



planning consultants

Statement of Environmental Effects

Proposed Alterations to Unit 10 and Unit 11 on Level 4 of 'Flightdeck' to create a door opening in the party wall between the units and install a fire door.

Flight Deck - Unit 10/1114 – 1118 Pittwater Road, Collaroy

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Abbreviations

AHD	Australian Height Datum
AS	Australian Standard
ASS	acid sulfate soils
BCA	Building Code of Australia
CIV	capital investment value
Council	Northern Beaches Council
DA	development application
DCP	development control plan
DFP	DFP Planning Pty Limited
DPHI	NSW Department of Planning Housing and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPI	environmental planning instrument
LEP	local environmental plan
LGA	local government area
NCC	National Construction Code
RFS	NSW Rural Fire Service
RF Act	<i>Rural Fires Act 1997</i>
RL	reduced level
SEE	Statement of Environmental Effects
SEPP	state environmental planning policy

1 Introduction

1.1 Commission

DFP has been commissioned by Ray Waterhouse to prepare a Statement of Environmental Effects (SEE) for proposed alterations to Units 10 and 11 on Level 4 of 1114-1118 Pittwater Road, Collaroy (the Site) to create a door opening in the party wall between the units.

In 1962 Warringah Councils' planning scheme permitted high-rise and flat development along the beachfront. A twelve (12) storey development known as 'Flightdeck' was approved on the Site. Construction commenced in 1962 and the building was completed in 1966.

The use of the Site as a Residential Flat Building has been ongoing since 1966.

This report is to accompany a development application (DA) to Northern Beaches Council (Council) for alterations to Level 4 of 'Flightdeck' comprising:

- Demolition of part of a party wall separating Unit 10 and Unit 11; and
- Installation of a doorway of 1200mm wide and fire door in the party wall between Unit 10 and Unit 11.

The proposed development is located in the R2 – Low Density Residential Zone (the R2 Zone) pursuant to *Warringah Local Environmental Plan 2011* (the LEP). Residential Flat Buildings are prohibited in the R2 Zone pursuant to the LEP however the proposed development relies on 'existing use rights'. The existing use rights provision relevant to the proposed alterations is Section 165 of the *Environmental Planning and Assessment Regulation 2021* (the Regulation) entitled 'alteration of buildings and works'.

1.2 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies with all relevant information necessary to assess the development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Regulation.

1.3 Material Relied Upon

This SEE has been prepared by DFP based on the information listed below:

- Architectural Plans (*prepared by 4d Architecture & Design*);
- BCA Assessment (*prepared by Building Certificates Australia Pty Ltd*);
- Structural Engineer Report (*prepared by James Taylor & Associates*);
- Cost Schedule (*prepared by Clearview Property Services Pty Ltd*).

2 Background

2.1 Previous Development Consents

Development consent was granted for a twelve (12) storey Residential Flat Building (RFB) by Warringah Council in 1962. The RFB is known as “Flight Deck’ and was completed in 1966. The use has been ongoing since 1966.

The only applications for the Site listed on DA Tracker are DA2017/0947 approved on 19 June 2019 for Construction of Coastal Protection works and a subsequent Section 4.55 Modification Mod2022/0322 to DA2017/0947 approved 10 February 2023.

3 Site Context

3.1 Location

The site is located on the eastern side of Pittwater Road and contains the RFB known as 'Flightdeck'. (see **Figure 1**).

Collaroy Beach is located directly to the east; the RFB known as "Shipmates" is located to the north and a two-storey dwelling house (no.1112 Pittwater Road) is located to the south. Pittwater Road adjoins the western boundary of the Site.

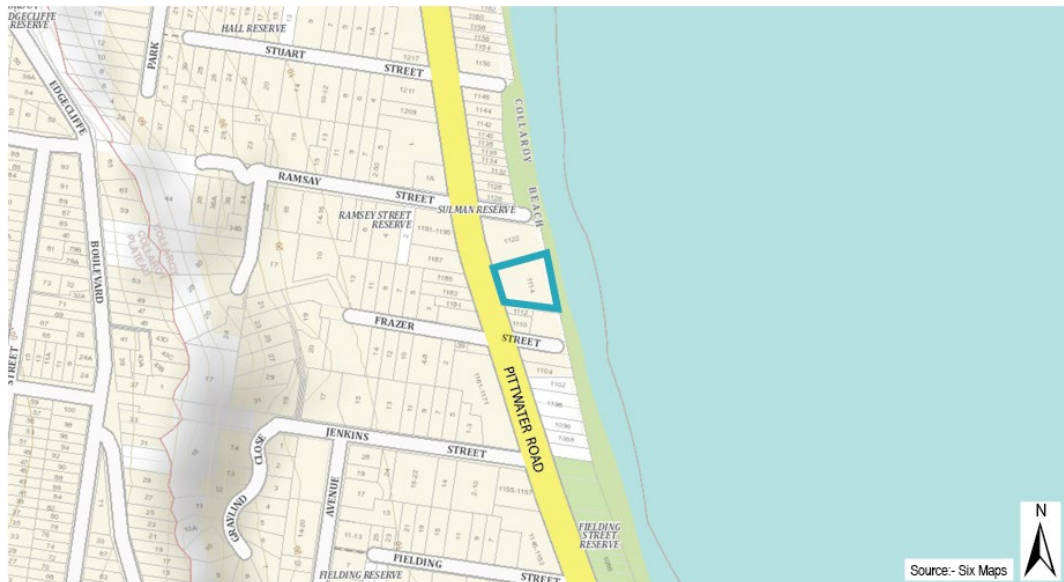


Figure 1 Site Location

3.2 Site Description

The Site is legally described as Lot CP in Strata Plan (SP) 1977 (see **Figure 2**) and is formally known as 1114-1118 Pittwater Road, Collaroy. The Site has an area of approximately 2890m² and is generally flat, with a slope down towards the beach at the eastern side (rear) of the Site.

The Site contains a twelve (12) storey RFB with garaged and open car parking spaces, paved areas and landscaping. Vehicular access to the Site is from Pittwater Road.



Figure 2 Site Context

3 Site Context

3.3 Surrounding Development

Surrounding development consists of detached dwellings, RFBs, an arterial road and public open space.



Figure 3 Surrounding Development

4 Proposed Development

4.1 Summary of Proposed Development

The proposed development comprises:

- Demolition of part of a party wall separating Unit 10 and Unit 11; and
- Installation of a doorway of 1200mm wide and fire door in the party wall between Unit 10 and Unit 11.

Unit 10 and Unit 11 are both owned by the applicant. The purpose of the creation of the doorway between the two units and installation of a fire door is to provide an interconnected, self-contained area to accommodate the applicants' visiting extended family and/or guests and in the alternative to enable one (1) of the units to be rented out if not required for personal use or for accommodation of visiting family or guests.

James Taylor & Associates have undertaken a structural assessment of the proposed development. The report confirms that the building is constructed from reinforced concrete columns and walls supporting reinforced concrete floor slabs. The internal walls of the units are constructed from non-load bearing masonry units. The report states that:

Although the masonry walls are designed as non-load bearing, given the age of the building it is possible that some long-term creep deflection may be resisted to varying degrees by some of the internal masonry walls. Where this occurs, it is possible that the removal of long sections of wall may release some of this long-term creep deflection.

Given the limited width of the proposed doorway opening and its location (close to a supporting column) it is very unlikely that any such deflection would be released by construction of the proposed opening between the units.

Both Unit 10 and Unit 11 are separate fire compartments within the building. Linking these two units via an opening alters the fire compartment size.'

The column located within the fire separating wall between Units 10 and 11 is the same thickness as other columns within the building that sit entirely within a fire compartment. From a structural point of view, we see no barrier to the introduction of a 1200mm wide door within the non-load bearing masonry between Units 10 and 11.'

Building Certificates Australia have undertaken a compliance review of the proposed development, and a BCA report has been prepared and concludes that the development can comply with the BCA without significant modifications. The report confirms that the proposed works are not considered to have any direct impact on the existing fire safety measures contained within the building.

A letter of consent has been obtained from the Body Corporate of Flightdeck.

A cost summary report has been provided for the proposed works. The estimated cost of works is \$45,100.

The key development statistics of the development are detailed in **Table 1**.

Site Area	2,890m ²
Number of Buildings	1
Residential Apartments	36

The following subsections provide a more detailed description of the proposed development.

4.2 Demolition and Installation

The proposed development is for the demolition of a part of the party wall between Unit 10 and Unit 11 of the RFB to enable the creation of an opening of 1200mm and the installation of

4 Proposed Development

a fire door that would provide access between the two units. As outlined above the two (2) units are owned by the same person.

5 Environmental Planning Assessment

This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

5.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with section 4.15(1)(a) of the EP&A Act.

5.1.1 Environmental Planning and Assessment Regulation 2021

Section 61 - Australian Standard AS2601 – Demolition of Structures

In accordance with Section 4.15(i)(a)(iv) and Section 61 of the Regulation, the proposal must be assessed against the provisions of AS2601 as it involves demolition.

In this regard, the demolition proposed is for a part of the party wall between Units 10 and 11 of the “Flightdeck” RFB and will be undertaken in accordance with AS 2601.

Section 64 – Consent Authority may require upgrade of buildings

In accordance with Section 4.15(i)(a)(iv) and Section 64(2) of the Regulation, the proposal is for the alteration of an existing building i.e. by installing a fire door between two (2) units of the existing building. Accordingly, the consent authority must consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the *Building Code of Australia*.

A BCA assessment has been undertaken by Building Certificates Australia Pty Ltd and accompanies the DA which confirms that:

The proposed works are not considered to have any direct impact on the existing fire safety measures contained within the building. As such, the existing Fire Safety Schedule will remain unaltered.

James Taylor & Associates have undertaken a structural assessment of the proposed development, and have stated that:

‘From a structural point of view, we see no barrier to the introduction of a 1200mm wide door within the non-load bearing masonry between Units 10 and 11.’

Council can therefore be satisfied that when the development is complete, the building will comply, with Category 1 fire safety provisions that are applicable to the buildings proposed use.

Part 7 – Existing Uses

Section 163 – Certain development allowed

Section 163(1) provides that:

- (1) An existing use may, subject to this Part—
 - (a) be enlarged, expanded or intensified, or
 - (b) be altered or extended, or

The proposed development is permitted given it is for the alteration of an existing use by way of the demolition of a part of the party wall between Unit 10 and Unit 11 of the RFB to enable the creation of an opening of 1200mm and the installation of a fire door that would provide access between the two units.

Section 165 – Alteration of buildings and works

The proposed development requires development consent as it is for an alteration of an existing building or work associated with the existing use of the building and will be carried out

5 Environmental Planning Assessment

on the land on which the building or work was erected or carried out immediately before the relevant day.

5.1.2 SEPP (Housing) 2021

Chapter 4 of the SEPP Housing relates to the design of residential apartment development. However, the proposed development is for a minor internal alteration to an existing RFB that was approved in 1962 before these guidelines came into effect. The proposed alterations are not contrary to the aims of Chapter 4.

The Apartment Design Guide permits dual key apartments with lockable doors to section within the apartment so that it is able to be separated into two (2) independent units. Under the BCA, dual key apartments are regarded as two (2) sole occupancy units.

5.1.3 Warringah Local Environmental Plan 2011

Table 2 provides a summary assessment of the proposed development against the relevant provisions of the LEP.

Table 2 Assessment against Relevant Provisions of the LEP		
Provision	Assessment	Consistent
2.2 – Zoning - R2 Low Density Residential	Residential Flat Buildings are prohibited in the R2 Low Density Residential Zone however, the proposed development relies on 'existing use rights' and the alterations are permissible pursuant to Section 163(c) of the EP & A Regulations.	Yes
2.7 - Demolition	Consent is sought for the demolition of part of the party wall between Unit 10 and Unit 11 of the RFB known as 'Flightdeck'.	Yes
4.3 - Height of buildings	The proposed development will not result in a change to the height of the building.	Yes
4.4 – Floor space ratio	The proposed development will not increase the approved Floor Space Ratio (FSR).	Yes

5.1.4 Warringah Development Control Plan 2011

Table 3 provides a summary assessment of the proposed development against the relevant provisions of the DCP.

Table 3 Assessment against Relevant Provisions of the DCP		
Provision	Assessment	Consistent
Part A.5– Objectives of the DCP	The proposed development is not inconsistent with the Objectives of the DCP	Yes
Part C.8 – Demolition and Construction	The proposed development is for the demolition of part of a party wall between Unit 10 and Unit 11 of the RFB known as 'Flightdeck'. The demolition is minor in nature and the waste generated as a result of the demolition will be appropriately removed by the builder for recycling. The proposed demolition will not result in any site impacts as it comprises internal works only and is not inconsistent with the Objectives of Part C.8.	Yes
Part H – Appendix 1 – Car Parking	The density of the proposed development i.e. number of bedrooms remains the same and	Yes

5 Environmental Planning Assessment

Table 3 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
	therefore the proposed works will not result in the requirement to provide additional car parking.	

5.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with section 4.15(1)(b) of the EP&A Act.

5.2.1 Environmental Impact

The proposed development is for the demolition of part of a party wall between Unit 10 and Unit 11 and the installation of doorway of 1200mm and a fire door in the opening. Considering the minor nature of the proposal it will not result in any detrimental environmental impact in terms of noise, amenity or visual impact.

5.2.2 Social Impact

The proposed development will not have a detrimental social impact considering the nature of the proposal.

5.2.3 Economic Impact

The proposed development will not have a detrimental economic impact considering the nature of the proposal.

5.3 Suitability of the Site for Development

In accordance with section 4.15(1)(c) of the EP&A Act the site is considered suitable for the proposed development because:

- The proposal is permissible pursuant to the provisions of Section 163(1)(b) of the EP&A Regulations as the RFB benefits from 'existing use rights' and the proposed development comprises an alteration to Unit 10 and Unit 11 by the installation of a doorway of 1200mm wide and a fire door to provide access between the two (2) units;
- The proposal is substantially consistent with the relevant provisions of the LEP and DCP;
- Given the nature of the proposed development there is no potential for adverse environmental and amenity impacts; and
- There are no known contaminants or other environmental constraints that would inhibit the use of the units the subject of this proposal for residential purposes.

5.4 Public Interest

In accordance with section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest because:

- It is of a minor nature and will not cause any detrimental environmental harm;
- It is not contrary to any development standards or controls of any EPIs.

6 Conclusion

The proposed development for alterations to Unit 10 and Unit 11 at 1114-1118 Pittwater Road (known as 'Flightdeck'), Collaroy comprising the installation of a doorway of 1200mm wide and a fire door between the units, has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation.

RFBs are prohibited in the R2 Zone however, the RFB relies on 'existing use rights' and permissibility to undertake the alterations is provided pursuant to Section 163(1)(c) of the EP&A Regulation

The proposed development is minor in nature and comprises internal alterations to Unit 10 and Unit 11 as discussed in this SEE. The proposed development will not result in any detrimental environmental impacts.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality and is worthy of Council approval.