

Housing for Seniors or People with a Disability

18 Alexander Street, Collaroy

Statement of Environmental Effects

10 September 2021

Ref: 21164/A

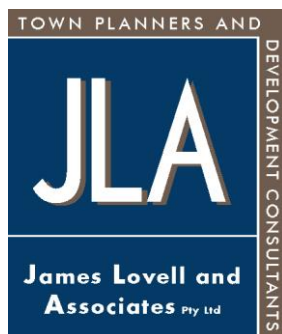


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1. INTRODUCTION

1.1 Preamble

This Statement of Environmental Effects (SEE) has been prepared to accompany a Development Application (DA) to Northern Beaches Council for the construction of a housing development for seniors or people with a disability at No. 18 Alexander Street, Collaroy.

The subject site is located on the southern side of Alexander Street, approximately 145 metres to the west of Pittwater Road. The site comprises two (2) adjoining allotments with a combined area of 1,156.117m². The consolidated site is rectangular in shape with a frontage of 24.38 metres to Alexander Street.

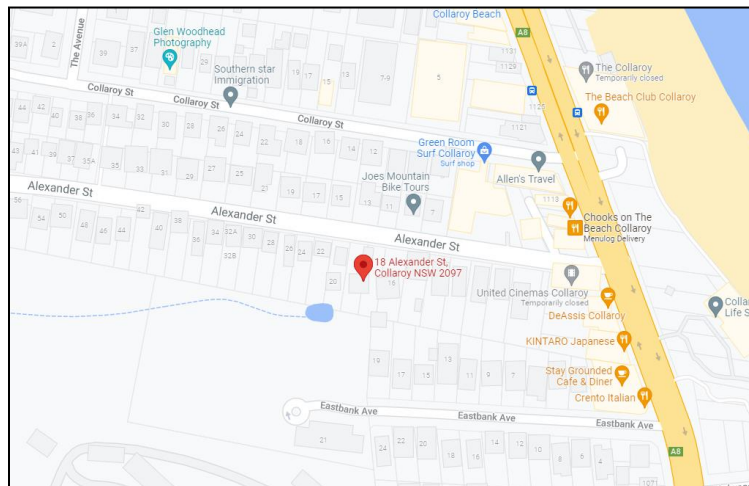


Figure 1: Location

The site is currently occupied by a 2 – 3 storey dwelling house of brick construction with a tile roof. The existing dwelling generally occupies the rear (southern) portion of the site.

A detached single storey building weatherboard building with a metal roof is located towards the front of the site, and an in-ground swimming pool is located to the rear of the main dwelling.

The existing dwelling includes a double width garage at the ground floor lower level, accessed via a single width driveway extending to/from Alexander Street. A second open stand car parking space and driveway are located adjacent to the weatherboard building near the street frontage.

The proposed development comprises the demolition of the existing structures on the site, and the construction of a housing development for seniors or people with a disability.

The proposed development provides 5 x 3-bedroom self-contained apartments. The individual apartments include private open space accessed directly to/from the main living rooms.

Off-street car parking is proposed for 15 vehicles within a basement level, accessed via a combined entry/exit driveway extending to/from Alexander Street.

The proposed development includes extensive new landscaping on the site, designed to provide a hierarchy of trees, shrubs and groundcovers.

The proposed development has been designed to provide a very high standard of residential accommodation within an established residential precinct.

Further, the proposed development has been carefully designed to negotiate the topographical conditions of the site, with the building form accommodating the topographical rise towards the rear (south).

Finally, there are a number of Development Consents that have recently been granted in relation to the site for two (2) dwelling houses and a secondary dwelling, and two (2) boarding houses accommodating a total of 19 boarding house rooms, with an approved occupancy of 37 boarders.

The approved boarding houses (in particular) generated a multitude of concerns from surrounding residents in relation to, *inter alia*, noise and privacy, traffic and parking, bulk, scale and density, and the appropriateness of the locality to accommodate two (2) relatively large boarding houses.

The proposed development of the site for the purposes of five (5) self-contained dwellings for seniors or people with a disability is intended to address many of the concerns of surrounding residents.

Further, the site satisfies all of the *"location and access to facilities"* requirements set out in State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004.

In that regard, the DA is made pursuant to the provisions of the SEPP, and the occupation of the self-contained apartments will be in accordance with Clause 18 of the SEPP.

1.2 Background

On 24 April 2020, Council granted Development Consent (REV2020/001) for *"Boundary adjustment part demolition for alterations and additions to a dwelling house construction of a detached dwelling house and a Secondary dwelling"*.

The approved development provided for 1 x 4-bedroom dwelling, 1 x 5-bedroom dwelling (plus a *"teenage retreat space"*), and a 1-bedroom secondary dwelling. Off-street car parking was approved for a total of 5 – 7 vehicles, accessed via two (2) separate driveways extending to/from Alexander Street.

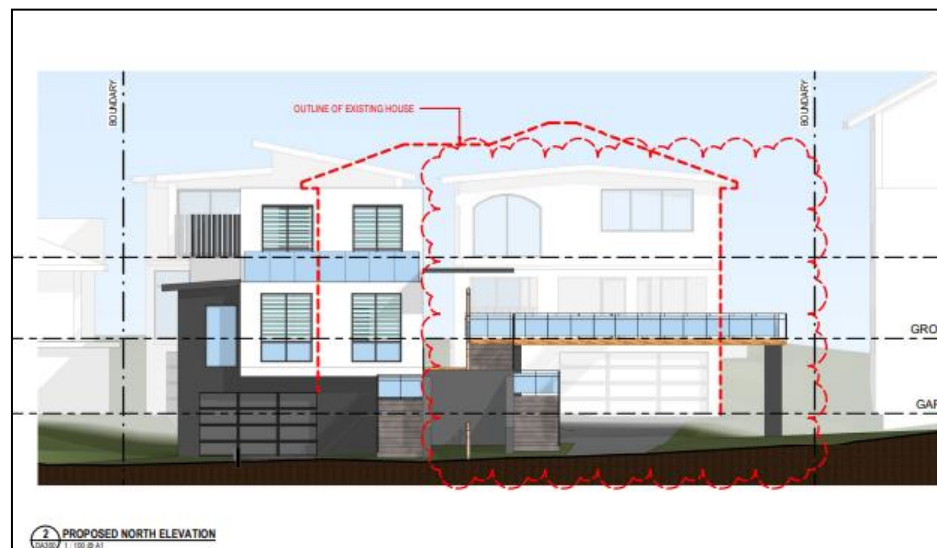


Figure 2: Approved Northern Elevation

On 29 March 2021, the Land and Environment Court upheld two (2) appeals against the refusal of two (2) separate DA's for the site (*Waights v Northern Beaches Council [2021] NSWLEC 1153*).

The approved DA's relate individually to the (2) separate allotments that comprise the subject site, and collectively provide for the demolition of the existing structures on the site, and the construction of two (2) boarding houses.

The approved boarding houses provide a total of 19 boarding house rooms, with an approved occupancy of 37 boarders. Off-street car parking was approved for a total of eight (8) vehicles, accessed via two (2) separate driveways extending to/from Alexander Street.



Figure 3: Approved Northern Elevation

1.3 Purpose

This SEE has been prepared pursuant to the provisions of the *Environmental Planning and Assessment Act 1979* and accompanying Regulation. To that end, it:

- identifies the site and provides details of its locational context;
- describes the physical characteristics and features of the proposed development;
- identifies the environmental planning instruments and policies that apply to the site and considers the proposed development against those that are relevant; and
- provides an assessment of the proposed development against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

2. SITE DESCRIPTION

2.1 Site Details

The subject site comprises two (2) adjoining allotments formally identified as Lots 8 and 9 in Deposited Plan 6984. The site is commonly known as No. 18 Alexander Street, Collaroy.

The site is located on the southern side of Alexander Street, approximately 145 metres to the west of Pittwater Road. The site comprises two (2) adjoining allotments with a combined area of 1,156.117m². The consolidated site is rectangular in shape with a frontage of 24.38 metres to Alexander Street.

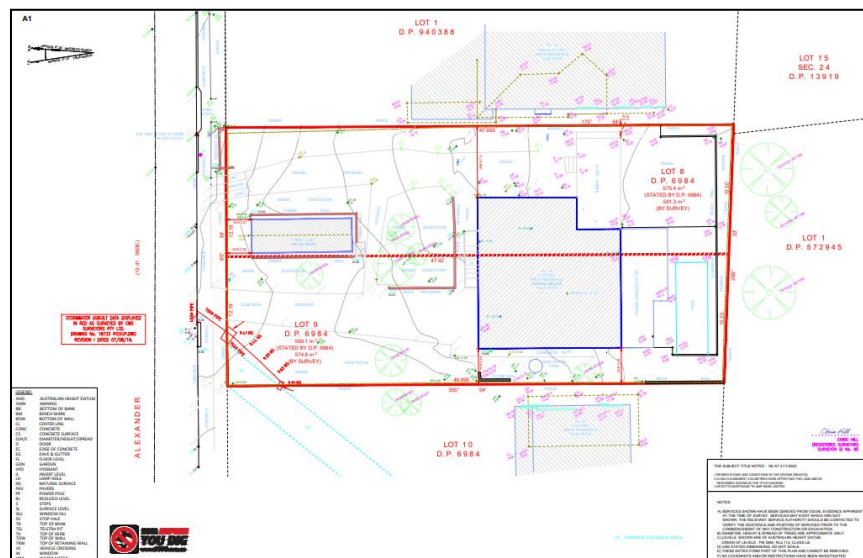


Figure 4: Site Context

The site is currently occupied by a 2 – 3 storey dwelling house of brick construction with a tile roof. The existing dwelling generally occupies the rear (southern) portion of the site.

A detached single storey building weatherboard building with a metal roof is located towards the front of the site, and an in-ground swimming pool is located to the rear of the main dwelling.

The existing dwelling includes a double width garage at the ground floor lower level, accessed via a single width driveway extending to/from Alexander Street. A second open stand car parking space and driveway

are located adjacent to the weatherboard building near the street frontage.

The topography of the site has been partially modified to accommodate the existing buildings, off-street car parking facilities, access driveways, pedestrian pathways and swimming pool.

The topography naturally rises from Alexander Street towards the rear, with a level change from the front (northern) to rear (southern) boundaries of approximately 4 – 5 metres.

The existing vegetation on the site comprises a scattering of trees, shrubs and ground covers, with the majority of the trees located within the rear yard.

The existing vegetation on the site is typical of a heavily modified urban environment, and now comprises a relatively light scattering of trees, shrubs and groundcovers.



Photograph 1: Subject Site Viewed from Alexander Street

2.2 Site Context

The site is located within an established residential precinct characterised by a predominance of relatively large dwelling houses. The existing buildings extend across multiple development eras, contributing to an eclectic mix of building forms and architectural styles.

The site is located approximately 145 metres to the west of Pittwater Road. The existing development surrounding the junction of Pittwater Road and Alexander Street comprises a mix of retail/commercial outlets, and shop-top housing developments with residential apartments above the ground floor level.

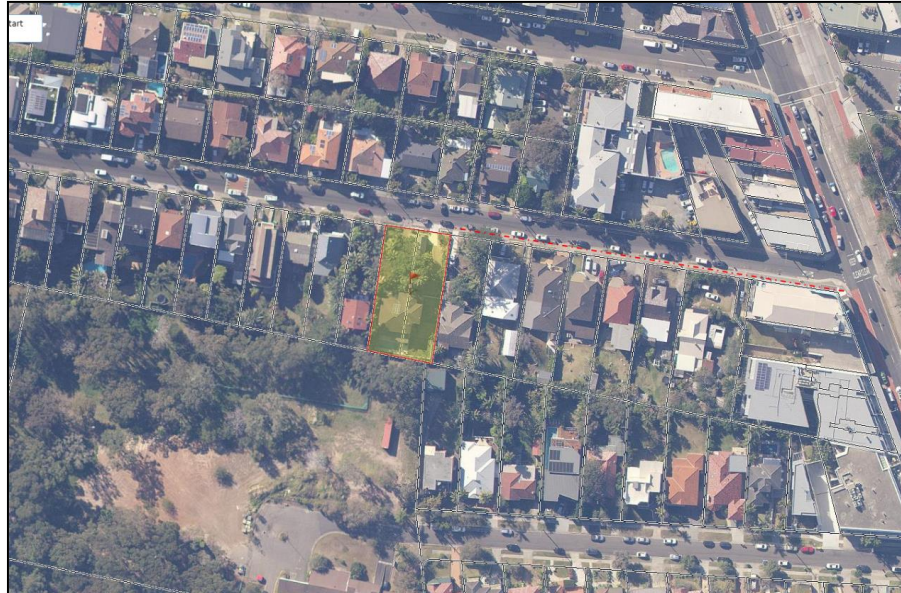


Figure 5: Site Context

The site is adjoining to the east and west by detached dwelling houses. The adjoining dwellings are located towards the rear of the allotments, with the front portions of the sites accommodating informal landscaping and extended access driveways.

The site is adjoined to the rear (south) by a large expanse of open space associated with the *Elizabeth Jenkins Place Aged Care Centre*.

The existing development on the opposite side of Alexander Street (to the north) comprises a series of dwelling houses located towards the Alexander Street frontage.

3. PROPOSED DEVELOPMENT

3.1 General Description

The proposed development is illustrated in the Architectural Plans prepared by *Walsh Architects, Issue A*, dated 3 September 2021.

The proposed development provides 5 x 3-bedroom self-contained apartments. The individual apartments include private open space accessed directly to/from the main living rooms.

Off-street car parking is proposed for 15 vehicles within a basement level, accessed via a combined entry/exit driveway extending to/from Alexander Street.

Basement Level

The Basement Level (RL7.67) accommodates off-street car parking for 15 vehicles, including an accessible visitor space. The Basement Level also accommodates a parking space for a motorcycle, storage space for the individual apartments, and lift and stair access to/from the Ground Floor Level above.

Ground Floor Level

The Ground Floor Level (RL10.57) accommodates 1 x 3-bedroom apartment (Unit 1) with a floor area of 104.3m². The apartment incorporates private open space with an area of 194m², accessed directly to/from the open plan kitchen, dining and living area.

First Floor Level

The First Floor Level (RL13.67) accommodates 3 x 3-bedroom apartments (Units 2 – 4), with floor areas of 104.3m² – 105.8m². The apartments incorporate private open space with areas of 127.8m² and 141.6m², accessed directly to/from the open plan kitchen, dining and living areas.

Second Floor Level

The Second Floor Level (RL16.82) accommodates 1 x 3-bedroom apartment (Unit 5) with a floor area of 121.1m². The apartment

incorporates private open space with an area of 182.2m², accessed directly to/from the open plan kitchen, dining and living area.

Landscaping

The proposed development includes the implementation of a new landscaped scheme for the site, comprising a hierarchy of trees, shrubs and groundcovers.

The proposed landscaping includes eight (8) new trees within a mature height of 4 – 20 metres, with the new trees located within the setback to Alexander Street, and on both side of the access driveway.

The proposed trees will be supplemented by 113 shrubs with a mature height of 1 – 4 metres, with the remainder of the landscaped areas accommodating ground cover/mass plantings.

The proposed landscaping extends around the perimeter of the site, including within the setbacks to the front, rear and side boundaries.

Further, planter beds have been incorporated into the perimeter of the north facing private open space, specifically designed to enhance the northern elevation when viewed from the public domain.

The implementation of the proposed landscaping will complement the architectural style and composition of the building, and materially enhance the overall landscaped setting of the site and surrounds.

4. SECTION 4.15 ASSESSMENT

The heads of consideration incorporated in Section 4.15 of the *Environmental Planning and Assessment Act 1979* comprise:

- any environmental planning instrument;
- any proposed instrument that is or has been the subject of public consultation and that has been notified to the consent authority;
- any development control plan;
- any planning agreement or draft planning agreement;
- any matters prescribed by the Regulation;
- the likely impacts of the development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality;
- the suitability of the site for the development;
- any submissions made in accordance with the Act or the Regulations; and
- the public interest.

4.1 Environmental Planning Instruments

The site is subject to the following environmental planning instruments:

1. State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land;
2. State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004; and
3. Warringah Local Environmental Plan (LEP) 2011.

SEPP No. 55 – Remediation of Land

SEPP No. 55 specifies that a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is, or is likely to be contaminated, and if the land is, or is likely to be contaminated, whether the land requires remediation before the land is developed for the proposed use.

The site is currently used for residential purposes, and evidently has not been zoned or used for industrial, agricultural or defense purposes at any times in the lands recent history.

In the circumstances, there is no evidence to suggest that the land is likely to be contaminated to the extent that would render it unsuitable for continued residential use.

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Housing for Seniors or People with a Disability) 2004 generally aims to increase the supply and diversity of residences that meet the needs of seniors or people with a disability, make efficient use of existing infrastructure and services, and be of good design.

Clause 5(3) of the SEPP specifies that *"If this Policy is inconsistent with any other environmental planning instrument, made before or after this Policy, this Policy prevails to the extent of the inconsistency"*.

Clause 15(a) specifies that, despite the provisions of any other environmental planning instrument, any form of seniors housing is permissible on land zoned primarily for urban purposes.

Part 2 provides site-related requirements, Part 3 provides design requirements, Part 4 provide development standards to be complied with, and Part 7 provides development standards that cannot be used to refuse consent. The relevant provisions of the Policy are considered in Table 4.1.1 as follows:

Table 4.1.1 – SEPP (Housing for Seniors or People with a Disability) 2004		
Control	Proposed	Satisfactory
Part 2 – Site Related Requirements		
26 – Location and Access to Facilities		
A consent authority must be satisfied that residents of the proposed development will have access to (a) shops, bank service providers and other retail and commercial services that residents may reasonably require, (b) community services and recreation facilities, and (c) the practice of a general medical practitioner.	The DA is accompanied by an <i>Access Assessment Report (BCA Access)</i> which concludes that the site satisfies the location and access requirements set out in Clause 26. In particular, the site provides a suitable access to multiple bus stops located on both sides of Pittwater Road within 400 metres, serviced by regular bus services connecting the site to shops, bank service	Yes

	providers and other retail and commercial services that residents may reasonably require.	
28 – Water and Sewer		
Housing must be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.	The site is serviced by reticulated water and sewage systems.	Yes
29 – Site Compatibility Criteria		
The consent authority must take into consideration the compatibility with the surrounding land uses having regard to the natural environment, the services and infrastructure available to meet the demands of the proposed development, and the impact the bulk, scale, built form and character will have on the existing, approved and future uses in the vicinity of the site.	The site does not exhibit any specific natural features likely to restrict the proposed development. The surrounding land uses are predominantly residential, and the site is serviced by all necessary infrastructure. The site provides suitable access to multiple bus stops located on both side of Pittwater Road connecting the site to shops, bank service providers and other retail and commercial services that residents may reasonably require. The proposed development has been designed to accommodate the topographical conditions of the site, and the building form and associated landscaping will make a positive contribution to the existing and likely future character of the area.	Yes
Part 3 – Design Requirements		
30 – Site Analysis		
The consent authority must be satisfied that the Applicant has taken into account a site analysis.	The DA is accompanied by a site analysis plan, and this SEE addresses the remainder of the relevant site analysis criteria.	Yes
31 – Design of In-Fill Self-Care Housing		
The consent authority must take into consideration the provisions	The relevant provisions of <i>Seniors Living Policy: Urban Design</i>	Yes

of Seniors Living Policy: Urban Design Guideline for Infill Development.	Guideline for Infill Development are considered in this SEE.	
32 – Design of Residential Development		
The consent authority must be satisfied that the proposed development demonstrates adequate regard to the principles set out in Division 2.	The principles set out in Division 2 are considered below.	Yes
33 – Neighbourhood Amenity and Streetscape		
New buildings should contribute to the quality and identity of the area.	The proposed development has been designed to accommodate the topographical conditions of the site, and the building form and associated landscaping will make a positive contribution to the existing and likely future character of the area.	Yes
Retain, complement and sensitively harmonise with any heritage conservation areas or heritage items.	The site is not identified as a heritage item, is not located within a heritage conservation area, and there are no heritage items in the vicinity of the site.	Yes
Maintain reasonable neighbourhood amenity and appropriate residential character by providing setbacks to reduce bulk and overshadowing, relate building form and siting to the land form, adopt building heights at the street frontage that are compatible with adjacent development, and consider the impact on walls on neighbours.	The locality is characterised by a variety of front setbacks and building heights, with the majority of buildings located relatively close to the Alexander Street frontage in a 2 – 3 storey form. The proposed setbacks are compatible with the predominant pattern of buildings in the locality, and the side and rear boundary setbacks are comparable with (or materially larger than) the approved boarding houses on the site. As a consequence, the impacts on the amenity of the adjoining properties in terms of overshadowing and wall heights will be reduced.	Yes

Design the front setback to be in sympathy with, but not necessarily the same as, the existing building line.	The locality is characterised by a variety of front setbacks and building heights, with the majority of buildings located relatively close to the Alexander Street frontage in a 2 – 3 storey form. The front boundary setback is compatible with the predominant pattern of buildings in the locality, and larger than the approved boarding houses on the site.	Yes
Incorporate planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape.	The proposed landscaping is compatible with the existing landscaping in the streetscape.	Yes
Retain, wherever possible, major existing trees.	The site does not accommodate any existing trees suitable or worthy of retention, and the proposed landscaping includes eight (8) new trees supplemented by 113 shrubs and ground cover/mass plantings.	Yes
No building is to be constructed in a riparian zone.	The site is not affected by a riparian zone.	Yes
34 – Visual and Acoustic Privacy		
Consider the visual and acoustic privacy of neighbours and residents by appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and ensure acceptable noise levels in bedrooms of new dwellings.	The individual apartments and associated private open space have been designed with a primary orientation towards the front and/or rear of the site, and the openings along the side elevations have been minimised above the ground floor level. The building construction will ensure acceptable noise levels are provided within the bedrooms. Further, the proposed landscaping will further minimise any significant privacy concerns.	Yes
35 – Solar Access and Design for Climate		
Ensure adequate daylight to the	The proposed development will	Yes

main living areas of neighbours and residents, and adequate sunlight to substantial areas of private open space, and involve site planning, dwelling design and landscaping that reduces energy consumption and makes use of natural ventilation, solar heating and lighting.	maintain a minimum of three (3) hours of sunlight to the surrounding properties. Further, the proposed apartments will receive a good level of solar access, and all of the apartments will be naturally cross-ventilated.	
36 – Stormwater		
Control and minimise the disturbance and impacts of stormwater runoff.	The DA is accompanied by stormwater concept plans providing for the collection and disposal of stormwater via the existing system.	Yes
37 – Crime Prevention		
Provide personal property security for residents and visitors and encourage crime prevention.	The building promotes casual surveillance of the public domain from the residential apartments orientated towards the street frontages. Access to the site will also be controlled.	Yes
38 – Accessibility		
Provide obvious and safe pedestrian links from the site that provide access to public transport or local facilities, and provide attractive and safe environments for pedestrians and motorists.	The DA is accompanied by an <i>Access Assessment Report (BCA Access)</i> which concludes that the site satisfies the location and access requirements set out in Clause 26. The proposed development provides attractive and safe environments for pedestrians and motorists.	Yes
39 – Waste Management		
Provide waste facilities that maximise recycling.	A garbage room is located towards the Alexander Street frontage of the site, providing convenient access to the street frontage for collection purposes.	Yes
Part 4 – Development Standards To Be Complied With		
40 – Minimum Sizes and Building Height		

Minimum site area of 1,000m ² .	Site area of 1,156.117m ² .	Yes
Minimum site frontage of 20 metres at the building line.	Site frontage at the building line of 24.38 metres.	Yes
Maximum building height (measured to the ceiling of the topmost floor) of 8 metres and 2 storeys (nb. in zones where residential flat buildings are prohibited) adjacent to the boundaries of the site.	The proposed development extends to a maximum height of 7.9 metres, and 2-storeys (in a vertical plane), including adjacent to the boundaries of the site.	Yes
A building in the rear 25% of the site must not exceed 1 storey in height.	A portion of the rear 25% of the site is occupied by a 2-storey building form, however the bulk and scale of the building within the rear 25% of the site has been reduced compared to the approved boarding houses. Further, the site is adjoined to the south by a large expanse of open space.	Refer to Attachment A
41 – Standards for Hostels and Self-Contained Dwellings		
The proposed development should comply with the standards specified in Schedule 3.	The DA is accompanied by an <i>Access Assessment Report (BCA Access)</i> which concludes that the proposed development complies with the standards specified in Schedule 3.	Yes
Part 7 – Development Standards That Cannot Be Used To Refuse Consent		
50 – Self-Contained Dwellings		
Building Height Building height (measured to the ceiling of the topmost floor) of 8 metres.	Building Height The proposed development extends to a maximum building height of 7.9 metres (as defined). Irrespective, the building height control is not expressed as a maximum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no	Yes

	maximum building height control.	
Floor Space Ratio Floor space ratio (FSR) of 0.5:1.	Floor Space Ratio Floor space ratio (FSR) of approximately 0.5:1. Irrespective, the FSR control is not expressed as a maximum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no maximum FSR control.	Yes
Landscaped Area Landscaped area of 30% of the site area.	Landscaped Area Landscaped area of approximately 41.6% of the site area. Irrespective, the landscaped area control is not expressed as a maximum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no minimum landscaped area control.	Yes
Deep Soil Zone Deep soil zone of 15% of the site area.	Deep Soil Zone Deep soil zone of approximately 26.8% of the site area. Irrespective, the deep soil zone control is not expressed as a maximum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no minimum deep soil zone area control.	Yes
Solar Access Living rooms and private open space of 70% of the dwellings receive 3 hours direct sunlight between 9am and 3pm in mid-winter.	Solar Access 80% of the apartments will receive 3 hours sunlight between 9am and 3pm in mid-winter. Irrespective, the solar access control is not expressed as a	Yes

	minimum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no minimum solar access control.	
Private Open Space Private open space of 10m ² – 15m ² with an area of 3 x 3 metres, directly accessible from a living area.	Private Open Space The private open space for all of the apartments exceeds 15m ² with dimensions of more than 3 x 3 metres, directly accessible from a living area. Irrespective, the private open space control is not expressed as a minimum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no minimum private open space control.	Yes
Parking 0.5 car parking spaces for each bedroom (15 bedrooms require 7.5 car parking spaces).	Parking 15 car parking spaces are provided within the basement. Irrespective, the car parking control is not expressed as a minimum, and Clause 50 does not impose any limitations on the grounds on which a consent authority may grant development consent. That is, there is no minimum car parking control.	Yes

Seniors Living Policy: Urban Design Guidelines for Infill Development

The *Design Guidelines* are generally intended to assist in the preparation and assessment of development applications for infill development. The *Design Guidelines* provide objectives, design principles and “rules of thumb” relating to context, site planning and design, impacts on streetscape, impacts on neighbours, and internal site amenity.

The relevant provisions of the *Design Guidelines* are summarised and considered in Table 4.1.2 as follows:

Table 4.1.2 – Seniors Living Policy: Urban Design Guidelines for Infill Development		
Criteria	Proposed	Satisfactory
1. Responding to Context		
New development should respond to the overall existing and likely future character of the area.	The proposed development is compatible with the existing and likely future character of the area in terms of overall building form and landscaped setting.	Yes
Buildings should have a good relationship to the street and contribute positively to the neighbourhood character.	The building will make an appropriate visual contribution to the streetscape, and contribute positively to the neighbourhood character.	Yes
2. Site Planning and Design		
Site design should optimize internal amenity and minimise impacts on neighbours.	The site design optimises internal amenity and minimises the potential impacts on surrounding land.	Yes
Maximise the number of dwellings with frontage to a public street.	The proposed development maximises the number of apartments orientated towards the street frontage.	Yes
Development towards the rear of the site should limit the impacts on adjoining properties.	The site is adjoined to the rear by a large expanse of open space associated with the <i>Elizabeth Jenkins Place Aged Care Centre</i> . Further, the proposed development will not impose any significant or unreasonable impacts on the adjoining properties to the east and west. Finally, the bulk and scale of the building towards the rear of the site is less than the approved boarding houses.	Yes
Design and orientate dwellings to respond to environmental	The individual apartments have been orientated towards the front	Yes

conditions.	and/or rear of the site, and four (4) of the apartments (80%) will receive more than 3 hours of sunlight to the main living areas and private open space between 9am and 3pm in mid-winter.	
Maintain existing patterns and character of gardens and trees.	The site does not accommodate any existing trees suitable or worthy of retention, and the proposed landscaping includes eight (8) new trees supplemented by 113 shrubs and ground cover/mass plantings.	Yes
Improve amenity by increasing the proportion of landscaped area.	The proposed development complies with the deep soil landscaping provisions of the SEPP. Further, the proposed landscaping includes eight (8) new trees supplemented by 113 shrubs and ground cover/mass plantings.	Yes
Provide deep soil zones to absorb run-off and sustain vegetation, including large trees.	The proposed development complies with the deep soil landscaping provisions of the SEPP. Further, the proposed landscaping includes eight (8) new trees supplemented by 113 shrubs and ground cover/mass plantings.	Yes
Minimise the amount of space occupied by driveways, garages and approaches to garages.	The off-street car parking is provided within a basement level, and the position of the basement minimises the length of the access driveway.	Yes
3. Impacts on Streetscape		
New developments should present attractively to the street and complement surrounding dwellings.	The building form and landscaping will make an appropriate contribution to the streetscape, and is compatible with the existing and likely future character of the locality. Further,	Yes

	the new landscaping will materially improve the landscaped setting of the site and surrounds.	
Locate and design new development to be sympathetic to existing streetscape patterns, and provide a front setback that relates to adjoining development.	The setback to the front boundary is compatible with the predominant front boundary setback along both sides of Alexander Street.	Yes
Reduce the visual bulk by breaking up the buildings, articulating the facades, using variation in materials, colours and openings, setting back upper levels behind the front façade, breaking down the roof form into smaller elements, and avoiding uninterrupted building facades.	The building form has been carefully designed to accommodate the topographical fall of the site towards Alexander Street. Further, the building incorporates vertical and horizontal articulation, and a refined palette of external materials and finishes.	Yes
Retain existing trees or use new planting in the front setback.	The site does not accommodate any existing trees suitable or worthy of retention, and the proposed landscaping includes eight (8) new trees supplemented by 113 shrubs and ground cover/mass plantings.	Yes
Design dwellings at the front of the site to address the street.	The apartments at the front of the site are orientated towards the street frontage.	Yes
Provide a high quality transition between public and private domains.	The proposed development provides a clear transition between the public and private domains along Alexander Street.	Yes
Avoid long, straight driveways that are visually dominant.	The position of the basement minimises the length of the access driveway, and extensive new landscaping is proposed along both sides of the driveway.	Yes
Minimise the impact of basement entrances by reducing the width, or locating it to the side.	The width of the opening to the basement has been minimised, and extensive new landscaping is proposed along both sides of the	Yes

	driveway.	
4. Impacts on Neighbours		
Design the relationship between buildings and open space to be consistent with the existing street pattern.	The individual apartments are orientated towards the front and/or rear of the site, with the orientation of apartments and the associated private open space compatible with the existing and likely future pattern of development in the locality.	Yes
Protect neighbours amenity by carefully designing the bulk and scale.	The bulk and scale of the building have been carefully arranged to negotiate the topographical conditions of the site, and minimise the impacts on the amenity of adjoining properties.	Yes
Design second storeys to reduce overlooking of neighbouring properties.	The individual apartments and associated private open space have been designed with a primary orientation towards the front and/or rear of the site, and the openings along the side elevations have been minimised above the ground floor level.	Yes
Use vegetation to provide a buffer between new and existing dwellings.	The proposed trees will be supplemented by 113 shrubs with a mature height of 1 – 4 metres, with the remainder of the landscaped areas accommodating ground cover/mass plantings. The proposed landscaping extends around the perimeter of the site, including within the setbacks to the front, rear and side boundaries.	Yes
Protect sun access and ventilation to living areas and private open space of neighbouring dwellings.	The proposed development maintains reasonable solar access to the adjoining properties, and will have no impact on the ventilation of neighbouring dwellings.	Yes

Use side setbacks to achieve privacy and soften the visual impact of new development by planting screen vegetation.	The proposed trees will be supplemented by 113 shrubs with a mature height of 1 – 4 metres, with the remainder of the landscaped areas accommodating ground cover/mass plantings. The proposed landscaping extends around the perimeter of the site, including within the setbacks to the front, rear and side boundaries.	Yes
Provide planting and trees between driveways and side fences to screen noise and reduce visual impacts.	Extensive new landscaping is proposed along both sides of the driveway, including between the driveway and the side boundaries.	Yes
5. Internal Site Amenity		
Maximise solar access to living areas and private open space.	Four (4) of the apartments (80%) will receive more than 3 hours of sunlight to the main living areas and private open space between 9am and 3pm in mid-winter.	Yes
Design dwelling entries so they are visible from the street or driveway.	The main pedestrian entrance to the site will be visible from the street frontage.	Yes
Achieve adequate privacy between habitable rooms and driveways.	The driveway does not extend to the side of the apartments, and the private open space of Unit 1 provides privacy from vehicles using the driveway.	Yes
Avoid large uninterrupted areas of hard surface.	There are no large areas of hard surface.	Yes
Provide distinct and separate pedestrian and vehicular circulation.	The proposed development provides separate pedestrian and vehicular access points.	Yes
Give adequate consideration to safety and security.	The arrangement of apartments and open space ensures good natural surveillance of the public domain.	Yes
Provide generous private open space, orientated towards the	The individual apartments are serviced by generous areas of	Yes

north, east or west, uses screening for privacy, and provide paving and planted area at ground level.	private open space, with the ground level courtyards providing a combination of paved areas and landscaping.	
Provide accessible communal open space incorporating mature trees and vegetation, and shared facilities such as seating and barbecues.	The proposed development is limited to five (5) apartments, with very generous areas of private open space. Further, the locality is extremely well serviced by public open space, with a walking distance to the foreshore and Collaroy Beach of approximately 150 metres.	Acceptable Design Solution

Warringah LEP 2011

The site is zoned R2 - Low Density Residential pursuant to the Warringah LEP 2011, and the proposed development is permissible with the consent of Council pursuant to Clause 15 of SEPP (Housing for Seniors or People with a Disability) 2004.

Further, Clause 5(3) of the SEPP specifies that *"If this Policy is inconsistent with any other environmental planning instrument, made before or after this Policy, this Policy prevails to the extent of the inconsistency"*.

Clause 2.3 of the LEP requires the consent authority to have regard to the objectives for development in a zone when determining a DA in respect of land within the zone.

The objectives of the zone relating to residential development are expressed as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed development will provide a very high standard of residential accommodation within an established residential precinct. Further, the proposed development includes extensive new landscaping

that will materially enhance the landscaped setting of the site and surrounds.

Clause 4.3 specifies a maximum building height of 8.5 metres. The proposed development complies with the building height control in Clause 50 of the SEPP, and the SEPP prevails to the extent of the inconsistency.

Clause 6.1 relates to acid sulfate soils and specifies that consent is required (in relation to Class 5 land) for works within 500 metres of Class 1 – 4 land that is below 5 metres Australian Height Datum (AHD), and by which the watertable is likely to be lowered below 1 metre AHD.

The earthworks associated with the proposed development will not lower the watertable to below 1 metres AHD, circumstances in which no further assessment is required.

Clause 6.2 requires the consent authority to consider any detrimental impacts on existing drainage patterns or soil stability, the likely future use of the land, the quality of any fill or excavated material, the amenity of neighbouring properties, the source of any fill material and the destination of any excavated material, the likelihood of disturbing relics, any adverse impacts on any waterway, drinking catchment or environmentally sensitive area, and any measures to mitigate the impacts of the development.

The earthworks associated with the proposed development will be carefully managed to ensure there are no adverse impacts on the environment, the amenity of neighbouring properties, or water quality.

Clause 6.4 requires the consent authority to be satisfied the risk associated with landslides has been assessed, stormwater discharge from the site will not cause significant detrimental impacts, and the development will not affect subsurface water flows.

The DA is accompanied by a *Geotechnical Investigation* (White Geotechnical Group) which concludes that *"The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice"*.

The LEP does not incorporate any further controls of specific relevance to the proposed development.

4.2 Proposed Environmental Planning Instruments

The Draft SEPP (Housing Diversity) 2020 was exhibited between 31 July and 29 August 2021. The Draft SEPP proposes to consolidate five (5) existing SEPP's, including SEPP (Housing for Seniors or People with a Disability) 2004.

The Draft SEPP includes a *"General savings provision"* which specifies that *"the former provisions of a repealed instrument continue to apply to", inter alia, "a development application made, but not yet determined, on or before the repeal day"*.

In the circumstances, SEPP (Housing for Seniors or People with a Disability) 2004 remains the relevant instrument for the purposes of the proposed development.

4.3 Development Control Plans

The site is subject to the following development control plan:

1. Warringah Development Control Plan (DCP) 2011.

Warringah DCP 2011

The Warringah DCP 2011 is generally intended to supplement the provisions of the Warringah LEP 2011, and provide more detailed objectives and controls to guide future development.

Part B of the DCP provides Built Form Controls, Part C provides Siting Factors, Part D provides Design Controls, and Part E provides controls relating to the Natural Environment.

In this instance, the provisions of the DCP that relate to building form are not specifically relevant to the proposed development on the basis that the SEPP provides comparable controls that, if complied with, cannot be used to refuse development consent.

In that regard, the proposed development complies with the provisions of Clause 50 of the SEPP in relation to building height, density and scale, landscaped area, deep soil zones, solar access, private open space, and parking.

Further, Section 3.42 of the *Environmental Planning and Assessment Act 1979* specifies that the provisions of a DCP “are not statutory requirements”.

Finally, Section 4.15(3A)(b) specifies that the consent authority “is to be flexible in applying” the provisions of a DCP, and “allow reasonable alternative solutions that achieve the objectives of those standards for dealing with that aspect of the development”.

In that context, the relevant provisions¹ of the DCP are considered in Table 4.3.1 as follows:

Table 4.3.1 – Warringah Development Control Plan		
Control	Proposed	Satisfactory
Part B – Built Form Controls		
B1 – Wall Heights		
Maximum wall height of 7.2 metres measured from existing ground level to the underside of the ceiling.	The proposed building has external wall heights of approximately 6.0 – 7.8 metres, however the proposed building complies with the building height control in Clause 50 of the SEPP such that the building height cannot be used to refuse consent. Further, the wall heights are generally lower than the approved boarding houses on the site.	Yes
B3 – Side Boundary Envelope		
Building envelope determined by projecting planes at 45 degrees from a height of 4 metres along	The proposed building substantially complies with the building envelope control, with a	Acceptable Design Response

¹ The relevant provisions of the DCP comprise those which relate specifically to the proposed development and/or those which would not normally be required and/or provided as Conditions of Consent and/or as part of a Construction Certificate.

the side boundaries.	very minor variation along a short portion of Bedroom 1 of Unit 5 adjacent to the eastern boundary. The variation to the building envelope control (in that location and others) is less than the approved boarding houses on the site.	
B5 – Side Boundary Setbacks		
Minimum side boundary setback of 0.9 metres.	The proposed building provides minimum side boundary setbacks of 2.4 – 2.6 metres, with the majority of the building providing substantially larger setbacks of up to 4.46 – 5.31 metres.	Yes
B7 – Front Boundary Setbacks		
Minimum front boundary setback of 6.5 metres.	The proposed building provides a minimum front boundary setback of 10.99 metres.	Yes
The front setback area is generally to be landscaped and generally free of structures other than driveways, letter boxes, garbage storage areas and fences.	The front setback area includes extensive new landscaping, and is free of structures with the exception of the access driveway and bin storage area.	Yes
B9 – Rear Boundary Setbacks		
Minimum rear boundary setback of 6.0 metres.	The proposed building provides a minimum rear boundary setback of 6.55 metres.	Yes
The rear setback area is to be landscaped and free of any above or below ground structures.	Extensive landscaping is proposed within the rear setback area, and the setback area is free of any above or below ground structures.	Yes
Part C – Siting Factors		
C2 – Traffic, Access and Safety		
The location of vehicular and pedestrian access shall meet the specified objectives.	The vehicular access driveway and pedestrian pathway meet the specified objectives.	Yes
Vehicle crossing construction and design is to be in accordance with Council's Minor Works	The vehicle crossing has been designed, and will be constructed, in accordance with Council's	Yes

Specification.	Minor Works Specification.	
C3 – Parking Facilities		
Garage doors are not to dominate the façade.	The garage door is recessed behind the built form above, is integrated with the architectural style and composition of the building, and will not dominate the streetscape.	Yes
Car parking to be provided in accordance with Schedule 1 which requires 2 spaces per dwelling.	The proposed development complies with the off-street car parking requirements of Clause 50 of the SEPP, and the SEPP prevails to the extent of any inconsistency.	Yes
C4 – Stormwater		
Stormwater runoff must not cause downstream flooding and have minimal environmental impact.	The stormwater runoff will not cause downstream flooding and will have minimal environmental impact.	Yes
Stormwater drainage systems are to be designed, installed and maintained in accordance with Council's Water Management Policy.	The stormwater drainage system will be designed, installed and maintained in accordance with Council's Water Management Policy.	Yes
C5 – Erosion and Sedimentation		
Erosion and sedimentation prevention measures must be installed on all sites, and managed at the source.	Erosion and sedimentation prevention measures will be installed on site during the demolition and construction phases.	Yes
C7 – Excavation and Landfill		
Excavation and landfill works must not result in any adverse impact on adjoining land.	The excavation works will be undertaken in accordance with standard geotechnical advice and will not result in any adverse impact on adjoining land.	Yes
C8 – Demolition and Construction		
A Waste Management Plan must be submitted.	The DA is accompanied by a Waste Management Plan.	Yes
C9 – Waste Management		

A Waste Management Plan must be submitted.	The DA is accompanied by a Waste Management Plan.	Yes
Part D – Design		
D1 – Landscaped Open Space and Bushland Setting		
Provide a minimum landscaped area of 40% of the site area.	The proposed development provides a landscaped area of approximately 41.6% of the site area. Further, the proposed development complies with the landscaped area requirements of Clause 50 of the SEPP, and the SEPP prevails to the extent of any inconsistency.	Yes
D2 – Private Open Space		
Provide private open space of 10m ² with a minimum dimension of 2.5 metres (residential flat buildings)	The private open space for all of the apartments exceeds 10m ² with minimum dimensions of more than 2.5 metres. Further, the proposed development complies with the private open space requirements of Clause 50 of the SEPP, and the SEPP prevails to the extent of any inconsistency.	Yes
The private open space is to be directly accessible from a main living area.	The private open space is directly accessible to/from the main living areas.	Yes
Private open space is to be located and designed to ensure privacy of occupants of adjacent buildings and the proposed development.	The private open space will have no significant or unreasonable privacy impacts for any surrounding property.	Yes
Private open space shall not be located within the primary front building setback.	The private open space of Unit 1 includes part of the front setback area, however the remainder of the private open space comfortably complies with the minimum requirement.	Yes
Private open space is to be located to maximise solar access.	The private open space will receive good solar access at all times of the year.	Yes
D3 – Noise		

Mechanical plant and equipment shall not exceed the ambient background noise by more than 5dB(A) at the receiving boundary.	Any mechanical plant and equipment will be designed to not exceed the ambient background noise by more than 5dB(A) at the receiving boundary.	Yes
Locate noise sensitive rooms away from noise sources.	The site is not affected by any significant noise sources.	Yes
Where possible, locate noise sources away from bedrooms of adjoining properties.	The apartments and private open space are orientated towards the front and/or rear of the site to minimise impacts on adjoining properties.	Yes
D6 – Access to Sunlight		
Development should avoid unreasonable overshadowing of any public open space.	The proposed building will not overshadow any public open space.	Yes
At least 50% of the required area of private open space, and 50% of the required open space of adjoining dwellings are to receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June.	More than 50% of the required private open space of the proposed apartments and the adjoining dwellings will receive more than 3 hours sunlight at all times of the year.	Yes
D7 – Views		
Development shall provide for the reasonable sharing of views.	The proposed development will not obstruct any significant existing views.	Yes
D8 – Privacy		
Building layout should be designed to optimise privacy for occupants of the development and adjoining properties.	The individual apartments and associated private open space have been designed with a primary orientation towards the front and/or rear of the site, and the openings along the side elevations have been minimised above the ground floor level.	Yes
Orientate living areas, habitable rooms and window to private open space or to the street to limit overlooking.	The individual apartments and associated private open space have been designed with a primary orientation towards the front and/or rear of the site.	Yes

Effective location of doors, windows and balconies to avoid overlooking.	The location of doors, windows and balconies minimises any internal or external overlooking.	Yes
Windows of one dwelling are to be located so they do not provide direct or close views into the windows of other dwellings.	The windows do not provide direct or close views into the windows of any other dwellings.	Yes
D9 – Building Bulk		
Side and rear setbacks are to be progressively increased as wall height increases.	The proposed building comfortably complies with the side and rear boundary setback controls, and the building incorporates extensive horizontal and vertical articulation.	Yes
Large areas of continuous wall planes are to be avoided.	The proposed building incorporates extensive horizontal and vertical articulation, and the building does not provide large areas of continuous wall planes.	Yes
On sloping sites, the height and bulk are to be minimised, with the building mass to step down the slope.	The building form has been carefully designed to negotiate the topographical characteristics of the site, with the building adopting a stepped form.	Yes
Building height and scale needs to relate to topography and site conditions.	The height and scale of the proposed building relates appropriately to the existing topography and site conditions.	Yes
Use colour, materials and surface treatment to reduce building bulk.	The palette of external materials and finishes reduces the apparent building bulk.	Yes
Landscape plantings are to be provided to reduce the visual bulk of new buildings.	The proposed landscaping will complement the architectural composition of the building, and materially enhance the landscaped setting of the site and surrounds.	Yes
Articulate walls to reduce building mass.	The proposed building incorporates extensive horizontal and vertical articulation, and the building does not provide large	Yes

	areas of continuous wall planes.	
D10 – Building Colours and Materials		
Minimise the visual impact of new development through the use of appropriate colours and materials.	The palette of external materials and finishes reduces the apparent building bulk.	Yes
D11 – Roofs		
Roofs should complement the roof pitch and forms of existing buildings in the streetscape.	The roof form is compatible with the variable nature of surrounding development.	Yes
Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.	The roof form reflects the stepped and articulated building form.	Yes
D12 – Glare and Reflection		
Minimise the overspill from artificial illumination or sun reflection.	The external materials and finishes will minimise sunlight reflectivity.	Yes
D14 – Site Facilities		
Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places.	The garbage bins will be stored within the bin storage area, providing convenient access for collection purposes. The site facilities are integrated with the architectural style and composition of the building and will have minimal visual impact from public places.	Yes
D15 – Side and Rear Fences		
Generally, side and rear boundary fences are to be no higher than 1.8 metres measured from the low side where there is a difference in level on either side of the boundary.	The boundary fencing will not exceed a height of 1.8 metres measured from either side of the fence.	Yes
D20 – Safety and Security		
Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	The building promotes casual surveillance of the public domain from the residential apartments orientated towards the street frontages.	Yes

Entrances to buildings are to be visible from public streets wherever possible.	The main pedestrian entrance to the site will be visible from the street frontage.	Yes
D21 – Provision and Location of Utility Services		
Utility services must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.	All necessary utilities and services are available to the site, and satisfactory stormwater management is accommodated.	Yes
D22 – Conservation of Energy and Water		
The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.	The orientation, layout and landscaping promote natural ventilation and solar access.	Yes
Buildings are to be designed to minimise energy and water consumption.	The layout and materials minimise energy consumption, and water efficient appliances will be installed throughout.	Yes
Part E – The Natural Environment		
E1 – Private Property Tree Management		
Development is to be situated and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.	The site does not exhibit any specific natural features likely to restrict the proposed development. The proposed landscaping will complement the architectural style of the building, and materially enhance the landscaped setting of the site and surrounds.	Yes
E6 – Retaining Unique Environmental Features		
Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.	The site does not exhibit any specific natural features likely to restrict the proposed development. The proposed landscaping will complement the architectural style of the building, and materially enhance the landscaped setting of the site and surrounds.	Yes

4.4 Planning Agreements

There are no planning agreements of relevance to the proposed development.

4.5 Impacts of the Development

The site is located within an established residential precinct characterised by a predominance of relatively large dwelling houses. The existing buildings extend across multiple development eras, contributing to an eclectic mix of building forms and architectural styles.

The site is of sufficient size to accommodate the proposed development without imposing any significant or unreasonable impacts on the amenity of surrounding properties in terms of the key considerations of visual bulk, overshadowing, privacy and views.

Finally, the proposed landscaping includes eight (8) new trees within a mature height of 4 – 20 metres. The proposed trees will be supplemented by 113 shrubs with a mature height of 1 – 4 metres, with the remainder of the landscaped areas accommodating ground cover/mass plantings.

The proposed landscaping extends around the perimeter of the site, including within the setbacks to the front, rear and side boundaries.

The implementation of the proposed landscaping will complement the architectural style and composition of the building, and materially enhance the overall landscaped setting of the site and surrounds.

4.6 Suitability of the Site

The site is located within an established residential precinct characterised by a predominance of relatively large dwelling houses. The existing buildings extend across multiple development eras, contributing to an eclectic mix of building forms and architectural styles.

The proposed development will provide a very good level of internal amenity without imposing any significant or unreasonable impacts on the amenity of surrounding land.

Further, the DA is accompanied by an *Access Assessment Report (BCA Access)* which concludes that the site satisfies the location and access requirements set out in Clause 26 of the SEPP.

4.7 Public Interest

The proposed development serves the public interest by providing substantially improved residential accommodation within an established residential environment, offering a very good level of internal amenity without imposing any significant or unreasonable impacts on the amenity of surrounding land.

The approved boarding houses on the site generated a multitude of concerns from surrounding residents in relation to, *inter alia*, noise and privacy, traffic and parking, bulk, scale and density, and the appropriateness of the locality to accommodate two (2) relatively large boarding houses.

The proposed development of the site for the purposes of five (5) self-contained dwellings for seniors or people with a disability is intended to address many of the concerns of surrounding residents.

In that regard, the Applicant has provided copies of the Architectural Plans to all of the surrounding owners/residents who objected to the DA's for the approved boarding houses. The image below identifies the properties whose owners/residents have expressed support for the proposed development, including the adjoining properties to the east and west, and the properties on the opposite side of Alexander Street.



5. CONCLUSION

The subject site is located on the southern side of Alexander Street, approximately 145 metres to the west of Pittwater Road. The site comprises two (2) adjoining allotments with a combined area of 1,156.117m². The consolidated site is rectangular in shape with a frontage of 24.38 metres to Alexander Street.

The site is currently occupied by a 2 – 3 storey dwelling house, located towards the rear of the site, and a detached single storey building located towards the front of the site.

The proposed development comprises the demolition of the existing structures on the site, and the construction of a housing development for seniors or people with a disability, incorporating 5 x 3-bedroom self-contained apartments.

The site satisfies the location and access requirements set out in Clause 26 of the SEPP. Further, the proposed development complies with the provisions of Clause 50 of the SEPP in relation to building height, density and scale, landscaped area, deep soil zones, solar access, private open space, and parking.

The proposed development will provide a very high standard of accommodation, and the proposed landscaping will materially improve the landscaped setting of the site and surrounds.

Finally, the proposed development has been carefully designed to minimise the potential impacts on the amenity of surrounding properties in terms of the key considerations of visual bulk, loss of privacy, loss of views and overshadowing.

ATTACHMENT A

Written Request to Vary the Rear 25% Building Height Control

INTRODUCTION

The subject site is located on the southern side of Alexander Street, approximately 145 metres to the west of Pittwater Road. The site comprises two (2) adjoining allotments with a combined area of 1,156.117m². The consolidated site is rectangular in shape with a frontage of 24.38 metres to Alexander Street.

The site is currently occupied by a 2 – 3 storey dwelling house, located towards the rear of the site, and a detached single storey building located towards the front of the site.

The proposed development comprises the demolition of the existing structures on the site, and the construction of a housing development for seniors or people with a disability, incorporating 5 x 3-bedroom self-contained apartments.

Off-street car parking is proposed for 15 vehicles within a basement level, accessed via a combined entry/exit driveway extending to/from Alexander Street.

Clause 40(4)(c) of State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004 specifies that a building located in the rear 25% of the site must not exceed 1 storey in height.

The proposed development has been carefully designed to negotiate the topographical conditions of the site, with the building form accommodating the topographical rise towards the rear (south).

The proposed development extends to a maximum height of 7.9 metres, and 2-storeys (in a vertical plane), including adjacent to the boundaries of the site.

A portion of the 2-storey building extends within the rear 25% of the site. In that location, the building has a maximum height of approximately 6.8 – 7.4 metres. The building adopts a low level skillion style roof with a 2 degree fall towards the rear.

The building height control in the rear 25% of the site is a development standard, and Clause 4.6 of the Warringah Local Environmental Plan (LEP) 2011 is the mechanism by which a variation to a development standard

incorporated within “any other environmental planning instrument” (in this instance the SEPP) may be varied.

CLAUSE 4.6 OF THE WARRINGAH LEP 2011

Clause 4.6(1) is facultative and is intended to allow flexibility in applying development standards in appropriate circumstances.

Clause 4.6 does not directly or indirectly establish a test that non-compliance with a development standard should have a neutral or beneficial effect relative to a complying development (Initial at 87).

Clause 4.6(2) of the LEP specifies that *“development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument”*.

Clause 4.6(3) specifies that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Clause 4.6(4) specifies that development consent must not be granted for development that contravenes a development standard unless:

- (a) *the consent authority is satisfied that:*
 - (i) *the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

- (b) *the concurrence of the Secretary has been obtained.*

Clause 4.6(5) specifies that in deciding whether to grant concurrence, the Secretary must consider:

- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) *the public benefit of maintaining the development standard, and*
- (c) *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

CONTEXT AND FORMAT

This “written request” has been prepared having regard to “*Varying development standards: A Guide*” (August 2011), issued by the former Department of Planning, and relevant principles identified in the following judgements:

- *Winten Property Group Limited v North Sydney Council [2001] NSWLEC 46;*
- *Wehbe v Pittwater Council [2007] NSWLEC 827;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248;*
- *Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7;*
- *Moskovich v Waverley Council [2016] NSWLEC 1015;*
- *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118;*
- *Hansimikali v Bayside Council [2019] NSWLEC 1353;*
- *Big Property Group Pty Ltd v Randwick City Council [2021] NSWLEC 1161.*
- *HPG Mosman Projects Pty Ltd v Mosman Municipal Council [2021] NSWLEC 1243.*

“*Varying development standards: A Guide*” (August 2011) outlines the matters that need to be considered in DA’s involving a variation to a development standard. The Guide essentially adopts the views expressed by Preston CJ, in *Wehbe v Pittwater Council [2007] NSWLEC 827* to the extent that there are effectively five (5) different ways in which

compliance with a development standard can be considered unreasonable or unnecessary as follows:

1. The objectives and purposes of the standard are achieved notwithstanding non-compliance with the development standard.
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.
3. The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.
4. The development standard has been 'virtually abandoned or destroyed' by the Councils own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.

As Preston CJ, stated in *Wehbe*, the starting point with a SEPP No. 1 objection (now a Clause 4.6 variation) is to demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances. The most commonly invoked 'way' to do this is to show that the objectives of the development standard are achieved notwithstanding non-compliance with the numerical standard.

In that regard, Preston CJ, in *Wehbe* states that "... *development standards are not ends in themselves but means of achieving ends*". Preston CJ, goes on to say that as the objectives of a development standard are likely to have no numerical or qualitative indicia, it logically follows that the test is a qualitative one, rather than a quantitative one. As such, there is no numerical limit which a variation may seek to achieve.

The above notion relating to 'numerical limits' is also reflected in Paragraph 3 of Circular B1 from the former Department of Planning which states that:

As numerical standards are often a crude reflection of intent, a development which departs from the standard may in some circumstances achieve the underlying purpose of the standard as much as one which complies. In many cases the variation will be numerically small in others it may be numerically large, but nevertheless be consistent with the purpose of the standard.

It is important to emphasise that in properly reading *Wehbe*, an objection submitted does not necessarily need to satisfy all of the tests numbered 1 to 5, and referred to above. This is a common misconception. If the objection satisfies one of the tests, then it may be upheld by a Council, or the Court standing in its shoes. Irrespective, an objection can also satisfy a number of the referable tests.

In *Wehbe*, Preston CJ, states that there are three (3) matters that must be addressed before a consent authority (Council or the Court) can uphold an objection to a development standard as follows:

1. The consent authority needs to be satisfied the objection is well founded;
2. The consent authority needs to be satisfied that granting consent to the DA is consistent with the aims of the Policy; and
3. The consent authority needs to be satisfied as to further matters, including non-compliance in respect of significance for State and regional planning and the public benefit of maintaining the planning controls adopted by the environmental planning instrument.

Further, it is noted that the consent authority has the power to grant consent to a variation to a development standard, irrespective of the numerical extent of variation (subject to some limitations not relevant to the present matter).

The decision of Pain J, in *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90* suggests that demonstrating that a development satisfies the objectives of the development standard is not necessarily sufficient, of itself, to justify a variation, and that it may be necessary to identify reasons particular to the circumstances of the proposed development on the subject site.

Further, Commissioner Tuor, in *Moskovich v Waverley Council* [2016] NSWLEC 1015, considered a DA which involved a relatively substantial variation to the FSR (65%) control. Some of the factors which convinced the Commissioner to uphold the Clause 4.6 variation request were the lack of environmental impact of the proposal, the characteristics of the site such as its steeply sloping topography and size, and its context which included existing adjacent buildings of greater height and bulk than the proposal.

The decision suggests that the requirement that the consent authority be satisfied the proposed development will be in the public interest because it is “consistent with” the objectives of the development standard and the zone, is not a requirement to “achieve” those objectives. It is a requirement that the development be ‘compatible’ with them or ‘capable of existing together in harmony’. It means “something less onerous than ‘achievement’”.

In *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, Preston CJ found that it is not necessary to demonstrate that the proposed development will achieve a “better environmental planning outcome for the site” relative to a development that complies with the development standard.

In *Hansimikali v Bayside Council* [2019] NSWLEC 1353, Commissioner O’Neill found that it is not necessary for the environmental planning grounds relied upon by the Applicant to be unique to the site.

Finally, in *Big Property Group Pty Ltd v Randwick City Council* [2021] NSWLEC 1161, Commissioner O’Neill found that “The desired future character of an area cannot be determined by the applicable development standards for height and FSR alone”.

Further, Commissioner O’Neill found that “The presumption that the development standards that control building envelopes determine the desired future character of an area is based upon a false notion that those building envelopes represent, or are derived from, a fixed three-dimensional masterplan of building envelopes for the area and the realisation of that masterplan will achieve the desired urban character”.

Similarly, in *HPG Mosman Projects Pty Ltd v Mosman Municipal Council* [2021] NSWLEC 1243, Commissioner O’Neill found that “The desired

future character of an area is not determined and fixed by the applicable development standards for height and FSR, because they do not, alone, fix the realised building envelope for a site. The application of the compulsory provisions of cl 4.6 further erodes the relationship between numeric standards for building envelopes and the realised built character of a locality (SJD DB2 at [62]-[63]). Development standards that determine building envelopes can only contribute to shaping the character of the locality (SJD DB2 at [53]-[54] and [59]-[60])”.

ASSESSMENT

Is the requirement a development standard?

The building height control in the rear 25% of the site is a development standard and is not excluded from the operation of Clause 4.6(2) of the LEP.

What is the underlying object or purpose of the standard?

The objectives of Clause 40(3)(c) are not specifically expressed in the SEPP, however the aims of the SEPP are to increase the supply and diversity of residences that meet the needs of seniors or people with a disability, make efficient use of existing infrastructure and services, and be of good design.

Further, it is reasonable to assume that the underlying objective of the building height control in the rear 25% of the site is intended to minimise the impact of buildings adjacent to the rear yards of surrounding properties.

The proposed development complies with the provisions of Clause 50 of the SEPP in relation to building height, density and scale, landscaped area, deep soil zones, solar access, private open space, and parking.

The controls in Clause 50 of the SEPP are standards that cannot be used to refuse development consent for self-contained dwellings.

The proposed development complies with the controls incorporated in the Warringah Development Control Plan (DCP) 2011 in relation to the rear boundary setback, and the side boundary setbacks, including the portion of the building within the rear 25% of the site.

Further, the portion of the building within the rear 25% of the site adopts a low level skillion style roof with a 2 degree fall towards the rear.

The site is adjoined to the rear (south) by a large expanse of open space associated with the *Elizabeth Jenkins Place Aged Care Centre*. In the circumstances, the site does not have an ordinary physical relationship to the rear typical of a back-to-back row of residential allotments.

The site is currently occupied by a 2 – 3 storey dwelling house, located towards the rear of the site. The existing dwelling has a 2-storey form within the rear 25% of the site.

The adjoining buildings to the east and west similarly occupy the rear portion of the allotments, including within the rear 25% of the sites.

The proposed landscaping includes eight (8) new trees within a mature height of 4 – 20 metres. The proposed trees will be supplemented by 113 shrubs with a mature height of 1 – 4 metres, with the remainder of the landscaped areas accommodating ground cover/mass plantings.

The proposed landscaping extends around the perimeter of the site, including within the setbacks to the front, rear and side boundaries.

The proposed development will substantially maintain the amenity of the adjoining properties to the east and west in terms of the key considerations of visual bulk, overshadowing, privacy and views.

On 24 April 2020, Council granted Development Consent (REV2020/001) for *“Boundary adjustment part demolition for alterations and additions to a dwelling house construction of a detached dwelling house and a Secondary dwelling”*. The approved dwellings included 2-storey components within the rear 25% of the site.

On 29 March 2021, the Land and Environment Court upheld two (2) appeals against the refusal of two (2) separate DA’s for the site (*Waights v Northern Beaches Council [2021] NSWLEC 1153*).

The approved development comprises the construction of two (2) boarding houses. The approved boarding houses both include 2-storey components within the rear 25% of the site.

In the circumstances, the proposed development is generally consistent with, or not antipathetic to, the assumed objectives of the building height control in the rear 25% of the site, notwithstanding the numerical variation.

Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

The Department of Planning published “*Varying development standards: A Guide*” (August 2011), to outline the matters that need to be considered in Development Applications involving a variation to a development standard. The Guide essentially adopts the views expressed by Preston CJ in *Wehbe v Pittwater Council* [2007] NSWLEC 827 to the extent that there are five (5) different ways in which compliance with a development standard can be considered unreasonable or unnecessary.

1. *The objectives of the standard are achieved notwithstanding non-compliance with the standard;*

The proposed development is generally consistent with, or not antipathetic to, the assumed objectives of the building height control in the rear 25% of the site, notwithstanding the numerical variation.

2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*

The assumed objectives of the building height control in the rear 25% of the site remain relevant, and the proposed development is generally consistent with, or not antipathetic to, the assumed objectives of the building height control in the rear 25% of the site, notwithstanding the numerical variation.

3. *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*

The proposed development is generally consistent with, or not antipathetic to, the assumed objectives of the building height control in the rear 25% of the site, notwithstanding the numerical variation.

Further, the proposed development will provide additional residential accommodation within an established residential environment, offering a

very good level of internal amenity without imposing any significant or adverse impacts on the amenity of the surrounding land.

In the circumstances, strict compliance with the building height control in the rear 25% of the site would be unreasonable and unnecessary to the extent that the amenity of the proposed apartments would be unnecessarily reduced within a development that is consistent with the overarching objectives of the SEPP, in circumstances where the building form does not impose any significant or adverse impacts on the amenity of the surrounding land.

4. *The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;*

The building height control in the rear 25% of the site has not specifically been abandoned or destroyed by the Council's actions. Irrespective, Council has historically adopted a relatively flexible approach to the implementation of development standards in circumstances where the objectives of the control are achieved, notwithstanding a numerical non-compliance.

5. *Compliance with the development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

Strict compliance with the building height control in the rear 25% of the site would be unreasonable and unnecessary to the extent that the amenity of the proposed apartments would be unnecessarily reduced within a development that is consistent with the overarching objectives of the SEPP, in circumstances where the building form does not impose any significant or adverse impacts on the amenity of the surrounding land.

Are there sufficient environmental planning grounds to justify contravening the development standard?

The proposed variation to the building height control in the rear 25% of the site is reasonable and appropriate in the particular circumstances on the basis that:

- the proposed development complies with the provisions of Clause 50 of the SEPP in relation to building height, density and scale, landscaped area, deep soil zones, solar access, private open space, and parking;
- the proposed development complies with the controls incorporated in the Warringah DCP 2011 in relation to the rear boundary setback, and the side boundary setbacks, including the portion of the building within the rear 25% of the site;
- the site is adjoined to the rear (south) by a large expanse of open space associated with the *Elizabeth Jenkins Place Aged Care Centre*. In the circumstances, the site does not have an ordinary physical relationship to the rear typical of a back-to-back row of residential allotments;
- the site is currently occupied by a 2 – 3 storey dwelling house, located towards the rear of the site, and the existing dwelling has a 2-storey form within the rear 25% of the site;
- the adjoining buildings to the east and west similarly occupy the rear portion of the allotments, including within the rear 25% of the sites;
- the proposed landscaping includes eight (8) new trees within a mature height of 4 – 20 metres, with the proposed trees supplemented by 113 shrubs with a mature height of 1 – 4 metres, with the remainder of the landscaped areas accommodating ground cover/mass plantings, including within the setback to the rear boundary;
- proposed development will substantially maintain the amenity of the adjoining properties to the east and west in terms of the key considerations of visual bulk, overshadowing, privacy and views;
- the Council and the Court have recently approved developments that include 2-storey components within the rear 25% of the site;
- strict compliance with the building height control in the rear 25% of the site would be unreasonable and unnecessary to the extent that the amenity of the proposed apartments would be unnecessarily reduced within a development that is consistent with the overarching objectives of the SEPP, in circumstances where the building form does not impose any significant or adverse impacts on the amenity of the surrounding land;

- the proposed development is consistent with, or not antipathetic to, the objective of the R2 – Low Density Residential zone; and
- the proposed development is generally consistent with, or not antipathetic to, the assumed objectives of the building height control in the rear 25% of the site, notwithstanding the numerical variation.

Are there any matters of State or regional significance?

The proposed variation to the building height control in the rear 25% of the site does not raise any matters of State or regional significance.

What is the public benefit of maintaining the standard?

The proposed development is generally consistent with, or not antipathetic to, the assumed objectives of the building height control in the rear 25% of the site, notwithstanding the numerical variation.

In the circumstances, the proposed development does not affect the public benefit of maintaining the building height control in the rear 25% of the site in other instances.

Any other matters?

There are no further matters of relevance to the proposed variation to the building height control in the rear 25% of the site.

Zone Objectives and Public Interest

The site is zoned R2 - Low Density Residential pursuant to the Warringah LEP 2011, and the objectives of the zone relating to residential development are expressed as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed development is permissible on the site pursuant to the provisions of SEPP (Housing for Seniors or People with a Disability) 2004, and the SEPP prevails to the extent of any inconsistency with the LEP.

In the circumstances, the proposed development will provide a very high standard of residential accommodation within an established residential precinct. Further, the proposed development includes extensive new landscaping that will materially enhance the landscaped setting of the site and surrounds.

The proposed development serves the public interest by providing substantially improved residential accommodation within an established residential environment, offering a very good level of internal amenity without imposing any significant or unreasonable impacts on the amenity of surrounding land.

Finally, the very minor variation to the building height control in the rear 25% of the site does not raise any significant matters of public interest.

CONCLUSION

The purpose of this submission is to formally request a variation to the building height control in the rear 25% of the site incorporated in Clause 40(3)(c) of SEPP (Housing for Seniors or People with a Disability) 2004.

In this instance, strict compliance with the control is unreasonable on the basis that the objectives are achieved anyway, and unnecessary on the basis that no beneficial planning purpose would be served.

In the circumstances, there are sufficient environmental planning grounds to justify the variation to the building height control in the rear 25% of the site.

ATTACHMENT B

Letters of Support from Surrounding Residents/Owners

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 4 Alexander St and 1 Alexander St and 4 Collaroy St,
Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh
Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the
proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that
Council approve the Development Application.

Kind Regards,

A handwritten signature in blue ink, appearing to be 'Steve Howell', with a large, stylized 'S' and 'H'.

Steve Howell

7th September 2021

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy – SEPP Seniors Apartments Development Application

We, Miguel Ranzetta and Jacquelyn Archer are the owners of 7 Alexander Street, Collaroy and have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 3rd Sept 2021.

We have carefully considered the plans and in our opinion, we feel the proposed development of an over 55's Seniors Apartment Development is definitely a better outcome for our neighbourhood and will be a positive outcome for the site.

As such, we support the proposed development and ask that the Council approve the Development Application.

Kind regards,

JArcher - 

Jacquelyn Archer & Miguel Ranzetta

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development Application


I am the owner/resident of 9 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,



Trudi Pike

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 14 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,

Two handwritten signatures in blue ink. The first signature is 'Bly Carpenter' and the second is 'Jock Benham'. They are written in a cursive, flowing style.

Bly Carpenter & Jock Benham

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

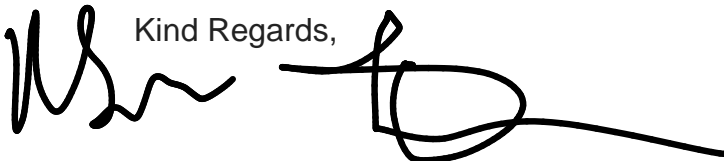
I am the owner/resident of 11 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,

A handwritten signature in black ink, consisting of a stylized 'W' followed by a large, circular flourish and a long horizontal line extending to the right.

Tiga Wallman & Niall Johnston

07-Sep-2021.

The General Manager

Northern Beaches Council

PO Box 82

MANLY NSW 1655

Dear Sir/Madam, Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development Application.

I am the owner/resident of 13 Alexander St, Collaroy. I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,

Frances Murphy

A handwritten signature in cursive script, reading "F. Murphy".

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 15 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,



Bruce and Wendy Davison

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 16 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,



Mario Brozzes

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

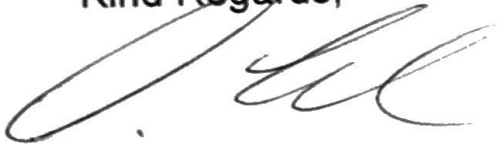
Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 20 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.
I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.
In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Andreas Lehr', written over a horizontal line.

Andreas Lehr

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

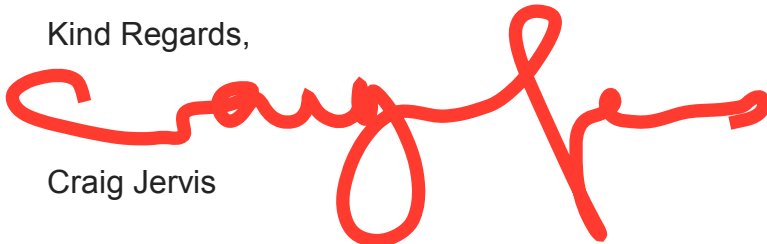
I am the owner/resident of 24 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,

A handwritten signature in red ink, appearing to read 'Craig Jervis', with a large loop at the end.

Craig Jervis

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 35 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,

Paul Gallagher

A handwritten signature in grey ink, appearing to read 'PAG', with a long horizontal flourish extending to the right.

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

I am the owner/resident of 56 Alexander St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,



Jill Pioch

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

Re: 18 Alexander Street, Collaroy - SEPP Seniors Apartments Development
Application

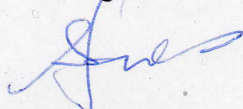
I am the owner/resident of 50 Collaroy St, Collaroy.

I have been provided with a copy of the Architectural Plans prepared by Walsh Architects, dated 03.09.2021.

I have carefully considered the Architectural Plans and, in my/our opinion, the proposed development is a positive outcome for the site.

In the circumstances, I support the proposed development, and would ask that Council approve the Development Application.

Kind Regards,



Stephen Jones

Comment:

- *Step in right direction*
 - *Medium size block with adequate off street parking for what is basically a one way street due to parked cars*
- 6/9/21*