



STATEMENT OF ENVIRONMENTAL EFFECTS
48A Queenscliff Road, Queenscliff
SP 4129
January 2020

1 Site Context & Description

1.1 Purpose of this Report

This Statement of Environmental Effects (SoEE) has been prepared to support a development application to the Northern Beaches Council for the Strata titling of various areas of property at 48a Queenscliff Road within an existing strata plan as approved already under Development Application (DA) DA2011/0360 and as modified by MOD2012/0262 and MOD201616/0077.

The above-mentioned development applications (DA's) and modifications (mods) were approved to construct two additional units, car parking spaces, storage units and private terraces within the existing strata plan. Much of these newly re-built areas are to be assigned to the private title of existing individual lot owners as well as the two new units obtaining original certificates of title.

The draft strata plan has been prepared. The owners have commenced the process to lodge the strata plan of subdivision with the NSWLRS which requires a Strata Certificate to accompany the application. For the Strata Certificate to be issued (by a PCA) the (DA) approving the works is required to have been approved in the proceeding five years prior to lodgement. The DA allowing the works to occur at 48a Queenscliff Road was awarded in 2011 hence the need to now apply for a new DA for the purposes of being able to issue the Strata Certificate and register the strata plan of subdivision.

Another DA for this same purpose (and same address) was lodged and approved in 2018 (DA2018/1273). However, the applicant for this DA has not proceeded to apply for a Strata Certificate opting rather to join with the one application for all owners in the building – the purpose of this DA. The DA 2018/1273 was for the two new units only. This development application is for those same two new units as well as car parking, storage, a private lobby and private terrace areas within the building for all owners as approved to be constructed in DA 2011/0360 and identified in the accompanying draft strata plan.

1.2 Local Context

The subject site at 48a Queenscliff Road, Queenscliff is located on the Northern Beaches above Queenscliff ocean pool.

The direct surrounding area is characterised by a mix of low and medium density housing, including new and established apartments and residential homes within close proximity to the ocean.

1.3 Site Analysis

The site is formally identified as Lot CP SP 4129 and is located on a battle-axe allotment at 48a Queenscliff Road, Queenscliff, above the Queenscliff Rock Pool. The site is located on a one-way street with limited on-street parking. Residents parking is allocated over three different levels of parking in on the site via a driveway from Queenscliff Road.

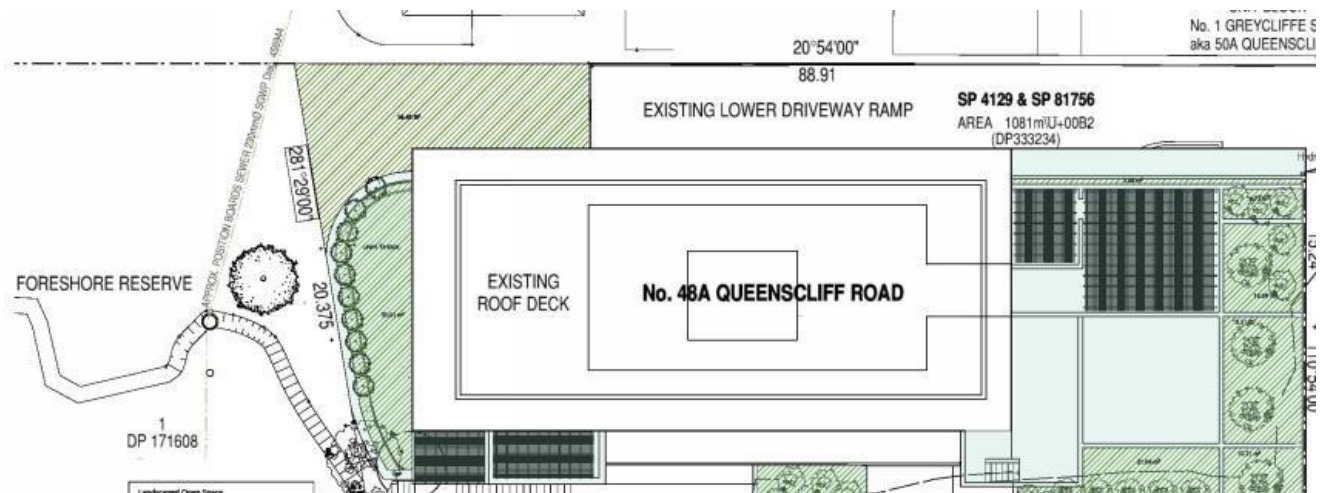


Figure 1.1: Site Plan (Source: Architectural Projects, 2016)

1.4 Approvals and Site History

The existing apartment building at 48a Queenscliff Road consisted of an eleven (11) storey building with fifteen (15) units, a top-level penthouse and basement level car parking. The apartment building was constructed in the early 1960's.

DA 2011/0360 was approved on 19 September 2011 for the construction of two additional units and associated works. MOD 2012/0262 was subsequently approved on 8 May 2013 and amended further by MOD2016/0077 on 26 July 2016.

DA 2011/0360 as modified, approved an additional two Units A and B (referred to as Units 17 and 18). These units were to be constructed within the under croft of the building (unit A) and ground floor level (Unit B). The application also approved a re-configuration of the car parking spaces and storage units in the building as well as a private roof terrace.

DA 2013/0333 approved alterations and additions not directly related to this application.

Construction Certificates J160166 through to J160166E have been issued and all works are now complete and the occupation certificate process is underway.



2 Proposed Development

2.1 Overview of the Proposal

This application seeks approval for a DA specifically addressing subdivision.

2.2 Site Access and Services

PUBLIC TRANSPORT

The site is well located with access to public transport including local bus services connecting to Manly and Warringah Mall. During peak hour, buses connect to and from the City CBD.

VEHICULAR ACCESS

Access to the site is provided through direct road frontage to Queenscliff Road, with a driveway connecting to the three different levels of parking. DA 2011/0360 improved car parking allocations across the development with additional car parking spaces made available within the development.

UTILITY SERVICES AND STORMWATER MANAGEMENT

The site is currently serviced by all of the relevant utility services, including electricity, telecommunications, water and sewerage. DA 2011/0360 significantly upgraded the sites storm water management capacity.

2.3 Proposed Unit Allocations and Common Property

The proposal seeks to create two additional strata title units within an existing strata plan and also to transfer the car parking, storage, private terraces and private lift lobby currently with existing exclusive use to the title. Each strata title unit is proposed to consist of an individual apartment area with provision for private open space areas, additional parking and access to shared common areas.

3 Environmental Assessment

This application relates to the strata subdivision of two additional units within an existing strata plan and reconfigurations/extensions of existing unit spaces, car parking spaces and storage spaces all of which have been subject to extensive environmental assessment as part of Approval 2011/0360 and subsequent modifications. As such, it has already been determined that the development will remain consistent with the intended and future character of the area. In addition, the application supports the intent for a variety of dwelling types to enable population growth, without having adverse impacts on the character and amenity of the area.

3.1 Land Zoning

The land is currently zoned R2 Low Density Residential under the provisions of the WLEP 2011. The surrounding land remains vasty consistent with the land zoning of the subject site. Furthermore, development is consistent with the specified aims and objectives of zone **R2 Low Density Residential**, as it will not detract from the objectives:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

It is acknowledged that the existing apartment building does not strictly form a low density residential land use and the approval for the existing two units was already granted in the context of existing use rights for the site.

3.2 Existing Use Rights

The existing residential flat building is subject to existing use rights. Therefore WDCP built form planning controls do not strictly apply to the site as they would to a permitted use. Council issued development consent DA 2011/0360 as modified by MOD 12/0262 and MOD 16/0077. These applications were assessed in the context of existing use rights and any new non- compliances in order to ensure orderly development.

The approved development was for the addition of two (2) units with additional parking to the existing apartment building and associated works.

This application seeks approval for the strata subdivision of these newly built areas to provide legal separation to these areas within the existing strata plan and the established apartment building.

3.3 Minimum Subdivision Lot size:

Clause 4.1 of the WLEP 2011 does not apply to the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015 as per section (4) of the Clause.

3.4 Character of the Surrounding Area

The proposed Strata conversion at 48a Queenscliff Road, Queenscliff is development that remains consistent with the immediate surroundings of the site.

3.5 Floor Space Ratio

As per Clause 4.4 the WLEP 2011 does not adopt a floor space ratio. In addition, this application does not directly relate to an increase in floor space.

3.6 Height of buildings

This application does not seek to alter or modify the height of the existing building.

3.7 Heritage Conservation

The site is located within close proximity to item I127 at 56 Queenscliff Road, Queenscliff. The proposed strata subdivision in two stages of two approved units within an established apartment building is not expected to have any impact on the heritage value or quality of the nearby heritage dwelling. The site is also located directly above the Queenscliff Rock Pool, listed as heritage item I123 and the Queenscliff Town I1222. The strata subdivision proposed within this application is not anticipated to have any impact upon the heritage quality of these items. As such, there is no constraint identified to the proposal as a result of heritage conservation.

3.8 Native Vegetation

As all works are already approved and complete, this proposal does not seek to create any works that would impact upon any native vegetation.

3.9 Bush Fire Prone Land

The land is not known to be bushfire prone and does not appear on the NSW Rural Fire Service Bushfire Prone mapping. As such, there is no constraint to the proposed development as a result of bushfire.

3.10 Acid Sulfate Soils

The subject site at 48a Queenscliff Road is located in an area that adjoins 'Class 5' Acid Sulfate Soils, according to the WLEP 2011. However, as all works are already approved and complete there are no works proposed that would trigger the need to disturb any soil and as such, there is no need for further reporting on acid sulfate soils.

3.11 State Environmental Planning Controls

Investigation of the Department of planning and Environment website indicates that the following State Environmental Planning Policies have general application:



- *State Environmental Planning Policy (Affordable Rental Housing) 2009: (pub. 2009-07-31)*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: (pub. 2004-06-25)*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: (pub. 2008-12-12)*
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: (pub. 2004-03-31)*
- *State Environmental Planning Policy (Infrastructure) 2007: (pub. 2007-12-21)*
- *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (pub.2007-02-16)*
- *State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007: (pub. 2007-09-28)*
- *State Environmental Planning Policy No 1-Development Standards: (pub. 1980-10-17)*
- *State Environmental Planning Policy No 19-Bushland in Urban Areas: (pub. 1986-10-24)*
- *State Environmental Planning Policy No 21-Caravan Parks: (pub. 1992-04-24)*
- *State Environmental Planning Policy No 30-Intensive Agriculture: (pub. 1989-12-08)*
- *State Environmental Planning Policy No 33-Hazardous and Offensive Development: (pub. 1992-03-13)*
- *State Environmental Planning Policy No 36-Manufactured Home Estates: (pub. 1993-07-16)*
- *State Environmental Planning Policy No 44-Koala Habitat Protection: (pub. 2016-18-11).*
- *State Environmental Planning Policy No 50-Canal Estate Development: (pub. 1997-11-10)*
- *State Environmental Planning Policy No 55-Remediation of Land: (pub. 1998-08-28)*
- *State Environmental Planning Policy No 62-Sustainable Aquaculture: (pub. 2000-08-25)*
- *State Environmental Planning Policy No 64-Advertising and Signage: (pub. 2001-03-16)*
- *State Environmental Planning Policy No 65-Design Quality of Residential Apartment Development (pub. 2002-07-26)*
- *State Environmental Planning Policy No 70-Affordable Housing (Revised Schemes): (pub. 2002-05-01)*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Subject Land (pub. 2017-08-25)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005: Land Application (pub. 2005-09-28)*

However, none of the above policies are identified as being of relevance to the strata titling as proposed in this application.

3.12 Planning Agreements (Section 4.15 of the EP&A Act)

No planning agreements are currently applicable to the proposed development.

3.13 The Regulations (Section 4.15 of the EP&A Act)

The relevant matters arising under the regulations have been addressed or will be addressed in Council's consideration of this application.

a. Likely impacts of Development (Section 4.15 of the EP&A Act)

As this proposal is seeking to strata subdivide an already approved and complete set of alterations to an existing building that includes two additional units, there will be no further social and environmental impacts resulting from the development. Furthermore, economic impacts will be positive with potential land ownership opportunities arising from this development.

b. Suitability of Site for the Development (Section 4.15 of the EP&A Act)

In accordance with DA2011/0360 (as modified) underlines that the site is suitable, with no new development resulting from this application.

c. Any Submissions (Section 4.15 of the EP&A Act)

No submissions are apparent at the time of writing this report.

d. The Public Interest (Section 4.15 of the EP&A Act)

The public interest would be served by the strata titling of the additional two units and car parking, storage and private lobby and terrace areas within the existing apartment building which has access to quality community facilities, transport and utilities within close proximity to the site. This application furthermore aligns with the broader metropolitan strategy of increasing population density in a way that maximises usage of existing infrastructure.

4 Conclusion:

The two additional units and car parking, storage and private lobby and terrace areas have been approved by Council under DA 2011/0360 and subsequent modifications after rigorous environmental assessment and the works are now complete. This application seeks to formalise the approval for the strata subdivision to facilitate the application for subdivision certificates. DA 2018/1273 was lodged and approved for this same strata subdivision purposes but for the additional two units only – this application now seeks to incorporate both the new units as well as the car parking, storage and additional unit spaces all into the one application.

The proposal is compliant with the relevant statutory controls and will not adversely impact on the neighbouring properties or the surrounding streetscape. This Statement of Environmental Effects also underlines how the proposal has remained in compliance with the relevant planning controls, resulting in no unacceptable environmental impacts. The proposal is therefore recommended for approval.