

STATEMENT OF ENVIRONMENTAL EFFECTS

New Dual Occupancy

54 Stella Street,
Collaroy Plateau

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Statement of Environmental Effects

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54 Stella Street, Collaroy Plateau

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1 Introduction

This Statement has been prepared as part of the documentation associated with a Development Application proposing the demolition of the existing dwelling and construction of a new 2 storey attached dual occupancy.

The architect has responded to the client brief to provide a site specific design which appropriately acknowledges, and responds to, the constraints and opportunities associated with the environmental characteristics of the site. The outcome of the proposed works is of exceptional design quality which will not give rise to any significant adverse amenity impacts or environmental impacts, and is consistent with development within the streetscape and local area generally. The proposed will contribute to the housing availability and typology within the former Warringah Local Government Area.

In addition to the Statement of Environmental Effects the application is also accompanied by the following:

- Survey Plan
- Architectural plans
- Landscape Plan
- BASIX Certificate
- Stormwater management plans
- Waste management plan
- Geotechnical report

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979.
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Warringah Local Environmental Plan 2011, and
- Warringah Development Control Plan 2011

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed dual occupancy is compatible with the zone and streetscape characteristics.

- The proposed dual occupancy will have a negligible impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

The application relates to Lot 30 in DP 24784, 54 Stella Street, Collaroy Plateau. A location map is included as **Figure 1**.



Figure 1: Site Location (Source: Six Maps)

The subject site is rectangular in shape with a width of 13.335m and depth of 39.624. The site area measures 524.8m².

The topography of the site has a gentle slope down from the front boundary to the rear of the site of approximately 1.5m. There is also a slight crossfall in the northerly direction. No significant trees are identified on the site survey.

The existing development on the site comprises a single storey residential brick dwelling. Development in the vicinity predominately includes single dwelling within informal landscape settings. Collaroy Plateau Park is located in close proximity to the east of the subject site.



Image 1: Street presentation



Image 2: Rear View

3 Description of Proposed Development

3.1 Details of the Proposed Development

The proposed works seek to demolish the current dwelling and construct a new two storey dual occupancy at the subject site. The works are detailed on the architectural plans prepared by provided with this application. The dwellings mirror each other and specifically include:

Ground Floor:

- Single car garage
- Laundry and W/C
- Open plan kitchen/dining/living. This space will open out an alfresco area and the rear yard
- Entry porch leading to the entry hallway

First floor:

- Bedroom level including 3 bedrooms. The master suite will include an ensuite and WIR. Bed 3 will have access to small front facing balconies.
- Bathroom

The application is supported with a landscape plan detailing new treatments across the site.

Stormwater management plans are provided in accordance with Northern Beaches Council Water Management Policy.

A BASIX certificate is provided detailing consistency with the energy efficiency requirements.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

As previously noted the site is zoned R2 Low Density Residential pursuant to the provisions of the Warringah Local Environmental Plan 2011.

- *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.*

Dual occupancies are permissible with consent under the State Environmental Planning Policy (housing) 2021 which takes precedence over the Warringah LEP. Clause 166 in Chapter 6 of the SEPP permits dual occupancies within the R2 zone.

4.1.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

The development complies with the 8.5m height of buildings development standard. The elevations and sections provided within the architectural set demonstrate compliance with the control and are shown below.

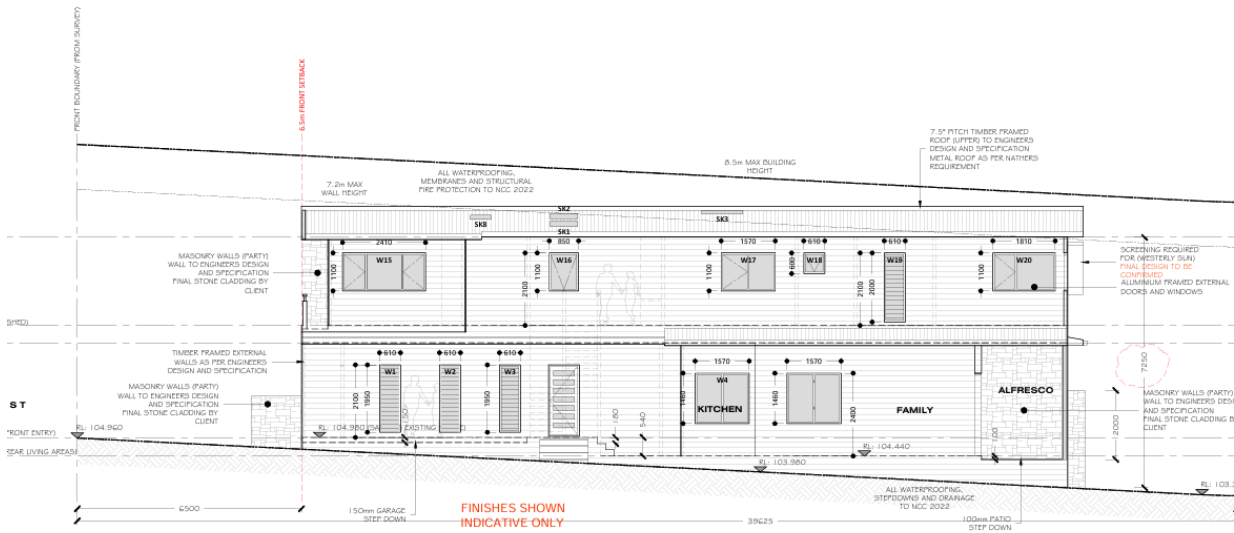


Image 3: Elevation showing compliance with the 8.5m development standard

4.1.3 Earthworks

No substantial excavation will be required with the exception of the required footings for the building.

4.1.4 Stormwater Management

Stormwater Management plans have been provided and have been designed with regard to Northern Beaches Council’s Water Management Policy.

4.2 Warringah Development Control Plan 2011

The proposal relates to a new dual occupancy and the following relevant DCP controls have been addressed with respect to consideration of the proposed dual occupancy

4.2.1 DCP Compliance Table

A table demonstrating compliance with the relevant provisions of the Warringah DCP 2011 is detailed as follows:

Control	Requirement	Proposed	Compliance
Wall Height DCP Control B1	7.2 metres from ground level (existing) to the underside of the ceiling to the uppermost floor of the building (excluding habitable areas wholly located within a roof space).	When measured to the underside of the eaves the development is compliant with the wall height control.	Yes
Side Boundary Envelope DCP Control B3	Buildings 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 5 metres.	<p>The development will have a minor non-compliance with the envelope control towards the front of the site where the land slopes down. The rear of the building is compliant with the envelop control.</p> <p>The development achieves a high level of compliance with the other applicable controls with regard to the 8.5m height and wall height control. The upper level is also compliant with the 1m to one side and 2.5m to the other setback at the first floor level with the majority of the first floor level in excess of the side setback</p>	No – worthy on merit

Control	Requirement	Proposed	Compliance
		<p>requirements. As such, the minor breach to the envelope is considered reasonable in this instance and reflects the sloping topography.</p> <p>The development does not give rise to adverse amenity impacts with regard to privacy and overshadowing.</p>	
<p>Front Boundary Setback</p> <p>DCP Control B7</p>	<p>Development is to maintain a front setback of 6.5 metres.</p>	<p>Complies</p>	<p>Yes</p>
<p>Rear Boundary Setback</p> <p>DCP Control B9</p>	<p>Development is to maintain a minimum rear boundary setback of 6 metres.</p>	<p>Complies</p>	<p>Yes</p>
<p>Traffic, Access and Safety</p> <p>C2</p>	<p>To minimise:</p> <ul style="list-style-type: none"> a) traffic hazards; b) vehicles queuing on public roads c) the number of vehicle crossings in a street; d) traffic, pedestrian and cyclist conflict; 	<p>The crossover will be realigned to be central to the site and the kerb reinstated. A single crossover and driveway will service both dwellings. The proposed access will be consistent with Council's vehicle crossing policy and driveway engineering requirements.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>e) interference with public transport facilities; and</p> <p>f) the loss of “on street” kerbside parking.</p>		
<p>Parking Facilities</p> <p>DCP Control C3</p>	<p>2 off street parking spaces must be located behind the front building alignment.</p>	<p>2 off-street tandem parking spaces achieved to each dwelling.</p>	<p>Yes</p>
<p>Stormwater</p> <p>DCP Control C4</p>	<p>To protect and improve the ecological condition of Warringah’s beaches, lagoons, waterways, wetlands and surrounding bushland;</p> <p>to minimise the risk to public health and safety;</p>	<p>Stormwater management plans have been prepared in accordance with the Northern Beaches Council Water management Policy.</p>	<p>Yes</p>
<p>Excavation and Landfill</p> <p>DCP Control C7</p>	<p>Excavation and landfill works must not result in any adverse impact on adjoining land.</p>	<p>Minor excavation is proposed for the footings of the building.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
Demolition & Construction DCP Control C8	<p>A demolition and waste management plan must be satisfactorily completed and submitted.</p>	<p>A waste management plans is provided.</p>	<p>Yes</p>
Landscaped Open Space DCP Control D1	<p>A minimum 40% landscaped open space is to be provided.</p>	<p>Complies – total of both lots in excess of 40%</p> <p>It is acknowledged that ‘area c’ on the landscape plan has a width of 1.75m and has been included in the soft landscaping calculation. While the dimension width does not meet 2m the length does. The minor variation to the width in this location does support consistency with the objectives in terms of water management. The front setback will accommodate more than 50% soft landscaping and will contribute positively to the landscape. The proposed landscaping is also consistent with clause G10.1 requirements within the DCP.</p>	<p>Yes – with ‘area c’ included.</p>
Private Open Space DCP Control D2	<p>Dwellings houses with 3 or more bedrooms are to provide a minimum area of 60sqm of private open space.</p>	<p>>60m² achieved</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
<p>Access to Sunlight</p> <p>DCP Control D6</p>	<p>Pursuant to these provisions development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing:</p> <ul style="list-style-type: none"> At least 50% of the required area of private open space of each Dual Occupancy 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. 	<p>Shadow diagrams have been prepared and accompany this application. Compliant levels of solar access will be achieved to the rear private open space area of the adjoining property.</p>	<p>Yes</p>
<p>Views</p> <p>DCP Control D7</p>	<p>To allow for the reasonable sharing of views.</p> <p>To encourage innovative design</p>	<p>The proposed works will not result in any unreasonable view loss for neighbouring dwellings. The works are consistent with the principals of view sharing pursuant to</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>solutions to improve the urban environment.</p> <p>To ensure existing canopy trees have priority over views.</p>	<p>the planning principal <i>Tenacity vs Warringah Council</i>.</p>	
<p>Privacy</p> <p>DCP Control D8</p>	<p>Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.</p> <p>To encourage innovative design solutions to improve the urban environment.</p> <p>To provide personal and property security for occupants and visitors.</p>	<p>The dual occupancy has been designed to minimised privacy impacts. Side facing windows treatments to the upper level relate to bedrooms and bathrooms and will not create any unreasonable visual impacts.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
<p>Building Bulk</p> <p>DCP Control D9</p>	<p>Encourage good design and innovative architecture to improve the urban environment. Minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.</p>	<p>The development is 2 storeys and complies with the 8.5m height development standard. A range of materials and finishes will be used to provide visual interest and break up the massing of the development. A high level of building articulation is provided via varying setbacks which will break up the massing of the building.</p>	<p>Yes</p>
<p>Building Colours and Materials</p> <p>DCP Control D10</p>	<p>Ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.</p>	<p>A range of materials and finishes is proposed and detailed on the architectural plans provided.</p>	<p>Yes</p>
<p>Roofs</p> <p>DCP Policy D11</p>	<p>Roofs are to be designed to complement the local skyline.</p>	<p>A low pitched roof is provided and is consistent with more contemporary development in the local area.</p>	<p>Yes</p>
<p>G10.1 Dual Occupancies and Semi-</p>	<p><u>Site Layout</u></p> <p>Semi-detached dwellings and Dual occupancy</p>	<p>Complies. Both dwellings are orientated to the street</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
<p>Detached Dwellings</p>	<p>(attached) – Both dwellings are to be oriented towards the street frontage. This layout reinforces the prevailing residential pattern of single street frontage properties, allowing for landscaped front gardens and larger rear yards.</p>		
	<p><u>Setbacks and Height</u></p> <p>1m to one side and 2.5m to the other. This may be averaged across each boundary with a total combined of 3.5m</p>	<p>The majority of the proposal is compliant with the control with the upper level in excess for the majority of the length of the elevation.</p> <p>A 900mm side setback is proposed at the ground floor level to the main habitable space area. It provides the main area of the home reasonable internal dimensions to support a family use and achieves a high amount of amenity.</p> <p>The side setbacks proposed meet the objectives insofar that it controls the bulk and scale through building articulation, modulation and stepping. The ground floor setback will not give rise to any unreasonable visual or amenity impacts and would be</p>	<p>No - worthy on merit</p>

Control	Requirement	Proposed	Compliance
		acceptable with a single dwelling form.	
	Nil setback to common wall	Complies – nil setback proposed to common wall	Yes
	the maximum number of storeys is 2.	Complies – 2 storeys	Yes
	windows to the principal living area of the proposal and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 (that is, to at least 50% of the glazed area of those windows).	<p>The neighbour at No. 52 is to the south of the subject site and is particularly vulnerable to overshadowing due to the sites east west orientation in this location.</p> <p>The principal living areas of No. 52 are assumed to be at the rear ground floor of the dwelling in association with their rear private open space. North facing windows will be impacted however they will still receive solar access to their rear facing windows from noon.</p> <p>We note that the proposal is well under the 8.5m height limit and complies with wall height. The envelope is compliant towards the rear of the dwelling. The first floor level is also compliant with side setbacks.</p>	Yes

Control	Requirement	Proposed	Compliance
	R8 Each dwelling is to have a storage area of at least 8 cubic metres.	Complies. Ample storage provided within the dwellings.	Yes
	For every 225 m ² of site area or part thereof, plant at least 1 medium or large tree in the deep soil area.	Compliant level of trees proposed	Yes
	Minimum Deep Soil: 300 - 600m ² : 20% with dimension of 3m	Complies – Each rear garden is in excess of this requirement.	Yes
	<p>The development is to respond to the natural landform of the site to minimise visual impact:</p> <p>A. Dwellings are to be designed to step with the topography.</p> <p>B. The ground floor should not be more than 1.3 metres above ground level (existing) and no more than 1 metre below ground level (existing), except where a higher finished floor level</p>	<p>The development respects the topography with minimal excavation required.</p> <p>No basement parking proposed.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>is required to meet the applicable Flood Planning Level.</p> <p>c. Basements, including for car parking, should be avoided unless no other practical alternative exists, and are not to be provided within required building setbacks.</p>		
	<p>The total width of all garages, carports or hardstand areas, for both dwellings combined, facing a street frontage is not to exceed 50% of the lot frontage or 7 metres, whichever is the lesser.</p>	<p>Complies</p>	<p>Yes</p>
	<p>One uncovered parking space (not within a garage, carport or other structure) in a tandem arrangement, between the primary street frontage and the front building line, may be supported, provided:</p>	<p>2 car parking spaces are achieved in tandem with one space proposed to be accommodated on the driveway. The development is consistent with the landscape requirements and there are clear lines of sight between the parking space and the road.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	i. Tree planting, landscaped area and deep soil requirements are met; ii. There are clear sight lines between the parking space and the road kerb for pedestrian safety.		

4.3 State Environmental Planning Policy (Housing) 2021

Clause 164 within Chapter 6 of the SEPP relates to land to which this chapter applies. We can confirm that chapter 6 applies in this instance. The site does not fall under any of the areas where this chapter would not apply.

Clause 166 – Development permitted with development consent – states that:

Development for the purposes of dual occupancies or semi-detached dwellings is permitted with development consent on land to which this chapter applies in Zone R2 Low Density Residential.

The site is zoned R2 low density residential.

4.4 State Environmental Planning Policy (Sustainable Buildings) 2022

The proposal has been assessed in accordance with the relevant provisions of the BASIX and Energy Efficiency.

A BASIX and NatHERS Certificate and assessment has been prepared and outlines the proposal's compliance with the provisions of BASIX and Energy Efficiency.

4.5 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any Planning Instrument

The proposed alterations and additions are permissible and consistent with the intent of the Warringah Councils Local Environmental Plan and Development Control Plan as they are reasonably applied to the proposed works given the constraints imposed by the sites location, environmental and topographical constraints.

(ii) Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

N/A

(iii) Any development control plan

Warringah DCP applies

(iiia) Any Planning Agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and

N/A

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,

Context and Setting

i. What is the relationship to the region and local context in terms of:

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

The proposed alterations and additions to the existing Dual Occupancy are entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. What are the potential impacts on adjacent properties in terms of:

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

The proposal provides for 2 off-street car spaces for each dwelling.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will continue to service the dwellings.

Flora and Fauna

N/A

Waste Collection

Normal domestic waste collection will continue to the development

Natural hazards

No known hazards

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

- i) *Is the development design sensitive to environmental considerations and site attributes including:*
- *size, shape and design of allotments*
 - *The proportion of site covered by buildings*
 - *the position of buildings*
 - *the size (bulk, height, mass), form, appearance and design of buildings*
 - *the amount, location, design, use and management of private and communal open space*
 - *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

- ii) *How would the development affect the health and safety of the occupants in terms of:*
- *lighting, ventilation and insulation*
 - *building fire risk – prevention and suppression*
 - *building materials and finishes*
 - *a common wall structure and design*

- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

- i) *What would be the impacts of construction activities in terms of:*
- *The environmental planning issues listed above*
 - *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The proposed works are permissible and consistent with the intent of the LEP and DCP controls as they are reasonably applied to the proposed development. The development would not be contrary to the public interest.

5 Conclusion

The proposed new dual occupancy is permissible and consistent with the intent of the built form controls as they are reasonably applied. The dual occupancy will contribute positively to the streetscape character and is consistent with the scale and density of development within the local area.

The acknowledged non-compliances relating to the building envelope and dual occupancy controls within the DCP have been well justified and warrant Council being flexible in the application of those controls subject to clause 4.15(3A)b)) in this instance. The identified non-compliances do not give rise to any unreasonable adverse amenity impacts relating to solar access, privacy and view sharing.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.