

PART C
Development in E4 Zone

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1 Introduction

The E4 Environment Living Zone contains properties with special qualities and attributes such as natural bushland, geological features, and foreshore areas. This part of Willoughby Development Control Plan (Willoughby DCP) includes information, guidelines and controls to maintain these special qualities and protect adjoining urban bushland and foreshore areas.

1.1 Aim

The aim of this part is to ensure residential and other permitted land uses result in low impact developments in environmentally sensitive locations.

1.2 Objectives

The objectives of this part are to:

a. protect environmentally sensitive foreshore and bushland areas from overdevelopment or visually intrusive development so that the scenic qualities, biodiversity, and ecological values of those areas are maintained

b. provide performance criteria and numerical controls to ensure low impact development is achieved

c. ensure development does not alter existing drainage patterns that could result in adverse sediment and erosion impacts on the foreshore

d. ensure new development includes appropriate measures to minimise the impacts of urban heat island effects

e. ensure potential impacts of sea level rise are addressed

f. ensure new development does not impact on any heritage items, heritage conservation areas, Aboriginal objects, or Aboriginal places of heritage significance

Many properties in the Castle Cove/Middle Cove, Castlecrag, Northbridge, and Chatswood West localities are zoned E4 Environmental Living. A brief description of the unique characteristics and desired future character of these localities is in Attachment 1 in this part.

1.3 Checklist for development applications

Applications for development in the E4 zone must include a completed compliance checklist from Attachment 2.

2 Performance criteria

2.1 Further performance criteria for development in the E4 zone

The performance criteria for residential development in Part B, Section 2 of this plan apply to residential development in the E4 Environmental Living Zone. However, to provide for low-impact development, prevent overdevelopment of a site, and reduce the impacts of urban heat island effects, the performance criteria below also apply.

2.1.1 Site area and lot dimensions

The site area and lot dimensions should:

a. have regard to any unique topographical features and retention of established trees and vegetation that provide a continuous wildlife corridor, and any other natural features such as rock outcrops

2.1.2 Setbacks

Setbacks should:

a. be maintained from the street frontage and bushland having regard to established building lines of dwellings in the immediate vicinity

b. reinforce the streetscape and urban bushland character of the locality

c. maintain adequate separation between any new development and the canopy of established trees

d. be sufficient to allow adequate areas for deep soil zones

2.1.3 Design

The design should:

a. integrate with the natural features of the locality and topography of the site

b. maintain view sharing to the foreshore, bushland and waterways from surrounding properties

c. not visually dominate the site due to height or bulk when viewed from waterways and public vantage points

d. ensure inclinators that can be seen from the foreshore:

    1. have dense planting below and adjacent to the inclinator to reduce the visual impact of the rail alignment

    2. do not cut through rock shelves or outcrops

    3. do not result in the loss of significant trees

e. ensure the type of materials for buildings and ancillary structures are sensitive to the character of the area when viewed from the street, waterways, and public open spaces

f. ensure two storey walls greater than 6m in length provide articulation to reduce the bulk of the building

g. ensure the external colour of buildings (including roofs) in areas adjacent to the foreshore and bushland use natural recessive colours with a minimum solar absorption of 0.55 under the Building Code of Australia

2.1.4 Landscaping

Landscaped areas should:

a. retain significant trees and natural features such as rock formations, watercourses, and cliff escarpments

b. provide adequate deep soil zones to accommodate large trees

c. retain and plant trees with wide tree canopies to reduce the impacts of urban heat island effects

2.1.5 Private open space

Private open space should:

a. integrate with any natural features and topography of the site

2.1.6 Private recreation facilities

Private recreation facilities should:

a. be constructed to integrate with the natural environment and topography of the land

b. ensure adjoining bushland and foreshore areas are not impacted by stormwater drainage

c. be suitably screened to ensure they are not visible from the foreshore, waterways, or other public vantage points

2.2 Controls

Residential developments in the E4 zone must comply with:

- the floor space ratio (FSR) and the landscaped area controls under Clause 4.4A and Clause 6x in Willoughby Local Environmental Plan (Willoughby LEP).
- the required number of car parking spaces under Part F (Transport and Parking Management) in this plan.

This plan also adopts many of the controls in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) in:

- Part 3 Housing Code
- Part 3B Low Rise Housing Diversity Code
- Part 4 Housing Alterations Code.

Notable exceptions include setback and landscaping controls.

The controls for dwellings and ancillary structures are in the compliance checklist in Attachment 2 of this part.

Any variation of the numerical controls must be justified. It must consider the performance criteria in Part B Section 2 of this plan, and the further performance criteria in Section 2.1 of this part.

Notes:

- Detached dual occupancies are prohibited in the E4 zone under this plan.
- Some minor works may be permitted in the E4 zone under the Housing Alterations Code. It is up to the proponent to be satisfied that any works or demolition fully comply with the Codes SEPP.

3 Heritage items and heritage conservation areas

Several properties zoned E4 comprise a heritage item and/or are within a heritage conservation area. Willoughby LEP and Part H of this plan provide controls to ensure alterations and additions do not adversely impact on heritage items. The controls also ensure any new development is in keeping with the character of heritage conservation areas.

Any residential development in the heritage conservation areas must satisfy the provisions of this part and Part H in this plan. If there are any inconsistencies between this part and Part H, the requirements under Part H prevail.

4 Aboriginal heritage

Willoughby City Council is committed to the protection and conservation of Aboriginal objects and Aboriginal places of heritage significance. Many of these objects and sites are located on land zoned E4, and on other adjoining environmentally sensitive land, particularly around the foreshore.

This plan does not identify Aboriginal objects or Aboriginal places of heritage significance. If a development is likely to disturb any natural bushland or geological features, applicants must contact Willoughby City Council to determine if a site comprises or is in proximity to an Aboriginal object or Aboriginal place of heritage significance. We will advise applicants if an archaeological assessment report is needed as part of the development application.

5 Development adjoining bushland

Clause 9 of State Environmental Planning Policy No 19 – Bushland in Urban Areas (Bushland SEPP) applies to development on land adjoining land that is 'bushland zoned or reserved for public open space purposes'. The provision applies to development on land adjoining land zoned E2 Environmental Conservation and RE1 Public Recreation under Willoughby LEP.

Applications for works on land adjoining bushland should consider Willoughby City Council's Urban Bushland Plan of Management 2014, Chapter 5 (Urban Impacts). This is at willoughby.nsw.gov.au.

6 Foreshore building line

Foreshore building lines are fixed on certain land that fronts a bay, river, creek, lake, lagoon or the harbour. They ensure development does not detract from the natural topographical features of foreshore areas, including rock outcrops, escarpments and native vegetation. Willoughby LEP contains maps showing the foreshore building lines.

Private properties with a frontage to the foreshore contain 'modified foreshore land'. The foreshore building lines on these properties coincide with the general position of buildings and significant structures along the foreshore. They encourage the protection and regeneration of land within the foreshore and prevent new structures being built forward of these lines.

Limited development is permissible in the foreshore area under Clause 6.4 in Willoughby LEP. The design and siting of any development permitted below the foreshore building line must:

a. maintain the natural landscape character and features of the foreshore, including rock outcrops, bushland, and cliff faces

b. protect the visual amenity, including views from adjoining property

c. protect the scenic quality of the foreshore when viewed from waterways and the public domain

d. protect any habitat of threatened species

e. protect water catchment quality

Notes:

- Under Clause 6.4 of Willoughby LEP, the height of a building on land in the foreshore area (land between the foreshore building line and the water) must not exceed 3.5m above the existing ground level on any part of the lot.
- If the land is within the boundary of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, applications must be prepared in line with that plan and the Sydney Harbour Foreshores Area Development Control Plan.

7 Retaining walls and sea walls

These further controls apply to retaining walls and sea walls within the foreshore building line:

a. retaining walls or sea walls should not be constructed within the foreshore building line unless it can be shown that a retaining wall or sea wall is needed to prevent landslip and/or erosion of the shoreline

b. retaining walls should generally be no more than 1m above natural ground level

c. sea walls should generally be no more than 1m above the mean high water mark

d. seawalls and retaining walls must be constructed in natural materials such as sandstone blocks or timber – unfinished concrete blocks are not permitted

Note:

- Development consent is required for development on any land below the mean high water mark of any body of water subject to tidal influence, including the bed of any such water.

8 Information to be submitted with a development application

Part A of this plan details the development application process and information that may need to accompany an application.

The information below may also be required for a development application in the E4 Environmental Living Zone:

a. a flora and fauna assessment report for properties containing and/or adjacent to significant areas of bushland, which will determine if provisions in the *Threatened Species Conservation Act 1995* apply

b. an archaeological assessment report for properties containing rock outcrops or overhanging rocks and/or located adjacent to identified or potential Aboriginal objects or Aboriginal places of heritage significance

9 Controls for additional permitted land uses

9.1 Secondary dwellings and bed and breakfast accommodation

Secondary dwellings and bed and breakfast accommodation are only permitted with consent under Willoughby LEP.

Applications for secondary dwellings and bed and breakfast accommodation in the E4 Environmental Living Zone must address the performance criteria and controls for residential development in Part B Section 2 and 3 of this plan, and the performance criteria in Section 2.1 of this part.

9.1.1 Additional controls/provisions for a secondary dwelling

The maximum height of a detached secondary dwelling is 5.7m and the maximum floor area of an attached or detached secondary dwelling is 60m^2 or 10% of the total floor area of the principal dwelling, whichever is the greater. The minimum site area for a secondary dwelling is 450m^2. A secondary dwelling cannot be subdivided from the principal dwelling.

9.1.2 Additional controls/provisions for bed and breakfast accommodation

Bed and breakfast accommodation can only be provided within the principal dwelling or an approved studio that does not contain any kitchen facilities.

An application for bed and breakfast accommodation will be assessed on the individual merits of the proposal, including any likely impacts on the residential amenity of adjoining and nearby dwellings.

Note:

- The use of a dwelling as bed and breakfast accommodation changes the building class for the dwelling under the Building Code of Australia. This means there will be new fire safety and access requirements.

9.2 Seniors housing

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP) provides design principles and planning controls. These set aside any local planning controls that would prevent the development of housing for seniors or people with a disability.

The Seniors Housing SEPP is at legislation.nsw.gov.au.

10 Controls for specific areas in the E4 zone

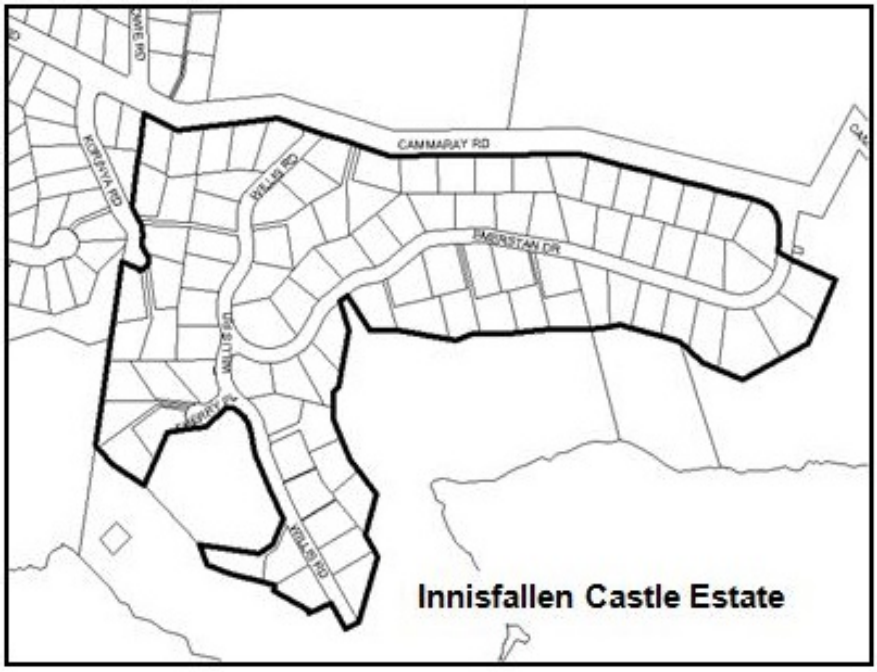
This section provides controls for any future development of specific sites and areas. These controls are further to provisions in this part and Part B of Willoughby DCP. If there are any inconsistences, the provisions in this section prevail.

10.1 Innisfallen Castle Estate

Innisfallen Castle Estate is on Castle Cove peninsula. Innisfallen Castle at 14 Cherry Place is a state significant item. The heritage values include the external fabric of the castle and curtilage, including surviving elements of the original gardens, lawns, driveway, stone edgings and wall.

Any development on adjoining or nearby properties must respect and not impact on the heritage values of the site, including views to and from Innisfallen Castle.

Map 1 Innisfallen Castle Estate



The estate is surrounded by natural bushland reserves on the foreshore of Middle Harbour. Primary and secondary building areas and height limits are identified on each property to restrict development to allow appropriate view sharing to natural bushland reserves and views over Middle Harbour.

The requirements below prevail over any other provisions in Willoughby DCP.

10.1.1 Building footprint

The erection of any building is restricted to the primary building area. Swimming pools, other minor structures such as patios and pergolas, and landscaping structures are permitted in the secondary building area. Boundary fences and walls may be permitted outside the primary and secondary building areas with approval.

10.1.2 Height of buildings

No buildings are to be erected at a height above the reduced levels specified for each individual lot. Exceptions are for chimneys, television aerials, lift towers or service installations, which may extend a further 600mm above the stated reduced levels for each allotment of land.

The maximum permissible height of a development is based on a conventional pitched roof design. This means:

a. the maximum height of a parapet wall is to be 1.2m less than the reduced level for each main building area

b. no roof or part of the main building is to occupy more than 50% of the air space over the area of the highest floor of the building, between the maximum permissible height of the building and at a reduced level of 2.4m below the maximum permissible height plane

The surface of a swimming pool or terraces is not to be constructed more than 1.5m above the natural finished ground level at any point.

Map 2 Building area and height limit for Innisfallen Castle Estate



Note:

- Applicants must contact Willoughby City Council to obtain the exact location and setbacks of the primary and secondary building areas for individual lots.

10.1.3 Fencing

Fences must not be closer to the street than the building line of the dwelling or the building line for the secondary building area. Exceptions are a safety fence enclosing a swimming pool.

Fences must not consist of rough-sawn, undressed, unpainted timber or timber in its natural state.

Apart from exceptional circumstances, dividing fences must not exceed 1.8m above natural ground level.

Note:

- Willoughby City Council and adjacent property owners must agree in writing to any increase in the height of dividing fences.

10.1.4 Excavation and retaining walls

Major excavations outside the main and secondary building areas are to be kept to a minimum.

All retaining walls more than 600mm above or below the natural surface are to be within the main and secondary building areas of each site. Exceptions are walls specifically approved by Willoughby City Council.

Any works to raise or lower the surface by more than 600mm must comply with these controls:

a. retain and stabilise the face of an excavation adjacent to the external wall of the building of not more than 1.2m from the base of the embankment to the face of the building

b. construct the embankment with a slope not exceeding 4:1 and a maximum height of 3m from the base of the wall to the finished surface of the embankment

c. retain any filling adjacent to the main building to provide essential pedestrian movement to and from the building; the area must not affect the amenity of adjacent properties and should not be in the form of a terrace outside the main and secondary building area

d. the height of the surface level of the retained area is not to exceed 1.5m above natural ground level and is not to be greater than 1.5m from the face of the wall of the main building

e. where, in Willoughby City Council's opinion, the raising or lowering of the surface level does not affect the amenity of adjacent lands, a retaining wall may be up to 1.5m in height from the natural ground level to the finished surface of the wall

f. special exceptions may be granted to retaining walls for the support of excavation of fills for driveways, subject to all batters not to exceeding 1:1 in cut other than rock, and 1:1.5 in fill

Any surface adjustments should also aim to preserve existing trees.

The use of retaining walls to contain earth embankments at the street frontage is to be avoided. The only treatment permitted under this plan is the protection and beautification of the retaining wall batter.

These controls apply to the street alignment of properties in cuttings:

a. if the adjacent footpath is excavated below the surface level of the adjacent allotment, only rockeries, dwarf walls and similar treatments in natural stone are allowed along the frontage of the allotment

b. no part of the frontage is to be more than 300mm above the footpath alignment level as supplied in writing by Willoughby City Council's engineer, and no more than 450mm above the profile of the designed or specified grading for the slope of the cutting

c. the grading of the slope of the cutting is to be in solid rock at a grade of 4:1, starting from a point 300mm within the property that is at the same level as that of the adjacent footpath alignment level

d. if the adjacent footpath is not below the surface level of the adjacent allotment, the slope of the cutting is to be a grade of 1:1, starting from a point 300mm within the property that is at the same level as that of the adjacent footpath alignment level

e. the retaining wall batter may be planted with appropriate shrubs or plants providing the plants do not overhang the path; the full width of the path must be retained and free of vegetation

10.2 Tower Reserve and Linden Way Reserve

Tower Reserve and Linden Way Reserve are public open spaces that provide expansive views over Middle Harbour. To retain the outlook and views from the predominant high points of these reserves, there are height limits for any development on the affected properties.

Map 3 Properties adjoining Tower Reserve and Linden Way Reserve



No buildings or structures are to be erected above the Australian Height Datum for the properties adjoining Tower and Linden Way Reserves. These are shown in Table 1.

Table 1 Australian Height Datum for properties adjoining Tower and Linden Way reserves

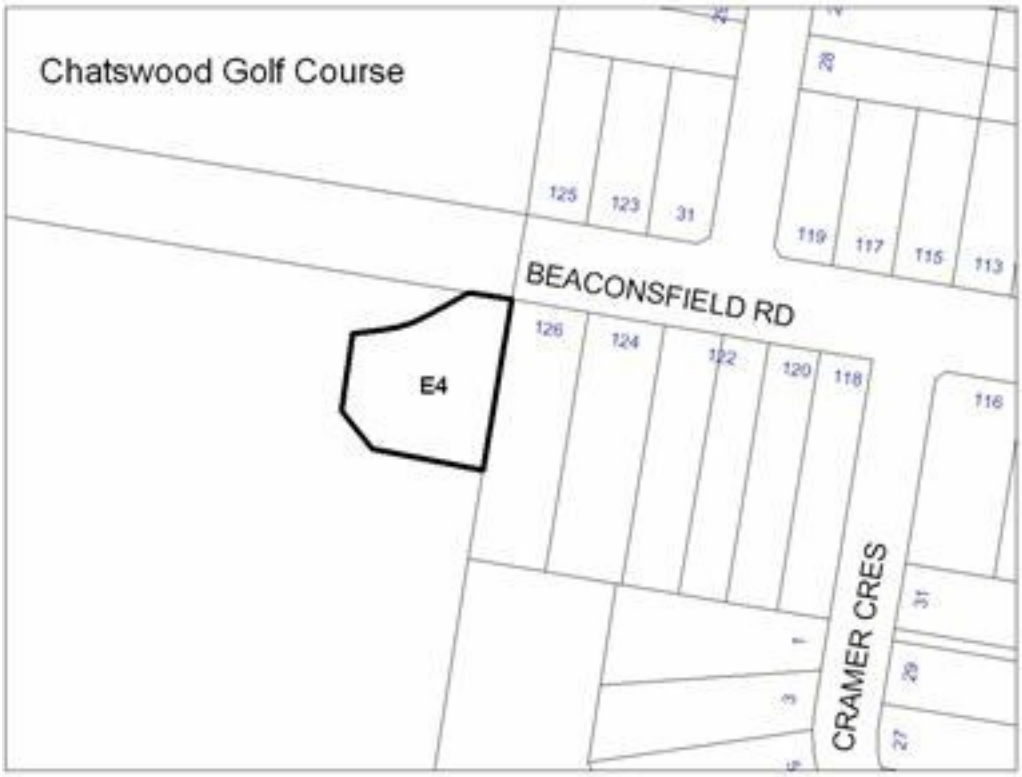
The Bulwark	**Street number**	**Australian Height Datum**
Lot 399A	No 33 (1 Tower Reserve)	85 AHD
Lot 338	No 35 (2 Tower Reserve)	90 AHD
Lot 397	No 37 (3 Tower Reserve)	90 AHD
Lot A	No 39 (4 Tower Reserve)	90 AHD
Lot B	No 41 (5 Tower Reserve)	85 AHD
The High Tor	-	-
Lot 32	No 7	88 AHD
Lot 31	No 9	84 AHD
Lot 30	No 11	84 AHD
Lot 29	No 13	86 AHD
Lot 28	No 15	84 AHD
Linden Way	-	-
Lot 27	No 25	85 AHD
Lot 26	No 27	88 AHD

Note:

- If the height is specified as a reduced level (RL) control, this refers to the RL Australian Height Datum of the uppermost point of the building. It does not include a vent, lift tower, chimney or other service installation.

11 Site specific provisions for certain land within the Chatswood Golf Club (adjacent to 126 Beaconsfield Road, Chatswood)

Map 4 Land within Chatswood Golf Club adjacent to 126 Beaconsfield Road



11.1 Objectives

The objectives of the site-specific provisions are to ensure:

a. redevelopment does not impact on bushland within the site or the immediate locality, including loss of natural vegetation and significant geological features, disruption of drainage patterns, alterations to water tables and increased bushfire hazard potential

b. the stability of the site for construction of a dwelling due to previous land fill

c. potential site contamination is considered before any development of the site due to previous landfill

d. any asset protection zones are provided within the site

e. the newly created subdivided site has access from the street and the appropriate utility services

f. a drainage easement is created over the existing reinforced concrete pipe in favour of Willoughby City Council.

11.2 Controls

These controls apply to any residential development on the subject site:

a. any development application must include a geotechnical report to confirm the stability of the site for construction of a dwelling

b. if unidentified materials are uncovered while excavating and developing the site, contamination investigations shall be done under Contaminated Land Management Act 1997 and State Environmental Planning Policy No 55

c. the development must comply with NSW Rural Fire Service requirements; Willoughby City Council will not approve any part of the Asset Protection Zone to be located outside the subject site

d. retention of trees as shown on the design concept plan for the site, which is included in this part

e. the plan of subdivision is to include:

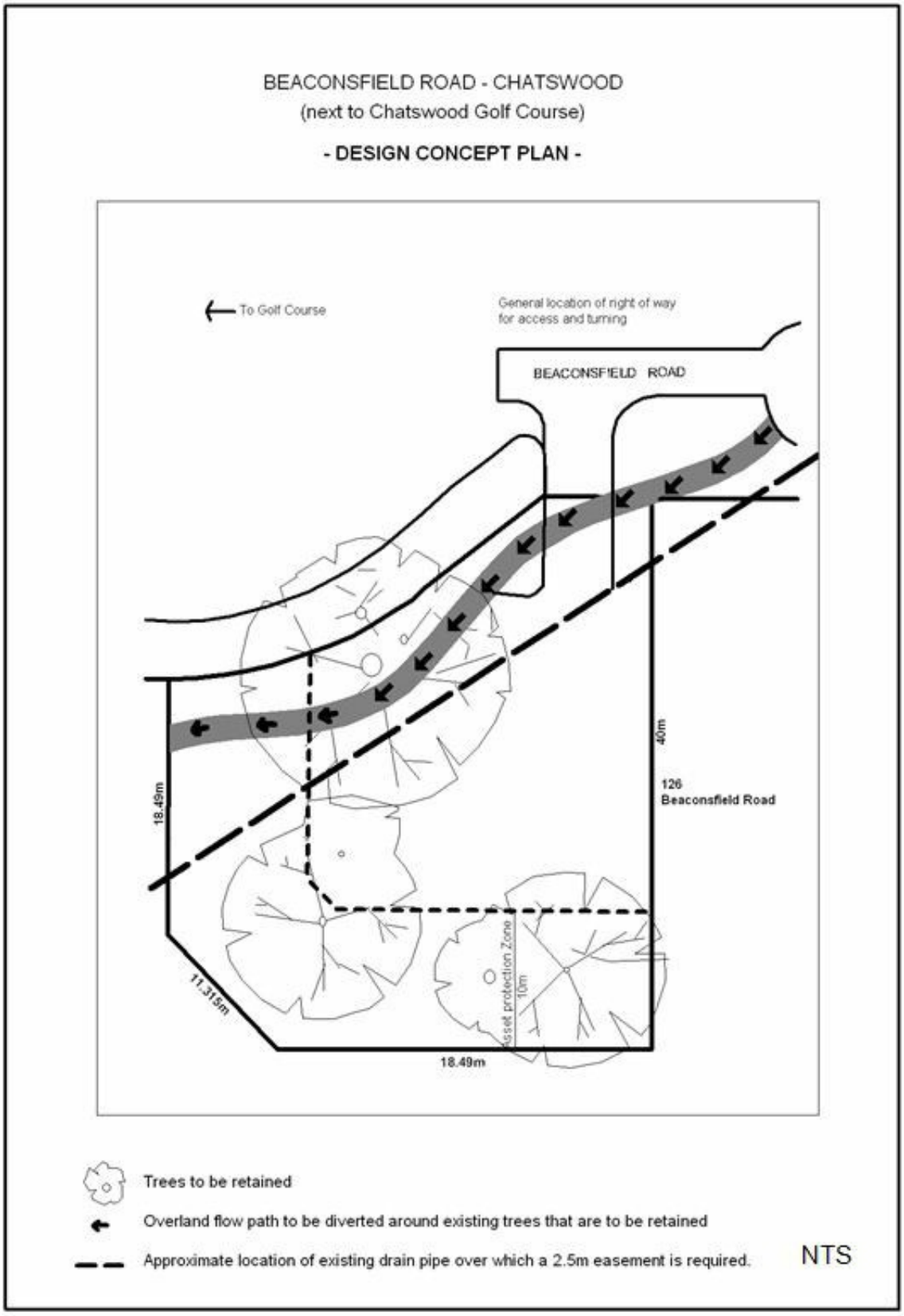
   - a 5-metre-wide right of access way across Chatswood Golf Club land from the end of the Beaconsfield Road reserve to the front boundary of the proposed allotment as shown on the design concept plan; this is to benefit the proposed residential property and allow vehicles to enter and exit the site in a forward direction
   - a survey of the extent of the existing 525mm diameter reinforced concrete pipe and provision of a drainage easement of 2.5m width over the existing pipe and along the allotment in favour of and dedicated at no cost to Willoughby City Council
   - underground utility services from the nearest pole to the boundary of the proposed property under the relevant public utility requirements provided by the applicant

f. an unobstructed overland flow path through the property is required that directs the flow from any proposed dwelling

g. any proposed construction (including driveway and pathway access) on the site must ensure safe passage of overland flow

h. the design required as part of any application for the development of the site is to include full design details including soil erosion control, ratio of velocity and depth and the preservation of trees shown on the design concept plan. The overland flow path is to be created without extensive fill under the drip lines of the protected trees

Figure 1 Design concept plan for land within Chatswood Golf Club adjacent to 126 Beaconsfield Road



Attachment 1: Localities

This information forms the basis for managing the process of change in localities that include environmentally sensitive areas. The special qualities and attributes of these localities contribute to the pleasant living environment and amenity of the area. All proposals must consider the special qualities and attributes, and the desired future character of these localities, as part of the development application.

a. Castle Cove/Middle Cove

The localities of Castle Cove and Middle Cove extend from the gentle terrain of the inland residential areas generally east of Eastern Valley Way to the undulating terrain of the peninsula areas, which project into Middle Harbour.

Sandstone escarpments are common throughout the area, often extending some distance along the peninsula. Escarpments and sandstone tors are often visible from the harbour.

The pattern of subdivision and residential streets generally follow the contours of the land with allotments angled to obtain views of Middle Harbour and surrounding bushland. Allotments are generally large with wide frontages.

The escarpment areas are characterised by bands of dwellings with interposing layers of dense bushland vegetation contributing to the high scenic quality of the area. The character of the area is of buildings set within a natural landscape setting.

Dwellings are generally stepped to respond to the topography of the land. Traditionally, dwellings built on the low side of the street are not more than 1 storey above the roadway, and do not obstruct the views of dwellings located on the high side of the street or vistas of distant views from the roadway.

Dwellings on the high side of the street above the roadway obtain views over the dwellings below. These properties generally retain rock outcrops and natural landscaping along the street frontage.

The natural landscape comprises steeply wooded foreshore areas rising from Middle Harbour to the ridges and escarpments with species of scribbly gums, red bloodwood, black she-oak and banksia. Herbs and grasses are found on the ridgetops.

The fauna habitat of Harold Reid Reserve and the Explosives Reserve is regarded as high quality. The adjoining bushland and rear yard areas, particularly along the foreshore areas, are important corridors for fauna.

These principles should be included in the design of a proposed development to achieve the desired future character of the Castle Cove/Middle Cove area:

1. maintain the traditional pattern of setback from side boundaries to ensure good separation between dwellings and allow vistas from the roadway
2. integrate dwellings and ensure the built form is subservient to the predominant natural landscaped areas on the site
3. ensure the built form relates to the topography of the site by following the contours of the land

4. avoid dwelling heights and building elements that break the ridgeline of the peninsula areas, and ensure they are not prominent when viewed from waterways or other areas of the public domain

b. Castlecrag

Castlecrag is located partly on an undulating peninsula, which extends eastward into Middle Harbour. Large sandstone tors and overhangs are common along escarpments and are quite often visible from the harbour.

The pattern of subdivision and residential streets south of Edinburgh Road follow the contours of the land and is a legacy of Walter Burley Griffin's vision for a model residential garden suburb, designed to take full advantage of its topography and natural features. Roads are narrow and curvilinear, responding to the natural terrain with front boundaries following the curvature of the carriageway.

A central portion of the Castlecrag peninsula is the Griffin Conservation Area. Development within this area must also refer to the provisions under Part H of Willoughby DCP.

The residential area outside the Castlecrag Conservation Area comprises a variety of contemporary architectural and older style dwellings on allotments with wide frontages.

Due to the curvilinear nature of many of the streets, the front building alignment is variable, responding to the landform. The absence of kerb and gutters in many streets contributes to the almost semi-rural sense of houses sited in a bushland setting. Rocky street islands with native vegetation are a feature of the Griffin Conservation Area. The inland areas with a regular pattern of subdivision have moderately deep setback areas of informally landscaped gardens. Low masonry or palisade fencing, rockery or shrubs provide demarcation of the front boundary with the abutting grassed verges.

Traditionally, dwellings on the low side of the street are not more than 1 storey above the roadway and do not obstruct views of dwellings located on the high side or vistas of distant views from the roadway. The curvilinear residential streets following the topography of the land provide glimpses of water views and of the wooded hillsides and ridges beyond.

Dwellings are generally stepped down the site, responding to the topography of the land. The residential character of the area is generally low scale, using predominantly masonry or natural stone materials. Front gardens are informally landscaped with a predominance of native vegetation and tree cover in the area with private gardens merging into one another with minimal fences and walls fronting the street.

Remnant bushland is present along much of the Castlecrag foreshore, including the northern escarpment, providing an almost continuous stretch of bush which extends north through to Middle Cove and Castle Cove.

The vegetation in the locality is known as the Sydney Sandstone Complex. On the slopes the structure is open forest/woodland in which the dominant canopy trees are Sydney red gum, Sydney peppermint, silver top ash and red bloodwood, with a tall understorey of black she-oak and blueberry ash. Common understorey plants include Christmas bush, old man banksia, heath-leaved banksia, broadleaved and pine-leaved gum and broad-leafed hakea.

On the ridges, Sydney sandstone ridgetop woodland is characterised by scribbly gum and kunzea. In the deep gullies Sydney red gums form an emergent canopy over closed forest species, tall coachwood, lilly pilly and black wattle. Close to more exposed waterways, coastal banksia and beside sugarloaf bay, swamp oak are found.

These principles should be included in the design of a proposed development to achieve the desired future character of the Castlecrag area:

1. integrate dwellings and ensure the built form is subservient to the predominant natural landscaped areas on the site
2. ensure the built form relates to the topography of the site by following the contours of the land
3. use a variety of setbacks for site buildings to create a varied rather than regular composition within the streetscape to enhance amenity and privacy
4. avoid dwelling heights and building elements that break the ridgeline of the peninsula areas, and ensure they are not prominent when viewed from waterways or other areas of the public domain
5. use stone edging, low retaining walls and rockeries and a variety of native and exotic ground covers in landscaped gardens
6. ensure the siting and design of dwellings minimise the obstruction of views from neighbouring dwellings and vistas from roadways or public open spaces

c. Northbridge

Geologically, the peninsula area of Northbridge is Hawkesbury sandstone. The terrain slopes into Middle Harbour and is concave in form, becoming steeper as the slope recedes from the ridgeline. Large sandstone tors and overhangs are common along the escarpments, some of which are visible from Middle Harbour.

Recent development in Northbridge, particularly along foreshore properties, is characterised by more modern/contemporary dwellings. In many instances, these new dwellings have transformed the traditional character of building styles in the locality. Many of the newer dwellings are large and imposing, especially when viewed from the street and waterway.

Residential subdivisions and street patterns at the foreshore of the peninsula have been aligned to follow the contours of the land, angled to provide views of Middle Harbour and surrounding bushland. Allotments are larger with wide frontages of 15m to 25m. The escarpment areas are characterised by bands of dwellings with interposing layers of bushland vegetation. Dwellings fronting the harbour are generally contemporary in style with many presenting as 2 to 3 stepped levels when viewed from the water.

Dwellings built on the low side of the street are generally set below the road level and do not obstruct the view of dwellings located on the high side of the street or vistas of distant views from the roadway.

The vegetation of the reserves and foreshore areas of the peninsula is remnant bushland consisting of open forest/woodland structure. Dominant tree species include Sydney peppermint, red bloodwood and rusty gum.

The banding of natural vegetation between the line of buildings on the south-facing escarpment of Northbridge from Tunks Park to Ulric Lane is a distinctive quality of the area.

These principles should be included in the design of a proposed development to achieve the desired future character of the Northbridge area:

1. integrate dwellings and ensure the built form is subservient to the predominant natural landscaped areas on the site
2. maintain adequate setback from side boundaries to ensure separation between dwellings and allow vistas from the roadway
3. provide low fencing and walls (including retaining walls) on the street frontage; avoid high fences, walls, unbroken double garages, and high gates, particularly along the streetscapes which have shallow setbacks
4. avoid dwelling heights and building elements that break the ridgeline of the peninsula areas, and ensure they are not prominent when viewed from waterways or other areas if the public domain

d. Chatswood West

The Chatswood West area is characterised by prolific and large expanses of natural landscaped reserves and creeks, comprising Blue Gum Creek and Reserve to the north, Mowbray Park Reserve to the west. The reserves along Swaines Creek of OH Reid Memorial Park, Ferndale Park, Campbell Park and Coolaroo Park also contribute to the environmental quality of the locality.

The pattern of subdivision is generally regular but follows the topography of the land. Dwellings comprise a mixture of styles, predominantly bungalows from the 1920s to 1960s period.

The western edge of the locality has an important link to the Lane Cove River in terms of open space reserves and potential impacts of development on water quality, foreshore, flora and fauna, as well as the scenic quality of the river area and its tributaries.

Dwellings located on gentle terrain are sited on subdivisions of regular grid patterns, having a consistent front building alignment with moderately deep front setback areas of informally landscaped well vegetated gardens with wide grassed verges, set behind low masonry or palisade fencing of not more than 1m in height. Setbacks from side boundaries are consistent, varying from 1m to 3m in width, with garages or carports located to the side of the dwelling.

The vegetation of the reserves is Sydney sandstone gully forest. At Blue Gum Reserve, species of coachwood, water gum, blackbutt and turpentine are located to the eastern side and to the slopes north of Blue Gum Creek. Peppermint gum, angophora and red bloodwood are found to the south of Blue Gum Creek.

At O.H. Reid Reserve, the predominant species are peppermint gum and turpentine. At Ferndale Reserve, Campbell Park and Coolaroo Reserve are species of blackbutt and grey ironbark. Species in Mowbray Park are peppermint gum and angophoras with areas of blackbutt and grey ironbark. Threatened species in the area include the remnant blue gum high forest.

There are stands of significant trees on private properties such as at the top of Edgar Street, which contribute to the vegetated character of the locality. In the Jenkins/Edgar Street area there are significant stands of jacarandas which when in blossom create a blanket of mauve between the evergreen trees.

The Blue Gum Conservation Area is in the Chatswood West locality. Development within this area must refer to the provisions under Part H of Willoughby DCP.

These principles should be included in the design of a proposed development to achieve the desired future character of the Chatswood West area:

1. maintain the pattern of the existing streetscape of moderately deep setbacks to the street and setbacks from side boundaries to ensure good separation between dwellings and to allow vistas from the roadway
2. ensure the built form relates to the topography and natural features of the site, such as rocky outcrops, significant trees, and natural vegetation
3. integrate infill development and additions (including contemporary styles) to ensure they are in harmony with the scale, form, massing, and external materials of surrounding dwellings in the streetscape
4. ensure the siting and design of dwellings minimise the obstruction of views from neighbouring dwellings and vistas from roadways or public open spaces to valley views and urban bushland, particularly on the low side of a street
5. maintain a streetscape of low masonry or palisade fencing (including retaining walls) up to 1.2m in height to the street; avoid solid high fences, walls, gates, and double garages to the street, unless the dwelling has frontage to a busy road
6. avoid imposing building forms of high wall facades, particularly when close to the streetscape, and avoid high fencing to streets with shallow setbacks

Attachment 2: Controls for development in the E4 Environmental Living Zones

This attachment includes controls to ensure residential and other permitted land uses result in low impact developments in environmentally sensitive locations.

For any development with an estimated cost of $50,000 or more, a suitably qualified person must certify the proposed development complies with all relevant provisions of Willoughby LEP and the relevant numerical controls. This includes those adopted from Part 3, Part 3B (as it applies to dual occupancies) and Part 4 of Codes SEPP.

The table details:

a. Development standards under Willoughby LEP.

b. General controls for dwellings, dual occupancies and attached development.

c. Amenity development standards.

d. Additional development controls for detached development.

e. Additional development controls for detached studios.

f. Development controls for swimming pools.

g. Development controls for fences.

h. Development controls for associated works (earthworks, retaining walls, drainage, protection of walls, and protection of trees).

i. Additional controls for dual occupancies.

Note:

- A suitably qualified person includes a practising registered architect, a practising qualified and accredited building designer, a registered building surveyor and a certified practicing planner (CPP).

a. Development standards under Willoughby LEP

Description	Proposed	Control	Yes	No	N/A
1. Height of building (Clause 4.3)	-	8.5m	-	-	-
2. Maximum floor space ratio (FSR) of all buildings (Clause xx) Maximum FSR in **Area 2** of the FSR Map:	-	-	-	-	-
Lot area	-	-	-	-	-
Under 400m^2	-	0.50:1	-	-	-
400m^2 – 500m^2	-	0.44:1	-	-	-
501m^2 – 600m^2	-	0.40:1	-	-	-
601m^2 – 700m^2	-	0.37:1	-	-	-
701m^2 – 800m^2	-	0.35:1	-	-	-
801m^2 – 900m^2	-	0.32:1	-	-	-
901m^2 – 1000m^2	-	0.30:1	-	-	-
1001m^2 – 1100m^2	-	0.28:1	-	-	-

1101m^2 – 1200m^2	-	0.27:1	-	-	-
1201m^2 – 1300m^2	-	0.26:1	-	-	-
>1300m^2	-	0.25:1	-	-	-
Maximum FSR in **Area 10** of the FSR Map:	-	-	-	-	-
Lot area	-	-	-	-	-
Under 400m^2	-	0.45:1	-	-	-
400m^2 – 500m^2	-	0.40:1	-	-	-
501m^2 – 600m^2	-	0.36:1	-	-	-
601m^2 – 700m^2	-	0.34:1	-	-	-
701m^2 – 800m^2	-	0.32:1	-	-	-
801m^2 – 900m^2	-	0.30:1	-	-	-
901m^2 – 1000m^2	-	0.28:1	-	-	-
1001m^2 – 1100m^2	-	0.26:1	-	-	-
1101m^2 – 1300m^2	-	0.25:1	-	-	-
>1300m^2	-	0.24:1	-	-	-
3. Landscaped area (Clause 6x)	-	-	-	-	-
Lot area:	-	-	-	-	-
Under 400m^2	-	0.35 × site area	-	-	-
400m^2 – 600m^2	-	(0.5 × site area) - 60m^2	-	-	-
601m^2 – 1000m^2	-	(0.65 × site area) - 150m^2	-	-	-
1001m^2 – 1500m^2	-	(0.65 × site area) - 150m^2	-	-	-
>1500m^2	-	(0.55 × site area)	-	-	-
Note: the landscaped area should include a minimum 30% deep soil zone. The remainder of the landscaped area may be 'soft' landscaping which must comprise a minimum depth of 600mm.	-	-	-	-	-
4. Minimum lot size (Clause 6.10)	-	-	-	-	-
Attached dual occupancy	-	700m^2	-	-	-
Detached dual occupancy	-	900m^2	-	-	-

b. General development controls for dwellings, dual occupancies and attached development

Notes:

- A concept subdivision layout must be submitted with an application for dual occupancy development.
- The site area in the compliance checklist refers to the individual lot that may be created by subdivision for each dual occupancy dwelling.

Description	Proposed	Control	Yes	No	N/A
1. Construction of basement	-	-	-	-	-
Lot width:	-	-	-	-	-
6m – 10m	-	Not exceed 25m^2	-	-	-
> 10m^2	-	Not exceed 45m^2	-	-	-

2. Primary road setback	-	-	-	-	-
Up to 1500m^2	-	Average of 2 adjoining dwellings. Otherwise: 7m	-	-	-
>1500m^2	-	10m	-	-	-
3. Side setbacks	-	-	-	-	-
• One storey	-	1.5m	-	-	-
• Two or more storeys	-	2.5m	-	-	-
4. Setbacks to rear boundaries and the foreshore building line Note: the rear setback applies to attached and detached structures	-	Average of 2 adjoining dwellings. Otherwise: 15m minimum	-	-	-
5. Building envelope	-	Within 45^o from a height of 3.5m above existing ground level	-	-	-
6. Secondary road setbacks for corner lots	-	-	-	-	-
Lot size:	-	-	-	-	-
Up to 600m^2	-	3m	-	-	-
600m^2 – 1500m^2	-	5m	-	-	-
>1500m^2	-	8m	-	-	-
7. Minimum front setback to a classified road (including any detached development)	-	9m	-	-	-
8. Minimum setback to a public reserve (including any detached development)	-	3m	-	-	-
9. Front setback for battle axe lot	-	3m	-	-	-
10. Minimum side and rear setbacks for aerials, awnings, air conditioners, and the like Note: minimum setbacks do not apply to downpipes, driveways, electricity or gas meters, gutters, and the like	-	1m	-	-	-
11. Maximum height of balconies, decks, patios, terraces and verandahs attached to the side and rear of dwelling	-	Floor level above existing ground level	-	-	-
Setback:	-	-	-	-	-
Up to 3m	-	2m	-	-	-
3m – 6m	-	3m	-	-	-
>6m	-	4m	-	-	-
12. Total floor area of all attached side and rear balconies, decks, patios, terraces, and verandahs within 6m of the boundary and more than 2m above the existing ground level	-	12m^2	-	-	-

13. Deep soil zones	-	Minimum 30% of the required landscaped area	-	-	-
14. Minimum length and width of landscaped areas (including deep soil zones) Note: if the landscaped area does not meet the minimum dimension, that area is excluded from the minimum requirement.	-	2m	-	-	-
15. Minimum landscaped area behind the building line	-	50% of the total landscaped area 2/3 to comprise deep soil zone	-	-	-
16. Minimum deep soil zone forward of the building line on a lot at least 18m wide	-	70% of the area forward of the building line	-	-	-
17. Minimum deep soil zone forward of the building line on a lot less than 18m wide	-	50% of the area forward of the building line	-	-	-
18. Minimum principal private open space	-	60m^2	-	-	-
19. Minimum length and width of principal private open space	-	3m	-	-	-
20. Maximum grade of principal private open space	-	1:50	-	-	-

c. Amenity development standards

Note:

- Building elements include: an entry feature or portico; a balcony, deck, pergola, terrace or verandah; a window box treatment; a bay window or similar feature; an awning or other feature over a window; a sun shading feature; and an eave.

c.1 Building design Note: • does not apply to a dwelling on a battle-axe lot	**Yes**	**No**	**N/A**
1. A dwelling must contain at least 1 door and 1 window to a habitable room at ground floor level facing the primary road.	-	-	-
2. A dwelling with a setback from a primary road of at least 3m may have an articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road.	-	-	-
3. Building elements may be located within the articulation zone providing the maximum total area of all building elements in the articulation zone (other than an awning or other feature over a window, a sun shading feature or an eave) must not comprise more than 25% of the area of the articulation zone.	-	-	-
4. A building element on a dwelling (other than an entry feature or portico that has the same pitch as the roof on the dwelling house) must not extend more than 1m above the gutter line of the eaves of a single storey dwelling house, or above the gutter line of the eaves of a 2 storey dwelling house.	-	-	-

5. A dwelling on a corner lot must have a window to a habitable room with an area of at least 1m^2 that faces and is visible from the secondary road.	-	-	-
6. A dwelling with a setback from a secondary road of not more than 4.5m must have at least one of the following building elements for a minimum length of 20% of the elevation of the walls that face the secondary road and that are within 4.5m of the secondary road:	-	-	-
▪ an entry feature or portico	-	-	-
▪ a balcony, deck, pergola, terrace or verandah	-	-	-
▪ a bay window	-	-	-
• a step of at least 600mm in depth	-	-	-
7. Building elements listed above may be located in a secondary road articulation zone if the zone extends no more than 1m into the minimum required setback area and spans the length of the walls that face the secondary road, and if the building element comprises no more than 20% of the zone area.	-	-	-
8. Any part of a gable or hipped roof that overhangs walls that are within 4.5m of the secondary road boundary must include eaves that extend for the length of those walls and project at least 450mm, but not more than 1m from those walls.	-	-	-
c.2 Privacy screens	-	-	-
1. A privacy screen must be provided for any part of a window to a habitable room that is less than 1.5m above the finished floor level of that room if:	-	-	-
▪ the window faces and is less than 3m from a side or rear boundary and the room has a finished floor level of more than 1m above existing ground level, or	-	-	-
▪ the window faces and is at least 3m, but not more than 6m, from a side or rear boundary and the room has a finished floor level of more than 3m above existing ground level.	-	-	-
Note: • does not apply to a bedroom window that has an area of not more than 2m^2	-	-	-
2. A privacy screen of at least 1.7m, but not more than 2.2m, above the finished floor level of a balcony, deck, patio, terrace or verandah must be installed at the edge of that part of the balcony, deck, patio, terrace or verandah that is parallel to, or faces towards, the relevant side or rear boundary if the area of the balcony, deck, patio, terrace or verandah is at least 3m^2 and:	-	-	-
▪ that edge is less than 3m from a side or rear boundary and the balcony, deck, patio, terrace or verandah has a finished floor level of more than 1m above existing ground level, or	-	-	-
▪ that edge is at least 3m, but not more than 6m from a side or rear boundary and the balcony, deck, patio, terrace or verandah has a finished floor level of more than 2m above existing ground level.	-	-	-
3. A privacy screen must be provided for any part of a window in a detached studio that is less than 1.5m above the finished floor level of that room if the window faces and is less than 3m from a side or rear boundary and:	-	-	-

▪ the room has a finished floor level more than 1m above existing ground level, or	-	-	-
▪ the window faces and is at least 3m, but not more than 6m from a side or rear boundary and the room has a finished floor level more than 3m above existing ground level .	-	-	-
c.3 Car parking and access All car parking and vehicular access must comply with relevant provisions of Part F (Transport and car parking management) of Willoughby DCP. The specific controls below apply to dwelling houses.	-	-	-
1. The off-street car parking space for a battle-axe lot must be constructed so that vehicles can leave the lot in a forward direction.	-	-	-
2. An attached garage, carport or car parking space accessed from a primary road must have a minimum setback 5.5m if the dwelling is setback less than 4.5m or 1m behind the building line if the dwelling is setback 4.5m or more.	-	-	-
3. The maximum width of all garage door openings facing a primary or secondary road is 3.2m for a lot of 8m – 12m and 6m for a lot greater than 12m.	-	-	-
4. Secondary road setback for garage or carport	-	-	-
Up to 600m^2 : 2m	-	-	-
600m^2 – 1500m^2 : 3m	-	-	-
>1500m^2 : 5m	-	-	-
5. Rear setback for garage or carport	-	-	-
Up to 900m^2 : 900mm	-	-	-
>900m^2 – 1500m^2 : 1.5m	-	-	-
>1500m^2 : 2.5m	-	-	-

d. Additional development controls for detached development

Notes:

- Detached development includes: a deck, patio, pergola, terrace or verandah; a cabana, cubby house, fernery, garden shed, gazebo or greenhouse; a carport or garage, and a shed.
- The setback of detached development from a primary or secondary road (other than a detached garage or carport) must be behind the building line of the dwelling.

Description	Proposed	Control	Yes	No	N/A
1. Maximum height above existing ground level	-	4.5m	-	-	-
2. Maximum gross floor area (GFA) for all detached development:	-	-	-	-	-
Lot size:	-	-	-	-	-
Up to 300m^2	-	36m^2	-	-	-
>300m^2 – 600m^2	-	45m^2	-	-	-
>600m^2 – 900m^2	-	60m^2	-	-	-
>900m^2	-	100m^2	-	-	-

Note: the maximum overall gross floor area (GFA) includes the dwelling, attached and detached buildings	-	-	-	-	-
3. Side setbacks for all detached development, including above ground rainwater tanks and shade structures (additional side setbacks apply to detached studios):	-	-	-	-	-
Lot width:	-	-	-	-	-
Up to 18m	-	900mm	-	-	-
>18m – 24m	-	1.5m	-	-	-
>24m	-	2.5m	-	-	-
4. Height above existing ground level and rear setbacks for detached decks, patios, pergolas, terraces and verandahs	-	-	-	-	-
5. Maximum finished floor level	-	600mm	-	-	-
6. Rear setbacks:	-	-	-	-	-
Lot size:	-	-	-	-	-
Up to 900m^2	-	900mm	-	-	-
>900m^2 – 1500m^2	-	1.5m	-	-	-
>1500m^2	-	2.5m	-	-	-

e. Additional development controls for detached studios

Description	Proposed	Control	Yes	No	N/A
1. Height (within 900mm of a lane and above a garage)	-	6m	-	-	-
2. Rear setbacks	-	-	-	-	-
Lot size:	-	-	-	-	-
Up to 900m^2	-	900mm	-	-	-
>900m^2 – 1500m^2	-	1.5m	-	-	-
>1500m^2	-	2.5m	-	-	-
3. Maximum floor area	-	-	-	-	-
Lot size:	-	-	-	-	-
Up to 350m^2	-	20m^2	-	-	-
>350m^2	-	36m^2	-	-	-
Note: the maximum overall GFA includes detached studios	-	-	-	-	-
4. Side and rear setbacks	-	-	-	-	-
Lot width:	-	-	-	-	-
Up to 18m	-	900mm	-	-	-
>18m	-	1.5m	-	-	-

f. Development controls for swimming pools

Description	Yes	No	N/A
1. Coping around a swimming pool must not be more than 1.4m above existing ground level, and 300mm wide if the coping is more than 600mm above existing ground level.	-	-	-
2. Decking around a swimming pool must not be more than 600mm above existing ground level.	-	-	-
3. A swimming pool must be located behind the building line of the dwelling house.	-	-	-
4. The swimming pool water line must have a setback of at least 1m from a side or rear boundary.	-	-	-

g. Development controls for fences

Description	Yes	No	N/A
1. A fence erected behind the building line (except on a secondary street frontage) must:	-	-	-
▪ not be higher than 1.8m above existing ground level	-	-	-
▪ if it includes an entrance gate, not have a gate that opens outward	-	-	-
▪ if it is constructed of metal components, be of low reflective, factory pre-coloured materials	-	-	-
▪ if it is on a sloping site and stepped to accommodate the fall in the land, be no higher than 2.2m above existing ground level at each step	-	-	-
2. A fence erected forward of the building line or on the boundary of the primary and secondary street frontage must:	-	-	-
▪ not be higher than 1.2m above existing ground level	-	-	-
▪ if it includes an entrance gate, not have a gate that opens outward	-	-	-
▪ if it is constructed of metal components, be of low reflective, factory pre-coloured materials	-	-	-
▪ be open for at least 20% of the area of the fence that is more than 400mm above existing ground level, with any individual solid element of the fence above that height being no more than 350mm wide with a minimum aperture of 25mm	-	-	-
▪ if it is on a sloping site and stepped to accommodate the fall in the land, be no higher than 1.6m above existing ground level at each step	-	-	-
3. Any fence must be designed so as not to restrict the flow of any floodwater.	-	-	-
4. A fence erected on bush fire prone land must be constructed of non-combustible materials.	-	-	-
5. A solid fence located at the street alignment may be constructed up to a maximum height of 1.8m, in any of these cases:	-	-	-
▪ the dwelling is affected by excessive traffic volumes and noise from the street (6000 vehicles/day or 60dBA)	-	-	-
▪ the fence encloses the main private open space of the dwelling with length limited to 75% of the frontage	-	-	-

▪ fencing incorporates openings or consists of vegetation with minimum 50% transparency.	-	-	-
6. Fences along the primary and secondary road frontages that are between 1.2m and 1.8m must be setback a minimum 1m from the street alignment for the entire frontage with provision of low maintenance planting in the setback area.	-	-	-

h. Development controls for associated works

Note:

- Associated works include earthworks, retaining walls, drainage, protection of walls, and protection of trees.

Description	Yes	No	N/A
1. Excavation for the purposes of development must not exceed a maximum depth, measured from existing ground level, of:	-	-	-
▪ 1m if located not more than 1m from any boundary	-	-	-
▪ 2m if located more than 1m but not more than 1.5m from any boundary	-	-	-
▪ 3m if located more than 1.5m from any boundary	-	-	-
2. Fill must not exceed a maximum height, measured from existing ground level, of:	-	-	-
▪ 1m if the fill is for the purposes of the erection or alteration of, or an addition to, a dwelling house, or	-	-	-
▪ 600mm if the fill is for any other purpose	-	-	-
Note: the height of fill contained wholly within the footprint of a dwelling house or any attached development or detached development is not limited	-	-	-
3. Fill that is higher than 150mm above existing ground level and is not contained wholly within the footprint of a dwelling house or any attached development or detached development is limited to 50% of the landscaped area of the lot.	-	-	-
4. The finished ground level of the fill must not be used to measure the height of any dwelling house or any attached development or detached development.	-	-	-
5. Support for earthworks more than 600mm above or below existing ground level must take the form of a retaining wall or other structural support that must:	-	-	-
▪ be certified by a professional engineer as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load	-	-	-
▪ be designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property	-	-	-
▪ have adequate drainage lines connected to the stormwater drainage system for the site	-	-	-
▪ not have a total height measured vertically from the base of the retaining wall or structural support to its uppermost portion that is more than the height of the associated excavation or fill	-	-	-

▪ be separated from any other retaining wall or structural support on the site by at least 2m, measured horizontally	-	-	-
▪ if it is an embankment or batter, have a toe or top that is more than 1m from any side or rear boundary.	-	-	-
6. Development must be at least 3m from all trees identified for retention on the site (measured from the base of the tree trunk).	-	-	-
7. Development for the structures below may be within 3m of a tree if works do not involve excavation or fill of more than 150mm below or above existing ground level:	-	-	-
▪ an access ramp	-	-	-
▪ a driveway, pathway or paving	-	-	-
▪ an awning, blind or canopy	-	-	-
▪ a fence, screen, or child-resistant barrier associated with a swimming pool or spa pool.	-	-	-

i. Additional controls for dual occupancies

Description	Yes	No	N/A
1. Dwelling configuration	-	-	-
▪ Each dwelling must face a public road	-	-	-
▪ Detached dual occupancies on a corner lot must be 3m from each other	-	-	-
2. Attached balconies, decks, patios terraces and verandahs to the side or rear of the dual occupancy	-	-	-
▪ The maximum height of the floor level is 4m	-	-	-
▪ If more than 2m above existing ground level, must be setback a minimum 3m from the boundary	-	-	-
▪ If above 2m above the existing ground level, must not have a total area of more than $12m^2$	-	-	-
3. The maximum width of all garage door openings facing a primary is 6m for a lot between 15m – 20m, 9.2m for a lot greater than 20m – 25m and 12m for a lot greater than 25m.	-	-	-
4. The maximum width of all garage door openings facing a secondary road is 3.2m for a lot between 12m – 15m, 6m for a lot greater than 15m – 20m, 9m for a lot greater than 20m – 25m and 12m for a lot greater than 25m.	-	-	-