

Scott Monk
PO Box 88
Balgowlah NSW 2093
geneqco@gmail.com
0421 951 951

1 September 2025

Northern Beaches Council
725 Pittwater Road
DEE WHY NSW 2099

Dear Sir/Madam,

**RE: Development Application – 2 Emmett Place, Killarney Heights
Lot 449 DP 218045**

Change of Use from Secondary Dwelling to Dual Occupancy (Detached) and Strata Subdivision

Please find enclosed a Development Application in relation to the above property, seeking consent for the following:

- **Change of Use** of an existing secondary dwelling to form part of a **dual occupancy (detached)**; and
- **Strata subdivision** of the land into two lots.

No physical works are proposed. The existing dwellings were lawfully constructed and certified under a Complying Development Certificate, with an Occupation Certificate for the secondary dwelling issued in December 2023. At that time, dual occupancies were prohibited in the R2 Low Density Residential zone under Warringah LEP 2011. However, amendments were made to the Housing SEPP in July 2024 permitting such development, with the SEPP prevailing to the extent of any inconsistency with the LEP.

This application is administrative in nature and is intended to regularise the land use in accordance with the current planning framework and facilitate a strata subdivision between the existing detached dwellings. The proposal aligns with the objectives of the R2 zone, generates no environmental or amenity impacts, and retains all existing servicing, access, and landscaping.

Key Property & Application Details

- **Property Address:** 2 Emmett Place, Killarney Heights NSW 2087
- **Legal Description:** Lot 449 DP 218045
- **Zoning:** R2 Low Density Residential (Warringah LEP 2011)
- **Applicant:** Scott Monk
- **Owner:** Adam Hydr
- **Type of Application:** Change of Use + Strata Subdivision
- **Description:** Change of Use of an existing secondary dwelling to a dual occupancy (detached) and strata subdivision into two lots (no physical works)

Supporting Documentation

The following documents are provided with this application:

1. **Completed DA Form** – lodged via the Planning Portal
2. **Title Search**
3. **Owner's Consent**
4. **Enduring Power of Attorney** – registered with LRS
5. **Statement of Environmental Effects (SoEE)** – dated 1 September 2025
6. **Plan of Draft Strata Subdivision** – Lot 1 & Lot 2
7. **Final Identification Survey** – dated December 2023
8. **Occupation Certificate** – dated December 2023
9. **Parking Arrangement Plan** – showing compliance with SEPP and DCP
10. **Floor Plan & Elevations** – included with the CDC approved plans
11. **Waste Management Plan (WMP)** – Northern Beaches Council template
12. **Bin Storage Plan** – in accordance with waste Management Guidelines

Notification (CPP)

Given the no-works, administrative nature of the proposal and the inclusion of a strata subdivision component, we respectfully request that Council apply the minimum level of notification consistent with its Community Participation Plan (CPP) to the change-of-use element.

Summary

This application seeks development consent for a change of use from secondary dwelling to detached dual occupancy, together with strata subdivision. No physical works are proposed. The proposal is administrative in nature and arises from recent amendments to State planning policy, which now override previous local prohibitions on such subdivision.

Given its low-impact nature, I respectfully request that the application be assessed and determined expeditiously.

Thank you for considering this application. I look forward to your favourable determination.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S.R. Monk' with a stylized flourish at the end.

Scott R Monk DipLaw (LPAB), CertREA (UWS, Dux)