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:

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

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:
Finishes are to be of a low reflectivity.

Applications in commercial areas, as identified in the diagram below, 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.

External materials and finishes shall be or shall appear to be natural, with subdued natural and dark coastal colours. Brighter colour accents shall be permitted. The dominant use of smooth shiny surfaces such as glass, metallics and plastics shall be avoided.

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;
- 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	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 at least to one side ; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)

Environmental Living	Residential flat buildings and multi dwelling housing: see below 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 within the Avalon Beach Village (MDCP 101 below)	Side 1.5 (to a lane or road) see diagram below Nil (all other) Rear 3.5 (to lane or road) Nil (all other)
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:

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:

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 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:

1. 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
2. be articulated to provide visual interest and further opportunities for landscaping, and
3. be screened by landscaping within the setback area; and
4. not restrict casual visual surveillance of the street, and
5. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
6. 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:

1. 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
2. be articulated to provide visual interest and further opportunities for landscaping, and

3. be screened by landscaping within the setback area; and
4. not restrict casual visual surveillance of the street, and
5. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and
6. 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:

1. 1x2 bed unit for every 3x1 bed units or part thereof; 1x3 bed unit for every 3x2 bed units or part thereof.
2. 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 tom 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, which ever 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	6.5 (side)

land other than a road or a reserve	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 sort 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:

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 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 eroision 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 *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 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 acces 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 runodd 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:

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)

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:
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)
	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

Land zoned R2 Low Density Residential of E4 Environmental Living (other than 'Visual Protection Area' see below)	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:

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:

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

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:

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, 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-though 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- though 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, which ever 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)
	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

Land zoned R2 Low Density Residential or E4 Environmental Living	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:
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:

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 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
	2.5 to at least one side; 1.0 for other side.

Land zoned R2 Low Density Residential or E4 Environmental Living	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:

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:

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

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:

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 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

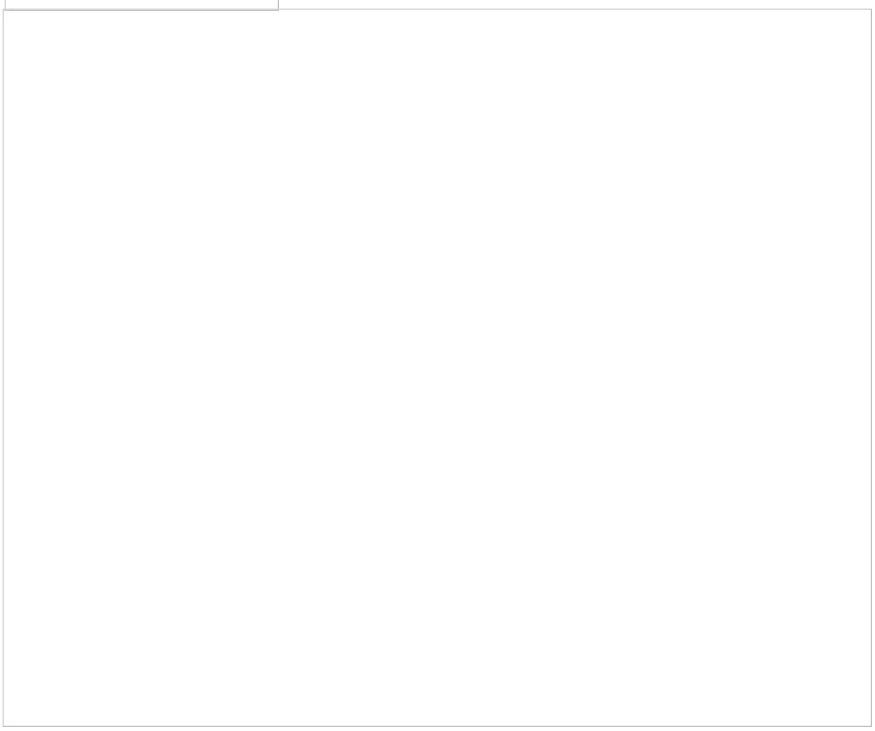
Lots to amalgamate are shown on the Amalgamation Pattern Diagram.

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 ssquare 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 facia.

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 positions 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 carparks 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 $6m^3$;
- one-bedroom apartments $6m^3$;
- two-bedroom apartments $8m^3$; and
- three plus bedroom apartments $10m^3$.

A minimum of 50% of the overall requirement for storage within individual unit shall be located in the hall or near living areas, under internal stairs or near the entries. A maximum of 50% of the required storage area may be located within storage cages in basement carparks.

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,	96% of the total site area

home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling)	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:

i. entry feature or portico;
ii. awnings or other features over windows;
iii. verandahs or balconies to any first floor element;
iv. recessing or projecting architectural elements;
v. open, deep verandahs; or
vi. 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:

1. impervious areas less than 1 metre in width (e.g. pathways and the like);
2. 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)
	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

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) 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:

□

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:

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 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:

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, 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 nieghbourhood.
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 of 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)**
	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line

Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	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:

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 boundaryEXCEPT 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

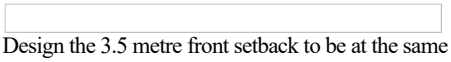


Figure 2. Barrenjoey Road front setback control



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 mimimum 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:

<u>Residential flat buildings and multi dwelling housing:</u>

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*).

<u>Development other than residential flat buildings and multi dwelling housing:</u>

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:

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 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:

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, 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 proprosed 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 demonstarting 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.lec.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).

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)
	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the

Land zoned R2 Low Density Residential or E4 Environmental Living	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:

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:

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)).

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:

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 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-D12MDCP080l

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 or 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 Residential flat buildings and multi dwelling housing: 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:

□

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:

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)).

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:

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 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-D12MDCP075l

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:

1. impervious areas less than 1 metre in width (e.g. pathways and the like);
2. 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:

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:

□

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:

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 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:

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, 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:

1. 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;
2. That there is sufficient depth of water below the vessel being 600 mm depth at zero low tide (-1.53 AHD);
3. That it does not extend beyond the seaward face of any related pontoon, piles or jetty steps;
4. That there is sufficient clearance from prolongation of adjoining boundaries (i.e. a minimum of 2.5 metres)
5. That it be designed and located to enable efficient and safe manoeuvring without impinging on adjoining neighbours; and
6. 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 MHWM (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 practicle 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:

i. The height of any jetty deck shall not exceed 0.75 metres above mean high water mark (1.26 Australian Height Datum AHD).
ii. The width of any jetty shall not exceed 2 metres.
iii. No more than one handrail shall be permitted on a jetty for safety.
iv. 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).
v. 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.
vi. Pontoons shall be constructed with a minimum buoyancy of 2kPa and shall not exceed 2.4 metres x 3.6 metres.
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. 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

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

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 practicle 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	Winnererremy 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 Mackeral 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 XIIA 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 Crowns 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 tom 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 ≥225m² or 9m to 12.5m wide	Single with a second hardstand area in front of the garage.	≤3m or not exceeding 40% of the lot width, whichever is less.
	≥12.5m wide	Single or tandem.	≤3m or not exceeding 40% of the lot width, whichever is less.
	≥12.5m wide	Double	≤6m or not exceeding 40% of the lot width, whichever is less.
Rear loaded lots	≥4.5m or with an area <225m²	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 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)
	100	11,400	35.0

52	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;
    - Viburum tinus;
    - Photinia ‘cultivars’;
    - Melastoma polyanthum;
    - Acer palmatum; and

    - Lagesrtromeia ‘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 punctate;
    - 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;
    - Ceratopetulum gummifera;
    - Hymenopsorum 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, dimesioned 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