

**Conversion of an Existing Dwelling House
to a Dual Occupancy (Attached)**

5 Adina Road, Curl Curl

Statement of Environmental Effects

21 January 2025

Ref: 24106

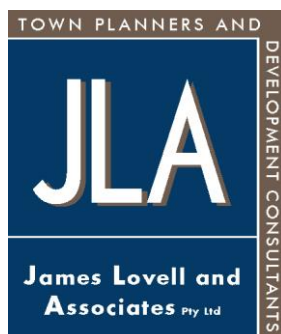


TABLE OF CONTENTS

1. INTRODUCTION	1
1.1 Preamble	1
1.2 Background	2
1.3 Purpose	3
 2. SITE DESCRIPTION	 4
2.1 Site Details	4
2.2 Site Context	5
 3. PROPOSED DEVELOPMENT	 7
3.1 General Description	7
 4. SECTION 4.15 ASSESSMENT	 8
4.1 Environmental Planning Instruments	8
4.2 Proposed Environmental Planning Instruments	11
4.3 Development Control Plans	12
4.4 Planning Agreements	16
4.5 Impacts of the Development	16
4.6 Suitability of the Site	16
4.7 Public Interest	17
 5. CONCLUSION	 18

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 conversion of an existing dwelling house to a dual occupancy (attached) at No. 5 Adina Road, Curl Curl.

The subject site is located on the southern side of Adina Road, approximately 45 metres to the west of Carrington Parade. The site encompasses an area of approximately 574.3m² and is rectangular in shape with a frontage of 15.24 metres to Adina Road.

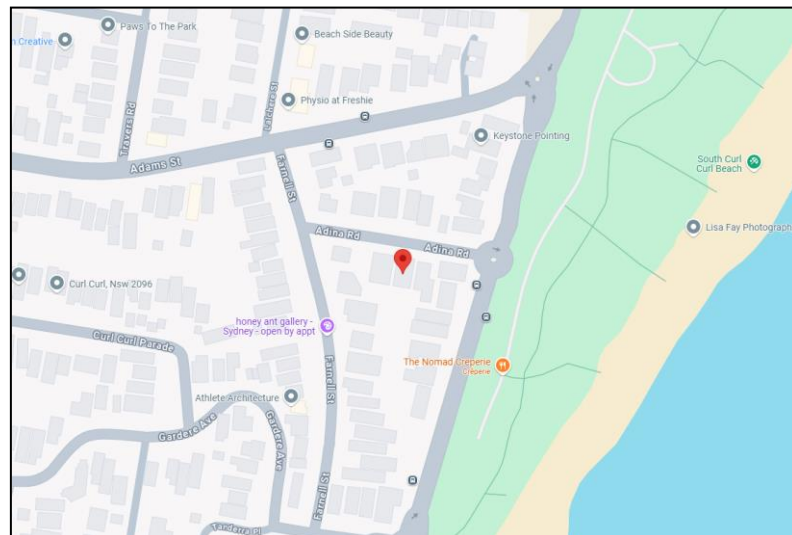


Figure 1: Location

The site is currently occupied by a 2-storey dwelling house above a partially excavated car parking level.

The basement level accommodates off-street car parking for two (2) vehicles, a cellar and storage space. The ground floor level accommodates a family room, kitchen, media room, two (2) bedrooms and amenities. The first floor level accommodates a living rooms, kitchen, study, two (2) bedrooms and amenities.

The ground floor level has access to a small balcony orientated towards the street frontage, and the landscaped rear (southern) yard. The first floor level has access to a balcony orientated towards the street frontage.

The proposed development comprises the conversion of the existing dwelling house to a dual occupancy (attached). The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

The internal works are limited to reconfiguration of the basement to provide four (4) off-street car parking spaces and the addition of an internal passenger lift extending between the basement and first floor levels.

The proposed dual occupancy (attached) will be subdivided under a Strata Title arrangement.

1.2 Background

In December 2023, the (then) New South Wales (NSW) Department of Planning and Environment published the *“Explanation of Intended Effect: Changes to create low-and mid-rise housing”*.

The Explanation of Intended Effect described the housing crisis in NSW in the following terms:

NSW is growing. One in five Australians lives in Greater Sydney. Almost one in four Australians lives in the broader Six Cities Region, which extends beyond Sydney to the Central Coast, Newcastle and the Illawarra–Shoalhaven. One million more residents are expected to call NSW home by 2034.

In the context of heightened demand, the supply of new homes is also declining. Residential building approvals have fallen since mid-2021. Multiple factors have driven this, including shortages of construction materials and labour, limited market feasibility, and rising interest rates.

In the 5 years to March 2023, NSW built 284,978 homes, or around 57,000 each year. But under current market and policy conditions, we expect fewer new homes will be built in the next few years. In the past 12 months, only 47,430 homes were completed. Housing

affordability pressures are affecting more households, and a growing population of renters now faces record-low vacancy rates.

We must act urgently to address the housing crisis, but we can also carry out targeted planning reforms now. This will create a more flexible planning system that can better respond to future shocks. It will also provide for homes where people want to live and create the climate-resilient, vibrant communities we want to live in.

On 1 July 2024, the NSW Government introduced Part 12 of State Environmental Planning Policy (Housing) 2021. Part 12 of the SEPP aims “to encourage development for the purposes of dual occupancies and semi-detached dwellings in Zone R2 Low Density Residential”.

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 features and characteristics 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 formally comprises Lot 7 in Deposited Plan 26523 and is commonly known as No. 5 Adina Road, Curl Curl.

The site is located on the southern side of Adina Road, approximately 45 metres to the west of Carrington Parade. The site encompasses an area of approximately 574.3m² and is rectangular in shape with a frontage of 15.24 metres to Adina Road.

The site is currently occupied by a 2-storey dwelling house above a partially excavated car parking level.

The basement level accommodates off-street car parking for two (2) vehicles, a cellar and storage space. The ground floor level accommodates a family room, kitchen, media room, two (2) bedrooms and amenities. The first floor level accommodates a living rooms, kitchen, study, two (2) bedrooms and amenities.

The ground floor level has access to a small balcony orientated towards the street frontage, and the landscaped rear (southern) yard. The first floor level has access to a balcony orientated towards the street frontage.



Photograph 1: Existing Dwelling Viewed from Adina Road

The topography of the site has been partially modified to accommodate the existing structures and generally rises gently towards the rear (south) with a maximum level change from boundary to boundary of approximately 2.3 metres.

The existing vegetation on the site is typical of a heavily modified urban environment and comprises a scattering of trees, shrubs and groundcovers. The existing landscaping generally occupies the majority of the front and rear yards.

2.2 Site Context

The site is located within an established residential environment characterised by a predominance of relatively large, detached dwellings.

The locality is progressively undergoing a renewal process, with the majority of the older style dwellings being expanded and/or replaced with larger and more contemporary style dwelling houses.



Figure 2: Site Context

The site is adjoined to the east by a 2-storey dwelling house (No. 3 Adina Road) above a partially excavated car parking level.



Photograph 2: Adjoining Dwelling House to the East

The site is adjoined to the west by a 1 – 2 storey dwelling house (No. 7 Adina Road) with a double garage occupying a portion of the ground floor level.



Photograph 3: Adjoining Dwelling House to the West

The site is adjoined to the south by dwelling houses orientated towards Carrington Parade and Farnell Street, and the surrounding development to the north (on the opposite side of Adina Road) comprises a series of dwelling houses.

3. PROPOSED DEVELOPMENT

3.1 General Description

The proposed development is illustrated in the Architectural Plans prepared by *Garcia Negrette Architecture and Design*.

The proposed development comprises the conversion of the existing dwelling house to a dual occupancy (attached). The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

The internal works are limited to reconfiguration of the basement to provide four (4) off-street car parking spaces and the addition of an internal passenger lift extending between the basement and first floor levels.

The proposed dwelling at the ground floor level (Dwelling 1) has a floor area of approximately 213.35m² and accommodates two (2) bedrooms, media room, open plan kitchen and living areas, and amenities. Dwelling 1 has access to the terrace orientated towards the front of the site and the rear yard. Further, car parking spaces 1 and 2 have been allocated to Dwelling 1.

The proposed dwelling at the first floor level ground floor level (Dwelling 2) has a floor area of approximately 201.5m² and accommodates two (2) bedrooms, study, open plan kitchen and living areas, and amenities. Dwelling 2 has access to the terrace orientated towards the front of the site. Further, car parking spaces 3 and 4 have been allocated to Dwelling 2.

Finally, the proposed dual occupancy (attached) will be subdivided under a Strata Title arrangement.

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 proposed development is subject to the following environmental planning instruments:

1. State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021;
2. State Environmental Planning Policy (SEPP) (Housing) 2021;
3. State Environmental Planning Policy (SEPP) (Sustainable Buildings) 2021; and
4. Warringah Local Environmental Plan (LEP) 2011.

SEPP (Resilience and Hazards) 2021

Clause 2.10 requires the consent authority to consider whether the proposed development will cause an adverse impact on the integrity and resilience of the biophysical, hydrological and ecological environment, coastal environmental values and natural coastal processes, the water quality of the marine estate, marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, existing public open space and safe access to and along the foreshore,

beach, headland or rock platform for members of the public, Aboriginal cultural heritage, practices and places, and the use of the surf zone.

The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

In the circumstances, the proposed development will have no impact on any of the relevant matters for consideration specific in Clause 2.10 of the SEPP.

Clause 2.11 requires the consent authority to consider whether the proposed development is likely to cause an adverse impact on existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, overshadowing, wind funnelling and the loss of views from public places to foreshores, the visual amenity and scenic qualities of the coast and headland, Aboriginal cultural heritage, practices and places, and cultural and built environment heritage.

The site does not have a frontage to any foreshore area, beach, headland or rock platform, and the proposed development will have no impact on access for members of the public.

Further, the physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

In the circumstances, the proposed development will have no impact on any of the relevant matters for consideration specific in Clause 2.11 of the SEPP.

Clause 4.6 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 time 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) 2021

On 1 July 2024, the NSW Government introduced Part 12 of State Environmental Planning Policy (Housing) 2021. Part 12 of the SEPP aims *"to encourage development for the purposes of dual occupancies and semi-detached dwellings in Zone R2 Low Density Residential"*.

Clause 141B identifies the land to which Part 12 applies (which includes the subject site) and Clause 141C specifies that *"Development for the purposes of dual occupancies and semi-detached dwellings is permitted with development consent in Zone R2 Low Density Residential on land to which this part applies"*.

Further, Clause 8 specifies that the SEPP prevails to the extent of any inconsistency with another environmental planning instrument, whether made before or after the commencement of the SEPP.

SEPP (Sustainable Buildings) 2021

SEPP (Sustainable Buildings) 2021 aims to encourage sustainable residential development. The DA is accompanied by a compliant BASIX Certificate which demonstrates the proposed development will meet the relevant requirements for sustainability.

Warringah LEP 2011

The site is zoned R2 – Low Density Residential pursuant to the Warringah LEP 2011 and *"dual occupancy (attached)"* are permissible in the zone with the consent of Council pursuant to Clause 141C of SEPP (Housing) 2021.

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

The relevant objectives of the zone 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 consistent with, or not antipathetic to, the objectives of the zone on the basis that the low density residential environment will be maintained, and the landscaped setting of the site will be maintained.

Clause 4.1 specifies a minimum subdivision lot size of 450m², however the lot size control does not apply to *“the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015”*. The proposed dual occupancy (attached) will be subdivided under a Strata Title arrangement.

Clause 4.3 specifies a maximum building height of 8.5 metres and the proposed development does not alter the existing building height.

The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

In the circumstances, the LEP does not incorporate any further controls of specific relevance to the proposed development.

4.2 Proposed Environmental Planning Instruments

Council is in the process of preparing background documents to inform the preparation of an updated LEP, however a draft LEP has not been exhibited and is not a matter for consideration in relation to the current DA.

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 provides objectives and controls intended to supplement the provisions of the Warringah LEP 2011. 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.

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

Further, 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"*.

The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

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 2011		
Control	Proposed	Satisfactory
Part C – Siting Factors		
C2 Traffic, Access and Safety		
The location of vehicular and pedestrian access shall meet the specified objectives.	The existing vehicular and pedestrian access points are being retained.	Yes

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.

Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.	The existing vehicle crossing is being retained.	Yes
C3 Parking Facilities		
Garage doors are not to dominate the façade.	The existing garage door is being retained.	Yes
Where garages and carports face the street, ensure the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser.	The existing garage is being retained.	Yes
Car parking is to be provided in accordance with Appendix 1 which requires 2 spaces per dwelling.	The existing basement level is being internally reconfigured to provide four (4) off-street car parking spaces, with two (2) spaces being allocated to each dwelling.	Yes
C8 Demolition and Construction		
A Waste Management Plan must be submitted.	The DA is accompanied by a Waste Management Plan.	Yes
Demolition and construction sites must be managed to minimise impacts and pollutants.	The demolition and construction phases will be managed to minimise impacts and pollutants.	Yes
C9 Waste Management		
Each dwelling is to include a designated area to accommodate the allocated number of waste and recycling containers.	The waste and recycling bins will be stored internally within the existing garage.	Yes
Part D – Design		
D2 Private Open Space		
Provide private open space of 35m ² with a minimum dimension of 3 metres.	The main area of private open space for Dwelling 1 comprises the rear yard which has an area of approximately 210m ² and a minimum dimension of approximately 14 metres. The private open space for Dwelling 2 has an area of approximately 20m ² and a minimum dimension of 4.045 metres. The private open	Yes

	space for Dwelling 2 is approximately twice as large and twice as wide as the private open space required for a 2-bedroom apartment. Further, the site is located in very close proximity to the recreational facilities along <i>Curl Curl Beach</i> .	
The private open space is to be directly accessible from a main living area.	The private open space is accessible from the main living rooms (via a media room at the ground floor level).	Yes
Private open space is to be located and designed to ensure privacy of occupants of adjacent buildings and the proposed development.	The existing private open space is being retained.	Yes
Private open space shall not be located within the primary front building setback.	The private open space is not located within the front building setback.	Yes
Private open space is to be located to maximise solar access.	The private open space is orientated towards the north and south and will receive solar access to parts of the space 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.	The existing mechanical plant and equipment is being retained, and the plant and equipment associated with the passenger lift will 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
D6 Access to Sunlight		
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	At least 50% of the required area of private open space (17.5m ²) will receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June.	Yes

between 9am and 3pm on 21 June.		
D8 Privacy		
Building layout should be designed to optimise privacy for occupants of the development and adjoining properties.	The proposed development will have no significant or adverse impacts on the privacy of any surrounding property.	Yes
D10 Building Colours and Materials		
Minimise the visual impact of new development through the use of appropriate colours and materials.	The external works will have no material or adverse impact on the visual appearance of the existing building.	Yes
D12 Glare and Reflection		
Sunlight reflectivity that may impact on surrounding properties is to be minimised.	The external materials and finishes 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 waste and recycling bins will be stored within the garage, a new mail box will be inserted into the existing front wall, and clothes drying facilities can be accommodated within the private open space if required.	Yes
D20 Safety and Security		
Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	The dwelling includes multiple window openings orientated towards the street frontages to maintain and improve the casual surveillance of the public domain.	Yes
Entrances to buildings are to be visible from public streets wherever possible.	The main entrance is clearly visible from the public domain.	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.	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 environment characterised by a predominance of relatively large, detached dwellings.

The locality is progressively undergoing a renewal process, with the majority of the older style dwellings being expanded and/or replaced with larger and more contemporary style dwelling houses.

The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

The internal works are limited to reconfiguration of the basement to provide four (4) off-street car parking spaces and the addition of an internal passenger lift extending between the basement and first floor levels.

In the circumstances, the proposed development will have no adverse impacts on the amenity of the surrounding properties or the public domain.

4.6 Suitability of the Site

The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

The internal works are limited to reconfiguration of the basement to provide four (4) off-street car parking spaces and the addition of an internal passenger lift extending between the basement and first floor levels.

The existing building is ideally suited to conversion to a dual occupancy (attached) and the site is located in very close proximity to the recreational facilities along *Curl Curl Beach*.

4.7 Public Interest

The proposed development serves the public interest by providing additional residential accommodation within an established residential environment.

5. CONCLUSION

The site is located on the southern side of Adina Road, approximately 45 metres to the west of Carrington Parade. The site encompasses an area of approximately 574.3m² and is rectangular in shape with a frontage of 15.24 metres to Adina Road.

The site is currently occupied by a 2-storey dwelling house above a partially excavated car parking level.

The proposed development comprises the conversion of the existing dwelling house to a dual occupancy (attached). The physical works associated with the proposed development are all internal, with the exception of the replacement of the existing wire balustrades to glass panels at the ground and first floor levels, and the replacement of the existing front door to swing outwards.

The internal works are limited to reconfiguration of the basement to provide four (4) off-street car parking spaces and the addition of an internal passenger lift extending between the basement and first floor levels.

Finally, the proposed dual occupancy (attached) will be subdivided under a Strata Title arrangement.

The existing building is ideally suited to conversion to a dual occupancy (attached) and the proposed development will contribute to the availability of residential accommodation within an established residential environment.

