

Proposed Strata Subdivision – 52 Alfred Road, Brookvale

Statement of Environmental Effects

Prepared for Halpine Lakes Pty Ltd

5 JUNE 2025

Submission to Northern Beaches Council



Executive Summary

This application is submitted to Northern Beaches Council under Part 4 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) seeking development consent for the 'Strata Subdivision' of an existing Detached Dual Occupancy at 52 Alfred Road, Brookvale.

This Statement of Environmental Effects (**SEE**) contains details of the proposed development, describes the site and locality and provides an assessment of the likely impacts of the development. This SEE considers the relevant parts of the NSW Planning Framework to assist the Council with the assessment and determination of the development application.

This SEE considers that the proposal will not have any impact upon the natural or built environment and is consistent with the R2 Low Density Zone objectives to provide additional housing choice for the locality.

1 Site and Location

The site is commonly known as 52 Alfred Road Brookvale and legally known as Lot B in DP 394188. The site consists of an existing detached dual occupancy development, a shared driveway and associated parking spaces. The site has a total area of 859.2m² and a frontage of 15.24m to Alfred Road.

The development was approved for the purpose of a 'Dual Occupancy' under DA 98/45 in 1998, this application included the construction of the rear dwelling house. Both dwellings designated parking, with the rear dwelling having two parking spaces within a double garage and the front dwelling having two spaces located in a designated parking area located behind the building line.

Below is an extract from a layout plan associated with the development approval for the rear dwelling and associated parking area which resulted in the approved 'Dual Occupancy' for the land.

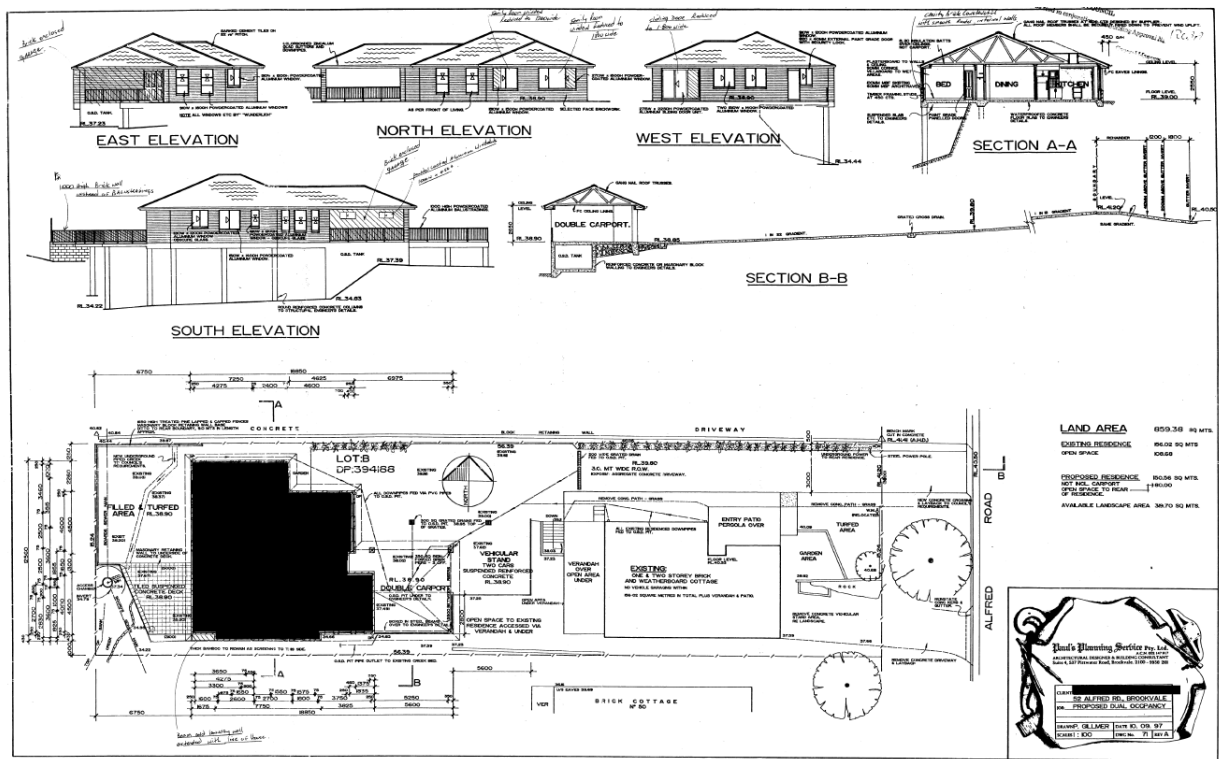


Figure 1 - Plans for dual occupancy circa 1998 – Received from Council's file.

2 Description of proposal

The proposal seeks consent for a 'Strata Title Subdivision' to divide each of the dwellings and associated parking spaces, with the driveway held under a right-of-carriageway. The strata subdivision will also register the necessary easements for stormwater drainage and services associated with the development.

There are no physical works associated with the development and the existing dwellings, car parking spaces, landscaping and structures remain unchanged.

3 Statutory Planning Framework

Warringah Local Environmental Plan LEP 2011 (WLEP 2011)

The property is subject to the WLEP 2011 and has a land zone of R2 Low Density Residential.

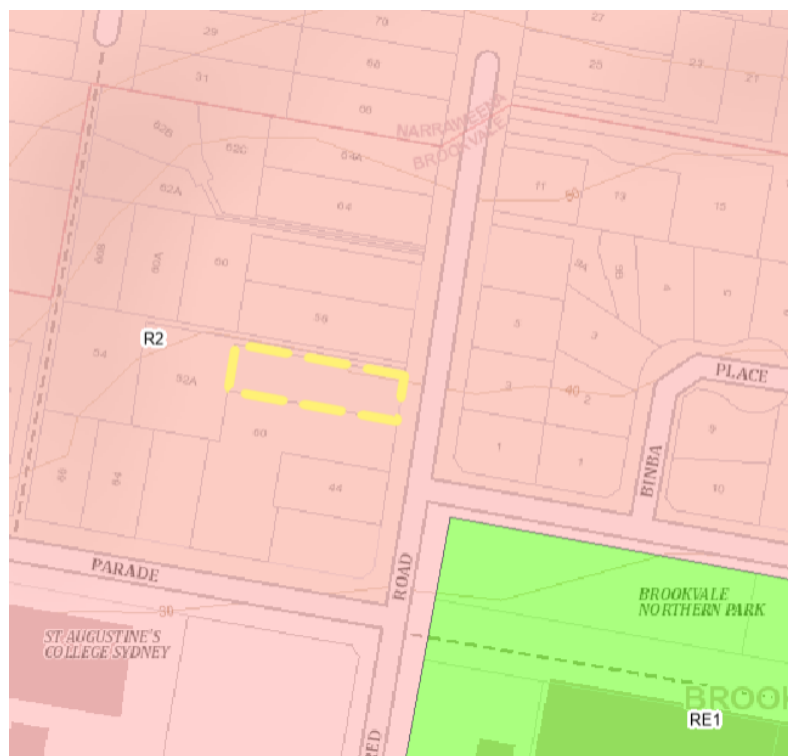


Figure 2 - Land zone map – NSW Spatial Planning Viewer

As per the Land Zoning Map specified within Clause 2.2, the subject site is identified as being within the R2 Low Density Residential Zone.

The development is for the purpose of a 'subdivision', with subdivision land being permissible with consent under Clause 2.6 of WLEP.

Whilst a 'dual occupancy' is not a permitted land use under the current WLEP 2011, the site has the benefit of an existing approval for a 'dual occupancy' as per Council's records (see Figure 1) and as listed on Council's property search (Figure below).

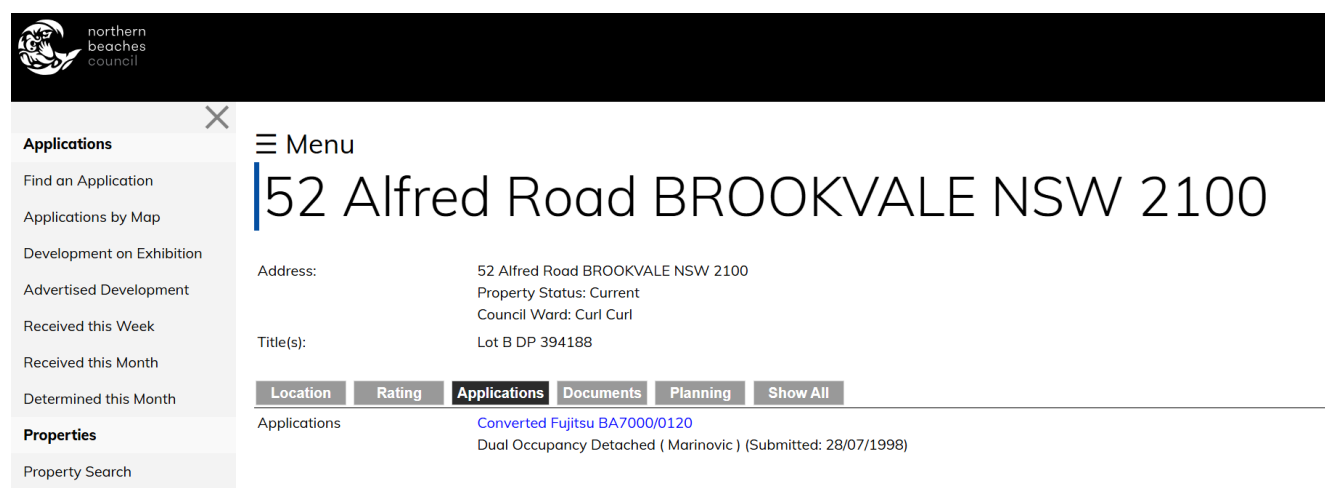


Figure 3 - Extract of Council's website search for the subject property

The land has continued to be used for the purpose of a dual occupancy since the granting of consent in 1998 and as such, the site benefits from 'Existing use rights' under Division 4.11 of the EP&A Act 1979.

An assessment against the relevant parts of the WLEP is carried out in the below table.

LEP Clause	
1.2 Aims of Plan	Does not contradict any of the aims of the plan.
2.3 Zone Objectives	<p>The proposal is consistent with the zone objectives which are:</p> <ul style="list-style-type: none"><i>To provide for the housing needs of the community within a low density residential environment.</i>

	<ul style="list-style-type: none"> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> • <i>To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.</i> <p>The proposal provides opportunity for each dwelling to be occupied by separate owners and thus, allowing additional housing choice to meet the needs of the community within a low density setting.</p>
4.1 Minimum subdivision lot size	Pursuant to Clause 4.1(4) the minimum subdivision lot size does not apply to the subdivision of land for the purpose of a strata subdivision.
4.3 Height of Buildings	The land has an 8.5m height limit under the LEP. No new buildings are proposed as part of the development application.
4.6 Exceptions to development standards	The proposed development does not propose any variation to a development standard.
5.10 Heritage Conservation	The site is not within a Heritage Conservation Area. An item of environmental heritage is not situated on the land.
5.21 Flood Planning	The site is not identified as being subject to flooding or sea level rise.
6.1 Acid Sulphate Soils	The land is not identified as containing Class 1, 2, 3 or 4 Acid Sulphate Soils.
6.2 Earthworks	There are no earthworks associated with the proposed development.
6.4 Development on sloping land	The site is located with the Landslip B area as identified on the landslide risk map. As there are no buildings works associated with the development application, the development application is not required to provide a geotechnical report.

Warringah Development Control Plan 2011

The Warringah Development Control Plan (WDCP) is the applicable DCP to the land. Given there are no building works associated with the proposed strata subdivision

there are limited controls which would apply to the development. The relevant controls are addressed below

Part C Siting Factors

Part C1 Subdivision

The controls in relation to subdivision are largely relevant to 'Torrens Title' subdivision only. The strata plan of subdivision submitted with the application demonstrates that the strata subdivision can occur in a coordinated way using the existing site facilities such as the driveway and parking areas of the existing dwellings. Stormwater is maintained as per the existing situation, with stormwater drainage lines to held under an easement via the proposed strata plan of subdivision.

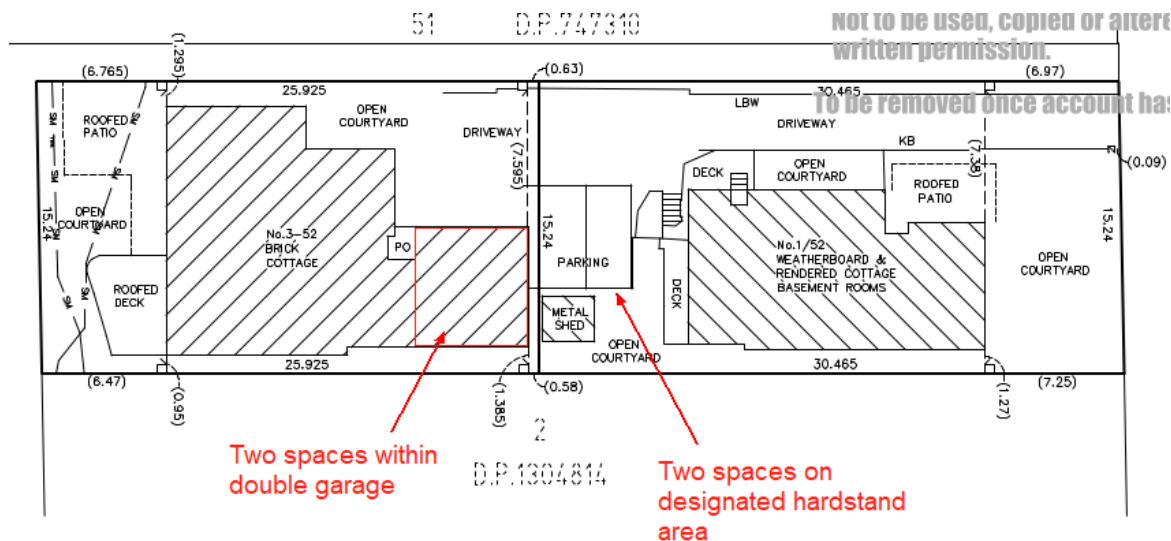
Part C2 Traffic, Access and Safety

The dwellings will use the existing driveway and access arrangements. There is sufficient space to accommodate the required parking spaces behind the building line and all vehicles can exit the site in a forward direction. The strata plan of subdivision includes a right of carriageway over each lot to facilitate cars to maneuver and exit the site in a forward direction.

Part C3 Parking Facilities

Appendix 1 Car Parking Requirements nominates the relevant parking needed for each development type. The development requires two parking spaces per dwelling, with at least one (1) parking space behind the building line for each dwelling.

The existing dual occupancy provides two spaces per dwelling, each located behind the building line, compliant with the controls. The rear dwelling consists of an attached double garage and the front dwelling provides two parking spaces on a designated hard stand parking area located behind the building line.



←ERB
RETAINING WALL
STILL WEST FACE OF WALL

Figure 4 - Extract from layout plan identifying parking spaces

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The SEPP aims to manage development in the coastal zone, protect environmental assets of the coast, establish a framework and guide to land use planning decision making and provides mapping for the coastal management areas.

The site is not mapped under the coastal management area mapping, as such, chapter 2 does not apply.

Chapter 4 – Remediation of Land

4.6 (1) The land is unlikely to contain any contamination at the ground surface or below ground level as the land has been historically used for a residential purpose. The proposed development does not involve a change of use.

(2) The proposed development does not include any change of use.

(3) The land is not within any investigation area.

As such, it is considered that the proposed development does not require the submission of a detailed investigation report which assesses the contamination on the land.

State Environmental Planning Policy (Sustainable Buildings) 2022

The proposed development is not BASIX affected development and no changes are required for the existing dwellings. As such, there is no BASIX Certificate required for this proposed development.

Matters for Consideration pursuant to section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

Section 4.15(1)(a)(iia) – ANY PLANNING AGREEMENT (OR DRAFT) UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under Section 7.4 for this development.

Section 4.15 (1)(a)(iv) – ANY REGULATIONS

The prescribed matters outlined in Clauses 61 (demolition), 62 (fire safety), 64 (Building upgrades) of the regulations are not relevant to this proposal.

Section 4.15(1)(b) – THE LIKELY IMPACTS OF THE DEVELOPMENT

The proposed development for a strata subdivision will not give rise to any environmental impacts or increased impacts on the adjoining residential lands.

Section 4.15 (1)(c) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The proposal to strata subdivide the land is suitable for the site given there is an existing approved dual occupancy which can accommodate two families and the strata subdivision will contribute to the housing choice of the locality.

The site is not identified as bushfire prone land and as such, further subdivision is suitable.

Section 4.15 (1)(d) – ANY SUBMISSIONS RECEIVED

Council's Community Participation Plan does not require 'Strata Subdivision' to be notified or advertised. As such, it is expected the development will not be notified.

Section 4.15 (1)(e) – THE PUBLIC INTEREST

It is considered that the proposal is suitable for the site and not contrary to the public interest as it will not result in any significant impacts on the natural, social, or economic environments.

4 Conclusion

The proposed Strata Subdivision of the existing dual occupancy is permitted pursuant to Clause 2.6 of the Warringah LEP 2011 and the application will not result in any impacts upon the natural or built environment. The proposal will provide additional housing choice for residents through the strata subdivision. As such, the proposal is considered worthy of approval by Council.