vandalism and graffiti, replacement of furniture and lighting; and
- the design itself promotes pride and sense of place for community.

Universal Design and Adaptive Reuse

The principles of Universal Design must be integrated into new developments and the urban spaces surrounding, ensuring access and utility for people.

Developments and the public domain, must comply with Australian Standard *AS 1428:2009. 1: Design for access and mobility – General requirements for access – New building work*.

Developments should be designed and constructed to serve beyond its initial/first use to ensure that building stock is durable and capable of adaptability in the future. The 'whole of development' approach needs to consider the design, construction and materials selection at the outset to encourage adaptability and accessibility and, in turn, maximise the longevity of building stock.

Dwellings should be flexible in their design to facilitate 'ageing in place' and change in lifecycle/circumstance. Control C1.9 prescribes the circumstances when dwellings are to be designed to facilitate adaptable housing in accordance with Australian Standard *AS4299-1995: Adaptable Housing*.

Residential accommodation in mixed use, shop top housing, residential flat buildings and multi dwelling housing developments require the provision of adequate communal open spaces to facilitate opportunities for:

- its residents to meet informally; and
- casual/passive surveillance onto these spaces.

The design and location of the communal open space areas must consider the likely noise impacts generated from these areas.

Variations

Nil

Advisory Notes

The indoor environmental quality of occupants is to be improved by:

- natural ventilation and air circulation that, in turn, reduces the need for mechanical ventilation;
- increasing the thermal comfort of occupants, for example through the zoning of sections that enables individual control of heating and cooling;
- installation of lighting systems and fittings appropriate for the use/activity located in that part of the building(s), resulting in reduced energy consumption; and
- selecting materials and furniture from renewable resources that have minimal emissions of toxic substances, have minimal and safe production techniques and that produce minimal waste. Timber should be reused or come from sustainable forestry practices.

Certain developments (refer to control 5.2 under Pittwater 21 Development Control Plan Preliminary (Part A)) will require referral to NSW Police where a crime risk assessment will be undertaken, having considered how the design has integrated the CPTED principles into the development.

Control C5.22 prescribes additional sustainability requirements for non-residential development of a particular size.

Controls C6.2 Natural Environment and Landscaping Principles and D16.10 Private and Communal Open Space discuss further communal open spaces, include area requirements.

Information to be shown on the Development Drawings

- Details of common open space area, landscape treatment and titling for ownership and maintenance responsibility.
- If development is of a specific residential form that requires adaptable housing to be nominated under C1.9, the site plan is to identify the finished floor levels in the public domain including the pedestrian pathway and service areas.

Information to be included in the Statement of Environmental Effects

- An assessment of the proposed development in terms of how it addresses the principles of Ecologically Sustainable Development, the Social Environment., Universal Design and Adaptive Reuse.

Technical Reports and Supporting Information

- Applications for residential buildings are to provide BASIX certificates.
- The plans and supporting documentation are to take into account and ensure that the control objectives can be achieved.
- If sub-metering of building services is proposed, details of the building management system.

C6.4 The Road System and Pedestrian and Cyclist Network

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Business- New Construction or Alterations and Additions.

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Industrial- New Construction or Alterations and Additions.

Subdivision of a sector, buffer area or development site in a Release Area.

Roads

Outcomes

Provision of sustainable transport arrangements to, from and within Warriewood Valley aimed at reducing the use of private motor vehicles.

To facilitate a hierarchy of interconnected streets of sufficient carriageway and verge widths that allow streets to perform their designated functions and facilitate safe, convenient and clear access within and beyond Warriewood Valley.

Safe, convenient and direct access by non-motorised means from residences to public transport, employment areas, adjoining sectors, open space, community facilities and other services.

Provision of roads, including ones fronting areas of public open space, that accommodate public utilities, drainage systems and substantial street tree planting within the street network providing an attractive and spacious streetscape that includes a sense of address, where dwellings front onto a street.

Compliance with the requirements of the *Roads Act 1993 (s 138)*.

Controls

The Road System

A traffic analysis report and road plans and sections for the Sector, buffer area or development site, demonstrating that the outcomes within this control will be achieved, must be prepared by a suitably qualified professional and submitted with the application. The road plans must comply with the relevant specifications and cross sections in Council's *Warriewood Valley Roads Masterplan*.

In order to address the outcomes and controls of this DCP, the Warriewood Valley Roads Masterplan adopts the following road hierarchy:

- Sub-arterial Streets - *Ponderosa Parade, Macpherson Street, Warriewood Road (east of Macpherson Street) and Garden Street.*
- Collector Streets - *Foley Street, Jubilee Avenue, Orchard Street, Warriewood Road (north of Macpherson Street), Daydream Street and Boondah Road and any new*

road with traffic volumes 2000 to 5000 vehicles per day.

- *Local Streets - Fern Creek Road and new roads servicing a maximum of 200 dwellings, located within a Sector, buffer area or development site.*
- *Access Streets – New roads servicing a maximum of 30 dwellings located within a Sector, buffer area or development site.*
- *Laneways – New which are not primary street frontages to dwellings servicing a maximum of 30 dwellings, and not exceeding a length of 80m located within a Sector, buffer area or development site.*
- *Sector Entry Streets - Primary entrance street to a Sector, buffer area or development site.*

Council shall not grant consent to development on land adjoining Pittwater Road or Mona Vale Road if the development proposes vehicular access to Pittwater or Mona Vale Roads.

The design and construction of the road and pedestrian network shall, regardless of the form of subdivision and future ownership of the road(s), provide full pedestrian and vehicular access and on-street parking and function as a public road network.

Design Requirements

A single access point to each sector, buffer area or development site serviced by a roundabout or other on-street traffic management facilities (if necessary) is to be provided with vehicular access to individual lots within the subdivision being from internal roads within that subdivision. Internal roads linking separate existing sites are to be provided.

The street pattern must provide direct, safe, and convenient pedestrian and cyclist access from housing and employment areas to public transport stops and to areas of open space, services and other facilities. Connectivity within the sector, buffer area or development site is required to ensure the majority of dwellings are within walking distance to bus stops.

The street layout and design is to consider opportunities for the retention of existing significant trees within the road reserve where possible. Trees may be incorporated with small, informal spaces that provide opportunities for 'greening of the street'.

All roads in Warriewood Valley must be designed with traffic calming devices to lower vehicle speeds, which may incorporate pavement treatment and enhanced landscaping. The provision of safe crossing areas is required. All roads and any traffic calming devices in Macpherson Street, Warriewood Road, Ponderosa Parade, Garden Street and Boondah Road must be able to cater for ultra-low floor articulated buses. The road system is to cater for adequate vehicular access for waste removal services.

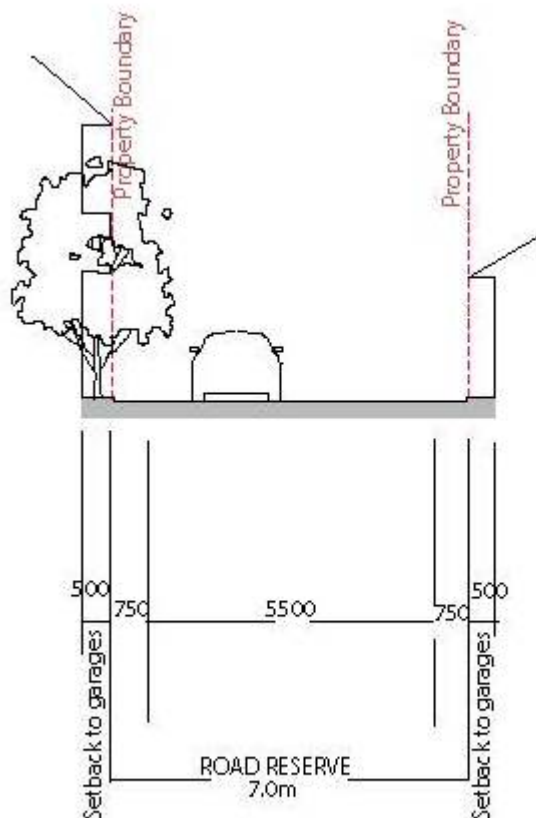
Driveway locations on Sub-arterial Roads, Collector, Local and Access Streets are to consider the impact on street trees and on street parking opportunities.

Laneways

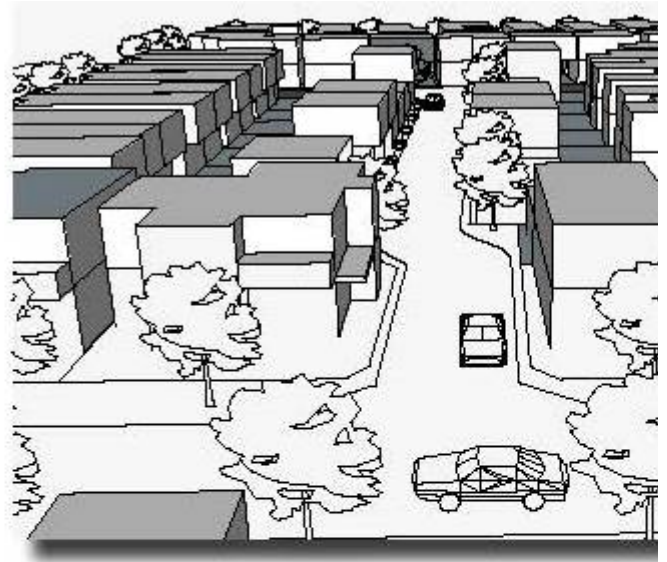
For residential lots with double frontages, laneways should be used to provide rear loaded access. Laneways are not suitable for single frontage lots.

The design, dimensions and materials of the laneway should promote a slow speed driving environment, distinctively different from a street. Laneways are to be provided with a suitable level of passive surveillance.

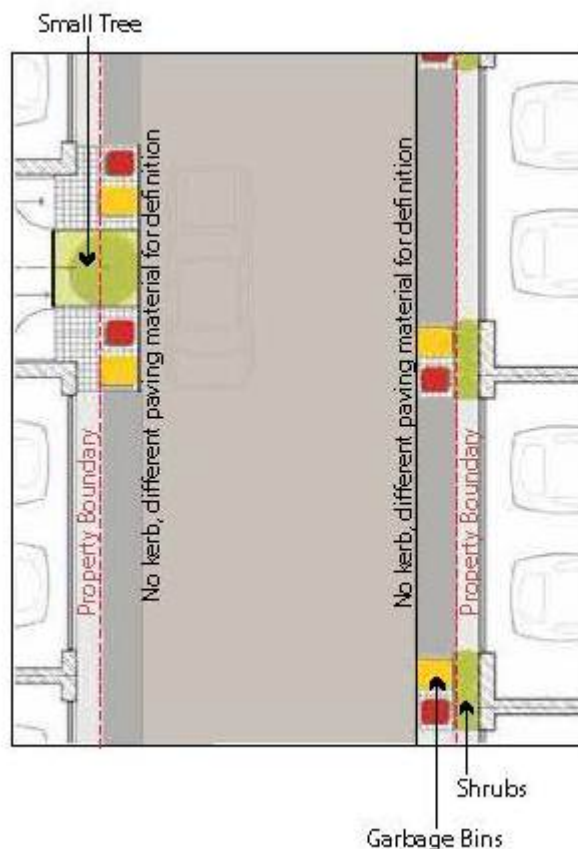
Garbage collection areas are to be incorporated into the design of laneways to ensure access along the laneway is not hindered during garbage collection periods. Garbage bins are to be located in designated collection areas only during the collection period. The garbage collection area(s) is not to be used for parking or storage.



RESIDENTIAL LANEWAYS



laneway



Temporary Roads

Where access arrangements have not been constructed in a timely manner, the construction of temporary roads may be permitted to enable an isolated property to develop ahead of the surrounding roads being constructed to facilitate direct access onto the existing public road network. In these circumstances temporary roads are permitted subject to the following criteria being satisfied:

- a traffic report being prepared by an appropriately qualified professional demonstrating how the temporary road provides for the safe usage of all road users including service and passenger vehicles, pedestrians and cyclists;
- the final road configuration (permanent road) for the development is consistent with the applicable specifications and cross section within the *Warriewood Valley Roads Masterplan*;
- the temporary road is to cater for no greater than 300 vehicles per day, with a minimum carriageway width of 6m provided to cater for two-way traffic;
- the safety of all road users including service and passenger vehicles; pedestrians and cyclists is not compromised by the temporary road;
- engineering design details are submitted for the temporary road, including details of any necessary water management, drainage and service utility provision requirements;
- where the development of adjoining development sites results in them being temporarily isolated from formal and final road infrastructure, arrangements between developers of these sites is to result in temporary roads being located so that a full width temporary road can be provided i.e. the temporary road on each development site should be adjacent to the other temporary road; and
- the temporary road being removed once direct access to the newly completed public road network has been achieved.

Half Width Road Construction

Due to the narrow width of some Sectors, Buffer Areas or Development Sites in Warriewood Valley, it may be necessary for roads to be constructed across the boundary of two adjoining properties.

Where a road is to be constructed along the boundary of two properties, the partial/half width construction of the road is permitted subject to the following criteria being satisfied:

- a traffic report is submitted with the application prepared by an appropriately qualified professional demonstrating how the partial road proposal provides for the safe usage of all road users including service and passenger vehicles, pedestrians and cyclists;
- a minimum carriageway width of 6m is provided to cater for two-way traffic;
- the development potential of all adjoining allotments is maintained. The proposed development shall not render any allotment of future redevelopment opportunity undevelopable in the event that this allotment does not meet the development standards set out in Pittwater LEP 2014 or the controls set out in this DCP;
- the safety of all road users including service and passenger vehicles, pedestrians and cyclists is not compromised by the partial road construction;
- engineering drawings are provided with the application for the partial and full width of the road, including details of any necessary water management, drainage and service utility provision requirements;
- where the road classification requires a footpath to be provided, the footpath is to be provided along the first completed side of the road;
- reciprocal right of access is afforded to the adjoining property(s); and
- the final road configuration is consistent with the applicable specifications and cross section within the *Warriewood Valley Roads Masterplan*, as amended.

Subdivision adjoining an existing public road

Where the subdivision adjoins an existing public road reserve, plans are to be submitted for the intersection treatment to the public road reserve and any works within the public road reserve including road pavement, vertical kerb and gutter, footpaths and cycleways (minimum 1.5m wide footpath or a minimum 2.1m wide where a cycleway is required).

All works associated with the intersection treatment (except those identified under the *Warriewood Valley Section 94 Development Contributions Plan* as amended) and any works within the public road reserve are to be carried out at full cost to the developer.

Pedestrian and Cyclist Network

A pedestrian and cyclist network is to be provided in accordance with the *Warriewood Valley Landscape Masterplan & Design Guidelines* (Public Domain).

The pedestrian/cycleway link should be located off road, where practical. Where a pedestrian/cycleway link is located in:

- a public reserve, the minimum width is 2.5 metres; and
- the road verge adjacent to the road carriageway, the minimum width is 2.1 metres.

The location of the pedestrian path/cycleway is variable within the creekline corridor to ensure connectivity with existing sections of the path and facilitate retention of vegetation so long as the pedestrian path/cycleway is sited above the 20% AEP flood level to reduce the incidence of flood damage to a manageable level and achieve a satisfactory safety level for regular use. The alignment of the pedestrian/cycleway network must provide adequate sightlines for cyclists.

Where a pedestrian/cyclist link is identified within or adjoining a sector, buffer area or development site, the applicant is to identify on their development drawings the location for this infrastructure.

The pedestrian/cycleway network must be accompanied by appropriate landscaping and vegetation. Details of the proposed landscaping and vegetation must accompany any development application.

Reference should be made to *Warriewood Valley Landscape Masterplan & Design Guidelines* (Public Domain) for further information.

Approval for works on the public road reserve under Section 138 of the Roads Act 1993

Any new road, regardless of ownership, connecting to the existing public road network, will require separate approval from Pittwater Council as the Roads Authority under the *Roads Act 1993*.

Access Driveways

Driveways shall be designed and constructed to:

- provide safe access and reduce the impacts of stormwater run-off to any public land;
- the minimum practical pavement width needed to facilitate access and turning movements; and
- minimise the area of impervious pavement within the land.

The cost for Access Driveways construction and maintenance and adjustment of any utility service is the responsibility of the Applicant.

Access Driveway Location

Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:

- minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 km/h speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and
- minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary.

For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of the adjoining roads, being no closer than 6m from the tangent point at the kerb.

The location of Access Driveways is to maximise the retention of trees and native vegetation in the public road reserve.

Access Driveways located in front of adjoining properties will be considered on merit, based on Council's consideration of the site constraints.

Ancillary structures within the public road reserve may be considered where the intended purpose is to structurally support the access driveway only however, encroachment into the road reserve is to be minimised. Suspended driveways must not use the existing road structure for support.

Access Driveway design, widths and profiles

The maximum width of an Access Driveway for dwelling houses, dual occupancies and secondary dwellings shall be as follows:

Distance Building Line to Boundary	Minimum Width at Boundary	Width at Kerb
Nil to 3.5m	3.0m	Width at the boundary plus 0.5m
Greater than 3.5m to 6.5m	4.0m	4.5m

Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles. The Access Driveway is to be structurally adequate for its intended use. All structural elements within the road reserve must be certified by a Structural Engineer. In addition, where the land is identified on the Landslip Hazard Map, the design of all structural elements must satisfy the Landslip Hazard Controls.

Access Driveways are to be in accordance with:

- Australian Standard *AS/NZS 2890.1-2004: Parking Facilities Part 1: Off-Street Car Parking*.
- Australian Standard *AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities* except as qualified in this control.

Turning movements are to be in accordance with the turning paths for a B85 vehicle (Australian Standard *AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking*).

Provision is to be made for vehicles to enter and leave the site in a forward direction, where:

- the internal driveway grade exceeds 1:4 (V:H);
- the land abuts a roadway subject to high pedestrian use (e.g. School, Commercial Centre); and/or
- driveways are more than 30m in length.

Access Driveways are to match in with adjacent constructed footpaths or alternatively adjacent constructed footpaths are to be adjusted to provide a continuous surface with no trip points with a maximum 1:14 (V:H) transition.

Access Driveway for Service Vehicles to Loading Dock

For developments on land zoned B7 Business Park and IN2 Light Industrial, separate entry/exit vehicular access is required with Access Driveways for entry and exit separated by a minimum distance of 2 metres.

Access Driveways providing access for service vehicles to loading docks must be separated

from access used by the general public for access to public parking areas and where practical, be located on a rear public road frontage providing separation from pedestrian activity.

Where Access Driveways are located on the same frontage, the minimum distance between an Access Driveway for service vehicles and an Access Driveway for the general public shall be 5 metres from inside edge to inside edge of the Access Driveways.

Access Driveway Construction and Finishes

All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction.

Gutter crossings are to be in plain concrete.

Access Driveways are to be either in plain concrete or a cosmetic finish consisting of concrete, asphaltic concrete or paver construction in dark earthy tones, (Cosmetic Access Driveways on a public road reserve are subject to a Deed of Agreement releasing Council in respect to liability and damage to the driveway by any means).

Where retaining walls and structures are visible from a public place, preference is given to the use of textured finishes of dark earthy tones or sandstone-like finishes.

Variations

Nil

Advisory Notes

Reference should be made to Council's *Warriewood Valley Roads Masterplan* for road classifications and their associated design details, *AMCORD Part 2- Design Elements: Physical Infrastructure*, and to the *Traffic Authority of NSW Guidelines for Traffic Facilities- Part 7.3: Shared Traffic Zones* for further design standards.

In addition to the requirements under the *Warriewood Valley Landscape Masterplan & Design Guidelines* (Public Domain), the *Warriewood Valley Roads Masterplan* specifies a requirement for footpaths to be provided along roads of a certain classification.

The pedestrian and cyclist network is funded through developer contributions in accordance with the *Warriewood Valley Section 94 Contributions Plan*.

Access driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve between the road edge and property boundary as illustrated in Appendix 10 -Driveway Profiles.

- The proposed road network and location of pedestrian footpaths and cycleways, as required by the control.
- The road reserve(s) dimensions including measurements for all road geometry including finished levels e.g. road carriageway, road verge and footpath.
- The location of driveways for each allotment and identification of the section of road reserve available for on-street parking spaces (to be dimensioned).
- The proposed entry treatment and connection to the public road network including proposed traffic improvements.

Information to be shown on the Development Drawings

- Turning path diagrams are to be included to demonstrate circulation movement for all vehicles (including service, delivery and emergency vehicles), in particular entry/exit from individual driveways with vehicles parked on the road carriageway, curved sections of road, designated vehicle turning areas or traffic control device/facility.
- Applications for land subdivision should include the location of driveways for each proposed allotment to demonstrate how the on-street parking requirements of the WVRMP can be achieved.
- Details of the design and landscape plans of the pedestrian footpaths and cycleway.

Information to be included in the Statement of Environmental Effects

- An assessment of the proposed development in terms of the *Warriewood Valley Roads Masterplan* (WVRMP) and discussion of proposed access arrangements for the site (and if relevant, temporary access arrangements).
- A discussion of the location and design of carparking facilities in accordance with the control.
- Details of the proposed road hierarchy including any proposed temporary access arrangement and proposed connections to the existing public road system
- Details of the future ownership and maintenance of the internal road network.
- Recommendations from the Traffic Analysis Report.
- An assessment of the development in terms of its interaction with the pedestrian and cyclist network for the Warriewood Valley.

Technical Reports and Supporting Information

- A traffic analysis report completed by a suitably qualified person assessing the traffic implications of the proposed development, particularly in regard to design and adequacy of the proposed road system, assessment of proposed intersections, access to the site and the impacts of traffic generation on the existing local road system. The traffic report must also detail required road upgrades, necessary traffic calming devices and on-street parking requirements. The report should demonstrate compliance with the *Warriewood Valley Roads Masterplan* (2013).
- Design plans for required road construction and reconstruction including including road geometry, surfaces landscape plan, interface with development and parking areas.
- Turning path diagrams demonstrating unrestricted vehicular movement (including garbage and delivery vehicles):
 - From allotment driveways with vehicles parked on the road carriageway;
 - On curves;
 - In any vehicle turning area;
 - In any traffic control device/facility; and
 - In indented bus bays (articulated buses).

Section 139 Consent for Works on the Existing Public Road Reserve

Applicants will be required to obtain, prior to the issue of the Construction Certificate, a section 139 Certificate for works on the public road reserve issued by Council under the provisions of section 138 of the *Roads Act 1993* for the design and construction of any works located in the road reserve.

The consent provides authorisation from Council as the Road Authority for the applicant to construct works (including roads, access driveways, steps, footpaths, landscaping gardens, retaining walls and letter boxes) located on a public road reserve subject to development consent for the adjacent land being issued.

A section 139 Consent for works on the Public Road Reserve will be issued subject to satisfactory construction plans prepared by the Applicant being provided to and approved by Council and Council's Traffic Committee (meets every second month) for any traffic control device/facility.

C6.5 Utilities, Services and Infrastructure Provision

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision of a sector, buffer area or development site in a Release Area.
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

Ensure that utility services are capable to meet the demands of increased development in Warriewood Valley.
 Design and the undergrounding of utility services is funded by the developer.
 Visual pollution from overhead services is prevented.
 Telecommunications and technological innovations are installed.
 Improved safety and removal of visual clutter.
 Security of utility services is improved.
 Opportunities for street tree planting are enhanced.
 Provision of public infrastructure as listed in the Warriewood Valley Section 94 Plan.
 Infrastructure associated with the development and identified to be directly provided is appropriately managed.

Controls

New development including the creation of new allotments is to be fully serviced by electricity, reticulated water and sewer, gas and communications.

All services, including telecommunications and cable television, are to be provided underground, within the road reserve (proposed and/or existing) and on the development site itself including lots being created by the subdivision. The undergrounding of the services is at the full cost to the developer.

Common trenching of services is encouraged, and consideration must be given to the location of underground services and landscape planting.

All development is to be designed and constructed to allow internal access for telecommunications, intelligent lighting and home automation facilities from underground street electrical and telecommunications cabling without costly retro-fitting. Buildings are to be designed to enable sufficient riser capacity and sufficient space within ceilings to permit connection to a central point for communications wiring for televisions, telephones, satellite, computers and burglar alarms. Consideration should be given to the provision of a "patch panel" in dwellings. This is a central point for communications wiring with conduits to various points such as living rooms and bedrooms.

Infrastructure integral to the development must take into consideration that the water management facilities and the internal road network are likely to remain in private ownership, including access arrangements and lifecycle costs associated with the maintenance and management of the infrastructure.

Infrastructure required for the development not listed in the Warriewood Valley Section 94 Plan, is to be provided by the proponent and will not be subject to credit against the developer contributions payable to Council. This includes works within Council's (existing or proposed) public road reserve.

Variations

Subject to achieving the outcomes of this control, based on merit (including social, environmental and economic factors), technical practicalities and advice from the energy supplier, the justification for not proceeding with undergrounding of utility services will be considered in the following circumstances:

- Electricity wires carrying 16,000 volts, 33,000 volts or more; and
- Short lengths of overhead wires of two spans or less, unless opportunities to underground with adjoining properties are available.

Advisory Notes

Refer to the *Warriewood Valley Section 94 Contribution Plan*, as amended.

In the event that a proponent seeks to provide infrastructure or land to Council and it is not identified in the *Warriewood Valley Section 94 Contributions Plan*, such proposition should be identified in the development application and will be subject to Council agreeing to the future ownership arrangement. The infrastructure or land may be dedicated to Council free of cost.

Information to be included in the Statement of Environmental Effects

- Confirmation of undergrounding of services and the future ownership/maintenance regime for specific infrastructure outside of the Section 94 Plan and address any impacts that undergrounding may have on the landscape treatments of the road reserve.

C6.6 Interface to Warriewood Wetlands or non-residential and commercial/industrial development

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Business Development – New Construction or Alterations and Additions

Cafe

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Development ancillary to residential accommodation

Entertainment facilities

Industrial Development – New Construction or Alterations and Additions.

Neighbourhood Shop

Restaurant

Subdivision of a sector, buffer area or development site in a Release Area

Outcomes

Development does not have an adverse impact upon adjoining existing residential properties. Any adverse impacts on environmentally sensitive areas or impacts of differing land uses are mitigated.

Landscaped zones provide amenity buffers between incompatible land uses, such as the Warriewood Wetlands and residential areas, non-residential land uses in residential areas, and between light industrial and residential areas.

A reasonable level of solar access and visual privacy to residential properties is maintained.

Minimisation of acoustic impacts.

Controls

Development adjoining Warriewood Wetlands

A minimum setback of 15 metres (buffer strip) is to be provided between any development and the Warriewood Wetlands.

Landscaping is to be in accordance with the requirements specified in this control.

Non-residential development within residential areas or commercial/industrial development adjoining residential areas

A minimum setback of 10 metres (buffer strip) is to be provided between the proposed development and the existing development.

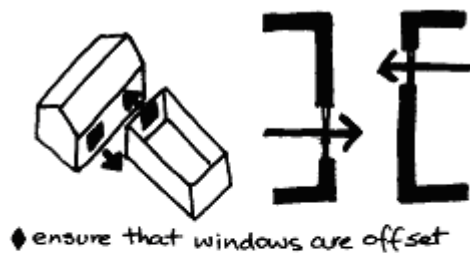
The following principles are to be considered.

Solar access to adjoining residences should be maintained in accordance with the following:

- the principal private open space of each dwelling is to receive a minimum of three (3) hours of sunlight between 9am and 3pm on June 21.
- the windows to the principal living area of adjoining dwellings are to receive a minimum of three (3) hours of sunlight between 9am and 3pm on June 21 (that is, to at least 50% of the glazed area of those windows), or if the existing impact is greater than this then the cumulative effect is not worsened.

Direct views of private open space or any habitable room window of an adjoining residence within 9m may be restricted (see diagram below) by:

- vegetation/landscaping;
- increased spatial separation;
- building layout;
- a window sill height 1.7m above floor level;
- offset windows;
- fixed translucent glazing in any part below 1.7m above floor level; and/or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials; and
 - designed and painted or coloured to blend in with the house.



Landscape treatment of the Buffer Strip

The buffer strips are to be extensively landscaped and where possible should incorporate:

- landscaped mounds with mass plantings of native trees and shrubs in suitable locations;
- planting should consist of a framework of locally indigenous canopy trees with native shrubs and groundcovers;
- native groundcovers should be used as an alternative to lawn; and
- the buffer strips are to contain pedestrian/cycleway paths, with vandal-resistant solar lighting which allow for casual surveillance of the path from adjacent buildings.

A landscape plan for the buffer strip documenting the proposed landscape treatment and planting species as selected from the *Warriewood Valley Release Area Landscape Masterplan and Design Guidelines* (Public Domain) as amended, is to be submitted with the Development Application.

Variations

Nil

Advisory Notes
Nil

Plans of landscape buffer strips

Information to be shown on the Development Drawings

The landscape plan (required under C6.2) is to include landscape treatments of the buffer strip(s).

C6.7 Landscape Area (Sector, Buffer Area or Development Site)

Land to which this control applies

Land identified as being with the Warriewood Valley locality.

Uses to which this control applies

Cafe

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Entertainment facilities

Restaurant

Subdivision of a sector, buffer area or development site in a Release Area.

Outcomes

Achieve the desired future character of the Locality.

Conservation of natural vegetation and biodiversity and minimisation of the ecological footprint of development.

Vegetation is retained and enhanced to screen and soften the appearance of the built form.

Stormwater runoff is appropriately managed and reduced, preventing soil erosion and siltation of natural drainage channels.

To ensure the provision of an attractive and landscaped streetscape, enhanced by street tree planting and deep soil landscaping.

Landscaped areas are predominately areas of deep soil.

Controls

Where a sector, buffer area or development site has a frontage to a creek, a minimum 35% of the site area is to be landscaped area.

Where the sector, buffer area or development site has no frontage to a creek, a minimum 25% of the site area is to be landscaped area.

The minimum landscaped area directly impacts on site storage requirements for the overall water cycle management of a sector, buffer area or development site based on the *Warriewood Valley Urban Land Release Water Management Specification (2001)*. This policy assumes 50% impervious area for a sector, buffer area or development site, therefore the Water Management Cycle model must account for the quantum of built upon area. Where the proposal's impervious area exceeds 50%, a reassessment of the site storage requirements should be undertaken and measures to address the difference must be clearly outlined.

Landscaped areas are to be predominately areas of deep soil to allow the infiltration of rain water to the water table to reduce stormwater runoff, promote the healthy growth of large trees with large canopies and protect existing mature trees. Deep soil areas are areas of soil unobstructed by buildings or structures above or below the ground. The location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation.

Variations

Nil

Advisory Notes

Refer to the *Warriewood Valley Urban Land Release Water Management Specification (2001)*, as amended and control C6.1 Integrated Water Cycle Management.

The site plan(s) is to clearly show (by shading or other means) the proposed site coverage and include a table identifying:

- total site area
- existing site coverage (%) (if any)
- proposed site coverage (%)
- proposed hard surface areas
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

- A clear statement of the proposed site coverage.

C6.8 Residential Development Subdivision Principles

Land to which this control applies

Land zoned R3 Medium Density Residential within the Warriewood Valley locality.

Uses to which this control applies

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Subdivision of a sector, buffer area or development site in a Release Area.

Outcomes

Development occurs in an efficient and orderly manner.

A range of lot sizes and dwelling types are provided to foster a diverse community and interesting streetscape.

To efficiently utilise land to achieve the target dwelling yield.

Proposed residential lots achieve a high level of amenity including reasonable solar access.

Surveillance of public open spaces is facilitated.

An ecologically sustainable environment which reduces the use of fossil fuels and increases the use of renewable energy is developed and maintained.

Active modes of transport and accessibility are encouraged through design.

Controls

Subdivision Principles

The design of the subdivision should be generally consistent with the following key principles:

- Sectors, buffer areas and development sites with an effective lot width less than 60 metres should ideally pursue opportunities for site amalgamation to facilitate orderly planning and development outcomes and the efficient use of land.
- The subdivision layout including the lot size must respond to the physical characteristics particular to each sector, such as slope and existing significant vegetation, and site constraints including bushfire risk.
- The subdivision layout is to incorporate adequate pedestrian, cycle and vehicle links to the road network, public transport nodes, pedestrian/cyclist network and public open space areas.
- Roads should adjoin creekline corridors and open space areas to facilitate surveillance, provide access to and prevent isolation and degradation of these spaces.
- Where it is not possible to locate a road along creekline corridors and open space areas, Residential Flat Buildings or Multi Dwelling Housing products designed to facilitate casual surveillance should adjoin these areas.
- A single access point to each sector, buffer area or development site serviced by a roundabout, if necessary, or other on-street traffic management facilities is to be provided, with vehicular access to individual lots within the subdivision being from internal roads within that subdivision.
- The number of driveway entrances from any sector, buffer area or development site onto major roads in Warriewood Valley including Garden Street, Macpherson Street, Forest Road, Orchard Street and Warriewood Road is to be minimised. Opportunities

for shared driveways maximise the on-street parking provision and create a more attractive streetscape.

- Lots must have the appropriate area, dimensions and shape to accommodate the housing product proposed as well as canopy trees and other vegetation, an private outdoor open space, rainwater tanks, vehicular access and onsite parking.
- Lots are to be orientated to optimise solar access for dwellings and areas of private open space. Widest or deepest lots are to be oriented with north to the front, with the narrowest orientated with north to the rear.
- Larger lots should be located on corners.
- Use of battle-axe shaped lots should be minimised.
- A 'break' is to be provided between every three (3) attached/abutting dwelling of the same lot width.
- Continuous runs of garages fronting laneways are to be avoided (i.e. break up through pairing, setback variation etc.)

Lots should be rectangular. Where lots are irregular in shape, they are to be large enough and orientated appropriately to enable a future dwelling to meet the controls in this DCP.

In instances where the permitted maximum dwelling yield for the sector, buffer area or development site is to be achieved, the retention of existing dwellings on large lots greater than 500m², particularly along Warriewood Road, is not desired as it is not in keeping with the desired future character and limits the ability to achieve the adopted density. Lots suitable for housing typologies that reflect the streetscape character of existing housing on the opposite side of Warriewood Road, for example dual occupancies (attached or detached), should be sited fronting Warriewood Road.

Lots less than 225m² in size or less than 9m wide are to be rear loaded, except where it can be demonstrated that:

- rear access is not practical due to the size or shape of the development site; or
- there will be no adverse impact on streetscape amenity and on-street parking.

The minimum width of a rear loaded lot is to be 4.5 metres.

Where dwellings front two roads, dwellings are to present to the higher street classification and are to reflect the streetscape character of the higher street classification. Appropriate presentation to the higher street classification is to include a front door, front entry articulation such as a porch, letterbox and direct pedestrian access to the higher street classification from the dwelling. A front building setback is also applicable.

Street Network

The design of the internal street network should:

- establish a traditional grid street network pattern to facilitate walking and cycling and enable direct local vehicle trips;
- encourage a low speed traffic environment;
- optimise solar access opportunities for dwellings;
- respond to the natural site topography to minimise cut and fill;
- seek to retain significant trees or areas of bushland; and
- provide frontage to and maximise surveillance of open space areas and riparian corridors.

Cul-de-sacs may be included only in limited circumstances such as where access-denied roads or shallow lots caused by irregular shaped areas exist and where the applicant can demonstrate that the outcomes of the control can be satisfied.

Subdivision of existing small and narrow lots

Due to the dimensions and size of some sectors, buffer areas and development sites in Warriewood Valley, it may be difficult to achieve quality urban design outcomes and a mix of dwelling types. Narrow lots with single street frontages, in particular, are also likely to have difficulty in achieving access without compromising lot depth.

Through site amalgamations however there may be opportunities to reduce unnecessary road duplication and deliver better quality urban design outcomes.

Sectors, buffer areas and development sites with an effective lot width less than 60 metres should ideally pursue opportunities for site amalgamation to facilitate orderly planning and development outcomes and the efficient use of land.

Lot Diversity Requirements

A range of residential lot types (varying in area, frontage, depth and access) should be provided to ensure a mix of housing types and dwelling sizes.

With the exception of development applications for an Integrated Housing development (refer to control C6.9 Residential Land Subdivision Approval Requirements) not more than 40% of the lots created through a subdivision proposal may be of the same lot type. Every development application for subdivision must be accompanied by a Lot Mix table showing the lot types, number and percentage of the overall total. If the application is to be staged and a single stage does not demonstrate that not more than 40% of the lots are the same lot type, an indicative plan of the remaining lot types proposed under the remaining stages is to be submitted, indicating compliance with the above.

Lot type is determined by lot width. Lot width is measured from one side boundary to the other at the primary street front building line not including access handles. Lots of different lot types must have to have a difference in their lot widths of at least 2 metres.

Not more than 20% of any block length is to be of front loaded lots less than 9 metres wide to avoid the streetscape being visually dominated by garages and to reasonably optimise on street parking opportunities.

Titling arrangements

The design of the subdivision must consider the future ownership, access and management of the internal road network, water management facilities and any other infrastructure associated with the development that, in turn, informs the form/type of subdivision proposed.

Details of proposed requirements for services and infrastructure, including garbage collection and emergency services, access and maintenance necessary for the subdivision to function are to accompany the development application.

Additional requirements for specific development types

Allotments proposed to incorporate a zero lot line and attached or abutting dwellings (zero lot line dwellings and attached/abutting dwellings see Figures 1 and 2 in this control respectively).

The location of a zero lot line dwelling is to be determined with regard to the allotment orientation and ability to achieve the solar access provisions within this DCP. The location of a zero lot line dwelling should only occur on the southern side boundary of east-west allotments and on either side boundary of north-south allotments.

The location of all nominated zero lot lines must be identified on the proposed Plan of Subdivision (refer to control C6.10 Residential Subdivision Approval Requirements).

Where a zero lot line is nominated, the following is to be ensured:

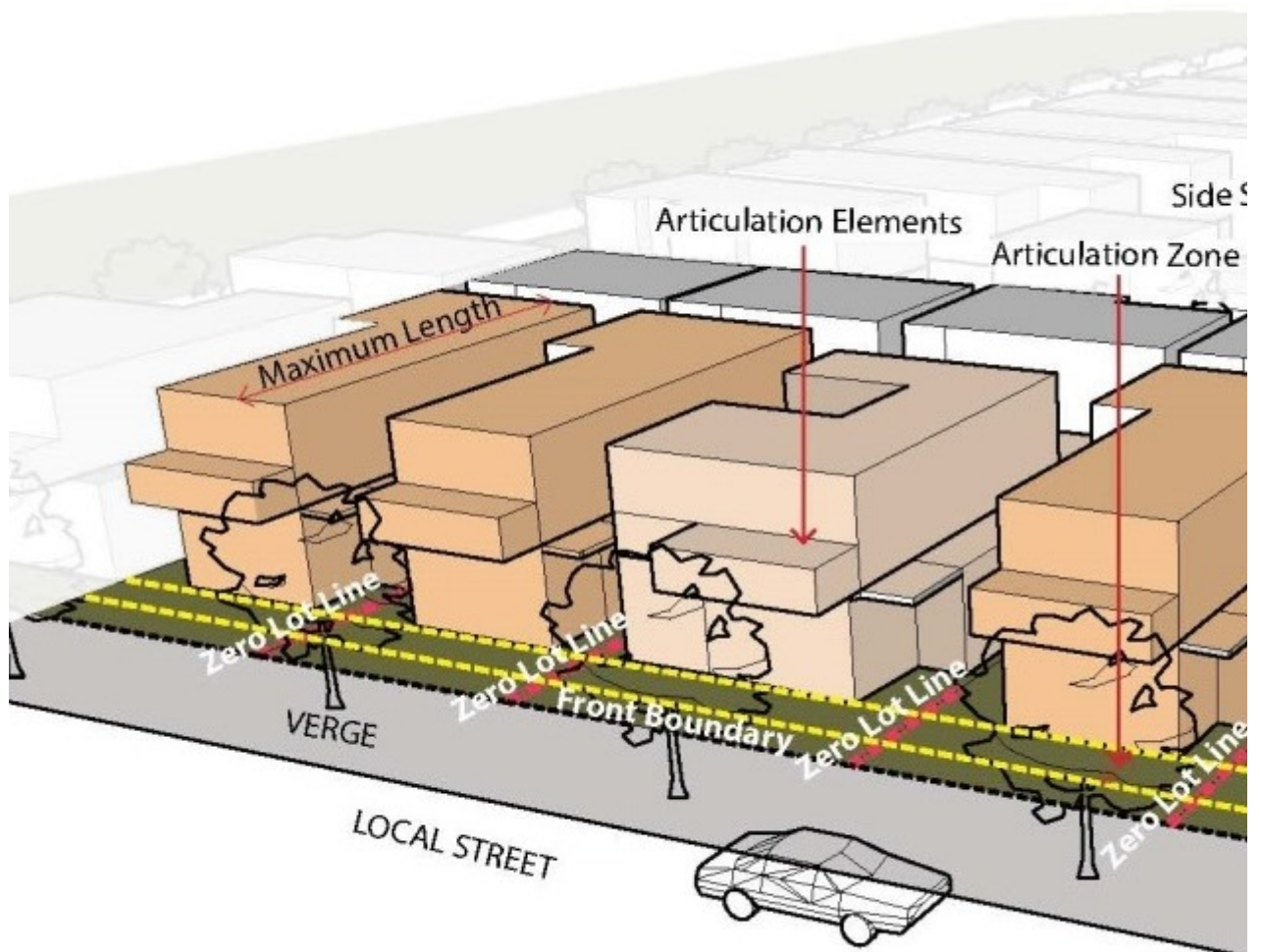
- a Section 88B instrument is to be applied to both the benefited lot and the burdened lot and shall include a notation identifying the potential for a building to have a zero lot

line;

- the burdened lot is to include an easement for access and maintenance on the burdened boundary in accordance with the following:
 - 900mm for single storey zero lot walls; or
 - 1200mm for two storey zero lot walls;
- the easement is to enable servicing, construction and maintenance of the adjoining dwelling;
- the Section 88B instrument is to be worded so that Council is removed from any dispute resolution process between adjoining allotments; and
- no overhanging eaves, gutters or services (including rainwater tanks, hot water units, air conditioning units, downpipes, electrical conduits or the like) of the dwelling on the benefited lot will be permitted within the easement.

Where buildings are to be located on boundaries, retaining walls (as required) are to be built as part of the subdivision works. Details of the fill (depth, source and amount of fill material to be deposited) and retaining walls are to be submitted with the application.

Figure 1 below – Zero Lot Line dwellings



Allotments for attached and abutting dwellings are to be rear loaded, except where it can be demonstrated that rear access is not practical due to constraints arising from the shape or size of the development site.

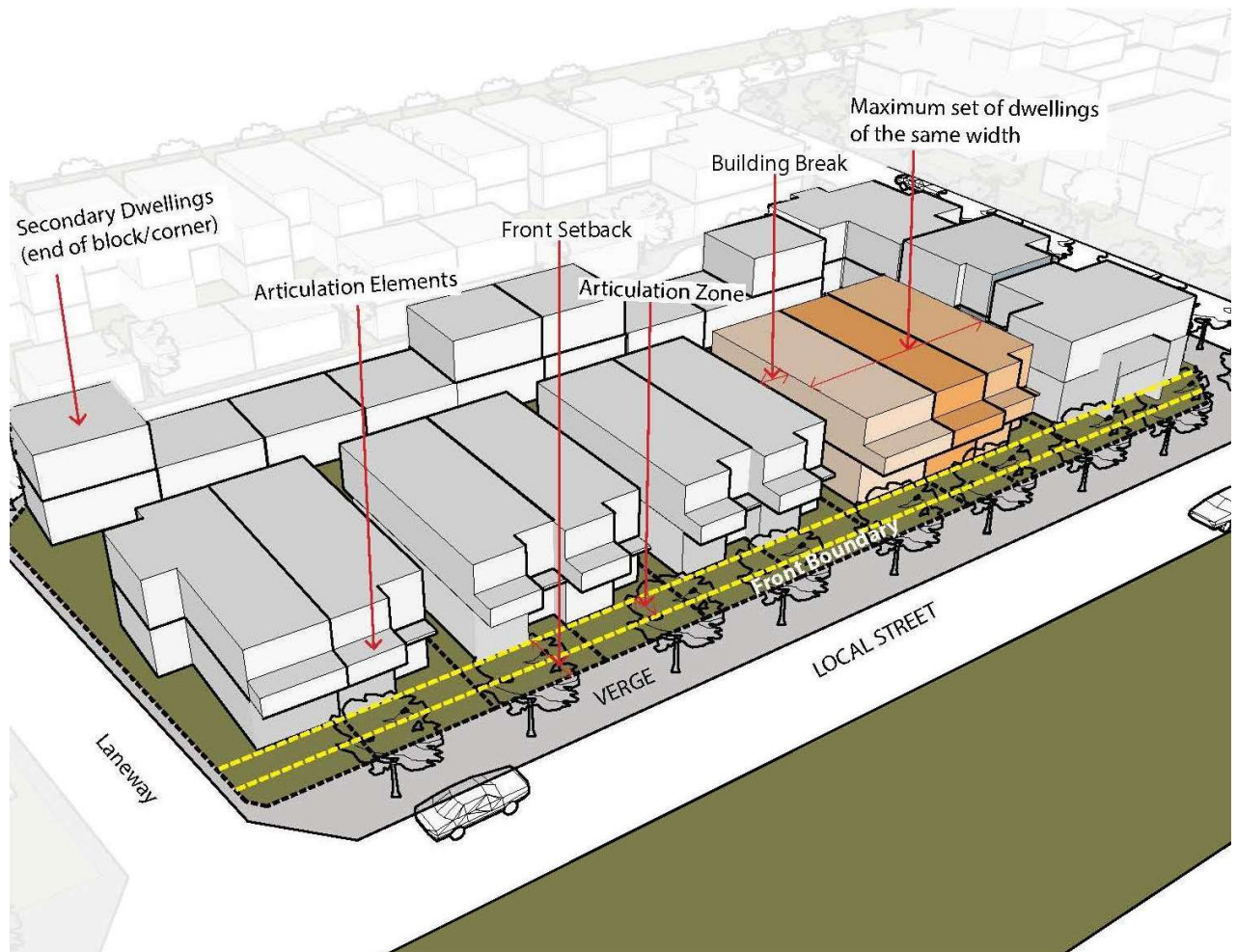
Where dwellings are proposed on lots with two street frontages (not corner lots), the dwellings are to present (have a street address) to the higher street classification and are to reflect the streetscape character of the higher street classification.

The composition of attached/abutting dwellings needs to be determined at the subdivision stage to take into account the lot widths required in order for a 'break' to be provided.

A 'break' (i.e. a larger lot width, an indentation in the dwelling with a width and depth of 1.5m on both levels, a housing product of a different width, a detached housing product) is to be provided between every 3 attached/abutting dwellings of the same lot width.

Where buildings are to be located on boundaries, retaining walls (as required) are to be built as part of the subdivision works. Details of the fill (depth, source and amount of fill material to be deposited) and retaining walls are to be submitted with the application.

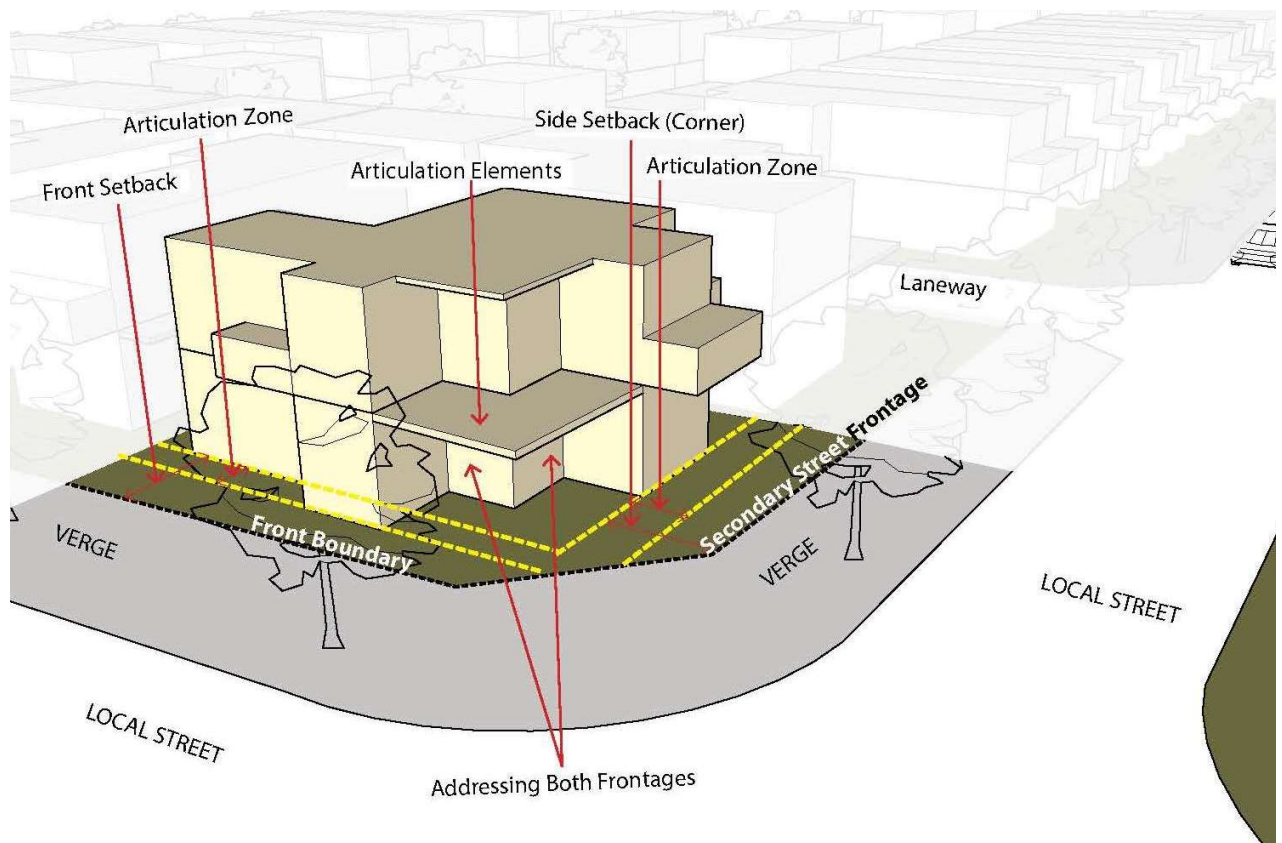
Figure 2 below – Attached/Abutting dwellings



Corner lots

Corner lots are to be configured to allow the dwelling to address both street frontages as depicted in Figure 3 below. Multi-dwelling housing is a good example of a housing type that achieves this.

Figure 3 below- Dwelling presentation on corner lots.



Residential Flat Buildings and Multi-dwelling housing

The minimum dimensions of a lot proposed to contain a residential flat building (but not multi dwelling housing) is 30 metres in any direction.

Residential Flat Buildings and Multi Dwelling Housing developments with 10 or more dwellings are to provide at least:

- 10% studio apartments/units;
- 10% 1 bedroom apartments/units; and
- 10% 2 bedroom apartments/units.

Variations

Where the subdivision proposal will result in the creation of less than 20 lots, compliance with the lot diversity requirements within this control will be considered on merit.

Advisory Notes

For the purposes of control C6.8, “effective lot width” is the average width of the lot, not including any access handles.

Control C6.9 stipulates specific information required to be submitted as part of a land subdivision application which proposes lots below a certain size.

Control C1.9 also applies regarding the provision of Adaptable Housing.

Additional requirements specified in control C6.10 apply to land in Buffer Area 1a to 1m Warriewood Valley.

Additional requirements specified in control C6.11 apply to land in Sector 901A to 901H Warriewood Valley.

Consideration of the Land and Environment Court Planning Principle “*Isolation of site by redevelopment of adjacent site(s)*” in *Melissa Grech v Auburn Council* [2004] NSWLEC 40 at 51 should be given in the design of the subdivision.

Information to be included in the Statement of Environmental Effects

- Description of titling arrangements proposed by the subdivision including arrangements for maintenance and access (temporary or otherwise).
- Details of the proposed management and maintenance of infrastructure associated with the development including roads, visitor parking spaces and water management facilities.
- Details of lot diversity.
- An assessment of the proposed development in terms of the objectives of the control.

Technical Reports and Supporting Information

The Statement of Environmental Effects is to include a description of titling arrangements proposed by the subdivision including arrangements for maintenance and access (temporary or otherwise) of infrastructure associated with the development including roads, visitor parking spaces and water management facilities.

• A dimensioned plan prepared by a qualified Urban Designer and supporting documentation is to locate and define proposed land uses including:

- Residential, industrial/commercial lots and super lots
- Proposed road network
- Open space areas
- Creekline corridors (public and private components)
- Water management facilities (including water quality/detention basins)
- Proposed structures.

The plan is to allocate principal land uses and pro-rata dwelling yields, and is to recognise the environmental constraints applying to the sectors as defined in the adopted planning strategy for the Warriewood Valley Release Area. The plan is to be accompanied by a detailed and contoured survey of the site and adjoining areas, showing all natural and built features.

• A Plan of Subdivision showing individual lots and, if relevant, super lots for future dwellings or infrastructure including any easements/covenants/right of access.

• • Evidence of titling arrangements and necessary covenants/easements/right of access to enable private ownership, management and maintenance of all infrastructure for the life of the development.

Date Active:
10/08/2015

Date Superseded:

 Approved

C6.9 Residential Land Subdivision Approval Requirements

Land to which this control applies

Land zoned R3 Medium Density Residential within the Warriewood Valley locality.

Uses to which this control applies

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Subdivision of a sector, buffer area or development site in a Release Area.

Outcomes

Development that reflects the desired future character of the Warriewood Valley locality.

Superior design is achieved.

Facilitate housing diversity and choice.

Controls

The land subdivision approval process is to be consistent with the requirements of the table below:

Approval Pathway	Pathway 1: DA for subdivision	Pathway 2a: DA for subdivision and detached or abutting dwellings (Integrated Housing)	Pathway 2b: DA for subdivision and attached dwellings (Integrated Housing)

Application	Proposed lots equal to or greater than 225 square metres in area, and with a lot width equal to or greater than 9 metres.	Subdivision and dwelling construction involving detached or abutting dwellings on lots less than 225 square metres or on lots with a lot width less than 9 metres.	Subdivision and dwelling construction involving attached dwellings on lots less than 225 square metres or on lots with a lot width less than 9 metres
Plans required	Plan of Subdivision showing the building envelope for each lot is required. Plans of each dwelling are not required, as these will be included as part of any future Development Application or Complying Development Certificate.	Dwelling plans (floor plans, sections and elevations etc.) are required as part of an Integrated Housing proposal.	Dwelling plans (floor plans, sections and elevations etc.) are required as part of an Integrated Housing proposal.
Section 88B restriction on dwelling design	No	Yes – only approved dwelling can be built.	Yes – only approved dwelling can be built.
Timing of subdivision (registration of the subdivision with Land and Property Information)	Prior to approval of any land use including residential development.	Prior to the issue of a Construction Certificate for dwellings.	Prior to the issue of any Occupation Certificate (Interim or Final) for dwellings.

Pathway 1 – Application for subdivision only

If a Plan of Subdivision incorporating a Building Envelope Plan is provided with the Development Application, it must be in accordance with the following:

- The Building Envelope, shown on the Plan of Subdivision, should be at a legible scale and include the following elements:
 - maximum permissible building envelope (including site coverage for a Complying Development Certificate), specifying setbacks, storeys and articulation zones;
 - landscaped areas and deep soil areas;
 - preferred location of private open space;
 - driveway location and location of any hardstand areas;
 - garage size (single or double) and location; and
 - zero lot line boundaries.
- Other elements that may be relevant to include on the Building Envelope depending on the particular lot/development proposed include:
 - extent of basement car parking;
 - retaining walls;
 - easements;
 - for corner lots, the preferred entry/frontage;
 - frontage where vehicular access is not permitted; and
 - special fencing requirements.

Pathway 2a and 2b – Application for subdivision and dwelling construction

Subdivision of land creating residential lots with an area less than 225m² or a width less than 9 metres, shall include dwelling plans (floor plans, sections and elevations etc.) as part of the Development Application for subdivision, i.e. Integrated Housing approval for the subdivision and construction of the dwellings on each lot.

Upon approval of the subdivision a Section 88B instrument will be attached to the lot restricting the built form to the approved dwelling plans.

Variations

Nil

Advisory Notes

For the purposes of this Control, "Integrated Housing" means:

Development involving the construction of residential accommodation and concurrent subdivision that results in a dwelling(s) on a newly created lot(s).

For the purposes of control C6.9, "effective lot width" is the average width of the lot, not including any access handles.

Detached dwelling

Is a building containing one dwelling, on a single block of land that is not attached to any other dwelling.

Information to be included in the Statement of Environmental Effects

The Statement of Environmental Effects is to include details of the titling arrangements of the proposed lots, and requirements for services and infrastructure, access and maintenance necessary for the subdivision. For Pathways 2 & 3, details confirming that the proposed dwelling for each lot will be placed on title.

C6.10 Additional Specifications for development of Buffer Area 1a to 1m

Land to which this control applies

Land labelled as Buffer Area 1a to 1m inclusive on the Pittwater Local Environmental Plan 2014 Urban Release Area Map.

Uses to which this control applies

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Subdivision of a sector, buffer area or development site in a Release Area.

Outcomes

To efficiently utilise land to achieve the target dwelling yield.

Development occurs in an orderly manner.

All residential lots achieve a high level of amenity.

Ensure the conservation of natural vegetation and biodiversity.

Continue the network of multifunctional creekline corridor of Narrabeen Creek addressing the creek, floodway, flora and fauna habitat, water quality treatment, cyclist and pedestrian access, drainage, and linking the Warriewood escarpment with the Warriewood Wetlands and Narrabeen Lagoon.

Ensure an integrated approach to water management.

To provide an equitable, logical, legible and safe internal road layout.

Prohibit additional vehicle access off Macpherson Street.

The needs for public recreation and open space are met.

The risk to life and property from the threat of bushfire is minimised.

Controls

Subdivision and lot layout

Individual buffer sectors with effective lot widths less than 60 metres should pursue opportunities for amalgamation to facilitate orderly planning and development outcomes and the efficient use of land. The Indicative Layout Plan included further in this control identifies Council's preferred site amalgamations.

Denser housing typologies, including Residential Flat Buildings and Multi Dwelling Housing, should be located on the north eastern side of Lorikeet Grove, in close proximity to the creekline corridor.

Where it is not possible to align Lorikeet Grove directly along the creekline corridor, Residential Flat Buildings and Multi Dwelling Housing products should be proposed adjoining these areas which will facilitate casual surveillance.

Lots suitable for housing typologies that reflect the streetscape character of existing housing on the opposite side of Warriewood Road, for example dual occupancies (attached or detached), should be sited fronting Warriewood Road. The retention of existing dwellings on lots greater than 500m² in size along Warriewood Road is not desired as it is not in keeping with the future desired character and limits the ability to achieve the adopted density.

Access Arrangements

Lorikeet Grove extension is to traverse Buffer Areas 1a to 1l, and be:

- designed and constructed as a Local Road under the *Warriewood Valley Roads Masterplan* and comply with the specifications and cross section; and
- generally in accordance with the alignment of Lorikeet Grove on the Indicative Layout Plan below.

A maximum of two new public roads are to directly connect to Warriewood Road and Lorikeet Grove. Each new connection road is to comply with the specifications and cross section for a Local Road under the Warriewood Valley Roads Masterplan, as amended. One road connection is to be located across the boundaries of Buffer 1g, 1h and 1i. The second road connection is to be located within Buffer 1l, adjacent to Hill Street. The traffic management device for both proposed road intersections with Warriewood Road is to be in accordance with the Indicative Layout Plan contained further within this control.

The number of driveways along Warriewood Road is to be minimised. This can be achieved through shared driveways for dwellings that front Warriewood Road.

All other access roads within Buffer Areas 1a to 1l must be designed with traffic calming devices to lower vehicle speeds, which may incorporate pavement treatment and enhanced landscaping. The provision of safe crossing areas is required.

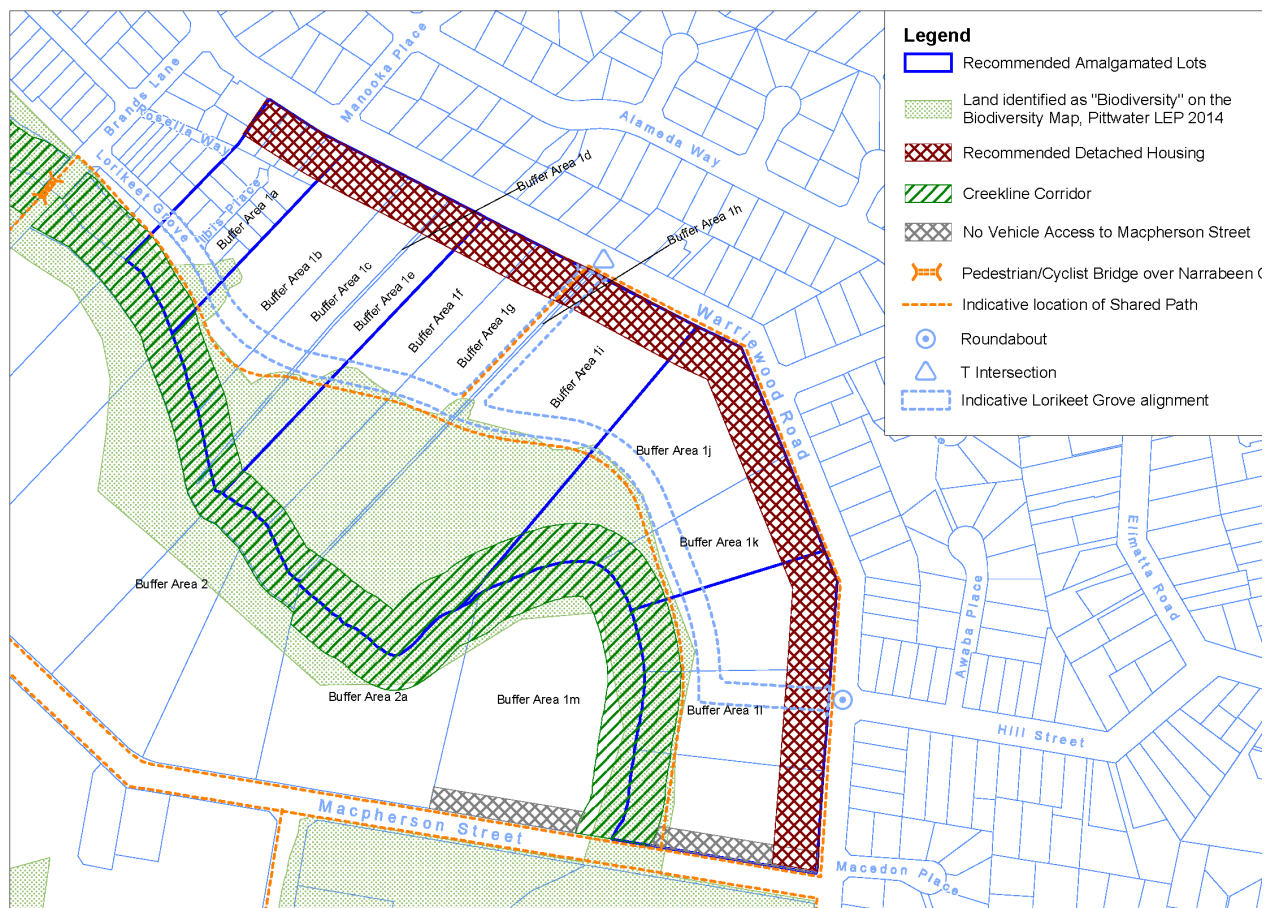
No new vehicular access including driveways, is permitted onto Macpherson Street to ensure a safe approach to the bridge across Narrabeen Creek.

A traffic analysis report will need to accompany any subdivision Development Application, taking into account the new East-West connection of Lorikeet Grove, and if applicable, the new North-South connections with Warriewood Road. Where the access arrangements have not been constructed in a timely manner, the construction of temporary roads may be permitted to enable the isolated property to develop ahead of the required roads being constructed. This will be assessed on a merit basis.

Location of Pedestrian and Cycleway Network

The alignment of the pedestrian and cycleway network is to be generally in accordance with the Indicative Layout Plan below.

Indicative Layout Plan



Variations

The location of the pedestrian path/cycleway is variable to ensure connectivity with existing sections of the path and to facilitate the retention of existing vegetation.

Advisory Notes

This control must be read in conjunction with the general design requirements for residential subdivision and proposals for lots below a certain size, being controls C6.8 and C6.9 respectively.

- If adjoining properties are required to facilitate temporary access to the development site, owner's consent from all properties involved needs to be provided.
- Access arrangements (temporary and permanent) should be identified and dimensioned on the site plan as required by the control.
- A concept plan demonstrating how the development may connect with adjoining properties in the future.

Information to be included in the Statement of Environmental Effects

- A discussion of the traffic implications of the proposed development particularly in relation to proposed access arrangements (temporary and permanent).

Technical Reports and Supporting Information

- A traffic analysis report completed by a suitably qualified person is to be submitted assessing the traffic implications of the proposed development, particularly in regard to the east/west connection of Lorikeet Grove and access, temporary or otherwise, from Warriewood Road.
- If temporary access is proposed the Traffic Analysis report should also include assessment on the suitability and timeframe associated with the temporary access arrangement.

C6.11 Additional Specifications for development of Sector 901A to 901H

Land to which this control applies

Land labelled Sectors 901A, 901B, 901C, 901D, 901E, 901F, 901G, 901H and 9 Fern Creek Road on the Pittwater Local Environmental Plan 2014 Urban Release Area Map.

Uses to which this control applies

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Subdivision of a sector, buffer area or development site in a Release Area.

Outcomes

To efficiently utilise land to achieve the target dwelling yield. Development occurs in an orderly manner.

All residential lots achieve a high level of amenity.

Ensure the conservation of natural vegetation and biodiversity.

Continue the network of multifunctional creekline corridors addressing the creek, floodway, flora and fauna habitat, water quality treatment, cyclist and pedestrian access, drainage and linking the Warriewood escarpment with Warriewood Wetlands and Narrabeen Lagoon.

Ensure an integrated approach to water management.

To provide an equitable, logical, legible and safe internal road layout. To ensure safety of all road users.

The needs for public recreation and open space are met.

The risk to life and property from the threat of bushfire is minimised.

Controls

Development/subdivision of land identified as flora and fauna conservation area

A comprehensive site analysis for land identified as a flora and fauna conservation area on the Indicative Layout Plans within this control, is to be provided taking into account the characteristics as part of the subdivision design process. This will involve an arborist report identifying all significant vegetation. This analysis should take into account the final development which will occur on the site as a result of the subdivision. The analysis and resultant subdivision design should address the following issues:

- the slope, topography and any natural features (e.g. creeklines);
- trees and vegetation (particularly trees worthy of retention);
- view lines from within the proposed lots and from adjoining properties;
- solar access to the proposed lots;
- the side, rear and front setbacks of future dwellings and structures;
- boundaries and development on adjoining properties;

- the visual impact of built development which will occur as a result of the subdivision process (height, bulk and scale, visual impact of buildings);
- the provision of vehicular access to the future buildings on the proposed lots;
- the provision of landscaping and/or recreation space for each proposed lot;
- the provision of onsite car parking on each proposed lot;
- the provision of services to each lot, including sewerage, water, electricity; communications and gas (where available); and
- the provision of emergency services to each lot (bushfire, fire brigade, ambulance).

An additional requirement for this land involves the nomination of a building envelope on each proposed lot, shown on the Plan of Subdivision, clearly demonstrating that a dwelling can be accommodated wholly within the building envelope based on the following:

- optimum retention of significant trees and bushland;
- vehicular access;
- provision of services;
- provision of water management facilities;
- provision of emergency services; safety from hazards; and
- a building which achieves the desired character of the area, setbacks to boundaries and the site coverage requirements for individual lots.

The Building Envelope Plan should be at a legible scale and include the following elements:

- the maximum permissible building envelope (including site coverage for Complying Development Certificates), specifying setbacks, storeys and articulation zones;
- landscaped areas and deep soil areas;
- the preferred location of private open space;
- the driveway location and location of any hardstand areas;
- the garage size (single or double) and location; and
- zero lot line boundaries.

Other elements that may be relevant in accounting for the building envelope for each lot include:

- extent of basement car parking;
- retaining walls;
- easements;
- for corner lots, the preferred entry/frontage;
- frontage where vehicular access is not permitted; and
- special fencing requirements.

Upon approval of the subdivision a Section 88B instrument will be attached to the lot restricting the built form to the approved Plan of Subdivision incorporating the building envelope for each individual lot.

Development and subdivision of existing small and narrow lots

Site amalgamations provide greater opportunity to deliver better quality urban design outcomes. Sectors or development sites with an effective lot width less than 60 metres should pursue opportunities for site amalgamation to facilitate orderly planning and the efficient use of land. The Indicative Layout Plans included further in this control identifies Council's preferred site amalgamations.

Development of Sector 901H

Any development of Sector 901H as part of the development of the adjoining sites is to ensure that access to 4 and 5 Fern Creek Road is not impeded in accordance with the "Isolation of Sites" Planning Principle.

Internal Road Network

The internal road network within Sector 901 should be consistent with the Indicative Layout Plans within this Control.

The road connection between Garden Street and Fern Creek Road is to be designed to lower

vehicle speeds to minimise its attractiveness as a short cut from properties on the western fringe of the sector to Garden Street.

All internal roads within Sector 901 must be designed with traffic calming devices to lower vehicle speeds, which may incorporate pavement treatment and enhanced landscaping. The provision of safe crossing areas is required.

Access and Street Presentation to Existing Public Roads

Garden Street (Classified as a "SubArterial Street" under the Warriewood Valley Roads Masterplan)

A new "Local Street" with direct access off Garden Street is to be provided generally in accordance with the Indicative Layout Plans below, and designed and constructed in accordance with the relevant specifications and cross section for a Local Street under the Warriewood Valley Roads Masterplan.

The location of the intersection with Garden Street will generally be in accordance with the Indicative Layout Plans and will be subject to the assessment of traffic safety issues and the provision of necessary road improvement works.

All dwellings fronting Garden Street must present to Garden Street as the primary street frontage. No additional vehicle access including driveways will be permitted onto Garden Street.

Orchard Street (Classified as a "Collector Street" under the Warriewood Valley Roads Masterplan)

Any road access to Orchard Street (between Fern Creek Road and Garden Street) will be limited to a left in/left out arrangement.

Vehicular access is restricted to only part of Orchard Street (refer to the Indicative Layout Plans at the end of this control). Where permitted, shared driveways off Orchard Street are encouraged to maximise the opportunities for onstreet kerb side parking.

Fern Creek Road (Classified as a "Local Street" under the Warriewood Valley Roads Masterplan)

Shared driveways off Fern Creek Road are encouraged to maximise the opportunities for on-street kerb side parking.

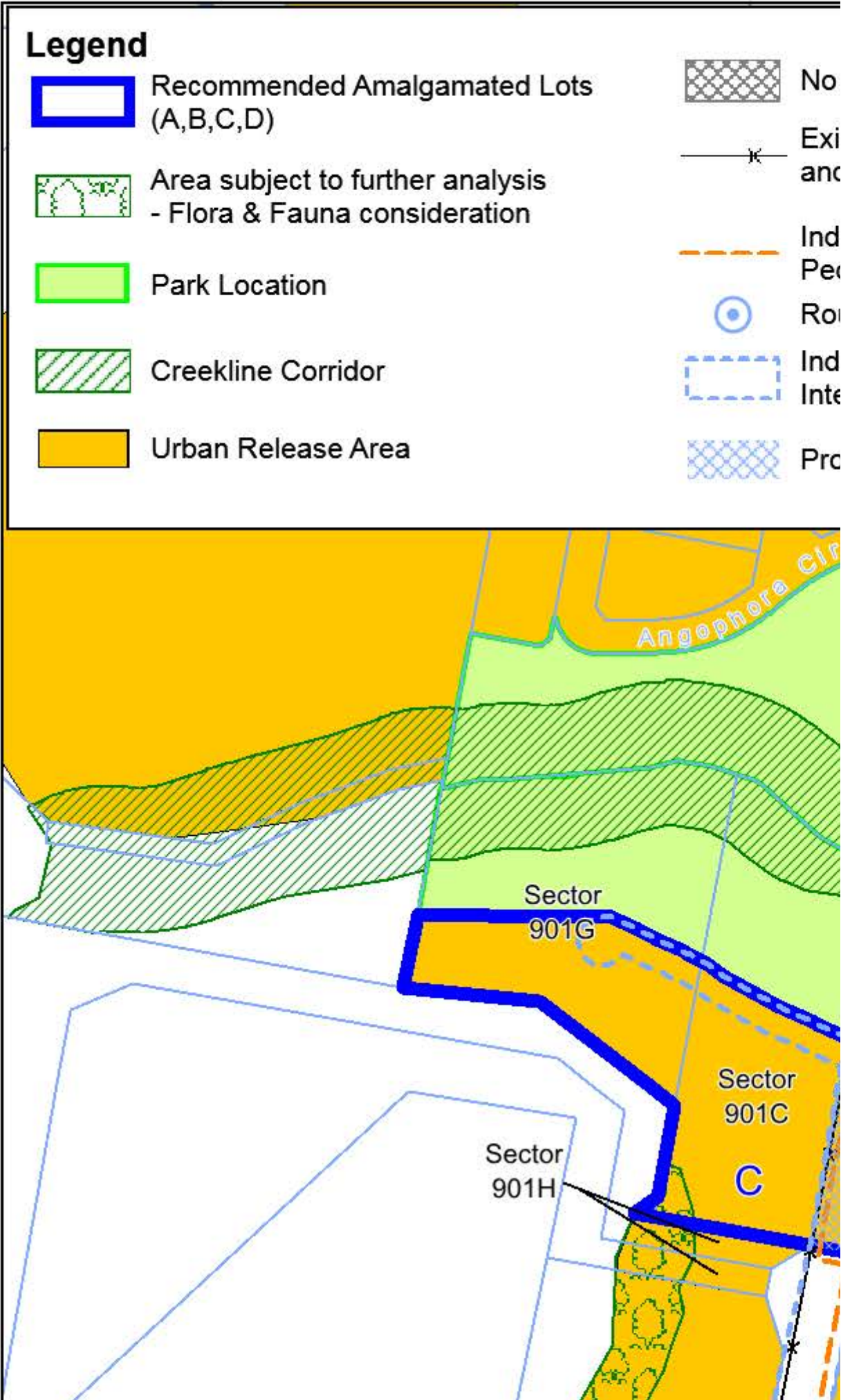
Location of Pedestrian and Cycleway Network

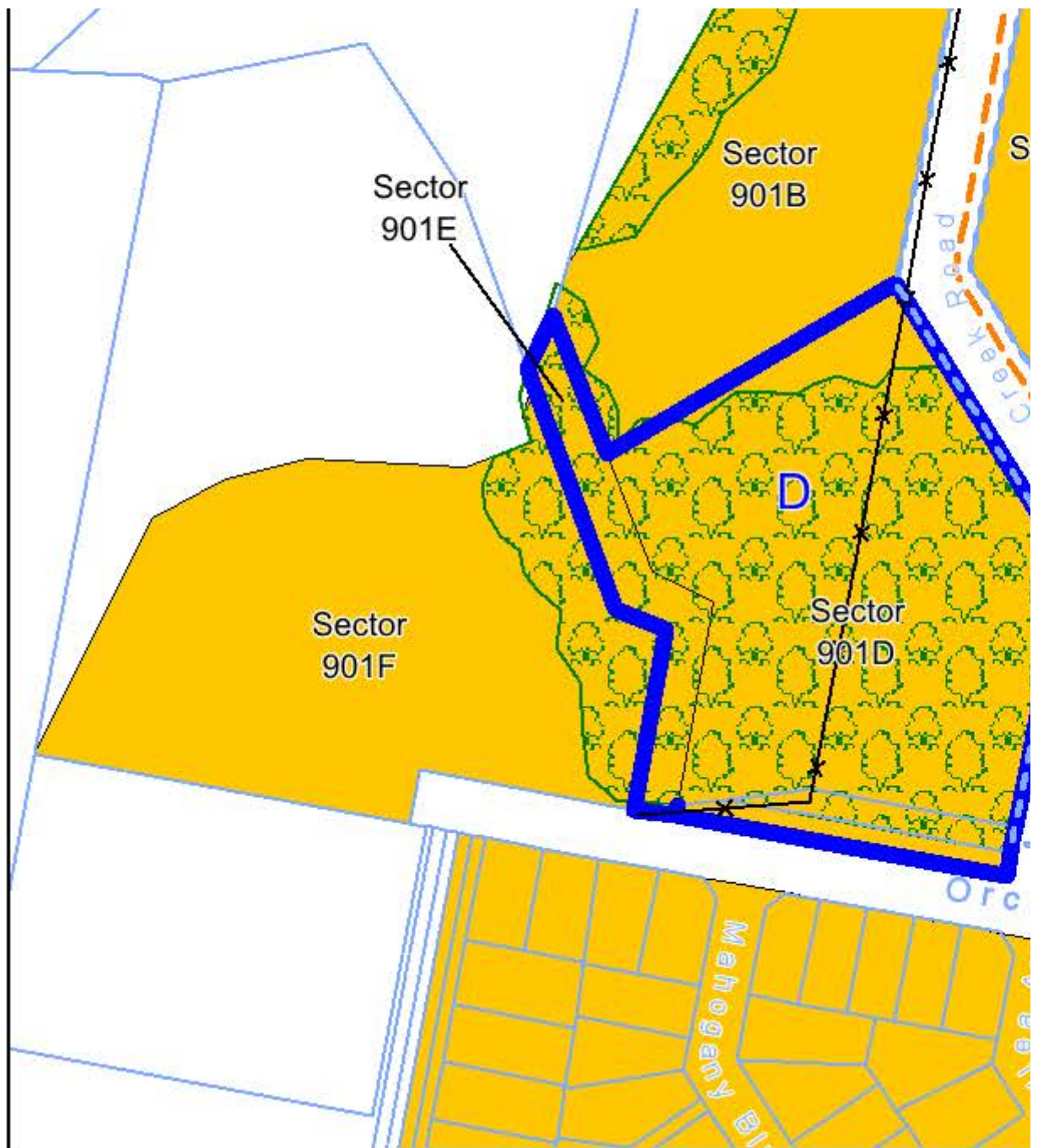
The alignment of the pedestrian and cycleway network is to be generally in accordance with the Indicative Layout Plans below, consistent with the Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain).

Land for Public Recreation

Approximately 1 hectare of land is to be provided adjacent to the creekline corridor for passive open space. This open space area is to be connected to the internal road and pedestrian cycleway networks generally in accordance with the Indicative Layout Plan within this Control.

Indicative Layout Plan with Linear Park





Variations

Nil

Advisory Notes

This control must be read in conjunction with the general design requirements for subdivision and proposals for lots below a certain size, being control C6.8 and C6.9 respectively.

Control C6.5 stipulates the provision of utilities and infrastructure and provides a variation for the undergrounding of 33,000k Volt powerlines.

- If adjoining properties are required to facilitate temporary access to the development site, owner's consent from all properties involved needs to be provided.

Information to be included in the Statement of Environmental Effects

- Concept plan demonstrating how the development site may connect, temporarily or permanently, with other properties in the future.
- Discussion of proposed access arrangements particularly in regard to sector connectivity and access for isolated properties via temporary roads.

- If the property is identified Flora and Fauna Conservation Area a discussion on how the proposed development has considered the findings and recommendations of the arborist report.

Technical Reports and Supporting Information

- A traffic analysis completed by a suitably qualified person is to be submitted assessing the traffic implications of the proposed development, particularly in regard to the proposed internal road system and access arrangements to Garden Street, Orchard Street and Fern Creek Road. The analysis needs to consider suitability and timeliness of temporary and permanent access arrangements.
- Report containing a flora and fauna analysis as required by the control.
- If development is on Sector 901H, the application needs to address the 'Isolation of Sites' Planning Principle.

C6.12 Warriewood Valley Release Area Focal Neighbourhood Centre

Land to which this control applies

Land labelled as Sector 801 on the Pittwater Local Environmental Plan 2014 Urban Release Area Map.

Uses to which this control applies

Cafe

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Neighbourhood Shops – New Construction or Alterations and Additions

Subdivision of a sector, buffer area or development site in a Release Area.

Restaurant

Outcomes

The local convenience retail needs of the incoming population are met.

A focal point in the Warriewood Valley Release Area is provided that links local services and facilities, including local retailing, public open space, public transport and community facilities. Car dependency is reduced by providing services locally.

A sense of community and place is created.

Controls

A focal neighbourhood centre is to be established on the land labelled as Sector 801.

Its central location in Warriewood Valley results in it being within reasonable walking and cycling distance of most residents and employees within Warriewood Valley. The sector fronts Macpherson Street which is the primary vehicular and public transport route through Warriewood Valley along which medium density residential development is concentrated.

The focal neighbourhood centre is to incorporate a gross floor area between 855m² 2,222m² to meet the retail convenience needs of the incoming population (such as a small general store, post office shop, ATM, internet/coffee shop, etc.). The retail potential in Warriewood Valley is limited to this size given nearby established retail/commercial centres at Mona Vale and Warriewood Square.

The focal neighbourhood centre must be linked to public transport nodes and the pedestrian and cyclist network, and if possible, to the district park and/or community facilities. This will enable the majority of residents and people employed in the Valley to walk or cycle to the local shops, public transport, and services. This will also enhance the viability of the neighbourhood centre as a focal point in the Valley and reduce dependence on the car.

The opportunity exists for Shop Top Housing to be incorporated with the retail facilities within the focal neighbourhood centre.

Safety and security are to be considered in the design of the centre.

Carparking for the centre is to be in accordance with this DCP.

Requirements under the *Disability Discrimination Act 1992* and this DCP must also be considered in the design of the centre.

Variations

Nil

Information to be shown on the Development Drawings

- For integrated development, residential flat buildings or mixed use development: site plan to show ground floor uses, building entry, vehicular entry and servicing.
- Street elevation (development including the context).

Information to be included in the Statement of Environmental Effects

- An assessment of the proposed development in terms of its interaction with the focal neighbourhood centre.

Section D Locality Specific Development Controls

D1 Avalon Beach Locality

D1.1 Character as viewed from a public place

Land to which this control applies

Avalon Locality - P21DCP-D01MDCP100

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Occupation/Use of existing business premises
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'.

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- entry feature or portico;
- awnings or other features over windows;
- verandahs, balconies or window box treatment to any first floor element;

- recessing or projecting architectural elements;
- open, deep verandahs; or
- verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Council may permit parking spaces in front of building line where site constraints limit location such variation must be justified in the discussion below.

Subject to achievement of the outcomes of this control, consideration may be given to the location of plant, equipment boxes and lift over-runs on the roof of a building where it can be shown that there will not be a non-compliance with Council's built form controls including height and building envelope.

Where located on the roof any plant, equipment boxes and lift over-runs are to be adequately screened from view from adjoining properties and the public domain.

Advisory Notes

Articulation includes: architectural relief and facade modulation

Information to be shown on the Development Drawings

- The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation; (En, S)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D1.2 Character - Avalon Beach Village

Land to which this control applies

Avalon Beach Village - P21DCP-D01MDCP101

Uses to which this control applies

Business Development
Child care centre
Earthworks
Other Development
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility

Outcomes

To achieve the desired future character of the Locality as listed in Part A of this DCP.

A sense of place is provided by acknowledging the setting, history, landscaping and built character and to give residents a sense of belonging, community pride and security. (S)

Vitality within the village is encouraged and people are given the opportunity to meet most of their needs locally. (S, Ec)

Pedestrian/vehicle conflict is reduced and good accessibility to the main elements of the village is provided. (S, Ec)

Urban design elements are provided at a human scale at which people do not feel overwhelmed by buildings. (S, Ec)

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (S)

To ensure the design and appearance of buildings are compatible in form relative to the desired future character of Avalon Beach Village.

To encourage attractive street frontages and improve pedestrian amenity.

To improve pedestrian access and connectivity between housing, open space networks, community facilities, public transport, local activity centres and schools.

Controls

The following controls apply in addition to any controls of this part.

The design, scale and proportion of proposed development or redevelopment adjacent to buildings of historical interest and those listed as heritage items must retain the architectural significance, social value and "village" feel that the older buildings give to the Avalon Beach Village.

The external treatment of buildings is to be modulated at street level every metres (maximum) at any street frontage elevation (where design or material is the same).

Any ramps required for access to buildings must not inhibit use of the setback area or impede pedestrian thoroughfare. Preferably shops and other public ground floor uses should open directly onto footpaths with a shading device above.

The use of the road reserve for outdoor cafe seating and displays is encouraged.

Where available, all motor vehicle access to new development will be by rear or side lane.

Refer to additional controls for landscaping in commercial centres in Part C2.1 Landscaping of this DCP.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development in terms of its impact on the character of the Avalon Beach Village demonstrating that the proposal:

- provides a sense of place by acknowledging the setting, history, landscaping and built character and to give residents a sense of belonging, community pride and security; (S)
- encourages vitality within the village and will give people the opportunity to meet most of their needs locally; (S, Ec)
- reduces pedestrian/vehicle conflict and provides good accessibility to the main elements of the village; (S, Ec)
- provides urban design elements at a human scale at which people do not feel overwhelmed by buildings. (S, Ec)

D1.4 Scenic protection - General

Land to which this control applies

Land in the Avalon Locality mapped as Scenic Protection - General - P21DCP-D01MDCP080a

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hospital
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D1.5 Building colours and materials

Land to which this control applies

Avalon Locality - P21DCP-D01MDCP100

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Occupation/Use of existing business premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Water recreation structure

Outcomes

The development enhances the visual quality and identity of the streetscape. (S)
To provide attractive building facades which establish identity and contribute to the streetscape.
To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.
The colours and materials of the development harmonise with the natural environment. (En, S)
The visual prominence of the development is minimised. (S)
Damage to existing native vegetation and habitat is minimised. (En)
An informal beachside appearance of the Avalon Beach Village. (S, Ec)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilises colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- achieves the informal beachside appearance of the Avalon Beach Village;

Technical Reports and Supporting Information

- Colour and material samples must be submitted.

D1.8 Front building line

Land to which this control applies

Avalon Locality - P21DCP-D01MDCP100

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group Home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The amenity of residential development adjoining a main road is maintained. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Vehicle manoeuvring in a forward direction is facilitated. (S)
To encourage attractive street frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

Land	Front Building Line (metres)

Land adjoining Barrenjoey Rd	10 or established building line, whichever is the greater
Land zoned R2 Low Density Residential on the southern side of Avalon Parade between Ruskin Rowe and Bellevue Avenue (being numbers 61 to 93 inclusive).	18
Land zoned R2 Low Density Residential along Avalon Pde, on the southern side between Gunjulla Place and Ruskin Rowe (being No's 97 to 121 inclusive), and on the northern side (being no's 50 to 112 inclusive).	10
All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living	6.5, or established building line, whichever is the greater
Land zoned B1 Neighbourhood Centre or B2 Local Centre	3.5
All other land	Merit assessment

The minimum front building line shall be in accordance with the above table.

Built structures (including swimming pools), other than driveways, fences and retaining walls are not permitted within the front building setback.

Where new streets or access ways are proposed in residential flat building and multi dwelling housing development, a minimum front setback of 3m must be provided between the carriageway and dwellings.

Variations

Other than Avalon Parade (No's 61 to 121 and 50 to 112 inclusive)

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

On steeply sloping or constrained sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building line provided that they do not exceed 1m in height above ground level (existing).

Avalon Parade (nos 61 to 121 and 50 to 112 inclusive)

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- where the proposal is sympathetic to the established pattern in the street, and
- where the proposal has no adverse impact on the amenity and charm of the streetscape of Avalon Parade.

- where the proposal involves minor alterations to existing structures that are in front of the building line.

Such alterations are not to extend any closer to the street and shall maintain or increase the existing number of canopy trees within the front yard.

Development Applications for No 97 (Lot 2 DP 528219) & No 80 (Lot C, DP 409655) Avalon Parade, shall be assessed on their merits, provided the above objectives have been met.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1m in height above ground level (existing).

Council may permit parking spaces in front of the building line where site constraints limit location.

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D1.9 Side and rear building line

Land to which this control applies

Avalon Locality - P21DCP-D01MDCP100

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
A landscaped buffer between commercial and residential zones is achieved.(En,S)

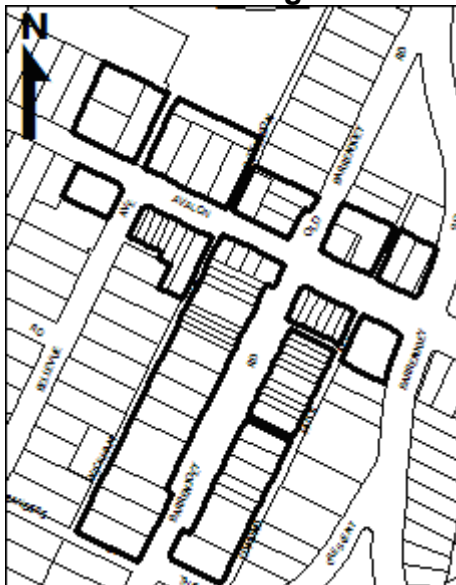
Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table.

Land	Side & Rear Building Line (metres)
------	---------------------------------------

Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	<p>2.5 at least to one side; 1.0 for other side</p> <p>6.5 rear (other than where the foreshore building line applies)</p> <p>Dual Occupancy</p> <p>2.5 at least to one side ; 1.0 for other side</p> <p>6.5 rear (other than where the foreshore building line applies)</p> <p>Residential flat buildings and multi dwelling housing: see below</p> <p>Secondary Dwelling</p> <p>2.5 to at least one side; 1.0 for other side</p> <p>6.5 rear (other than where the foreshore building line applies)</p>
Land within the Avalon Beach Village (MDCP 101 below)	<p><u>Side</u></p> <p>1.5 (to a lane or road)</p> <p>see diagram below</p> <p>Nil (all other)</p> <p><u>Rear</u></p> <p>3.5 (to lane or road)</p> <p>Nil (all other)</p>
All other land zoned B1 Neighbourhood Centre and B2 Local Centre adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	3.0
All other land zoned B1 Neighbourhood Centre and B2 Local Centre adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	Nil

Avalon Beach Village MDCP 101



For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

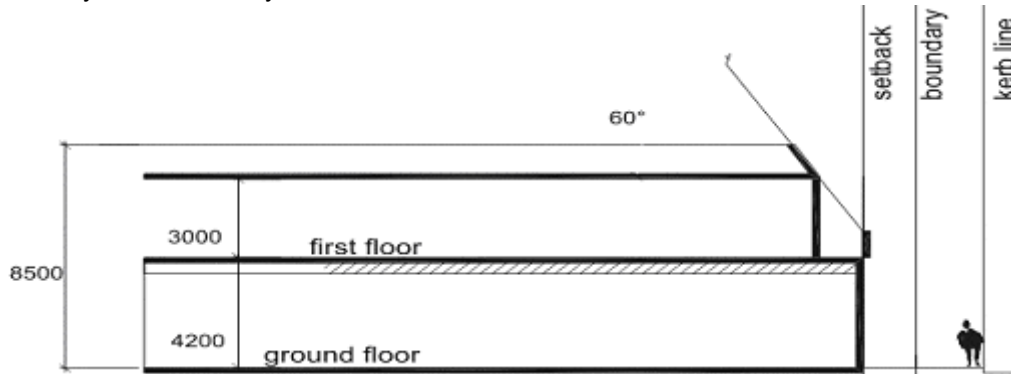
$$S = 3 + \frac{H - 2}{4}$$

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Diagram: Side setback and height planes on lanes, roads and open space in Avalon Beach Village. Diagram courtesy of Pittwater Style.



Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and

- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D1.11 Building envelope

Land to which this control applies

Land in the Avalon Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living.

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

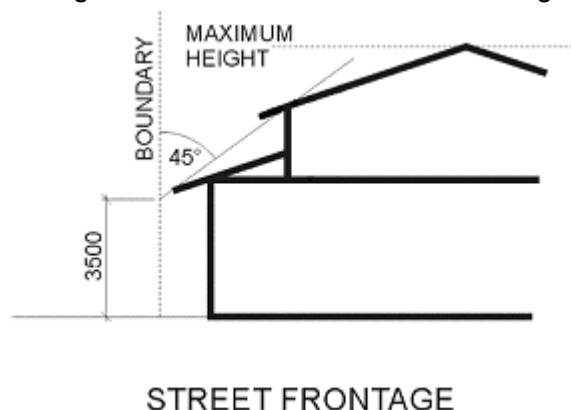
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control. Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D1.12 Building envelope - Avalon Beach Village

Land to which this control applies

Avalon Beach Village - P21DCP-D01MDCP101

Uses to which this control applies

Business Development
Child care centre
Other Development
Shop top housing
Signage
Telecommunications facility

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To encourage buildings that are designed to respond sensitively to natural topography

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

The open feeling and character of the Avalon Beach Village is maintained. (S, Ec)

Controls

Buildings are to be sited within the following projected building envelope planes:

- a. 45 degrees on south and west side of street,
- b. 36 degrees on east and north side of street, and
- c. 60 degrees on side boundaries

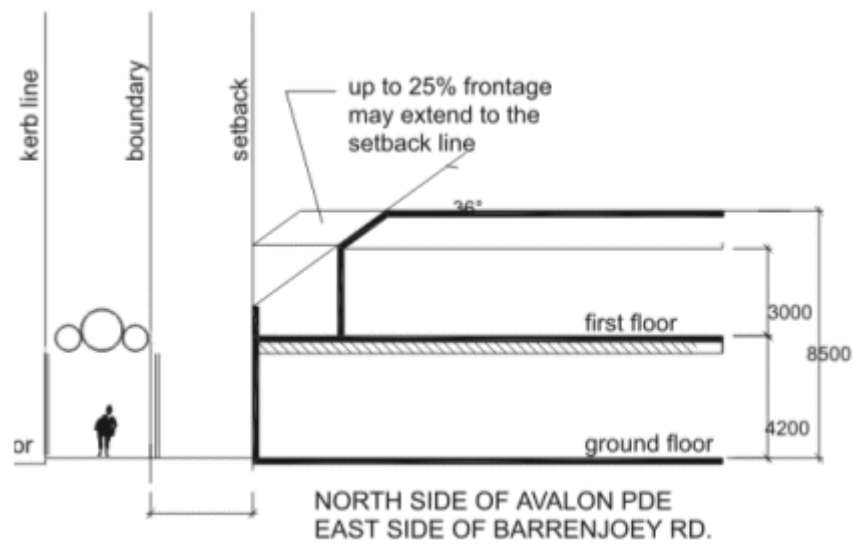
The planes are measured from a height of 4.2 metres above ground level (existing) at the boundary line to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Up to 25% of the building frontage at first floor level may be brought forward through the height plane to the building line (refer to relevant building lines under Part D Localities).

Minor elements, such as flagpoles, sunshades, pergolas, a clock tower, and the like, may project through the building envelope.



Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control. Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D1.13 Landscaped Area - General

Land to which this control applies

Land in the Avalon Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);

- ii) for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Residential Flat Buildings, Multi Dwelling Housing and Shop Top Housing

Provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

- Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D1.14 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Avalon Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2

Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D1.15 Fences - General

Land to which this control applies

Land in the Avalon Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D01MDCP106

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- shall be compatible with the streetscape character, and
- not obstruct views available from the road.

Front fences and landscaping should allow people in their homes to view street activity.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Ruskin Rowe heritage conservation area

No front fences will be permitted. Council may consider front fences constructed of open, see-through, wire and dark lightweight materials that do not extend past the building(s). Where no private open space is available at the rear of buildings, fencing may be considered on merit.

Side and rear fences are to be constructed of open, see-through, wire and dark lightweight materials and shall not obstruct the passage of wildlife.

f. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

g. Fencing on land identified on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

h. Fencing within the foreshore building line shall:

- Not exceed a maximum height of 1 metre above existing ground level.
 - Shall be compatible with the streetscape character and
 - Not obstruct views available from or to the foreshore, waterway and or road.
 - Fences are to be constructed of open, see-through, dark-coloured materials.
- Landscaping is to screen the fence on the foreshore side.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i) be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii) be articulated to provide visual interest and further opportunities for landscaping, and
- iii) be screened by landscaping within the setback area; and
- iv) not restrict casual visual surveillance of the street, and
- v) provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi) 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that :

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- conservation of heritage significance is achieved, where applicable; (S)
- safe and unhindered travel for native animals is preserved. (En)

D1.16 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Avalon Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D01MDCP107

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing

Outcomes

To achieve the desired future character of the Locality. (S)
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe and unhindered travel for native animals. (En)
To ensure fences compliment and conserve the visual character of the street and neighbourhood
To define the boundaries and edges between public and private land and between areas of different function.
To contribute positively to the public domain.
To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)
To ensure native vegetation is retained (En).
To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- shall be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Ruskin Rowe heritage conservation area

No front fences will be permitted. Council may consider front fences constructed of open, see-through, wire and dark lightweight materials that do not extend past the building(s). Where no private open space is available at the rear of buildings, fencing may be considered on merit.

Side and rear fences are to be constructed of open, see-through, wire and dark lightweight materials and shall not obstruct the passage of wildlife.

f. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

g. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

h. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i) be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii) be articulated to provide visual interest and further opportunities for landscaping, and
- iii) be screened by landscaping within the setback area; and
- iv) not restrict casual visual surveillance of the street, and
- v) provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi) 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that :

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- conservation of heritage significance is achieved, where applicable; (S)
- safe and unhindered travel for native animals is preserved. (En)

D1.17 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Avalon Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Telecommunications facility
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Retaining walls and terracing shall be kept to a minimum. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D1.18 Development mix of shop top housing - Avalon Beach Village**Land to which this control applies**

Avalon Beach Village - P21DCP-D01MDCP101

Uses to which this control applies

Business Development

Shop top housing

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the range of dwelling choices. (S)

To provide successful business enterprises within shop top housing development. (Ec)

Controls

Residential development shall not be permitted at ground level frontages to Avalon Parade and Old Barrenjoey Road.

The mix of shop top housing development shall be as follows:

- i) 1x2 bed unit for every 3x1 bed units or part thereof; 1x3 bed unit for every 3x2 bed units or part thereof.
- ii) The minimum clear width/length of a habitable room shall be 3 metres.

Variations

Nil

Information to be shown on the Development Drawings

Floor Plans to clearly show the number of proposed bedrooms for each unit.

Information to be included in the Statement of Environmental Effects

An analysis of the mix of shop top housing demonstrating that:

- opportunity for diversity of occupants and uses is achieved; (S, Ec)
- business opportunities are available in shop-top housing development. (S, Ec)

D1.19 Character of Public Domain - Avalon Commercial Centre

Land to which this control applies

Land adjacent to Road Reserves in Commercial Centres within the Avalon Locality - P21DCP-D01MDCP109

Uses to which this control applies

Business Development
Child care centre
Earthworks
Other Development
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility

Outcomes

To achieve the desired character of the Commercial Centres. (S, Ec)

To enhance the quality of the public domain

To ensure the public domain is attractive, safe, interesting, comfortable, readily understood and easily accessed.

To ensure that development adjacent to public domain elements such as rivers, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land.

To ensure consistent quality of design and construction of works in the public domain. (S, Ec)

Controls

Development with frontages within the commercial centre shall include the design and construction of works in the public domain including the footpath zone, footpath paving finish, kerb and gutter, drainage facilities, street furniture, street lighting and landscaping and making good the adjacent road formation and pavement for the full width of the development site on all public road reserve frontages at the full cost to the developer.

The design and construction of all works in the public domain must be in accordance with the:

- *Pittwater Streetscape Management Guidelines* and
- Master Plan for Public Domain - Avalon as adopted by Council in the Section 94 Contributions Plan Village Streetscapes.

Refer to additional controls for landscaping in commercial centres in Control C2.20 Public Road Reserve - Landscaping and Infrastructure.

Variations

Nil

All works proposed within the road adjoining the site.

Information to be shown on the Development Drawings

Ground Level Floor Plan to clearly show all works proposed within the road adjoining the site.

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development will integrate with the public road adjoining the site, demonstrating that consistency in the design and construction of works in the public domain is achieved. (S, Ec)

D1.20 Scenic Protection Category One Areas

Land to which this control applies

Land in the Avalon Locality mapped as Scenic Protection - Category 1 - P21DCP-D01MDCP075a

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
Achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.(En,S).
Maintenance and enhancement of the tree canopy.(En,S)
Colours and materials recede into a well vegetated natural environment.(En,S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)
To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
Development shall minimise visual impacts on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves. Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D1.21 Masterplan - Careel Bay**Land to which this control applies**

Land in the Careel Bay Study Area - P21DCP-BCMDCP088

Uses to which this control applies

All Uses

Outcomes

To achieve the desired future character of the Locality.

Development addresses the issues identified in the Careel Bay Masterplan. (En, S, Ec)

A sense of place is provided by acknowledging the setting, history, landscaping and character and to give residents a sense of belonging and community pride. (S)

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To ensure that development adjacent to Careel Bay compliments the landscape character, public use and enjoyment of the Bay. (En, S)

Controls

Development is to appropriately address the issues identified in the Careel Bay Masterplan.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development in terms of its impact on Careel Bay demonstrating that the proposal:

- Achieve the desired future character of the locality. (S)
- The development addresses the relevant issues identified in the masterplan (S, Ec)
- Development acknowledges the setting , history and landscaping and character; (S, Ec)
- The development responds to reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (S, En)

D2 Bayview Heights Locality

D2.1 Character as viewed from a public place

Land to which this control applies

Bayview Heights Locality - P21DCP-D02MDCP150

Uses to which this control applies

Attached dwelling
 Boarding house
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Signage
 Subdivision
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of the buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view. General service facilities must be located underground.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- Compliments the desired future character of the Locality;
- Has a visual impact which is secondary to landscaping and vegetation; (En, S)
- Is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- Does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- Ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- Provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D2.2 Scenic protection - General

Land to which this control applies

Land in the Bayview Heights Locality mapped as Scenic Protection - General - P21DCP-D02MDCP080b

Uses to which this control applies

Attached dwelling
 Boarding house
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D2.3 Building colours and materials

Land to which this control applies

Bayview Heights Locality - P21DCP-D02MDCP150

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D2.5 Front building line

Land to which this control applies

Bayview Heights Locality - P21DCP-D02MDCP150

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)

To preserve and enhance the rural and bushland character of the locality. (En, S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land zoned Residential	Front Building Line (metres)
------------------------	------------------------------

Land zoned E4 Environmental Living adjoining McCarrs Creek Road	10 or established building line, whichever is the greater.
All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5 or established building line, whichever is the greater.
Land zoned R5 Large Lot Residential adjoining McCarrs Creek Road	30
All other land zoned RU2 Rural residential or R5 Large Lot Residential	20
All other land	Merit Assessment

Built structures other than driveways, fences and retaining walls are not permitted within the front building setback.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1m in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D2.6 Side and rear building line

Land to which this control applies

Bayview Heights Locality - P21DCP-D02MDCP150

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
A landscaped buffer between commercial and residential zones is achieved. (En, S)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
Land zoned R2 Low Density Residential and E4 Environmental Living adjoining land other than a road	2.5 to at least one side ; 1.0 for the other side 6.5 (rear)
Land zoned RU2 Rural Landscape or R5 Large Lot Residential adjoining land other than a road or a reserve	6.5 (side) 20 (rear)

Other land	Merit
------------	-------

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

D2.7 Building envelope

Land to which this control applies

Land in the Bayview Heights Locality zoned RU2 Rural Landscape or R5 Large Lot Residential.
Land in the Bayview Heights Locality zoned R2 Low Density Residential or E4 Environmental Living.

Uses to which this control applies

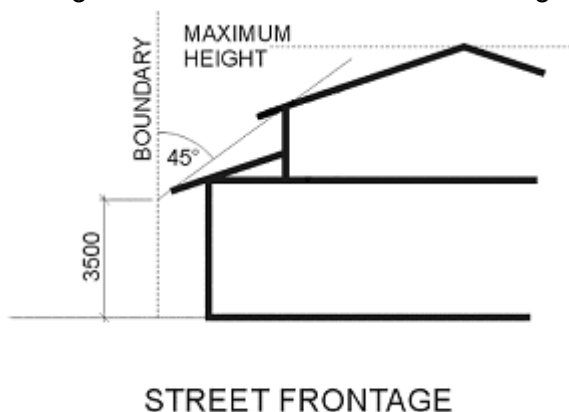
Attached dwelling
Boarding house
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

- A statement indicating compliance with the building envelope control.
- Should a variation be sought please provide a justification relating to the outcomes of the control and desired future character.

D2.8 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Bayview Heights Locality within Area 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living must be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- impervious areas less than 1 metre in width (e.g. pathways and the like);
- for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes
Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- The bulk and scale of the built form is minimized; (En, S)
- A reasonable level of amenity and solar access is provided and maintained; (En, S)
- Vegetation is retained and enhanced to visually reduce the built form; (En)
- Conservation of natural vegetation and biodiversity is achieved; (En)
- Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)

D2.9 Landscaped Area - Non Urban

Land to which this control applies

Land in the Bayview Heights Locality zoned RU2 Rural Landscape or R5 Large Lot Residential.

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Exhibition home
 Other Development
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site. (En, S)

To preserve and enhance vegetation to visually reduce the built form. (En)

To minimise the impact of development on Pittwater's biodiversity by minimising the removal of indigenous vegetation and naturally occurring soils, conserving existing significant indigenous and native trees, and encouraging planting of indigenous and native plants and trees on private property. (En)

To conserve significant natural features of the site and contribute to effective management of biodiversity. (En)

To provide for infiltration of water to the water table, minimise stormwater runoff and assist with stormwater management to reduce and prevent soil erosion and the siltation of natural drainage channels. (En)

To preserve and enhance the rural and bushland character of the area. (En, S)

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

For land zoned RU2 Rural Landscape or R5 Large Lot Residential, the minimum landscaped area shall be in accordance with the following table:

Development	Minimum Landscaped Area
Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	80% of the site area
Horticultural/shade/glass/greenhouses with an earth floor (no hard standing or sealing).	50% of the site area
Other non-residential development permissible with consent in the area except agriculture, agricultural sheds and sheds used for a <i>rural industry</i>	94% of the site area

Sheds used for the purpose of agriculture or for the purpose of a rural industry, with a maximum of 200 square metres, are permitted in addition to non-landscaped areas permitted in the above table.

Where a site also contains a dwelling (this includes any ancillary or attached structures), the landscape controls for non-residential development can be applied separately, i.e. the minimum landscaped area (as per table above) can be reduced by the size of the dwelling.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling must comply with the minimum landscaped area set out in this control.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling) with a maximum of 800 square metres will be allowed even if the minimum landscaped area, as per the table above, can't be provided.

The minimum landscaped area may be greater than stated above, where a site is located on environmentally sensitive or steeply sloping land, or where its development potential is restricted in some other way.

Dams, ponds, on-site detention tanks, the water surface area of swimming pools and water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes, or waste water treatment systems can be included as landscaped area for the purpose of this control.

Driveways and porous or soft surface areas that permit the infiltration of surface water into the substrata can be included as landscaped area for the purpose of this control.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained

Information to be included in the Statement of Environmental Effects

A clear statement of the existing proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- The bulk and scale of the built form is minimised; (En, S)
- A reasonable level of amenity and solar access is provided and maintained; (En,S)
- Vegetation is retained and enhanced to visually reduce the built form; (En)
- Conservation of natural vegetation and biodiversity is achieved; (En)
- Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)
- The rural and bushland character of the area is conserved and enhanced. (En, S)

D2.10 Fences - General

Land to which this control applies

Land in the Bayview Heights Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D02MDCP151

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood
To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- shall be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

Properties with grazing animals should be appropriately fenced to confine the animals onsite.

c. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

d. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback the height of the fence (i.e. 1.8 metres high fence setback 1.8m from the front boundary; and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and/or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D2.11 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Bayview Heights Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D02MDCP152

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe and unhindered travel for native animals. (En)
To ensure fences compliment and conserve the visual character of the street and neighbourhood
To define the boundaries and edges between public and private land and between areas of different function.
To contribute positively to the public domain.
To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)
To ensure native vegetation is retained (En).
To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,

- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

Properties with grazing animals should be appropriately fenced to confine the animals onsite.

c. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries where fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- be articulated to provide visual interest and further opportunities for landscaping, and
- be screened by landscaping within the setback area; and
- not restrict casual visual surveillance of the street, and
- provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and/ or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D2.12 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Bayview Heights Locality zoned RU2 Rural Landscape or R5 Large Lot Residential.
Land in the Bayview Heights Locality zoned R2 Low Density Residential or E4 Environmental Living.

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
To protect and minimise disturbance to natural landforms.
To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Retaining walls and terracing shall be kept to a minimum.

On steeper slopes, preference is given to the use of stable rock ledges and escarpments to reduce the visual bulk of buildings. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Timber Log Retaining Walls Not Permitted

Copper log retaining walls are not permitted and are not to be included in the proposed development in the Pittwater local government area.

Variations

Nil

D2.13 Scenic Protection Category One Areas

Land to which this control applies

Land in the Bayview Heights Locality mapped as Scenic Protection - Category 1 - P21DCP-D02MDCP075b

Uses to which this control applies

Attached dwelling
 Boarding house
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features , such as, ridges, upper slopes and the waterfront.(En,S).
 Maintenance and enhancement of the tree canopy.(En,S)
 Colours and materials recede into a well vegetated natural environment.(En,S)
 To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)
 To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.
 To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
 To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
 Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow

for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D3 Bilgola Locality

D3.1 Character as viewed from a public place

Land to which this control applies

Bilgola Locality - P21DCP-D03MDCP200

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)
To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)
High quality buildings designed and built for the natural context and any natural hazards. (En, S)
Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)
To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.
To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.
To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design

features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas should not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

Development Drawings:

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place (s) demonstrating that the proposal:

- Compliments the desired future character of the Locality;
- Has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- Is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- Does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two- storey maximum; (S)
- Ensures parking structures are minimized and secondary to the built form, landscaping and vegetation; (S)
- Provides access to public places and spaces which is clear and defined (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D3.2 Scenic protection - General

Land to which this control applies

Land in the Bilgola Locality mapped as Scenic Protection - General - P21DCP-D03MDCP080c

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

Scenic bushland and geographical landforms are the predominant features of Bilgola with the built form being the secondary component of the visual catchment. (En, S)

Preserve scenic quality as part of the recreational amenity. (S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal:

- Ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment; (En, S)
- Preserves scenic quality as part of the recreational amenity. (S)

D3.3 Building colours and materials

Land to which this control applies

Bilgola Locality - P21DCP-D03MDCP200

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



Black ✓



Dark grey ✓



Dark green ✓



Dark brown ✓



Mid grey ✓



Green ✓



Brown ✓



Dark blue ✓

White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business zoned land.

Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- Enhances the visual quality and identity of the streetscape;
- Utilises colours and materials which harmonise with the natural environment;
- Minimises the visual prominence of the development;
- Minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D3.6 Front building line

Land to which this control applies

Bilgola Locality - P21DCP-D03MDCP200

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.
Equitable preservation of views and vistas to and/or from public/private places. (S)
The amenity of residential development adjoining a main road is maintained. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Vehicle manoeuvring in a forward direction is facilitated. (S)
To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
To encourage attractive street frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
------	------------------------------

Land zoned E4 Environmental Living or SP2 Infrastructure adjoining Barrenjoey Road	10 or established building line, whichever is the greater.
All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5, or established building lines, which ever is the greater.
Land zoned B1 Neighbourhood Centre	3.5
All other land	Merit Assessment

Built structures other than driveways, fences and retaining walls are not permitted within the front building setback.

Where new streets or accessways are proposed in residential flat buildings and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D3.7 Side and rear building line

Land to which this control applies

Bilgola Locality - P21DCP-D03MDCP200

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
------	--

Land zoned R2 Low Density Residential or E4 Environmental Living (other than 'Visual Protection Area' see below)	2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Residential flat buildings and multi dwelling housing see below.
Land zoned R2 Low Density Residential or E4 Environmental Living and located in 'Visual Protection Area' (refer to Bilgola Locality Map 3)	2.5 to at least one side 1.0 for other side Rear building line of 26.5m from the front boundary, or established building line, whichever is the greater (except for where the foreshore building line applies).
Land zoned B1 Neighbourhood Centre adjoining land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	3.0 along that adjoining side or rear boundary.
Land zoned B1 Neighbourhood Centre adjoining land other than land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	Nil

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing) the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres (or 26.5 metres in the 'Visual Protection Area'), Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks for residential flat buildings and multi dwelling housing may be varied under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

Foreshore Building Line

The Foreshore Building Line (FBL) applies to properties that abut or adjoin the waterway. The FBL takes precedence over this control.

D3.9 Building envelope

Land to which this control applies

Land in the Bilgola Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

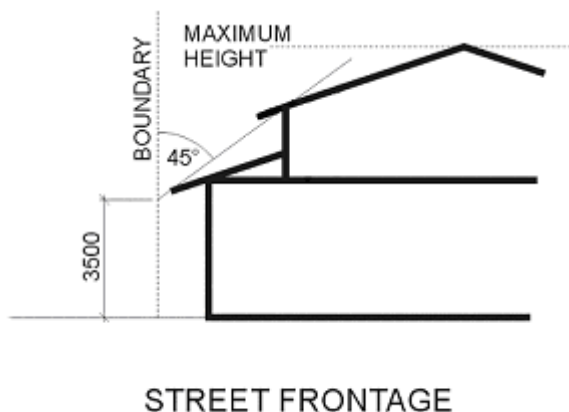
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level

(existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control. Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D3.10 Landscaped Area - General

Land to which this control applies

Land in the Bilgola Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for

outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D3.11 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Bilgola Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- The bulk and scale of the built form is minimized; (En,S)
- A reasonable level of amenity and solar access is provided and maintained; (En,S)
- Vegetation is retained and enhanced to visually reduce the built form; (En)
- Conservation of natural vegetation and biodiversity is achieved; (En)
- Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D3.12 Fences - General

Land to which this control applies

Land in the Bilgola Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D03MDCP206

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

To maintain the natural open character of the headland and remnant bushland areas. (En, S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

Front fences to a maximum height of 1.8 metres may be erected on the boundary for those properties that have frontage to Bilgola Avenue, or Allen Avenue. These fences should be constructed of sandstone or like materials to conform to adjoining fences, and should provide extensive landscaping incorporated into the fence or in front of the fence.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing in Visual Protection Areas (Refer to Bilgola Locality Map 3)

All fencing in Visual Protection Areas is to be constructed in accordance with Table 10.1

Land	Maximum Front Fence Height (metres)	Maximum Side Fence Height (metres)	Maximum Rear and Side Height (metres)(to the rear building line)
Land located in the Serpentine Visual Protection Area (refer map 3)	1.0 materials: open see-through, dark coloured.	1.0 within front building setback 1.8 between front and rear building lines materials: open, see-through, dark coloured.	nil
Land located in Allen Avenue Visual Protection Area (refer map 3)	1.8 materials: open see-through, dark coloured.	1.8 materials: open, see-through, dark coloured.	0.5 sandstone or like materials
All other lands located in Visual Protection Areas (refer map 3)	1.0 materials: open, see-through dark coloured.	1.0 within front building setback 1.8 between front and rear building lines. materials: open, see-through dark coloured materials	1.0 Brushwood or Hardwood (outside of bushfire prone areas).

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and/ or walls to be retained demonstrating that:

- An open streetscape that allows casual surveillance of the street is achieved; (S)
- Fences, where provided, are suitably screened from view from a public place; (S)
- Safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- The natural open character of the headland and remnant bushland areas are maintained (En, S)

D3.13 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Bilgola Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D03MDCP207

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe and unhindered travel for native animals. (En)
To ensure fences compliment and conserve the visual character of the street and neighbourhood
To define the boundaries and edges between public and private land and between areas of different function.
To contribute positively to the public domain.
To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)
To ensure native vegetation is retained (En).
To ensure any fencing provides for the safe and unhindered travel of native animals. (En)
Maintenance of the natural open character of the headland and remnant bushland areas. (En, S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

Front fences to a maximum height of 1.8 metres may be erected on the boundary for those properties that have frontage to Bilgola Avenue, or Allen Avenue. These fences should be constructed to conform to adjoining fences, and should provide extensive landscaping incorporated into the fence or in front of the fence.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing in Visual Protection Areas (Refer to Bilgola Locality Map 3)

All fencing in Visual Protection Areas is to be constructed in accordance with Table 10.1

Land	Maximum Front Fence Height (metres)	Maximum Side Fence Height (metres)	Maximum Rear and Side Fence Height (metres) to the Rear Building Line
Land located in The Serpentine Visual Protection Area (refer map 3)	1.0 materials: open, see-through dark coloured.	1.0 within the front building setback 1.8 between front and rear building lines. Materials: open, see-through dark coloured.	nil
Land located in Allen Avenue Visual Protection Area. (refer map 13)	1.8 materials: open, see-through, dark coloured	1.8 Materials: open, see through, dark coloured.	0.5 Sandstone or like materials
All other lands located in Visual Protection Area (refer map 3)	1.0 open see-through, dark coloured materials	1.0 within the front building setback. 1.8 between front and rear building lines . Materials: open, see-through, dark coloured materials.	1.0 Brushwood or Hardwood (outside of Bushfire prone areas)

d. Fencing adjoining Pittwater Waterway.

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

f. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

g. Fencing on land identified on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2m by 2m; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and/ or walls to be retained demonstrating that:

- An open streetscape that allows casual surveillance of the street is achieved (S)
- Fences, where provided, are suitably screened from view from a public place; (S)
- Safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- The natural open character of the headland and remnant bushland areas is maintained. (En, S)

D3.14 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Bilgola Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations
Nil

D3.15 Scenic Protection Category One Areas

Land to which this control applies

Land in the Bilgola Locality mapped as Scenic Protection - Category 1 - P21DCP-D03MDCP075c

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
Achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront. (En,S).
Maintenance and enhancement of the tree canopy. (En,S)
Colours and materials recede into a well vegetated natural environment. (En,S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component. (En, S)
To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation

outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal:

- ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment; (En, S)
- preserves scenic quality as part of the recreational amenity. (S)

D4 Church Point and Bayview Locality

D4.1 Character as viewed from a public place

Land to which this control applies

Church Point and Bayview Locality - P21DCP-D04MDCP250

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view. General service facilities must be located underground.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D4.2 Scenic protection - General

Land to which this control applies

Land in the Church Point and Bayview Locality mapped as Scenic Protection - General - P21DCP-D04MDCP080d

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D4.3 Building colours and materials

Land to which this control applies

Church Point and Bayview Locality - P21DCP-D04MDCP250

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business zoned land.

Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilises colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted with the development application.

D4.5 Front building line

Land to which this control applies

Church Point and Bayview Locality - P21DCP-D04MDCP250

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining McCarrs Creek Road or Pittwater Road	10 or established building line, whichever is the greater
All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5 or established building line, whichever is the greater
Land zoned B1 Neighbourhood Centre or IN4 Working Waterfront	3.5
All other land	Merit Assessment

Built structures other than driveways, fences and retaining walls are not permitted within the front building setback.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D4.6 Side and rear building line

Land to which this control applies

Church Point and Bayview Locality - P21DCP-D04MDCP250

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other driveways, fences and retaining walls, shall be in accordance with the following table.

Land	Side and Rear Building Line Setback (metres)

Land zoned R2 Low Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Residential flat buildings and multi dwelling housing: (see below)
Land zoned B1 Neighbourhood Centre and IN4 Working Waterfront adjoining land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation, or W1 Natural Waterway	3.0 along that adjoining side or rear boundary
Land zoned B1 Neighbourhood Centre and IN4 Working Waterfront adjoining land other than land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation, or W1 Natural Waterway	Nil

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.

- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D4.8 Building envelope

Land to which this control applies

Land in the Church Point and Bayview Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

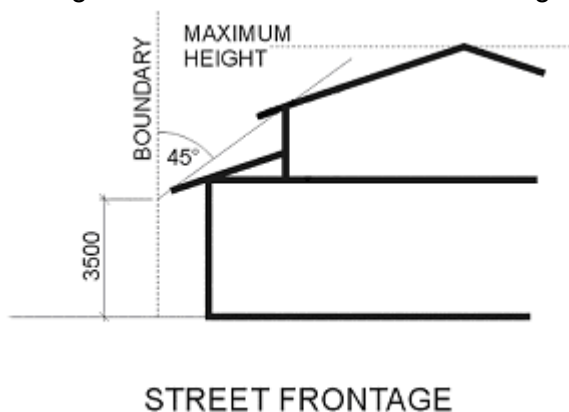
Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control. Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D4.9 Landscaped Area - General

Land to which this control applies

Land in the Church Point and Bayview Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Multi dwelling housing
Other Development
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for

outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D4.10 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Church Point and Bayview Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will

be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D4.11 Fences - General

Land to which this control applies

Land in the Church Point and Bayview Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D04MDCP255

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood
To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

Controls

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i) be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii) be articulated to provide visual interest and further opportunities for landscaping, and
- iii) be screened by landscaping within the setback area; and
- iv) not restrict casual visual surveillance of the street, and
- v) provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi) 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained. (S)

D4.12 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Church Point and Bayview Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D04MDCP256

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
 An open streetscape that allows casual surveillance of the street. (S)
 Fences, where provided, are suitably screened from view from a public place. (S)
 Safe and unhindered travel for native animals. (En)
 To ensure fences compliment and conserve the visual character of the street and neighbourhood
 To define the boundaries and edges between public and private land and between areas of different function.
 To contribute positively to the public domain.
 To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
 To ensure heritage significance is protected and enhanced. (S)
 To ensure an open view to and from the waterway is maintained. (S)
 To ensure native vegetation is retained (En).
 To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- shall be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

d. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

e. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on

- merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
 - iii. be screened by landscaping within the setback area; and
 - iv. not restrict casual visual surveillance of the street, and
 - v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
 - vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained. (S)

D4.13 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Church Point and Bayview Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D4.14 Scenic Protection Category One Areas

Land to which this control applies

Land in the Church Point and Bayview Locality mapped as Scenic Protection - Category 1 - P21DCP-D04MDCP075d

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront. (En,S).
Maintenance and enhancement of the tree canopy. (En,S)
Colours and materials recede into a well vegetated natural environment. (En,S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component. (En, S)
To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D5 Elanora Heights Locality

D5.1 Character as viewed from a public place (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality NOT including Elanora Heights Village Centre - P21DCP-D05MDCP308

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted. Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design

features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Advisory Notes

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 and D5.46 of this DCP.

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic scale model.

D5.2 Scenic protection - General

Land to which this control applies

Land in the Elanora Heights Locality mapped as Scenic Protection - General - P21DCP-D05MDCP080e

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D5.3 Building colours and materials (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality NOT including the Elanora Heights Village Centre-P21DCP-D05MDCP308

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
The development enhances the visual quality and identity of the streetscape. (S)
To provide attractive building facades which establish identity and contribute to the streetscape.
To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.
The colours and materials of the development harmonise with the natural environment. (En, S)
The visual prominence of the development is minimised. (S)
Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business zoned land.

Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed roof colours are satisfactory.

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.33 and D5.43 of this DCP.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D5.5 Front building line (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality NOT including the Elanora Heights Village Centre-P21DCP-D05MDCP308

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 Equitable preservation of views and vistas to and/or from public/private places. (S)
 The amenity of residential development adjoining a main road is maintained. (S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Vehicle manoeuvring in a forward direction is facilitated. (S)
 Preserve and enhance the rural and bushland character of the non-urban area of the locality. (En, S)
 To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
 To encourage attractive street frontages and improve pedestrian amenity.
 To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned RU2 Rural Landscape or R5 Large Lot Residential	20
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Wakehurst Parkway	10 or established building line, which ever is the greater.
All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5, or established building line, which ever is the greater
Land zoned B1 Neighbourhood Centre or B2 Local Centre	3.5
All other land	Merit Assessment

Built structures other than driveways, fences and retaining walls are not permitted within the front building setback.

Where new streets or accessways are proposed in residential flat building and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metres in height above ground level (existing).

Advisory Notes

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 to D5.46 of this DCP.

Information to be shown on the Development Drawings

Front building setback is to be dimensioned on plans.

D5.6 Side and rear building line (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality NOT including the Elanora Heights Village Centre-P21DCP-D05MDCP308

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures, including pools and carparks other driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
Land zoned RU2 Rural Landscape or R5 Large Lot Residential adjoining land other than a road or a reserve	7.5
Land zoned RU2 Rural Landscape or R5 Large Lot Residential adjoining land zoned RE1 Public Recreation or E2 Environmental Conservation	20.0
Land zoned RU2 Rural Landscape or R5 Large Lot Residential adjoining a road	6.5
Land zoned R2 Low Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side. 6.5 rear Dual Occupancy 2.5 to at least one side; 1.0 for other side 6.5 rear Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Residential flat buildings and multi dwelling housing: see below
Land zoned B1 Neighbourhood Centre adjoining land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	3.0 along that adjoining side or rear boundary
Land zoned B1 Neighbourhood Centre adjoining land other than land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	Nil

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 to D5.46 of this DCP.

D5.7 Building envelope (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality zoned R2 Low Density Residential or E4 Environmental Living

Land in the Elanora Heights Locality zoned RU2 Rural Landscape or R5 Large Lot Residential

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

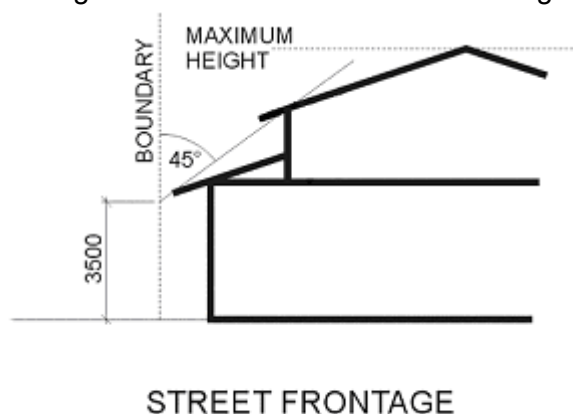
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (i.e; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Advisory Notes

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 to D5.46 of this DCP.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D5.8 Landscaped Area - General (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

1. impervious areas less than 1 metre in width (e.g. pathways and the like);
2. for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas

are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 to D5.46 of this DCP.

The site plan(s) is to clearly show (by shading or other means) the proposed site coverage and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D5.9 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Elanora Heights Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed site coverage and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)
- the rural and bushland character of the non-urban area of the locality is conserved and enhanced. (En, S)

D5.10 Landscaped Area - Non Urban

Land to which this control applies

Land in the Elanora Heights Locality zoned RU2 Rural Landscape or R5 Large Lot Residential

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Exhibition home
 Other Development
 Rural industry
 Rural worker's dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To preserve and enhance vegetation to visually reduce the built form. (En)

To minimise the impact of development on Pittwater's biodiversity by minimising the removal of indigenous vegetation and naturally occurring soils, conserving existing significant indigenous and native trees, and encouraging planting of indigenous and native plants and trees on private property. (En)

To conserve significant natural features of the site and contribute to effective management of biodiversity. (En)

To provide for infiltration of water to the water table, minimise stormwater runoff and assist with stormwater management to reduce and prevent soil erosion and the siltation of natural drainage channels. (En)

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

To preserve and enhance the rural and bushland character of the non-urban area of the locality. (En, S)

Controls

On land zoned RU2 Rural Landscape or R5 Large Lot Residential, the minimum landscaped area shall be in accordance with the following table:

Development	Minimum Landscaped Area
Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	80% of the site area
Horticultural/shade/glass/greenhouses with an earth floor (no hard standing or sealing)	50% of the site area
Other non-residential development permissible with consent in the area except agriculture, agricultural sheds and sheds used for a rural industry	94% of the site area

Sheds used for the purpose of agriculture or for the purpose of a rural industry, with a maximum of 200 square metres, are permitted in addition to non-landscaped areas permitted in the above table.

Where a site also contains a dwelling (this includes any ancillary or attached structures), the landscape controls for non-residential development can be applied separately, i.e. the minimum landscaped area (as per table above) can be reduced by the size of the dwelling.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling must comply with the minimum landscaped area set out in this control.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling) with a maximum of 800 square metres will be allowed even if the minimum landscaped area, as per the table above, can't be provided.

The minimum landscaped area may be greater than stated above, where a site is located on environmentally sensitive or steeply sloping land, or where its development potential is restricted in some other way.

Dams, ponds, on-site detention tanks, the water surface area of swimming pools and water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes, or waste water treatment systems can be included as landscaped area for the purpose of this control.

Driveways and porous or soft surface areas that permit the infiltration of surface water into the substrata can be included as landscaped area for the purpose of this control.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed site coverage and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)
- the rural and bushland character of the non-urban area of the locality is conserved and enhanced. (En, S)

D5.11 Fences - General (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas or the Elanora Heights Village Centre- P21DCP-D05MDCP305

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

To preserve and enhance the rural and bushland character of the non-urban area of the locality.

(En, S)

Safe confinement of domestic and grazing animals. (En, S)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

Properties with grazing animals must be appropriately fenced to confine the animals onsite.

c. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

d. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

In areas zoned Non-Urban, within the front building setback Council may consider fencing to a maximum height of 1.8 metres on the boundary where the fence has openings of sufficient size (minimum 400mm x 400mm) for wallabies to pass through.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 to D5.46 of this DCP.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- the rural and bushland character of the non-urban area of the locality is conserved and enhanced; (En, S)
- safe confinement of domestic and grazing animals is achieved; (En, S)
- safe and unhindered travel for native animals is preserved. (En)

D5.12 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Elanora Heights Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D05MDCP306

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe and unhindered travel for native animals. (En)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

To ensure native vegetation is retained (En).

To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

To preserve and enhance the rural and bushland character of the non-urban area of the locality.

(En, S)

Safe confinement of domestic and grazing animals. (En, S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

Properties with grazing animals must be appropriately fenced to confine the animals onsite.

c. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and

- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

In areas zoned Non-Urban, within the front building setback Council may consider fencing to a maximum height of 1.8 metres on the boundary where the fence has openings of sufficient size (minimum 400mm x 400mm) for wallabies to pass through.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- the rural and bushland character of the non-urban area of the locality is conserved and enhanced; (En, S)
- safe confinement of domestic and grazing animals is achieved; (En, S)
- safe and unhindered travel for native animals is preserved. (En)

D5.13 Construction, Retaining walls, terracing and undercroft areas (Excluding Elanora Heights Village Centre)

Land to which this control applies

Land in the Elanora Heights Locality zoned R2 Low Density Residential or E4 Environmental Living

Land in the Elanora Heights Locality zoned RU2 Rural Landscape or R5 Large Lot Residential

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

On steeper slopes, preference is given to the use of stable rock ledges and escarpments to reduce the visual bulk of buildings.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

Advisory Notes

For specific controls in relation to Elanora Heights Village Centre, refer to Part D5.15 to D5.46 of this DCP.

D5.14 Scenic Protection Category One Area

Land to which this control applies

Land in the Elanora Heights Locality mapped as Scenic Protection - Category 1 - P21DCP-D05MDCP075e

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront. (En,S)
Maintenance and enhancement of the tree canopy.(En,S)
Colours and materials recede into a well vegetated natural environment.(En,S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)
To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D5.15 Amalgamation - Elanora Heights Village Centre**Land to which this control applies**

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Dual occupancy (attached)
Dual occupancy (detached)
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing
Subdivision

Outcomes

Amalgamation improves economic feasibility for redevelopment to occur, strengthens the village character and allows for reduced requirements for site access and servicing.

Avoid isolated sites due to future development patterns.

Controls

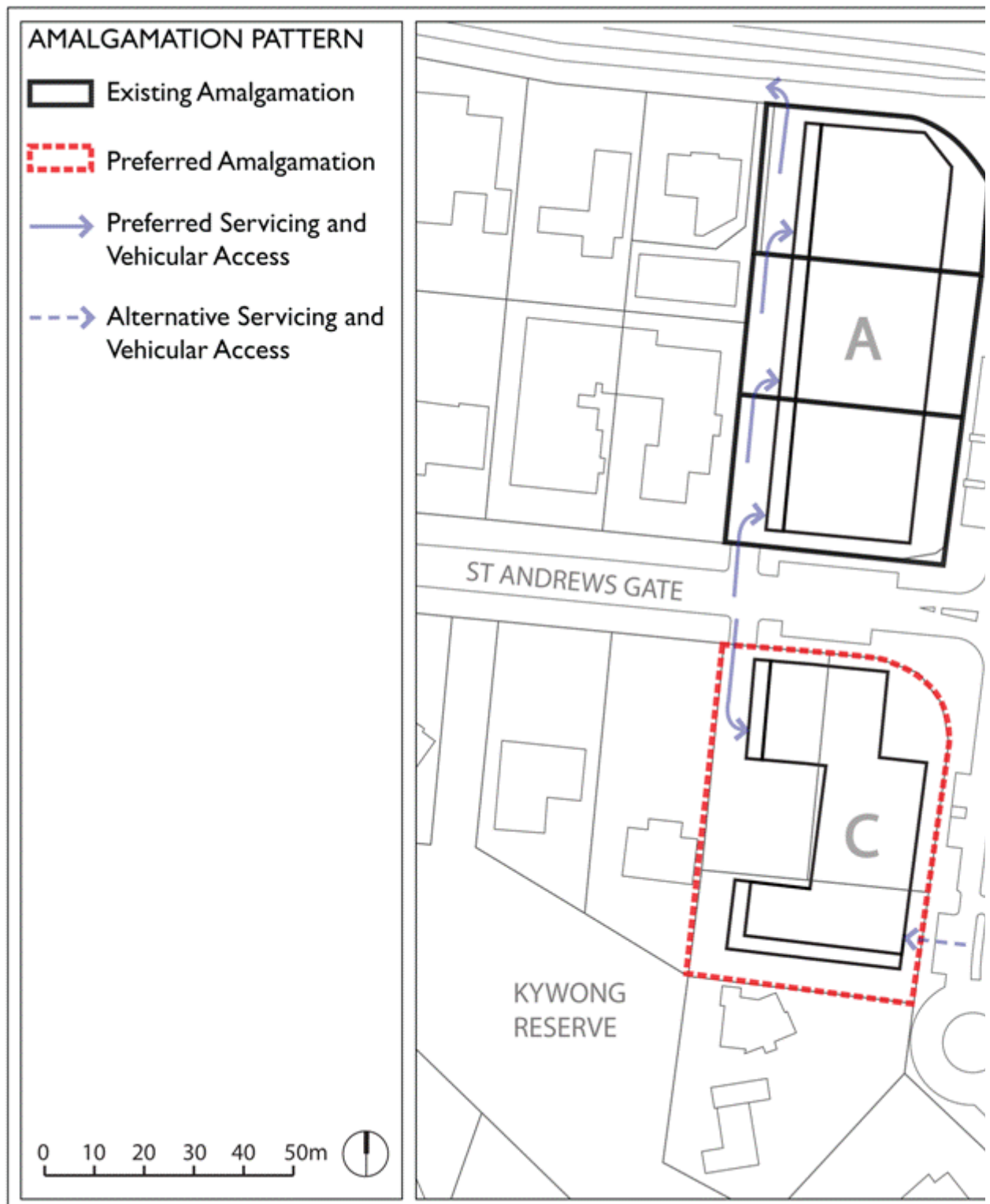
Lots to amalgamate are shown on the Amalgamation Pattern Diagram.

Amalgamation is to allow single car park and service access from rear laneways for all lots north of St Andrews Gate.

The amalgamation pattern is to allow single car park and service access from specific points for lots south of St Andrews Gate along the eastern verge in the event that some of the existing buildings do not redevelop. Relocation of access to the rear is preferred if lots do redevelop.

Alternative amalgamation patterns may be considered by Council only if they enable lots to relocate their vehicle access to the rear of lots wherever possible.

Amalgamation Pattern Diagram



Variations

Where it can be demonstrated (by way of written confirmation from majority of owners) that adjoining properties are unwilling to participate in redevelopment, single lot redevelopment will be considered.

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of D5.15.

Technical Reports and Supporting Information

If a variation is sought to the Amalgamation Pattern Diagram, written confirmation (from majority of owners) must be provided that adjoining properties are unwilling to participate in redevelopment.

D5.17 Front Building Line - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Earthworks
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing
Signage

Outcomes

To achieve a consistent street alignment.
To ensure retail uses activate the public domain.
To achieve a strong edge and sense of enclosure to Kalang Road.
To provide adequate exposure to shop fronts and avoid opportunities for concealment at ground level.
To improve pedestrian amenity and avoid interruptions in pedestrian flow.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the Front Building Line diagram.

Built structures other than external seating areas, retaining walls, garden beds and, where unavoidable, driveways are not permitted within the front building setback.

The front building line to the ground floor is to be consistent and to establish a continuous retail street edge and shopfront to Kalang Road.

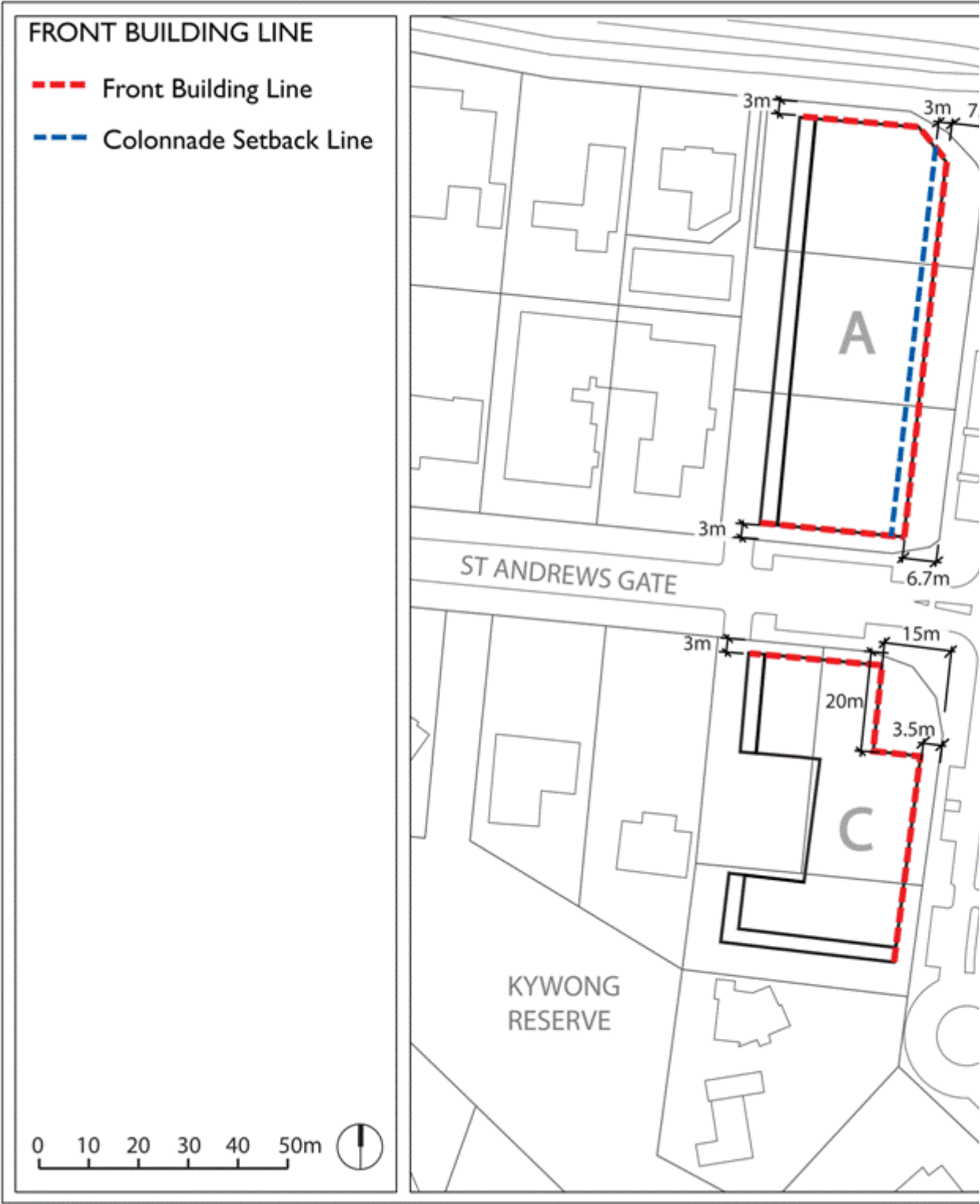
The front building line on the western block north of St Andrews Gate to Kalang Road is to be aligned between 6.7 metres to the southern end of the blocks and 7.2 metres to the northern end of the block as per the diagram. This setback is to maintain the current building alignment and allow generous landscaped verge and footpath providing transition from street to shop level.

Upper levels fronting the street must be activated in accordance with the Front Building Line Diagram.

An additional 3 metres setback is to be provided to create a colonnade for the ground floor of all new development as shown on the diagram.

Provide a corner splay with dimension of approximately 12 metres to the corner of the lot to the north of the community carpark, in Block D, to improve visual connection to the carpark and community centre and to retain existing trees to the street edge.

Front Building Line Diagram



Variations
Nil.

D5.18 Side and Rear Setbacks - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

The bulk and scale of the built form is minimised at appropriate locations to adjacent low scale residential neighbourhoods.

Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to adjacent properties.

To ensure a landscaped buffer between commercial and residential zones is established.

To allow the opportunity for a continuous rear laneway to allow adequate space for access to the rear of retail/commercial properties.

To minimise driveway crossings of verges to Kalang Rd.

Controls

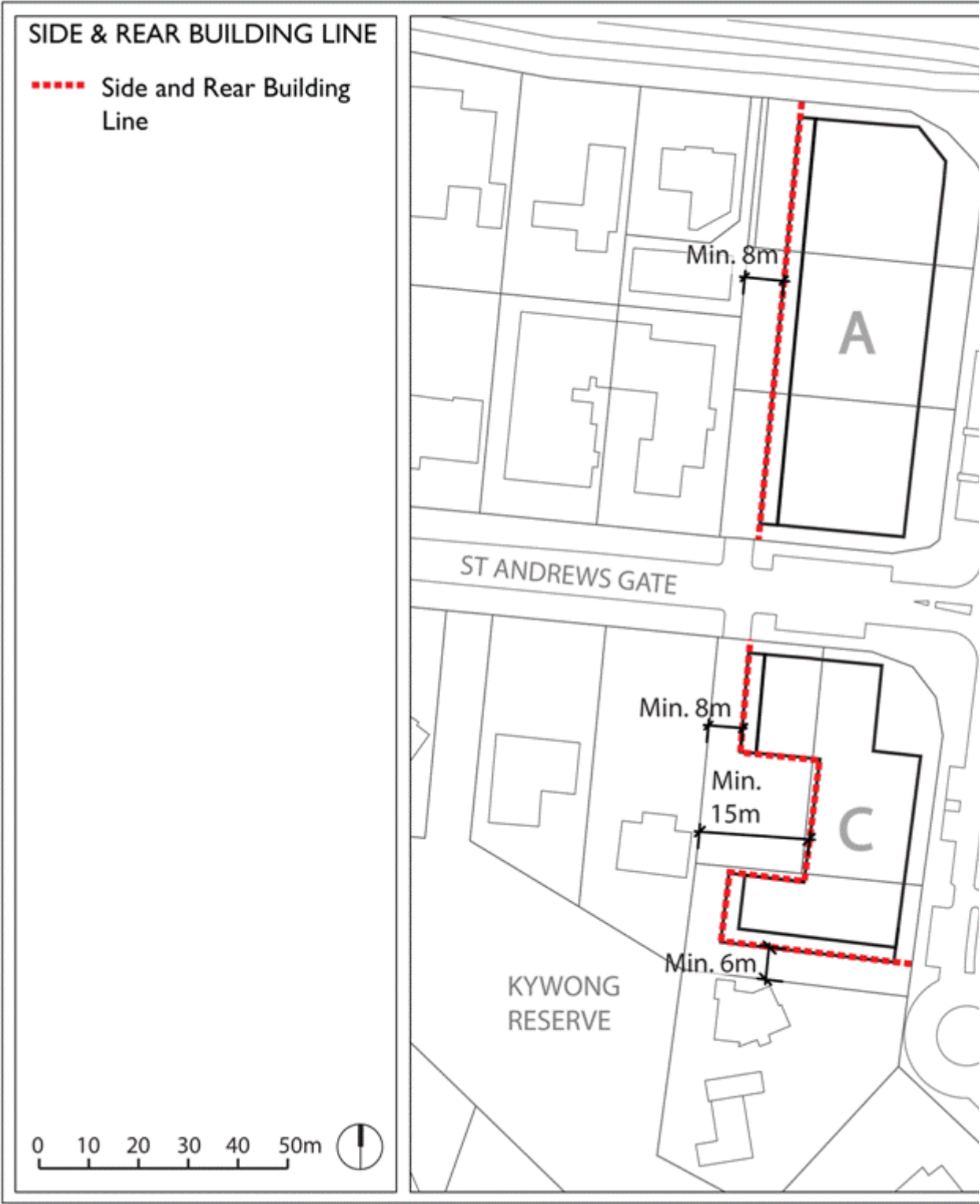
The minimum rear setbacks to buildings and balconies to all blocks is to be 8 metres. For Block C an additional rear setback of 15 metres is required for the central portion of the block to allow solar access and communal open space with any development. The minimum side setback to the southern end of block D is to be 3 metres. The minimum side setback to the southern end of block C is 6 metres.

For all other lots the side setback is nil.

Provide rear setback of minimum of 8m to allow for future continuous laneway and planting strip (as per Section Diagrams and Side and Rear Building Line Diagram).

Existing properties that do not provide a compliant setback do not set a precedent for new development.

Side and Rear Building Line Diagram



Variations
Nil.

D5.19 Setbacks to Upper Levels - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

The bulk and scale of the built form adjacent to adjoining low scale residential properties and to courtyard spaces is minimised.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to adjoining residential properties.

To ensure the built form of new development transitions are in scale to existing development surrounding the village centre.

Controls

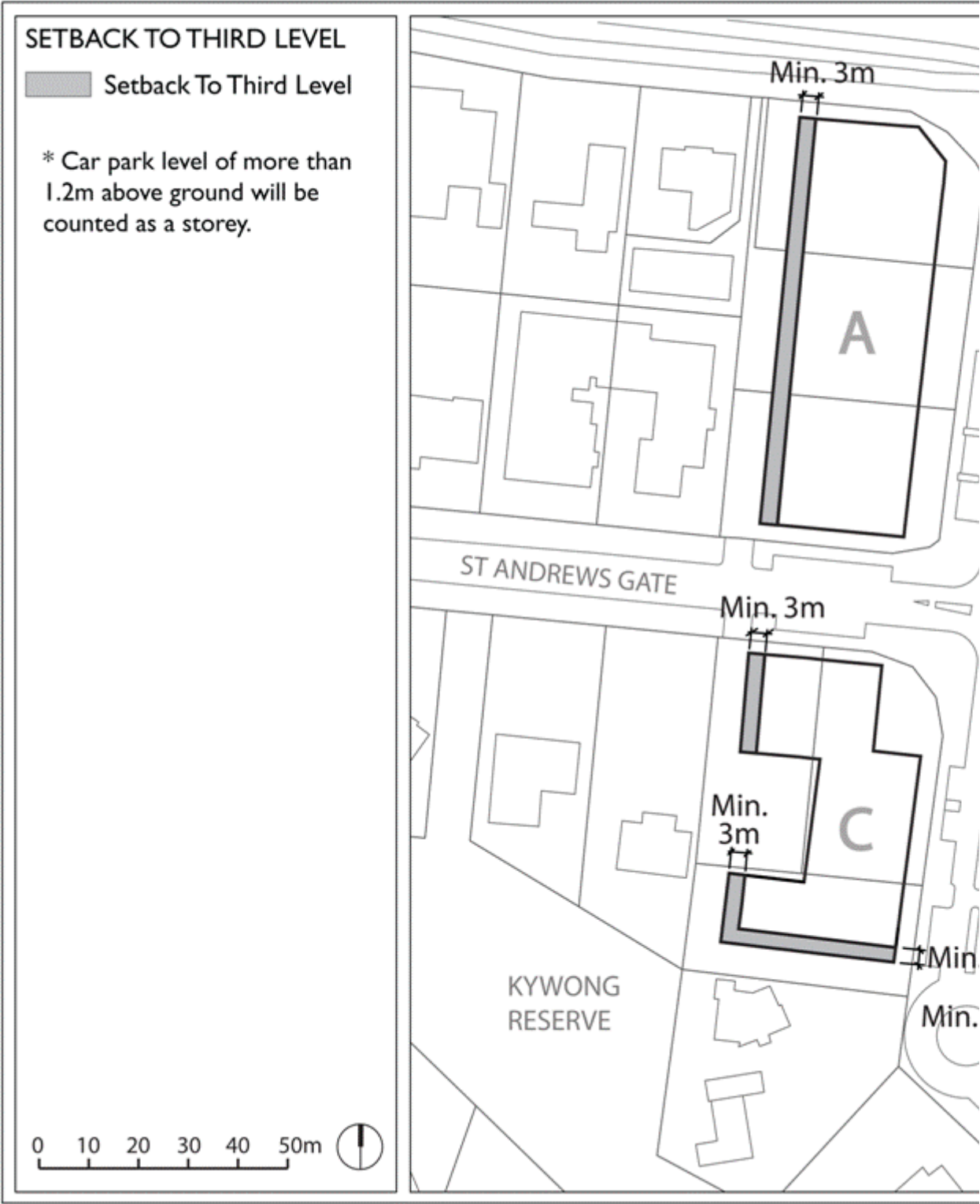
A minimum setback of 3 metres is to be provided to the third floor of all development to the rear of the lot.

A minimum setback of 3 metres is to be provided to the third floor of any development on Block D and to the southern lot.

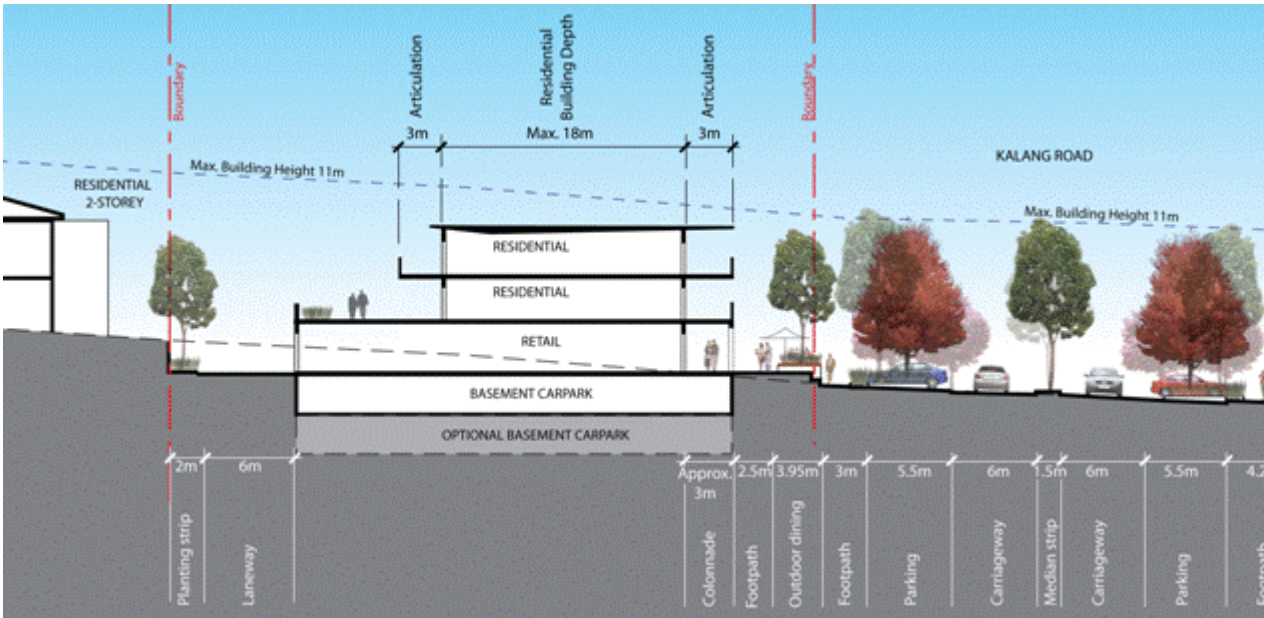
An articulated setback to the front building line, as shown in Section Diagram AA and BB is required.

A minimum setback of 3 metres is to be provided to the southern most lot of Block C to maintain reasonable solar access to the adjacent lot.

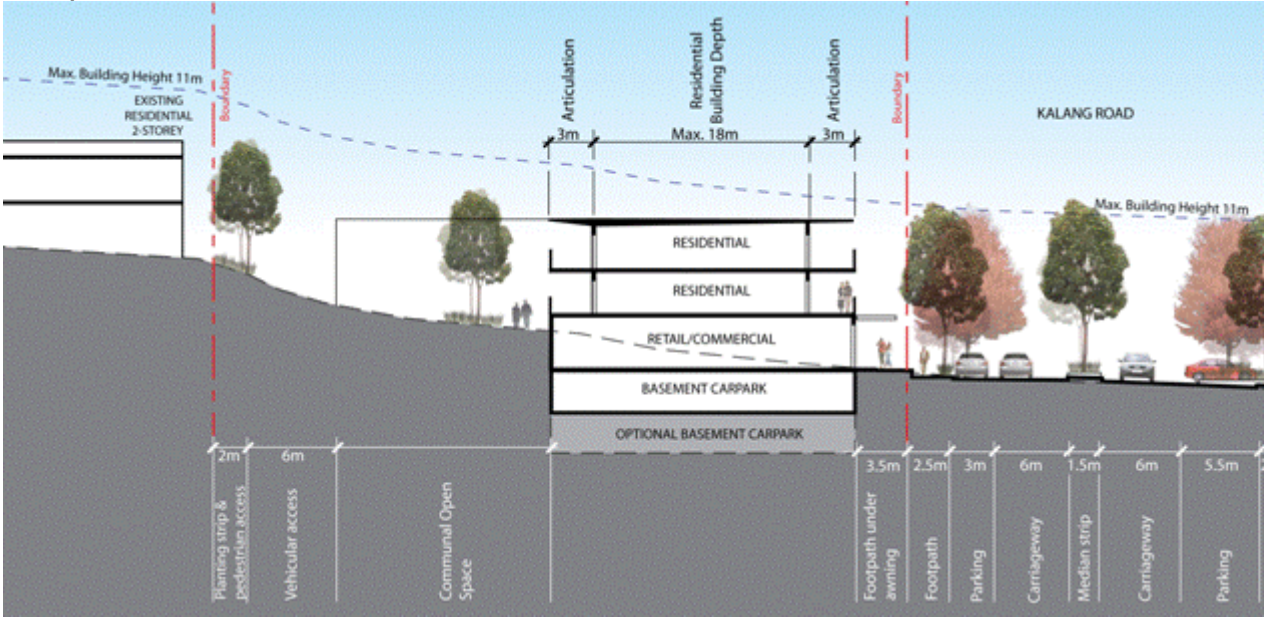
Setback to Third Level Diagram



Section A:A through Elanora Heights Village Centre - North (north of St Andrews Gate)



Section B:B through Elanora Heights Village Centre - South (south of St Andrews Gate)



Location of section lines

**Variations**

Eaves or shading devices that provide shade in summer and maximise sunlight in winter shall be permitted to extend beyond the required setback to a maximum of 1 metres.

D5.20 Separation - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

To maintain reasonable amenity to adjoining properties.
To minimise bulk and scale of new development to adjoining development.
To ensure that new development is scaled to support the desired future character of the village centre with appropriate massing and spaces between buildings.
To allow adequate space for access to rear of retail/commercial properties.
To ensure adequate landscaped open space and communal area for larger sites.
To ensure high levels of amenity to new dwellings that reinforces the 'fine grain' or continuous narrow frontage lot pattern.

Controls

A minimum of 50% of the required distance are to be provided within the boundary of any development site. This requirement is based on the reasonable expectation that the remaining 50% will be provided on the adjoining property.

The required separation distances between buildings are:

- 12 metres between windows of habitable rooms/balconies;
- 9 metres between windows of habitable/balconies and non-habitable rooms; and
- 6 metres between windows of non-habitable rooms or blank walls.

(The above separation distances are to be applied to any residential floor and any adjoining building.)

Variations

Nil.

D5.21 Building Depth - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

To achieve high levels of solar access and cross ventilation.
To maximise opportunities for outlook.
To minimise building bulk to St Andrews Gate and Powder Works Road.
To ensure reasonable separation to adjoining low scale residential dwellings.
To encourage design of through apartments.
To encourage multiple cores with dual aspect and cross ventilated apartments.

Controls

The maximum depth of a residential apartment building within the Elanora Heights Village Centre is to be 18 metres excluding balconies.

Single-aspect apartments should be limited in depth to 8 metres from a window.

The dual aspect apartments should not exceed 15 metres depth with minimum of 4 metres width to avoid deep narrow apartment layouts.

Variations

Nil.

D5.22 Ceiling Height - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

To provide for well proportioned rooms and appropriate space in the apartments.

To achieve flexibility for future use.

To provide an appropriate level of amenity, natural cross ventilation and solar access in the apartments.

Controls

The following floor to ceiling dimensions measured from finished floor level to the internal ceiling are required for new developments in Elanora Heights Village Centre:

- 3.3 metres minimum for ground floor to provide for retail/commercial use;
- 2.7 metres minimum for habitable rooms levels first floor and above;
- 2.4 metres minimum for non-habitable rooms; and
- In two storey units, minimum of 2.4 metres for upper floor if containing bedrooms and wet areas.

Variations

Nil.

D5.23 Design Excellence - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

To achieve high quality of architecture, landscape architecture and urban design for Elanora Heights Village Centre.

Quality buildings that respond to their prominent visual setting.

Contemporary village character.

Controls

Development consent must not be granted unless the consent authority is of the opinion that the proposed development exhibits design excellence.

In considering whether design excellence has been achieved, the consent authority must have regard to whether:

- A high standard of architectural design, materials and detailing appropriate to the building type, the Village Centre character and site location has been achieved;
- The form and external appearance of the development will improve the visual amenity of the Village; and
- The bulk, massing, footprint, positioning and modulation of the built form, enhance the village centre character and does not result in adverse impacts to the village or neighbouring residential properties.

Variations

Nil.

D5.24 Facade Articulation - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Facade design along Kalang Road is to enhance the village character with the use of compatible elements to the existing height, scale, frontage width, configuration of openings as well as colours and materials used.

Facades along the main street provide a high quality, contemporary architectural designs that enhances the village centre's unique 'sense of place'.

Controls

The village character is to be strengthened through the application of compatible ratios of open to solid walls with the rest of the village centre as well as the use of sympathetic fenestrations, horizontal and vertical alignments and the distribution of colours and materials.

Provide articulation to building facades through the use of balconies, insets, projecting elements (not encroaching into setbacks) and vertical proportions that respond to the original fine grain subdivision pattern.

Express the base and middle portions of building to create an interesting building form, including an interesting roof profile for the top of the building.

Facades should not be totally occupied by balconies.

Side walls are to provide visual interest through articulation, different materials or fenestration where they will be exposed to the public domain in the medium or long term.

Shop fronts are to respect the existing narrow lot configuration.

Maximise passive solar control and achieve visual interest through the use of sun shades, louvers, and screens as required by different orientations.

Elevations and building forms are to be articulated to contribute to the overall visual aesthetics for building facades.

Side facades are to enhance the visual quality of the village where they will be exposed in short to medium terms.

The facade design, screening and fenestration should respond to its orientation or aspect.

The use of parapets is strongly discouraged.

Articulation Zone Diagram



Variations
Nil.

D5.25 Roof Forms - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Roof forms contribute positively to the streetscape character of the village.

Roof forms provide a contemporary interpretation of traditional roof forms.

Roof lines and profiles add to the architectural interest to the village centre roofscape providing an interesting silhouette.

Roof forms are to allow the opportunity for view-sharing above the developments on the eastern side of Kalang Road.

Controls

Preferred roof forms include skillion, low pitched, folded curved or 'floating' roof forms.

Steeply pitched and flat roofs (other than green roofs) are not permitted along Kalang Road and St Andrews Gate.

Articulated forms with multi-planar elements are preferred to ensure a varied roofscape.

When roof profiles are visible at corners and side elevations along St Andrews Gate and Powder Works Road, the roof profile is to be articulated to address the corner and side elevation.

Roof mounted plant rooms, air conditioning units and other services and equipment shall be integrated within roof structures and architectural elements.

Roof articulation should be achieved within maximum building height and building envelope controls.

Green roofs and sky gardens are encouraged.

Variations

Nil.

Advisory Notes

Please see Appendix 14 - Elanora Heights Village Centre Masterplan of this DCP for character images illustrating desired roof forms and green roof design.

D5.26 Materials - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Materials compliment and add to the contemporary village centre character.
The use of textures, colours and different materials create visual interest and variation.

Controls

Maximise use of lightweight elements to respond to the contemporary village character.

Maximise the use of natural materials to break up large expanses of solid masonry and continuous solid facades.

Materials are to provide visual interest to all facades.

Minimise blank and inactive walls.

Materials and colours for new development are to be selected from the recommended palettes and material samples in order to enhance the village character.

Innovative and creative architectural materials are encouraged.

Building materials for corner buildings particularly those terminating views and vistas mark their 'gateway' or 'marker' status.

Robust high quality materials e.g. stone, tiles, metal and timber cladding and brick are to be used.

Renovations and fit outs are to use high quality and durable material that complement the rest of the streetscape.

Minimise large areas of painted render that create long term maintenance issues.

Use a combination of solid and glass balustrades to balconies.

Green walls are encouraged.

Variations

Nil.

Advisory Notes

Please see Appendix 14 - Elanora Heights Village Centre Masterplan of this DCP for character images illustrating desired materials and green walls.

D5.27 Colours - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Building colours and materials compliment and enhance the visual character of the village centre and integrate with the natural landscapes surrounding the village centre.
Building colours and materials harmonise with the natural environment.

Controls

External colours and materials shall be earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted.

Limited use of corporate colours may be permitted within Elanora Heights Village Centre.

Feature colour palette may include the following (maximum 10% of any elevation):



Finishes are to be of a low reflectivity.

Variations

Nil.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

D5.28 Active Frontages - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Active and vibrant streetscapes contribute to a lively ground level for the village centre.
Pedestrian links are safe, active and direct.
The community car park edge is activated to encourage connection from the Community Centre to the village centre.

Controls

Active uses are to be provided to all ground floor uses to Kalang Road, public open spaces and to 50% of the building frontage to St Andrews Gate.

Active uses include retail/commercial tenancies and building entries leading directly to the street.

Buildings edging the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise passive surveillance.

Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-used public spaces.

Shop fronts should be predominantly glass with bi-folds for cafes/restaurants and should be capable of fully opening to the street.

Outdoor leased seating spaces attached to the cafes and restaurants are encouraged provided pedestrian circulation is not interrupted.

Shop fronts and building entries are to be appropriately lit at night.

Security grills are prohibited to shop fronts.

All car parking is to be underground and service exits and access are to be minimised or directed to the rear laneways unless where expressly permitted. Please refer to the landscape master plan.

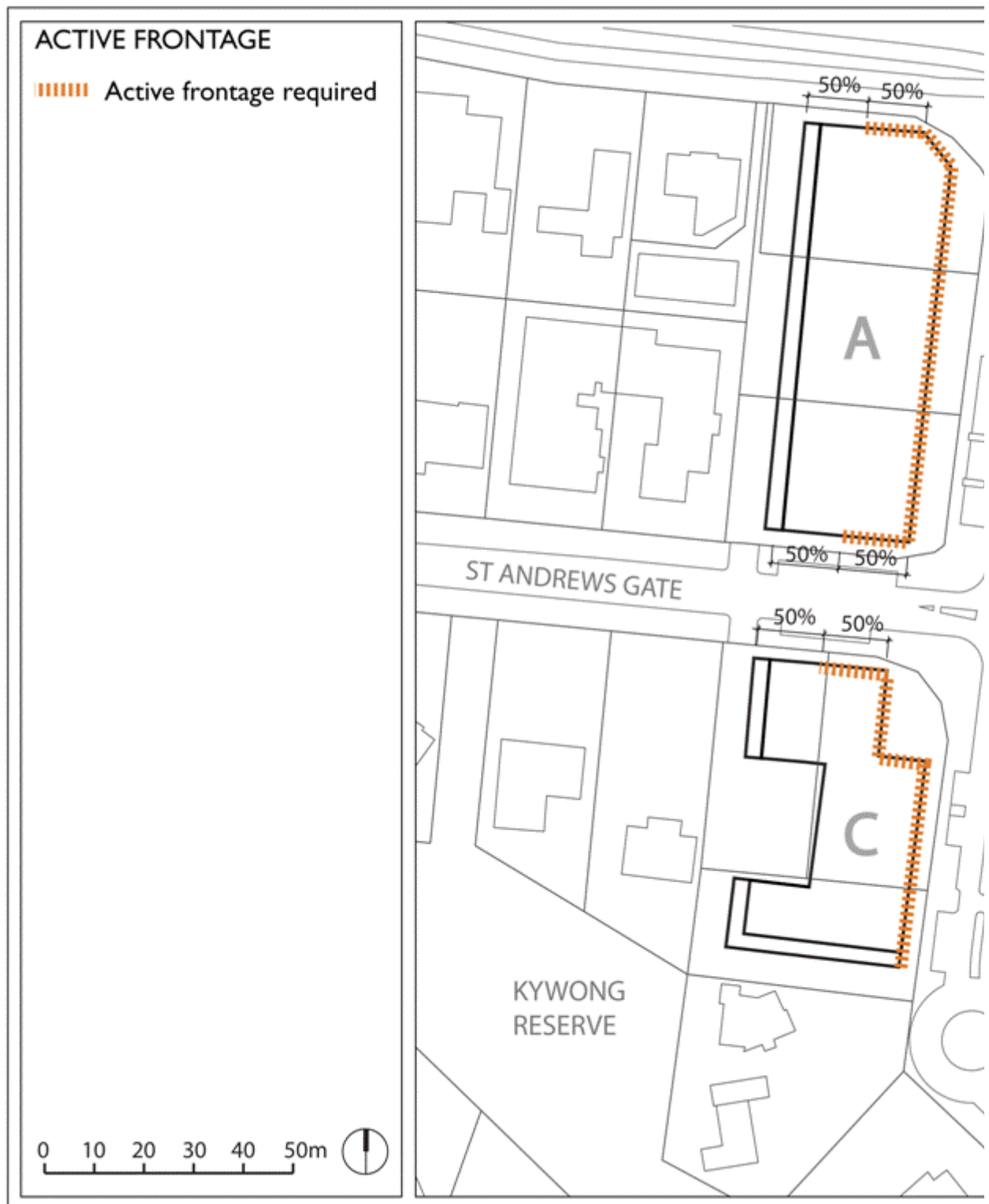
Blank walls are to be minimised to Kalang Road, the new village square, St Andrews Gate and pedestrian links.

Building lobbies are to add interest and activation to the streetscape.

Driveways are to be avoided on Kalang Road where possible to minimise the interruption to active frontages.

The location of required active frontages for Elanora Heights Village Centre is indicated on the Active Frontage Diagram.

Active Frontage Diagram



Variations

Nil.

Advisory Notes

Please see Appendix 14 - Elanora Heights Village Centre Masterplan of this DCP for character images illustrating active frontages.

Active frontages are locations where retail shopfronts address the street, building entries are positioned and pedestrians circulate, accessing shops and services. Active frontages encourage pedestrian movement and create an environment of vibrancy and vitality.

D5.29 Entries - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Building entry points activate Kalang Road.
Building entrances are visible from the street, easily identifiable and appropriately lit.
Building entries contribute to the streetscape character along Kalang Road.
Secure, safe and separate entries for different uses are achieved.

Controls

Where retail/commercial uses and residential dwellings are provided in the same development, separate entries are to be provided for the different uses.

All entries to retail, commercial or residential uses are to be from Kalang Road or St Andrews Gate.

Define residential entries in the design of the building with clearly legible architectural features.

Pedestrian access is to be clearly defined, appropriately lit and visible in the development elevation.

The street number of the property is to be clearly identifiable.

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

Lift entries for residential uses should be visible from the street to maximise perceived safety.

Post boxes are to be located in a lobby area close to the entry. Corridors to lobby and lift are to be a minimum of 2.5 metres in width.

Variations

Nil.

D5.30 Signage - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Business Development
Occupation/Use of existing business premises
Other Development
Shop top housing
Signage

Outcomes

Coordinated signage design for Elanora Village Centre.
Minimise visual clutter.
Prevent unsightly and inappropriate located signage.

Controls

Top hamper sign (attached to the transom of a doorway or display window of a building) provided that it:

- 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 a signage area greater than 5 square metres.

Under awning sign (attached to underside of awning) provided that it:

- shall not exceed 2.5 metres in length or 0.5 metres in height;
- shall have a signage area not exceeding 1.25 square metres each side;
- shall be erected horizontal to the ground no less than 2.6 metres above the ground, and at right angles to the building to which the awning is attached;
- shall not project beyond the awning;
- shall be securely fixed by metal supports; and
- shall include no more than one per business.

Window sign (painted letters stuck onto the inside or outside of a display window) provided that it:

- Up to 25% of the window surface is covered so as to not obstruct completely the natural light and activation; and
- shall only be permitted on ground floor windows.

Home occupation/business/industry and health consulting rooms (sign associated with) no greater than 0.75 square metres in area provided that;

- no more than 1 sign shall be erected; and
- the sign is to indicate the name and occupation of the business.

The following signage shall not be permitted in Elanora Heights:

- where erected on or above the roof, canopy, or parapet of a building;
- where attached to the upperside of an awning;
- where attached to the wall of a building and projecting more than 300mm from that wall above the awning line;
- where illuminated at frequent intervals (i.e. flashing);
- where capable of movement by source of power or wind;
- where illuminated (within a residential zone);
- where incorporates bill/fly posters, bunting and airborne signage, including hot air balloons, blimps, and the like; and
- where located on motor vehicles and which renders the motor vehicle stationary.

Retail signage should be located underneath awnings perpendicular to the facade providing sufficient clearance for pedestrians on the footpath.

Signage painted or directly placed on the building facade above the awning level is prohibited as it clutters and hides the building facade and/or architectural features. Protruding signage above the awning level is also discouraged.

Illuminated signage above the awning level or in any location is prohibited in the Elanora Heights Village Centre.

A signage strategy is required as part of a development application at Council's discretion to indicate the location, size and type of proposed signage.

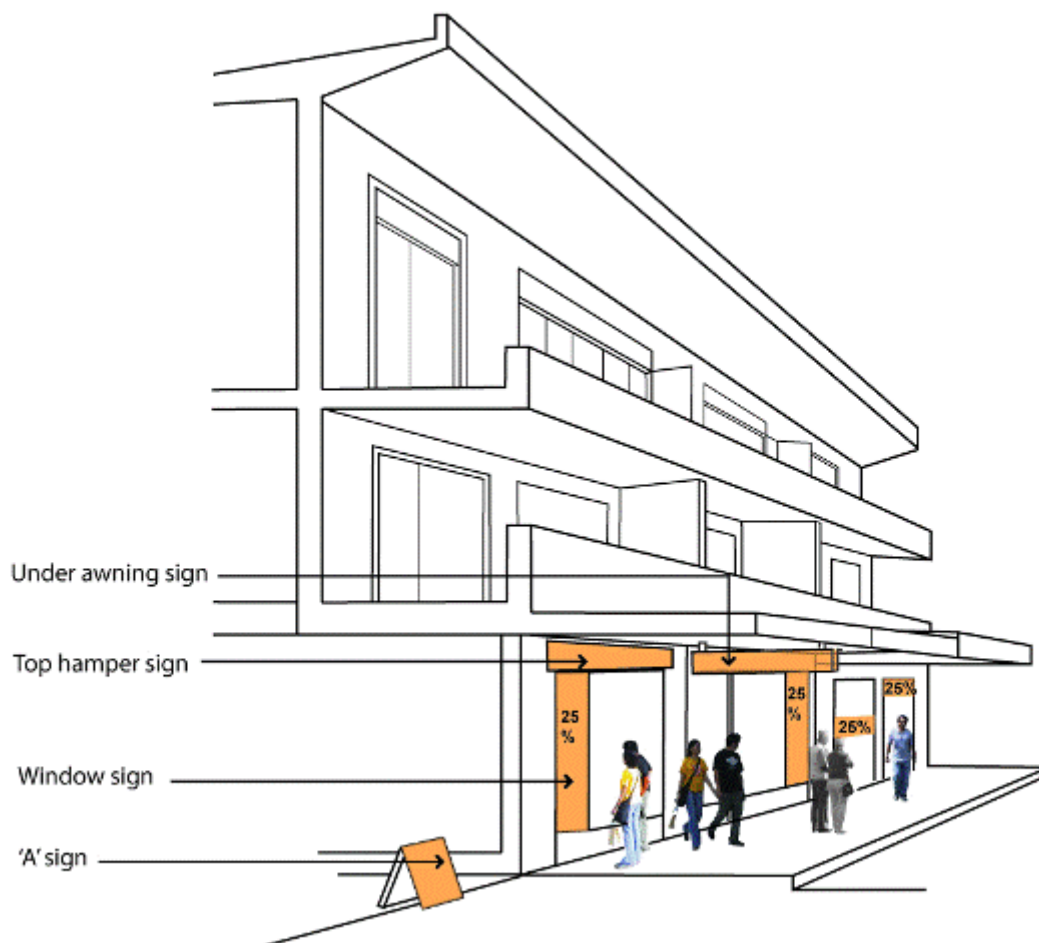
High level signage is prohibited on blank side walls.

Edge of awning signage is prohibited.

No signage may display words or images, which are in the opinion of the Council, sexually explicit, lewd or otherwise offensive. Council must be satisfied that the content, size and shape of the signage is not likely to interfere with the amenity of the neighbourhood.

Signage for sex services premises shall be restricted to the address and telephone number.

The location where signage is allowed include (please refer to the Signage Diagram below):



Variations

Nil.

Advisory Notes

The *Summary Offences Act 1988 No 25* restricts advertising and signs in relation to premises used for prostitution, including sex services premises.

D5.31 Awnings and Colonnades - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Awnings provide weather protection for pedestrians and enhance the contemporary village character.

Awnings are set back to allow uninterrupted street tree growth.

Awnings are safe and structurally sound.

Awnings are visually attractive with consistent width and height.

Controls

Continuous awnings should be provided above ground level shops, commercial/retail uses and building entries along all village centre footpaths except for the western verge of the northern block to Kalang Road (where a colonnade is required).

Awnings to be cantilevered off the main facade; no awnings supported from below by post and beam are permitted (please refer to the Awning Diagram on the next page).

The underside of awnings should not be less than 3.2m above the footpath.

Awnings shall be constructed of suitable and durable materials.

Awnings should be compatible in alignment and height to adjoining awnings.

The top of awnings should be a maximum depth of 3.5m to ensure they do not conflict with tree canopies.

No signage is allowed along the awning fascia.

Awnings are to integrate under-awning lighting to create a positive night time experience and improve safety and surveillance.

Awnings using glass must be provided with a close white frit to minimise the visual impact of dirt.

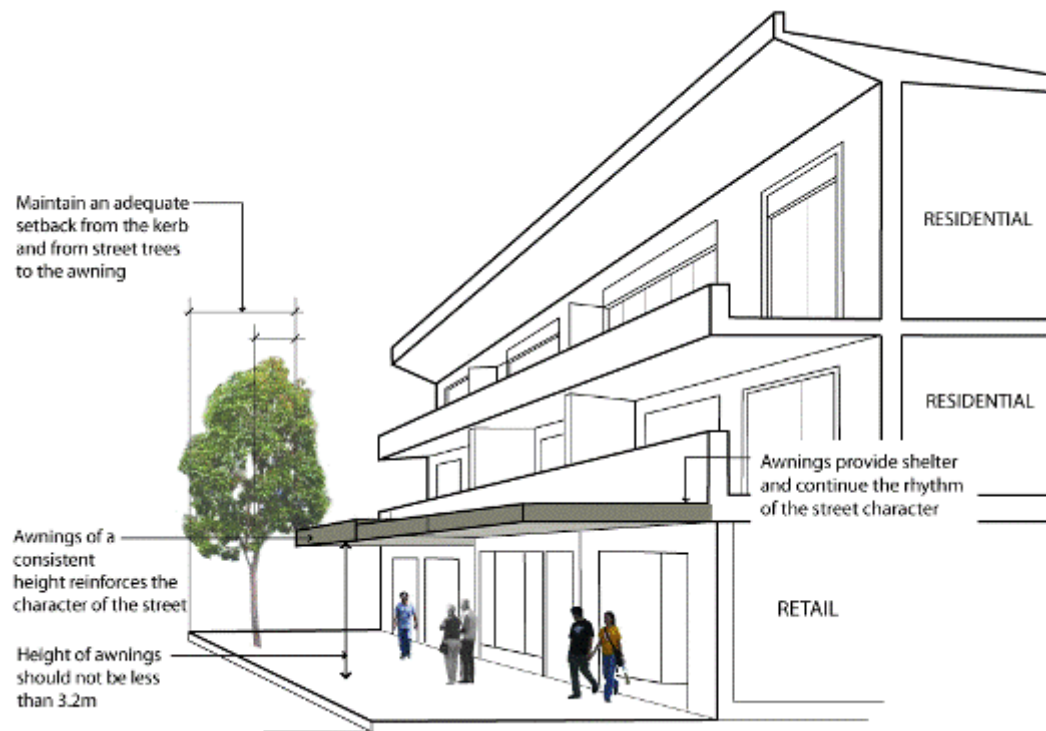
Colonnades to Block A, are required to the Kalang Road frontage.

Colonnades are to be a minimum of 1-storey in height with a depth of 3m.

Colonnades are to maximise the open frontage to the street.

No bracing, screen or other facade devices are to block the connection from the colonnade to verge.

Awning Diagram



Variations

Nil.

Advisory Notes

Please see Appendix 14 - Elanora Heights Village Centre Masterplan of this DCP for character images illustrating desired colonnade and awning design.

Colonnades are a series of columns at regular intervals. Colonnades discourage rather than encourage pedestrian movement along shopfronts, next to building entries and within arcades.

D5.32 Fences - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Fences compliment and improve the visual character of rear laneways.

Fences define the boundaries and edges between the mixed uses along Kalang Road and the rest of the residential uses to either side of the centre.

Controls

Fencing is permitted along the rear boundaries of the mixed use developments to a maximum height of 1.8 metres. It is to be screened by landscaping within the planting strip along the rear laneways of a minimum dimension of 2 metres.

Fencing materials are to be at least 70% solid to provide visual interest and further opportunities for landscaping without restricting casual visual surveillance of rear laneways and the public domain.

No fencing will be allowed to the front and side boundaries of shops and retail uses off Kalang Road except when ground floor uses include home office occupations along St Andrews Gate.

Fences with open design are preferred along the edges with Kywong Reserve to facilitate for the passage of wildlife corridors while providing a delineation of the private domain and the public reserve.

Where fences are constructed as extensions of retaining walls and terracing which are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

Materials are to be timber, brick, stone or open steel fencing.

Lapped timber fencing is prohibited.

Variations

Nil.

Advisory Notes

Please see Appendix 14 - Elanora Heights Village Centre Masterplan of this DCP for character images illustrating desired fence designs

D5.33 Ecologically Sustainable Development Responsive Design - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Sustainable development reduces reliance on fossil fuels, green house gas emissions and the uses of energy and water.

Reduction of the reliance on mechanical heating and cooling.

Support and promotion of renewable energy initiatives.

Support and promotion of water sensitive urban design.

Controls

Building Design

Development Applications need to be accompanied by a BASIX certificate or equivalent energy efficiency certification for the residential component.

A Green Star or equivalent energy efficiency certification is encouraged to be submitted with each Development Application for all commercial and retail components.

Buildings are to be oriented so that solar access is optimised.

Buildings are to be designed with a combination of passive and active solar energy systems to achieve greater energy efficiency in buildings.

The direction and strength of prevailing winds is taken into account in the design of buildings to maximise cooling effects during summer and for the provision of appropriate wind protection during winter months.

Orientation, layout and design of buildings and associated private open space takes into account of any overshadowing of the site by adjacent buildings or structures.

Reduced summer sun penetration is achieved along the eastern and western elevations along Kalang Road and north facing elevations along Powder Works Road and St Andrews Gate by the use of external solar shading devices, such as awnings, external venetians, balconies, pergolas, eaves and overhangs.

Building materials used in construction are to be from a sustainable or renewable resource wherever possible.

Buildings are designed keeping in mind the need to deconstruct or demolish them in the future.

Buildings are designed to be flexible and robust in their future use providing higher ceiling heights (3.3 metres) for ground level uses.

Planning for the sustainable disposal of waste is to be incorporated through the building process.

Recycled and low embodied energy materials are to be used in the construction of buildings wherever possible.

Recycling is to be encouraged through the design of the building and communal open spaces.

Opportunities for edible gardens is provided in any communal open spaces.

Opportunities for grey and black water reuse are to be maximised throughout the development.

Grey water is to be used for the irrigation of public and communal open spaces.

Water Sensitive Design

Buffer strips and grass swales are integrated along the planting strips to the rear lanes to encourage water filtration.

Impervious surfaces are reduced along the rear laneways whenever possible.

Run-off is directed to a treatment point within the development site.

Natural drainage lines are to be maintained within Kywong Reserve.

Variations

Nil.

D5.34 Public Domain - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
 Business Development
 Child care centre
 Dual occupancy (attached)
 Dual occupancy (detached)
 Earthworks
 Multi dwelling housing
 Occupation/Use of existing business premises
 Other Development
 Residential flat building
 Seniors housing
 Shop top housing

Outcomes

High quality public domain strengthens the village setting of Elanora Heights.
 High quality public domain encourages visitation and offers a high level of amenity.
 The new village square and public domain upgrades within the village centre encourage pedestrian movement particularly along Kalang Road.
 Public open spaces encourage outdoor eating and community use.
 Enhanced village character through public art and public domain furniture as well as through architectural expression.
 Native landscaping is encouraged.
 Reduced traffic speeds and congestion along Kalang Road.

Controls

New Village Square

The new village square is to be designed to maximise the use of the space for community activities and is not to be overcrowded with planters, street furniture or signage.

The new village square is to be landscaped to provide shade in summer and allow solar access in winter.

The area for the new village square should be located so that a minimum of 50% of the open space area benefits from 3 hours of solar access between 11am and 2pm in mid-winter. This area is to be located adjacent to retail frontages that are appropriate for cafes, restaurants or seating areas within the space.

The minimum area of the new village square is to be approximately 300 square metres (+/-10%). For specific dimensions, please refer to Front Building Line diagram in D5.17.

Any public domain upgrades undertaken as part of a new development are to be consistent with Councils Elanora Heights Landscape Master Plan including materials, public domain elements and colours.

Any footpath areas designated for cafe or restaurant seating are to be designed to ensure they are functionally able to accommodate a reasonable number of chairs and tables plus circulation space.

New streets and public spaces are to be landscaped to provide shade in summer and allow solar access in winter.

Understorey landscape, planters and location of trees are to be integrated along footpaths to ensure easy and safe access to avoid conflict with pedestrian flow and movement past the shopfronts.

Street and cafe outdoor furniture is to be high quality and is to contribute to the village character of Elanora Heights.

Special effects lighting may be used to highlight key landscape design elements, major trees in public spaces and significant buildings in the streetscapes.

Alterations to the public domain as part of new development are to be prepared by a qualified landscape architect in accordance with the Elanora Heights Landscape Master Plan.

Street tree planting should be carried out in accordance with Elanora Heights Landscape Master Plan and reinforce view corridors down streets and laneways.

Street trees interspersed between car parking spaces are to be designed to Council's specification and as indicated in the Elanora Heights Landscape Master Plan.

Street tree planting and landscaping shall not unreasonably obstruct driver and pedestrian visibility especially across both sides of Kalang Road.

High planting beds and landscaped areas to the western verge of Kalang Road north of St Andrews Gate are to be located to ensure they do not impede pedestrian movement or the use of the space for suitable community activities.



Variations

Nil.

D5.35 Landscaping - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Earthworks
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

High quality outlook and adequate amenity levels for residents of shop top housing.
A built form softened and complemented by landscaping.
Retention of existing tree planting and introduction of new vegetated areas as public communal open space and buffers to the adjoining residential areas.
Reduction of visual intrusion from new development to existing dwellings to the east and west of the village centre.
High quality private open space for each unit and communal areas above ground level.
Landscaping results in low watering requirement.

Controls

All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species for the communal open space of the new development south of St Andrews Gate on the western verge of Kalang Road.

For Block C located south of St Andrews Gate on the western verge of Kalang Road development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries and retention of natural features such as rock outcrops.

For Block C, development shall provide for a communal area for children's play and BBQ area.

For areas above ground, the following soil depths are required in order to be counted as open space or landscaped areas:

- 300mm for lawn;
- 600mm for shrubs; and
- 1m for trees.

No planters are allowed at the front building facade (between the front boundary and any built structures) for shop top housing developments facing Kalang Road.

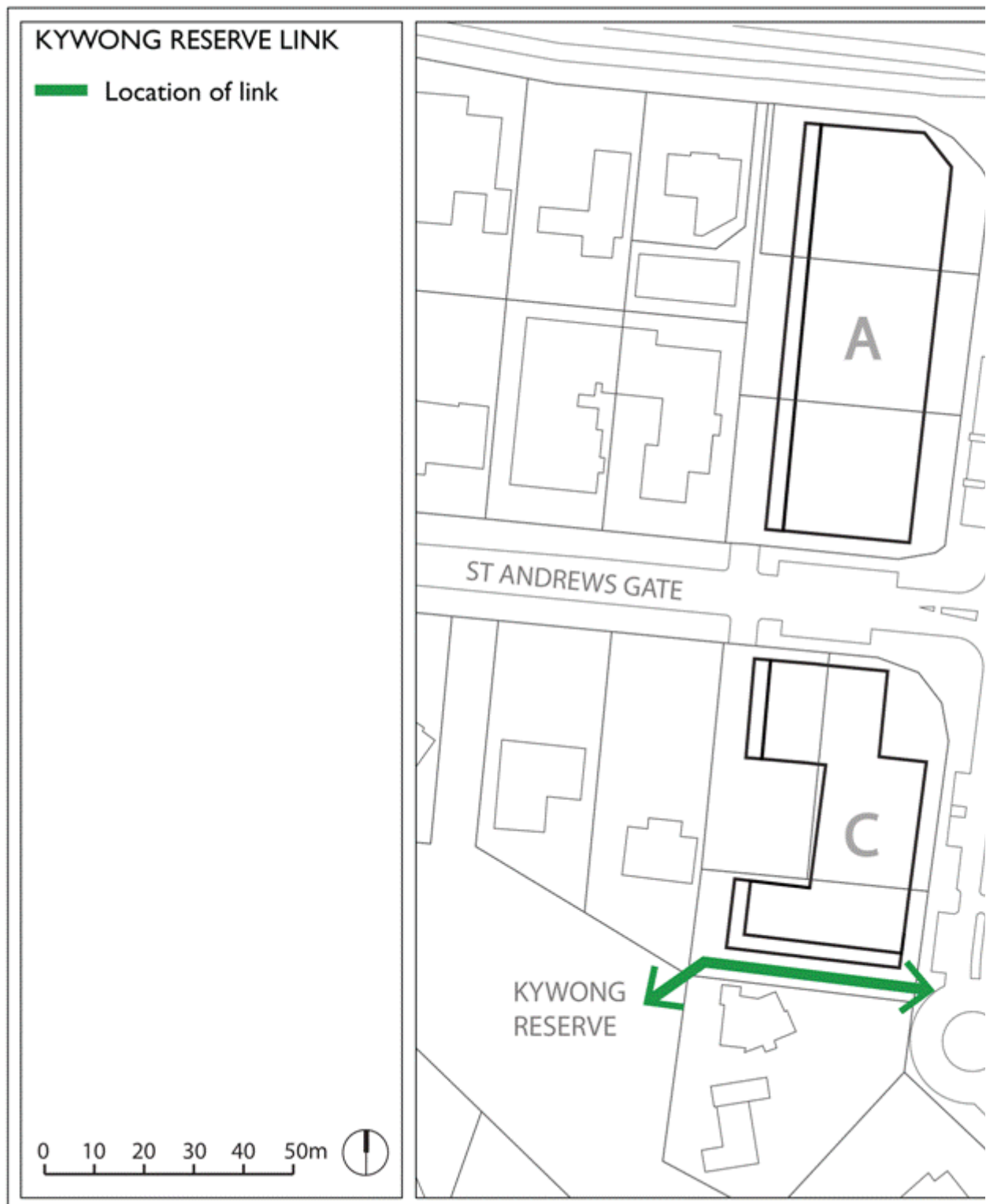
Screening to adjacent residential uses shall be provided in the form of a minimum 1m wide planting strip along the edges of the rear laneway/driveways.

Noxious and undesirable plants must be removed from the site.

For Block C, the development should provide for the possibility of a public pedestrian connection/link along the southern setback to connect Kalang Road to Kywong Reserve. This link will connect to the Reserve at the intersection of the adjacent property boundaries with 27 St Andrews Gate and 44 Kalang Road.

The connection from Kalang Road to Kywong Reserve shall be provided as part of the redevelopment of Block C in the form of an informal trail connection for the use of the community to access the Reserve as shown on Kywong Reserve Link Diagram.

Kywong Reserve Link Diagram



Variations

Where canopy trees are to be retained on a site, planting of additional canopy trees shall be assessed on a merit basis.

Desired public access to Kywong Reserve from Kalang Road through Block C is to be investigated (land swap, land acquisition, Section 94 contribution). If it can be demonstrated (by way of written confirmation from property owners) that adjoining properties are unwilling to participate in creating the public access, private access will be considered.

D5.36 Solar Access - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

Appropriate solar access is provided to the public domain as well as communal open spaces.

Maintenance of appropriate level of solar access and visual privacy to residential properties.

Reduce usage and dependence for artificial lighting.

Residential development is sited and designed to maximise solar access during midwinter.

Controls

The primary private open space for 70% of dwellings in any development is to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living areas of 70% of units in any development are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living area in adjoining dwelling also should receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Solar collectors for hot water or electricity shall receive at least 4 hours of sunshine between 8.00am and 4.00pm during mid winter.

Lightwells are not to be used as a source of light, outlook or ventilation for any habitable rooms or private open space.

The proposal must demonstrate that access to sunlight is achieved through the application of the Land and Environment Court's planning principle for sunlight.

Variations

Nil.

Advisory Notes

Visit: The Benevolent Society v Waverley Council [2010] NSWLEC 1082

(http://www.lec.lawlink.nsw.gov.au/lec/principles/planning_principles.html)

D5.37 Visual Privacy - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
 Business Development
 Child care centre
 Dual occupancy (attached)
 Dual occupancy (detached)
 Multi dwelling housing
 Other Development
 Residential flat building
 Seniors housing
 Shop top housing

Outcomes

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.

A sense of territory and safety is provided for residents.

New development does not unreasonably compromise the privacy of adjoining residential private open space or living areas.

Controls

New development is to be designed to avoid the direct overlooking of adjoining residential private open space or living rooms.

Provide separation between balconies, habitable rooms and non-habitable rooms of new and adjoining dwellings in accordance with this DCP to achieve privacy.

Balconies/terraces should incorporate privacy screens where necessary and should be located at the front or rear of the building.

Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.

Development must comply with Built Form controls (including Front Building Line, Side And Rear Building Line and Setbacks above ground controls).

Direct views of private open space or any habitable room window less than 8m from new windows is to be restricted by:

- a window sill height 1.7 metres above floor level; or
- fixed translucent glazing in any part below 1.7 metres above floor level; or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials;
 - designed and painted or coloured to blend in with the dwelling; and
 - horizontal, such as 'shelves' to restrict downward viewing.

Variations

Nil.

D5.38 View Sharing - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

A reasonable sharing of views amongst and across dwellings.
Development responds architecturally to axial views down Kalang Road.

Controls

All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.

Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.

Views are not to be obtained at the expense of existing vegetation.

Non compliance with development controls that create view loss will not be supported.

Variations

Nil.

D5.39 Acoustic Privacy - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Building location and orientation ameliorate impacts from Powder Works Road.
Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.
Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or recreation areas.

Controls

Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including Kalang and Powder Works Roads, parking areas, living areas and retail tenancies where possible.

Walls and/or ceilings for dwelling shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia.

Noise generating plants, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.

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

Variations

Nil.

D5.40 Private Open Space - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.

Private open space is integrated with the living areas of dwellings.

Private open space receives sufficient solar access and privacy.

Private open space is appropriate in design and location for shop top housing.

Controls

Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.

For dwellings above ground, private open space is to be provided by balconies.

For ground floor dwellings, private open space is to be provided as a terrace or garden.

The dimension of private open space should be sufficient so that the area can be usable for recreational purposes with minimum area of 10 square metres and a minimum width of 2.4 metres.

First floor balconies are prohibited along side boundaries looking into an adjoining residential property.

The primary orientation of balconies is to be to the streets or rear boundary.

Balconies are not to be fully recessed into the building form.

Balconies should not form the dominant architectural expression of the building.

Private open space for new dwellings is not to be positioned such that it 'borrows' amenity by overlooking adjoining dwellings.

Balconies adjacent to rear boundary must be designed to limit overlooking and maintain privacy of adjoining residences.

Private open space areas are to have good solar orientation (i.e. orientated to the north east or north west where possible).

Private open space areas should include provision of clothes drying facilities, screened from the street and public places.

Private open space is to include gas BBQ points and external powerpoints.

Variations

Nil.

D5.41 Natural Ventilation - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Buildings are designed to maximise natural ventilation.

Controls

Buildings are to maximise natural ventilation by providing dual aspect apartments and by positioning openings (windows and doors) to prevailing winds to encourage cross ventilation.

A minimum of 60% of dwellings in a development is to achieve cross ventilation.

Innovative technologies to naturally ventilate internal building areas, in particular areas such as bathrooms, laundries and underground car parks are encouraged.

Variations

Nil.

D5.42 Storage - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Provision of convenient storage within the development for household items.

Controls

In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:

- studio apartments 6m³;
- one-bedroom apartments 6m³;
- two-bedroom apartments 8m³; and
- three plus bedroom apartments 10m³.

A minimum of 50% of the overall requirement for storage within individual unit shall be located in the hall or near living areas, under internal stairs or near the entries. A maximum of 50% of the required storage area may be located within storage cages in basement carpark.

Variations

Nil

D5.43 Vehicular Access - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing
Subdivision

Outcomes

Developments achieve safe and convenient vehicular access.
Adverse visual impact of driveways is reduced.
Pedestrian safety is maximised through the elimination of pedestrian/vehicular conflicts.
Maximise the retention of trees and existing vegetation in the road reserve.

Controls

Access driveways from allotments adjoining Powder Works Road are not permitted.

Left out exit onto Powder Works Road from the rear laneways will be assessed on merit provided that a traffic analysis prepared by a suitably qualified professional is provided, confirming no major traffic impacts, and at the discretion of Council's traffic officers.

The number of access driveways is to be minimised from Kalang Road except where indicated on the Vehicular Access diagram.

Access for service vehicles to loading docks are not permitted from Kalang Road except where indicated on the Vehicular Access diagram.

Clear site lines are to be provided at pedestrian and vehicle crossings.

Existing vehicular access points along Kalang Road are to be relocated to the rear laneways as part of redevelopment. When only a building renovation is proposed then existing surface car parking is required to meet the following upgrades:

- Minimum of 20% of the car parking area used primarily for landscaping of native species;
- Shade, shelter and amenity;
- Protection and management of existing trees;
- Enhancement of the streetscape and internal areas by the provision of canopy trees;
- Minimum 2m width for landscape islands to break up parking rows;
- Application of Water Sensitive Urban Design Principles;
- Safety and amenity of pedestrians and vehicles; and
- Lighting.

All access driveways shall be constructed with an impervious pavement and gutter crossing construction in plain concrete.

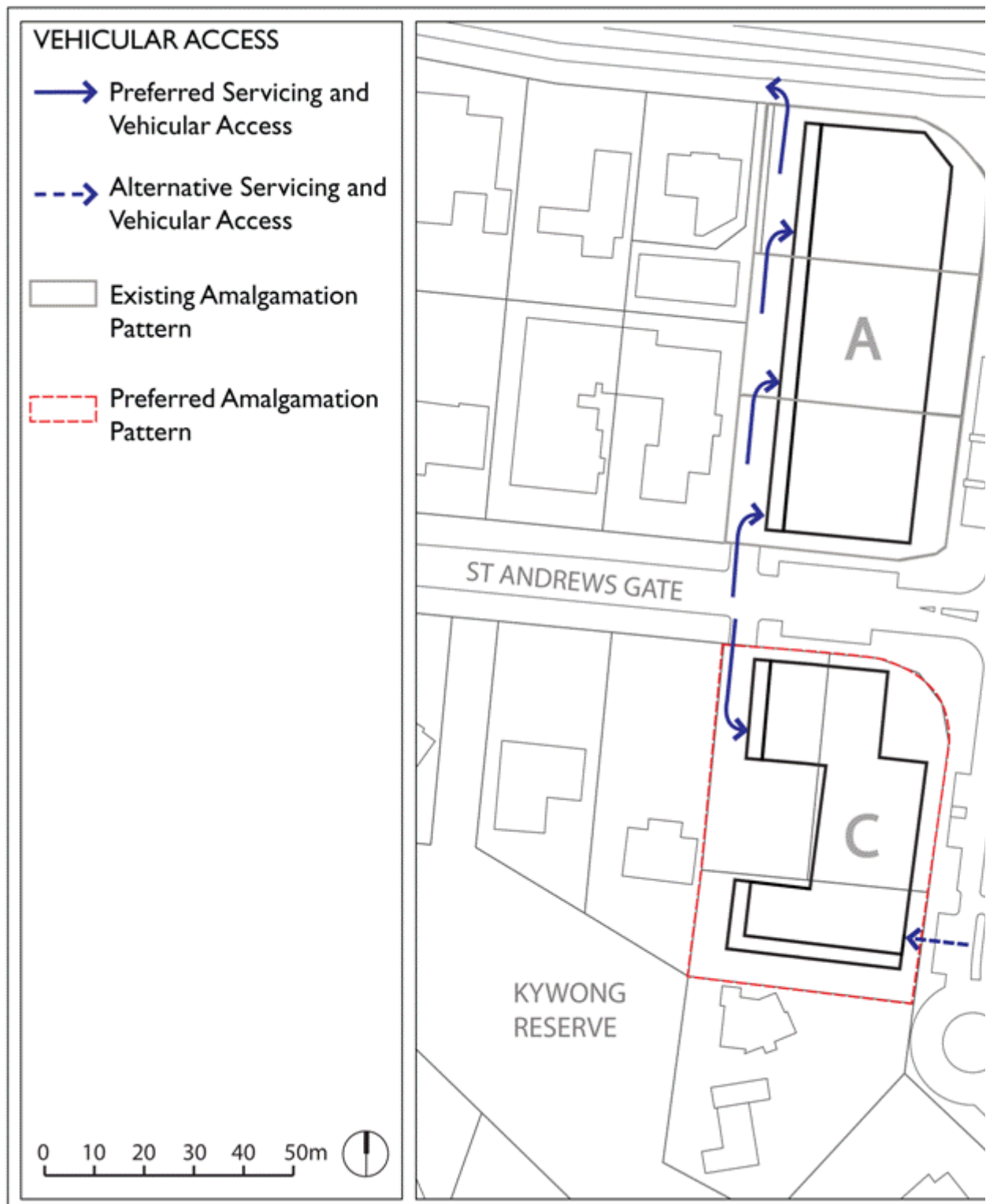
Where access driveways are unavoidable to Kalang Road and for driveways to St Andrews Gate small unit pavers are encouraged in dark earthy tones or match adjacent constructed footpaths.

Driveways are to be recessed into the main facade of the building.

All access driveways on the low side of Kalang Road are to be designed and constructed such that stormwater drainage is directed away from the access driveway.

The cost for access driveways construction and maintenance and adjustment of any utility service is the responsibility of the applicant.

Vehicular Access diagram



Variations

Nil.

Advisory Notes

General requirements for access driveway design including the design of access driveways, pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve are as per Part B6.2 Access Driveways and Works on the Public Road Reserve and Australian Standard AS 2890.1 - 2004: Part 1 - Parking Facilities - Off Street Car Parking.

D5.44 Laneway Access and Character - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Earthworks
Multi dwelling housing
Occupation/Use of existing business premises
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Improved vehicular access along rear laneways.
Improved landscape character along rear laneways.

Controls

The consolidation of the entry/exit vehicular access point or access driveway is required for commercial/retail and residential uses.

The location of the driveway is to maximise the retention of trees and native vegetation along rear laneways.

Laneways are to be buffered by a 2 metre planting strip to improve landscape character and water filtration.

For Block C, provide at grade pedestrian access to the rear courtyard from St Andrews Gate.

Clear sightlines down laneways are to be provided for increased safety and security.

Variations

Nil.

D5.45 Off-Street Vehicle Parking Requirements - Elanora Heights Village Centre

Land to which this control applies

Land in the Elanora Heights Village Centre - P21DCP-D05MDCP307

Uses to which this control applies

Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Multi dwelling housing
Other Development
Residential flat building
Seniors housing
Shop top housing

Outcomes

Elanora Heights Village Centre has adequate parking and service spaces.

No adverse impacts to the setting and visual quality of Elanora Heights Village Centre is created by car parking.

Vehicle movement occurs in a safe and efficient manner.

Controls

Car parking is to be located within the basement of any new development.

The line of the basement car park shall fit generally within the building footprint with considerations given to optimising consolidated areas of deep soil.

Exposed basement car parking and extensive open ramps are prohibited.

Potential pedestrian/vehicle conflicts are to be minimised by limiting the width of vehicle access points.

'Black holes' are to be avoided in the facade by providing well designed garage security doors to car park entries.

Return the facade material into the car park entry recess for the extent visible from the street as a minimum to achieve a high quality outcome.

Security enclosed bicycle storage facilities must be provided within the building for Residential Development at the rate of 1 bicycle rack per 3 dwellings and as per Australian Standards AS 2890.3: *Bicycle Parking Facilities*.

Visitor parking spaces are to be easily accessible and clearly marked "Visitor".

Residential parking areas need to be segregated from the commercial/retail parking areas to ensure safety of residents.

Provision must be made within the development site for access and parking of all service vehicles, visitor parking and parking for people with disabilities.

Variations

Nil.

Advisory Notes

For the requirements of parking for people with disabilities please see Part B6.6 Off-Street Vehicle Parking Requirements.

The minimum number of vehicle parking and service spaces to be provided within any new development in Elanora Heights Village Centre is as per Part B6.6 Off - Street Vehicle Parking Requirements.

D6 Ingleside Locality

D6.1 Character as viewed from a public place

Land to which this control applies

Ingleside Locality - P21DCP-D06MDCP350

Uses to which this control applies

Attached dwelling
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Earthworks
 Exhibition home
 Other Development
 Multi dwelling housing
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Semi-detached dwelling
 Seniors housing
 Signage
 Subdivision
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within rural residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;

- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal: -

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation; (En, S)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

- Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.
- Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D6.3 Building colours and materials

Land to which this control applies

Ingleside Locality - P21DCP-D06MDCP350

Uses to which this control applies

Attached dwelling
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Earthworks
 Exhibition home
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Semi-detached dwelling
 Seniors housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character of its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Finishes are to be of a low reflectivity.

Variations

Council may consider lighter coloured external walls (excluding white) only for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal: -

- enhances the visual quality and identity of the streetscape;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D6.5 Front building line

Land to which this control applies

Ingleside Locality - P21DCP-D06MDCP350

Uses to which this control applies

Attached dwelling
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dwelling house
Exhibition home
Other Development
Multi dwelling housing
Residential flat building
Rural industry
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
The amenity of residential development adjoining a main road is maintained. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Vehicle manoeuvring in a forward direction is facilitated. (S)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To enhance the existing streetscapes and promote and scale and density that is in keeping with the height of the natural environment.
To encourage attractive street frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned RU2 Rural landscape or SP2 Infrastructure adjoining Mona Vale Road	30

Land zoned RU2 Rural landscape within the 'blue hatched area' (other than adjoining Mona Vale Road and Lane Cove Road).	15.0
All other land zoned RU2 Rural Landscape	20.0
All other land	Merit Assessment

Built structures other than driveways, fences and retaining walls are not permitted within the front building setback.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Advisory Notes

The blue hatched area is identified on the Ingleside Locality Map in development control A4.6 of this DCP.

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D6.6 Side and rear building line

Land to which this control applies

Ingleside Locality - P21DCP-D06MDCP350

Uses to which this control applies

Attached dwelling
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dwelling house
Exhibition home
Other Development
Multi dwelling housing
Residential flat building
Rural industry
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
A landscaped buffer between commercial and residential zones is achieved. (En, S)
To preserve and enhance the rural and bushland character of the locality (En, S)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
Land zoned RU2 Rural Landscape within the 'blue hatched area' adjoining land other than a road or a reserve.	2.5 to at least one side; 1.0 for other side 6.5 rear
All other land zoned RU2 Rural Landscape adjoining land other than a road or reserve.	7.5
Land zoned RU2 Rural Landscape within the 'blue hatched area' adjoining a road or reserve	15.
All other land zoned RU2 Rural Landscape adjoining a road or reserve	20.0

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The blue hatched area is identified on the Ingleside Locality Map in development control A4.6 of this DCP.

D6.7 Building envelope

Land to which this control applies

Land in the Ingleside Locality zoned RU2 Rural Landscape

Uses to which this control applies

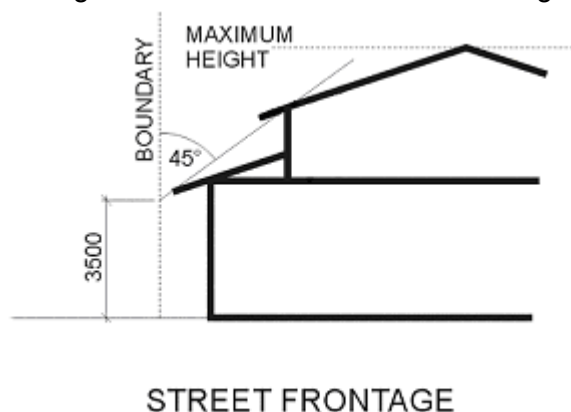
Attached dwelling
Business Development
Child care centre
Dual occupancy (attached)
Dwelling house
Exhibition home
Other Development
Multi dwelling housing
Residential flat building
Rural industry
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
To enhance the existing streetscapes and promote and building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates so spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (i.e.; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine,

Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D6.8 Landscaped Area - Non Urban General

Land to which this control applies

Land in the Ingleside Locality zoned RU2 Rural Landscape NOT within the Blue Hatched Area on the Ingleside Locality Map

Uses to which this control applies

Attached dwelling
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dwelling house
Exhibition home
Other Development
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site. (En, S)

To preserve and enhance vegetation to visually reduce the built form. (En)

To minimise the impact of development on Pittwater's biodiversity by minimising the removal of indigenous vegetation and naturally occurring soils, conserving existing significant indigenous and native trees, and encouraging planting of indigenous and native plants and trees on private property. (En)

To conserve significant natural features of the site and contribute to effective management of biodiversity (En)

To provide for infiltration of water to the water table, minimise stormwater runoff and assist with stormwater management to reduce and prevent soil erosion and the siltation of natural drainage channels. (En, S)

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

To preserve and enhance the rural and bushland character of the non-urban area of the locality. (En, S)

Controls

For land zoned RU2 Rural Landscape and R5 Large Lot Residential, the minimum landscaped area shall be in accordance with the following table:

Development	Minimum Landscaped Area
Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	96% of the total site area minus 400 square metres
Horticultural/shade/glass/green houses with an earth floor (no hard standing or sealing)	50% of the site area

Other non-residential development permissible with consent in the area except agriculture, agricultural sheds used for a rural industry	94% of the site area
---	----------------------

Sheds used for the purpose of agriculture or for the purpose of a rural industry, with a maximum of 200 square metres, are permitted in addition to non-landscaped areas permitted in the above table.

Where a site also contains a dwelling (this includes any ancillary or attached structures), the landscape controls for non-residential development can be applied separately, i.e. the minimum landscaped area (as per table above) can be reduced by the size of the dwelling.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling must comply with the minimum landscaped area set out in this control.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

The minimum landscaped area may be greater than stated above, where a site is located on environmentally sensitive or steeply sloping land, or where its development potential is restricted in some other way.

Dams, ponds, on-site detention tanks, the water surface area of swimming pools and water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes, or waste water treatment systems can be included as landscaped area for the purpose of this control.

Driveways and porous or soft surface areas that permit the infiltration of surface water into the substrata can be included as landscaped area for the purpose of this control.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)
- the rural and bushland character of the area is conserved and enhanced. (En, S)

D6.9 Landscaped Area - Blue Hatched Area

Land to which this control applies

Land in the Ingleside Locality zoned RU2 Rural Landscape within the Blue Hatched Area on the Ingleside Locality Map

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dwelling house
Exhibition home
Other Development
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
Soft surface is maximised. (En, S)

Controls

On land zoned RU2 Rural Landscape or R5 Large Lot Residential, the minimum landscaped area shall be in accordance with the following table:

Development	Minimum Landscaped Area

Residential development where site area is less than 2ha (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	96% of the total site area minus 300 square metres
Residential development where site area is greater than 2ha (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	96% of the total site area minus 400 square metres
Horticultural/shade/grass/green houses with an earth floor (no hard standing or sealing)	50% of the site area
Other non-residential development permissible with consent in the area except agriculture, agricultural sheds and sheds used for a rural industry	96% of the site

Sheds used for the purpose of agriculture or for the purpose of a rural industry, with a maximum of 100 square metres, are permitted in addition to non-landscaped areas permitted in the above table.

Where a site also contains a dwelling (this includes any ancillary or attached structures), the landscape controls for non-residential development can be applied separately, i.e. the minimum landscaped area (as per table above) can be reduced by the size of the dwelling.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling must comply with the minimum landscaped area set out in this control.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

The minimum landscaped area may be greater than stated above, where a site is located on environmentally sensitive or steeply sloping land, or where its development potential is restricted in some other way.

Dams, ponds, on-site detention tanks, the water surface area of swimming pools and water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes, or waste water treatment systems can be included as landscaped area for the purpose of this control.

Driveways and porous or soft surface areas that permit the infiltration of surface water into the substrata can be included as landscaped area for the purpose of this control.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed site coverage and landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D6.10 Fences - General

Land to which this control applies

Land in the Ingleside Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D06MDCP353

Uses to which this control applies

Attached dwelling
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Exhibition home
 Other Development
 Multi dwelling housing
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Semi-detached dwelling
 Seniors housing
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
 To ensure fences compliment and conserve the visual character of the street and neighbourhood.
 To define the boundaries and edges between public and private land and between areas of different function.
 To contribute positively to the public domain.
 An open streetscape that allows casual surveillance of the street. (S)
 Fences, where provided, are suitably screened from view from a public place. (S)
 Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
 To ensure heritage significance is protected and enhanced. (S)
 To ensure an open view to and from the waterway is maintained. (S)
 To preserve and enhance the rural and bushland character of the locality. (En, S)
 Safe confinement of domestic and grazing animals. (En, S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the rural residential streetscape character, and

- not obstruct views available from the road.

Fences are to be constructed of open, see-through, wire or natural materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

Properties with grazing animals should be appropriately fenced to confine the animals onsite.

c. corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

d. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

In areas zoned Non-Urban, within the front building setback Council may consider fencing to a maximum height of 1.8 metres on the boundary where the fence has openings of sufficient size for wallabies to pass through (minimum 400mm x 400mm).

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- the rural and bushland character of the non-urban area of the locality is conserved and enhanced; (En, S)
- safe confinement of domestic and grazing animals is achieved; (En, S)
- safe and unhindered travel for native animals is preserved. (En)

D6.11 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Ingleside Locality included in Flora and Fauna Conservation Category 1 and 2 Areas
- P21DCP-D06MDCP354

Uses to which this control applies

Attached dwelling
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dwelling house
Exhibition home
Other Development
Multi dwelling housing
Residential flat building
Rural industry
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe and unhindered travel for native animals. (En)
To ensure fences compliment and conserve the visual character of the street and neighbourhood.
To define the boundaries and edges between public and private land and between area of different function.
To contribute positively to the public domain.
To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure the heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)
To ensure native vegetation is retained (En).
To ensure any fencing provides for the safe and unhindered travel of native animals. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
Safe confinement of domestic and grazing animals. (En, S)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the rural residential streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, wire or natural materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

Properties with grazing animals should be appropriately fenced to confine the animals onsite.

c. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and

- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

In areas zoned Non-Urban, within the front building setback Council may consider fencing to a maximum height of 1.8 metres on the boundary where the fence has openings of sufficient size (400mm x 400mm) for wallabies to pass through.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- the rural and bushland character of the non-urban area of the locality is conserved and enhanced; (En, S)
- safe confinement of domestic and grazing animals is achieved; (En, S)
- safe and unhindered travel for native animals is preserved. (En)

D6.12 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Ingleside Locality zoned RU2 Rural Landscape

Uses to which this control applies

Attached dwelling
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Earthworks
 Exhibition home
 Other Development
 Multi dwelling housing
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Semi-detached dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

On steeper slopes, preference is given to the use of stable rock ledges and escarpments to reduce the visual bulk of buildings.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations
Nil

D7 Ku-Ring-Gai Chase National Park Locality

This land is administered under the National Parks and Wildlife Act 1974.

The consent authority for development within the Ku-ring-gai Chase National Park is the National Park and Wildlife Service.

There are no locality specific controls for this locality.

D8 Lower Western Foreshores and Scotland Island Locality

D8.1 Character as viewed from a public place

Land to which this control applies

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Subdivision
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)
 To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.
 The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)
 High quality buildings designed and built for the natural context and any natural hazards. (En, S)
 Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)
 To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.
 To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.
 To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street, and are not obscured by vegetation or topographical features, must have a street presence appropriate to predominantly pedestrian traffic. Buildings should incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

1. entry feature or portico;
2. awnings or other features over windows;
3. verandahs or balconies to any first floor element;
4. recessing or projecting architectural elements;
5. open, deep verandahs; or
6. verandahs, pergolas or similar features above ancillary structures.

The bulk and scale of buildings must be minimised.

Landscaping is to be integrated with the building design to screen the visual impact of the built

form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

On Scotland Island, garages, carports and other parking structures including hardstand areas must not be the dominant site features when viewed from a public place.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation; (En, S)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- provides access to public places and spaces which is clear and defined (S).

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D8.2 Scenic protection - General

Land to which this control applies

Land in the Lower Western Foreshores Locality mapped as Scenic Protection - General - P21DCP-D08MDCP080h

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.
 Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D8.3 Building colours and materials

Land to which this control applies

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Finishes are to be of a low reflectivity.

Variations

Council may consider lighter coloured external walls (excluding white) only for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal: -

- enhances the visual quality and identity of the streetscape; (S)
- utilizes colours and materials which harmonise with the natural environment; (En, S)
- minimises the visual prominence of the development; (S)
- minimises damage to existing native vegetation and habitat. (En)

Technical Reports and Supporting Information

Colour and material samples must be submitted with the development application.

D8.5 Front building line

Land to which this control applies

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To encourage attractive frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
All land zoned E3 Environmental Management	6.5 or established building line, whichever is the greater
All other land	Merit assessment

Built structures, other than driveways (on Scotland Island), fences and retaining walls are not permitted within the front building setback.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building

lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

For Scotland Island, where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D8.6 Side and rear building line

Land to which this control applies

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established. (En, S)

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
Land zoned E3 Environmental Management	2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)

The planting of exotic plants within this setback is prohibited.

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

For swimming pools and spas a 1m minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and

- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1m above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D8.8 Building envelope

Land to which this control applies

Land in the Lower Western Foreshores and Scotland Island Locality zoned E3 Environmental Management

Uses to which this control applies

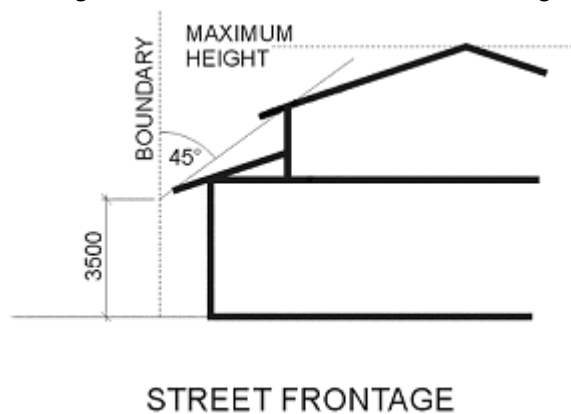
Child care centre
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint has a slope is situated on a slope over 16.7 degrees (i.e. 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D8.9 Landscaped Area

Land to which this control applies

Land in the Lower Western Foreshores and Scotland Island Locality zoned E3 Environmental Management

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)

The bulk and scale of the built form is minimised. (En, S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties. (En, S)

Vegetation is retained and enhanced within the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation including tree canopy. (En)

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

To ensure the distribution of height and mass preserves, and enhances neighbourhood amenity and has regard to site characteristics and environmental constraints.

To conserve significant natural features of the site and contribute to effective management of biodiversity.

The area of site disturbance is minimised. (En)

Soft surface is maximised. (En, S)

Controls

The maximum area not provided as landscaped area shall be in accordance with the following table:

Site	% of site	m ²
<500		165
500-549	33	
550-599	32	
600-649	31	
650-699	30	
700-749	29	
750-799	28	
800-849	27	
850-899	26	
900-949	25	
950-999	24	

1000	23	
>1000		230

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling must comply with the above table.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned E3 Environmental Management, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes or waste water treatment systems that are not visible from Pittwater waterway can be included as landscaped area for the purpose of this control.

On sites larger than 1000 square metres, the maximum area not provided for landscaping may be increased up to 23% of the site, upon application to Council. In such instances it must be demonstrated that development is kept in scale with the Locality, that the natural features of the site are preserved, and that the supply of water and the treatment of wastewater is sufficient for the size of the proposed development, without adverse environmental impact.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed site coverage.

An analysis of the site coverage demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D8.10 Fences

Land to which this control applies

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To discourage the use of fencing. (En, S)

To provide fencing only where necessary and to ensure that such fencing is sympathetic to the bushland setting of the locality. (En, S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and a clear view of the street including to and from driveways for motorists and pedestrians. (Ec, S)

To ensure heritage significance is protected and enhanced.

To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall not be permitted other than for blocks with a water frontage.

For blocks with a water frontage, front fences and side fences (within the front building setback) shall have a maximum height of 1 metre above existing ground level, and shall be setback 1.5 metres from the property boundary. Landscaping is to screen the fence on the foreshore side.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres. Such fencing should be kept to a minimum and only used where necessary for privacy, pet restraint and containment of household areas.

Fences shall not obstruct the passage of wildlife.

Fencing material shall be compatible with the natural environment, and shall be as transparent as possible, such as split timber posts and thin wire strands. Sheet metal fences are prohibited.

Where abutting a public reserve or place, fencing shall be constructed of natural materials, such as timber, brushwood, or sandstone, and be compatible with any adjoining fences.

c. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with min dimension of 150mm accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Area or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

Where fencing is used for pet restraint, please also refer to control D8.12.

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that :

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fencing is provided only where necessary, and is sympathetic to the bushland setting of the locality; (En, S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe and unhindered travel for native animals is preserved. (En)

D8.11 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Lower Western Foreshores and Scotland Island Locality zoned E3 Environmental Management

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D8.12 Companion animals

Land to which this control applies

Land in the Lower Western Foreshores Locality Excluding Scotland Island - P21DCP-D08MDCP403

Uses to which this control applies

Child care centre
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

Achieve the desired future character of the Locality. (S)
To protect native wildlife. (En)
To stop domestic animals entering/colonising bushland reserves and the National Park. (En)

Controls

The keeping of cats, ferrets and rabbits is prohibited.

Owners who wish to keep permitted domestic animals shall prevent them from entering the National Park and any Wildlife Protection Area at all times.

A maximum of 2 dogs are permitted per household.

Variations

Current owners of cats are permitted to retain them provided they are kept within a cat run or inside the dwelling at all times. Cats are not to be replaced.

Where more than two dogs are currently registered to a property they may be retained, but replacement must result in no more than two dogs per dwelling.

Information to be shown on the Development Drawings

- Details of any existing and/or proposed animal containment fencing.

Information to be included in the Statement of Environmental Effects

- An explanation of how the development proposal will ensure that no new domestic cats will be introduced into the area as a result of the development, and what measures are proposed to ensure existing domestic cats and other domestic animals will be confined within the property boundary at all times.

D8.13 Stormwater overflow**Land to which this control applies**

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Limit the adverse impacts of concentrate flow of stormwater caused by development within the fragile Scotland Island and Western Foreshore Environment. (En)

Controls

Rainwater shall as much as possible be channelled into rainwater tanks.

The overflow from a stormwater system shall be designed, constructed and maintained so as to disperse the flow of water across the landscape through the bushland.

Domestic water collection systems should be set up so that preferably all rainwater falling on a roof is collected and channelled into water tanks.

Landscaping or land formation should encourage the dispersal of storm water across the landscape and through bushland and should discourage the channelling of water into gullies flowing onto roadways, reserves, other properties, or into the Pittwater.

Stormwater shall be controlled such that the waters do not infiltrate any land application system associated with on-site wastewater treatment system is not located over major stormwater overland flowpaths or channels.

Variations

Nil.

- The location of existing and proposed wastewater treatment systems and associated disposal areas.

Information to be shown on the Development Drawings

- Stormwater treatment and management structures and facilities.

Information to be included in the Statement of Environmental Effects

- An analysis of how the proposed development will ensure that stormwater is not concentrated so as to harm the environment, through erosion, pollution of Pittwater waterway, or adverse impact on on-site wastewater treatment systems and associated disposal areas.

D8.14 Parking management**Land to which this control applies**

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
Dwelling house
Earthworks
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

The environmental and social amenity of Scotland Island and the Western Foreshores is maintained through strictly limiting the number of vehicles. (En, S)

Controls

There is no privately owned motor vehicle access to the Western Foreshores. Only fire trucks and community vehicles are to be housed within community facilities.

Privately owned motor vehicle access to Scotland Island is discouraged.

Variations

Nil.

D8.15 Site disturbance

Land to which this control applies

Lower Western Foreshores and Scotland Island Locality - P21DCP-D08MDCP400

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

The natural topography of the land, and surface and subsurface drainage patterns are retained. (En)

Site disturbance is minimised. (En)

Development does not result in visual scarring of the landscape. (En)

Controls

On Scotland Island and the Western Foreshores, at no time shall site disturbance exceed 25% of the site area.

Variations

Site disturbance of the site greater than 25% due to construction access and storage requirements will be considered on a merit basis where a Site Erosion and Sedimentation Prevention Plan is provided demonstrating construction methodology and rehabilitation strategy.

D8.16 Scenic Protection Category One Areas

Land to which this control applies

Land in the Lower Western Foreshores Locality mapped as Scenic Protection - Category 1 - P21DCP-D08MDCP075h

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as ridges, upper slopes and the waterfront. (En, S)
Maintenance and enhancement of the tree canopy. (En,S)
Colours and materials recede into a well vegetated natural environment. (En,S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component. (En, S)
To preserve and enhance district and local views which reinforce and protect Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to the natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D9 Mona Vale Locality

D9.1 Character as viewed from a public place

Land to which this control applies

Mona Vale Locality - P21DCP-D09MDCP450

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Occupation/Change of use of an existing premises
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (EN, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank

street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil.

Information to be shown on the Development Drawings

- The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state).

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

- Proposed development having a value greater than \$1 million are to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.
- Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D9.2 Scenic protection - General

Land to which this control applies

Land in the Mona Vale Locality mapped as Scenic Protection - General - P21DCP-D09MDCP080i

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation

Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D9.3 Building colours and materials

Land to which this control applies

Mona Vale Locality - P21DCP-D09MDCP450

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business and Light Industrial zoned land.

Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal: -

- enhances the visual quality and identity of the streetscape;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

- Colour and material samples must be submitted.

D9.6 Front building line

Land to which this control applies

Mona Vale Locality - P21DCP-D09MDCP450

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living adjoining Barrenjoey Road, Mona Vale Road or Pittwater Road	10 or established building line which ever is the greater
All land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living NOT adjoining Barrenjoey Road, Mona Vale Road or Pittwater Road	6.5, or established building line, whichever is the greater
Land zoned B4 Mixed Use within the Mona Vale Core Commercial Centre	3.5 at ground level up to 8.49m in height, then 6.0 to that part of the building 8.5m and greater above ground level (existing)
All other land zoned B4 Mixed Use or B1 Neighbourhood Centre	3.5
Land zoned IN2 Light Industrial adjoining Barrenjoey Road	10 or established building line, whichever is the greater
All other land zoned IN2 Light Industrial	6.5
All other land	Merit Assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.

Where new streets or accessways are proposed in residential flat buildings and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

Where the outcomes of this control are achieved, Council may, on land zoned Light Industrial, permit the following:

- a. vehicle turning and parking areas within the front building setback provided they are setback a minimum of 5 metres from Barrenjoey Road or 1.5 metres from other roads; and
- b. driveway entrances within the setback area other than for Barrenjoey Road; and
- c. a 2.5 metre reduction in the front building setback where parking is provided to the rear of the site, within the building, or is located where it is not readily visible from the street.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D9.7 Side and rear building line

Land to which this control applies

Mona Vale Locality - P21DCP-D09MDCP450

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established. (En, S)

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side & Rear Building Line Setback (metres)
------	--

Land zoned R2 Low Density Residential, R3 Medium Density Residential, or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Residential flat buildings and multi dwelling housing: see below
Land zoned B1 Neighbourhood Centre, B4 Mixed Use, or IN2 Light Industrial adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public recreation, RE2 Private Recreation, or E2 Environmental Conservation	3.0 along that adjoining side or rear boundary
Land zoned B1 Neighbourhood Centre, B4 Mixed Use or IN2 Light Industrial adjoining land zoned other than R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public recreation, RE2 Private Recreation, or E2 Environmental Conservation	Nil

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.

- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D9.9 Building envelope

Land to which this control applies

Land in the Mona Vale Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

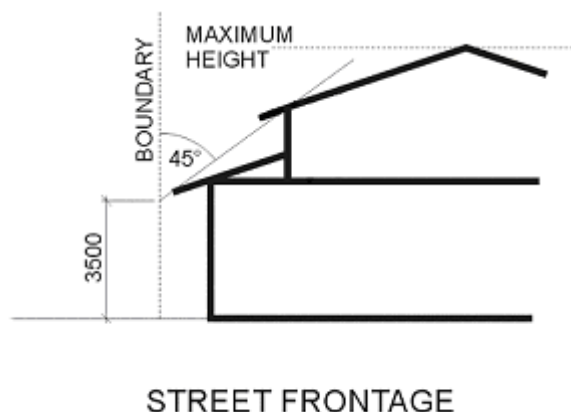
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D9.10 Landscaped Area - General

Land to which this control applies

Land in the Mona Vale Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or

SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Residential Flat Buildings, Multi Dwelling Housing and Shop Top Housing.

Provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

- Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D9.11 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Mona Vale Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Hospital
 Jetty
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D9.12 Fences - General

Land to which this control applies

Land in the Mona Vale Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D09MDCP457

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood.

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

Unhindered travel for native animals and pedestrians. (S)
 To ensure heritage significance is protected and enhanced. (S)
 To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

f) Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that :

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D9.13 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Mona Vale Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D09MDCP458

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hospital
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe and unhindered travel for native animals. (En)
To ensure fences compliment and conserve the visual character of the street and neighbourhood.
To define the boundaries and edges between public and private land and between areas of different function.
To contribute positively to the public domain.
To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)
To ensure native vegetation is retained. (En)
To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

f. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

g. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that;

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D9.14 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Mona Vale Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hospital
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D9.16 Character of the Public Domain - Mona Vale Commercial Centre

Land to which this control applies

Land adjacent to Road Reserves within the Commercial Centre in the Mona Vale Locality - P21DCP-D09MDCP460

Uses to which this control applies

Business Development
Child care centre
Hospital
Industrial Development
Occupation/Change of use of an existing premises
Other Development
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Waste water disposal system

Outcomes

Achieve desired character of the Commercial Centres. (S, Ec)

To ensure consistency in the quality of the design and construction of works in the public domain. (S, Ec)

Controls

Development with frontages within the Commercial Centre shall include the design and construction of works in the public domain including the footpath zone, footpath paving finish, kerb and gutter, drainage facilities, street furniture, street lighting and landscaping and making good the adjacent road formation and pavement for the full width of the development site on all public road reserve frontages at the full cost to the applicant.

The design and construction of all works in the public domain must be in accordance with the:

- *Pittwater Streetscapes Management Guidleines* and
- Master Plan for Public Domain - Mona Vale as adopted by Council in the Section 94 Contributions Plan Village Streetscapes.

Refer to additional controls for landscaping in commercial centres in Control C2.20 Public Road Reserve - Landscaping and Infrastructure.

Variations

Nil

All works proposed within the road adjoining the site.

Information to be shown on the Development Drawings

Ground Level Floor Plan to clearly show all works proposed within the road adjoining the site.

Information to be included in the Statement of Environmental Effects

- An analysis of how the proposed development will integrate with the public road adjoining the site, demonstrating that consistency in the design and construction of works in the public domain is achieved. (S, Ec)

D9.17 Scenic Protection Category One Areas

Land to which this control applies

Land in the Mona Vale Locality mapped as Scenic Protection - Category 1 - P21DCP-D09MDCP075i

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as ridges, upper slopes and the waterfront. (En, S)
Maintenance and enhancement of the tree canopy. (En,S)
Colours and materials recede into a well vegetated natural environment. (En,S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component. (En, S)
To preserve and enhance district and local views which reinforce and protect Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to the natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries to waterways.

Canopy trees are required between the dwellings and boundaries to waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D10 Newport Locality

D10.1 Character as viewed from a public place

Land to which this control applies

Newport Locality - P21DCP-D10MDCP500

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built form and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.

Except in the Newport Commercial centre, parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Advisory Notes

Controls for parking structures for the Newport Commercial Centre are located in controls B6.6 and D10.2 of this DCP.

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D10.2 Character - Newport Commercial Centre

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
 Child care centre
 Earthworks
 Occupation/change of use of an existing premises
 Other Development
 Seniors housing
 Shop top housing
 Signage
 Subdivision
 Telecommunications facility
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

To provide a sense of place by acknowledgement of the setting, history, landscaping and built character and to give residents a sense of belonging, community pride and security. (S)

To encourage vitality within the Commercial Centre and to give people the opportunity to meet most of their needs locally. (S, Ec)

To reduce pedestrian/vehicle conflict and to provide good accessibility to the main elements of the Commercial Centre. (S, Ec)

To provide urban design elements at a human scale at which people do not feel overwhelmed by buildings. (S, Ec)

To encourage a high standard of architectural design in development to ensure an improved individual identity and seaside character for the Newport Commercial Centre. (S, Ec)

Controls

Development in the Newport Commercial Centre shall be in accordance with the approved Masterplan for the Newport Commercial Centre (refer to Appendix 12 of this DCP).

Small retail facilities are encouraged in Newport Commercial Centre.

All parking structures shall be below finished ground level at the street boundary or as otherwise specified in the adopted Newport Masterplan at Appendix 12 of this DCP.

Arcades and through-site links are to be provided in accordance to clause D10.22 and the Masterplan for the Newport Commercial Centre at Appendix 12 of this DCP.

Light wells are not permitted in any development.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development in terms of its impact on the character of the Avalon Beach Village demonstrating that the proposal:-

- provides a sense of place by acknowledging the setting, history, landscaping and built character and to give residents a sense of belonging, community pride and security; (S)
- encourages vitality within the Commercial Centre and will give people the opportunity to meet most of their needs locally; (S, Ec)
- reduces pedestrian/vehicle conflict and provides good accessibility to the main elements of the Commercial Centre; (S, Ec)
- provides urban design elements at a human scale at which people do not feel overwhelmed by buildings; (S, Ec)
- encourages a high standard of architectural design in development to ensure an improved individual identity and seaside character for the Newport Commercial Centre. (S, Ec)

D10.3 Scenic protection - General

Land to which this control applies

Land in the Newport Locality mapped as Scenic Protection - General - P21DCP-D10MDCP080j

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D10.4 Building colours and materials

Land to which this control applies

Newport Locality - P21DCP-D10MDCP500

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments the visual character of its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

The use of materials with low embodied energy is encouraged. (En)

New buildings are robust and durable with low maintenance requirements. (S)

In the Newport Commercial Centre, roofs of lighter colours are permitted to improve the thermal performance of the roof system. (En, Ec, S)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



More flexibility in the use of colour may be permitted in the retail component of any development within business zoned land, including the limited use of corporate colours. Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

In the Newport Commercial Centre:

- Glass awnings in the Newport Commercial Centre shall be treated to reduce solar and heat transmission.
- Buildings shall not be solid or monolithic in appearance. Lightweight materials shall be used; heavy materials (stone, brick, concrete) may be used for the base of buildings (i.e. heavy materials may be used for foundation areas that are required to be visible on the ground floor for the structural stability of a building).

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Newport Commercial Centre

Bright colours and highly reflective materials may be used as highlight items only. The colour white can be used on trims.

Mid and light grey may be used for roofs, framing elements (columns, handrails) and for no more than a 20% portion of the wall area ONLY where the finish is uncoated metal. Painted surfaces must be mid-tone or darker.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape; (S)
- utilizes colours and materials which harmonise with the natural environment; (En, S)
- minimises the visual prominence of the development; (S)
- reflects the natural amphitheatre of the locality; (En, S)
- minimises damage to existing native vegetation and habitat. (En)

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D10.6 Street Frontage Building Envelope (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

To achieve the desired future character of the Locality.

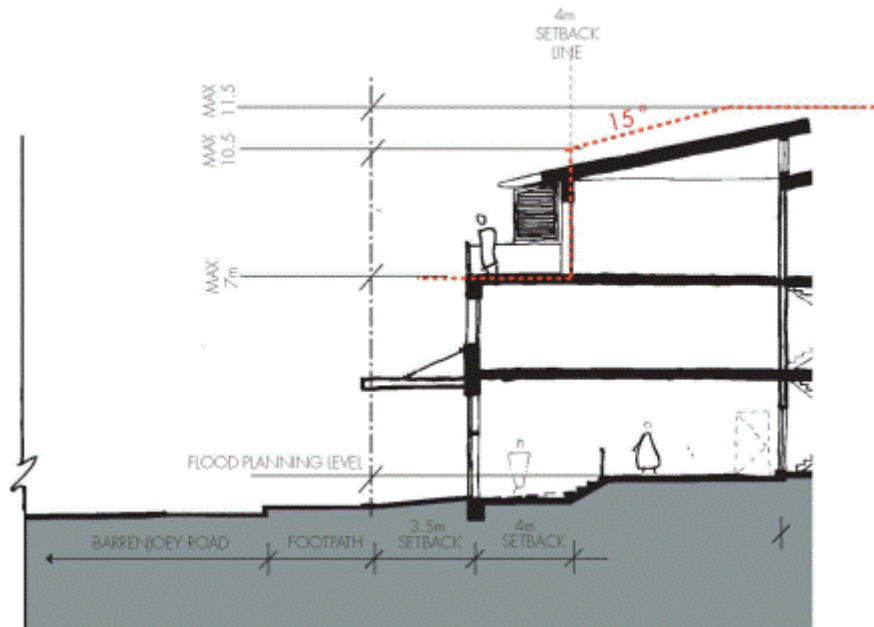
The main street character of Barrenjoey Road in the Newport commercial centre is reinforced.
(S)

Overshadowing and excessive bulk and scale in the streetscape and within important view corridors is minimised. (S)

Controls

On Barrenjoey Road and 17-29 Foamcrest Avenue (including land fronting Foamcrest Avenue at 343 Barrenjoey Road), development must be sited within a building envelope determined in accordance with the diagram at Figure 1.

Figure 1. Barrenjoey Road street frontage

**Variations**

Nil

Advisory Notes

Nil.

D10.7 Front building line (excluding Newport Commercial Centre)

Land to which this control applies

All land in the Newport Locality NOT including the Newport Commercial Centre - P21DCP-D10MDCP509

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
The amenity of residential development adjoining a main road is maintained. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Vehicle manoeuvring in a forward direction is facilitated. (S)
To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
To encourage attractive street frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living adjoining Barrenjoey Road	10 or established building line, whichever is the greater
All other land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	6.5 or established building line, whichever is the greater.
Land zoned B1 Neighbourhood Centre or B2 Local Centre	3.5
All other land	Merit Assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the

front building setback.

Where new streets or accessways are proposed in residential flat building and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation; where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Advisory Notes

Front setback controls for the Newport Commercial Centre are in Part D10.9 of this DCP.

Information to be shown on the Development Drawings
Front building setback to be dimensioned on plans.

D10.8 Side and rear building line (excluding Newport Commercial Centre)

Land to which this control applies

All land in the Newport Locality NOT including the Newport Commercial Centre - P21DCP-D10MDCP509

Uses to which this control applies

- Attached dwelling
- Boarding house
- Business Development
- Child care centre
- Development ancillary to residential accommodation
- Dual occupancy (attached)
- Dual occupancy (detached)
- Dwelling house
- Exhibition home
- Group home
- Hostel
- Jetty
- Multi dwelling housing
- Other Development
- Residential flat building
- Rural worker’s dwelling
- Secondary dwelling
- Semi-detached dwelling
- Seniors housing
- Shop top housing
- Signage
- Telecommunications facility
- Tourist and visitor accommodation
- Waste water disposal system
- Water recreation structure

Outcomes

- To achieve the desired future character of the Locality. (S)
- The bulk and scale of the built form is minimised. (En, S)
- Equitable preservation of views and vistas to and/or from public/private places. (S)
- To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
- To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
- Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
- Flexibility in the siting of buildings and access. (En, S)
- Vegetation is retained and enhanced to visually reduce the built form. (En)
- To ensure a landscaped buffer between commercial and residential zones is established. (En, S)

Controls

The minimum side and rear building line for built structures including pools and carparks, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side & Rear Building Line Setback (metres)

Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)
Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation or W1 Natural Waterway.	3.0 along that adjoining side or rear boundary
Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation or W1 Natural Waterway.	Nil

Residential flat buildings and multi dwelling housing

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will

not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

Side and rear setbacks for the Newport Commercial Centre are in Part 10.9 of this DCP.

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D10.9 Setbacks (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

A variety of built form and a sense of openness within the streetscape and on the skyline. (S)
The public domain is enhanced. (S)
Retail and dining uses on Barrenjoey Road spill out to the exterior of the shopfront, utilising and activating the footpath. (S)
A two storey street frontage wall height is maintained. (S)
Built form is characteristically 'broken down' into smaller components, with breaks between buildings, particularly on the 3rd level. (S)
Opportunities for view sharing are protected and enhanced. (S)
Adequate residential amenity is provided in the form of access to daylight and natural ventilation, and generous balcony areas for private outdoor space. (S)
Efficient building layouts are achieved. (S)
A public plaza on Robertson Road. (S)
On the northernmost sites adjacent to the beachfront path network (ie 370-386 Barrenjoey Road), high quality development and an attractive and inviting entry to Newport that visually integrates the main street with the beachfront open space. (S)
Courtyard spaces, balconies and above ground open space is provided for building users and residents, to encourage outdoor living and communal activity and allow for additional outdoor dining areas. (S)
Adequate building separation is provided for visual and acoustic privacy for all occupants and building users. (S)

Controls

Front setbacks

The front building line of new development on Barrenjoey Road is to be set back 3.5 metres from the front boundary EXCEPT for Nos. 358-386 Barrenjoey Road, (eastern side of Barrenjoey Road, north of Bramley Avenue) which are to have a nil front setback.

Figure 1. Nos 358 - 386 Barrenjoey Road front setback control

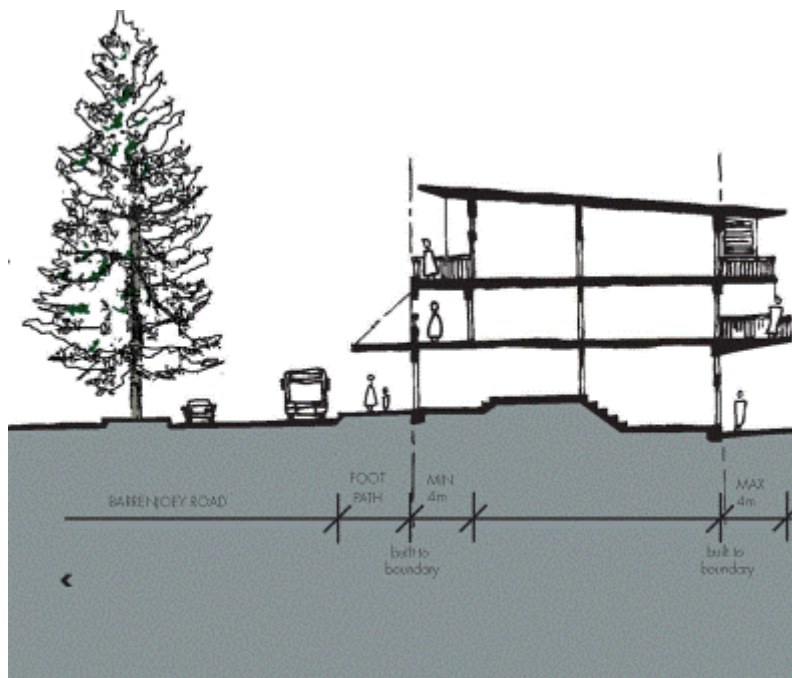
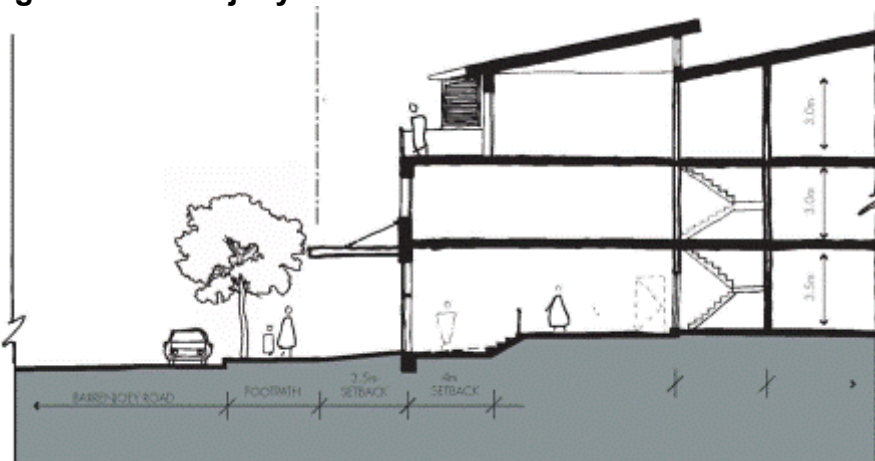
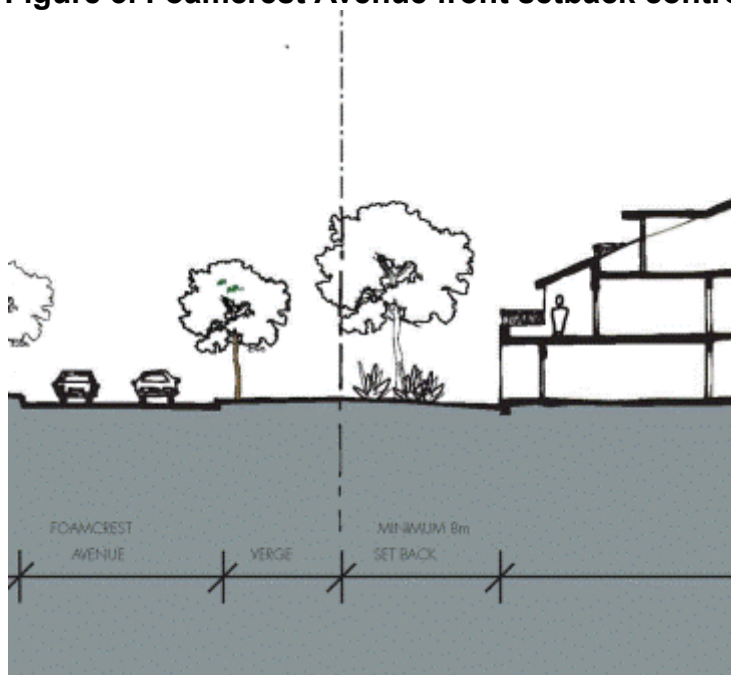


Figure 2. Barrenjoey Road front setback control



The front setback on Foamcrest Avenue and Seaview Avenue is to be 8 metres to provide a generous landscaped setting for the buildings. Consideration may be given to a reduced setback, to 5 metres, at the corner with Robertson Road, to a maximum distance of 10 metres from the corner.

Figure 3. Foamcrest Avenue front setback control



Design the 3.5 metre front setback to be at the same level as and integrate with the footpath (in particular with the use of paving material) to visually extend the public domain.

On the south side of Robertson Road (at 29 Foamcrest Avenue and 349 Barrenjoey Road), provide a small public plaza formed by a widened setback in the centre of the street, with a minimum depth of 6 metres at its narrowest point (as referenced in the Newport Masterplan at Appendix 12 of this DCP).

To create the plaza:

- The distance along the southern side of Robertson Road from each corner boundary where a nil setback is allowed is a maximum 30 metres; and
- The minimum dimension of the length of the widened setback to create the plaza in the centre of the southern side of Robertson Road is 30 metres.

On all street frontages the third (topmost) level is to be set back a minimum 4.0 metres from the front building line.

Side setbacks

No side setbacks are required for ground or 1st floor.

Spaces between buildings at the topmost (3rd) level are required. A minimum 3 metre side setback is required.

In addition, the maximum length of the topmost floor of a 3 storey building is 24 metres, with side setbacks of minimum 6 metres width in accordance with *Residential Flat Design Code* building separation standards for non-habitable rooms.

Where habitable rooms and their balconies are located at the side boundary, side setbacks for adjoining properties will be determined in accordance with the building separation controls (Refer to Part D10.24 of this DCP).

Buildings at ground level are to have nil setbacks to the boundary except where arcades or through site links are introduced and for boundaries adjoining land at No. 335 Barrenjoey Road.

Where arcades are provided, design the entry and the arcade itself to a minimum 6 metre width and generous height.

Upper level setbacks

The ground and first floor on Barrenjoey Road are to be built to the 3.5 metre front setback building line (except Nos. 358-386 Barrenjoey Road where a nil front setback is required). The ground and first floor on Robertson Road are to be built to the front boundary except where a setback from the public plaza is required. The topmost (3rd) level is to be set back a minimum of 4 metres from the front setback that the lower levels are required to achieve under the front setback requirements of this DCP.

All elevations of buildings adjoining the Robertson Road plaza (refer to the controls in this clause or the adopted Newport Masterplan at Appendix 12 for the location of the plaza) have a maximum 2 storey building height at their front building line to the plaza, with the topmost (3rd) level set back a minimum of 3 metres from the front facade of the lower floors.

The upper levels of the building at the northern village entry (Nos. 370-386 Barrenjoey Road) may extend over the Bramley Avenue car park, to a maximum 4 metres. This can only be achieved where there is minimum height from car park ground level to the overhang of 5.5 metres (to enable vehicle movement) and with the consent of the land owner.

Rear Setbacks

The following rear setbacks are required:

- Sites on the eastern side of Barrenjoey Road, north of Bramley Avenue and backing onto the Bramley Avenue car parking area (Nos. 358-386 Barrenjoey Road) - nil
- Sites on the eastern side of Barrenjoey Road, south of Bramley Avenue (Nos. 324-354 Barrenjoey Road) - 3 metres.

Except as required above, sites in Newport Commercial Centre - 6 metres

- except where there is through-block consolidation, in which case the rear setback condition no longer applies
- the 6 metre setback does not include shade structures, screens etc but refers to the face of the building or balcony (the plane of the building facade)

If multiple lots are consolidated such that part of one lot runs the full width of the street block and part does not, a 6 metre rear setback requirement applies for that portion of that boundary where the boundary to any neighbouring property is also a rear boundary (See Figure 5).

Figure 4. Barrenjoey Road and Foamcrest Avenue: Rear setbacks

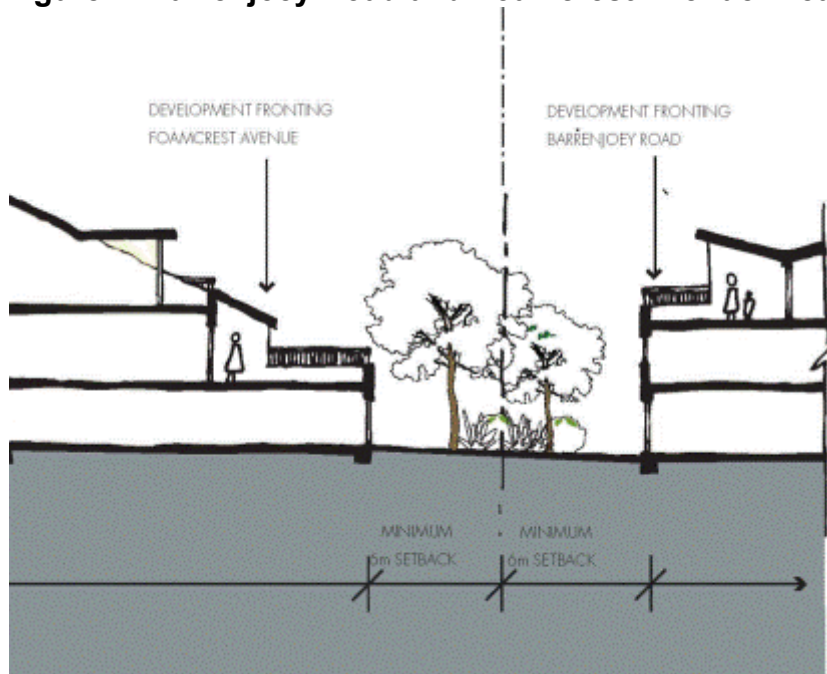
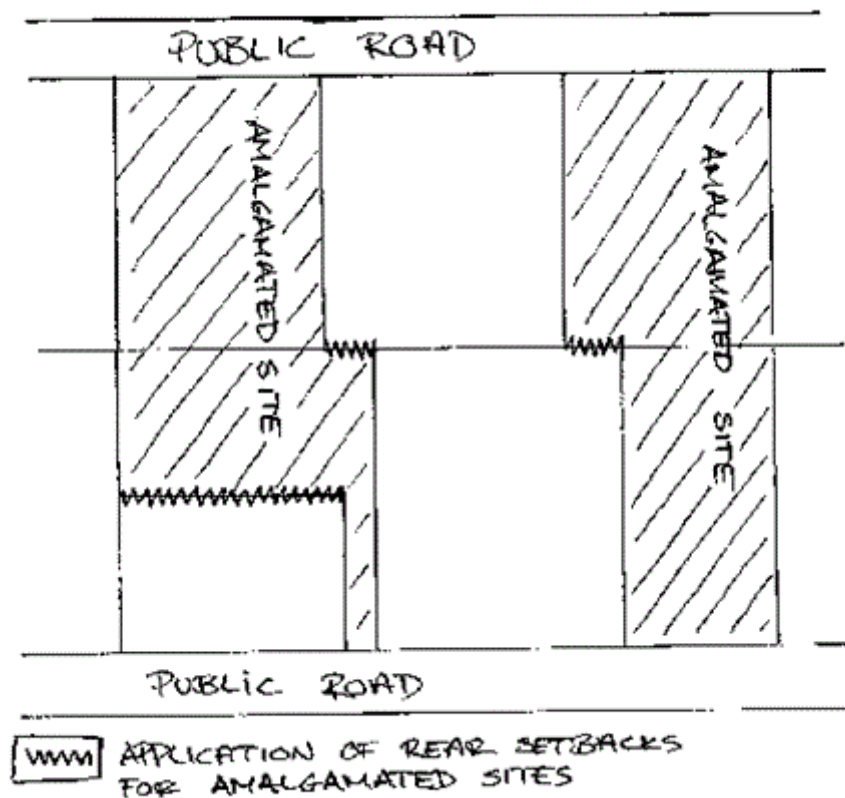


Figure 5. Consolidated Lots: Rear setbacks



Variations

Roof overhangs/eaves may project into the third level setback zone up to 1 metre if solid, 2.5 metres if transparent.

Information to be shown on the Development Drawings

Front, side, upper level and rear setbacks to be dimensioned on plans.

D10.11 Building envelope (excluding Newport Commercial Centre)

Land to which this control applies

Land in the Newport Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living NOT including the Newport Commercial Centre

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

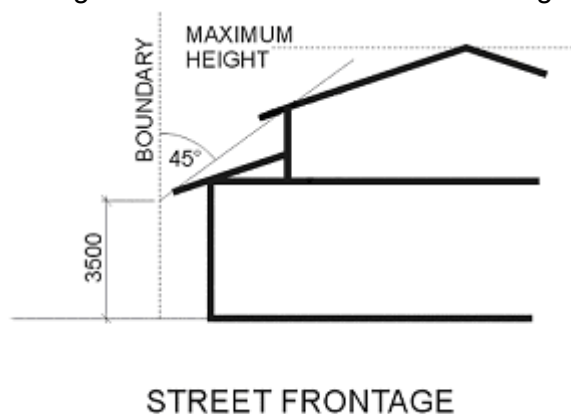
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint has a slope is situated on a slope over 16.7 degrees (i.e.; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D10.12 Landscaped Area - General

Land to which this control applies

Land in the Newport Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Residential Flat Buildings, Multi Dwelling Housing and Shop Top Housing

Provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

- Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D10.13 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Newport Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will

be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D10.14 Fences - General

Land to which this control applies

Land in the Newport Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D10MDCP506

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe and unhindered travel for native animals. (En)

To ensure fences compliment and conserve the visual character of the street and neighbourhood.

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

To ensure native vegetation is retained (En).

To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimension of 150mm accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area is 'open' for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D10.15 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Newport Locality included in Flora and Fauna Conservation Category 1 and 2 Areas
- P21DCP-D10MDCP507

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality.
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe and unhindered travel for native animals. (S)
To ensure fences compliment and conserve the visual character of the street and neighbourhood.
To define the boundaries and edges between public and private land and between areas of different function.
To contribute positively to the public domain.
To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)
To ensure native vegetation is retained (En).
To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall not exceed a maximum height of 1 metre above existing ground level, and shall be compatible with the streetscape character and not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the roadside.

Original stone fences or fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with min dimension of 150mm accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, or the site is located on a main or arterial road with high traffic noise. In such instances, front fencing shall:

- i. be setback the height of the fence (i.e. 1.8 metres high fence setback 1.8 metres from the front boundary); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and

- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open' for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D10.16 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Newport Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Retaining walls and terracing shall be kept to a minimum. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than

cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D10.17 Character of the Public Domain - Newport Commercial Centre

Land to which this control applies

Land adjacent to Road Reserves within the Commercial Centre in the Newport Locality - P21DCP-D10MDCP508

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Subdivision
Telecommunications facility

Outcomes

Achieve desired character of the Commercial Centres. (S, Ec)

To ensure consistency in the quality of the design and construction of works in the public domain. (S, Ec)

Controls

Development with frontages within the Commercial Centres shall include the design and construction of works in the public domain including the footpath zone, footpath paving finish, kerb and gutter, drainage facilities, street furniture, street lighting and landscaping and making good the adjacent road formation and pavement for the full width of the development site on all public road reserve frontages at the full cost to the developer.

The design and construction of all works in the public domain must be in accordance with the:

- Roads, Footpaths and Nature Strip Guidelines and:
- Newport Masteplan included at Appendix 12 of this DCP

Refer to additional controls for landscaping in commercial centres in Part C - C2.20 Public Road Reserve - Landscaping and Infrastructure.

Variations

Nil

All works proposed within the road adjoining the site.

Information to be shown on the Development Drawings

Ground Level Floor Plan to clearly show all works proposed within the road adjoining the site.

Information to be included in the Statement of Environmental Effects

- An analysis of how the proposed development will integrate with the public road adjoining the site, demonstrating that consistency in the design and construction of works in the public domain is achieved. (S, Ec)

D10.18 Scenic Protection Category One Areas

Land to which this control applies

Land in the Newport Locality mapped as Scenic Protection - Category 1 - P21DCP-D10MDCP075j

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as ridges, upper slopes and the waterfront. (En, S)
Maintenance and enhancement of the tree canopy. (En,S)
Colours and materials recede into a well vegetated natural environment. (En, S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)
To preserve and enhance district and local views which reinforce and protect Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to the natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D10.19 Subdivision and Amalgamation (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Other Development
Seniors housing
Shop top housing
Subdivision

Outcomes

New development will optimise lot size and proportion for: high amenity, flexible building envelopes and efficient parking layout. (Ec, S)
Street and arcade character is enhanced. (S)
Existing views are maintained. (S)
Residential amenity is maintained. (S)
The pattern of arcades and through-site links is maintained and enhanced. (Ec, S)
Lots are not isolated and unable to be developed to their full potential. (Ec)
Driveways crossings are minimised and access is optimised. (S)

Controls

New developments on larger lots are to respond to the existing and small scale subdivision pattern of Newport.

An integrated development of the "car park precinct" is required as shown on the diagram below.

New development is to be designed in accordance with the indicative amalgamation pattern and vehicular access and underground parking arrangements (including the provision of right of access through some sites) shown in the figures below.

Figure 1. Newport car park precinct and indicative amalgamation pattern



Figure. 2 Newport vehicular access and underground parking arrangements



Variations
Nil

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of Pittwater 21 DCP for subdivision and amalgamation

D10.20 Design of Mixed Use Developments (Newport Commercial Centre)**Land to which this control applies**

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development

Shop top housing

Outcomes

Retail, commercial and community uses integrated with residential uses. (Ec, S)

High amenity for business users, residents and for other users. (S)

Commercial and retail premises are fully accessible and well serviced. (S)

Safety and security of communal and private areas of developments. (S)

New buildings positively contribute to the streetscape. (S)

Building envelopes and floor to ceiling heights enable flexibility and future changes of use. (Ec, S)

Controls

Buildings are to be designed with:

- flexible layouts to enable a variety of uses and tenancies, and whose use can change over time,
- floor to ceiling heights for ground floor retail uses of a minimum of 3.3 metres (for flood affected buildings this is to be measured from the flood planning level),
- first and second floor ceiling heights of a minimum of 2.7 metres.

Avoid the use of blank walls at ground level.

Clearly distinguish commercial entries from residential entries; ensure that any residential entries off Barrenjoey Road and Robertson Road are secondary to retail and commercial entries and arcades.

Achieve acoustic privacy by separating uses where possible, ensuring that loading bays, garbage disposal and other service areas are buffered from residential areas and openings, and by careful location of noise-generating services.

Variations

Nil

Advisory Notes

When considering the flood planning level, refer to flood hazard controls in Part B3 of this DCP.

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of Pittwater 21 DCP for the design of mixed use developments

D10.21 Active Frontages (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

Active street frontages are achieved through a variety of openings and the relationship between retail, business and office premises and the street. (S)

Ground floor uses have a clear street presence that connects public and private domains through display windows, retail shopfronts, outdoor eating or dining areas and other activities that attract people to the area and to stay in the area longer. (Ec, S)

Business premises utilise entries on street frontages to encourage people to come to the centre for business purposes. (Ec, S)

Upper level commercial and residential uses and their entries do not detract from the retail streetscape and provide clear and secure address. (S)

Clear and easy access for all pedestrians provided. (S, Ec)

Shopfronts and openings in the front facade relate in scale and proportion to the overall building massing and height. (S)

Arcades and through site links are safe, inviting and fully accessible. (S)

Pedestrian amenity is optimised by providing weather protection. (S)

A sense of safety and security on footpaths, in arcades and on through site links is achieved. (S)

Community safety is achieved by increasing activity in the public domain after hours and at weekends. (S)

Controls

Buildings shall be designed with active uses fronting streets, and with openings overlooking streets and public spaces.

Internalised uses and/or uses that do not activate and engage the street will not be permitted on key entry sites to the commercial centre (key entry sites are identified in Figure 4.6 of the adopted Newport Masterplan at Appendix 12 of this DCP).

Building fronts and entries are to be designed to be clearly visible from the street.

Awnings are to be provided to the full width of the lot at ground floor on Barrenjoey Road and Robertson Road (including to the public plaza to a minimum depth of 2 metres), and over entries to buildings on Seaview Parade, Foamcrest Avenue, Coles Parade and Bramley Avenue. Refer to adopted Masterplan at Appendix 12 for the location of the public plaza.

Awnings are to be stepped with the topography.

Transparent awnings are permitted (so long as they are glass with solar control, not perspex or other material that transmits heat) to contribute to a sense of openness.

Shop fronts are to be wrapped around corners into side streets to increase the area of active frontage.

Shopfronts at arcade entries are required to 'turn the corner' into the arcade, with transparent, preferably full height windows (floor to ceiling), to a minimum distance of 6 metres from the front building line.

For cafe/dining uses, openable window areas in association with seating overlooking the street is to be provided.

Colonnades are not permitted to adjoin active frontages.

Variations

Nil

Advisory Notes

Active frontages are locations where retail shopfronts address the street, building entries are positioned and pedestrians circulate, accessing shops and services. Active frontages encourage pedestrian movement and create an environment of vibrancy and vitality.

Colonnades are a series of columns at regular intervals. Colonnades discourage rather than encourage pedestrian movement along shopfronts, next to building entries and within arcades.

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of Pittwater 21 DCP for active frontages

D10.22 Arcades (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

The public domain is extended with a well connected system of arcades linked into the street and footpath network. (S)

Pedestrian movement is facilitated in the main shopping strip and to the Robertson Road neighbourhood hub. (S)

High amenity in terms of weather protection, lighting and signage is provided. (S)

New development contributes to a sense of safety and security in the public domain. (S)

The retail activity zone is extended, enabling more and a greater diversity of retail and commercial uses. (Ec)

Existing through site links, desire lines and views between east and west are supported. (Ec, S)

The ground level of all arcades have active retail uses. (Ec)

Controls

Arcades are to be provided in accordance to the Masterplan for the Newport Commercial Centre at Appendix 12 of this DCP.

In the "car park precinct" (refer to controls at D10.19 of this DCP and the adopted Newport Masterplan at Appendix 12 for location of precinct), link east-west arcades with a north-south arcade connecting to Robertson Road.

To maintain the existing through site link from Barrenjoey Road to the Bramley Avenue carpark on the north-eastern side of Barrenjoey Road, an arcade is to be located where the existing privately owned laneway is located at 378 Barrenjoey Road.

Arcades are not to terminate, i.e. must provide through site access.

Arcades are to be designed with clear lines of sight, minimising recesses or corners.

Arcades are to be fully accessible 24 hours a day, open to the sky or allow daylight access.

Colonnades are not permitted in arcades (refer to advisory note in clause D10.21 of this DCP).

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of Pittwater 21 DCP for arcades

D10.23 Building Entries (Newport Commercial Centre)**Land to which this control applies**

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

The direct and comfortable relationship that currently exists on the main street shopping strip between the footpath and a shop or business is maintained. (S)

Non-retail uses and their entries do not dominate the retail streetscape. (S)

An inviting and attractive identity for every building is created. (Ec, S)

Controls

Retail entries are to be no more than 10 metres apart.

Where there are arcades, utilise them to provide separate, safe and secure access to non-retail uses (e.g. commercial or residential uses on the floor above) rather than locating those access points on the main building frontage.

Design all retail entries to be fully accessible.

Provide awnings over all building entries (where they are not already to be provided to the primary retail streets)

Colonnades are not permitted in front of building entries (refer to advisory note in clause D10.21 of this DCP).

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of Pittwater 21 DCP for building entries

D10.24 Building Depth and Separation (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

The scale of new development reflects the desired future character of the Newport commercial centre with spaces between buildings. (S)

Visual and acoustic privacy. (S)

High amenity living and working environments with sun access and natural ventilation. (S)

Dual aspect apartments and commercial offices. (S)

Isolated lots are able to be developed. (Ec)

Controls

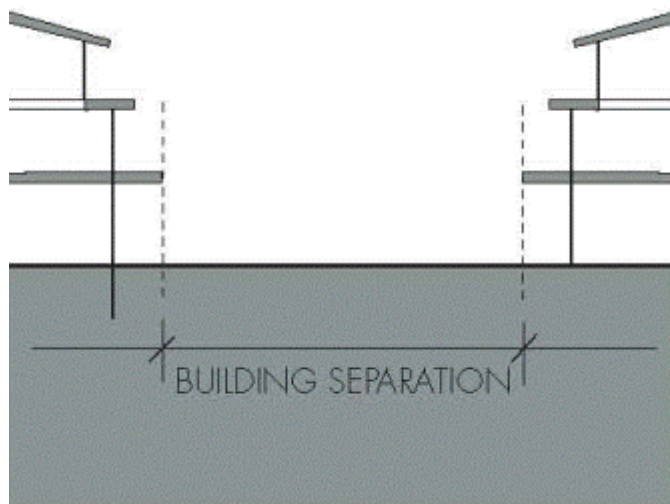
Design buildings to the following maximum depths (front to rear building line):

- ground floor - no maximum, building depth is given by rear setback requirements;
- first floor - max 18 metres glassline to glassline, maximum 24 metre including articulation zone (balconies); and
- second floor - max 14 metres glassline to glassline, maximum 20 metre including articulation zone (balconies).

The following minimum separation distances between buildings are required and must be maintained, ensuring that distance is measured to the edge of balconies and not to the external wall of the building behind the balcony:

- 12 metres between the external wall of habitable rooms and the edge of balconies;
- 9 metres between the external walls of habitable rooms and the edge of their balconies and the external walls of non-habitable rooms; and
- 6 metres between the external walls of non-habitable rooms.

Figure 1. Building separation



Additional spaces between buildings are required at the topmost level permitted in the Newport Commercial Centre, i.e. the 3rd storey. The maximum length of a dimension of the topmost portion of a 3 storey building parallel to Barrenjoey Road and Foamcrest Avenue is 24 metres, with full breaks between the portions being a minimum of 6 metres.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to comply with the outcomes and controls of Pittwater 21 DCP for building depth and separation

D10.25 Roof Form (Newport Commercial Centre)**Land to which this control applies**

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

New development contributes positively to the streetscape. (S)
Contemporary architectural interpretation of the desirable elements that characterise the area is carried out and incorporated into new development. (S)
Interest and variety is added to the skyline. (S)
Views over and through buildings, particularly towards the ocean and the hills, are optimised. (S)
Natural light and ventilation is provided to the interiors of buildings. (S)
Roof fixtures do not detract from the appreciation of views and of significant built and natural features. (En, S)

Controls

Use skillion, low pitched, folded, curved or 'floating' roof forms.

Gable end and hipped roofs forms are not permitted on Barrenjoey Road or Robertson Road. They may be used on Foamcrest Avenue where the existing neighbouring context is primarily residential.

Large unbroken areas of roofs are discouraged; articulate roofs to create a multi-planar, varied roofscape.

Green roofs that provide landscaped area and are designed for rainwater collection (harvesting) and re-use are strongly encouraged.

Variations

Nil

Advisory Notes

See Appendix 12 - Newport Village Commercial Centre Masterplan of this DCP for examples of desired roof forms.

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed roof form has been designed to comply with the outcomes and controls of Pittwater 21 DCP

D10.26 Views (Newport Commercial Centre)**Land to which this control applies**

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

Views are shared equitably between dwellings and business premises. (S)
Views from public places are protected and enhanced, particularly framed views down streets towards the ocean. (S)
Views between buildings towards the sea, hills and sky are protected. (S)
The provision of views is balanced with the need for privacy for dwellings and private open space. (S)
The approach and entry experience to Newport Village is enhanced. (S)
The neighbourhood focus at Robertson Road is supported. (S)
Views towards the village centre and the surrounding hills are protected, to contribute to the attractive 'green' character. (S)

Controls

Align the entries to arcades with breaks in buildings, as far as possible.

Limit the building height and bulk of buildings in visually prominent locations.

Break up building mass.

Step buildings with the topography on sloping sites.

Side setbacks to the topmost level of buildings are to be in accordance with the building separation controls of D10.24 of this DCP.

3D modelling of the built form is required to determine the optimum arrangement of the building bulk on the site to meet view controls.

The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.

Variations

Nil

Technical Reports and Supporting Information

3D modelling of the built form is to be provided to determine the optimum arrangement of the building bulk on the site to meet view controls

D10.27 Design for Flooding (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

Clear and direct access to all retail premises from the footpath (to optimise the relationship between the building and street, to support the main street character and the economic sustainability of the shops). (Ec, S)

High quality design solutions to flooding constraints. (S)

Ground floor levels within flood-prone lots are useable. (Ec)

Arcades and upper level entries are safe, secure and accessible. (S)

Controls

Design the ground floor of flood-prone buildings with two levels: one level directly related to the footpath and front setback, and accessed from it without steps; and one level within the premises above the Flood Planning Level.

Variations

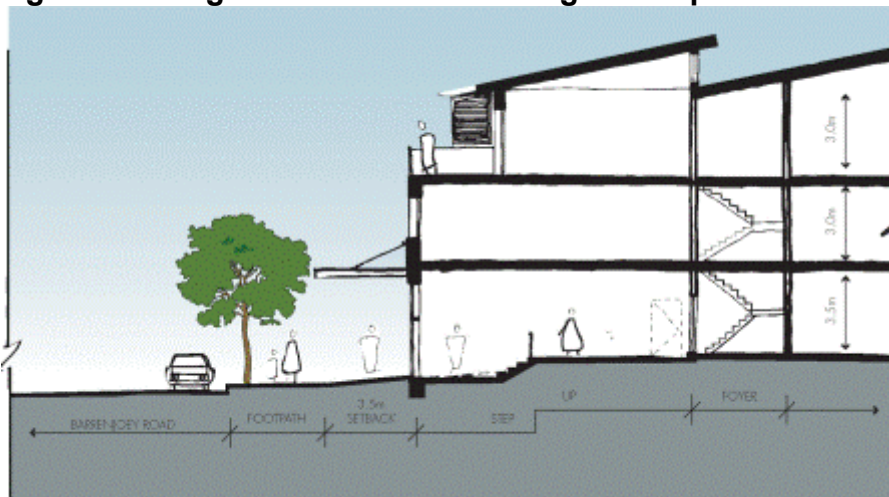
Nil

Advisory Notes

Design solutions include:

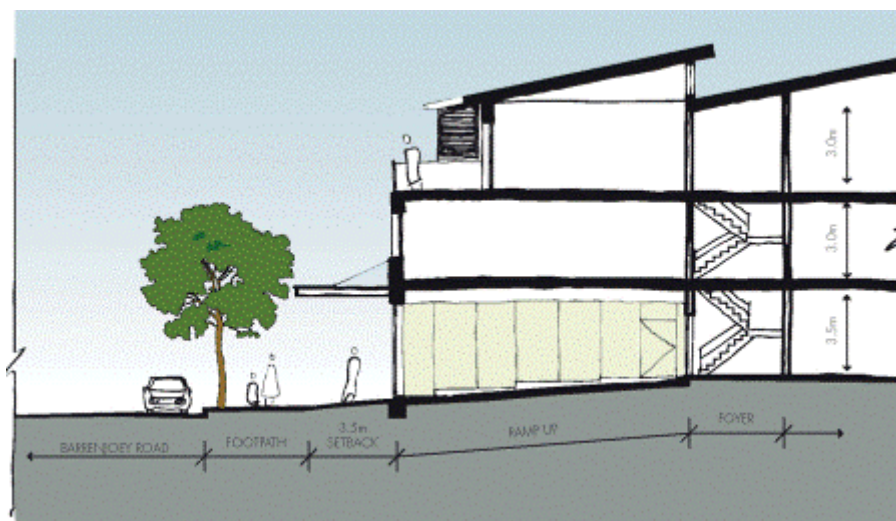
- stepping or ramping up within the shop; and
- where the shop is adjacent to an arcade, provide a second entry to the upper level of the premises accessed from the ramped arcade.

Figure 1. Design solutions for flooding in Newport Commercial Centre



Flood solutions: the ground floor has two levels; the upper level can be accessed from within the shop (fig 1.) or from a ramped entry (fig 2.)

Figure 2. Design solutions for flooding in Newport Commercial Centre



Examples of possible solutions to raise the floor level in flood prone areas are also shown in the adopted Newport Masterplan at Appendix 12.

Additional controls in relation to flood hazard are provided in Part B3 of this DCP.

Development Drawings

Information to be shown on the Development Drawings

The ground floor plan(s) of flood-prone buildings, shall clearly indicate the level required to directly relate to the footpath and front setback and the level within the premises above the Flood Planning Level

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development has been designed to solve flooding constraints

D10.28 Open Space (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Shop top housing

Outcomes

A consolidated area of useful, accessible private and/or communal open space for all new dwellings is provided. (S)

Landscaping contributes to the 'green' mid block character and provides for soft landscaping and deep soil planting. (S)

Stormwater infiltration can occur in the open space area. (En)

A pleasant outlook for building users is provided. (S)

Controls

A consolidated communal open space area for residential developments is provided. The area must be 15% of the site area with a minimum dimension in one direction of 6 metres.

Private open space provided at ground level must have a maximum 1 in 20 gradient.

Provide private open space at upper levels (in the form of balconies and terraces), with a minimum area of 10 metres squared and a minimum dimension in one direction of 2.4 metres.

Variations

Nil

D10.29 Landscaping (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development

Other Development

Shop top housing

Outcomes

A built form complimented by landscaping. (S)

Landscaping that reflects the scale and form of development. (S)

Landscape elements provided in accordance with an approved masterplan. (S)

Controls

No landscaped area is required on lots with only one frontage to Barrenjoey Road.

For lots with frontage to Foamcrest Avenue, a minimum landscaped area of 15% is to be provided. Where a site has frontage to both Barrenjoey Road and Foamcrest Avenue, only the front portion of the lot fronting Foamcrest Avenue is required to have the minimum landscaped area of 15%. The mid block cadastral line of adjoining allotments, is to be used to define the two portions of a lot with frontage to both Barrenjoey Road and Foamcrest Avenue.

A deep soil zone (fully permeable) is required in the B2 Local Centre Zone along Foamcrest Avenue. The deep soil zone is required along the full frontage of a lot for a minimum site depth of 6 metres (excluding driveway crossings).

The front of buildings in Foamcrest Avenue (between the front boundary and any built structures) shall be landscaped by 50% to screen those buildings from the street.

Variations

Nil

D10.30 Facades (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

New development will respond to Newport's particular setting and character (including views, orientation, land use and the need for privacy). (S)

Best-practice environmental design is achieved, supporting natural ventilation, and providing sun access in winter and shading devices and screens in summer. (S)

The apparent bulk and scale of buildings is reduced by modulating the building form and breaking down facade proportions horizontally and vertically. (S)

A clear and direct relationship between the building and the street is achieved, with openings to the public domain that allow for casual surveillance (overlooking) and contribute to the perception of security and safety. (S)

Integrate the facade design within the overall building form and design. (S)

Controls

Avoid large expanses of flat, blank facades.

Locate and size windows and openings appropriately for the building orientation and outlook.

Design facades to both contribute positively to the streetscape and to protect the amenity of building users, for example with verandahs, balconies, pergolas, sun shading devices, awnings over windows, entry awnings, blade walls, recesses and moveable shutters.

Provide horizontal shading devices to north-facing openings, and vertical shading devices (preferably moveable) to west-facing openings.

Building facades to any public place including balconies and carpark entry points must not obtain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that the built form will be designed to contribute to the Newport Commercial Centre streetscape and protect the amenity of building users

D10.31 Ecological Sustainable Development Responsive Design (Newport Commercial Centre)**Land to which this control applies**

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Occupation/Change of use of an existing premises
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

The public and private areas of Newport reflect its' relaxed, inviting beachfront character. (S)
New development responds to the setting, climate, topography and views, so that the architecture reflects the 'Newport style'. (S)
The consumption of non-renewable energy, from materials selection, site planning, building layout, through to the selection of appliances is minimised. (En, S)
Sustainability and renewable energy initiatives are promoted and supported. (En)
Water and stormwater efficiency. (En)

Controls

Site and design buildings to balance the need for active, lively streetscapes with the need to benefit from orientation, views and breezes.

Discourage the use of mechanical cooling in favour of natural ventilation.

Provide solar panels and/or provide or plan for future photovoltaic panels through careful roof design.

Promote the use of stormwater and grey water use through capture and re-use of rainwater and /or innovative roof design.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that the built form will be ecological sustainable development responsive design

D10.32 Solar Access and Ventilation (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

Daylight access to all habitable rooms and to communal and private open spaces.

Skylights are only a secondary source of light, not the primary source of light, to habitable rooms. (S)

Minimal need for artificial lighting. (En)

All habitable rooms to have direct access to fresh air. (S)

Natural ventilation is provided to non-habitable rooms, particularly bathrooms, where possible. (S)

Energy consumption is reduced by minimising the use of mechanical ventilation. (En)

Dual aspect to residential apartments for cross ventilation and optimal sun access is provided. (S)

Residential living areas and private open spaces receive generous amounts of winter sun. (S)

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

Controls

Optimise northern and eastern aspects in apartment layout as far as possible.

Communal open space is to be provided with sunlight access for a minimum 2 hours a day in mid-winter.

Living rooms and private open spaces for a minimum of 70% of apartments in any residential development are to receive a minimum of three hours direct sunlight between 9.00 and 3.00 in mid-winter (June 21st).

The number of single-aspect dwellings with a southerly (SW SE) aspect are limited to 20% of the total number of dwellings proposed.

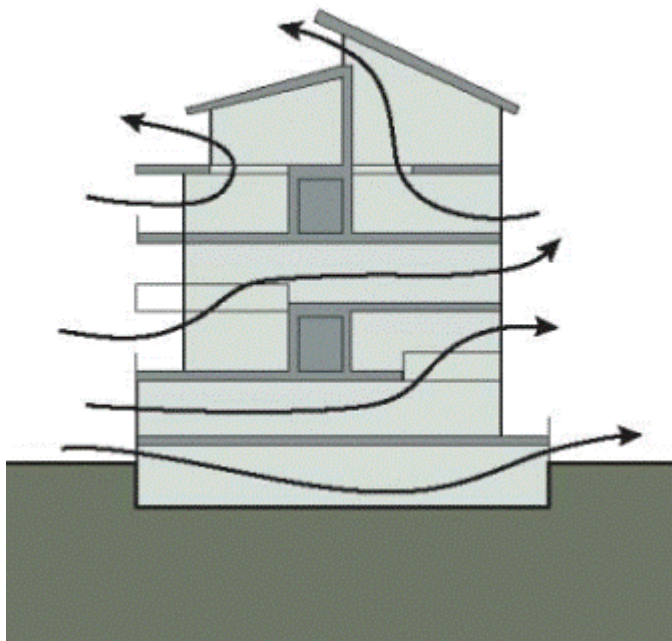
Minimise the number of internal rooms (in the residential and/or commercial component of a development) that receive no direct sunlight or natural ventilation.

Light wells are not to be used in any development.

Skylights are permitted only as a secondary source of light, not the primary source of light to habitable rooms.

Design solutions (including corner apartments, double height apartments, and crossover apartments) are to be considered to facilitate cross ventilation and add variety to the housing stock.

Figure 1. Design Solutions to facilitate cross ventilation and add variety to housing stock.



Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.

Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.

The proposal must demonstrate that access to sunlight is achieved through the application of the Land and Environment Court's planning principle for sunlight.

Variations

Nil

Advisory Notes

Visit: The Benevolent Society v Waverley Council [2010] NSWLEC 1082 (http://www.legislation.nsw.gov.au/legislation/principles/planning_principles.html)

Information to be shown on the Development Drawings

- the ground floor plan shall include shadow diagram(s) demonstrating the impact of the proposed development on adjoining properties (at a minimum shadow lines to be cast by the proposal at 9am, 12noon, and 3pm on June 21st, shall be provided).

Information to be included in the Statement of Environmental Effects

A statement outlining how solar access and natural light will be accessible to the proposed development, and demonstrating that the impact of the proposed development on the adjoining properties is acceptable in terms of restriction of solar access and natural light.

Technical Reports and Supporting Information

Where solar access and access to natural light are a significant factor in the proposal, particularly in terms of shop top development, a report, with a comprehensive shadow analysis, specifically addressing solar access to the proposal and its impact on adjoining development should be provided.

D10.33 Privacy (Newport Commercial Centre)

Land to which this control applies

Newport Commercial Centre - P21DCP-D10MDCP501

Uses to which this control applies

Business Development
Child care centre
Other Development
Seniors housing
Shop top housing
Telecommunications facility

Outcomes

Direct overlooking of main office or living room windows and private open spaces is minimised, while maximising outlook and views. (S)

Noise within a building and from outside sources is minimised to offices, habitable rooms, communal and private open space. (S)

Controls

Design buildings with adequate building separation within the site and from neighbours (Refer to D10.24 of this DCP for controls for building separation).

Offset facade openings from existing openings in adjacent development.

Provide dual aspect commercial or residential uses with openings to the front (street) and the rear.

For ground floor retail / commercial uses, provide appropriate rear setbacks to adjacent residential uses, and design building layout to avoid overlooking of private spaces.

Use design elements such as landscaping, screening, offset windows, recessed balconies, louvres, planter boxes, pergolas or shading devices to increase visual privacy.

Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.

Private open space including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).

Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.

Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.

Direct views of private open space or any habitable room window within 9 metres can be restricted (see diagram below by:

- vegetation/landscaping
- a window sill height of 1.7 metres above floor level, or
- offset windows
- fixed translucent glazing in any part below 1.7 metres above floor level, or
- solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:
 - permanent and fixed;
 - made of durable materials; and
 - designed and painted or coloured to blend in with the dwelling.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis outlining how the proposal achieves an acceptable level of privacy for residents and users and protects the privacy of any adjoining development.

D11 North Narrabeen Locality

D11.1 Character as viewed from a public place

Land to which this control applies

North Narrabeen Locality - P21DCP-D11MDCP550

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at human scale. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view. General service facilities must be located underground.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Corner lots or lots with more than one frontage

Provided the outcomes of this clause are achieved, Council may consider allowing a maximum fence height of 1.8 metres and to reduce setbacks based on merits

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

- Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.
- Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D11.2 Scenic protection - General

Land to which this control applies

Land in the North Narrabeen Locality mapped as Scenic Protection - General - P21DCP-D11MDCP080k

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation

Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D11.3 Building colours and materials

Land to which this control applies

North Narrabeen Locality - P21DCP-D11MDCP550

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business zoned land.

Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

- The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal: -

- enhances the visual quality and identity of the streetscape;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D11.6 Front building line

Land to which this control applies

North Narrabeen Locality - P21DCP-D11MDCP550

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Pittwater Road or the Wakehurst Parkway.	10 or established building line, whichever is the greater
All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5 or established building line, whichever is the greater
Land zoned B1 Neighbourhood Centre or B2 Local Centre	3.5
Land zoned IN2 Light Industrial	6.5
All other land	Merit Assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.

Where new streets or accessways are proposed in residential flat buildings and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

For corner lots or lots with more than one frontage, applicants shall nominate the front, side and rear boundaries if fences are proposed.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Where the outcomes of this clause are achieved, Council may consider allowing a maximum fence height of 1.8 metres and reduced setbacks based on merits.

Information to be shown on the Development Drawings
Front building setback to be dimensioned on plans.

D11.7 Side and rear building line

Land to which this control applies
North Narrabeen Locality - P21DCP-D11MDCP550

- Uses to which this control applies**
- Attached dwelling
 - Boarding house
 - Business Development
 - Child care centre
 - Development ancillary to residential accommodation
 - Dual occupancy (attached)
 - Dual occupancy (detached)
 - Dwelling house
 - Exhibition home
 - Group home
 - Hostel
 - Industrial Development
 - Jetty
 - Multi dwelling housing
 - Other Development
 - Residential flat building
 - Rural worker’s dwelling
 - Secondary dwelling
 - Semi-detached dwelling
 - Seniors housing
 - Shop top housing
 - Signage
 - Telecommunications facility
 - Tourist and visitor accommodation
 - Waste water disposal system
 - Water recreation structure

- Outcomes**
- To achieve the desired future character of the Locality. (S)
 - The bulk and scale of the built form is minimised. (En, S)
 - Equitable preservation of views and vistas to and/or from public/private places. (S)
 - To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
 - To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
 - Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
 - Flexibility in the siting of buildings and access. (En, S)
 - Vegetation is retained and enhanced to visually reduce the built form. (En)
 - To ensure a landscaped buffer between commercial and residential zones is established. (En, S)

Controls
The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side & Rear Building Line Setback (metres)

Land zoned R2 Low Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side ; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Residential flat buildings and multi dwelling housing: See below
Land zoned B1 Neighbourhood Centre and B2 Local Centre adjoining land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	3.0 along that adjoining side or rear boundary
All other land zoned B1 Neighbourhood Centre or B2 Local Centre	Nil

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

Foreshore Building Line

The Foreshore Building Line (FBL) applies to properties that abut or adjoin the waterway. The Foreshore Building Line takes precedence over this control.

D11.9 Building envelope

Land to which this control applies

Land in the North Narrabeen Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

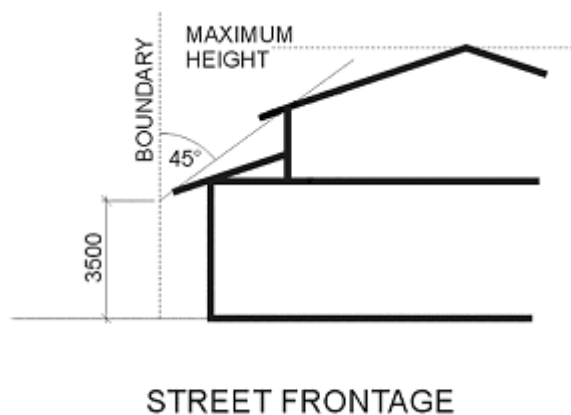
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint has a slope is situated on a slope over 16.7 degrees (i.e.; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D11.10 Landscaped Area - General

Land to which this control applies

Land in the North Narrabeen Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Residential Flat Buildings, Multi Dwelling Housing and Shop Top Housing.

Provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

- Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D11.11 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the North Narrabeen Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will

be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area(%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D11.12 Fences - General

Land to which this control applies

Land in the North Narrabeen Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D11MDCP555

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood.

To define the boundaries and edges between public and private land between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways), for motorists

and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing adjoining Narrabeen Lagoon

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and

- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a 'Floodway', it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D11.13 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the North Narrabeen Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D11MDCP556

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
 An open streetscape that allows casual surveillance of the street. (S)
 Fences, where provided, are suitably screened from view from a public place. (S)
 Safe and unhindered travel for native animals. (S)
 To ensure fences compliment and conserve the visual character of the street and neighbourhood.
 To define the boundaries and edges between public and private land and between areas of different function.
 To contribute positively to the public domain.
 To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
 To ensure heritage significance is protected and enhanced. (S)
 To ensure an open view to and from the waterway is maintained. (S)
 To ensure native vegetation is retained (En).
 To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing adjoining Narrabeen Lagoon

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

d. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5m accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

e. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in a High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D11.14 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the North Narrabeen Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D11.15 Scenic Protection Category One Areas

Land to which this control applies

Land in the North Narrabeen Locality mapped as Scenic Protection - Category 1 - P21DCP-D11MDCP075k

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as ridges, upper slopes and the waterfront. (En, S)
Maintenance and enhancement of the tree canopy. (En,S)
Colours and materials recede into a well vegetated natural environment. (En, S)
To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S).
To preserve and enhance district and local views which reinforce and protect Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.
Maintenance and enhancement of existing natural environs. (En,S)
Protection of the visual significance of ridges, upper slopes and the waterfront. (En,S)
Development is secondary to the natural environment when viewed from waterways and reserves. (En,S)
Colours and materials recede into a well vegetated natural environment. (En,S)

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D12 Palm Beach Locality

D12.1 Character as viewed from a public place

Land to which this control applies

Palm Beach Locality - P21DCP-D12MDCP600

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Subdivision
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i) entry feature or portico;
- ii) awnings or other features over windows;
- iii) verandahs, balconies or window box treatment to any first floor element;
- iv) recessing or projecting architectural elements;
- v) open, deep verandahs; or
- vi) verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D12.2 Scenic protection - General

Land to which this control applies

Land in the Palm Beach Locality mapped as Scenic Protection - General - P21DCP-D12MDCP080I

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

- An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D12.3 Building colours and materials

Land to which this control applies

Palm Beach Locality - P21DCP-D12MDCP600

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Occupation/change of use of an existing premises
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business zoned land.

Finishes are to be of a low reflectivity.

Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilises colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D12.5 Front building line

Land to which this control applies

Palm Beach Locality - P21DCP-D12MDCP600

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)

To preserve and enhance the rural and bushland character of the locality. (En, S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table:

Land	Front Building Line (metres)
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Barrenjoey Road	10 or established building line, whichever is the greater
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining the western side of Iluka Road	Nil for garages only, 3 for all other structures including fences.
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Ocean Road, north of Ocean Place and south of Palm Beach Road.	10 or established building line, whichever is the greater
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Ocean Road, south of Ocean Place and north of Horden Park.	20 or established building line, whichever is the greater
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Beach Road	10 or established building line, whichever is the greater
All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5 or established building line, whichever is the greater
Land zoned B1 Neighbourhood Centre or B2 Local Centre	3.5 or established building line, whichever is the greater
All other land	Merit assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback. Fences shall be setback 3 metres from the front property boundary on land zoned Residential adjoining the western side of Iluka Road.

Where new streets or accessways are proposed in residential flat buildings and multi dwelling housing, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building line provided that they do not exceed 1 metre in height above ground level (existing).

For land zoned residential adjoining the western side of Iluka Rd, garages are to be single storey if a nil setback is proposed.

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D12.6 Side and rear building line

Land to which this control applies

Palm Beach Locality - P21DCP-D12MDCP600

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side & Rear Building Line Setback (metres)
------	--

Land zoned R2 Low Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 (rear) unless Foreshore Building Line applies <u>Dual Occupancy:</u> 2.5 at least to one side ; 1.0 for other side 6.5 (rear) unless Foreshore Building Line applies <u>Residential flat buildings and multi dwelling housing:</u> see below
Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	3.0 along that adjoining side or rear boundary
All other land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land other than land zoned R2 Low Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	Nil

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV

aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D12.8 Building envelope

Land to which this control applies

Land in the Palm Beach Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

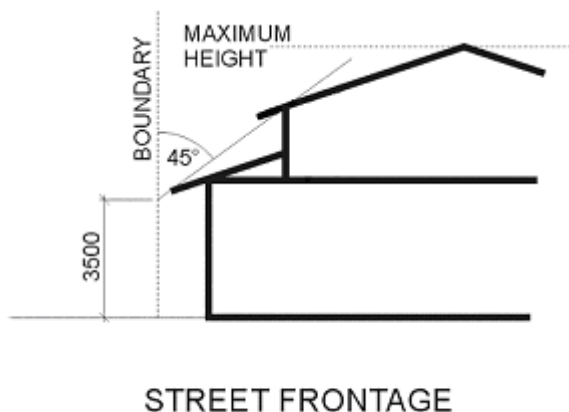
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local*

Environmental Plan 2014).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D12.9 Landscaped Area - General

Land to which this control applies

Land in the Palm Beach Locality within Area 3 of the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Residential Flat Buildings, Multi Dwelling Housing and Shop Top Housing.

Provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

- Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D12.10 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Palm Beach Locality within Areas 1 and 2 of the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will

be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that: -

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D12.11 Fences - General

Land to which this control applies

Land in the Palm Beach Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D12MDCP605

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

An area of private open space is provided for properties that front the Pittwater Waterway. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the road side. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

Front fences and side fences (within the front building setback) on the western side of Iluka Road shall be setback 3 metres from the front boundary.

Properties fronting Ocean Road (south of Palm Beach Road) may be permitted to construct a front fence consistent with adjoining properties, to a maximum height of 1.8 metres and to be constructed of brushwood or natural timber.

Properties fronting the western side of Waratah Road, may be permitted to construct a front fence consistent with adjoining properties, to a maximum height of 1.8 metres and to be constructed of brush wood or natural timber, and to be integrated into the landscaping provided on-site.

Any proposed fences in the Sunrise Hill and Florida Road Conservation Areas require development consent and must be compatible with the style and characteristics of fencing from the particular architectural period.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, or the site is located on a main or arterial road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Corner lots or lots with more than one frontage

Provided the outcomes of this clause are achieved, Council may consider allowing a maximum fence height of 1.8 metres and to reduce setbacks based on merits.

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and/or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- an area of private open space is provided for properties that front the Pittwater Waterway; (S)
- conservation of heritage significance is achieved. (S)

D12.12 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Palm Beach Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D12MDCP606

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe and unhindered travel for native animals. (En)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

To ensure native vegetation is retained (En).

To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

An area of private open space is provided for properties that front the Pittwater Waterway. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the road side. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

Front fences and side fences (within the front building setback) on the western side of Iluka Road shall be setback 3 metres from the front boundary to coincide with any first floor structure being at the same setback.

Properties fronting Ocean Road (south of Palm Beach Road) may be permitted to construct a front fence consistent with adjoining properties, to a maximum height of 1.8 metres and to be constructed of brushwood or natural timber.

Properties fronting the western side of Waratah Road, may be permitted to construct a front fence consistent with adjoining properties, to a maximum height of 1.8 metres and to be constructed of brush wood or natural timber, and to be integrated into the landscaping provided on-site.

Any proposed fences in the Sunrise Hill and Florida Road Conservation Areas require development consent and must be compatible with the style and characteristics of fencing from the particular architectural period.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing adjoining Pittwater Waterway.

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

e. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and

shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

f. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

g. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, or the site is located on a main or arterial road with high traffic noise. In such instances, front fencing shall:

- i) be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii) be articulated to provide visual interest and further opportunities for landscaping, and
- iii) be screened by landscaping within the setback area; and
- iv) not restrict casual visual surveillance of the street, and
- v) provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi) 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and/or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- an area of private open space is provided for properties that front the Pittwater Waterway; (S)
- conservation of heritage significance is achieved. (S)

D12.13 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Palm Beach Locality zoned R2 Low Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than

cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Where retaining walls (for vehicular access) have been erected on the eastern side of Barrenjoey Road, a consistent treatment needs to be adopted (e.g., cement blocks or sandstone walling), to help lessen the impact of these walls. The area between the wall and the road shall be suitably landscaped to help screen it from view without limiting site lines to the street.

Where guardrails have been erected around carparking or roof top structures on the western side of Barrenjoey Road, these should be painted green or brown, with reflector strips used to delineate the edges at night.

Variations

Nil

D12.14 Scenic Protection Category One Areas

Land to which this control applies

Land in the Palm Beach Locality mapped as Scenic Protection - Category 1 - P21DCP-D12MDCP075I

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.(En,S).
 Maintenance and enhancement of the tree canopy.(En,S)
 Colours and materials recede into a well vegetated natural environment.(En,S)
 To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)
 To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.
 To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
 To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
 Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.

Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.

The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.

The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.

Applicants are to demonstrate that proposed colours and materials will be dark and earthy.

Variations

Council may consider a variation to the provision of screen planting where the outcomes of this control are achieved.

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D13 Upper Western Foreshores Locality

D13.1 Character as viewed from a public place

Land to which this control applies

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Seniors housing
 Signage
 Subdivision
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.

Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures are to be located behind the front building line, preferably set back further than the primary building.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view. General service facilities must be located underground.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D13.2 Scenic protection - General

Land to which this control applies

Land in the Upper Western Foreshores Locality mapped as Scenic Protection - General - P21DCP-D13MDCP080m

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Seniors housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D13.3 Building colours and materials

Land to which this control applies

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Finishes are to be of a low reflectivity.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Dual Occupancy map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D13.5 Front building line

Land to which this control applies

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.
Equitable preservation of views and vistas to and/or from public/private places. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To encourage attractive frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
All land zoned E3 Environmental Management	6.5, or established building line, whichever is the greater
All other land	Merit Assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building

lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D13.6 Side and rear building line

Land to which this control applies

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side & Rear Building Line Setback (metres)
Land zoned E3 Environmental Management other than land zoned E3 Environmental Management in Ross Smith Parade, Great Mackerel Beach	2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)
All land zoned E3 Environmental Management in Ross Smith Parade, Great Mackerel Beach	6.5 rear (other than where the foreshore building line applies), or sited below 36.00 AHD contour which ever allows the greater setback.

The planting of exotic plants within this setback is prohibited.

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building

setback from the rear boundary.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D13.8 Building envelope

Land to which this control applies

Land in the Upper Western Foreshores Locality zoned E3 Environmental Management

Uses to which this control applies

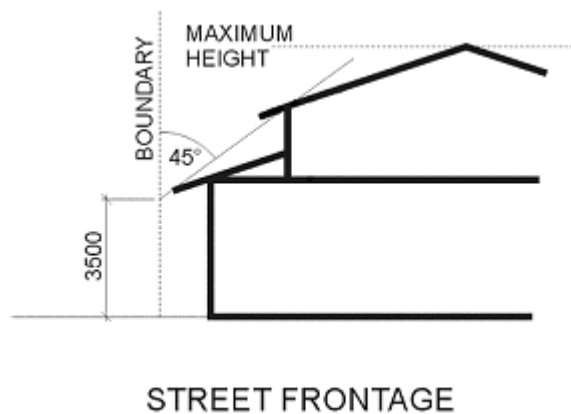
Child care centre
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control. Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D13.9 Landscaped Area

Land to which this control applies

Land in the Upper Western Foreshores Locality zoned E3 Environmental Management

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Water recreation structure

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The maximum area not provided as landscaped area shall be in accordance with the following table:

Site	% of site	m ²
<500		165
500-549	33	
550-599	32	
600-649	31	
650-699	30	
700-749	29	
750-799	28	
800-849	27	
850-899	26	
900-949	25	
950-999	24	
1000	23	
>1000		230

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling must comply with the above table.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned E3 Environmental Management, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

On sites larger than 1000 square metres, the maximum area not provided for landscaping may be increased up to 23% of the site, upon application to Council. In such instances it must be demonstrated that development is kept in scale with the Locality, that the natural features of the site are preserved, and that the supply of water and the treatment of wastewater is sufficient for the size of the proposed development, without adverse environmental impact.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed site coverage and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing site coverage (%)
- proposed site coverage (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed site coverage.

An analysis of the site coverage demonstrating that:

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

D13.10 Fences - General

Land to which this control applies

Land in the Upper Western Foreshores Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D13MDCP653

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To discourage the use of fencing. (En, S)

To provide fencing only where necessary and to ensure that such fencing is sympathetic to the bushland setting of the locality. (En, S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall not be permitted other than for blocks with a water frontage.

For blocks with a water frontage, front fences and side fences (within the front building setback) shall not exceed a maximum height of 1 metre above existing ground level, and shall be setback 1.5 metres from the property boundary. Landscaping is to screen the fence on the foreshore side.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres. Such fencing should be kept to a minimum and only used where necessary for privacy, pet restraint and containment of household areas.

Fences shall not obstruct the passage of wildlife.

Fencing material shall be compatible with the natural environment, and shall be as transparent as possible, such as split timber posts and thin wire strands. Sheet metal fences are prohibited.

Where abutting a public reserve or place, fencing shall be constructed of natural materials, such as timber, brushwood, or sandstone, and be compatible with any adjoining fences.

c. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

d. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i) be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii) be articulated to provide visual interest and further opportunities for landscaping, and
- iii) be screened by landscaping within the setback area; and
- iv) not restrict casual visual surveillance of the street, and
- v) provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2m by 2m; and
- vi) 50% or more of the fence is transparent.

Provided the outcomes of this control are achieved, where fencing exceeds more than 1m in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fencing is provided only where necessary and to ensure that such fencing is sympathetic to the bushland setting of the locality; (En, S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe and unhindered travel for native animals is preserved. (En)

D13.11 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Upper Western Foreshores Locality included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D13MDCP654

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Seniors housing
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
 To discourage the use of fencing. (En, S)
 To provide fencing only where necessary and to ensure that such fencing is sympathetic to the bushland setting of the locality. (En, S)
 To ensure fences compliment and conserve the visual character of the street and neighbourhood
 To contribute positively to the public domain.
 An open streetscape that allows casual surveillance of the street. (S)
 Fences, where provided, are suitably screened from view from a public place. (S)
 Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
 To ensure the heritage significance is protected and enhanced. (S)
 To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall not be permitted other than for blocks with a water frontage.

For blocks with a water frontage, front fences and side fences (within the front building setback) shall not exceed a maximum height of 1 metre above existing ground level, and shall be setback 1.5 metres from the property boundary. Landscaping is to screen the fence on the foreshore side.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres. Such fencing should be kept to a minimum and only used where necessary for privacy, pet restraint and containment of household areas.

Fences shall not obstruct the passage of wildlife.

Fencing material shall be compatible with the natural environment, and shall be as transparent as possible, such as split timber posts and thin wire strands. Sheet metal fences are prohibited.

Where abutting a public reserve or place, fencing shall be constructed of natural materials, such as timber, brushwood, or sandstone, and be compatible with any adjoining fences.

c. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

d. Corner lots or lots with more than one frontage.

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the

fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fencing is provided only where necessary and to ensure that such fencing is sympathetic to the bushland setting of the locality; (En, S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe and unhindered travel for native animals is preserved. (En)

D13.12 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Upper Western Foreshores Locality zoned E3 Environmental Management

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Rural worker's dwelling
 Seniors housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations

Nil

D13.13 Companion animals

Land to which this control applies

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre

Dwelling house

Exhibition home

Rural worker's dwelling

Seniors housing

Tourist and visitor accommodation

Outcomes

Achieve the desired future character of the Locality.

To protect native wildlife. (En)

To stop domestic animals entering/colonising bushland reserves and the National Park. (En)

Controls

The keeping of cats, ferrets and rabbits is prohibited.

Owners who wish to keep permitted domestic animals shall prevent them from entering the National Park and any Wildlife Protection Area at all times.

A maximum of 2 dogs are permitted per household.

Variations

Current owners of cats are permitted to retain them provided they are kept within a cat run or inside the dwelling at all times. Cats are not to be replaced.

Where more than two dogs are currently registered to a property they may be retained, but replacement must result in no more than 2 dogs per dwelling.

Information to be shown on the Development Drawings

Details of any existing and/or proposed animal containment fencing.

Information to be included in the Statement of Environmental Effects

An explanation of how the development proposal will ensure that no new domestic cats will be introduced into the area as a result of the development, and what measures are proposed to ensure existing domestic cats and other domestic animals will be confined within the property boundary at all times.

D13.14 Currawong**Land to which this control applies**

Currawong, Western Foreshores - P21DCP-D13MDCP655

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.
Development respects, conserves and maintains the heritage significance, architectural qualities, character, visual characteristics and environment of the area. (En, S)
The balance between the built form and its setting is maintained. (En, S)
The safety and health of occupants is ensured. (S)
Development is screened by vegetation when viewed from any public place. (S)
Wildlife is permitted unhindered access through Currawong. (En)
Adverse traffic effects from development are mitigated against. (En, S)
Development incorporates the principles of ecologically sustainable development. (En)

Controls

The following controls are specific to Currawong, in addition to any relevant controls contained in this DCP. In the event of any inconsistency, the controls of this clause prevail.

Development must not exceed the existing building footprints.

Development must be located in an area that is not subject to hazard or is designed, located and constructed so as to be safe from the impact of any hazard. (See Part B Hazards).

The appearance of Currawong from Pittwater must be maintained, with no additional buildings visible from the waterway.

Development must be secondary to the existing vegetation and screened by vegetation.

Adequate servicing provision is to be made for water, sewerage, drainage, transport, traffic, and parking.

Adequate provision is to be made for access, rescue and evacuation in the event of an emergency.

Stormwater quality and quantity discharged from the site shall be no worse than the existing pre-

development condition and improvements are provided by implementation of best practice water sensitive urban design principles.

No fences are to be erected on the site.

A proponent for future development of Currawong should have regard for the proponent's report and the Minister's Part 3A decision.

Variations

Nil

Advisory Notes

For a copy of the Minister's Part 3A decision please refer to the Department of Planning & Infrastructure website at: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=1809

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development will:

- respect, conserve and maintain the heritage significance, architectural qualities, character, visual characteristics and environment of the area; (En, S)
- maintain the balance between the built form and its setting; (En, S)
- ensure the safety and health of occupants; (S)
- be screened by vegetation when viewed from any public place; (S)
- permit wildlife unhindered access through Currawong; (En)
- mitigate adverse traffic effects from development; (En, S)
- incorporate the principles of ecologically sustainable development. (En)

D13.15 Coasters Retreat

Land to which this control applies

Land zoned E3 Environmental Management at Coasters Retreat

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dwelling house
 Earthworks
 Exhibition home
 Jetty
 Other Development
 Rural worker's dwelling
 Seniors housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Development is to be accessible and able to be provided with facilities and services. (S)

Controls

Development must take into account its isolated and landlocked nature.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development will be accessible and able to be provided with facilities and services.

D13.16 Stormwater overflow**Land to which this control applies**

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

Limit the adverse impacts of concentrate flow of stormwater caused by development within the fragile Western Foreshore Environment. (En)

Controls

Rainwater shall as much as possible be channelled into rainwater tanks.

The overflow from a stormwater system shall be designed, constructed and maintained so as to disperse the flow of water across the landscape through the bushland.

Domestic water collection systems should be set up so that preferably all rainwater falling on a roof is collected and channelled into water tanks.

Landscaping or land formation should encourage the dispersal of storm water across the landscape and through bushland and should discourage the channelling of water into gullies flowing onto roadways, reserves, other properties, or into the Pittwater.

Stormwater shall be controlled such that the waters do not infiltrate any land application system associated with on-site wastewater treatment system is not located over major stormwater overland flowpaths or channels.

Variations

Nil

The location of existing and proposed wastewater treatment systems and associated disposal areas.

Information to be shown on the Development Drawings

Stormwater treatment and management structures and facilities.

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development will ensure that stormwater is not concentrated so as to harm the environment, through erosion, pollution of Pittwater waterway, or adverse impact on on-site wastewater treatment systems and associated disposal areas.

D13.17 Parking management**Land to which this control applies**

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
Dwelling house
Exhibition home
Other Development
Rural worker's dwelling
Seniors housing
Tourist and visitor accommodation

Outcomes

The environmental and social amenity of the Western Foreshores is maintained through strictly limiting the number of vehicles. (En, S)

Controls

There is no privately owned motor vehicle access to the Western Foreshores. Only fire trucks and community vehicles are to be housed within community facilities.

Variations

Nil

D13.18 Site disturbance

Land to which this control applies

Upper Western Foreshores Locality - P21DCP-D13MDCP650

Uses to which this control applies

Child care centre
Development ancillary to residential accommodation
Dwelling house
Earthworks
Exhibition home
Jetty
Other Development
Rural worker's dwelling
Seniors housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

The natural topography of the land, and surface and subsurface drainage patterns are retained. (En)
Site disturbance is minimised. (En)
Development does not result in visual scarring of the landscape. (En)

Controls

On the Western Foreshores, at no time shall site disturbance exceed 25% of the site area.

Variations

Site disturbance of the site greater than 25% due to construction access and storage requirements will be considered on a merit basis where a Site Erosion and Sedimentation Prevention Plan is provided demonstrating construction methodology and rehabilitation strategy.

D14 Warriewood Locality

D14.1 Character as viewed from a public place

Land to which this control applies

Warriewood Locality - P21DCP-D14MDCP700

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Occupation/change of use of an existing premises
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Controls

Buildings which front the street or creekline corridors must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i) entry feature or portico;
- ii) awnings or other features over windows;
- iii) verandahs, balconies or window box treatment to any first floor element;
- iv) recessing or projecting architectural elements;
- v) open, deep verandahs; or
- vi) verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic (digital) scale model.

D14.2 Scenic protection - General

Land to which this control applies

Land in the Warriewood Locality mapped as Scenic Protection - General - P21DCP-D14MDCP080n

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Preservation of the visual significance of the Ingleside/Warriewood Escarpment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal:

- ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment; (En, S)
- preserves the visual significance of the Ingleside/Warriewood Escarpment. (En, S)

D14.3 Building colours and materials

Land to which this control applies

Warriewood Locality - P21DCP-D14MDCP700

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



Black ✓



Dark grey ✓



Dark green ✓



Dark brown ✓



Mid grey ✓



Green ✓



Brown ✓



Dark blue ✓

White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within Business and Light Industrial zoned land.

Finishes are to be of a low reflectivity.

Variations

Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilises colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D14.7 Front building line

Land to which this control applies

Warriewood Locality - P21DCP-D14MDCP700

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)

To preserve and enhance the rural and bushland character of the escarpment and the locality. (En, S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living adjoining Mona Vale Road	10 or established building line, whichever is the greater
All other land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	6.5, or established building line, whichever is the greater
Land zoned B6 Enterprise Corridor adjoining Pittwater Road	10 or established building line, whichever is the greater
Land zoned B7 Business Park adjoining Mona Vale or Pittwater Road	30, with a minimum setback for vehicle parking/turning areas of 15m
All other land zoned B1 Neighbourhood Centre, B2 Local Centre or B6 Enterprise Corridor	3.5
Land zoned B7 Business Park NOT adjoining Mona Vale or Pittwater Road or land zoned IN2 Light Industrial	10
Land zoned RU2 Rural Landscape or SP2 Infrastructure adjoining Mona Vale Road	30
All other land zoned RU2 Rural Landscape	20
All other land	Merit Assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.

Where new streets or accessways are proposed in residential flat buildings and multi dwelling housing, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D14.8 Side and rear building line

Land to which this control applies

Warriewood Locality - P21DCP-D14MDCP700

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
------	--

Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Residential flat buildings and multi dwelling housing; See below
Notwithstanding the above, land zoned R2 Low Density Residential in Arnott Crescent and Sydney Road adjoining the reserve	9.0 (rear)
Land zoned B1 Neighbourhood Centre, B2 Local Centre, B6 Enterprise Corridor, or IN2 Light Industrial adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	3.0
Land zoned B1 Neighbourhood Centre, B2 Local Centre, B6 Enterprise Corridor, or IN2 Light Industrial adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, or E2 Environmental Conservation	Nil
Land zoned RU2 Rural Landscape adjoining land other than a road or a reserve	7.5
Land zoned RU2 Rural Landscape adjoining a reserve	20.0
Land zoned B7 Business Park	5.0 (side) 5.0 (rear)

For residential flat buildings and multi dwelling housing:

Where the wall height is 3 metres or less, the minimum side and rear boundary setback shall be 3 metres.

Where the wall height is more than 3 metres above ground level (existing), the minimum distance from any point on the external wall of the building and a side or rear boundary shall not be less than the distance calculated in accordance with the following:

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

where

S = the distance in metres

H = the height of the wall at that point measured in metres above existing ground level

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.

- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

For properties that front Bruce Street and no. 77-79 Narrabeen Park Parade, Warriewood, rear open decks may be permitted within the foreshore building line to a maximum height of 2 metres provided views are not obstructed.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D14.9 Narrabeen Creek building line

Land to which this control applies

6A and 8A Prosperity Parade, Warriewood, zoned IN2 Light Industrial - P21DCP-D14MDCP705

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

To provide a setback free from built structures that facilitates the retention of trees and opportunities for planting of vegetation. (En, S)

To facilitate a multi-functional creekline corridor adjoining Narrabeen Creek free from built structures. (En)

To conserve and restore remnant native vegetation and introduce wildlife corridors within creeklines. (En)

Controls

The minimum building line shall be 2 metres measured from the allotment boundary adjoining land zoned RE1 Public Recreation.

Appropriate landscaping shall be incorporated within the setback, in accordance with clause C3.1 Landscaping.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of how the proposed development will ensure that in relation to the Narrabeen Creek:

- the bulk and scale of the built form is minimised; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- a setback free from built structures that facilitates the retention of trees and opportunities for planting of vegetation is provided; (En, S)
- a multi-functional creekline corridor adjoining Narrabeen Creek free from built structures is provided; (En)
- remnant native vegetation is conserved and restored, and wildlife corridors within creeklines are introduced. (En)

D14.11 Building envelope

Land to which this control applies

Land in the Warriewood Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

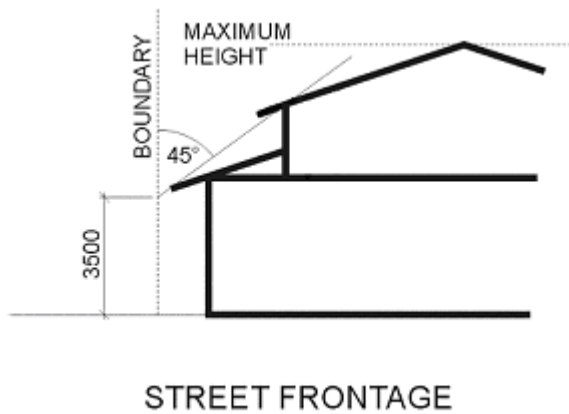
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls

Buildings are to be sited within the following envelope:



Residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 4.2 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Development other than residential flat buildings and multi dwelling housing:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to *Pittwater Local Environmental Plan 2014*).

Variations

Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.

Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

Information to be included in the Statement of Environmental Effects

A statement indicating compliance with the building envelope control . Should a variation be sort please provide a justification relating to the outcomes of the control and desired future character.

D14.12 Landscaped Area - General

Land to which this control applies

Land in the Warriewood Locality within Area 3 in the Landscaped Area Map

Uses to which this control applies

Attached dwelling
Boarding house
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

Residential Flat Buildings, Multi Dwelling Housing and Shop Top Housing

Provided the outcomes of this control are achieved, and the bulk and scale of the development is not increased, the following may be permitted:

- Areas with soil depth greater than 800mm above built structures (excluding drainage and waterproof membranes) may be included as landscaped area. Soil depths above built structures less than this will not be included as landscaped area.

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A statement detailing the proposed landscaped area calculations, including the identification of any variations sought. Having regard to variations, justification is to be made with respect to the outcomes of the control and the desired future character of the locality.

D14.13 Landscaped Area - Environmentally Sensitive Land

Land to which this control applies

Land in the Warriewood Locality within Areas 1 and 2 in the Landscaped Area Map

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Other Development
 Rural worker's dwelling
 Secondary dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

Achieve the desired future character of the Locality. (S)
 The bulk and scale of the built form is minimised. (En, S)
 A reasonable level of amenity and solar access is provided and maintained. (En, S)
 Vegetation is retained and enhanced to visually reduce the built form. (En)
 Conservation of natural vegetation and biodiversity. (En)
 Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
 To preserve and enhance the rural and bushland character of the area. (En, S)
 Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- i) impervious areas less than 1 metre in width (e.g. pathways and the like);
- ii) for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)
- the rural and bushland character of the escarpment is conserved and enhanced. (En, S)

D14.14 Landscaped Area - Non Urban

Land to which this control applies

Land in the Warriewood Locality zoned RU2 Rural Landscape

Uses to which this control applies

Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dwelling house
 Exhibition home
 Other Development
 Rural industry
 Rural worker's dwelling
 Seniors housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site. (En, S)

To preserve and enhance vegetation to visually reduce the built form. (En)

To minimise the impact of development on Pittwater's biodiversity by minimising the removal of indigenous vegetation and naturally occurring soils, conserving existing significant indigenous and native trees, and encouraging planting of indigenous and native plants and trees on private property. (En)

To conserve significant natural features of the site and contribute to effective management of biodiversity. (En)

To provide for infiltration of water to the water table, minimise stormwater runoff and assist with stormwater management to reduce and prevent soil erosion and the siltation of natural drainage channels. (En)

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

To preserve and enhance the rural and bushland character of the non-urban area of the locality.
(En, S)

Controls

For land zoned RU2 Rural Landscape, the minimum landscaped area shall be in accordance with the following table:

Development	Minimum Landscaped Area
Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	96% of the site area minus 400 square metres
Horticultural/shade/glass/greenhouses with an earth floor (no hard standing or sealing)	50% of the site area
Other non-residential development permissible with consent in the area except agriculture, agricultural sheds and sheds used for a rural industry	94% of the site area

Sheds used for the purpose of agriculture or for the purpose of a rural industry, with a maximum of 200 square metres, are permitted in addition to non-landscaped areas permitted in the above table.

Where a site also contains a dwelling (this includes any ancillary or attached structures), the landscape controls for non-residential development can be applied separately, i.e. the minimum landscaped area (as per table above) can be reduced by the size of the dwelling.

The use of porous materials and finishes is encouraged where appropriate.

Split Zones

On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.

Variations

The minimum landscaped area may be greater than stated above, where a site is located on environmentally sensitive or steeply sloping land, or where its development potential is restricted in some other way.

Dams, ponds, on-site detention tanks, the water surface area of swimming pools and water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes, or waste water treatment systems can be included as landscaped area for the purpose of this control.

Driveways and porous or soft surface areas that permit the infiltration of surface water into the substrata can be included as landscaped area for the purpose of this control

Advisory Notes

Nil.

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%)
- proposed landscaped area (%)
- impervious area to be retained.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

An analysis of the landscaped area demonstrating that:

- the bulk and scale of the built form is minimised; (En, S)
- a reasonable level of amenity and solar access is provided and maintained; (En, S)
- vegetation is retained and enhanced to visually reduce the built form; (En)
- conservation of natural vegetation and biodiversity is achieved; (En)
- stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; (En)
- the rural and bushland character of the escarpment is conserved and enhanced. (En, S)

D14.15 Fences - General

Land to which this control applies

Land in the Warriewood Locality NOT included in Flora and Fauna Category 1 and 2 Areas - P21DCP-D14MDCP710

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists

and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front fences and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

Front fences and side fences (within the front building setback) on certain land in Narrabeen Park Parade which afford a scenic view from the Bicentennial Walkway (i.e. Lots 1-10 DP 16692 and Lot 1 & 2 DP 22672), shall have a maximum height no higher than the crown of the road adjacent to the subject property, and shall be compatible with the streetscape character and not obstruct views available from the road.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

In non-urban areas, properties with grazing animals should be appropriately fenced to confine the animals onsite.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and

- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

In areas zoned Non-Urban, within the front building setback Council may consider fencing to a maximum height of 1.8 metres on the boundary where the fence has openings of sufficient size (minimum 400mm x 400mm) for wallabies to pass through.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained and proposed fences and walls

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that : -

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D14.16 Fences - Flora and Fauna Conservation Areas

Land to which this control applies

Land in the Warriewood Locality included in Flora and Fauna Category 1 and 2 Areas - P21DCP-D14MDCP711

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Tourist and visitor accommodation

Outcomes

To achieve the desired future character of the Locality. (S)
 An open streetscape that allows casual surveillance of the street. (S)
 Fences, where provided, are suitably screened from view from a public place. (S)
 Safe and unhindered travel for native animals. (En)
 To ensure fences compliment and conserve the visual character of the street and neighbourhood
 To define the boundaries and edges between public and private land and between areas of different function.
 To contribute positively to the public domain.
 To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
 To ensure heritage significance is protected and enhanced. (S)
 To ensure an open view to and from the waterway is maintained. (S)
 To ensure native vegetation is retained (En).
 To ensure any fencing provides for the safe and unhindered travel of native animals. (En)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, wire or natural materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

Front fences and side fences (within the front building setback) on certain land in Narrabeen Park Parade which afford a scenic view from the Bicentennial Walkway (i.e. Lots 1-10 DP 16692 and Lot 1 & 2 DP 22672), shall have a maximum height no higher than the crown of the road adjacent to the subject property, and shall be compatible with the streetscape character and not obstruct views available from the road.

Within the Non Urban zone, front fences and side fences (within the front building setback) shall have a maximum height of 1.8 metres above existing ground level, and shall be compatible with the streetscape character and not obstruct views available from the road. Fencing of properties which do not contain domestic or grazing animals is optional.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean

Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.

d. Fencing in Category 1 and 2 areas

No front fences will be permitted.

Vegetation is preferred to any fencing.

Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.

Fencing required for the containment of companion animals should be minimised.

e. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

f. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open'

materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

In areas zoned Non-Urban, within the front building setback Council may consider fencing to a maximum height of 1.8 metres on the boundary where the fence has openings of sufficient size (minimum 400mm x 400mm) for wallabies to pass through.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metres in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that :

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)

D14.17 Construction, Retaining walls, terracing and undercroft areas

Land to which this control applies

Land in the Warriewood Locality zoned RU2 Rural Landscape

Land in the Warriewood Locality zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Child care centre
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Earthworks
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural industry
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Telecommunications facility
 Tourist and visitor accommodation
 Waste water disposal system

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Variations
Nil

D14.18 Scenic Protection Category One Lands

Land to which this control applies

Land in the Warriewood Locality mapped as Scenic Protection - Category 1 - P21DCP-D14MDCP075n

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Child care centre
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Earthworks
Exhibition home
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural industry
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Signage
Telecommunications facility
Tourist and visitor accommodation
Waste water disposal system
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (En,S)
To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and waterfront. (En, S))
Maintenance and enhancement of existing natural environs. (En,S)
Colours and materials recede into a well vegetated natural environment. (En,S)
To maintain and enhance district and local views which reinforce and protect Pittwater's bushland landscape and urban form to enhance legibility.
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal:-

- ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment; (En, S)
- preserves the visual significance of the Ingleside/Warriewood Escarpment. (En, S)

D15 Waterways Locality

D15.1 Character as viewed from a public place

Land to which this control applies

Waterways Locality - P21DCP-D15MDCP750

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Industrial Development
Group home
Hostel
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

To ensure the visual impact of the built form above mean high water mark is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape or waterway and are at human scale. (S)

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Built structures are minimised below mean high water mark. (S)

A balance between use of the waterway and conservation of the natural environment is achieved. (En, S, Ec)

Controls

Buildings which front the street and/or the waterway must have a compatible presence when viewed from the waterway and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.

Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any waterway frontage.

Any building facade to the waterway must incorporate at least two of the following design features:

- i. entry feature or portico;
- ii. awnings or other features over windows;
- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Variations

Nil

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape or waterway and is at human scale; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined; (S)
- ensures built structures below mean high water mark are minimised; (S)
- achieves a balance between use of the waterway and conservation of the natural environment. (En, S, Ec)

Technical Reports and Supporting Information

Proposed development having a value greater than \$1 million to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.

Proposed development having a value greater than \$2 million to be accompanied by a model, which may be in the form of a physical scale model or an electronic scale model.

D15.2 Scenic protection - General

Land to which this control applies

Land in the Waterways Locality mapped as Scenic Protection - General - P21DCP-D15MDCP080o

Uses to which this control applies

Attached dwelling
 Boarding house
 Business Development
 Development ancillary to residential accommodation
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Exhibition home
 Group home
 Hostel
 Industrial Development
 Jetty
 Multi dwelling housing
 Other Development
 Residential flat building
 Rural worker's dwelling
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

Controls

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

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the development in terms of how it impacts on the visual character of the area, demonstrating that the proposal ensures that the bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

D15.3 Building colours and materials

Land to which this control applies

Waterways Locality - P21DCP-D15MDCP750

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the waterway. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials must be compatible with the waterway climate and shall utilise dark and earthy tones.

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Limited use of corporate colours may be permitted within W2 Recreational Waterways zoned land.

Finishes are to be of a low reflectivity.

Variations

Council may consider lighter coloured external walls (excluding white) only for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be shown on the Development Drawings

The Development Drawings are to include a clear and unambiguous schedule specifying the external colours and materials to be used.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the waterway;
- utilizes colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development;
- minimises damage to existing native vegetation and habitat.

Technical Reports and Supporting Information

Colour and material samples must be submitted.

D15.6 Front building line

Land to which this control applies

Land in the Waterways Locality landward of mean high water mark - P21DCP-D15MDCP754

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

To achieve the desired future character of the Locality.
Equitable preservation of views and vistas to and/or from public/private places. (S)
The amenity of residential development adjoining a main road is maintained. (S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Vehicle manoeuvring in a forward direction is facilitated. (S)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
To encourage attractive street frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line to a road shall be in accordance with the following table:

Land	Front Building Line (metres)
------	------------------------------

All land adjoining an arterial road.	10 or established building line, whichever is the greater.
Land zoned R2 Low Density Residential, E3 Environmental Management or E4 Environmental Living except land adjoining an arterial road.	6.5 or established building line, whichever is the greater.
Land zoned B1 Neighbourhood Centre, B2 Local Centre, IN4 Working Waterfront, or RE2 Private Recreation	3.5
All other land	Merit assessment

Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.

Variations

Where the outcomes of this control are achieved, Council may accept a minimum front building setback to a secondary street of half the front building line.

Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:

- considering established building lines;
- degree of cut and fill;
- retention of trees and vegetation;
- where it is difficult to achieve acceptable levels for building;
- for narrow or irregular shaped blocks;
- where the topographic features of the site need to be preserved;
- where the depth of a property is less than 20 metres.

Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.

On-site wastewater treatment systems and rainwater tanks are permitted within the front building setback provided that they do not exceed 1 metre in height above ground level (existing).

Information to be shown on the Development Drawings

Front building setback to be dimensioned on plans.

D15.7 Side and rear building line

Land to which this control applies

Land in the Waterways Locality landward of mean high water mark - P21DCP-D15MDCP754

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side & Rear Building Line Setback (metres)
------	--

Land zoned R2 Low Density Residential, E3 Environmental Management or E4 Environmental Living	2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)
Land zoned B1 Neighbourhood Centre, B2 Local Centre, IN4 Working Waterfront, or RE2 Private Recreation adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, or RE1 Public Recreation	3.0
Land zoned B1 Neighbourhood Centre, B2 Local Centre, IN4 Working Waterfront, or RE2 Private Recreation adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density Residential, E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, or RE1 Public Recreation	Nil

Variations

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and
- Council is satisfied that the adjoining properties will not be adversely affected, and
- the pool or spa is not more than 1 metre above ground level (existing), and
- that the outcomes of this clause are achieved without strict adherence to the standards, and
- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

Advisory Notes

The Foreshore Building Line is as per the Foreshore Building Line Map in the *Pittwater Local Environmental Plan 2014*. The Foreshore Building Line takes precedence over this control.

D15.10 Fences

Land to which this control applies

Land in the Waterways Locality landward of mean high water mark - P21DCP-D15MDCP754

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

To achieve the desired future character of the Locality. (S)
To ensure fences compliment and conserve the visual character of the street and neighbourhood
To define the boundaries and edges between public and private land and between areas of different function.
To contribute positively to the public domain.
An open streetscape that allows casual surveillance of the street. (S)
Fences, where provided, are suitably screened from view from a public place. (S)
Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)
To ensure heritage significance is protected and enhanced. (S)
To ensure an open view to and from the waterway is maintained. (S)

Controls

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,
- be compatible with the streetscape character, and
- not obstruct views available from the road.

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

c. Fencing adjoining Pittwater Waterway

Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.

Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.

d. Corner lots or lots with more than one frontage

Applicants shall nominate their side, rear and front boundaries if fences are proposed.

e. Fencing on land on Council's Flood Hazard Maps

No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.

All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.

Variations

Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:

- i. be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and
- ii. be articulated to provide visual interest and further opportunities for landscaping, and
- iii. be screened by landscaping within the setback area; and
- iv. not restrict casual visual surveillance of the street, and
- v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
- vi. 50% or more of the fence is transparent.

See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking

Provided the outcomes of this clause are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that :

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)
- safe and unhindered travel for native animals is preserved. (En)

D15.11 Waterfront lighting

Land to which this control applies

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

To ensure that waterfront lighting does not become a navigational hazard or adversely impact upon adjoining public land or residences. (En, S)

To ensure that external lighting is provided for safety and directional purposes only. (S)

Controls

Lighting is to be shielded or located to promote safe navigation and minimise any likely adverse visual impact when viewed from the Pittwater Waterway, any adjoining public land, and adjoining residences. Reflection off the water should be eliminated where possible.

Adequate lighting is to be provided for safe access to waterfront development and safe navigation in and out of commercial and recreational waterfront development, and private facilities associated with a dwelling, where appropriate.

Lighting is to be designed to minimise electricity consumption.

Flood lighting of marine facilities is not permitted.

Variations

Nil

Information to be included in the Statement of Environmental Effects

A statement outlining the impact of any proposed lighting in terms of possible navigation hazard.

D15.12 Development seaward of mean high water mark

Land to which this control applies

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Attached dwelling
Boarding house
Business Development
Development ancillary to residential accommodation
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Hostel
Industrial Development
Jetty
Multi dwelling housing
Other Development
Residential flat building
Rural worker's dwelling
Secondary dwelling
Semi-detached dwelling
Seniors housing
Shop top housing
Water recreation structure

Outcomes

To ensure minimal adverse impact on the water quality hydrodynamics and estuarine habitat of Pittwater. (En)

To ensure new buildings are not susceptible to flooding. (S)

To ensure public access is maintained and provided for along the foreshore (En)

Controls

All new buildings are to be located landward of mean high water mark.

Only structures associated either with the accommodation, servicing or provision of access to boats shall be permitted seaward of mean high water mark.

In instances where it is proposed to alter, extend or rebuild existing buildings seaward of mean high water mark, any further encroachment of such buildings onto the waterway is to be minimised. Where development seaward of mean high water mark is proposed to occur, especially during the refurbishment of existing structures, proponents need to ensure that the structure will not harm marine vegetation, and must consult with the Department of Primary Industries.

Developments are required to ensure that public access is maintained and provided for along the foreshore.

Variations

Nil.

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating that the proposal does not adversely impact on the visual amenity of the foreshore or water quality or estuarine habitat of the Pittwater waterway.

D15.13 Lateral limits to development seaward of mean high water mark

Land to which this control applies

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Business Development
Industrial Development
Jetty
Other Development
Water recreation structure

Outcomes

To ensure that fair and equitable enjoyment of the waterway is achieved between neighbouring waterfront landowners through restricting unreasonable encroachment of waterfront development in front of adjoining properties. (S)

Controls

Waterfront development shall be constructed perpendicular to the shoreline and within the defined lateral limit lines to development, regardless of the orientation of waterfront properties, where practicable. This is to maximise equitable access to the waterway. (Diagrams 1 and 2).

Waterfront development shall be set back a minimum of 2.0 metres along the full length of the lateral limit lines to development to minimise conflict and the possibility of inaccurate location of structures during construction (Diagram 3). This may be varied where shared facilities are proposed where the adjoining property will benefit from the shared facility.

This setback shall also apply to any vessel that is to be berthed at a wharf or boating facility, marina, water recreation structure or the like. Vessels which cannot meet this criterion are considered to be inappropriate for the site and should be accommodated elsewhere.

Diagram 1: Lateral Limits to Waterfront Development - Curved Shoreline

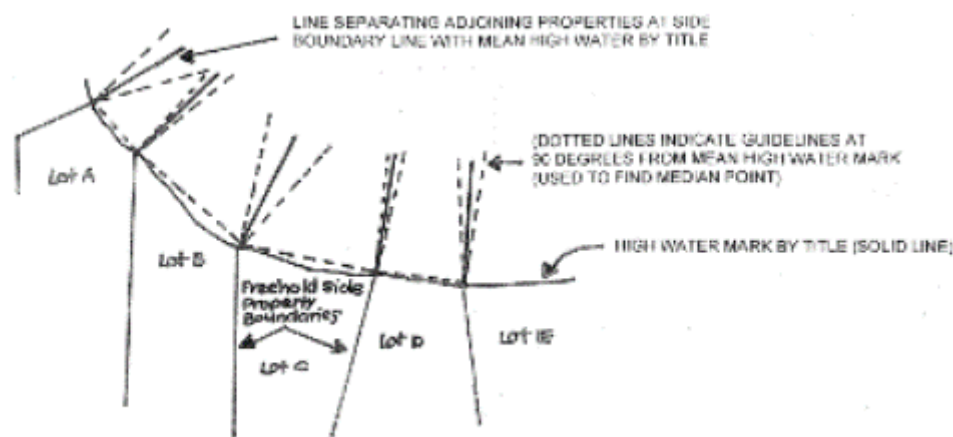


Diagram 2: Lateral Limits to Waterfront Development - Straight Shoreline

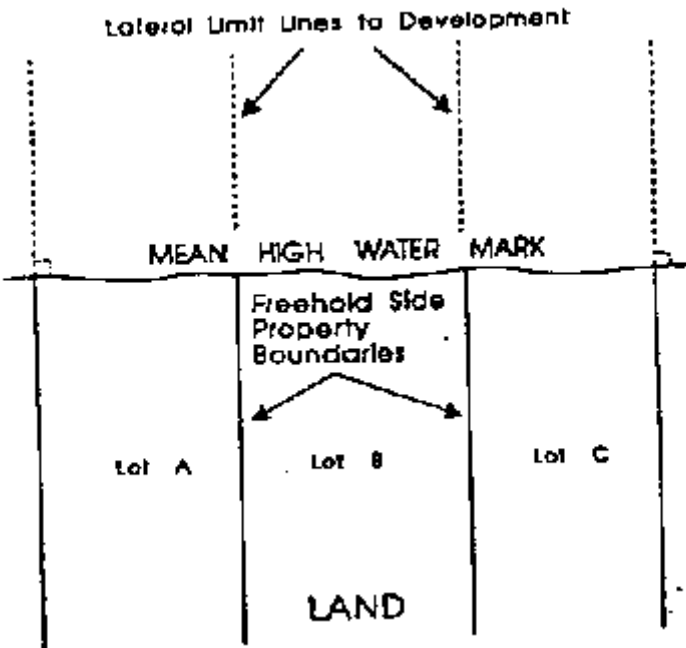
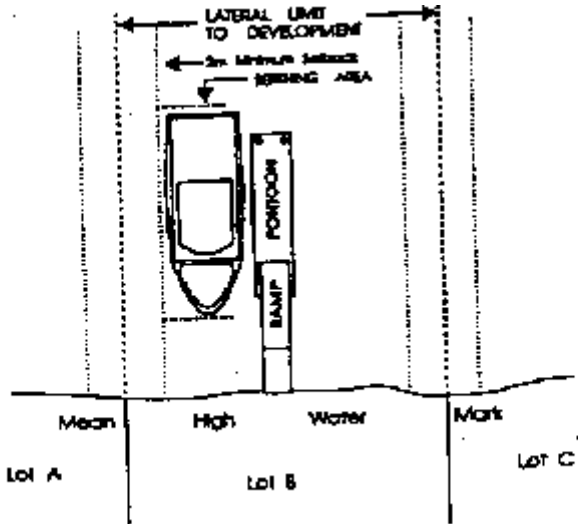


Diagram 3: Setbacks from Lateral Limit Lines to Waterfront Development



Variations
Nil

The lateral limit lines.

Information to be shown on the Development Drawings

The location of proposed structures within the waterway in relation to the lateral limit lines.

The properties to benefit from any shared facilities if proposed.

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating that fair and equitable enjoyment of the waterway is achieved between neighbouring waterfront landowners through restricting unreasonable encroachment of marine facilities in front of adjoining properties.

D15.14 Minimum frontage for waterfront development**Land to which this control applies**

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Business Development

Industrial Development

Jetty

Other Development

Water recreation structure

Outcomes

To minimise the individual and cumulative visual impact of waterfront development. (S)

Controls

Waterfront development for private use shall not be permitted on land that does not have a frontage to the Pittwater Waterway (including allotments which only have a right of way to the waterway).

Where an existing allotment has a water frontage of less than 15.0 metres, limited development such as a jetty, ramp and pontoon will generally only be permitted. Multiple facilities below mean high water mark (i.e. boatsheds, jetty and slipway etc.) will not be permitted. Facilities should be shared with neighbouring waterfront properties to minimise the density and visual impact of foreshore development. Where individual facilities are desired, the applicant must demonstrate, to the satisfaction of Council, that shared facilities are not appropriate and that the objectives of this part would not be compromised.

The use of shared boating structures is encouraged for all land, particularly confined embayments and/or embayments characterised by shallow water.

Variations

Nil

D15.15 Waterfront development

Land to which this control applies

The Waterways Locality and properties which abut the Pittwater Waterway excluding Crystal Bay Foreshore Area - P21DCP-D15MDCP752

Uses to which this control applies

Business Development
Industrial Development
Jetty
Other Development
Water recreation structure

Outcomes

Waterfront development does not have an adverse impact on the water quality and estuarine habitat of Pittwater. (En)

Public access along the foreshore is not restricted. (S)

Waterfront development does not encroach on navigation channels or adversely affect the use of ferries and service vessels or use of the waterway by adjoining landowners. (S, Ec)

Structures blend with the natural environment. (S)

Structures are not detrimental to the visual quality, water quality or estuarine habitat of the Pittwater Waterway. (En, S)

To promote a mix of commercial waterfront development for the accommodation of boats, their repair and maintenance, and for organised waterfront development. (Ec)

Waterfront development which does not comply with the outcomes of this clause are removed. (En, S, Ec)

Controls

a) Jetties, Ramps and Pontoons

Ramp and pontoon structures are preferred in place of jetties, where practicable (Diagrams 1A and 1B).

Diagram 1A: Jetty Construction Option - Conventional Jetty

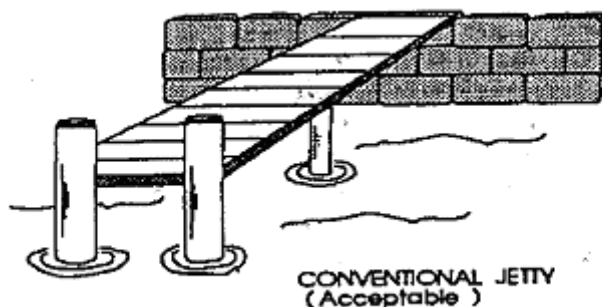
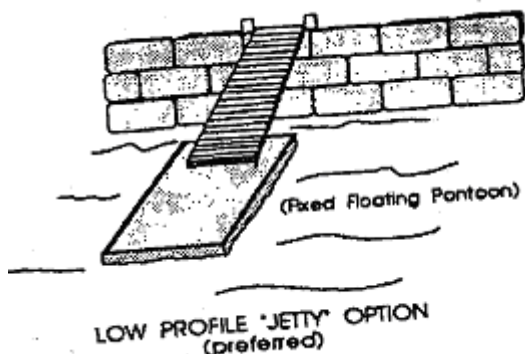


Diagram 1B: Jetty Construction Option - Preferred Configuration



Where provided, jetties, ramps and pontoons shall meet the following criteria:

- i. Handrails are to be located only on one side of the structure.

- ii. Structures shall be located where at a maximum permissible water depth of 2.5 metres at low tide
- iii. The minimum depth at the end of a jetty/pontoon should be:
 - 600mm at zero tide in the case of a pontoon (as per NSW Department of Primary Industries)
 - 600mm at mean low tide minimum in the case of a fixed jetty end (i.e. no pontoon)
- iv. Structures shall generally be no greater in length than existing structures, and shall not impede general navigation or equitable access or use of the waterway by adjoining landowners. The length of any jetty is to be minimised. (Diagrams 2A and 2B)
- v. The construction of "L" or "T" ends or other types of elongations or steps at right angles to jetties shall not be permitted.
- vi. The erection of structures above the finished surface of a jetty, ramp or pontoon, including sheds, overhead light fittings, benches and sinks, shall not be favoured, other than a small self contained service modules incorporating low voltage, low level lighting.
- vii. Gates and like devices shall not be permitted across structures where public access around the foreshore is obstructed, or where such devices are visually obtrusive.
- viii. Where considered appropriate, jetties shall be supported on piles. Solid fill structures such as groynes, or similar, shall not be permitted.
- ix. The finished jetty deck height shall be a maximum height of 1 metre above mean high water mark or 1.5 metres AHD.
- x. The materials used for construction should not be deleterious to marine life, for example antifouling paints or treated woods must not be used;
- xi. Structures over Posidonia seagrass or over Zostera, Heterozostera, Halophila and Ruppia species of seagrass beds greater than 5 square metres in area will generally not be permitted unless special circumstances exist. Exemptions may include:
 - i. works that are clearly in the public interest (e.g. safe access points for boating or swimming, State significant development),
 - ii. proposed works that, by virtue of design and location, are unlikely to have a significant impact, and where the proponent is willing to undertake works to compensate for any aquatic habitat liable to be lost or damaged,
 - iii. where property access is only available by water and no other alternative sites exist.
- xii. Where applicable, pontoons are to be positioned beyond the outer edge of the seagrass and the portion of the jetty, ramp or pontoon crossing seagrass is to be meshed or constructed of a similar material that transmits light to the seafloor. There is to be no covering on top of the mesh;
- xiii. Watercraft are not to be moored over or anchored within seagrass beds, and are not to be stored on the jetty, ramp or pontoon.

Diagram 2A: Design Guidelines for Conventional Jetty, Ramp and Pontoon Structure - Elevation View

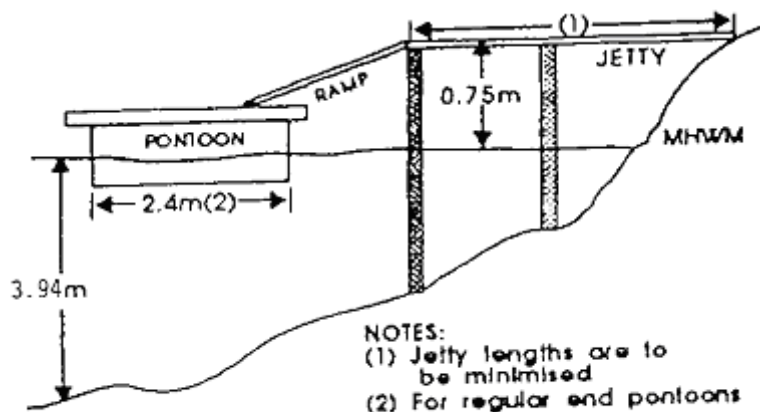
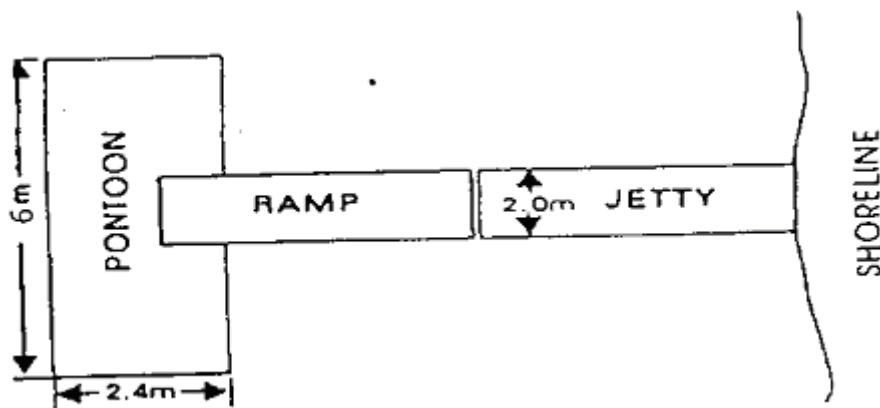


Diagram 2B: Design Guidelines for Conventional Jetty, Ramp and Pontoon Structure - Plan View



b) Berthing Areas

Vessels shall be berthed at right angles to the mean high water mark to minimise visual impact on the foreshore, where practicable. Where this configuration may restrict navigation, vessels may be berthed parallel to mean high water mark provided such vessels are no greater in length than the maximum length of the distance between the lateral limits of the property less 4 metres, and provided that the parallel moored vessel does not restrict navigation. The Department of Primary Industries will generally not approve berthing areas over seagrass.

The maximum dimension for berthing areas perpendicular to shore shall be 5 metres x 9 metres in accordance with Diagrams 3A and 3B.

Mooring licences for a private swing mooring shall be relinquished by any person seeking approval for a berthing area. This is to promote a more equitable use of the waterway's resources.

Where provided, berthing areas shall meet the following criteria:

- The proponent must demonstrate that they do not already hold, or cannot obtain, a swing mooring, marina berth or boat shed where they could reasonably store their boat;
- That there is sufficient depth of water below the vessel being 600 mm depth at zero low tide (-1.53 AHD);
- That it does not extend beyond the seaward face of any related pontoon, piles or jetty steps;
- That there is sufficient clearance from prolongation of adjoining boundaries (i.e. a minimum of 2.5 metres)
- That it be designed and located to enable efficient and safe manoeuvring without impinging on adjoining neighbours; and
- The size of vessel must be accommodated wholly within the lease area.

Diagram 3A: Maximum Dimensions for Berthing Areas -Perpendicular to Shore (As per Department of Infrastructure Planning and Natural Resources requirements)

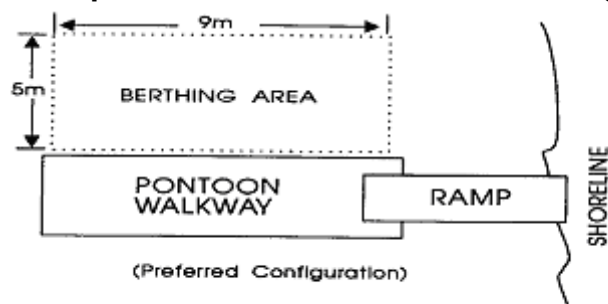


Diagram 3B: Maximum Dimensions for Berthing Areas - Parallel to Shore

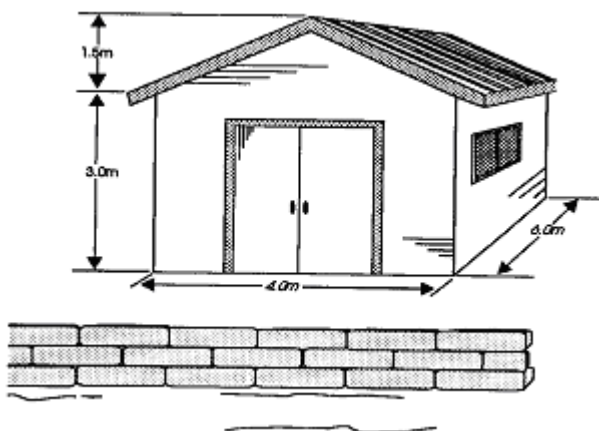
c) Boatsheds

Boatsheds shall meet the following criteria:

- i. Boatsheds shall be located above mean high water mark on freehold land, where practicable. Where this cannot realistically be achieved, as much of the proposed boatshed as is practical must be located above mean high water mark to minimise encroachment onto the littoral zone below mean high water mark.
- ii. Boatsheds shall be one storey and no greater than 4.5 metres in building height above the platform on which it is built, 4.0 metres in width and 6.0 metres in length, as illustrated in Diagram 4. The use of lofts or similar design concepts shall not be permitted.
- iii. Boatsheds shall not prevent or hinder public foreshore access. Alternative access must be provided where a proposed boatshed is likely to make existing foreshore access below mean high water mark difficult.
- iv. Boatsheds cannot be used for any other purpose than the storage of small boats and/or boating equipment. The incorporation of any internal kitchen facilities, habitable rooms, shower or toilet facilities shall not be permitted. Roof areas of boatsheds shall not be used for recreational or observational purposes.
- v. Boatsheds shall be constructed of low maintenance materials that are of a tone and colour which is sympathetic to the surrounding setting. Structures proposed along the western foreshores, McCarrs Creek, Horseshoe Cove, Salt Pan Cove, Refuge Cove, Clareville and Careel Bay are to have specific regard for the natural landscaped character of the area. Reflective materials and finishes for private boatsheds shall not be permitted.
- vi. The minimum floor level for proposed boatsheds shall be in accordance with the B3 Estuarine Hazard controls for foreshore development around the Pittwater Waterway.
- vii. Boatsheds shall be able to be entirely enclosed. Boatsheds which either partially or wholly do not incorporate appropriate wall cladding shall not be permitted, as such structures tend to become visually obtrusive when viewed from the waterway.
- viii. All electrical equipment and wiring shall be water tight below the designed flood/tidal inundation level.

Boatsheds which cannot meet these criteria are considered out of scale and character with the type of residential foreshore development that exists around the Pittwater Waterway. Boats which cannot be accommodated in the recommended size boatshed are considered inappropriate and should be accommodated using alternative facilities.

Diagram 4: Design Guidelines for Boatsheds



- See also B3 Estuarine Hazard Controls relating to boatsheds

d) Slipways and Launching Ramps

Slipways and launching ramps are generally not favoured.

e) Piles

Freestanding or end piles are generally not favoured.

f) Levitators

Levitators are generally not favoured.

g) Davits

Davits are generally not favoured.

Variations

a) Slipways and Launching Ramps

Council may consider slipways and launching ramps where structures are unlikely to detract from the visual character of the foreshore, will not affect marine vegetation and will not restrict public foreshore access.

In such instances, the following criteria shall apply:

- i. Innovative design which incorporates slipping facilities with other existing or proposed structures is encouraged (Diagram 5).
- ii. Structures, the storage of lightweight boats, and any winch equipment shall be entirely on private freehold land and shall not obstruct public foreshore access.
- iii. Structures shall be at ground level, where possible. Slipways from boatsheds, or reclamation must be recessed into the subject structure or work to minimise the height of the sliprails or boat ramp above the bed of the Pittwater Waterway. (Diagram 6).
- iv. Sliprails are to be in the form of two parallel rails, no more than 2 metres width apart, with either locking spreaders between the rails or bolted directly to the surface of the concrete without the use of spreaders or embedded in concrete to facilitate free access. (Diagram 7).
- v. Timber construction is preferred for proposed boat ramps. Concrete ramps may be considered at bed level in certain locations such as at Crystal Bay, Winji Jimmi Bay, Palm Beach and Careel Bay or where it can be shown, to the satisfaction of Council, that the aims of this clause are not compromised. Other materials such as steel with bonded rust proof coating will also be considered.

The type of launching and retrieval facilities for marinas or commercial boatsheds will depend on site-specific factors inherent to the particular waterfront facility as well as its role. In this regard, Council is flexible in the type of systems it is prepared to consider including slipways, straddle hoists or travel lifts, floating dry docks, fixed or mobile cranes.

Proposed boat launching and retrieval facilities should not adversely restrict public foreshore access below mean high water mark. In this regard, where an existing structure restricts such access or where a proposed structure is likely to adversely impact upon any existing access, Council may require the applicant to provide alternative means to ensure that such access is maintained after also considering public safety.

Where a launching ramp is included within a marina or commercial boatshed complex, it shall be located so as to minimise interference with boat traffic to and from berthing areas.

Diagram 5: Suggested Dual Purpose Pontoon/Ramp and Slipway Structure for Boat Storage on Private Property.

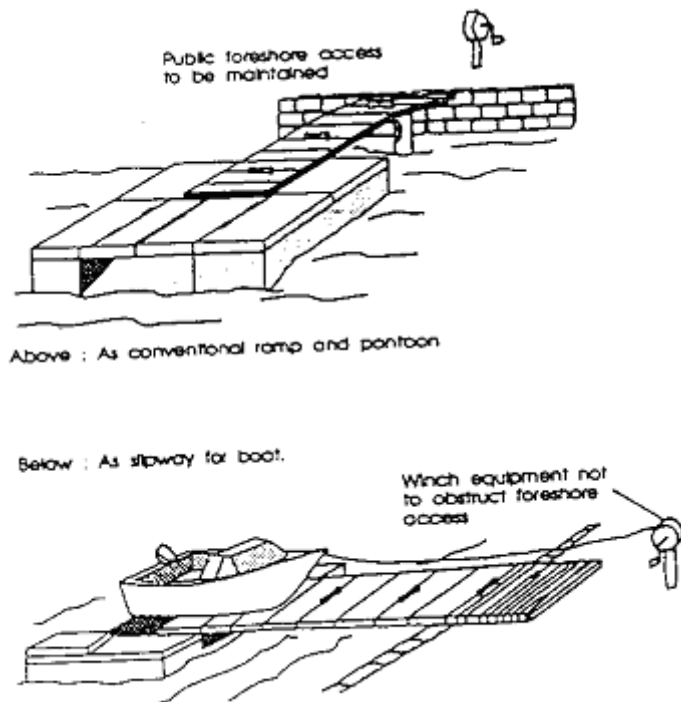


Diagram 6: Design Guidelines for Private Boat Ramps

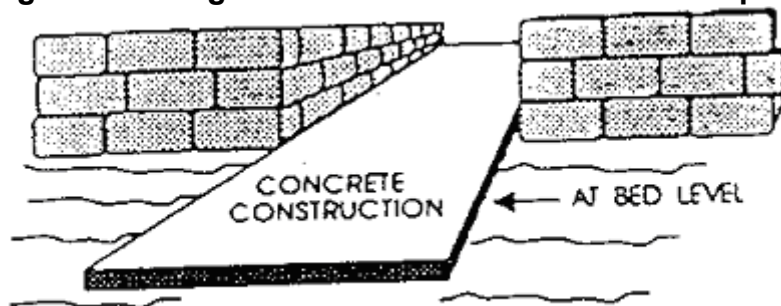
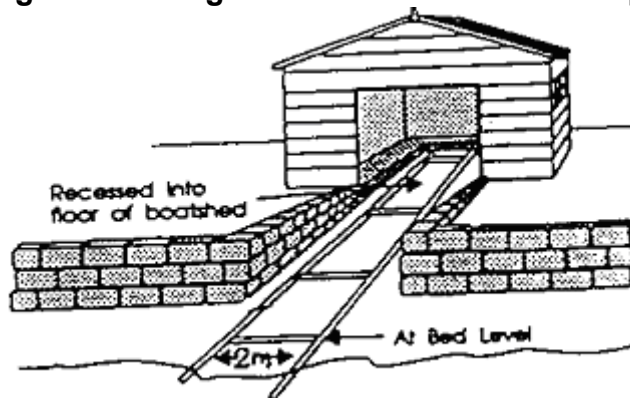


Diagram 7: Design Guidelines for Private Slipways



b) Piles

Council may consider freestanding or end piles where structures are unlikely to have a detrimental visual effect when viewed from the waterway, or in areas subject to heavy wave exposure to stabilise jetties, pontoons and berthed vessels.

In such instances, the following criteria shall apply:-

- i. Structures shall not have a height greater than indicated in the following table:

Type of Pile	Above MHW (metres)	AHD (metres)	Above HAT (metres)*
Jetty end	2.16	2.67	1.5
Pontoon Stabilisation	2.16	2.67	1.5

Berthing	2.16	2.67	1.5
Intermediate (jetty)	0.75	1.26	

* Highest Astronomical Tide which is 2.1 metres above zero Fort Denison Tide Gauge or 1.17 AHD.

- ii. Structures shall be of timber or fibre reinforced concrete. Timber piles shall have a minimum diameter of 250mm and be stripped bare of bark above mean high water mark and be bound at the top by a metal ring to prevent splitting and be capped to prevent long term deterioration.
- iii. Structures shall be treated in dark, natural colours above mean high water mark. End piles or free standing piles shall be painted white along the top 1 metre of the pile to facilitate visual prominence when viewed from the water at night and minimise any hazard to navigation. The use of alternative measures, such as reflective materials, to facilitate visual prominence may also be supported.
- iv. Structures should be positioned at least 2 metres away from any Posidonia seagrass.

c) Levitators

Council may consider levitators in some instances.

In such instances, the following criteria shall apply:

- i. Only a single levitator unit is to be installed fronting any residential property.
- ii. Only one boat is to be berthed/stored on or adjacent to any residential waterfront structure (not including levitators) unless part of a shared structure or where an existing approval has been issued.
- iii. Any boat stored on any levitator must be no greater than 6.0 metres in length and 3.0 metres in height measured from the bottom of the keel to the top of the superstructure, excluding the mast in the case of sailing vessels. Vessels up to 8.5 metres in length will be considered having regard to location, visual impact, bulk of the proposed boat, and impact on the visual quality of the Pittwater waterway.
- iv. The maximum lift of the levitator platform is to be set at 1.0m above mean high water mark.
- v. Levitators are to be used for boat storage purposes only. Maintenance or painting of the hull of any boat stored on the levitator is not to be undertaken.
- vi. No signage is to be placed on any levitator.
- vii. A levitator is to be located parallel to a jetty in a manner that ensures the boat does not protrude further into the Pittwater Waterway than the end of the jetty structure.
- viii. The levitator structure and/or any boat stored on the levitator is to be a minimum of 2.0 metres clear of the perpendicular extension, from the shoreline, of the common side property boundaries below mean high water mark.

d) Davits

Council may consider davits in some instances.

In such instances, the following criteria shall apply:

- i. Davits may only be used for the storage of small dinghies or runabouts, particularly in locations susceptible to bad weather or unfavourable wave conditions.
- ii. Davits shall not store any boat greater than 5.1 metres in length.
- iii. Davits shall be located parallel to a jetty to minimise the visual impact of any boat stored when viewed from the Pittwater Waterway, and to minimise any further encroachment beyond mean high water mark (Diagram 8).
- iv. Davits should not shade underlying or adjacent seagrasses.

Diagram 8: Preferred Location for Davits

**Advisory Notes**

Note: Structures below mean high water mark may require Council approval, and a permit from the Department of Primary Industries. Owners consent may also be required from the Department of Lands.

Information to be shown on the Development Drawings

The drawings shall clearly indicate:

- any moorings to be relinquished and/or any existing facilities including those to be removed or modified; and
- the design, construction and materials of the proposed marine facility.

Information to be included in the Statement of Environmental Effects

Information is to be provided that demonstrates compliance with the requirements of this control. In this regard where marine facilities and the like are proposed, an assessment of the control is required. Where practicable this information should be depicted on the submitted drawings.

D15.16 Waterfront development - Crystal Bay foreshore area

Land to which this control applies

Crystal Bay Foreshore Area - P21DCP-D15MDCP753

Uses to which this control applies

Business Development

Industrial Development

Jetty

Other Development

Water recreation structure

Outcomes

The reasonable expectations of landowners adjoining the foreshore of Crystal Bay are balanced to facilitate water access to the Bay, whilst preserving the amenity of the Bay. (En, S)
Maintenance of an open foreshore appearance with views to the centre and mouth of Crystal Bay. (S)

Public access around Crystal Bay is maximised. (S)

The amenity of the Bay is maintained through the establishment of appropriate development and building guidelines and requirements for structures below original mean high water mark. (S)

The visual intrusion of private facilities is minimised. (S)

Appropriate points within the Bay for public access for the launching of dinghies and sail craft by hand are identified. (S)

Controls

Individual waterfront developments for private residential use shall not be permitted.

Only shared waterfront developments shall be permitted.

Waterfront development shall only be permitted in the form of a low profile jetty with a ramp, pontoon and berthing area. The following criteria shall apply:

- The height of any jetty deck shall not exceed 0.75 metres above mean high water mark (1.26 Australian Height Datum AHD).
- The width of any jetty shall not exceed 2 metres.
- No more than one handrail shall be permitted on a jetty for safety.
- Waterfront development shall generally be no greater in length than adjoining facilities and shall not impede general navigation or equitable access or use of the waterway by adjoining landowners. The length of any jetty is to be minimised (Diagram 1).
- Waterfront development shall be designed to permit safe pedestrian traffic to and from the jetty end at low tide; safe mooring of vessels; and the berthing of vessels perpendicular to the shoreline.
- Pontoons shall be constructed with a minimum buoyancy of 2kPa and shall not exceed 2.4 metres x 3.6 metres.
- Gates and like devices shall not be permitted across structures where public access around the foreshore is obstructed, or where such devices are visually obtrusive.
- No more than one berthing area per waterfront property shall be permitted.

- ix. A berthing area shall be located perpendicular to the shoreline and shall not exceed 5 metres x 9 metres (Diagram 2).
- x. A berthing area shall generally have a depth of 1 metre at low tide (1.925 AHD or 2.0 metres below zero (0) Fort Denison Tide Gauge).
- xi. Waterfront development shall not be used for berthing commercial or commercially used vessels.
- xii. Any mooring licence held by a landowner in Crystal Bay shall be relinquished, and the mooring structure removed. The mooring relinquished shall not be reallocated.
- xiii. Davits and levitators shall not be permitted.
- xiv. Freestanding piles used for berthing purposes or piles at the end of a jetty shall be no greater than 1.75 metres (2.26 AHD) above mean high water mark. Intermediate piles on jetties shall be no greater than 0.75m (1.26 AHD) above mean high water mark.
- xv. The top 0.5 metres of free standing piles or piles at the end of a jetty shall be stripped of bark and painted white and properly maintained by repainting.
- xvi. Concrete launching ramps shall be no greater in width than 3.0 metres, and shall be constructed flush with the natural level of the reclaimed foreshore area, between the freehold property boundaries and the outer edge of the reclamation, and are to follow the slope of the existing inter tidal zone. Ramps shall be flush with the top of any seawall (Diagram 3).
- xvii. Slip rails, winches and boat cradles shall not be permitted on ramps.
- xviii. The operation of any approved winches, located on freehold land, shall not hamper public access along the foreshore for any extended period of time.

Diagram 2: Maximum Dimensions for Berthing Areas -Perpendicular to Shore (As per Department of Infrastructure Planning and Natural Resources requirements)

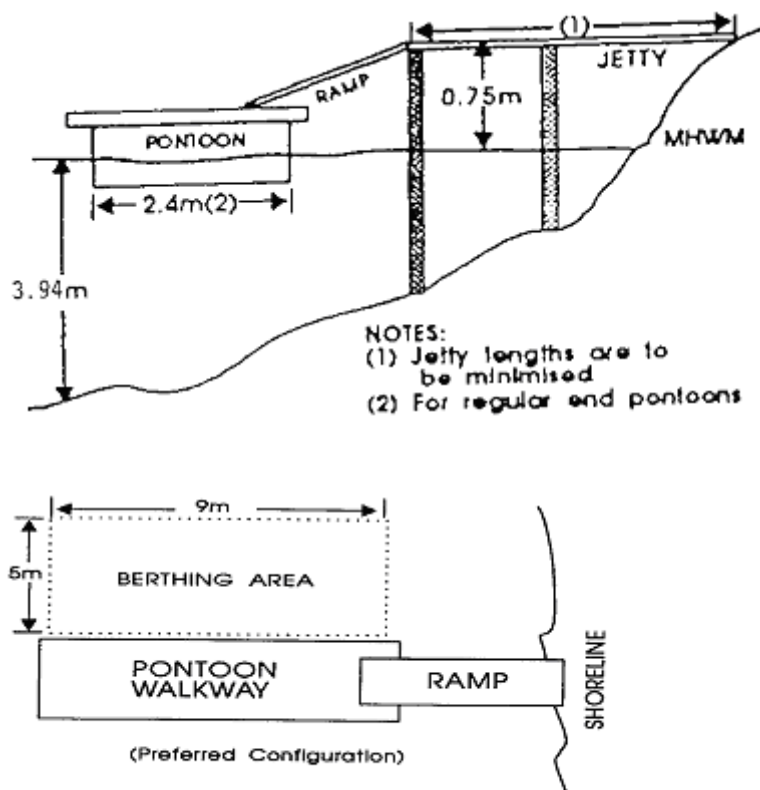
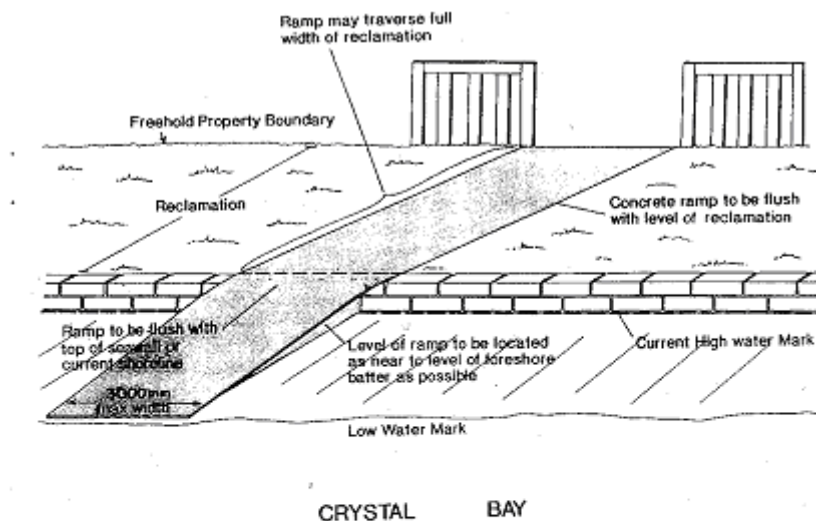


Diagram 3: Concrete Boat Ramp Design Criteria

**Note**

- 1) Ramp to be of reinforced concrete construction
- 2) Development Application must be lodged with Council for Councils consent prior to construction

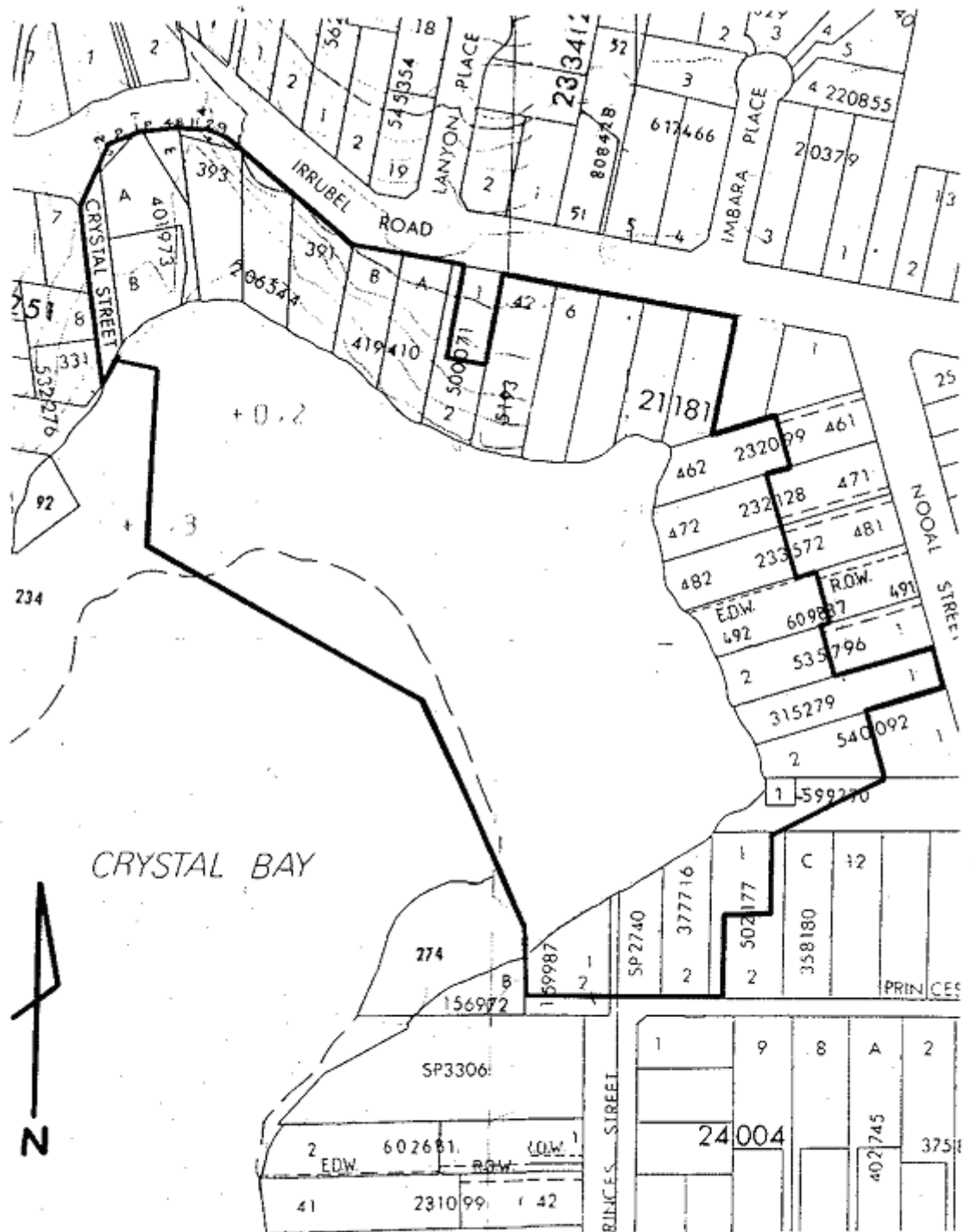
Boat sheds shall only be permitted on freehold land. Where provided, boat sheds shall meet the following criteria:

- i. Only single storey boat sheds shall be permitted and shall not exceed 6.5 metres x 4 metres x 3 metres high (to the top of the walls). Low pitch, gable or hip roofs fronting the waterway will be preferred by Council to a maximum height of 1.5 metres above the side walls. Boat sheds exceeding these dimensions shall not be permitted. Boats which cannot be accommodated in a structure of this size should be stored elsewhere.
 - ii. Only a boat storage space and working space shall be permitted in a boat shed. Boat sheds shall not be converted to dwellings or any other use and shall not contain a shower or toilet.
 - iii. The minimum floor level for new boatsheds shall be in accordance with the B3 Estuarine Hazard
 - iv. Roof areas shall not be used for recreational purposes.
 - v. Boat sheds may be permitted within the foreshore building line where adequate setback from the foreshore property boundary is not available.
- See also B3 Estuarine Hazard controls relating to boatsheds

Variations

NIL

Figure 1**Controls**

**FIGURE 1**

LAND TO WHICH THIS PLAN APPLIES

Information to be shown on the Development Drawings

The drawings shall clearly indicate:

- any moorings to be relinquished and/or any existing facilities including those to be removed or modified;
- which properties are sharing the marine facilities; and
- the design, construction and materials of the proposed marine facility.

Information to be included in the Statement of Environmental Effects

Information is to be provided that demonstrates compliance with the requirements of this control. In this regard where marine facilities and the like are proposed, an assessment of the control is required. Where practicable this information should be depicted on the submitted drawings.

D15.17 Moorings

Land to which this control applies

Waterways Locality - P21DCP-D15MDCP750

Uses to which this control applies

Marina

Mooring

Mooring pen

Outcomes

Adverse environmental effects of moorings on the aesthetic appearance of the Pittwater Waterway, its marine flora and fauna, and the impact on navigation, recreational opportunities and safety is minimised. (En, S, Ec)

Regard is had for the visual and physical cumulative effects of moorings and associated boating in the Pittwater Waterway. (En, S, Ec)

Regard is had for persons dependant on private water transport for commuting purposes. (S)

The removal of derelict vessels from moorings to enable a more efficient use of existing moorings in the Pittwater Waterway. (S)

Rationalisation and creation of designated private mooring areas with regard to the relative needs of licence holders for shore based support facilities and the availability of such facilities along the foreshore. (S)

Provision of appropriate levels of mooring numbers based on the real demand for such facilities while having due regard for the need to preserve the existing character of the Pittwater Waterway. (S)

Controls

Mooring areas are identified on the Pittwater Mooring Area Map (Map 1). The maximum number of moorings per mooring area and the management of mooring areas shall be in accordance with the following table:

Mooring Area (refer to Pittwater Mooring Area Map)	Mooring Area Name	Maximum Number of Moorings Permitted
1	Barrenjoey Headland	7
2	Palm Beach	128
3,4	Careel Bay	432
5	Clareville	685
6,7	Refuge Cove	141
7	Salt Pan Cove	290
8	Horse Shoe Cove	126
9,10	Crystal Bay	70
11	Winji Jimmi	66
12	Winnerrerremy Bay	33
13,14,15,16	Bayview	529

17	McCarrs Creek	433
18	Elvina Bay	67
19,20	Lovett Bay	164
21	Towler's Bay/Morning Bay (resident moorings)	20
22	Towler's Bay/Morning Bay (club moorings)	32
23	Coaster's Retreat	107
24	Great Mackerel Beach	35
25	Scotland Island	276

The maximum number of moorings in the table applies collectively to private, club, commercial and public authority moorings.

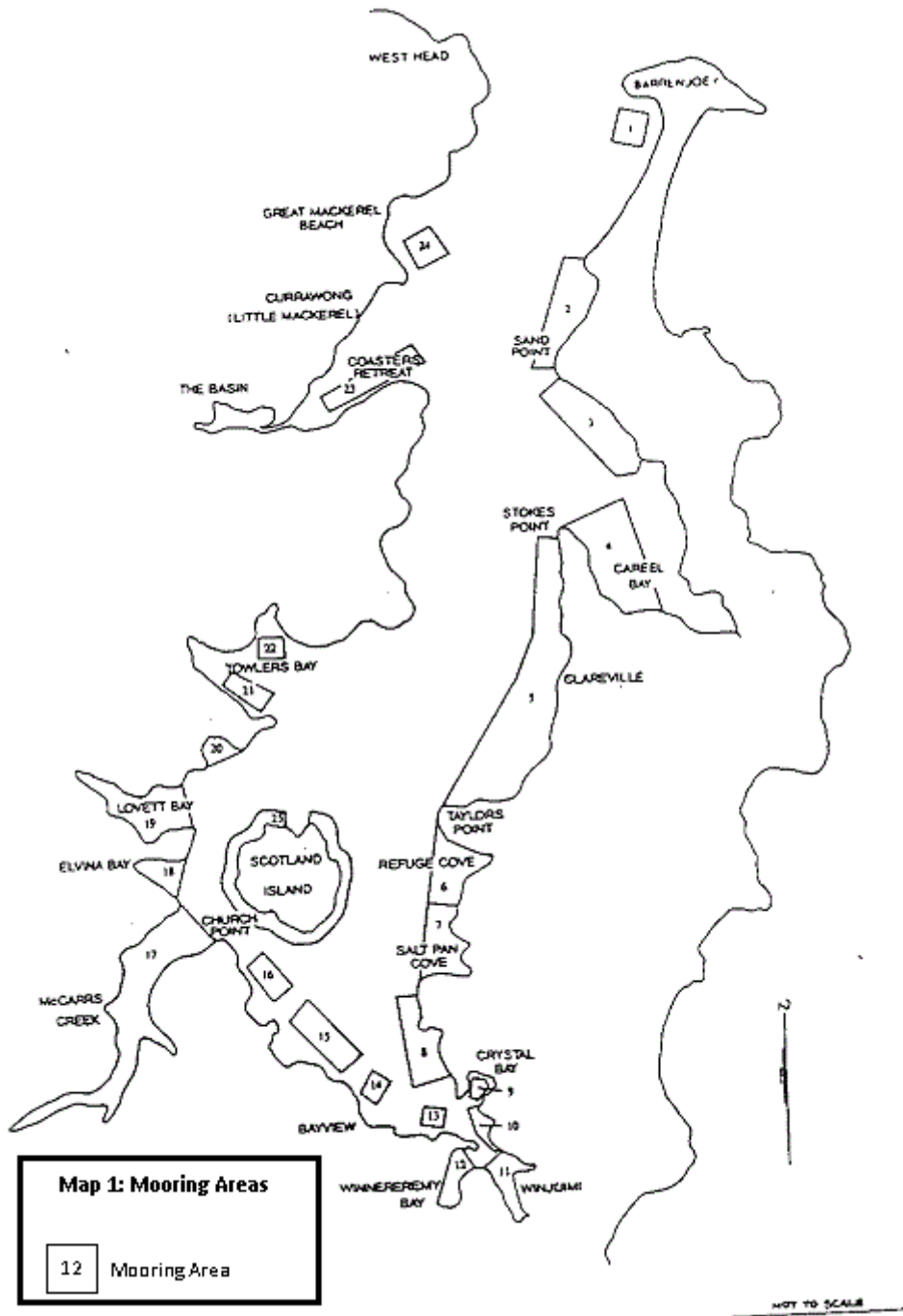
The maximum number of moorings in Pittwater shall not exceed the overall capped total of 3641. However, in consultation with NSW Maritime and other stakeholders, the restrictions for individual mooring areas may be increased if needed, with a subsequent reduction from other mooring areas where spare capacity exists.

Additional moorings in areas 17, 18, 19, 20, 21, 23, 24 and 25 are restricted to moorings for local residents in adjacent residential areas only.

Mooring Area 22 shall not be used for long term permanent mooring by chartered pleasure craft and boat/sailing craft.

In the event of a marine development being approved, the change of swing moorings to marina berths shall not alter the capped number of vessels in that area.

Where additional moorings are considered appropriate, moorings must be sited such that navigable water space is optimised and efficiently used and adverse visual impact is minimised and adequate shore-based infrastructure is available, including carparking, dinghy storage facilities, garbage disposal facilities, toilets, and loading and unloading facilities for boats.



Variations
Nil

Advisory Notes
Single swing moorings in association with marinas may constitute designated development under the *Environmental Planning and Assessment Regulation 2000*.

The location of the proposed mooring in relation to other moorings and shoreline features.

Information to be included in the Statement of Environmental Effects

An assessment of the mooring proposal in terms of the mooring number restrictions for the mooring area.

D15.18 Seawalls

Land to which this control applies

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Business Development

Industrial Development

Jetty

Other Development

Water recreation structure

Outcomes

Any adverse impact upon the marine flora, fauna or water quality of the locality is minimised. (En)

Development has due regard for other existing water based activities in the locality, particularly those which have recreational, residential or economic significance. (S, Ec)

Alienation of public foreshore land below mean high water mark is minimised. (S)

The impact of development may on the physical processes acting in the locality is minimised. (En)

Development is sympathetic to the natural character of the Pittwater Waterway. (En, S)

The occurrence of dredging in the Pittwater Waterway other than for general navigation purposes is minimised. (En)

Controls

Seawalls shall not be permitted.

Variations

Council may consider the construction of seawalls where there is potential for erosion from coastal process and protection of property is necessary.

In such instances, the following criteria shall apply:

- i. where possible, maintain the curvature of the existing shoreline;
- ii. incorporate low profile walls, battered or stepped back from the foreshore wherever practicable, with a maximum recommended height of 1 metre above mean high water mark. (1.5 metres AHD);
- iii. constructed of or faced in rectangular shaped sandstone, being either dressed or rough-cut in order to promote a uniform treatment along the foreshore. Alternative building materials, such as reconstructed sandstone concrete blocks or similar, which reflect a sandstone character shall also be suitable, particularly where greater structural strength may be required. Materials such as timber, concrete (including nylon mattress structures) gabions or other materials not in keeping with the character of the area shall not be permitted. Concrete/nylon mattress structures may be suitable for public drainage and associated bank stabilisation works where it can be demonstrated that such structures will not detract from the visual amenity of the locality.
- iv. only clean fill is to be used behind sea walls.
- v. where practicable, sandy beach areas should be incorporated in front of seawalls.
- vi. be designed so that the existing footprint is maintained (i.e. does not encroach any further into the intertidal zone) and the seawall is sloped back towards the property. There must be no additional reclamation of water land (requires a permit from the Department of Primary Industries) or replacement of the existing wall with a vertical seawall;

- vii. that there is no mortaring of the seawall and a geotextile fabric is used behind the seawall to prevent loss of sediment through the seawall;
- viii. should be rock rip rap, boulders or similar complex structures, and where possible incorporate further vertical and horizontal complexity.
- ix. maximise the incorporation of native riparian and estuarine vegetation;
- x. create low sloping seawalls and/or incorporate changes of slope; and
- xi. it is recommended that proponents consult with both the Coasts & Estuaries section of the Office of Environment and Heritage, and with the Aquatic Habitat Protection unit of the Department of Primary Industries.
- xii. compliance with *Environmentally Friendly Seawalls – A Guide to Improving the Environmental Value of Seawalls and Seawall-lined Foreshores in Estuaries* (2009) available at the Office of Environment & Heritage website.

Within the Crystal Bay Foreshore area, the following controls shall specifically apply:

- i. only dwarf seawalls shall be permitted along the foreshore of the Bay.
- ii. be wholly constructed or faced in regular dressed sandstone blocks, reconstructed sandstone face blocks or reconstructed sandstone tiles; and
- iii. have a battered slope located in front of it constituting the intertidal beach zone; and
- iv. be flush to the top of the seawall with the reclamation located behind it (Diagram 1); and
- v. not have a height greater than 0.75 metres above mean high water mark (1.26 AHD); and
- vi. be aligned generally in a position which accords with the physical high water mark (Diagram 2) and form a continuous and uniform alignment with any existing adjoining, approved seawall.

Diagram 1

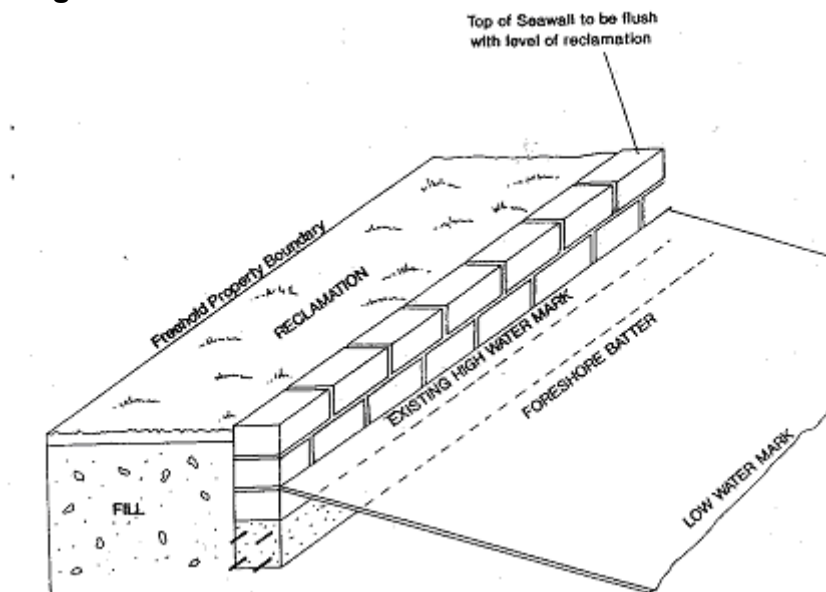
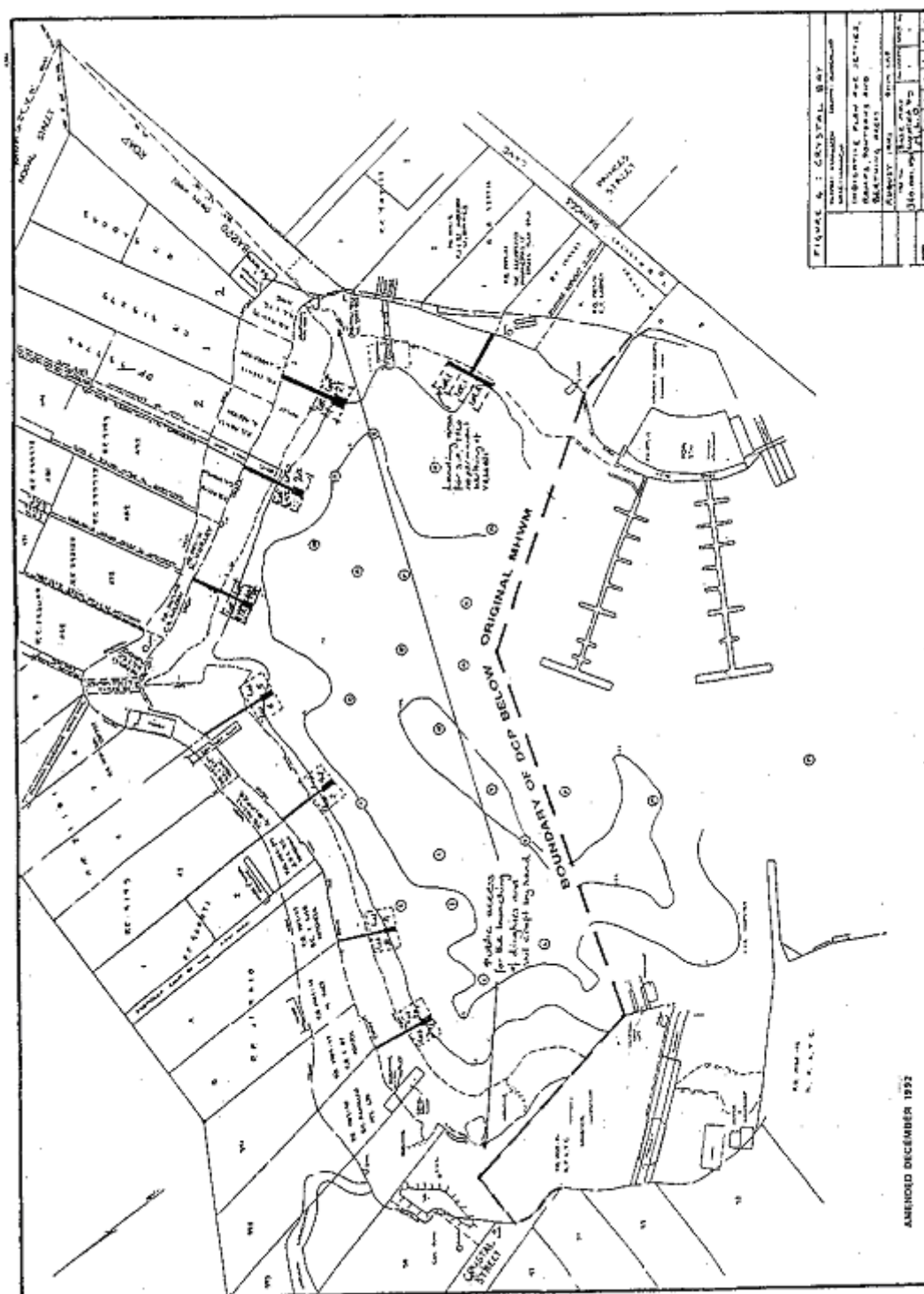


Diagram 2:

Controls



Advisory Notes

For further information on the appropriate design of seawalls see Environmentally Friendly Seawalls – *A Guide to improving the Environmental Value of Seawalls and Seawall-lined Foreshores in Estuaries* (2009) available at the Office of Environment & Heritage website.

Information to be shown on the Development Drawings

Clear details of the location, dimensions and materials to be used in the construction of any seawalls.

Information to be included in the Statement of Environmental Effects

An assessment of the seawalls impact on the visual character and amenity of the waterfront. Reference should be made in the assessment to the control outcomes.

Technical Reports and Supporting Information

A Coastal Engineer's report assessing the impacts of the seawall in protecting the development site and adjoining properties.

D15.19 Dredging**Land to which this control applies**

The Waterways Locality and properties which abut the Pittwater Waterway - P21DCP-D15MDCP751

Uses to which this control applies

Business Development
Industrial Development
Jetty
Other Development
Water recreation structure

Outcomes

Any adverse impact upon the marine flora, fauna, habitat value or water quality of the locality is minimised. (En)

Development has due regard for other existing water based activities in the locality, particularly those which have recreational, residential or economic significance. (S, Ec)

Alienation of public foreshore land below mean high water mark is minimised. (S)

The impact of development on the physical processes acting in the locality is minimised. (En)

Development is sympathetic to the natural character of the Pittwater Waterway. (En, S)

The occurrence of dredging in the Pittwater Waterway other than for general navigation purposes is minimised. (En)

Retention of the existing bed of the Pittwater Waterway, in as natural a state as practicable, where general public boating/recreational opportunities are not adversely affected. (En, S, Ec)

Controls

Dredging shall not be permitted.

Variations

Council may consider dredging for navigational safety reasons where it can be demonstrated that:

- i. the site is or has been susceptible to sediment accretion due to human influences; and
- ii. dredging works will not have an adverse impact on the Pittwater Waterway; and
- iii. adjacent erosion, sediment accretion, weed or litter accumulation or adverse effects upon estuarine processes are unlikely to result;
- iv. the site is not over or in the immediate vicinity of fish hauling grounds, seagrass beds or other significant natural estuarine habitats; and
- v. the site is unlikely to require unreasonable continued maintenance; and
- vi. the environmental risks associated with acid sulfate soils can be minimised by appropriate management measures.

In such instances, the following criteria shall apply:

- i. Dredging to a depth greater than 3.94 metres below mean high water mark (-3.425m AHD) shall not be permitted. This is to ensure that the substrate remains within the euphotic zone while still providing a reasonable depth of water for boat access.

- ii. A buffer zone of 50 metres to seagrass beds and 30 metres to mangroves shall be maintained between the dredged area and vegetation.
- iii. The shape of a dredged channel shall be largely determined by the type of bed sediment that is to be dredged and the nature of the currents in the locality, and will be considered on a merit basis.
- iv. Sediment ponds and/or silt curtains must be incorporated to ensure that entrained silt from dredging operations is not returned to the waterway.
- v. Dredged material shall be disposed of in a responsible manner. The disposal of dredged material elsewhere into the Pittwater Waterway shall not be permitted.

Within the Crystal Bay Foreshore area, the following controls shall specifically apply:

- i. Dredging shall only be permitted where such dredging is to restore an adequate navigable depth of the Bay in accordance with Part XIA Consent 78/163, or is associated with the installation of utility services.
- ii. Dredged material is to be disposed of at approved dumping sites on land or at sea. Redepositing of material in the Bay or elsewhere in the Pittwater waterway shall not be permitted.

Advisory Notes

Consent must be obtained from Council for dredging works. Consent will also be required from State Government agencies, and it is recommended that proponents consult with both the Department of Trade and Investment Crown's Lands and the Department of Primary Industries, as a minimum.

Refer to *State Environmental Planning Policy (Infrastructure) 2007*, noting that it is still a requirement to obtain all necessary approvals, licenses, permits or concurrences.

Dredging area in relation to shore and surface facilities.

Information to be shown on the Development Drawings

Dredging limit, dredging depths and existing seabed levels. Batter slopes should be clearly shown on sections.

Information to be included in the Statement of Environmental Effects

An analysis of the dredging proposal which clearly details why the dredging is required, and that the proposal does not constitute designated development, and is not prohibited. The analysis should address the control outcomes.

Technical Reports and Supporting Information

- A Coastal Engineer's report assessing the impacts of the dredging proposal.
- A Marine Biologist's report assessing the impacts of the proposal.

D15.20 Commercial waterfront development - pollution prevention

Land to which this control applies

Waterways Locality - P21DCP-D15MDCP750

Uses to which this control applies

Business Development
Industrial Development
Other Development

Outcomes

To minimise any likely adverse environmental impact on the water quality and marine flora and fauna of the Pittwater Waterway. (En)

Development does not adversely affect the amenity or character of adjoining land, particularly residential or public recreation areas. (S)

Controls

Waste material and sewage shall be managed on-site in a manner that is not likely to pollute the environment.

Garbage receptacles are to be provided on all proposed marina walkways and are to have self-closing lids to prevent escape of rubbish by way of wind, birds or other animals. At a minimum, garbage receptacles are to be placed near the head and ends of any marina walkways. A separate appropriate solid waste container is to be provided for any workshop area.

Runoff from hardstand areas shall be treated so that litter and other solid waste materials are not transported to the waterway. Trash racks, sedimentation control structures, or other devices, as considered necessary by Council, are to be installed and maintained by the operator at all times.

Pollution generating activities and any associated wastes, including that from boat scrapings, grease and oil from hard stand areas washing down facilities or workshops shall not be permitted to enter stormwater collection systems.

Where provided, fuel supply systems shall be designed to contain spillage and be provided with flameproof electrical fittings. The location of boat access to such facilities is to be designed for ease of navigation, preferably with a one-way travel direction with minimal travel through any berthing areas.

Appropriate anti-pollution devices will be required to be installed for all development which has the potential to result in pollutants or other waste entering the Pittwater Waterway and which is likely to adversely affect the water quality, flora or fauna of the area. Since the design of such devices can vary through time and with technological advances, Council will require the installation of those devices which are considered to be the most appropriate at the time. As a guide, the minimum type of devices that are likely to be required include the following:

- a. Fuelling areas: Spillage containment booms and oil absorbent materials for areas over the water; and pavements graded and drained to oil arrester pits for areas above mean high water mark.

- b. Workshops: Pavements graded and drained to oil arrester pits for new proposals and floating boom devices for existing older style boatsheds and the like.

All liquid wastes are to be collected and either removed off site or directed to an approved sewerage management system as is considered appropriate by Council and relevant authorities.

Wastes are not to be directly discharged into the Pittwater Waterway.

Noise from commercial or waterfront facilities is to be controlled in accordance with the "Pollution" Control contained within this document. In particular:

- i. public address systems shall not be permitted;
- ii. operation of machinery (i.e. being part of workshop facilities, air conditioning, generators, compressors or other apparatus) shall only be permitted where it can be demonstrated to the satisfaction of Council, that the amenity of adjoining areas will not be adversely affected;
- iii. shot/grit blasting of vessels using abrasive particles may be permitted in specified areas where suitably designed protective booths approved by Council are provided and noise levels and operating hours restricted.
- iv. the repair and maintenance of vessels involving the emission of intrusive noise is to be confined to Monday to Friday 7am to 5pm and Saturday 9am to 1pm local time. No work is to be undertaken on Sundays where such work, in the opinion of Council, is likely to interfere with the amenity of the neighbourhood by the emission of noise, chemical or physical pollutants or otherwise.
- v. spray painting, sanding and planing operations shall be carried out in spray painting booths or other approved enclosures with mechanical ventilation to capture airborne paint and particles and with approved noise attenuation controls where required.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the proposal demonstrating how it has been designed and will be operated so as to not cause any pollution.

Technical Reports and Supporting Information

A report and plans prepared by a suitably qualified professional outlining the waste holding and pollution control measures to be incorporated into the proposal to achieve the control requirements.

D15.21 Charter boat facilities

Land to which this control applies

Waterways Locality - P21DCP-D15MDCP750

Uses to which this control applies

Boatshed
Charter and tourism boating facility
Marina

Outcomes

To facilitate the opportunity for charter boat facilities in Pittwater. (Ec)

To minimise any adverse impact on the Pittwater waterway and adjoining development. (En)

Controls

Where a commercial marina or boatshed is to be used as the principal location for passengers to embark and disembark from charter boats, on-site facilities are to be provided including:

- Carparking;
- Toilets;
- Garbage and recycling disposal;
- Solid waste disposal; and
- Sewerage pumpout facilities for boats in accordance with any State Government gazetted regulations.
- Vessels used for food preparation and/or service must comply with the *Guidelines for Mobile Food Vending Vehicles*, published by the NSW Food Authority Regulations (inclusive of the Food Authority Notification requirements).
- All charter boats must dispose of sewerage and wastewater to sewerage pump ashore facilities.
- All charter boats must have a current documented contract which provides for the disposal of waste and recyclable materials generated by its operation.
- The business operation must comply with the *Protection of the Environment Operations Act 1997*.

On-site facilities required to operate a charter boat business from a marina where the marina berths are privately owned are the responsibility of the owner/applicant of the proposal. The applicant cannot simply propose to increase the demand of the facilities and not expect to provide any additional facilities. This will be assessed on a merit basis.

Variations

Nil

Technical Reports and Supporting Information

A report, floor plans and supporting documentation is to be submitted demonstrating that waste disposal and the food premises construction standards will be achieved in accordance with the requirements of the control.

D15.22 Masterplan - Careel Bay**Land to which this control applies**

Land in the Careel Bay Study Area - P21DCP-BCMDCP088

Uses to which this control applies

All Uses

Outcomes

To achieve the desired future character of the Locality.

Development addresses the issues identified in the Careel Bay Masterplan. (En, S, Ec)

A sense of place is provided by acknowledging the setting, history, landscaping and character and to give residents a sense of belonging and community pride. (S)

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To ensure that development adjacent to Careel Bay compliments the landscape character, public use and enjoyment of the Bay. (En, S)

Controls

Development is to appropriately address the issues identified in the Careel Bay Masterplan.

Variations

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development in terms of its impact on Careel Bay demonstrating that the proposal:

- Achieve the desired future character of the locality. (S)
- The development addresses the relevant issues identified in the masterplan (S, Ec)
- Development acknowledges the setting , history and landscaping and character; (S, Ec)
- The development responds to reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (S, En)

D16 Warriewood Valley Locality

D16.1 Character as viewed from a public place

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision of a sector, buffer area or development site in a Release Area.
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

Achieve the desired future character of the Locality.

To ensure new development responds to, reinforce and sensitively relates to the spatial characteristics of the existing built and natural environment.

High quality buildings are designed and built for the natural context and any natural hazards.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation.

To enhance the existing streetscapes and promote a scale and density that is at a human scale and in line with the height of the natural environment.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land and access to public places and spaces is clear and defined.

To ensure the provision of a "sense of address" and an attractive, generously landscaped streetscape amenity where buildings are fronting onto a street.

To achieve reduction in visual clutter.

To locate and design noise generating equipment to mitigate likely acoustic impacts.

Controls

Presentation to a public place

For the purpose of this control “public places” is considered to be areas within the public domain that are accessible to the general public, and may include roads and streets, the creekline corridor, parks and reserves.

The facades of buildings presenting to any public place must address these public places, provide visual interest, have a street presence and incorporate design elements (such as roof forms, textures, materials, arrangement of windows, modulation, spatial separation, landscaping etc.) that are compatible with any design themes existing in the immediate vicinity. Blank facades that front public places are not supported.

Building function is to be expressed by the facade. Any building facade and front setback to a public place must incorporate at least two of the following design features:

- pedestrian entry feature including a footpath;
- awnings or other features over windows;
- front entry feature or portico that highlights the location of the front door;
- front feature balconies on upper floors; and
- gables, dormer windows or the like that provide architectural interest to the roof form, visible from the street.

Clear visual connection must be achieved between the public place and the front setback/front façade of the building.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

The bulk and scale of buildings must be minimised.

Landscaping is to be integrated with the building design to screen and soften the visual impact of the built form. The height and scale of the landscaping in the setback area to the public place must be proportionate to the height and scale of the building.

Concealment of building plant or communications equipment, services and servicing areas

General service facilities must be located underground or suitably concealed.

Stormwater, sewer, gas, electrical or communication service pipe or conduit should not be visible from the public place including building facades (and balconies/carpark entry points) visible to any public place.

Plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the building. All noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar are to be located and designed to protect the acoustic privacy of workers, residents and neighbours. The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement. Council does not encourage air conditioning units on the roof of development.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened from public view.

Open and external storage areas, service/loading areas and garbage storage areas are to be screened from view from any public place and should not encroach on parking areas, driveways or landscaped areas.

External storage areas are not to interfere with the amenity of the locality due to smell, fumes, smoke, vapour, steam, soot, ash, grit, oil, dust, or otherwise.

Parking structures presentation

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.

Rear loaded lots and corner lots

Where lots are located between two roads, the dwelling must address and present to the higher road classification with the garage(s) directly accessing the lower road classification, known as rear loaded lots.

Attached and abutting dwellings ideally should be located on rear loaded lots to facilitate garages that are sited at the rear of the lot with direct access on to the Access Street or Laneway. Access streets or Laneways servicing rear loaded lots should incorporate landscaping elements to reduce the repetitive appearance of garages at these locations. Garages on corner lots are to be accessed from the secondary street.

Garage door widths are to be in accordance with the following:

	Lot dimension	Garage type	Width of garage door presented to the street
Front loaded lots	Area $\geq 225\text{m}^2$ or 9m to 12.5m wide	Single with a second hardstand area in front of the garage.	$\leq 3\text{m}$ or not exceeding 40% of the lot width, whichever is less.
	$\geq 12.5\text{m}$ wide	Single or tandem.	$\leq 3\text{m}$ or not exceeding 40% of the lot width, whichever is less.
	$\geq 12.5\text{m}$ wide	Double	$\leq 6\text{m}$ or not exceeding 40% of the lot width, whichever is less.
Rear loaded lots	$\geq 4.5\text{m}$ or with an area $< 225\text{m}^2$	Single	3m
		Double	6m
Corner lots with garage on the secondary street frontage	Any	Single	40% of the lot length as presented to the secondary street up to 3m.
		Double	40% of the lot length as presented to the secondary street up to 6m.

Variations

Nil

Advisory Notes

In this control, “rear loaded lots” means lots with frontage to two streets but are not corner lots and vehicular access is from the rear across the rear boundary.

In this Control, “front loaded lots” means lots with vehicular access onto the primary street via the lot’s front boundary.

For the purposes of control D16.1, “effective lot width” is the average width of the lot, not including any access handles.

This control must be read in conjunction with the front and side and rear building line requirements for garages under controls D16.6 Front building lines and D16.7 Side and rear building lines.

Information to be shown on the Development Drawings

The elevations are to clearly show the proposal as it presents to public places, including waterways, reserves and roads. These elevations should include trees to be retained and proposed landscaping (as it will be in an established state)

Information to be included in the Statement of Environmental Effects

An analysis of the character of the proposed development as viewed from Public Place(s) demonstrating that the proposal:

- compliments the desired future character of the Locality;
- has a visual impact which is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation; (En, S, Ec)
- is of high quality and is designed to address the natural context of the area and any natural hazards; (En, S)
- does not dominate the streetscape and is at human scale, and, within residential areas, buildings give the appearance of being two-storey maximum; (S)
- ensures parking structures are minimised and secondary to the built form, landscaping and vegetation; (S)
- provides access to public places and spaces which is clear and defined. (S)

Technical Reports and Supporting Information

- Applicants for residential land subdivision only, having a value greater than \$500,000 must provide a photo montage demonstrating that the proposed lots can accommodate dwellings.
- Proposed developments having a value greater than \$500,000 to be accompanied by a photo montage(s) of the development as it will present to public places including waterways, reserves and roads.
- Proposed developments having a value greater than \$1,500,000 to be accompanied by a model, which may be in the form of a physical scale model or an electronic scale model.

D16.2 Dual Occupancy Specific Controls

Land to which this control applies

Land zoned R3 Medium Density Residential within the Warriewood Valley locality.

Uses to which this control applies

Dual occupancy (attached)

Dual occupancy (detached)

Outcomes

To enable the development of a diversity of dwelling types.

To ensure that dual occupancy developments respond appropriately to their location and the attributes and constraints of the site.

To ensure that dual occupancy developments are designed to optimise the functionality of both dwellings.

To ensure dual occupancy developments do not compromise the amenity of the occupying and adjoining residents.

Controls

Dual occupancy development is not permitted on a lot that contains an attached, abutting or zero lot line dwelling.

Corner lots for dual occupancy development are to afford each dwelling with a frontage and direct access onto a street. In these circumstances it is preferable that the dwelling at the rear of the lot has its frontage to and gains access via the secondary street.

A dwelling, as part of a dual occupancy development, is permitted at the rear of a lot only where:

- it results in a detached dual occupancy development;
- each dwelling has direct pedestrian and vehicle access to a road; and

- garbage and delivery facilities are accessible by service vehicles and by the occupants of the dwelling.

A dual occupancy development on front loaded lot should have shared driveway crossings as part of its access arrangements.

The design of both dwellings in a dual occupancy development is to be consistent in terms of their construction features, finishes, material and colours.

Carparking provision for the dual occupancy development is to be in accordance with this DCP.

Variations

Nil

Advisory Notes

Nil

Information to be included in the Statement of Environmental Effects

An analysis of the proposed development demonstrating that: -

- The visual bulk and scale of the development fits in with surrounding development
- Design flexibility for second storey development has been provided
- The footprint of the development on the site has been restricted
- The retention of natural vegetation and the planting of additional landscaping can be achieved

D16.3 Secondary Dwellings**Land to which this control applies**

Land zoned R3 Medium Density Residential within the Warriewood Valley locality.

Uses to which this control applies

Secondary dwellings

Outcomes

To enable the development of a diversity of dwelling types.

To increase the provision of affordable rental housing.

To ensure that secondary dwellings respond appropriately to their location and the attributes and constraints of the site.

Provide an attractive streetscape whilst providing passive surveillance.

To ensure secondary dwelling developments do not compromise the amenity, solar access and privacy of the occupying and adjoining residents.

Controls

The development of a secondary dwelling must not result in more than two dwellings being erected on a single allotment of land. Secondary dwellings are not to contain more than two (2) bedrooms and not more than one (1) bathroom.

Secondary dwellings should not be located on lots less than 6m wide to enable separate access from the rear lane.

It is preferable that secondary dwellings have their frontage to and gain access via a rear lane, to facilitate casual surveillance of the lane. In rear lanes, secondary dwellings are optimally located at the corner of a rear lane, perpendicular to a rear lane or in the middle of a long lane. Secondary dwellings above all garages within a rear lane are not supported. Therefore only three adjoining lots in a row can contain secondary dwellings that present to the rear lane. Secondary dwellings above detached garages on rear loaded lots are permitted only where a reasonable level of solar access and visual privacy to the principal residence and adjoining residences is maintained.

The design of a secondary dwelling is to be consistent in construction features, finishes, material and colours of the principal dwelling.

Variations

Nil

Advisory Notes

Additional carparking facilities for secondary dwellings are not required.

D16.4 Water Management for individual allotments

Land to which this control applies

Land labelled as Sectors 1, 2, 8, 10, 11, 12, 20 and Buffer Area 1a as identified on the Urban Release Area Map under the Pittwater Local Environmental Plan 2014

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential development
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

To ensure that the integrated approach to water management approved for the overall development sector including subdivision will be maintained.

Landscaping enhances the required functions of the creekline corridor and reduces the impact of utilitarian drainage structures on the open space.

Controls

The water management scheme for development of a sector, buffer area or development site including any new allotments (where relevant), already approved by Council in conjunction with the approved integrated water management report, must be adhered to, or updated to account for any new construction not part of the existing integrated water management report. This includes the on-site detention tanks and impervious area for the individual allotments, which is to be adhered to and maintained to reduce risk/impact on adjoining properties should there be failure in the water management scheme.

Alterations and additions to a building including “development ancillary to a residential development” that results in changes to the impervious area must consider the existing approved water cycle management already established on site particularly in regards to water quality, water balance and stormwater detention.

The ongoing management and maintenance of water management facilities installed for individual lots or as part of the common property/community title or neighbourhood association are to remain in private ownership and is the responsibility of the owners of the land/development.

The following 'lot scale' requirements apply to a number of sectors, being:

Sector 1

- Each dwelling is to be provided with a stormwater management system which complies with the requirements of *Section 3.1.2 Drainage of the Building Code of Australia Housing Provision* and Australian Standard AS/NZS 3500.32003: *Plumbing and drainage Stormwater drainage*. The system shall dispose site stormwater to the public system.

A Stormwater Purification Unit as required by the Section 88B instrument which applies to this land is to be incorporated into the stormwater management system.

Sector 2

- Each dwelling is to be provided with on-site stormwater management using a rainwater tank (or equivalent storage device) with a minimum volume of 1,200 litres, piped to an Ausdrain (or equivalent infiltration/storage device) with a minimum volume of 5 cubic metres and a piped overflow system to the interallotment drainage system or road gutter. The tank is to collect the majority of roof runoff and store it for irrigation and toilet flushing only;
- The tank will be topped up from the Sydney Water potable water supply to always maintain a water supply. The top up will be minimised (typically set up to maintain no more than 100 litres of water in the tanks) to maximise the amount of roof runoff that is harvested and used;
- All tank overflow is to be directed to the site's formal piped stormwater drainage systems and the rainwater tank is to be connected by appropriate plumbing to toilets and external taps. All rainwater tanks are to be installed and maintained to prevent cross connection with the potable water supply;
- All rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification; and
- Pipe work used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*.

Sector 8

Each dwelling is to be provided with an on-site stormwater management system using a rainwater tank (or equivalent storage device) with a minimum volume as per following table, piped to an Ausdrain (or equivalent infiltration/storage device) and a piped overflow system to the interallotment drainage system or road gutter, including:

- the tank is to collect the majority of roof runoff and store it for irrigation and toilet flushing only;
- the tank is to incorporate a first flush device, inspection/cleanout hatch and cleanout valve;
- the tank is to incorporate an outlet tap for connection to an irrigation system driven by the tank head or pump;

- the tank will be topped up from the Sydney Water potable water supply to always maintain a water supply. The top up will be minimised (typically set up to maintain no more than 100 litres of water in the tanks) to maximise the amount of roof runoff that is harvested and used;
- all tank overflow is to be directed to the sites formal piped stormwater drainage systems;
- a backflow prevention device is to be installed;
- the rainwater tank is to be connected by appropriate plumbing to toilets and external taps;
- all rainwater tanks are to be installed and maintained to prevent cross connection with the potable water supply;
- all rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification; and
- pipe work used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*.

RAIN WATER TANK STAGE CALCULATIONS

Sector 8 Macpherson St & Garden St Warriewood

Stage	No.Dwellings	Tank Volume per Dwelling (Litres)	Total Tank Volume Litres
1	6	3200	19200
2	6	3200	19200
3	1	3200	3200
4	2	3200	6400
6	1	3200	3200
7	1	3200	3200
8	1	3200	3200
9	1	3200	3200
10	5	3200	16000
11	1	3200	3200
12	1	3200	3200
13	8	1500	12000
14	6	3200	19200
15	5	3200	16000
16	6	3200	19200
17	8	1500	12000
18	5	3200	16000
19	3	3200	9600
20	1	3200	3200
21	2	3200	6400
22	2	3200	6400
23	2	3200	6400
24	2	3200	6400
25	2	3200	6400
26	2	3200	6400
27	8	3000	24000
28	5	2400	12000
29	6	1500	9000
30	6	1500	9000
31	5	1500	7500
32	6	1500	9000
33	5	1500	7500
34	5	1500	7500
35	6	1500	9000
36	8	1500	12000

Sector 10 (All lots other than the lots listed below)

Each dwelling is to be provided with an on-site stormwater management system using a rainwater tank (or equivalent storage device) with a minimum volume of 6.3 cubic metres and a piped overflow system to the interallotment drainage system or road gutter.

The stormwater management system is to include the following:

- the tank is to collect the majority of roof runoff and store it for irrigation purposes only and all tank overflow is to be directed to the site's formal piped stormwater drainage systems;
- all rainwater tanks are to be installed and maintained to prevent cross connection with the potable water supply;
- no topping up device (from the potable water supply) shall be provided for the rainwater tanks;
- all rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification;
- pipe work used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*; and
- connection of an automatic irrigation system to the rainwater tank to ensure full utilisation of the stored water and to maintain the required irrigation rate.

Sector 10 (37, 39, 41, 43, 45, 47, 49, 51, 53 and 55 Orchard Street, Warriewood)

Each dwelling is to be provided with an on-site stormwater management system using a rainwater tank (or equivalent storage device) with a minimum volume of 2,000 litres and a piped overflow system to the Atlantis purification unit, including:

- the tank is to collect the majority of roof runoff and store it for irrigation purposes only;
- all tank overflow is to be directed to the Atlantis purification unit on the site;
- all rainwater tanks are to be installed and maintained to prevent cross connection with the potable water supply;
- no "topping up" device (from the potable water supply) shall be provided for the rainwater tanks;
- all rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification;
- pipe work used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*; and
- connection of an automatic irrigation system to the rainwater tank to ensure full utilisation of the stored water and to maintain the required irrigation rate.

Sector 11

All development other than Residential Flat Buildings, Multi Dwelling Housing, Seniors Housing and Shop Top Housing

- Each dwelling is to be provided with on-site stormwater management using a roof water tank with a minimum volume of 3,500 litres and a piped overflow system to the interallotment drainage system or road gutter;
- The tank is to collect the majority of roof runoff and store it for toilet flushing and external non potable uses only;
- The tank will be topped up from the Sydney Water potable water supply to always maintain a water supply. The top up will be minimised (typically set up to maintain no more than 100 litres of water in the tanks) to maximise the amount of roof runoff that is harvested and used;
- All tank overflow is to be directed to the sites formal piped stormwater drainage systems;
- The rainwater tank is to be connected by appropriate plumbing to toilets and external taps;
- All rainwater tanks are to be installed and maintained to prevent cross connection with the potable water supply;
- All rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification; and
- Pipe work used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled

with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*.

Residential Flat Buildings, Multi Dwelling Housing, Seniors Housing and Shop Top Housing

- Each development is to be provided with on-site stormwater management using a roof water tank with a minimum volume of 9,000 litres per unit block and a piped overflow system to the interallotment drainage system or road gutter;
- The tank is to collect the majority of roof runoff and store it for toilet flushing and external non potable uses only;
- The tank will be topped up from the Sydney Water potable water supply to always maintain a water supply. The top up will be minimised (typically set up to maintain no more than 100 litres of water in the tanks) to maximise the amount of roof runoff that is harvested and used;
- All tank overflow is to be directed to the sites formal piped stormwater drainage systems;
- The rainwater tank is to be connected by appropriate plumbing to toilets and external taps;
- All rainwater tanks are to be installed and maintained to prevent cross connection with the potable water supply;
- All rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification; and
- Pipe work used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*.

Sector 12

Each dwelling is to be provided with a site stormwater management system which is to include:

- a rainwater tank with a minimum volume of 2 cubic metres, designed to collect the majority of roof runoff and store it for irrigation and toilet flushing purposes only;
- the tank is to incorporate a first flush device, inspection/cleanout hatch and cleanout valve;
- the tank is to incorporate an outlet tap for connection to an irrigation system driven by the tank head;
- all tank overflow is to be directed to the sites formal piped stormwater drainage systems i.e. overflow to the street drainage system to prevent nuisance flooding;
- the rainwater tank is to be installed and maintained so as to prevent cross connection with the potable water supply;
- a topping up device (from the potable water supply) shall be provided for the rainwater tanks;
- a backflow prevention device shall be installed;
- all rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification; and
- pipework used for rainwater services shall be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*.

Sector 20

Each dwelling is to be provided with an onsite integrated stormwater management system comprising an onsite detention system and a rainwater tank.

On-site Detention

Each dwelling lot nominated in the following table is to be provided with on-site stormwater management using an on-site detention (OSD) system.

The OSD system design parameters provide for the minimum detention volumes and maximum permissible site discharges (PSD) as per the following table.

On-Site Detention (OSD) Design Parameters

Lot Numbers	Average Recurrence Interval (ARI)	Minimum Volume of Onsite Detention Tank (litres)	PSD (litres / second)
1-17 and 30 - 32	100	5,600	15
	20	5,000	14
	5	4,100	9
18 - 21	100	3,900	19.1
	20	3,700	15.2
	5	3,400	8.7
22 and 23	100	3,400	16.5
	20	3,200	13.1
	5	2,900	7.6
24	100	3,900	19.1
	20	3,700	15.2
	5	3,400	8.7
25	100	4,800	23.3
	20	4,500	18.5
	5	4,100	10.6
26 - 29	100	7,700	17
	20	7,200	17
	5	7,200	9
37 - 44	100	5,600	10.5
	20	5,600	10.5
	5	5,600	10.5

Lot Numbers	Average Recurrence Interval (ARI)	Minimum Volume of Onsite Detention Tank (litres)	PSD (litres / second)
45	100	10,100	31.2
	20	9,800	21.8
	5	9,700	12.3
46	100	8,500	26.3
	20	8,300	18.4
	5	8,200	10.3
47	100	11,500	35.4
	20	11,100	24.7
	5	11,000	13.9
48	100	13,100	40.2
	20	12,600	28.1
	5	12,500	15.8
49	100	16,000	49.2
	20	15,500	34.4
	5	15,300	19.4
50	100	14,900	45.9
	20	14,400	32.1
	5	14,300	18.0
51	100	12,000	36.9

	20	11,600	25.8
	5	11,500	14.5

Lot Numbers	Average Recurrence Interval (ARI)	Minimum Volume of Onsite Detention Tank (litres)	PSD (litres / second)
52	100	11,400	35.0
	20	11,000	24.5
	5	10,900	13.8
53	100	8,300	25.4
	20	8,000	17.8
	5	7,900	10.0
54	100	8,700	26.8
	20	8,400	18.7
	5	8,300	10.5
55	100	5,700	27.5
	20	5,300	21.8
	5	4,900	12.6
56	100	4,800	23.5
	20	4,500	18.7
	5	4,200	10.8
57	100	4,200	20.4
	20	3,900	16.2
	5	3,600	9.3
58	100	4,400	21.3
	20	4,100	16.9
	5	3,800	9.7

Lot Numbers	Average Recurrence Interval (ARI)	Minimum Volume of Onsite Detention Tank (litres)	PSD (litres / second)
59	100	3,600	17.5
	20	3,400	13.9
	5	3,100	8.0
60	100	4,200	20.3
	20	3,900	16.1
	5	3,600	9.3
61	100	4,100	19.9
	20	3,800	15.8
	5	3,500	9.1
62	100	5,200	25.3
	20	4,900	20.1
	5	4,500	11.6
63	100	7,700	37.4
	20	7,200	29.7
	5	6,600	17.1
64	100	15,200	47.0
	20	14,800	32.9
	5	14,600	18.5
65	100	15,200	46.9

	20	14,700	32.8
	5	14,600	18.4

The discharge from the OSD system is to be piped to the interallotment drainage system or road gutter.

Rainwater Tanks

Each dwelling is to be provided with on-site stormwater management using a rainwater tank with a minimum volume of 6,300 litres and a piped overflow system to the on-site detention system, then to the interallotment drainage system or road gutter. The rainwater tank is to comply with the following requirements:

- the tank is to collect the majority of roof runoff and store it for toilet flushing, clothes washing, garden irrigation and external non-potable uses only;
- the tank is to incorporate a first flush device, inspection/cleanout hatch and cleanout valve;
- the tank is to incorporate an outlet tap for connection to an irrigation system driven by the tank head or pump;
- all tank overflow is to be directed to the sites formal piped stormwater drainage systems (i.e. OSD) to prevent nuisance flooding;
- the rainwater tank is to be installed and maintained to prevent cross connection with the potable water supply;
- the "topping up" device from the potable water supply is to be provided for the rainwater tanks. The device is to be located such that 6,300 litres remains free for water storage only;
- a "backflow prevention device" is to be installed;
- the rainwater tank is to be connected by appropriate plumbing to toilets, washing machines and external taps;
- all rainwater services shall be clearly labelled Non Potable Water with appropriate hazard identification; and
- pipe work used for rainwater services is to be coloured purple in accordance with *Australian Standard AS 1345:1995: Identification of the contents of pipes, conduits and ducts*. All valves and apertures shall be clearly and permanently labelled with safety signs to comply with *Australian Standard AS 1319:1994: Safety signs for the occupational environment*.

Buffer Area 1a

- Each dwelling is to be provided with on-site stormwater management using a rain water tank with a minimum volume of 3000L;
- The tank is to collect roof runoff and store it for the purpose of toilet flushing and garden irrigation only; and
- Overflow from the rainwater tanks is to be connected to the sites formal piped stormwater drainage system which is to be discharged into the street drainage system or the associated lot interallotment drainage system.

Variations

Nil

Advisory Notes

Refer to Control C6.1 if a water management report needs to be prepared or the approved water cycle management needs to be reviewed to account for new development including alterations and additions.

Information to be shown on the Development Drawings

- Plans must identify all aspects of the water management scheme set out in the water management report including water storage/reuse and retention/detention facilities with dimensions clearly labelled.

Information to be included in the Statement of Environmental Effects

- Details of proposed water management for each allotment (such as on-site detention or other) in accordance with the water management scheme as set out in the water management report for the sector buffer area or development site.

Technical Reports and Supporting Information

- A water management report in accordance with the *Warriewood Valley Water Management Specification (February 2001)*.

D16.5 Landscaped Area for Newly Created Individual Allotments

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

Conservation of significant natural features of the site and contribution to the effective management of biodiversity.

Warriewood Valley achieves a unified and high quality landscape character that contributes to

the sense of place.

Landscaping promotes ecologically sustainable outcomes, maintaining and enhancing biological diversity and ecological processes.

The area of site disturbance is minimised.

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

Landscaped areas should be predominately areas of deep soil.

New development is blended into the streetscape and neighbourhood through the retention and enhancement of vegetation.

To ensure a reasonable level of privacy and amenity is provided within the development site and maintained to neighbouring properties.

Controls

Minimum Landscaped Area Requirements

The total landscaped area on individual allotments is to be in accordance with the following requirements:

Residential Development	Minimum percentage (%) of site area	Minimum dimensions in metres
Residential Flat Buildings	25	3m (at ground level)
Multi Dwelling Housing	25	3m
All other dwellings on lots less than 9m wide	25	3m
All other dwellings on lots 9m to 14m wide	35	4m
All other dwellings on lots greater than or equal to 14m wide	45	4m

Where possible, deep soil areas should be co-located with areas of communal open space to provide amenity for residents.

Non Residential Development	Minimum percentage (%) of site area	Minimum dimensions in metres
All non-residential development	25	3m

Land affected by Split Zoning

On lots where two zonings apply and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation, RU2 Rural Residential or SP2 Infrastructure, the calculation for landscaped area will not be based on the site area of the whole lot but rather that part of the lot not zoned RE1 Public Recreation, E2 Environmental Conservation, RU2 Rural Residential or SP2 Infrastructure.

Landscaping Requirements

General landscaping requirements include:

- The minimum depth of the landscaped area within the front setback is to be in accordance with the dimensions specified in control D16.6 Front building lines.
- The infiltration of rain water into the water table to reduce stormwater runoff should occur and where possible, development should facilitate the retention of existing trees and vegetation, as well as provide opportunities for new canopy tree planting.
- Basement car parking should be contained within the building footprint to maximise areas for deep soil planting.
- At the time of planting, trees are to have a minimum container size of 45 litres, complying with the requirements of *Specifying Trees: A Guide to Assessment of Tree Quality (Natspec, 2003)*.

- Understorey plant species, in conjunction with the tree planting, are to screen 50% of the built form when viewed from the street after five (5) years from the date of issue of the occupation certificate. In order to achieve this, all understorey planting is to have a minimum container size of 200mm at the time of planting. Consideration shall be given to the appropriate use of exotic shrub planting at a maximum of 30% of the total shrub schedule.
- Council encourages the retention and replanting of existing endemic tree species. All replacement trees shall be indigenous to the local area (refer to *Warriewood Valley Landscape Masterplan & Design Guidelines* (Public Domain)), and where suitable, shall be habitat trees for endangered fauna. Applicants are encouraged to retain and protect areas of each site in their natural state.

On residential lots, landscaping provisions are to also address the following:

- for lots fronting Warriewood Road, Macpherson Street and Garden Street at least two canopy trees are to be provided within the front setback;
- for lots fronting all other streets (except lots less than 6m wide) are to provide at least one small tree within the front setback;
- for lots less than 6 metres wide, consideration will be given to the appropriate use of exotic small tree planting, such as:
 - *Murraya paniculata*;
 - *Viburnum tinus*;
 - *Photinia* 'cultivars';
 - *Melastoma polyanthum*;
 - *Acer palmatum*; and
 - *Lagerströmia* 'cultivars';
- all lots, except deep lots less than 20 metres, are to provide at least one small tree at the rear of the lot;
- all canopy trees are to achieve a canopy height greater than 12 metres at maturity to screen and soften the built form and provide a visually dominant tree canopy. Canopy trees shall be selected from the following list:
 - *Eucalyptus robusta*;
 - *Eucalyptus punctata*;
 - *Angophora costata*; and
 - *Angophora floribunda*; and
- all small trees are to achieve a canopy height of 6 metres at maturity. Small canopy trees shall be selected from the following list:
 - *Acmena smithii* 'cultivars';
 - *Backhousia myrtifolia*, *Banksia serrata*;
 - *Banksia integrifolia*;
 - *Callitris rhombodea*;
 - *Ceratopetalum gummifera*;
 - *Hymenoporum flavum*;
 - *Syzygium paniculatum* 'cultivars';
 - *Tristaniopsis laurina*; and
 - *Livistona australis*.

Landscape plan preparation

All Development Applications, except for interior works, must include a landscape plan prepared in accordance with Appendix 9 - Landscaping and Vegetation Management. The landscape plan is to illustrate the design intent of the landscape proposal and its relationship to the architectural, civil and hydraulic design. The landscape plan shall include (but not be limited to) the following information:

- existing site information: site boundaries, fences, underground and overhead services, easements, drainage and rights-of-way;

- existing vegetation to be retained or removed, as co-ordinated with an Arborists Report;
- the proposed architectural layout, and any impact on the landscape proposal, including existing and proposed finished ground levels;
- the proposed civil layouts, including road, driveways, footpaths, cut and fill, parking areas that may impact on landscape proposals, including existing and proposed finished ground levels;
- proposed services that may impact on landscape proposals;
- proposed drainage design, including location of stormwater lines, pits, water detention systems and overland surcharge paths;
- proposed surface treatment to all landscape and open space areas, including hard and soft treatments. The landscape plan must illustrate the extent of items such as paving, podiums, retaining walls, fencing, paths, decks, stairs, lighting, garden beds, lawns and the like, including existing and proposed ground levels;
- planting design including layout of the proposed design, featuring trees, shrubs and groundcovers. The plan must contain a schedule of plant species to be used, including quantities and pot sizes for all planted areas. The plant schedule is to include the botanical name, quantities, pot sizes, plant spacing, staking and mature size;
- all proposed trees are to be a minimum planted size of 45 litres;
- all proposed shrubs are to be a minimum planted size of 200mm pot;
- standard construction and detail drawings such as sections through mass planting beds, street tree planting details and retaining wall details; and
- the landscape plan shall be illustrated at a minimum scale of 1 to 200.

The landscape plan is to incorporate a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period. This strategy is to address maintenance issues such as irrigation, soil testing, weeding, plant staking, fertilising, pest and disease control, replanting, remedial pruning and the like.

Variations

Nil

Advisory Notes

For a full species list, refer to *Warriewood Valley Landscape Masterplan & Design Guidelines* (Public Domain).

For further information in relation to planting requirements, refer to *Specifying Trees: A Guide to Assessment of Tree Quality* (Natspec, 2003)

The site plan(s) is to clearly show (by shading or other means) the proposed landscaped area and include a table identifying:

- existing hard surface area
- hard surface area to be retained
- proposed hard surface area
- total site area
- existing landscaped area (%) (if any)
- proposed landscaped area (%)
- impervious area to be retained.

Site plans for land subdivision applications are to show:

- Building footprints on each proposed lot
- Trees to be retained/removed
- Calculation of the impervious and deep soil landscape areas for the sector, buffer area or development site.

Information to be included in the Statement of Environmental Effects

A clear statement of the existing and proposed landscaped area.

D16.6 Front building lines

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling

Boarding house

Business development

Cafe

Child care centre

Development ancillary to residential accommodation.

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Dual occupancy (attached)

Dual occupancy (detached)

Dwelling house

Entertainment facility

Exhibition home

Funeral home

Group home

Hardware and building supplies

Industrial Development

Kiosk

Landscaping material supplies

Multi dwelling housing

Neighbourhood shop

Occupation/change of use of an existing premises where building works are proposed

Office premises

Other Development

Residential flat building

Restaurant

Secondary dwelling

Semi-detached dwelling

Seniors housing

Shop top housing

Signage

Take away food and drink premises

Telecommunications facility

Timber yard

Tourist and visitor accommodation
Vehicle sales and hire premises

Outcomes

To achieve the desired future character of the Locality.
The area of site disturbance is minimised and soft surface is maximised.
The bulk and scale of the built form is minimised.
To achieve a consistent built form alignment in the streetscape, which is spacious and attractive, enhanced by tree planting within the front setback.
Equitable preservation of views and vistas to and/or from public/private places.
Vegetation and natural features of the site are retained and enhanced within the site design to screen the visual impact of the built form.
Encourage tandem carparking opportunities on narrow lots and minimise the visual prominence of parking structures in the streetscape.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.

Controls

For all development, the following minimum front building lines shall apply:

Residential Development:

Development	Minimum front setback to articulation zone (metres) from front boundary	Minimum front setback to garage/carport (metres) from front boundary	Minimum front setback to dwelling (metres) from front boundary
All development fronting Warriewood Road, Garden Street and Macpherson Street.	5	6.5	6.5
All other dwellings but not Residential Flat Buildings or Multi Dwelling Housing fronting all other streets.	1.5	4	3*
Residential Flat Buildings or Multi Dwelling Housing fronting all other streets other than Warriewood Road, Garden Street and Macpherson Street.	3	4.5	4.5*
For corner lots, the setback to the secondary street frontage for all dwellings	1	2	2*

*Where tandem carparking is proposed, the minimum front setback to the dwelling is to be 5.5m.

All other forms of development not identified in the table above:

Development in the following zones	Minimum front setback to building (metres)	Minimum front setback to secondary street (metres)
R3 Medium Density Residential (non residential)	6.5m	3m
IN2 Light Industrial or B7 Business Park (not fronting Mona Vale road or Pittwater Road)	6.5m	3m
IN2 Light Industrial or B7 Business Park fronting Mona Vale Road or Pittwater Road	30m	3m

Variations

Variations to the applicable minimum front building line will be considered on merit for lots with a depth less than 22m. Support of the variation is dependent upon the applicant successfully demonstrating (in the Council's opinion) that the relevant outcomes can be achieved notwithstanding the numerical non-compliance.

Advisory Notes

Nil

Information to be shown on the Development Drawings

Site plan, dimensioned and to scale, clearly showing the proposed setbacks from articulation zones, garage or carport and the dwelling.

D16.7 Side and rear building lines

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

To achieve the desired future character of the Locality.
 The area of site disturbance is minimised and soft surface is maximised.
 The bulk and scale of the built form is minimised and the impact of the proposed development on the adjoining properties is minimised.
 To create meaningful breaks between adjoining buildings and regular rhythm of built form, particularly with regard to the built forms presentation to public places.
 To create usable curtilage areas around buildings for viable access, landscaping and open space.
 Equitable preservation of views and vistas to and/or from public/private places.
 Vegetation and natural features of the site is retained and enhanced within the development site design to screen the visual impact of the built form.
 To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.

Controls

The minimum side and rear building lines are subject to the incorporation of landscaping required under this DCP and adequate separation distances between buildings.

In certain circumstances, setbacks greater than the minimum requirements detailed in the table below may be necessary to retain significant vegetation or to provide acceptable separation to the adjoining existing development.

The following minimum side building lines are to apply to the following residential development:

Housing Typology (based on lot width)	Minimum side building line
Attached or abutting dwelling less than 9m wide	0m on both sides. 0.9m at the end of a row of attached or abutting dwellings.
Attached or abutting dwelling 9 to 14m wide	One side: 0m at ground floor and 1.5m at upper levels on zero lot line. Length of zero lot line is limited to 13m (excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above garage). 0.9m setback applies to remaining portion of the dwelling. Other side: 0.9m
Zero lot line dwelling less than 9m wide	One side: 0m on one side for a maximum wall length of 16m*. The remaining portion of the dwelling is to be setback 0.9m. Other side: 0.9m at ground floor and 1.2m for any upper levels
Zero lot line dwelling 9 to 14m wide	One side: 0m at ground floor for a maximum wall length of 13m*. The remaining portion of the ground floor dwelling is to setback 0.9m. The upper level is to be setback 1.5m. Other side: 0.9m
Detached dwelling less than 9m wide	0.9m on both sides. However if lot is burdened by a double storey zero lot wall on the adjacent lot, the minimum setback on the burdened side is 1.2m.
Detached dwelling 9 to 14m wide	One side: 0.9m and 1.5m for upper level Other side: 0.9m at ground floor and 1.5m for upper level
Detached dwelling greater than 14m wide and less than 16m wide	One side: 0.9m and 1.5m for upper level Other side: 0.9m at ground floor and 1.5m for upper level
Detached dwelling greater than 16m wide	One side: 0.9m Other side: 2.5m

Residential Flat Buildings, Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing.	As a minimum, the side building line is to be 3m on both sides.
---	---

**Excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above the garage.*

The minimum rear building line for residential development, measured from the rear boundary is to be in accordance with the following:

Development	Minimum rear building line in metres
Rear loaded lots.	0.5m to garages and secondary dwellings.
Front loaded lots less than 20 m deep.	4m
Front loaded lots greater than or equal to 20 m deep.	4m to ground level and 6m to upper level.
Residential Flat Buildings, Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing.	3m

All other developments not identified in the tables above:

All other developments to be located on land in the following Zones	Minimum side and rear building line in metres
R3 Medium Density Residential	2.5m on one side. 0.9m on other side. 6m to rear.
IN2 Light Industrial or B7 Business Park (no boundary frontage to Mona Vale Road or Pittwater Road)	3m to all side and rear boundaries.
IN2 Light Industrial or B7 Business Park adjoining Mona Vale Road or Pittwater Road.	30m to Mona Vale or Pittwater Roads

Variations

Nil

Advisory Notes

For specific requirements relating to zero lot line dwellings, refer to control C6.8 Residential Development and Subdivision Principles – Warriewood Valley Release Area.

Information to be shown on the Development Drawings

- Side and rear building setbacks to be dimensioned on plans.

D16.8 Spatial Separation

Land to which this control applies

Land zoned R3 Medium Density Residential within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling

Development ancillary to residential accommodation

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Multi dwelling housing

Residential flat building

Seniors housing

Shop top housing

Outcomes

To achieve the desired future character of the Locality.

The area of site disturbance is minimised and soft surface is maximised.

The bulk and scale of the built form is minimised and the impact of the proposed development on the adjoining properties is minimised.

To create meaningful breaks between adjoining buildings and regular rhythm of built form particularly with regard to the built forms presentation to public places.

To create usable curtilage areas around buildings for viable access, landscaping and open space.

Equitable preservation of views and vistas to and/or from public/private places.

Vegetation and natural features of the site are retained and enhanced within the development site design to screen the visual impact of the built form.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.

Controls

Council encourages design initiatives that, where practical, provide spatial separation between dwellings and adjoining residential developments, and discourages the design and construction of structures that will cause bulking and diminution of the visual amenity of the locality. Building design, location of windows and balconies/decks, landscaping, and screening devices should be utilised to ensure privacy between dwellings (refer to the *SEPP 65- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, Apartment Design Guideline* for further suggestions on how visual privacy can be achieved).

The minimum spatial separation is to be in accordance with the following:

Type of Residential Development	Minimum side spatial separation in metres	Minimum rear spatial separation in metres
Residential Flat Buildings, Residential component in the Mixed Use developments, Shop Top Housing, Seniors Housing, and Multi Dwelling Housing (3 storeys or greater)	6m for habitable rooms and balconies, and 3m for non-habitable rooms.	6m for habitable rooms and balconies, and 3m for non-habitable rooms.
Multi Dwelling Housing (less than 3 storeys)	4m for habitable rooms and balconies, and 3m for non-habitable rooms.	4m for habitable rooms and balconies, and 3m for non-habitable rooms.

Variations

Nil

Advisory Notes

Refer to *SEPP 65- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, Apartment Design Guideline* for further information on spatial separation.

D16.9 Solar access

Land to which this control applies

Land identified as being within the Warriewood Valley Land locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

Development is sited and designed to maximise solar access, adequate daylight and ventilation to habitable rooms and adequate sunlight to private open spaces during midwinter.

A reasonable level of solar access is maintained for existing residential properties, unhindered by adjoining development. Development allows reasonable solar access to recreational and living areas of adjoining residential developments.

Controls

Solar access received by the proposed residential development

Development	Minimum solar access to windows to the principal living area between 9am and 3pm on June 21	Minimum solar access to private open space area* between 9am and 3pm on June 21
Residential development not elsewhere defined in this table	2 hours	2 hours

Seniors Housing	70% of the proposed dwellings- 2 hours	70% of the proposed dwellings- 2 hours
Integrated Housing (Approval Pathways 2a and 2b) under control C6.11	70% of the proposed dwellings- 2 hours	70% of the proposed dwellings- 2 hours
Multi Dwelling Housing	70% of the proposed dwellings- 2 hours	70% of the proposed dwellings- 2 hours

** This area shall be of a reasonable size giving consideration to existing site constraints and block size.*

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 9am and 3pm during midwinter.

Sunshine to clothes drying areas is to be maximised.

Impact of proposed development on existing adjoining residential development

Where the principal living area and private open space within an existing adjoining dwelling currently receives sunshine during midwinter, any proposed adjacent development is not to reduce that solar access below three (3) hours.

Where an existing structure already impinges upon the solar access of an adjoining property to a greater degree than that specified, any new structures or modifications must maintain that existing solar access as a minimum. However, Council encourages new structures to reduce the solar impact onto adjoining properties.

Where the adjoining residential land is vacant, at least 50% of the rear yard area of the adjoining land is to receive sunshine in accordance with this control.

Variations

Nil

Advisory Notes

Refer to Apartment Design Guideline objective 4A Solar Daylight and Access under *SEPP 65- Design Quality of Residential Apartment Development* for solar access requirements for Residential Flat Buildings, Mixed Use Development with a residential component and Shop Top Housing, that are three storeys and above.

The adequacy of sunlight received is assessed in accordance with the Land and Environment Council Planning Principle in *The Benevolent Society v Waverly Council [2010] NSWLEC 1082*.

Any reference to adjoining buildings also includes separate dwellings on the same site in respect to multiple occupancy developments.

Information to be shown on the Development Drawings

The ground floor plan shall include shadow diagram(s) demonstrating the impact of the proposed development on adjoining properties (at a minimum shadow lines to be cast by the proposal at 9am, 12noon, and 3pm on June 21st, shall be provided).

Information to be included in the Statement of Environmental Effects

Information to be included in the Statement of Environmental Effects

A statement outlining how solar access and natural light will be accessible to the proposed development, and demonstrating that the impact of the proposed development on the adjoining properties is acceptable in terms of restriction of solar access and natural light.

Technical Reports and Supporting Information

Where solar access and access to natural light are a significant factor in the proposal, particularly in terms of medium density and shop top development, a report, with a comprehensive shadow analysis, specifically addressing solar access to the proposal and its impact on adjoining development should be provided.

D16.10 Private and Communal Open Space Areas

Land to which this control applies

Land zoned R3 Medium Density Residential within the Warriewood Valley locality.

Uses to which this control applies

Affordable housing
Attached dwelling
Bed and breakfast accommodation
Boarding house
Development ancillary to residential accommodation
Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
Dual occupancy (attached)
Dual occupancy (detached)
Dwelling house
Exhibition home
Group home
Multi dwelling housing
Residential flat building
Secondary dwelling
Semi-detached dwelling
Seniors housing
Serviced apartments

Outcomes

Dwellings are provided with a private, usable and well located area of private open space for the use and enjoyment of the occupants.

Private open space is integrated with the living areas of dwellings.

Private open space receives sufficient solar access and privacy.

Private open space is appropriate in design and location for Shop Top Housing.

Controls

The minimum private open space area and dimension are to be in accordance with the following:

Development	Minimum area of private open space (m2)	Minimum dimension of private open space in metres
Integrated Housing (Approval Pathways 2a and 2b) under control C6.11 not specified elsewhere in the table.	16	3m

Development on lots between 9m and 14m wide not specified elsewhere in the table.	20	4m
Development on lots greater than 14m wide not specified elsewhere in the table.	24	4m
Multi Dwelling Housing.	16	4m
Seniors Housing (dwellings at ground level only).	15	3m
Seniors Housing (balconies).	6	2m
Manager's residence associated with a Boarding House.	8	2.5m

Design and siting of private open space areas

Dwellings are to be designed so that private open space is directly accessible from internal living areas enabling it to function as an extension of internal living areas and is to have good solar orientation (i.e. orientated to the north, north east or north west where possible). Private open space for new dwellings is not to be in positions such that it 'borrows' amenity by overlooking adjoining dwellings.

Private open space areas should include provision of clothes drying facilities suitably screened from the street and public places. Private open space is to include gas BBQ points and external power points, where possible.

The primary orientation of balconies is to be to the street or rear boundary. Balconies are not to be fully recessed into the building form. Balconies should not form the dominant architectural expression of the building.

For dwellings above ground, private open space is to be provided by balconies.
For ground floor dwellings, private open space is to be provided as a terrace or garden.

Balconies adjacent to the rear boundary must be designed to limit overlooking and maintain privacy to adjoining residences.

Communal Open Space Area

For Residential Flat Buildings and Multi Dwelling Housing, 25% of the site area is to be communal open space. The communal open space should be located in areas of deep soil and have good solar orientation, but also provide opportunities for shade.

For Residential Flat Buildings and Multi Dwelling Housing containing 20 or more dwellings, the communal open space is to contain a children's play area and permanent seating.

Variations

Nil

Advisory Notes

Refer to the *Apartment Design Guide under SEPP 65- Design Quality of Residential Apartment Development* for private open space requirements for Residential Flat Buildings, three storeys high.

D16.11 Form of construction including retaining walls, terracing and undercroft areas

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

To achieve the desired future character of the Locality.
 To protect and minimise disturbance to natural landforms.
 To encourage building design to respond sensitively to natural topography.

Controls

Lightweight construction and pier and beam footings should be used in areas identified on the Biodiversity Map in the *Pittwater Local Environmental Plan 2014* to minimise the site disturbance.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials. In creekline corridors, sandstone boulder walls are to be used instead of standard retaining walls to provide a more natural environment that allows fauna to traverse the boulder wall.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Variations

Nil

Advisory Notes

Nil

- Location and dimensions of proposed construction and retaining walls.

Information to be shown on the Development Drawings

- Location and dimensions of proposed construction, retaining walls, terracing and undercroft areas.

D16.12 Fences

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Subdivision of a sector, buffer area or development site in a Release Area.
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

To achieve the desired future character of the Locality.
 To contribute positively to the public domain and define the boundaries and edges between public and private land and between areas of different function.
 A safe and clear view of public areas such as the street, creekline corridor, buffer strip or reserve for pedestrians, cyclists and motorists is achieved.
 Casual surveillance of public areas from buildings is achieved.
 Fences and walls, where provided, are attractive, compliment the development and adjoining development, and provide visual interest for the streetscape.

Controls

In all cases, vegetation is preferable over fencing to delineate the property boundary.

Fencing is not permitted forwards of the building line. Boundaries between public and private land should be delineated by vegetation such as low hedges, garden beds or the like.

For corner lots, any fencing along the boundary which fronts the secondary street is only permitted behind the front building line. Fencing of properties is restricted to side and rear boundaries only and should not detract from the streetscape or adversely impact on residential amenity.

Any fencing must:

- allow native animals to move between and to areas of environmental sensitivity and areas of habitat value;
- enable casual surveillance from buildings for safety and surveillance;
- assist in highlighting entrances and in creating a sense of community identity;
- be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas; and
- complement any facilities and landscaping in public areas.

Side and rear boundary fencing must not exceed 1.8 metres in height. Fencing must be located on the ground level (existing) of the property boundary, not raised by retaining walls or the like.

Where residential lots front/face/abut Macpherson, Garden and Orchard Streets, and Warriewood Road, dwelling frontages, pedestrian access and postal addresses must to be maintained to these roads. Corner lots are exempt from this requirement, where applicable.

Fencing resulting in walled or gated communities is not permitted.

Variations

Nil

Advisory Notes

For all fencing on land identified in High Flood Hazard Areas or within a Floodway, it is recommended that a minimum of 50% of the area of the fence is 'open', for the full height of the fence, to allow for the passage of floodwaters through the fence.

The location of existing fences and walls to be retained, (if any), and proposed fences and walls.

Information to be shown on the Development Drawings

The existing fences and walls to be retained, (if any) and proposed fences and walls, to be clearly shown on the Ground Floor Level Plan and Elevations.

Information to be included in the Statement of Environmental Effects

An analysis of the impact of any proposed and existing fencing and / or walls to be retained demonstrating that:

- an open streetscape that allows casual surveillance of the street is achieved; (S)
- fences, where provided, are suitably screened from view from a public place; (S)
- safe sight distances and clear view of the street for motorists and pedestrians are maintained; (S)

D16.13 Building colours and materials

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling

Boarding house

Business development

Cafe

Child care centre

Development ancillary to residential accommodation

Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).

Dual occupancy (attached)

Dual occupancy (detached)

Dwelling house

Entertainment facility

Exhibition home

Funeral home

Group home

Hardware and building supplies

Industrial Development

Kiosk

Landscaping material supplies

Multi dwelling housing

Neighbourhood shop

Occupation/change of use of an existing premises where building works are proposed

Office premises

Other Development

Residential flat building

Restaurant

Secondary dwelling

Semi-detached dwelling

Seniors housing

Shop top housing

Signage

Take away food and drink premises

Telecommunications facility

Timber yard

Tourist and visitor accommodation

Vehicle sales and hire premises

Outcomes

Achieve the desired future character of the Locality.

The visual prominence of the development is minimised.

To ensure building colours and materials complement and enhance the visual character of the buildings location within the natural landscapes of Pittwater.

Colours and materials of the development harmonise with the natural environment/escarpment. To provide attractive building facades which establish identity and contribute to the streetscape.

Controls

External colours and materials shall be natural tones such as green, brown and dark earthy colours, as shown below:



White, light coloured, red or orange roofs and walls are not permitted.



Finishes are to be of a low reflectivity.

Limited use of corporate colours may be permitted for non-residential development, and within Business Park and Light Industrial zoned land.

Variations

Nil

Advisory Notes

Contact Council to ensure proposed external colours and materials are satisfactory.

Information to be included in the Statement of Environmental Effects

A description and explanation of the proposed external colours and materials in terms of minimisation of adverse visual impact demonstrating that the proposal:

- enhances the visual quality and identity of the streetscape;
- utilises colours and materials which harmonise with the natural environment;
- minimises the visual prominence of the development.

No requirement for land subdivision only.

Technical Reports and Supporting Information

Colour and material samples must be submitted. No requirement for land subdivision only.

D16.14 Pets and companion animals

Land to which this control applies

Land identified as being within the Warriewood Valley locality.

Uses to which this control applies

Attached dwelling
 Boarding house
 Business development
 Cafe
 Child care centre
 Development ancillary to residential accommodation
 Development of a sector, buffer area or development site in a Release Area, including built form and land subdivision (built form is not limited to residential).
 Dual occupancy (attached)
 Dual occupancy (detached)
 Dwelling house
 Entertainment facility
 Exhibition home
 Funeral home
 Group home
 Hardware and building supplies
 Industrial Development
 Kiosk
 Landscaping material supplies
 Multi dwelling housing
 Neighbourhood shop
 Occupation/change of use of an existing premises where building works are proposed
 Office premises
 Other Development
 Residential flat building
 Restaurant
 Secondary dwelling
 Semi-detached dwelling
 Seniors housing
 Shop top housing
 Signage
 Take away food and drink premises
 Telecommunications facility
 Timber yard
 Tourist and visitor accommodation
 Vehicle sales and hire premises

Outcomes

A balance is achieved between human needs for pets/companion animals and environmental considerations.

Controls

The need for pets and companion animals must take into account their relationship with native animals, including endangered species, and their habitat.

Pets should be contained within the owners property and/or dwelling (dependant on animal), especially at night to prevent predation on wildlife.

Pets and companion animals must be kept in accordance with the *Companion Animals Act 1998* and Council registration as required.

Variations

Nil

Advisory Notes

Nil

Appendices

Appendix 6 - Coastline Risk Management Policy for Development in Pittwater

1.0 INTRODUCTION

The Coastline Risk Management Policy for Development in Pittwater (the Policy) establishes the risk management approach for development or activities on land affected by coastal processes largely within the Pittwater Ward of the Northern Beaches Local Government Area (LGA).

2.0 THE POLICY STATEMENT

Development must be undertaken in accordance with the acceptable risk management criteria defined in this document for a design project life, taken to be 100 years, unless otherwise justified by the applicant and acceptable to Council. The primary method of Coastline Risk Management in the Northern Beaches LGA is through the application of development controls under Part 4 and environmental assessment under Part 5 of the Environmental Planning & Assessment Act 1979 (EP&A Act). A coastal risk management review may also be generated by an application for a Building Certificate for any development on lands that have been identified as being within a coastline hazard area.

Once the coastal risk management measures have been identified on the land, it is the owner's responsibility to ensure that these measures are properly maintained for the design life of the development.

3.0 OBJECTIVES

The objectives of this Policy are to ensure that:

- (a) coastal processes (affecting coastline development or likely to be affected by coastline development) are adequately investigated and documented by applicants or proponents of activities prior to the lodgement of a development application or Part 5 assessment to carry out any development/activity subject to this Policy, or wherever an application is lodged for a Building Certificate on land identified on the Coastline Hazard Map;
- (b) to establish whether or not the proposed development or activity is appropriate to be carried out, and the conditions of development consent that should be applied if it is to be carried out, having regard to the results of coastal, geotechnical and structural investigations;
- (c) In the event that a proposed development activity is only appropriate if carried out subject to coastal engineering and related structural engineering conditions, those conditions are able to be met and are identified by applicants prior to lodgement of the development application including all appropriate constraints and remedial maintenance actions required prior to, during and after the carrying out of the development;
- (d) to ensure effective controls exist to guarantee that a development is carried out in accordance with the requirements of this Policy;
- (e) to ensure that the preparation of coastal related information and certificates required to be lodged by this Policy are carried out by suitably qualified professionals with appropriate expertise in the applicable areas of engineering; and
- (f) that developments are only carried out if coastal hazards and related structural engineering risks are identified and can be effectively addressed and managed for the life of the development at an acceptable level of risk.

4.0 RELATIONSHIP TO OTHER LEGISLATION

This Policy is intended to support the provisions of and should be read in conjunction with:

- Pittwater 21 Development Control Plan
- Pittwater Local Environmental Plan 2014
- State Environmental Planning Policy (Coastal Management) 2018
- Coastal Management Act 2016.

5.0 APPLICATION OF THIS POLICY

- (a) This Policy addresses both structural and coastal engineering requirements relating to coastal hazard issues only. Separate structural requirements will also apply for the erection of any structure in accordance with the Building Code of Australia (BCA) and best engineering practice.
- (b) This Policy applies to each of the following:
 - (i) land identified on Council's Coastline Hazard Map 97-003 [MDCP016];
 - (ii) utility companies and public authorities – all utility companies and public authorities or their agents when designing and undertaking works within the Pittwater Ward of the Northern beaches LGA, that may be affected by coastal processes or which may impact upon coastal processes.

6.0 GLOSSARY

6.1 Definitions

Note: For further definitions, refer to definitions included in the Coastal Management Act 2016.

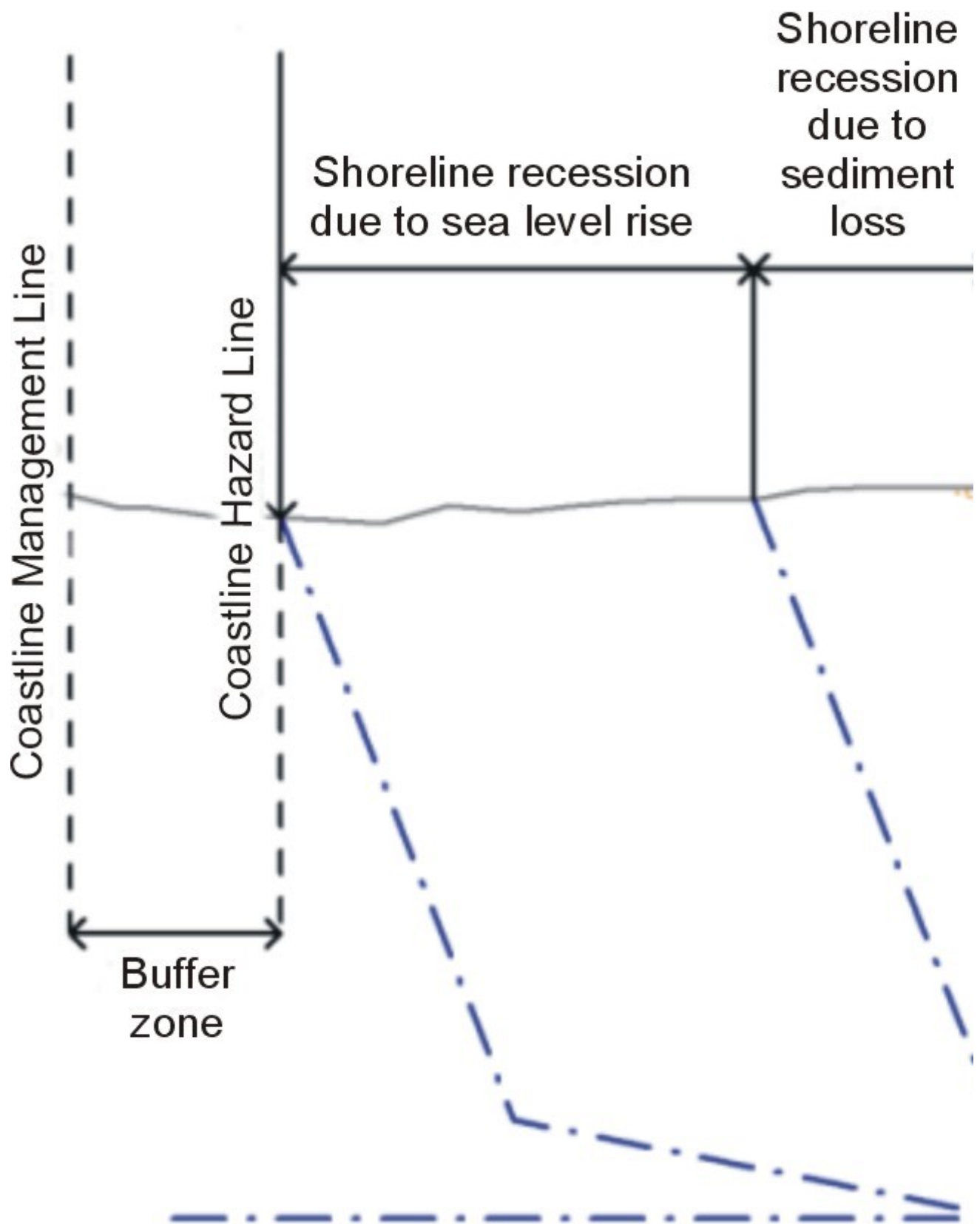
TERM	DEFINITION
Acceptable Risk	Acceptable Risk includes the risk to both life and property. Acceptable risk for the community is to be established by the Coastal Engineer on the basis that the development will be subjected to the worst case storm or combination of storm events and taking into account the impacts upon development as a result of shoreline recession, beach erosion due to storm demand, sea level rise and meteorological conditions associated with climate change during the planning period for the life of the development (taken to be 100 years unless specified otherwise and justified).
Average Recurrence Interval (ARI)	The long-term average number of years between the occurrence of a storm event as big as, or larger than, the design storm event. For the purposes of this Policy a 100 year ARI event has been adopted and 50 year and 100 year planning periods have been selected. In relation to risk during the life of a development, there is a 39% probability of experiencing a 100 year ARI storm event, or larger event, in a 50 year planning period and a 63% probability of occurrence in a 100 year planning period.
Australian Height Datum (AHD)	A common national surface level datum corresponding approximately to mean sea level.
Buffer Zone	Buffer for dune maintenance, emergency access and/or visual and recreational amenity.
CP Eng	Chartered Professional Engineer (Engineers Australia)
Civil Engineer or Structural Engineer	A civil or structural engineer who is a registered professional engineer with chartered professional status (CP Eng) and has an appropriate level of professional indemnity insurance.
Coastal Engineer	A specialist engineer who is a registered professional engineer with chartered professional status (CP Eng) and with coastal engineering as a core competency and has an appropriate level of professional indemnity insurance.
Coastal Processes	The interaction of natural biophysical systems as well as human activities that occur within the coastal zone. Coastal processes include astronomical, meteorological, hydrological, geological and human activities influencing the coastal zone. (The processes either individually or in combination can produce a situation where natural and built assets are placed at risk due to beach erosion, shoreline recession, sand drift, coastal inundation, slope and cliff instability, stormwater erosion and climate change).
Coastline Affected Properties	Properties shown on the Coastline Hazard Map. (Pittwater Local Environmental Plan 2014)

Coastline Hazard Line or Erosion Escarpment Line	The extent to which a beach may erode as a result of a design storm event, taking into consideration the following factors: <ul style="list-style-type: none"> • any shoreline recession due to sediment loss • shoreline recession due to sea level rise over the designated planning period • beach erosion due to design storm demand • slope adjustment [refer to diagram 1]
Coastline Hazards	Detrimental impacts of coastal processes on land use, land capability and amenity of the coastline. The NSW Coastal Management Act 2016 identifies seven coastline hazards: <ul style="list-style-type: none"> • Beach erosion • Shoreline recession • Coastal lake or watercourse entrance instability • Coastal inundation • Coastal cliff or slope instability • Tidal inundation. • Erosion and inundation of foreshores caused by tidal waters and the action of waves, including the interaction of these waters with catchment flooding.
Coastline Management Line (CML)	Coastline Management Line is a setback line that equates to the Coastline Hazard Line plus the addition of a landward buffer zone, generally 10 metres wide unless specified otherwise and justified [refer to Diagram 1].
Coastline Planning Level (CPL)	Water levels selected for planning purposes as determined for the coastline based on the 100 year ARI elevated water level due to astronomical tide, storm surge (barometric setup and open coast wind setup), local wind setup, sea level rise, wave runup and wave setup, plus a freeboard, generally 500mm unless specified otherwise and justified.
Design Storm	For this Policy the 100 year ARI storm event, unless otherwise specified.
Erosion Escarpment Line or Coastline Hazard Line	The extent to which a beach may erode as a result of a design storm event, taking into consideration the following factors: <ul style="list-style-type: none"> • any shoreline recession due to sediment loss • shoreline recession due to sea level rise over the designated planning period • beach erosion due to design storm demand • slope adjustment [refer to diagram 1]
First Floor Additions	This is the next building level above the Ground Floor.
Flood Proofing – DRY	Protecting a building by sealing its exterior walls to prevent inundation.
Flood Proofing – WET	A combination of measures incorporated in the design, construction and alteration of individual buildings, structures and surrounds, to mitigate potential damages due to inundation.
Freeboard	The factor of safety usually expressed as a height above the design water level. Freeboard tends to compensate for some uncertainty in estimating the components that make up the design water level.
Minor Development and/or Alterations	This includes minor internal alterations and may include minor additions, with a value of less than \$10,000 or as determined by Council from time to time. There can only be one minor development and/or alteration to a property in any five year period for consideration under this category.

Remove Risk	It is recognised that, due to the many complex factors that can affect a site, the risk for a site and/or development cannot be completely removed. It is, however, essential that risk be reduced to at least that which could be reasonably anticipated by the community in everyday life. Furthermore, landowners should be made aware of the reasonable and practical measures available to them to reduce risk as far as possible. Hence where the Policy requires that “reasonable and practical measures have been identified to remove risk” it refers to the process of risk reduction. The Policy is not requiring the Coastal Engineer to warrant that risk has been completely removed, as this is not meaningfully achievable.
Revetment or Seawall	Walls built parallel to the shoreline to limit shoreline recession.
Wave Run-up	The vertical distance above mean water level reached by the uprush of water from waves across a beach or up a structure.
Zone of Wave Impact	An area where any structure or its foundations would be subjected to wave attack during a severe storm [refer to Diagram 2].
Zone of Slope Adjustment	The area relating to the steep seaward face of a dune resulting from removal of sand by wave erosion, and its subsequent slump to a stable angle of repose [refer to Diagrams 1 and 2].
Zone of Reduced Foundation Capacity	Area immediately landward of the erosion escarpment where the bearing capacity to support structures is reduced [refer to Diagram 2].

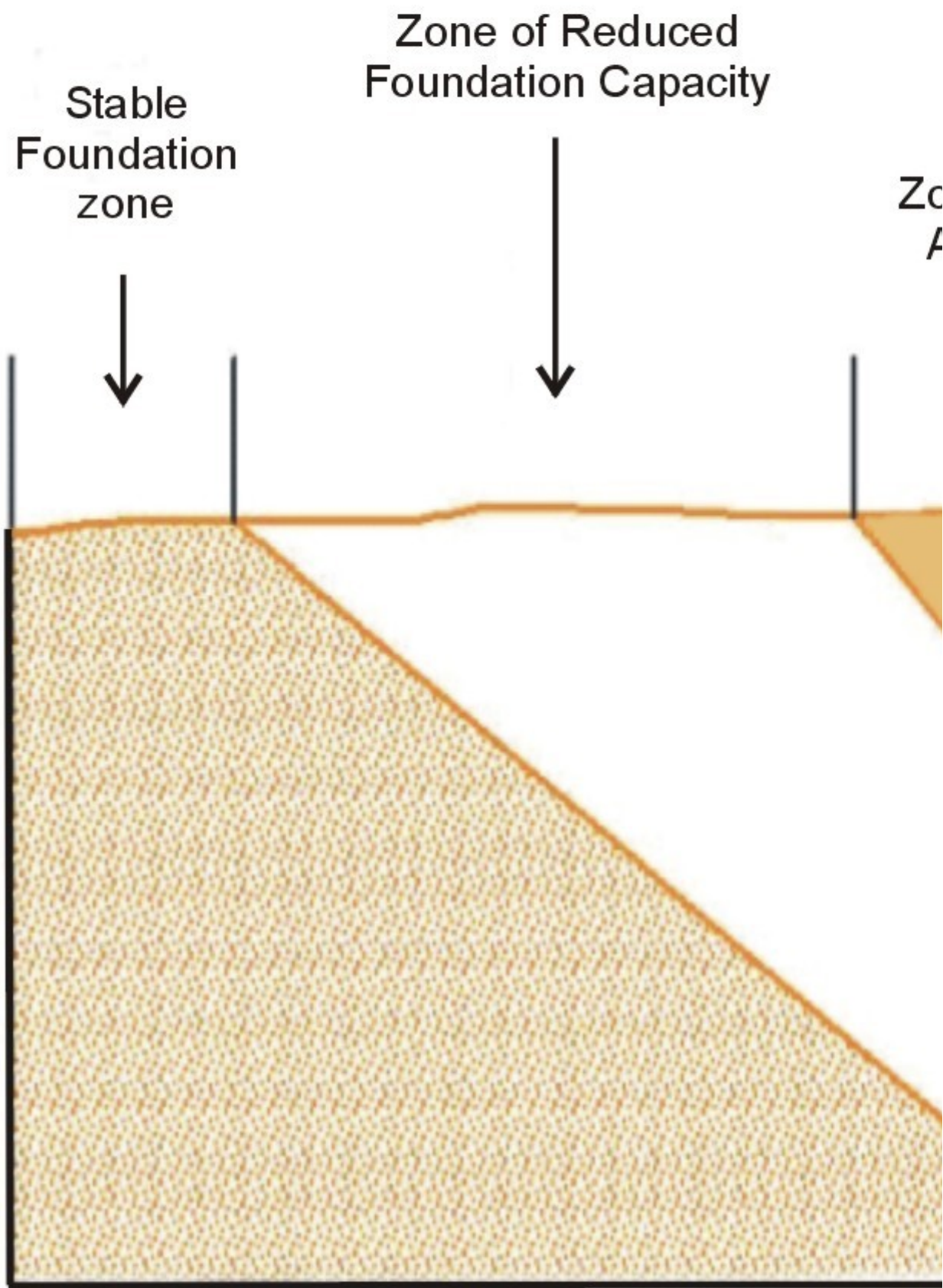
DIAGRAM 1 - Schematic of Determination of Coastline Management Line

Slope



The shoreline recession allowances due to sediment loss and due to sea level rise are a function of the number of years adopted for the planning period. For the “immediate” planning period, the allowances are zero.

6.3 DIAGRAM 2 - Schematic of Stability Zones for Foundation Design



7.0 COASTAL EROSION AND WAVE INUNDATION INFORMATION

Development along the coast of the northern beaches has been threatened, damaged or destroyed by the action of storm waves in the mid 1950s, 1967, 1974 and 1978, with the 1974 storms causing widespread damage.

Following these major storm events, rock revetment structures (generally of dumped rock) were constructed as an emergency measure at many beaches. In most cases, these structures are now buried beneath revegetated foredunes.

Applicants will need to seek their own professional advice on the identification of coastline hazards affecting the property, the associated risk to the existing dwelling (where retained) and proposed development, and measures to reduce this risk to an acceptable level (including the adequacy of any existing rock revetments or other property protection works).

Measures to reduce risk include coastal protection works, appropriate setbacks and buffer zones (i.e. definition of the Coastline Management Line), appropriate floor levels and freeboard allowances (i.e. definition of the Coastline Planning Level), and appropriate foundation design. These need to take account of current conditions and likely future conditions (e.g. increased risks due to sea level rise) for the life of the development (usually taken to be 100 years unless specified otherwise and justified).

8.0 DEVELOPMENT CONTROLS

8.1 Coastline (Beach) Hazard area - Residential Development up to 2 Dwellings (single dwelling and dual occupancy)

Outcomes

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

“S” refers to social objectives and “En” to environmental objectives as stated in Pittwater 21.

Land to which this control applies

Land identified on the Coastline Hazard Map 97-003 [MDCP016].

Development to which this development control applies

- Specified Residential Development
 - Dwelling house (new)
 - Detached dual occupancy
 - Dwelling house (alterations & additions)
 - Attached dual occupancy
- Unspecified Residential Development
 - Includes all other residential development not individually specified above

Controls

(i) General

- (a) All structures below the Coastline Planning Level shall be constructed from flood compatible materials.
- (b) All development must be designed and constructed so that it will have a low risk of damage and instability due to wave action and/or oceanic inundation hazards.

- (c) All development and/or activities must be designed and constructed so that they will not adversely impact on surrounding properties, coastal processes or the amenity of public foreshore lands.
- (d) All uncontaminated dune sand excavated during construction operations shall be returned to the active beach zone as approved and as directed by Council.
- (e) Wherever present, remnant foredune systems shall be appropriately rehabilitated and maintained for the life of the development to stabilise an adequate supply of sand (as determined by a coastal engineer) that is available to buffer erosion processes and/or minimise the likelihood of oceanic inundation.
- (f) All vegetated dunes, whether existing or created as part of coastal protection measures shall be managed and maintained so as to protect the dune system from damage both during construction of the development and as a result of subsequent use during the life of the development.
- (g) All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Coastline Planning Level.
- (h) The storage of toxic or potentially polluting goods, materials or other products, which may be hazardous or pollute waters during property inundation, will not be permitted below the Coastline Planning Level.
- (i) For existing structures, a tolerance of up to minus 100mm may be applied to the Coastline Planning Level in respect of compliance with these controls.
- (j) Building heights must not exceed 8.0 metres above the Coastline Planning Level or 8.5 metres above existing ground level, whichever is higher.
- (k) Where land is also subject to the provisions of the Flood Risk Management Policy for Development in Pittwater, the higher of the Coastline Planning Level and Flood Planning Level shall apply.

(ii) Coastal Protection Works

Hazard mitigation and coastal protection works that modify the oceanic inundation and wave action behaviour within the development site, may be permitted subject to a Coastal Risk Management Report that demonstrates the following:

- (a) The works do not have an adverse impact on any surrounding properties or coastal processes
- (b) A Section 88B notation under the Conveyancing Act 1919 is to be placed on the title describing the location and the types of mitigation works with a requirement for their retention and maintenance.
- (c) Hazard mitigation works will result in the protection of the proposed development from coastal processes.
- (d) Where coastal protection structures such as rock revetments or boulder seawalls already exist within the beach compartment, the position of such structures has been used to determine the location and alignment for any new terminal revetment or coastal protection works for the land on which development is proposed.
- (e) In the case of an existing protection structure, a suitably qualified professional/s with appropriate expertise in the applicable areas of engineering has certified the structural integrity and competency of the works for their intended purpose and for the design storm event.

(iii) Coastline Management Line

New development and major additions to existing development must be sited on the landward side of the 100 year Coastline Management Line.

(iv) All floor levels shall be at or above the Coastline Planning Level.

(v) Floor Levels - Additions

For an addition to an existing residential dwelling:

- (a) The floor levels of the addition must be at or above the Coastline Planning Level.
- (b) If the floor level of the existing dwelling is to be retained and is below the Coastline Planning Level, the existing dwelling must be satisfactorily flood proofed (either wet or dry) to the Coastline Planning Level.

- (c) The addition must be designed and constructed such that it does not preclude the raising of the existing structure to the Coastline Planning Level at a future date or when further additions are proposed, e.g. through the provision of a construction joint.
- (d) A second storey addition to the dwelling requires the floor level of the second storey to be at a height that allows for the internal ground floor of the existing dwelling to be either at or raised to the Coastline Planning Level whilst maintaining minimum floor to ceiling height requirements.

(vi) Floor Levels - Carparking Facilities

New enclosed garages: floor level shall be at or above the Coastline Planning Level.

Covered basement (i.e. below natural ground level) or covered bunded carparking facilities must have all access, ventilation and any other potential water entry points above the Coastline Planning Level and a clearly signposted inundation free pedestrian evacuation route from the basement or bunded area separate to the vehicular access ramps.

Open carpark areas and carports (i.e. at least one side is open): permissible at the existing ground level

Variations

(i) Coastline Management Line – Minor Additions to Existing Development

Additions to existing dwellings may be permitted between the 50 and 100 year Coastline Management Lines provided that the addition is not located forward of the existing dwelling, and that the combined additional GFA (Gross Floor Area) to the dwelling forward of the 100 year Coastline Management Line does not exceed a maximum total area of 30m² effective from the date of adoption of this Policy.

(ii) Floor Levels - Carparking Facilities

New enclosed garages: consideration may be given to a floor level for carparking facilities at a lower level where it can be demonstrated that providing the floor level at the Coastline Planning Level is not practical and that the enclosed garage is not a part of, or is detached from, the dwelling and is used for car parking only.

(iii) Ancillary Structures

Relocatable or sacrificial, ancillary, non-habitable, detached, light weight structures associated with landscaping, storage or outdoor living areas may be permitted seaward of the 100 year Coastline Management Line where their destruction by coastal processes is unlikely to exacerbate property damage during a storm event.

8.2 Coastline (Beach) Hazard area - All development other than up to 2 dwellings

Outcomes

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

“S” refers to social objectives and “En” to environmental objectives as stated in Pittwater 21.

Land to which this control applies

Land identified on the Coastline Hazard Map 97-003 [MDCP016].

Development to which this development control applies

- Specified Residential Development
 - Multi-unit housing
 - Shop-top housing (residential portion only)
- Unspecified Residential Development
 - Includes all other residential development not individually specified above
- Business Development

- Light Industrial Development

- Other Development

Includes development not included in residential development, business development, light industrial development, or land subdivision.

Controls

(i) General

- (a) All structures below the Coastline Planning Level shall be constructed from flood compatible materials.
- (b) All development must be designed and constructed so that it will have a low risk of damage and instability due to wave action and/or oceanic inundation hazards.
- (c) All development and/or activities must be designed and constructed so that they will not impact adversely on surrounding properties, coastal processes or the amenity of public foreshore lands.
- (d) All uncontaminated dune sand excavated during construction operations shall be returned to the active beach zone as approved and as directed by Council.
- (e) Wherever present, remnant foredune systems shall be appropriately rehabilitated and maintained for the life of the development to stabilise an adequate supply of sand (as determined by a coastal engineer) that is available to buffer erosion processes and/or minimise the likelihood of oceanic inundation.
- (f) All vegetated dunes, whether existing or created as part of coastal protection measures shall be managed and maintained so as to protect the dune system from damage both during construction of the development and as a result of subsequent use during the life of the development.
- (g) All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Coastline Planning Level.
- (h) The storage of toxic or potentially polluting goods, materials or other products, which may be hazardous or pollute waters during property inundation, will not be permitted below the Coastline Planning Level.
- (i) For existing structures, a tolerance of up to minus 100mm may be applied to the Coastline Planning Level in respect of compliance with these controls.
- (j) Building heights must not exceed 8.0 metres above the Coastline Planning Level or 8.5 metres above existing ground level, whichever is higher.
- (k) Where land is also subject to the provisions of the Flood Risk Management Policy for Development around Pittwater, the higher of the Coastline Planning Level and Flood Planning Level shall apply.

(ii) Coastal Protection Works

Hazard mitigation and coastal protection works that modify the oceanic inundation and wave action behaviour within the development site, may be permitted subject to a Coastal Risk Management Report that demonstrates the following:

- (a) The works do not have an adverse impact on any surrounding properties or coastal processes
- (b) A Section 88B notation under the Conveyancing Act 1919 is to be placed on the title describing the location and the type of mitigation measures with a requirement for their retention and maintenance.
- (c) Hazard mitigation works result in the protection of the proposed development from coastal processes.
- (d) Where coastal protection structures such as rock revetments or boulder seawalls already exist within the beach compartment, the position of such structures has been used to determine the location and alignment for any new terminal revetment or coastal protection works for the land on which development is proposed.
- (e) In the case of an existing protection structure, a suitably qualified professional/s with appropriate expertise in the applicable areas of engineering has certified the structural integrity and competency of the works for their intended purpose and for the design storm event.

(iii) Coastline Management Line

New development and major additions to existing development must be sited on the landward side of the 100 year Coastline Management Line.

(iv) Floor Levels – New Development and Additions

Enclosed garage, enclosed carpark and enclosed carport: floor level shall be at or above the Coastline Planning Level.

Covered basement (i.e. below natural ground level) or covered bunded carparking facilities must have all access, ventilation and any other potential water entry points above the Coastline Planning Level and a clearly signposted inundation free pedestrian evacuation route from the basement or bunded area separate to the vehicular access ramps.

Open carpark areas and carports for residential carparking: floor level shall be at or above the Coastline Planning Level.

Variations**(i) Coastline Management Line – Minor Additions to Existing Development**

Additions to existing buildings may be permitted between the 50 and 100 year Coastline Management Lines provided that the addition is not located forward of the existing development, and that the combined additional GFA (Gross Floor Area) to the building(s) forward of the 100 year Coastline Management Line does not exceed a maximum total area of 30m² effective from the date of adoption of this policy.

(ii) Business Light Industrial and Other Development (not applicable to residential component)

Where constructing the floor level at the Coastline Planning Level or raising the floor level of the existing development to the Coastline Planning Level may be difficult to achieve due to site and access constraints, consideration may be given to all floor levels for additions being at the existing floor level. This is subject to demonstration, through a Coastal Risk Management Report, that in respect of the development type proposed the assessed risk is acceptable. The whole of the development below the Coastline Planning Level must be satisfactorily flood proofed (either wet or dry) to the Coastline Planning Level.

(iii) Ancillary Structures

Relocatable or sacrificial, ancillary, non-habitable, detached, light weight structures associated with landscaping, storage or outdoor living areas may be permitted seaward of the 100 year Coastline Management Line where their destruction by coastal processes is unlikely to exacerbate property damage during a storm event.

8.3 Coastline (Beach) Hazard area - Land Subdivision**Outcomes**

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

“S” refers to social objectives and “En” to environmental objectives as stated in Pittwater 21.

Land to which this control applies

Land identified on the Coastline Hazard Map 97-003 [MDCP016].

Development to which this control applies

- Land Subdivision

Controls**(i) Coastline Management Line**

- (a) Subdivision of land will not be permitted where building platforms will be created on the seaward side of the 100 year Coastline Management Line.

- (b) Subdivision of land may be permissible where it can be demonstrated through a coastal risk management report that building platforms of an adequate area for development (including carpark facilities and access) are suitable or can be made suitable to satisfy the requirements of the Policy.
- (ii) Levels – Building Platforms Residential Allotments
 - (a) Subdivision of land will not be permitted where the building platforms of residential allotments will be created below the Coastline Planning Level.

Variations

Nil

9.0 INFORMATION TO BE SUBMITTED – COASTLINE RISK MANAGEMENT

9.1 Coastline Planning Levels and Coastline Management Line

Form 1 must be completed setting out the Coastline Planning Level and Coastline Management Line details that apply to the subject property and must be submitted with the application.

9.2 Survey Details

In addition to the requirement to lodge survey details with the Development Application, the Survey Plan prepared by a Registered Surveyor must also indicate the following:

- The location of existing buildings or structures;
- The floor levels and ceiling heights of all existing buildings or structures to be retained;
- Coastline Planning Level;
- Coastline Hazard Line and Coastline Management Line;
- 0.2 metre contour intervals across the entire property; and
- All levels must be relative to Australian Height Datum (AHD).

9.3 Coastal Risk Management Report

A Coastal Risk Management Report is to be submitted for all development on land that is affected by coastal processes and has floor levels and/or carparking levels below the nominated development criteria. This report is to be prepared by suitably qualified coastal engineering and structural engineering consultants (see definitions in section 6.1) and must consider and address the following:

- (a) Coastline Planning Level and other relevant information.
- (b) Coastline Management Line.
- (c) Proposed floor levels (and existing floor levels where these are proposed to be retained) of habitable and non-habitable structures, and where basement or enclosed parking is proposed, include levels of access, ventilation and any other potential water entry points.
- (d) Constraints due to coastline impacts on the land, including an assessment of the degree of inundation, hazard level, impacts of waterborne debris, buoyancy effects, evacuation and other emergency issues during the design storm event (100 ARI event).
- (e) Compliance with the Controls.
- (f) Recommendations for the structural design and construction of the total development, including foundation design, protection measures and any existing structures to be retained (where existing structures to be retained include coastline protection structures, these must be certified as fit for purpose for the design storm event).
- (g) Recommendations on the monitoring and maintenance of all coastal protection and hazard mitigation measures proposed for the total development (including any existing structures to be retained) for the life of the development (taken to be 100 years unless specified otherwise and justified).

- (h) Recommendations on all measures and precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development (including any existing structures to be retained) to address the impacts on the site for the design storm event (100 ARI event) for the life of the development (taken to be 100 years unless specified otherwise and justified). These precautions shall include but are not limited to the following:
- Types of materials to be used, up to the Coastline Planning Level to ensure the structural integrity for immersion and impact.
 - Waterproofing methods, including but not limited to electrical equipment, wiring, fuel lines or any other service pipes and connections.
 - Warning signs/depth indicators for areas that may be inundated, such as open carparking areas.
 - An evacuation strategy to minimise harm; a point of assembly within a place of low risk; and a suitable method of transporting people to a place of low risk away from the effects of coastline hazards.
- (i) Specify architectural/engineering plans on which the assessment is based
- (j) Specify date/s of inspection.
- (k) Specify professional qualifications and experience of the authors.

10.0 FORMS

10.1 Form 1 and Form 1(a) – Declaration and Certification made by Coastal Engineer and by Structural Engineer or Civil Engineer in relation to the DA Coastal Risk Management Report

When are Form 1 and Form 1(a) to be submitted?

Form 1 and Form 1(a) are to be submitted with a Coastal Risk Management Report accompanying a Development Application/Part 5 Assessment. Attach Form 1 to the inside cover of the Coastal Risk Management Report. In respect to lands identified as located in the Bluff Management Areas, the Coastal Risk Management Report including Form 1 is to be incorporated as an Appendix to the Geotechnical Report.

Why are Form 1 and Form 1(a) necessary?

These forms are essential to verify that the author of a Coastal Risk Management Report is a Coastal Engineer as defined by this Policy. Alternatively, where a Coastal Risk Management Report has been prepared by a professional person not recognised by this Policy, then Form 1 and Form 1(a) may be used as technical verification of the Coastal Risk Management Report if signed by a Coastal Engineer as defined by this Policy.

10.2 Form 2 – Declarations and Certification made by Structural Engineer or Civil Engineer and Coastal Engineer in relation to the design

The purpose of this form is to ensure the Coastal Engineer verifies that the structural and/or civil engineer has correctly interpreted and incorporated the coastal risk management requirements into their design and that the structural and/or civil engineer has prepared their documents in accordance with the Coastal Risk Management Report.

When is Form 2 submitted?

This form must be attached with the submission of the structural documentation required for the determination of a Construction Certificate. The applicant must issue a copy of the structural documents and Form 2 to the Coastal Engineer who prepared or technically verified the Coastal Risk Management Report for the Development Application now requiring a Construction Certificate.

Why is Form 2 necessary?

Form 2 is essential, as it provides evidence to Pittwater Council or other certifying authority determining the Construction Certificate that structural documents have been prepared or verified by a structural or civil engineer as defined by this Policy, and that the structural documents have been prepared in accordance with the recommendations given in the Coastal Risk Management Report for the same development.

10.3 Form 3 – Final Coastal Certificate (Post Construction Coastal Certificate)

The purpose of this form is to ensure that the recommendations made in the Coastal Risk Management Report have been complied with during construction. In most cases the Coastal Engineer who prepared and/or verified the design will need to observe construction including foundations, coastal protection and hazard mitigation works, etc, prior to signing Form 3.

Why is Form 3 submitted?

This form must be submitted at the completion of a project, prior to occupation of the premises and prior to issue of an Occupancy Certificate.

Why is Form 3 necessary?

Form 3 is essential, as it provides certification that the building works have been carried out in accordance with the requirements of the Coastal Risk Management Report and any subsequent coastal risk management requirements introduced during the construction process.

10.4 Form 4 – Final Construction Certificate (To accompany Application for Building Certificate or response to an Order issued by Council)

The purpose of this form is to ensure that the site and the structures on the site have been assessed by a Coastal Engineer in accordance with Council's Policy. Further that reasonable and practical measures to remove foreseeable risks associated with coastal hazards have been identified and suitable recommendations have been included in the Coastline Risk Management Report.

When is Form 4 submitted?

This form must be submitted with the Coastal Risk Management Report accompanying the Building Certificate Application or a response to an Order. Should, in the opinion of the Coastal Engineer, the site and the development not be at an acceptable level of risk from a coastal hazards viewpoint, then the remedial action required is to be identified in a report and indicated on Form 4 before it is signed and lodged with Council. Where such remedial action requires works that would need Development Approval, a Development Application must be lodged. Form 4 would then be supported by Form 3 on completion of the necessary works.

Why is Form 4 necessary?

Form 4 is essential, as it provides certification that the site and the existing structures achieve the risk management criteria detailed in this Policy.

Summary

Form

1 To be submitted with Development Application

1(a) Checklist of requirements for Coastal Risk Management Report for Development Application or Part 5 Assessment

2 To be submitted with detailed design for Construction Certificate

3 Post Construction Coastal Certificate

4 To be submitted with Application for a Building Certificate/Response to an Order

Appendix 7 - Estuarine Risk Management Policy for Development in Pittwater

1.0 INTRODUCTION

The Estuarine Risk Management Policy for Development in Pittwater (the Policy) establishes the estuarine risk management approach for development or activities on land affected by wave action and tidal inundation around the Pittwater waterbody within the Northern Beaches LGA.

2.0 THE POLICY STATEMENT

Development must be undertaken in accordance with the acceptable risk management criteria defined in this document for a design project life, taken to be 100 years, unless otherwise justified by the applicant and acceptable to Council.

The primary method of estuarine risk management for development around the foreshores of the Pittwater estuary is through the application of development controls under Part 4 and environmental assessment under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act). An

estuarine risk management review may also be generated by an application for a Building Certificate for any development on lands that have been identified as being within an estuarine hazard area.

Once the estuarine risk management measures have been identified on the land, it is the owner's responsibility to ensure that these measures are properly maintained for the design life of the development.

3.0 OBJECTIVES

The objectives of this Policy are:

- (a) To ensure that wave action and tidal inundation processes (affecting development or likely to be affected by development) are adequately investigated and documented by applicants or proponents of activities prior to the lodgement of a development application or Part 5 Assessment to carry out any development/activity subject to this Policy, or wherever an application is lodged for a Building Certificate; and
- (b) to establish whether or not the proposed development or activity is appropriate to be carried out having regard to the results of investigations; and
- (c) to ensure effective controls exist to guarantee that a development is carried out in accordance with the requirements of this Policy; and
- (d) to ensure that the preparation of wave action and tidal inundation related information and certificates required to be lodged by this Policy are carried out by suitably qualified professionals with appropriate expertise in the applicable areas of engineering; and
- (e) that developments are only carried out if estuarine and related structural engineering risks are identified and can be effectively addressed and managed for the life of the development at an acceptable level of risk.

4.0 RELATIONSHIP WITH OTHER LEGISLATION

This Policy is intended to support the provisions of and should be read in conjunction with:

- Pittwater 21 Development Control Plan
- Pittwater Local Environmental Plan 2014
- State Environmental Planning Policy (Coastal Management) 2018
- Coastal Management Act 2016

5.0 APPLICATION OF THIS POLICY

- a) This Policy addresses both estuarine and structural engineering requirements relating to estuarine risk management issues only. Separate structural requirements will also apply for the erection of any structure in accordance with the Building Code of Australia (BCA) and best engineering practice.
- b) This policy applies to each of the following
 - (i) Land identified on Council's Estuarine Hazard Map.
 - (ii) Utility companies, public authorities or their agents, when designing and undertaking works around the Pittwater estuary that may be affected by estuarine processes, or which may impact upon estuarine processes.

6.0 DEFINITIONS

6.1 Definitions

Note: For expanded list of definitions, refer to:

1. Coastal Management Act 2016.
2. Pittwater Local Environmental Plan 2014.

Annual Exceedance Probability (AEP) - The chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. The 1% AEP means that there is a 1% chance (that is, one-in-100 chance) of the corresponding flood discharge or larger occurring in any one year. In relation to the economic life of structures, there is a 26% chance of the 1% AEP event occurring in a 30 year period, a 40% chance of occurrence in a 50 year period and a 63% chance within a 100 year period.

Architect – An architect who is a Registered Architect with The Royal Australian Institute of Architects, with at least 5 years of relevant professional experience, and has an appropriate level of professional indemnity insurance.

Average Recurrence Interval (ARI) - The long-term average number of years between the occurrence of a flood as big as, or larger than, a particular flood. ARI is an alternative to AEP to express the likelihood of occurrence of a flood event. For example, a 100 year ARI will occur, on average, every 100 years.

Australian Height Datum (AHD) - A common national surface level datum corresponding approximately to mean sea level. All flood levels and ground levels are quoted based on Australian Height Datum.

Basement Carpark – Carpark set below natural ground level.

Basement Boatshed – Boatshed set below natural ground level.

Coastal Engineer - A specialist coastal engineer who is a registered professional engineer with chartered professional status (CP Eng) with coastal engineering as a core competency and, has an appropriate level of professional indemnity insurance.

Carport – Carport structure having at least one side open to allow the ingress of water.

Council's Web Site – www.northernbeaches.nsw.gov.au

Estuarine Hazard Affected Properties - Properties shown on the Estuarine Hazard Map.

Estuarine Hazard Map – Map that depicts those properties affected by estuarine flooding around Pittwater. The maps form part of the Pittwater 21 Development Control Plan and are available on Council's Web site. This map may also be referred to as the "Wave Action and Tidal Inundation Map"

Estuarine Planning Level (EPL) – refer Figure 1 - Water level selected for planning purposes as determined for Pittwater based on the 100 year ARI storm tide (i.e. 1% AEP event), 200mm sea level rise due to climatic conditions, associated wind setup, wave run up plus a freeboard allowance (0mm to 300mm depending on adopted foreshore edge treatment and height of wave run up).

The Estuarine Planning level is determined based on:

- a) a base EPL which varies dependent upon the existing/proposed foreshore edge treatment, less;
- b) a reduction factor based on the distance to the development from the foreshore edge treatment "Base EPL" at RL 1.5mAHD contour.

Estuarine Planning Level Advice – Refers to the information from the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015) for each property in Pittwater affected by estuarine hazards and subject to an Estuarine Planning Level (EPL).

Estuarine Processes - The interaction of natural biophysical systems as well as human activities that occur within the tidal portions of river mouths, bays and coastal lagoons that have an open or intermittently open connection with coastal waters. Estuarine processes affect the physical, chemical and biological behaviour of an estuary. (These processes either individually or in combination can produce a situation where natural and built assets are placed at risk due to foreshore erosion, shoreline recession, tidal inundation, shoaling, accelerated eutrophication and poor water quality)

Eutrophication – The build-up of nutrient levels in a water body, leading to the excessive growth of aquatic plants, which in turn depletes dissolved oxygen levels in the water body.

First Floor Additions – The next building level above the Ground Floor.

Flood Proofing – Dry – Measures that protect a building from inundation by sealing a building's exterior walls and other water entry points.

Flood Proofing – Wet - A combination of measures incorporated in the design, construction and/or alteration of buildings, structures and surrounds, to enable a building or structure to withstand forces due to wave and tidal inundation, whilst remaining structurally sound to mitigate potential

damages from inundation.

Foreshore Building Line – As set out in the Pittwater 21 Development Control Plan for Locality - Specific Development Controls.

Foreshore Edge Treatment – this describes what is present at the foreshore edge, such as a sandy beach, vertical wall, sloping rock wall, natural rocky shoreline, etc.

Freeboard – The factor of safety usually expressed as a height above the design water level. Freeboard tends to compensate for some uncertainty in estimating the components that make up the design water level. A freeboard allowance of 0.3m has been incorporated in all EPLs that apply to affected properties in the Pittwater estuary.

Minimise Risk – It is recognised that, due to the many complex factors that can affect a site along the estuary zone, the estuarine 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 estuarine zone does not lead to complete risk removal as this is not meaningfully achievable.

Open Carpark Areas – Parking facilities that are not enclosed so as to allow the free flow of floodwaters.

Revetment or Seawall – Walls built parallel to the shoreline to limit shoreline recession.

Shoaling – The influence of the sea bed on wave behaviour. Such effects only become significant in water depths of 60 metres or less and include reduction in wave speed, a shortening of wave length and an increase in wave height.

Shoreline Recession – A net long-term landward movement of the shoreline caused by a net loss in sediment.

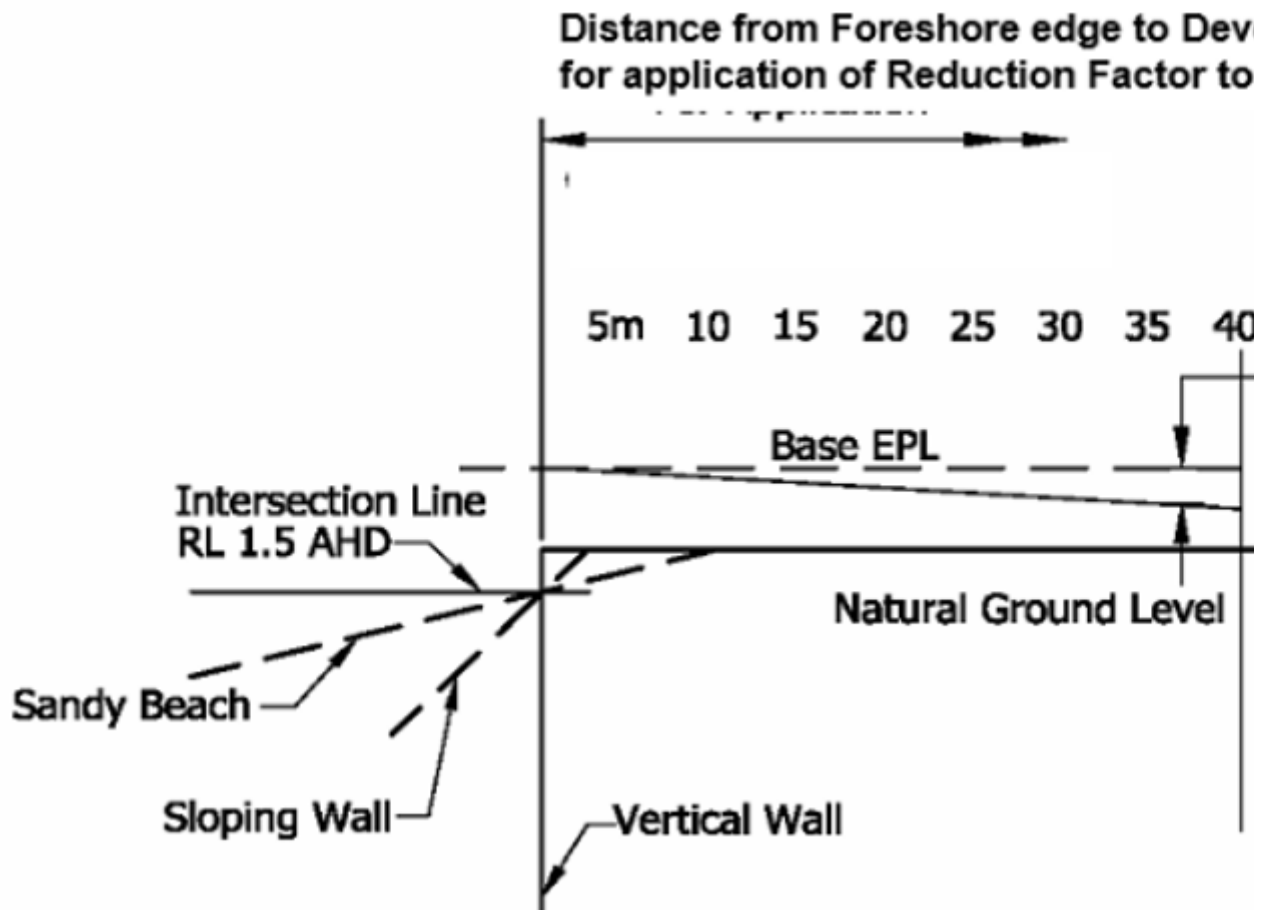
Structural Engineer – A structural engineer who is a registered professional engineer with chartered professional status (CP Eng) and, has an appropriate level of professional indemnity insurance.

Wave Action and Tidal Inundation Map – see Estuarine Hazard Map

Wave Run-up – The vertical distance above mean water level reached by the uprush of water from waves across a beach or up a structure.

Wind Setup – The increase in mean sea level caused by the ‘piling up’ of water on the coastline (or estuary) by the wind.

6.2 Figure 1: Diagrammatic Representation for determining of Estuarine Planning Level (EPL)



$$EPL = \text{Base EPL}^{*1} - \text{Reduction Factor}^{*2}$$

***1 Base EPL is function of existing or proposed edge treatment**

1. 1 in 10 natural slope (grassed/sandy gently slope)
2. 1 in 5 rocky shoreline (natural rocky foreshore)
3. Vertical seawall (e.g. block work or other retaining wall)
4. Mangroves

*** 2 Reduction Factor based on distance to development from foreshore edge treatment.**

*** 3. For EPL's further than 40 m from the foreshore edge, there is no further reduction in EPL.**

Property Estuarine Planning Level Advice is available from Council

7.0 PITTWATER WAVE ACTION AND TIDAL INUNDATION INFORMATION

7.1 Council Held Estuarine Information

Pittwater wave action and tidal inundation information is available from Council as follows:

- i) Estuarine Hazard Map – available from Council's Web Site
Properties defined as being affected by estuarine wave action and tidal inundation have been mapped for the Pittwater LGA. Council is progressively undertaking further detailed mapping where information is currently not available.
- ii) Flood and Estuarine Level Enquiry Service (Estuarine Planning Level Advice) – available from Council

Estuarine Planning Level information for individual land identified on the Estuarine Hazard Map is available from Council. The estuarine levels depend on location along the Pittwater Estuary, the edge treatment along the foreshore of each property (individual properties have not been assessed, so a range of levels are provided), and the inland distance of the development from the foreshore edge structure (individual properties have not been assessed, so a range of levels are provided). Further details of the derivation of the estuarine level information are contained in the document Pittwater Estuary Mapping of Sea Level Rise Impacts Study (Cardno, 2015) which is available on Council's Web Site.

Applicants may also seek their own professional advice on estuarine planning levels. For land of a complex nature in terms of topography, multiple hazard impacts or existing development, applicants may also need to seek their own professional advice.

Council is progressively seeking the best available estuarine level information, so the database will be reviewed and updated as required to reflect the most up to date outcomes when further information is available.

7.2 Council Issued Certificates under Section 149, EP&A Act

Council issues Section 149 certificates under the Environmental Planning and Assessment Act 1979 [Clause 279 and Schedule 4(7) of the Regulations to the EP&A Act]. The primary function of the Section 149 Certificate Notation is as a planning tool for notification that the land is affected by a policy that restricts development due to the likelihood of a risk, in this instance, estuarine hazard.

7.3 Independently Derived Information and Estuarine Risk Management Report

Independent information regarding wave action and tidal inundation may be sought from a suitably qualified Coastal Engineer (see definition in section 5.0), at the expense of the individual applicant, in relation to any of the information currently available from Council, or on information not currently provided by Council.

It is the responsibility of the applicant to submit the independent wave action and tidal inundation information and risk assessment to Council in the form of a technical Estuarine Risk Management Report of adequate qualitative and quantitative detail addressing estuarine level information, the management of risk due to estuarine hazards at an acceptable level and the consideration of other environmental impacts (where applicable) as they affect the subject land neighbouring properties and adjoining foreshore lands.

An Estuarine Risk Management Report should consider development constraints due to estuarine hazard impacts on the land, including an assessment of the degree of inundation, effects of wave action, impacts of waterborne debris, buoyancy effects, and other emergency issues during the design event (100 ARI event). The report should also contain recommendations as to any reasonable and practical measures that can be undertaken to remove foreseeable risk associated with estuarine hazards for the design life of the development.

8.0 FORMS

8.1 Form 1 – Declaration and Certification made by Coastal Engineer in relation to the Estuarine Risk Management Report prepared in support of a DA

When is Form 1 to be submitted?

Form 1 is to be submitted with an Estuarine Risk Management Report accompanying a Development Application/Part 5 Assessment. Attach Form 1 to the inside cover of the Estuarine Risk Management Report.

Why is Form 1 necessary?

This form is essential to verify that the author of an Estuarine Risk Management Report is a Coastal

Engineer as defined by this Policy or that the report has been technically verified by a Coastal Engineer as defined by this Policy.

8.2 Form 2 – Declarations and Certification made by Structural Engineer or Civil Engineer and Coastal Engineer in relation to the design

The purpose of this form is to ensure the Coastal Engineer verifies that the structural and/or civil engineer has correctly interpreted and incorporated the estuarine risk management requirements into their design and that the structural and/or civil engineer has prepared their documents in accordance with the Estuarine Risk Management Report.

When is Form 2 submitted?

This form must be attached with the submission of the structural documentation required for the determination of a Construction Certificate. The applicant must issue a copy of the structural documents and Form 2 to the Coastal Engineer who prepared or technically verified the Estuarine Risk Management Report for the Development Application now requiring a Construction Certificate.

Why is Form 2 necessary?

Form 2 is essential, as it provides evidence to Northern Beaches Council or other certifying authority determining the Construction Certificate that structural documents have been prepared or verified by a structural or civil engineer as defined by this Policy, and that the structural documents have been prepared in accordance with the recommendations given in the Estuarine Risk Management Report for the same development.

FORM NO. 1**To be submitted with Estuarine Risk Management Report**

Development Application for _____
Name of Applicant

Address of site _____

Declaration made by a Coastal Engineer as part of an Est

I, _____ on behalf of _____
(Insert Name) (Trading or Company Name)

on this the _____
(date)

certify that I am a Coastal Engineer as defined by the Estuarine Risk Management Policy for Development in Pittwater and to certify that the indemnity policy of at least \$2 million.

Please mark appropriate box

- ☐ I have prepared the detailed Estuarine Risk Management Report referred to in the Estuarine Risk Management Policy for Development in Pittwater
- ☐ I am willing to technically verify that the detailed Estuarine Risk Management Report is in accordance with the Estuarine Risk Management Policy for Development in Pittwater
- ☐ I have examined the site and the proposed development/alteration in detail and the Development Application only involves Minor Development/Alteration and a Minor Development/Alteration Management Report is not required.

Estuarine Risk Management Report Details:

Report Title:

Report Date:

Author:

Documentation which relate to or are relied upon in report preparation:

I am aware that the above Estuarine Risk Management Report, prepared for the above Development Application for this site and will be relied on by Northern Beaches Council management aspects of the proposed development have been adequately addressed for the life of the structure, taken as at least 100 years unless otherwise stated and all practical measures have been identified to remove foreseeable risk.

Signature

Name

Chartered Professional Status.....

Membership No.

FORM NO. 2**To be submitted with detailed design for Construction Ce**

Development Application for _____

Name of Applicant

Address of site _____

***Declaration made by Structural or Civil Engineer in relatik
issues into the project design***

I, _____ on behalf of _____

(Insert Name)

(Trading or Company Name

on this the _____

(date)

certify that I am a Structural or Civil Engineer as defined by the Estuarine Risk Mana
authorised by the above organisation/company to issue this document and to certify
professional indemnity policy of at least \$2 million. I also certify that I have prepare
with the recommendations given in the Estuarine Risk Management Report for the al

Estuarine Risk Managem ent Report Details:

Report Title:

Report Date:

Author:

Structural Documents list:

I am also aware that Northern Beaches Council relies on the assessments covered by the Development in Pittwater, including this certification as the basis for ensuring that the development have been adequately addressed to achieve an acceptable risk management for 100 years unless otherwise specified and justified.

(Name)

(Signature)

FORM NO. 2**To be submitted with detailed design for Construction Certificate*****Declaration made by Coastal Engineer in relation to Structural Documents***

I prepared and/or technically verified the above mentioned Estuarine Risk Management Report and now certify that I have viewed the above listed structural documents prepared for the project and the recommendations given in the Estuarine Risk Management Report have been appropriate for the preparation of these structural documents.

I am aware that Northern Beaches Council relies on the processes covered by the Estuarine Risk Management Report, including this certification as the basis for ensuring that the estuarine risk management have been adequately addressed to achieve an acceptable risk management level for the project unless otherwise stated and justified in the Estuarine Risk Management Report and that I have identified to remove foreseeable risk.

Signature

Name

Chartered Professional Status.....

Membership No.

