

12th May 2019

The General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

Dear Sir,

Statement of Environmental Effects
Strata Title subdivision of an existing dual occupancy (detached)
Lot 13, Section 5, DP 6462, No's 14 and 14a The Crescent
North Narrabeen

1.0 Introduction

On 24th June 1999 Pittwater Council granted development consent N0574/98 for the construction of a detached dual occupancy on the subject site a copy of which is at Attachment 1. The development was subsequently constructed with a final occupation certificate issued on 12th March 2001 a copy of which is at Attachment 2.

This Statement of Environmental Effects has been prepared in support of a development application proposing the strata subdivision of the existing dual occupancy (detached) it being noted that strata subdivision is permissible pursuant to section 4.2A(4) of Pittwater Local Environmental Plan 2014 (PLEP 2014).

2.0 Site location and description

The subject property is known as Lot 13, Section 5 in DP 6462, No's 14 and 14a The Crescent, North Narrabeen. The property is occupied by a detached dual occupancy development comprising a single storey weatherboard cottage at the front of the site and a 2 storey brick dwelling located to the rear. Vehicular access to both dwellings is obtained via a shared driveway from The Crescent with the built form characteristics of the property depicted in Figures 1 and 2 over page. The immediate locality is appropriately described as a low density residential environment comprising 1 and 2 storey detached dwelling houses.



Figure 1 - Aerial location/ context photograph



Figure 2 - Subject property as viewed from The Crescent

3.0 Proposed development

The application proposes the strata subdivision of the existing dual occupancy (detached) as depicted on the accompanying draft Strata Plan prepared by Paul Byrne Surveyors.

The draft plan nominates the existing shared driveway as common property with the proposed private open space allocations consistent with those originally approved pursuant to development consent N0574/98. We note that the draft plan of strata subdivision does not compromise the ability to implement the alterations and additions approved to the front cottage pursuant to development consent N0330/12. Both properties are separately serviced.

The application does not propose any changes to the existing built form circumstance on the site and will not change the relationship of the development to any adjoining properties.

4.0 Statutory planning framework

4.1 Pittwater Local Environmental Plan 2014

4.1.1 Zone and permissibility

The subject property is zoned R2 Low Density Residential pursuant to PLEP 2014. Dual occupancies are permissible with consent in the zone and are defined as follows:

Dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

Dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

The existing development is appropriately defined as a dual occupancy (detached) and accordingly permissible with consent.

4.1.2 Minimum subdivision lot size for strata plan schemes in certain rural, residential and environment protection zones

Pursuant to clause 4.2A(3) of PLEP 2014, the size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the Strata Schemes (Freehold Development) Act 1973 or Strata Schemes (Leasehold Development) Act 1986) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

Clause 4.2A(4) states that this clause does not apply to the strata subdivision of land used, or proposed to be used, for the purpose of a dual occupancy for which development consent was granted on or before 2 June 2003.

As previously indicated the existing dual occupancy development to which this application relates was granted development consent by Pittwater Council on 24th June 1999 being a date before 2nd June 2003.

Accordingly, the strata subdivision of the existing dual occupancy is permissible with consent pursuant to clause 4.2A(4) of PLEP 2014.

4.2 Pittwater 21 Development Control Plan

Having regard to the applicable provisions we note that the application does not propose any changes to the existing built form or landscaped circumstances on the site and will not change the relationship of the development to any adjoining properties.

The draft plan nominates the existing shared driveway as common property with the building form, private open space and car parking allocations consistent with those approved pursuant to development consent (N0574/98).

Accordingly, Council can be satisfied that the strata subdivision of the existing dual occupancy development will not give rise to any adverse environmental or residential amenity outcomes.

5.0 Conclusion

The strata subdivision of the existing detached dual occupancy development is permissible pursuant to clause 4.2A(4) of PLEP 2014. The draft plan nominates the existing shared driveway as common property with the building form, private open space and car parking allocations consistent with those approved pursuant to development consent (N0574/98).

The application does not propose any changes to the existing built form circumstance and will not change the relationship of the development to any adjoining residential properties. Accordingly, Council can be satisfied that the strata subdivision of the existing dual occupancy development will not give rise to any adverse environmental or residential amenity outcomes.

Having given due consideration to the relevant considerations pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) it has been demonstrated that the proposed strata subdivision is appropriate for approval.

Boston Blyth Fleming Pty Ltd

A handwritten signature in black ink, appearing to read 'Greg Boston', is positioned above the printed name.

Greg Boston

B Urb & Reg Plan (UNE) MPIA

Director

Attachment 1: Development Consent for Detached Dual Occupancy (N0574/98)

Attachment 2: Final Occupation Certificate (CC0493/99)

DRAFT DEVELOPMENT CONSENT

Matthew Edmonds, Development Officer
8am to 6pm Mon - Thurs, 8am to 5pm Fri
Phone 9970 1162

DA No N0574/98

**In all correspondence please
quote this/these numbers**

24 June 1999

Mr B Rose
14 The Crescent
NORTH NARRABEEN NSW 2101

Dear Sir

**Development Application for construction of detached dual occupancy without subdivision
at 14 The Crescent, North Narrabeen**

I am pleased to advise that this application has been approved and I attach for your assistance a copy of the Development Consent and the conditions of approval.

As building works are involved, prior to proceeding with the proposal, it will be necessary for you to lodge a Construction Certificate Application with either Council or an accredited Certifier.

I would also take this opportunity to direct your attention to Section F of the attached Consent which details the matters to be satisfied prior to issue of the Construction Certificate.

You will also be required to furnish a copy of the Builders Warranty Insurance Certificate OR an Owner/Builder's permit from the Department of Fair Trading must be forwarded to Council prior to release of the Construction Certificate.

If an Owner/Builder's permit is to be applied for, application must be made direct to the Department of Fair Trading. You must quote Development Application No N0574/98 and supply an unstamped plan with your application. The permit must then be presented to Council when collecting your plans.

Please note that other sections of the Consent may require the lodgement of Building Component Certificates at various stages of the development. These Certificates must be returned to Council or the Accredited Certifier, prior to issue of the Compliance Certificate, Occupation Certificate or Subdivision Certificate. You should also note that both Council and the Accredited Certifier will charge a fee for the issue of the Compliance, Occupation or Subdivision Certificates.

If there are any matters relating to this approval which require further explanation, please contact me prior to gathering information associated with the Construction Certificate.

Yours faithfully

Matthew Edmonds
DEVELOPMENT OFFICER



Pittwater Council

ABN 61 340 837 871

All Correspondence to be addressed to General Manager

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Business Hours:

8.00am to 6.00pm, Monday to Thursday
8.00am to 5.00pm, Friday

DA No: N0574/98
CC No: CC0493/99

12 March 2001

ROSE COWPER HOLDINGS PTY LTD
14 THE CRESCENT
NORTH NARRABEEN NSW 2101

Dear Sir/Madam

**Application for a Final Occupation Certificate for a dual occupancy at 14 THE CRESCENT
NORTH NARRABEEN NSW 2101.**

I refer to your recent application and am pleased to advise that following an inspection of the site, Council is prepared to issue the Certificate as requested.

Should you require further information please do not hesitate to contact me.

Yours faithfully



Darren Greenow
BUILDINGS INSPECTION OFFICER