

Landscaped Area - Under Consistency

The proposed Landscaped Area controls propose increasing the landscaped area requirements for all land in the deferred area. As an example land proposed to be R5 in Belrose North will have the landscaped area requirement increased from 30% to 80%. As another example a 5 acre block proposed to be zoned RU4 in Oxford Falls will have the build area reduced from 70% to 10%.

Evidence

Under Warringah LEP 2000 the control for the Oxford Falls Locality is:

Landscaped open space

The minimum area of landscaped open space is 30 per cent of the site area.

To measure an area of landscaped open space—

- (a) impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscaped open space area, and
- (b) the water surface of swimming pools and impervious surfaces that occur naturally such as rock outcrops are included in the landscaped open space area, and
- (c) landscaped open space must be at ground level, and
- (d) the minimum soil depth of land that can be included as landscaped open space is 1 metre.

3D.5 Building site coverage and landscaped area

Requirements – Maximum site coverage for zones RU2 and RU4

- R1. The maximum building site coverage of a site in zones RU2 Rural Landscape and RU4 Primary Production Small Lots is to accord with 3D.5 Table 1.

3D.5 Table 1: Maximum building site coverage in rural zones (excludes land identified in requirement R3 - see 3D.5 Table 2) – applies to entire development.

Site area	Maximum building site coverage (%)
Less than 3,000 m ²	30% of the site area or 300 m ² whichever is greater.
3,000 m ² to up to 2 ha	15% of the site area
2 ha or greater	10% of the site area

- R2. Structures used exclusively for agricultural purposes such as greenhouses, shade structures, stables or sheds may exceed maximum building site coverage limits so long as the total site coverage including all structures does not exceed 50% of the site area.
- R3. Despite R1, for land zoned RU4 Primary Production Small Lots in the vicinity of Mona Vale and Myoora roads, Terrey Hills (Area 62 or Area 63 on the LEP Additional Permitted Uses Map), and land in the vicinity of Forest Way, Belrose (Area 11 on the LEP Additional Permitted Uses Map), maximum building site coverage is to accord with 3D.5 Table 2.

3D.5 Table 2: Maximum building site coverage in Myoora Road and Forest Way precinct – applies to entire development

Site area	Maximum building site coverage (%)
Less than 3,500 m ²	30% of the site area or 300 m ² whichever is greater.
3,500 m ² or greater	20% of the site area

- R4. Areas not covered by building site coverage or sheds are not to include any paved or sealed surface or other surfaces such as gravel and turf-cell, and should have vegetation in the form of grass, trees or other plants able to grow in these areas.
- R5. Landscape at least 50% of the front boundary setback area to soften built form and enhance streetscape character.

Inconsistency with Department of Planning comments at the Gateway Process:

Comments from the Gateway Report are:

6.2.1 Assessment

The Department does not support the landscaped area provision in its current form.

Comparison of Landscaped Area with other Councils:

Gateway determination report – PP-2024-1343

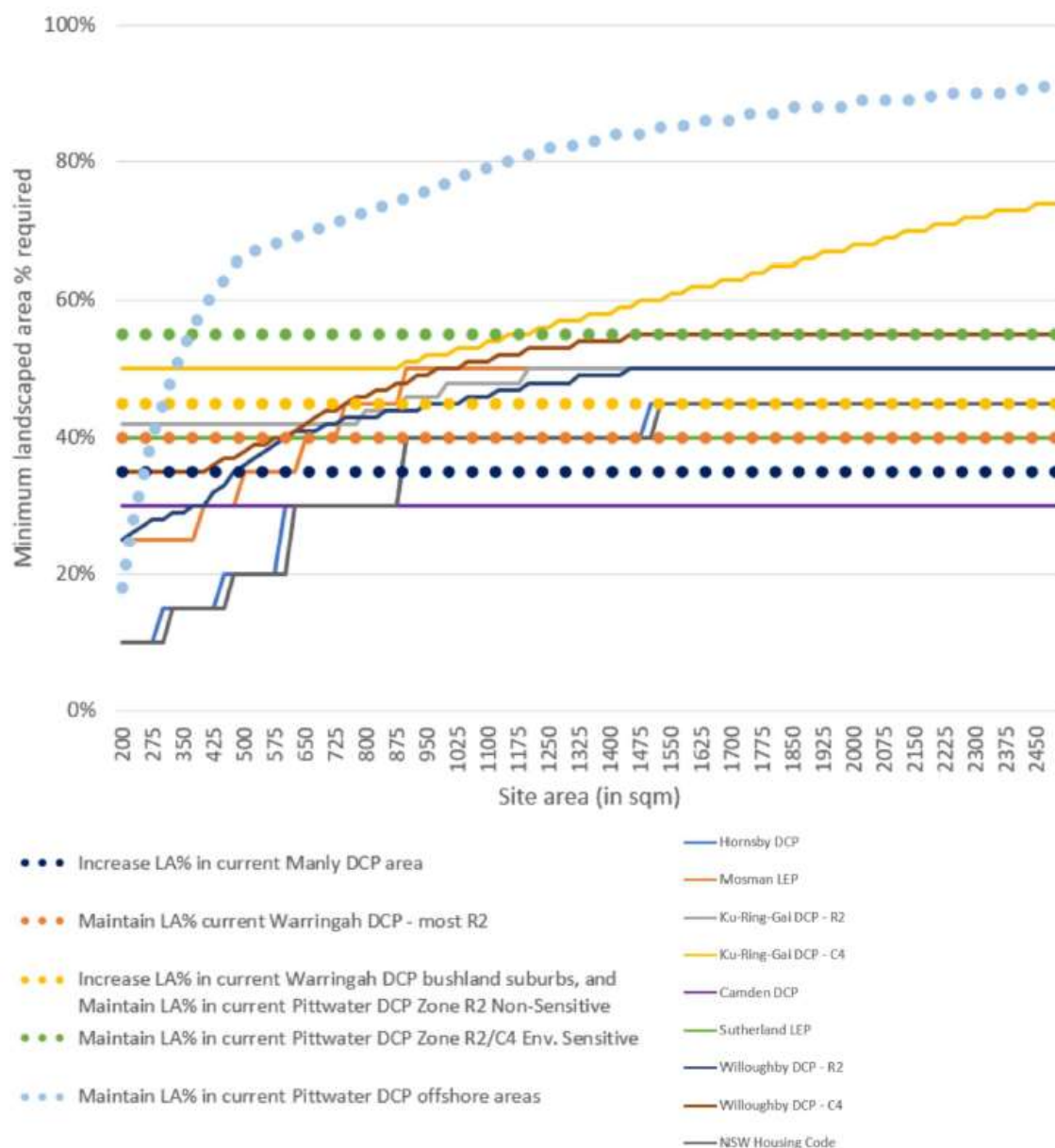


Figure 13: Comparison of Recommended Landscaped Areas (LA%) with percentages applied by other Councils and the NSW Housing Code (planning proposal).

WUFA Recommendation:

Change the landscaped area/built area controls to be consistent with what currently exists under LEP 2000.