

Statement of Environmental Effects

Use of the former garage area
for habitable purposes
at 30 Coutts Crescent, Collaroy 2097

2 May 2022

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1. Introduction

The Development Application seeks to authorise the use of the former garage area for habitable purposes from an existing a 2-storey dwelling residential premises located at H/N 30 Coutts Crescent, Collaroy NSW 2097.

This Development Application is to be read conjunction with the Building Information Certificate which is lodged to cover the as built works which occurred inadvertently by the owners.

The Development Application is submitted to Council in response to the request made by Council's Building Officer.

The use of the former garage area for habitable purposes is permissible in the R2-Low Density Residential zone under the provisions of Warringah Local Environmental Plan (LEP) 2011.

The main body of this report will review the key planning considerations for a consent authority under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979 and recommends the favourably determination of the Application.

2. Site Details

2.1. Location

The subject site is a conventional residential land holding on the northern side of Coutts Crescent and is legally identified as Lot 15 in DP 236457, known as H/N 30 Coutts Crescent, Collaroy NSW 2097.

The site is irregular in shape with a total surface area of 711.8sq.m and a road frontage of 15.41 metres.

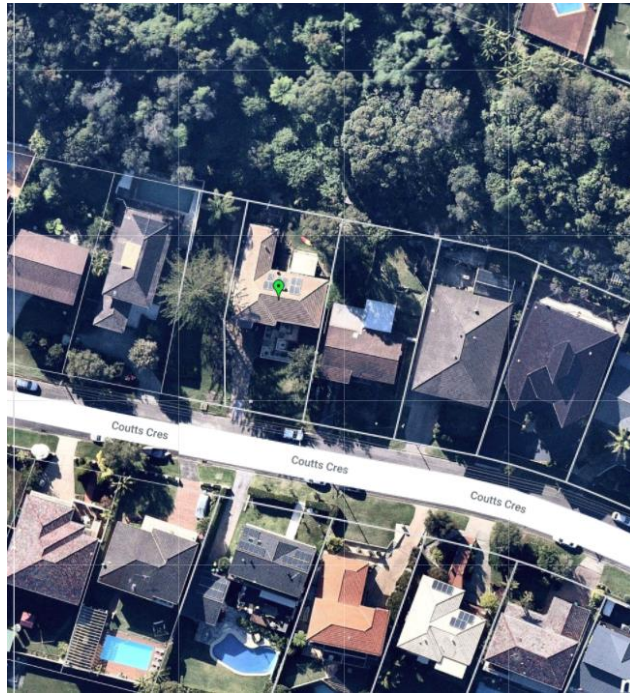
At the site stands a 2-storey dwelling that was built in the late 1970's from face brickwork and tiled roof construction and is cut into the site about placement.

Surrounding development consists of detached residential dwellings of varying age, scale, and design.

To the western and northern rear boundary of the site, the Couttis Crescent Bushland Reserve is located which is a dedicated public reserve.

A location plan of the site is provided below.





Location and Aerial Plans

2.2. Zoning

The site is located within the R2 Low Density Residential zone pursuant to Warringah Local Environmental Plan 2011.

A zoning map is provided below.

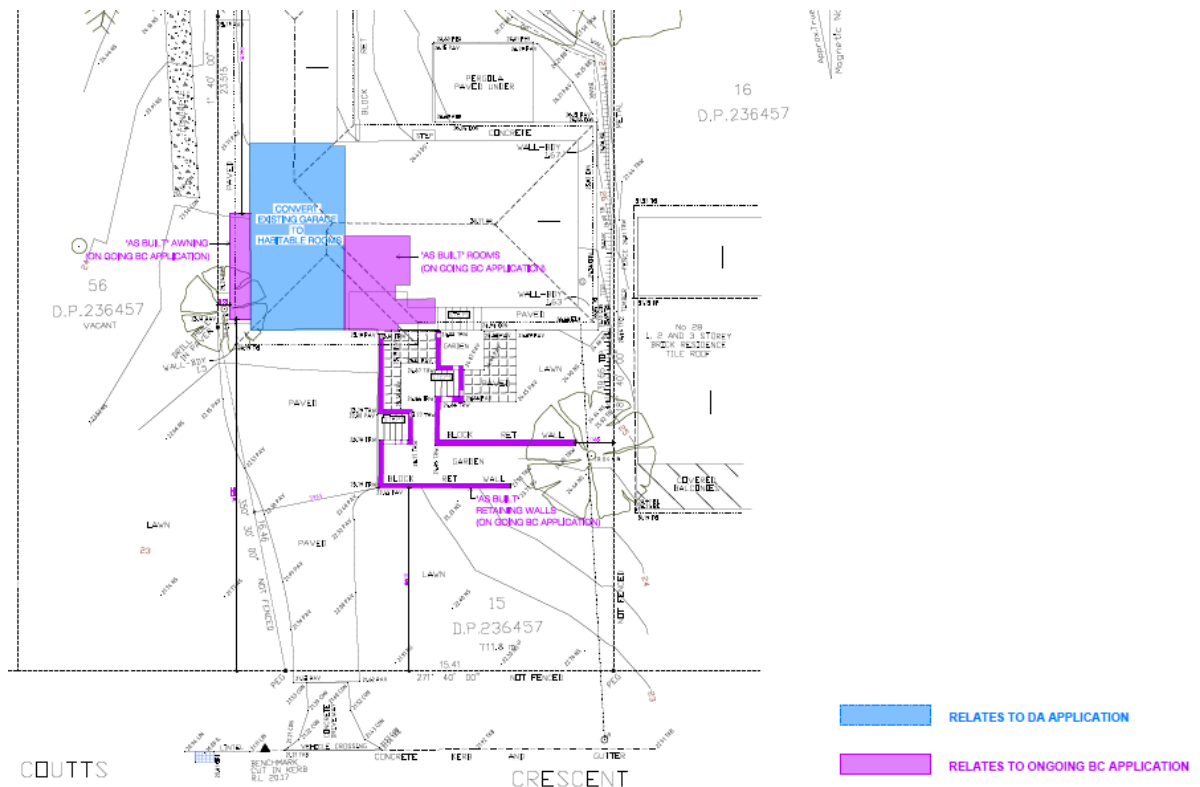


Zoning Map

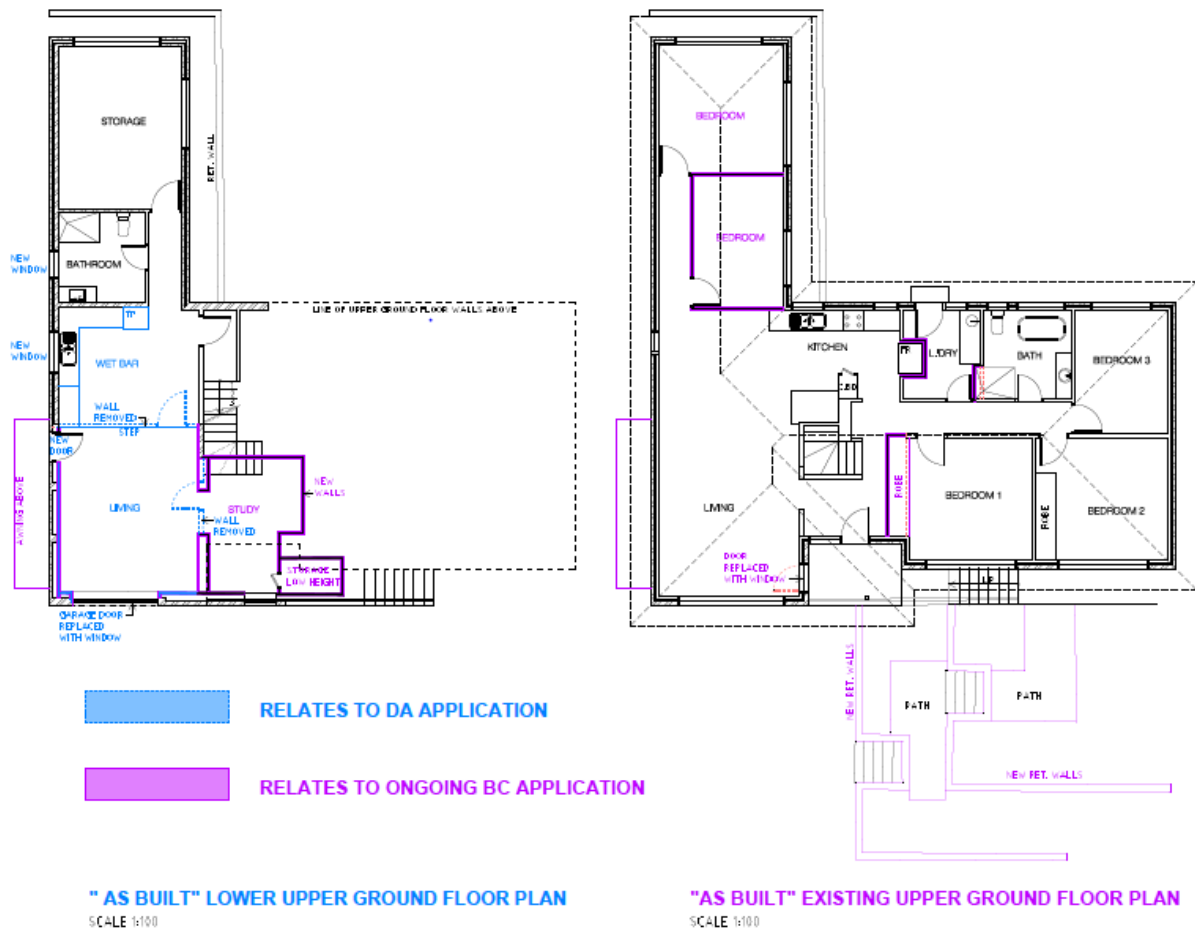
3. Development Application

The Development Application seeks consent for the continued use of the former garage area for habitable purposes and is filed to Council in response to the request made by Council's Building Officer.

This Development Application is to be read conjunction with the Building Information Certificate which is lodged to cover the as built works from an existing 2 storey dwelling house which occurred inadvertently by the owners.



Site Plan showing the location of the former garage



As built works shown

The relevant architectural plans, survey plan and other supporting documents accompany the Application.

4. Permissibility

The continued use of the former garage for habitable purposes is a permissible use in the R2- Low Density Residential zone under the provisions of Warringah Local Environmental Plan 2011 as the residential building is defined as a dwelling house.

5. Matters of Consideration

5.1. Section 4.15(1)(A)(I) – any environmental planning instruments

Warringah Local Environmental Plan 2011

The objectives of the R2 Low Density Residential zone are as follows:

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

Compliance Analysis

| Clause of LEP | Compliance with Requirements |
|-----------------------------------------|------------------------------|
| 2.7 Demolition requires consent | Yes |
| 4.3 Height of buildings | Yes |
| 4.6 Exceptions to development standards | N/A |
| 6.2 Earthworks | Yes |
| 6.4 Development on sloping land | Yes |

5.2. Section 4.15(1)(A)(ii) – any draft environmental planning instrument(s)

There are no known draft environmental planning instruments which affect the Application.

5.3. Section 4.15(1)(A)(iii) – any development control plan(s)

The as built works do not compromise the core objectives of Warringah Development Control Plan.

Compliance Analysis

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|-----------------------------------------------|------------------------------|-----------------------------|
| A.5 Objectives | N/A | Yes |
| B3 Side Boundary Envelope | Yes | Yes |
| R2 Side Boundary Envelope Exceptions | Yes | N/A |
| B5 Side Boundary Setbacks | Yes | Yes |
| Side Setbacks - R2 | Yes | N/A |
| B7 Front Boundary Setbacks | Yes | Yes |
| R2 - All other land in R2 Zone | Yes | N/A |
| Front Boundary Exceptions - R2 | Yes | N/A |
| All other land under R2 | Yes | N/A |
| C2 Traffic, Access and Safety | Yes | Yes |
| C3 Parking Facilities | Yes | Yes |
| C4 Stormwater | Yes | Yes |
| C5 Erosion and Sedimentation | Yes | Yes |
| C7 Excavation and Landfill | Yes | Yes |
| C8 Demolition and Construction | Yes | Yes |
| C9 Waste Management | Yes | Yes |
| D1 Landscaped Open Space and Bushland Setting | Yes | Yes |
| D2 Private Open Space | Yes | Yes |
| D3 Noise | Yes | Yes |
| D6 Access to Sunlight | Yes | Yes |
| D7 Views | Yes | Yes |
| D8 Privacy | Yes | Yes |
| D9 Building Bulk | Yes | Yes |
| D10 Building Colours and Materials | Yes | Yes |
| D11 Roofs | Yes | Yes |
| D12 Glare and Reflection | Yes | Yes |
| D16 Swimming Pools and Spa Pools | Yes | Yes |
| D20 Safety and Security | Yes | Yes |
| D22 Conservation of Energy and Water | Yes | Yes |
| E1 Private Property Tree Management | Yes | Yes |
| E6 Retaining unique environmental features | Yes | Yes |

| | | |
|-------------------|-----|-----|
| E10 Landslip Risk | Yes | Yes |
|-------------------|-----|-----|

5.4. Section 4.15(1)(A)(iiia) – any planning agreement or draft planning agreement

There are no related matters for consideration in terms of a planning agreement or draft planning agreement which affects the Application.

5.5. Section 4.15(1)(A)(iv) – the regulations

The proposal is viewed sufficient to enable a proper evaluation to be carried out by Council under the planning regulations and under Section 4.55 of the EP & A Act 1979.

5.6. Section 4.15(1)(B) – the likely impacts of the development

There are no undesirable socio-economic impacts.

There would be no undue impact upon the natural and built environment within the vicinity of the subject site because of the continued use for habitable purposes.

5.7. Section 4.15(1)(C) – the suitability of the site

The site only shares one common boundary with another residential property to the east and as such there are no adverse effects on the adjoining property at 28 Coutts Crescent given the existing dwelling is suitably offset and separated.

No concerns or complaints have been raised to date in regard to the use.

There are no significant or iconic views affected given the site is located on the higher side of Coutts Crescent.

5.8. Section 4.15(1)(D) – any submission made

Council will review any submissions made during the exhibition process and we welcome the opportunity to comment on any such submissions.

5.9. Section 4.15(1)(e) – the public interest

The proposal is not contrary to the public interest.

6. Conclusion and Recommendation

The main body of this report reviewed key planning considerations for a consent authority under the matters of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979.

The use of the garage for habitable purposes is permissible and is considered not to unreasonably impact upon the amenity of the adjoining properties or the Coutts Crescent streetscape and landscape.

On this basis, it is recommended that the Application be approved.

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