

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

**2 BEACH ROAD, COLLAROY NSW  
2097**

Development Application for a one into two  
lots Torrens title subdivision and minor  
alterations to an existing dwelling.



**MB TOWN PLANNING**

## PROJECT DESCRIPTION

**Project No.:** J20019

**Project Address:** 2 Beach Road, Collaroy

**Local Government Area:** Northern Beaches Council

**Report Revision No.:** V1

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**Date:** 12 May 2020

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Part 1	Introduction
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## 1. Introduction

This Statement of Environmental Effects accompanies a Development Application for a one into two lot Torrens title subdivision, at 2 Beach Road, Collaroy. The proposal also involves minor alterations to one of the existing dwellings, so as to create greater separation between the two existing dwellings.

This application is described in plans by Manche designs, dated 15/4/2020, including:

- Existing Site Plan – Drawing No. 1.1
- Proposed Site Plan – Drawing No. 1.2
- Dwelling 1 Floor Plans – Drawing No. 3.1
- Dwelling 2 Existing Floor Plans- Drawing No. 3.2
- Dwelling 2 Proposed Floor Plans – Drawing No. 3.3
- Dwelling 2 Elevations – Drawing No. 4.2
- Dwelling 2 Sections – Drawing No. 5.2

Part 2 of this report describes the site and its locality. Part 3 describes the proposed development. Part 4 identifies the relevant town planning controls and provides an assessment with regard to the proposed development. Part 5 sets out the concluding remarks and recommendation.

## 2. Description of the site and its locality

Dwelling Number	Real Property Description	Street Address
Dwelling Number 1	Lot 1 SP 57338	2/2 Beach Road, Collaroy
Dwelling Number 2	Lot 1 SP 57338	1/2 Beach Road, Collaroy

The subject site is 2 Beach Road, Collaroy and consists of two attached dwellings, recognised as 1/2 Beach Road and 2/2 Beach Road. Both dwellings have a real property description of Lot 1, SP 57338. For ease of understanding, both dwellings will be distinguished as 'dwelling number 1' and 'dwelling number 2'. The site has a dual frontage, with dwelling number 1 containing a frontage to Cliff Road and dwelling number 2 containing a frontage to Beach Road. The site is relatively uneven in its configuration, and consists two dwellings that were approved as dual occupancy and strata subdivided, within DA 1995/83. The side boundaries vary in length throughout the extent of the site, with the existing front boundary for both dwellings consisting of a length of 6.97m and 4.25m to Cliff Road and Beach Road respectively. As the dwellings are currently configured as an attached dual occupancy, the rear of both dwellings are attached. The total site area is 498.4m<sup>2</sup>.

Existing on the site are two two-storey attached dwellings and associated landscaping works. A single space rendered garage and covered patio are located on existing dwelling number 1, along with paved areas, gardens and a small deck towards the rear. Existing dwelling number 2, consists of a double garage, a timber deck located towards the rear of the site and along a side setback, as well as some

landscaping and concrete paths around the dwelling. The site is relatively flat throughout, with a minor fall from the west of the site to the east. The site landscaping is scattered and predominantly recognised as low lying vegetation and shrubs.

The subject site is located in close proximity to Long Reef Golf Club and Griffith Park (100m to the south) and Collaroy Beach (500m to the north). Also within the site's immediate context are residential developments of similar design to the subject site, as well as commercial uses in the more broader context of the site. Directly adjoining the site at are 9 Anzac Avenue, 7 Anzac Avenue and 4 Beach Road Collaroy. All of these sites are residential and used dwelling houses.

See *Figure 1* and *Figure 2* below, detailing the location of the site and its broader surrounding context. *Photo's 1-12* below provide a more detailed analysis of the existing site conditions.



*Figure 1: The subject site and its surrounding context. Source: Sixmaps.*



*Figure 2: The subject site (outlined in red) and its surrounding context. Source: Sixmaps*



**Photo 1:** View of the property at 2/2 Beach Road, as viewed from Beach Road.





**Photo 2:** View of the section of 2/2 Beach Road that is to be demolished as part of this application



**Photo 3:** View of the boundary between 2/2 Beach Road and 7 Anzac Avenue.



**Photo 4:** View of Beach Road towards Anzac Avenue.



**Photo 5:** View of Beach Road towards Ocean Grove



**Photo 6:** View of the adjoining property at 4 Beach Road, Collaroy



**Photo 7:** View along Cliff Road, from Anzac Avenue





**Photo 8:** View of the property at 1/2 Beach Road, Collaroy



**Photo 9:** View of the adjoining property at 3 Cliff Road, Collaroy



**Photo 10:** Another view of the site at 1/2 Beach Road, Collaroy



**Photo 11:** View of the existing garage at 1/2 Beach Road, Collaroy



**Photo 12:** View of Cliff Road, towards Anzac Avenue

### **3. Proposed Development**

The proposed development is for a one into two lots Torrens title subdivision, located at 1/2 Beach Road and 2/2 Beach Road, Collaroy and minor alterations to 2/2 Beach Road, Collaroy (existing dwelling number 2).

The proposal will enable both owners of each dwelling to have autonomy over their site. No alterations to the existing middle boundary between both dwellings is proposed. Minor alterations are proposed for the removal of an existing robe and alterations to an existing ensuite at existing dwelling number 2. This will enable a greater building separation between both dwellings, from what is existing. Internally, one of the existing bedrooms is proposed to be removed and replaced with a study, to enable the reduction in building bulk that is proposed towards the rear of dwelling 2. The colours and materials for the new rear wall of dwelling number 2 will be reflective of the existing colours and materials. Dwelling number 1 is proposed to remain the same as per existing site conditions.

The existing parking arrangements will be maintained as part of this application. Existing dwelling number 2 contains an existing double garage will enables suitable off-street car parking for the dwelling. Existing dwelling number 1 consists of a rendered single garage, with both dwellings provided with suitable off-street car parking to enable ease of access to the site. As no additional floor space is proposed

and the dwellings are effectively being retained as part of this application, it is not considered necessary to alter the existing car parking arrangements.

#### **4. Assessment under relevant town planning controls**

An assessment of the proposed development has been made against the relevant planning instruments that are applicable to the site and the proposal. These include:

- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *Warringah Local Environmental Plan 2011; and*
- *Warringah Development Control Plan 2011*

##### ***State Environmental Planning Policy No. 55 – Remediation of Land***

An initial site analysis of the subject site has been made, with the subject site currently being used for residential purposes. This development application seeks to maintain the existing use of the site and will only result in minimal impacts on the existing land itself. Considering the site has been used for residential purposes for a considerable amount of time, it is recommended that the site is suitable for the proposed works. Therefore, no further action will be required.

##### ***Warringah Local Environmental Plan 2011***

###### ***Permissibility***

The principal environmental planning policy for the subject site is the *Warringah Local Environmental Plan 2011 (WLEP 2011)*, under which the site is zoned R2 – Low Density Residential.

The proposed works are for the one into two lots, Torrens title subdivision at 1/2 Beach Road and 2/2 Beach Road, Collaroy, in addition to minor alterations to the existing dwelling located at 2/2 Beach Road. The existing use of the site is for a dual occupancy, which is a prohibited use under the *WLEP 2011*. The proposed development will change the use of the existing dwellings to dwelling houses, located on individual lots of land.

In accordance with the R2 Low Density Residential zone within the *WLEP 2011*, a 'dwelling house' is permissible with consent.





Figure 3: The subject site outlined in red. Source NSW Legislation

### Objectives

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

### Comment

The proposed development will continue to provide for the housing needs of the community. The proposed one into two lots Torrens title subdivision will enable the retention of the existing dwellings, which will generate no impacts on the adjoining dwellings and other land uses within the broader context of the site.

The existing landscaping will predominantly be retained, to ensure that the site will continue to be visually appealing when viewed from the street. To increase the useable space, three yucca plants that are located at the middle boundary between the two dwellings are proposed to be removed.

A full assessment of the relevant controls of the *Warringah Local Environmental Plan 2011 (WLEP 2011)* is provided within *Table 3* below. As can be seen, the proposal meets the requirements of the *WLEP 2011* and should therefore be considered satisfactory.

Clause	Summary of Relevant Provision	Compliance Comment
4.1 – Minimum Subdivision Lot Size	<p>The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land</p> <p>For the purposes of subclause (3), in calculating the size of a lot the area of any access corridor (including any right of carriageway, access way or other area that provides for vehicle access) is to be excluded, whether the access corridor is to be created or is in existence at the time of the application for development consent for the subdivision.</p>	<p>Following the subdivision of land, the two proposed lots will be less than the minimum lot size. Justification for the contravention to this development standard has been made below and within the Clause 4.6 written request that has been prepared as part of this application.</p> <p>Noted.</p>
4.3 – Height of Buildings	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	The proposed development does not generate a change in building height for either dwelling, from what is existing.
4.6 – Exceptions to Development Standards	<p>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</p> <p>Development consent must not be granted for</p>	Noted. A Clause 4.6 written request has been prepared as part of this application.

	<p>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</p> <p>Development consent must not be granted for development that contravenes a development standard unless—</p> <p>(a) the consent authority is satisfied that—</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(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</p> <p>(b) the concurrence of the Planning Secretary has been obtained.</p> <p>In deciding whether to grant concurrence, the Planning Secretary must consider—</p> <p>(a) whether contravention of the development standard raises any matter of significance for State or</p>	<p>Noted. Please refer to the Clause 4.6 written request for justification for the contravention to the minimum lot size development standard.</p> <p>Noted.</p> <p>The proposal will have no impact on the public interest, as the existing dwellings will be retained as part of this application. Only minor physical alterations to one of the dwellings is proposed.</p> <p>Noted.</p> <p>The proposal will not be a matter for State or regional environmental planning.</p>
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	<p>regional environmental planning, and</p> <p>(b) the public benefit of maintaining the development standard, and</p> <p>(c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.</p>	<p>The proposal will be within the public interest as it will generate housing benefits to the wider community.</p> <p>Noted.</p>
6.1 – Acid Sulfate Soils	<p>Despite subclause (2), development consent is not required under this clause to carry out any works if—</p> <p>(a) the works involve the disturbance of less than 1 tonne of soil, and</p> <p>(b) the works are not likely to lower the watertable.</p>	<p>The proposed development is adjacent to class 5 acid sulphate soils. The proposal will also not involve the disturbance of more than 1 tonne of soil and will furthermore not likely lower the watertable.</p>
6.2 – Earthworks	<p>Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p>	<p>The proposal only involves minimal physical works and will subsequently not likely impact on the existing drainage pattern</p> <p>The proposed physical works will enhance the useability of the site, therefore having a positive effect on the future use of the land.</p> <p>Noted.</p>



	<p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<p>The proposal will generate no amenity impacts on the adjoining properties.</p> <p>Noted.</p> <p>The likelihood of disturbing relics is extremely low.</p> <p>No adverse impacts will be generated onto surrounding watercourses or environmentally sensitive land.</p>
6.4 – Development on Sloping Land	<p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and</p> <p>(b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and</p> <p>(c) the development will not impact on or affect the existing subsurface flow conditions.</p>	<p>As the proposal involves minimal physical works, the potential for additional risks associated with landslides, is highly unlikely.</p> <p>No adverse impacts from stormwater discharge will be resulted from the proposed development.</p> <p>The proposal will not impact on the existing subsurface flow conditions.</p>

*Table 3: Assessment of relevant provisions under the WLEP 2011. Source: NSW Legislation*

### **Warringah Development Control Plan 2011**

The *Warringah Development Control Plan 2011* (WDCP 2011) is applicable to the site and this proposal. Consideration of the applicable provisions to the development has been made and detailed within *Table 4* below:

Control	Summary of Relevant Provision	Compliance Comment
<b>Part B – Built Form Controls</b>		
B1 – Wall Heights	Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building	The existing wall heights of the dwellings will remain. None of these walls exceed 7.2m in height.
B3 – Side Boundary Envelope	Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> <li>• 4 metres, or</li> <li>• 5 metres</li> </ul>	No alterations to the side boundary envelopes is proposed from what is existing.
B5 – Side Boundary Setbacks	Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.	As only minor alterations are proposed to the rear of existing dwelling number 2, the existing side boundaries are to remain as is existing.
B7 – Front Boundary Setbacks	Development is to maintain a minimum setback to road frontages.	The existing front setbacks for both existing dwellings is to be retained. Existing dwelling number 1 has a front setback of 6.97m, with existing dwelling number 2 containing a front setback of 4.25m.
B9 – Rear Boundary Setbacks	Development is to maintain a minimum setback to rear boundaries.	Due to the existing use of the site being for an attached dual occupancy, the existing rear setback is nil. The proposed

		development, will include minor works to the rear of existing dwelling number 2, to create some building separation and subsequently propose a 900mm rear setback for proposed dwelling number 2, enabling ease of access around the proposed dwelling.
<b>Part C – Siting Factors</b>		
C1 – Subdivision	<p>R2 Low Density Residential zone requirements: Proposed new allotments: a) Minimum width: 13 metres b) Minimum depth: 27 metres; and c) Minimum building area: 150m<sup>2</sup></p> <p><u>Access</u></p> <p>All existing and new roads are to be designed in accordance with Council's Policy requirements.</p> <p><u>Design and Construction</u></p>	<p>The two existing dwellings, once subdivided, will have a width of 13.44m (dwelling number 1) and 8.32m (dwelling number 2) respectively. The depth of each lot will be less than 27m and the minimum building area for each proposed lot is 145m<sup>2</sup> and 137m<sup>2</sup> respectively. Whilst these are less than the minimum controls as per C1, the site has been operating in its current configuration since 1995. Whilst the proposed use will change, there will be no increase in the number of occupants of the site, as the existing dwellings will be retained, subsequent to minor alterations.</p> <p>The existing driveways are designed in accordance with Council's Policy requirements.</p>

	<p>Provision should be made for each allotment to be drained by gravity to a Council-approved drainage system</p> <p>The topography of the land should not be altered to adversely affect the natural drainage patterns</p> <p>Stormwater should drain directly to a Council-approved drainage system and not via adjoining properties unless via a formalised interallotment drainage system</p> <p>The proposed allotments are to be drained to the direction of the natural fall of the land</p> <p>Interallotment drainage easements will be required through adjoining properties to adequately drain land to Council's downstream system</p> <p><u>Restrictions</u></p> <p>Any easement, right-of-carriageway, or other restriction that is placed on the title of any land as a requirement of the approval of the subdivision is to be protected by a positive covenant or like instrument with the Council nominated as a party</p> <p><u>Environmentally Constrained Land</u></p>	<p>Drainage for each lot will be via a Council-approved drainage system. Refer to the Stormwater Concept Plan, included as part of this application.</p> <p>As the existing dwellings and boundaries will be retained, no alterations to the topography of the land will be generated.</p> <p>Stormwater will be drained to a Council-approved drainage system. Refer to the Stormwater Concept Plan, included as part of this application.</p> <p>Noted.</p> <p>Each dwelling is able to drain to Council's downstream system, via stormwater to kerb and gutter outlet.</p> <p>Noted.</p>
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	<p>Where possible, lot boundaries should utilise natural land features such as creeks, escarpments and rock outcrops.</p>	<p>The lot boundaries will be located over the existing boundary between the two dwellings. To increase the useability of private open space however, some plants are to be removed towards the rear of dwelling number 2. However, these plants are not native species and will not detract from the natural significance of the site, once removed.</p>
C2 – Traffic, Access and Safety	<p><u>Vehicular Access</u></p> <p>Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives</p> <p>Vehicle access is to be obtained from minor streets and lanes where available and practical.</p> <p>Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy</p> <p>Vehicle crossing construction and design is to be in accordance with Council's Minor works specification</p>	<p>The existing location of the vehicular and pedestrian access does not contravene the objectives.</p> <p>Both proposed lots will have ease of access from minor streets. As is existing, access to the dwellings will be retained via Beach Road and Cliff Road respectively.</p> <p>The existing vehicle crossings will not be altered by the proposal.</p> <p>The existing vehicle crossings are designed in accordance with Council's Minor works specification.</p>
C3 – Parking Facilities	<p>Parking is to be located so that views of the street from front windows are not obscured</p>	<p>The existing parking arrangements will be retained from what is existing.</p>

	<p>Off street parking is to be provided within the property</p> <p>Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses</p> <ul style="list-style-type: none"> <li>- Dwelling Houses (3 bedrooms): 2 spaces per dwelling</li> </ul>	<p>Noted.</p> <p>The dwelling adjoining Beach Road consists of a double garage and suitable space to park in a stacked configuration over the driveway. The dwelling adjoining Cliff Road consists of a single garage, with the ability to park in a stacked configuration over the driveway. As no alterations are proposed to dwelling number 1, it is deemed that the existing car parking arrangements are satisfactory.</p>
C4 – Stormwater	<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.</p>	<p>The stormwater runoff from the proposed subdivision of land will have no environmental impacts on the surrounding area.</p> <p>The stormwater drainage systems for the proposed development are in accordance with Council's Water Management Policy.</p>
C5 – Erosion and Sedimentation	<p>All developments which involve the disturbance of land must install and maintain erosion and sediment controls until the site is fully stabilised</p>	<p>Noted.</p>
C7 – Excavation and Landfill	<p>All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation</p>	<p>Noted.</p>

	Excavation and landfill works must not result in any adverse impact on adjoining land.	The proposed minor demolition works will be operated in a way that does not adversely impact on adjoining land.
C8 – Demolition and Construction	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan	Refer to the Waste Management Plan that has been included as part of this application.
C9 – Waste Management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan	Refer to the Waste Management Plan that has been included as part of this application.
<b>Part D – Design</b>		
D1 – Landscaped Open Space and Bushland Setting	<p>The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting</p> <p>Note: Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation</p>	The subject site has a required minimum area of landscaped open space, of 40%. As existing however, the landscaped area for dwelling 1 is 25m <sup>2</sup> (11.6%), with the landscaped area for dwelling 2, being 29.3m <sup>2</sup> (10.3%). Due to the existing built form of the site, it would not be possible to provide 40% landscaped open space. To reduce bulk on site however, minor alterations are proposed to the rear of dwelling 2, to assist in minimising any potential built form impacts.
D2 – Private Open Space	Residential development is to include private open space for each dwelling	The existing private open space for both proposed lots is to be retained. A

	<p>The minimum area and dimensions of private open space are as follows:</p> <ul style="list-style-type: none"> <li>- Dwelling House (3 or more bedrooms) – 60m<sup>2</sup> (minimum dimensions of 5m)</li> </ul> <p>Private open space is to be directly accessible from a living area of a dwelling</p> <p>Private open space is to be located and designed to ensure privacy</p> <p>Private open space shall not be located in the primary front building setback</p> <p>Private open space is to be located to maximise solar access</p>	<p>minor increase in private open space for the dwelling adjoining Beach Road will be created through the minor alterations that are proposed.</p> <p>Dwelling number 1 and dwelling number 2 consist of 60m<sup>2</sup> and 70m<sup>2</sup> respectively.</p> <p>The areas used for private open space for each dwelling are accessible via a living area.</p> <p>Adequate privacy is available for areas used for private open space.</p> <p>Due to site constraints and the existing use of the site being a dual occupancy, some of the private open space for dwelling number 1 is located within the front setback. This is suitably screened from the street, and is accessed via a living area.</p> <p>No change to the existing areas of private open space are proposed.</p>
D6 – Access to Sunlight	<p>Development should avoid unreasonable overshadowing any public open space</p> <p>At least 50% of the required area of private open space of</p>	<p>No adverse overshadowing impacts are generated onto public open space.</p> <p>The existing private open space areas are to be</p>



	each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21	retained. These areas have shown their ability to receive a suitable amount of sunlight exposure. As no alterations to any portion of the secondary storey is proposed and the existing private open space areas are being retained, no shadow diagrams would be required in this instance.
D7 – Views	Development shall provide for the reasonable sharing of views	The proposed development will not impact on view sharing, as the existing dwellings are being retained, with the exception of minor alterations.
D8 – Privacy	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties	The existing building layout will be predominantly retained and therefore no additional impacts will be generated in relation to privacy.
D9 – Building Bulk	<p>Building height and scale needs to relate to topography and site conditions</p> <p>Orientate development to address the street</p> <p>Landscape plantings are to be provided to reduce the visual bulk of new building and works</p>	<p>The existing site conditions will be retained, with the exception of minor demolition works to reduce the existing building bulk.</p> <p>Both proposed lots will address the street as per the existing building configurations.</p> <p>The proposed building works are for the removal of a portion of existing dwelling 2. To create a greater amount of open space, the application also involves the removal of some plants towards the rear of dwelling 2. These plants are not native</p>

	Articulate walls to reduce building mass	species, with there removal not generating any adverse visual bulk impacts.  The existing dwellings are to be retained as part of this application.
D11 - Roofs	Roofs should complement the roof pitch and forms of the existing buildings in the streetscape	The existing dwellings are to be retained as part of this application.
D13 – Front Fences and Front Walls	Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character.	Existing fences are to be retained as part of this application. The existing middle boundary between the dwellings will remain vastly the same as what is existing. A minor adjustment is made to straighten the middle boundary in conjunction with the minor works proposed to dwelling 2.
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 existing site facilities will be retained to ensure that adequate convenience for users and other services can be made.
D15 - Side and Rear Fences	Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.	The existing side and rear fences are to be retained. These fences are compatible with the surrounding area.
D20 – Safety and Security	Buildings are to overlook streets as well as public and communal places to allow casual surveillance	Both existing dwellings overlook Beach Road and Cliff Road respectively.

	<p>There is to be adequate lighting of entrances and pedestrian areas</p> <p>Entrances to buildings are to be from public streets wherever possible</p>	<p>Suitable lighting and casual surveillance is available for both of the existing dwellings.</p> <p>The entrances to the existing dwellings are available from Beach Road and Cliff Road respectively.</p>
D21 – Provision and Location of Utility Services	<p>If a proposed development will involve a need for them, utility services must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage</p>	<p>The existing utility services are to be retained to facilitate the existing dwellings. If required, additional services can be provided.</p>
D22 – Conservation of Energy and Water	<p>The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy</p> <p>Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties</p> <p>All development must comply with Council's Water Management Policy</p>	<p>The existing configuration of the dwellings and landscaping will be predominantly retained. Some minor physical works to the built form of dwelling 2 and landscaping are proposed as part of this application.</p> <p>With the exception of minor demolition works to dwelling 2, no alterations to the existing site layout are proposed as part of this application.</p> <p>Noted.</p>
<b>Part E – The Natural Environment</b>		
E6 – Retaining Unique Environmental Features	<p>Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.</p>	<p>Only minor alterations to one of the existing dwellings is proposed. As a result, no impacts will be generated onto any other potentially</p>

		distinctive environmental features.
E7 – Development on Land Adjoining Public Open Space	Development on land adjoining public open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces	The site does not directly adjoin a public open space, however it is located nearby to Griffith Park. Based on the nature of this proposal however, there are to be no adverse impacts generated onto the public open space.
E10 – Landslip Risk	<p>The applicant must demonstrate that:</p> <ul style="list-style-type: none"> <li>• The proposed development is justified in terms of geotechnical stability; and</li> <li>• The proposed development will be carried out in accordance with good engineering practice.</li> </ul> <p>Development must not cause detrimental impacts because of stormwater discharge from the land.</p> <p>Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties</p>	<p>The subject site is located within an area that has a landslip risk of less than 5 degrees.</p> <p>Due to the nature of the proposal and the topography of the site, it is not considered that a geotechnical report is required. The proposed development will be carried out with good engineering practice, whilst ensuring that the site remains predominantly similar to what is existing.</p> <p>No adverse impacts on stormwater discharge from the land will be generated by the proposal.</p> <p>No detrimental impacts will be caused on the existing subsurface flow conditions of the site and the surrounding properties.</p>

*Table 4: Assessment of relevant provisions under the WDCP 2011. Source: WDCP 2011*

### **Comment**

As can be seen in the *Warringah Development Control Plan 2011 (WDCP 2011)* - Compliance Table above, the proposal is generally consistent with the relevant controls. Having regard to the foregoing, the proposal is therefore considered as

being acceptable when assessed under *WDCP 2011* and should warrant favourable consideration.

### ***Waste Management***

The proposed development will continue to utilise the current council waste bins for waste. Construction waste will be removed in a timely manner and will minimise disruption to the surrounding neighbours. A Waste Management Plan has also been included as part of this application, due to the minor demolition works that are proposed to one of the existing dwellings.

### ***Environmental, Social and Economic Impacts***

In determining a development application, the following matters are taken into consideration where relevant to the proposed development:

- *The likely impacts of that development;*
- *Environmental impacts on both the natural and built environments; and*
- *And social and economic impacts in the locality.*

Consideration of environmental planning instruments and any draft instruments that may be relevant is set out above. Consideration of the relevant development control plan provisions is also set out above.

In relation to potential impacts on the environment, the retention of the existing dwellings with the exception of minor alterations to one of them, will ensure that the impact on the surrounding environment will be minimal. The proposed subdivision of land will therefore present no additional impacts on the amenity of neighbouring sites, with the minor alterations enabling a greater separation between the two buildings. The proposed alterations will also enable short-term economic benefits as a result of the demolition and construction works involved.

### ***Site Suitability***

Having consideration for the characteristics of the site and the surrounding locality, the proposal is deemed appropriate for the following reasons:

- The zoning of the site permits the proposed use;
- The proposal will enable the site to continue to positively respond to the streetscape;
- The proposal is generally consistent with the provisions of the *Warringah Environmental Plan 2011* and *Warringah Development Control Plan 2011*;
- The proposal will change the use of the site from a prohibited use, to a permissible use; and
- No major physical works are proposed to alter what is existing on site.



### ***Public Interest***

The proposed subdivision of land will be within the public interest as it will create for a more appropriate use of the site, from what is existing. The proposed subdivision will also provide for the following benefits:

- The proposal will enable the site to continue to respond sensitively to its setting, whilst continuing to reflect the existing scale of the site;
- The proposal will enhance the future useability of the site;
- The proposal will provide for housing benefits to potential future buyers; and
- There are no additional impacts on adjoining properties in terms of sunlight access, views, noise and privacy.

## **6. Conclusion**

This proposal seeks approval for a Development Application for the one into two lots Torrens title subdivision at 1/2 Beach Road and 2/2 Beach Road, Collaroy and minor alterations to the existing dwelling, at 2/2 Beach Road, Collaroy.

The proposal will generate minimal impacts to the site, whilst providing for a more appropriate and desired use of the site. Dual occupancies are a prohibited use within the R2 zone, as per the *Warringah Local Environmental Plan 2011*, with the proposal seeking to change the use to a permitted use, being a dwelling house on each lot of land.

The conclusions of this report are that this application may be approved by the Council, subject to appropriate conditions, due to its suitability on the site and limited impact on adjoining properties. Additionally, the proposed development will in no way impact on the public interest, whilst also not resulting in any adverse impacts on the local area.

Having regard to the above, and in light of the relevant heads of consideration listed under *Section 4.15 of the Environmental Planning and Assessment Act, 1979* the proposal is considered as being appropriate and warrants favourable consideration.

## 6. REPORT LIMITATIONS AND EXCLUSIONS

The limitations and exclusions of this report are as follows:

The plans and other documents (provided by the applicant) are assessed indicatively to the extent necessary to proceed to a stage whereby this report is written pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979*. This means that the design has been assessed against the relevant Council and other local and state planning policies (submitted plans are required to be consistent with the BCA).

Note: The State and local Planning policies reviewed for this report are those in force (on the NSW legislation website and declared current on the relevant local council's website) at the date of the report.

- This Report does not address issues in relation to the following:
  - The structural adequacy of the building.
  - Environmental Planning and Assessment Act and Regulations (unless specifically referred to).
  - Local Government Act and Regulations (unless specifically referred to)
  - Occupational Health and Safety Act and Regulations.
  - Work Cover Authority requirements.
  - Requirements of other Regulatory Authorities including, but not limited to, Telstra, Sydney Water, Electricity Supply Authority, RTA, Council and the like.
  - Disability Discrimination Act.
  - Construction Safety Act.
- This Report does not incorporate the detailed requirements of the Australian Standards.
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**Matthew Benson**

**Director – MB Town Planning Pty Ltd**

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