

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR

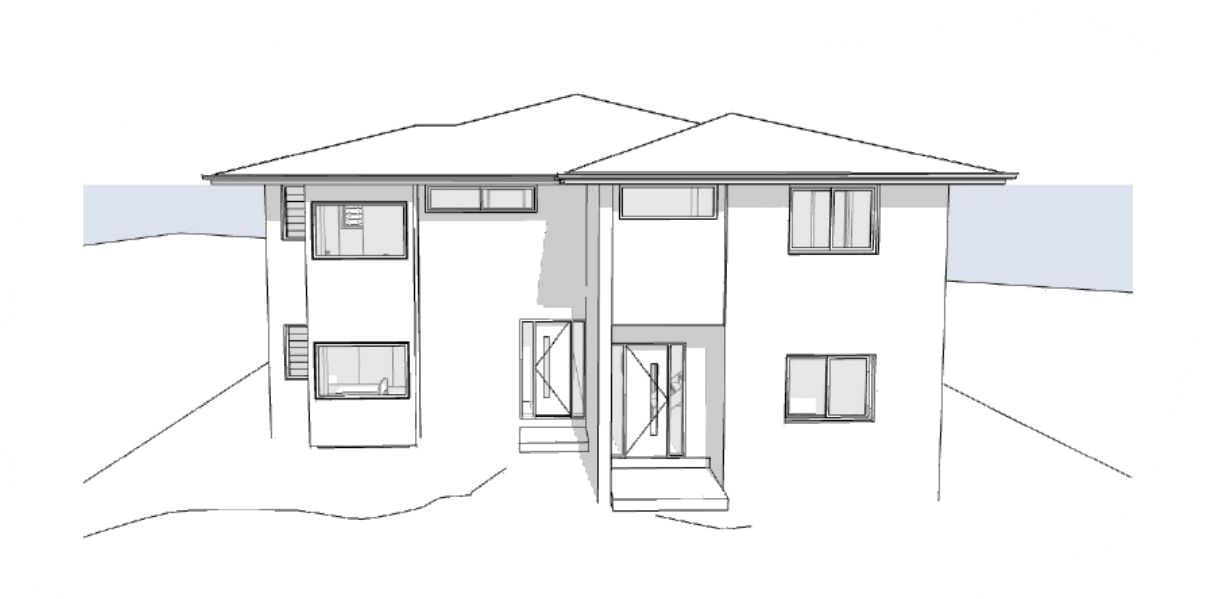
**DEMOLITION OF THE EXISTING DWELLING AND THE CONSTRUCTION OF A
NEW ATTACHED DUAL OCCUPANCY DEVELOPMENT**

LOCATED AT

4B HOLLOWAY PLACE, CURL CURL

FOR

MICHELLE AND SHAUN WALSH



**Prepared
July 2025**

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1.0 Introduction & Background

This Statement of Environmental Effects accompanies architectural details prepared on behalf of Michelle and Shaun Walsh and Peninsula Homes by Sally Gardner Design and Draft, Job Number 24-1120, dated 9 July 2025, to seek consent for the demolition of the existing dwelling and the construction of a new two storey dual occupancy development at **4B Holloway Place, Curl Curl**.

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The provisions of State Environmental Planning Policy (Housing) 2021 (SEPP), which commenced on 26 November 2021, permit the construction of a dual occupancy with consent under Chapter 12, Part 2, Clause 166.

The land is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and a dual occupancy is considered to be a prohibited development as it is not listed under Part 2 as works *“permitted without consent”* or Part 3 *“works permitted with consent”* under the Land Use Table.

However, as outlined in this submission, the development is permissible with consent under the provisions of SEPP Housing 2021.

In accordance with the provisions within section 3.28 (1) of the Act, in the of event of an inconsistency between environmental planning instruments and unless otherwise provided, there is a general presumption that there a State Environmental Planning policy prevails over local environmental plan or other instrument made before or after that state Environment or Planning policy.

On this basis, this proposal will seek consent under the provisions of SEPP Housing.

A pre-lodgement meeting for the proposed dual occupancy development was held with Northern Beaches Council on 22 May 2025. At this meeting, Council provided in-principle support for the proposed attached dual occupancy. All issues and feedback raised during the meeting have been

addressed through the submitted design, ensuring alignment with Council's expectations and relevant planning controls.

A separate Development Application submission will be prepared and lodged for the strata subdivision of the completed development.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

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

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan 2011*

2.0 Property Description

The subject allotment is described as 4B Holloway Place, Curl Curl, being Lot 1 within Deposited Plan 604615 and is zoned R2 Low Density Residential within the provisions of the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is it located within a conservation area.

The land is noted as being Landslip Area A.

The site is identified on Council's Acid Sulfate Soils Map within Class 4. This will be discussed further within the report.

The site is not mapped within the 'Coastal Environment Area' or "Coastal Use Area" under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP).

The site is affected by the 1% AEP Flood extent, PMF Flood extent, Medium Flood Risk Precinct, Flood Storage Area and a H1-H3 Flood Life Hazard Category. This will be discussed further in the report.

There are no other known hazards affecting this site.

3.0 Site Description

The subject property is located on the western side of Holloway Place cul-de-sac and is a battle-axe configuration due to the previous subdivision pattern of the area.

The site is irregular in shape, with the rear (northern) boundary measuring approximately 24m. The eastern and western side boundaries each measure 33.245m and 39.265m, with the driveway access handle measuring 49.975m and 72.635m, resulting in a total site area of 1029m².

The site is relatively flat. Stormwater runoff from the site currently drains to the street gutter on Holloway Place.

The site is currently developed with a single-storey brick dwelling and a swimming pool located in the northern portion of the site. Vehicle access is provided via an existing concrete driveway from Holloway Place, which is physically located on the adjoining property at No. 4 Holloway Place. The existing driveway access over which there is a right of carriageway will continue to provide access to the site and access handle which is largely landscaped and located adjacent to the southern boundary of the access way to Holloway Place will remain landscaped.

The site currently contains three identified trees, however these trees are located along what is the access to the site and are not proposed to be removed as part of the proposal. The principal landscaped areas are located within what would be considered the front setback (southern portion of the site) and along the northern rear boundary.

A detailed survey of the property has been prepared by CMS Surveyors Pty Ltd, titled 23962, dated 12 November 2024. This survey plan accompanies the Development Application.



Fig 1: Location of Subject Site
(Source: Six Maps)



Fig 2: View of the access driveway to the subject site, looking west from Holloway Place cul-de-sac



Fig 3: View looking east along the access driveway, towards the street



Fig 4: View looking west towards the existing dwelling



Fig 5: View of the existing dwelling to be demolished, looking north-west

4.0 The Surrounding Environment

The general vicinity of the site is characterised by low-density residential development, typically comprising single- and two-storey detached dwellings. The built form is modest in scale and consistent with the R2 Low Density Residential zoning, contributing to a suburban character defined by landscaped gardens and a mix of traditional and modern architectural styles.

The site itself is relatively flat and adjoins the Curl Curl sports fields, providing an open outlook and a buffer to the east. It is also located within close walking distance of Curl Curl Beach and the adjoining beach reserve, which offer substantial recreational and amenity value.

These nearby public open spaces are key features of the local area and contribute to the desirable coastal setting of the Curl Curl area.

The site and its surrounds are depicted in the following aerial photograph:



Fig 6: Aerial view of locality
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying architectural plans prepared by Sally Gardner Design and Draft, the proposal seeks approval for the demolition of the existing structures and the construction of a new two storey attached dual occupancy development.

A separate Development Application submission will be lodged for the strata subdivision of the completed development.

The existing swimming pool on the site is to remain as existing.

The proposal includes two new residences, for the purpose of the assessment Unit 1 is the eastern dwelling and Unit 2 is the western dwelling.

The new works comprise the following works:

Ground Level

The proposed works at the ground floor level include:

For Dwelling 1 :

- Open place kitchen/dining/lounge, small external patio from the living room, foyer, study, WC, laundry and internal access stairs to the first floor.

For Dwelling 2:

- Open place kitchen/dining/lounge, small external patio from the living room, bedroom 4, powder room, laundry and internal access stairs to the first floor.

First Floor

For Dwelling 1:

- Master bedroom with WIR and ensuite, two bedrooms with WIR, bedroom, bathroom and internal access stairs to the ground floor.

For Dwelling 2:

- Master bedroom with dressing room and ensuite, two bedrooms with WIR, bathroom, internal access stairs to the ground floor, balcony from the master bedroom with external access stairs.

External Works

- Parking spaces for dwelling 1 to the east, as a single carport and an open car space, adjoining dwelling 1.
- Parking spaces for dwelling 2 to the south of dwelling 2 and provided as two open car spaces.
- Landscaping

The proposed development represents a well-considered architectural response that seeks to deliver a high-quality, attached dual occupancy designed to enhance the functionality, amenity, and liveability of the site. The design introduces a contemporary built form that integrates harmoniously with the existing streetscape character and responds sensitively to the site's context.

The proposed dual occupancy is articulated through the use of varied building forms, materials, and finishes, which break up the massing and create visual interest. The external finishes have been carefully selected to complement each other and ensure cohesion between the two attached dwellings, while also reflecting the material palette and architectural style of surrounding development. Together, these elements result in a development that is both attractive and contextually appropriate.

The proposal maintains a built form that is consistent with the emerging character of the area. The scale, height, and setbacks of the proposed development are sympathetic to adjoining properties and ensure the new dwellings are not visually dominant or intrusive.

Roof water from both dwellings will be appropriately collected and directed to Holloway Place in accordance with best-practice stormwater management principles and Council requirements, ensuring the development does not result in adverse drainage impacts.

In addition, the proposal includes a comprehensive and robust landscaping scheme that improves the quality, functionality, and diversity of soft landscaping across the site. Landscaped areas have been strategically located to provide visual relief, enhance privacy, and soften the built form. The design also ensures the provision of private open space that is usable, well-oriented, and accessible from internal living areas, contributing to a high level of residential amenity for future occupants.

The proposal results in the following development indices:

Site Area:	1029m² or 783.16m² (excl. access handle)
Required Building Height	8.5m
Proposed Building Height	8.162m
Required Landscaped Area:	40% (of 783.16m ²) or 313.26m ²
Proposed Landscaped Area:	40.88% or 320.16m ² (some minor areas <2m included)

6.0 Zoning and Development Controls

6.1 Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

There are no trees within the site that have been identified as Heritage Items or identified within a Significant Tree Register.

The proposed development does not require the removal of any existing trees to accommodate the dual occupancy. Additional landscaping will be provided on-site, as detailed in the landscape plans prepared by Vanessa Walsh, Job No 25.06/W4BHP dated 1 July 2025, to enhance the site's biodiversity value and contribute positively to the ecological character of the locality.

The proposal does not impact on vegetation on the site, neighbouring properties or the surrounding public domain. No further consideration of this chapter is required.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

Overall, the proposed development is consistent with the relevant provisions of SEPP (Resilience and Hazards).

6.3 State Environmental Planning Policy (Housing) 2021

The proposal has been considered against the provisions of provisions of SEPP Housing - *Chapter 6 (Low and mid rise housing), Part 2 – Dual occupancies and semi-detached dwellings*.

Clause 164 notes that:

(1) This chapter applies to the whole of the State, other than the following –

- (a) bush fire prone land,*
- (b) land identified as a coastal vulnerability area or a coastal wetlands and littoral rainforests area within the meaning of [State Environmental Planning Policy \(Resilience and Hazards\) 2021, Chapter 2](#),*

- (c) land to which Chapter 5 applies,
 - (d) land that is a heritage item or on which a heritage item is located,
 - (e) the following local government areas—
 - (i) Bathurst Regional,
 - (ii) City of Blue Mountains,
 - (iii) City of Hawkesbury,
 - (iv) Wollondilly,
 - (f) flood prone land in the Georges River Catchment and Hawkesbury-Nepean Catchment under [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6,
 - (g) land in a flood planning area in the following local government areas—
 - (i) Armidale Regional,
 - (ii) Ballina,
 - (iii) Bellingen,
 - (iv) Byron,
 - (v) City of Cessnock,
 - (vi) Clarence Valley,
 - (vii) City of Coffs Harbour,
 - (viii) Dungog,
 - (ix) Goulburn Mulwaree,
 - (x) Kempsey,
 - (xi) Kyogle,
 - (xii) City of Lismore,
 - (xiii) City of Maitland,
 - (xiv) Nambucca Valley,
 - (xv) City of Newcastle,
 - (xvi) Port Stephens,
 - (xvii) Queanbeyan-Palerang Regional,
 - (xviii) Richmond Valley,
 - (xix) City of Shoalhaven,
 - (xx) Singleton,
 - (xxi) Tweed,
 - (xxii) Upper Hunter Shire,
 - (xxiii) Walcha,
 - (h) land in an ANEF contour of 25 or greater or ANEC contour of 20 or greater,
 - (i) land within 200m of a relevant pipeline within the meaning of [State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#), section 2.77,
 - (j) land identified as “Deferred Transport Oriented Development Areas” on the [Deferred Transport Oriented Development Areas Map](#),
 - (k) land within 800m of a public entrance to a railway, metro or light rail station listed in Schedule 12.
- (2) This chapter does not apply to land identified as an “Accelerated TOD Precinct” on the [Accelerated Transport Oriented Development Precincts Rezoning Areas Map](#).
- (3) In this section—

ANEC contour has the same meaning as in [State Environmental Planning Policy \(Precincts—Western Parkland City\) 2021](#), section 4.17.

ANEF contour has the same meaning as in [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#).

flood planning area has the same meaning as in the Flood Risk Management Manual.

The subject site is not inconsistent with the provisions outlined in Clause 164 of the State Environmental Planning Policy (Housing) 2021 (SEPP Housing), and as such, the proposed dual occupancy development is considered appropriate for consideration under this policy.

Clause 166 of SEPP Housing identifies types of development that are permitted with development consent. In this case, the subject site is zoned R2 Low Density Residential, and the proposed dual occupancy is a permissible form of development within this zone, subject to development consent.

Furthermore, there are no additional development controls under Chapter 6, Part 2 of SEPP Housing that apply to the proposed development, as the site is not located within a designated low or mid-rise housing area. Accordingly, the proposed development is consistent with the relevant provisions of SEPP Housing 2021.

6.4 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the SEPP, the proposal has been designed to respect the water, thermal and energy standards required by BASIX. A BASIX Certificate has been provided to support the Dwelling 1 and Dwelling 2 of the proposed attached dual occupancy.

6.5 Warringah Local Environmental Plan 2011

There are no specific built form controls for dual occupancy development in the R2 zone under the Warringah Local Environmental Plan 2011 (WLEP 2011). In the absence of tailored controls, the built form provisions applicable to detached dwelling houses have been applied to guide the design of the proposed development. This approach ensures the dual occupancy is of an appropriate scale and character within its low-density residential context. Accordingly, the proposed development is considered to be suitably controlled and consistent with the intended built form outcomes for the area.

The site is zoned R2 Low Density Residential under the provisions of Warringah LEP 2011. Attached dual occupancy development are not permissible in the R2 zone.

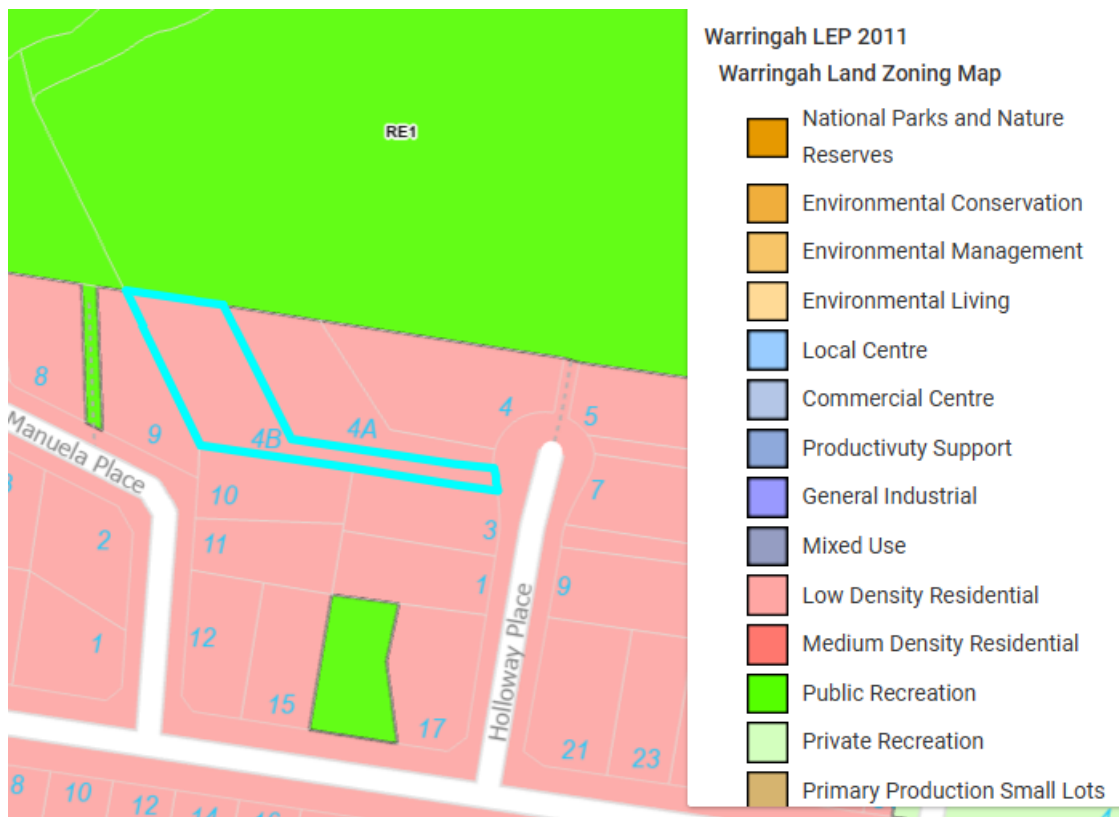


Fig 7: Extract of Warringah Local Environmental Plan 2011

Notwithstanding, the proposed dual occupancy is a permissible form of development under the provisions of State Environmental Planning Policy (Housing) 2021 in land zoned R2 Low Density Residential under WLEP 2011.

In accordance with the provisions within section 3.28 (1) of the Act, in the of event of an inconsistency between environmental planning instruments and unless otherwise provided, there is a general presumption that there a State Environmental Planning policy prevails over local environmental plan or other instrument made before or after that state Environment or Planning policy.

On this basis, this proposal will seek consent under the provisions of SEPP Housing.

It is considered that the proposed dual occupancy will be consistent with the desired future character of the surrounding R2 Low Density Residential locality for the following reasons:

- The proposal will be consistent with and complement the existing style housing within the locality.
- The proposed works will be compatible with surrounding residential development without resulting in any significant negative amenity impacts for adjoining and nearby development.
- The proposed new dual occupancy will provide for increased residential amenity, together with improved functionality through the introduction of improved recreational areas, and parking.
- The proposed floor space of the dual occupancy is appropriately distributed across the site providing compatible bulk and scale.
- The proposed building includes generally retaining the existing setbacks and good levels of vertical and horizontal articulation, such that the resulting visual quality derived from the building alignments and proportions are consistent with surrounding development and complimentary to the zone.
- The proposal does not have any unreasonable impact on views, solar access or amenity for the neighbouring properties.

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The maximum permissible building height for development in this part of Curl Curl, as prescribed by the Warringah Local Environmental Plan 2011, is 8.5m. The proposed development seeks a building height of 8.162m, therefore complying with the building height standard.

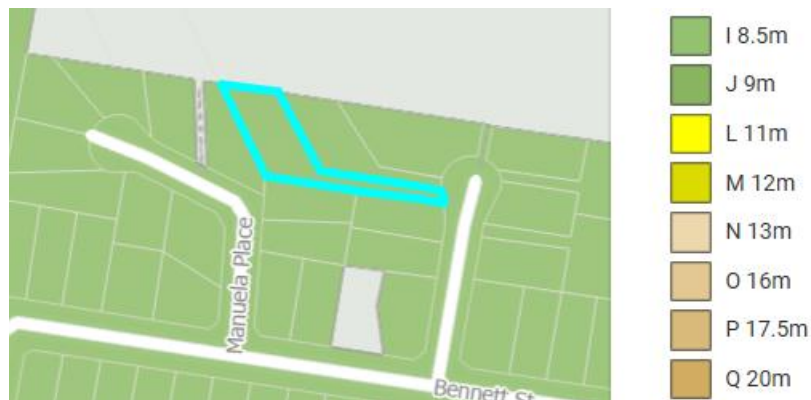


Fig 8: Extract of WLEP 2011 Height of Buildings Map

Clause 5.10 relates to Heritage Conservation

The subject property is not within the vicinity of any heritage Items.

No further consideration is required.

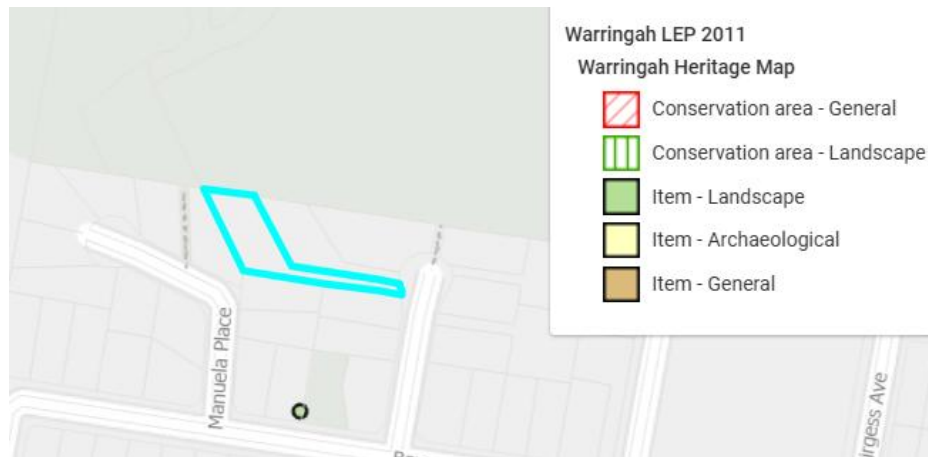


Fig 9: Extract of WLEP 2011 Heritage Map

Clause 5.21 relates to Flood planning

The subject site is identified within the mapped low and medium flooding area.

The proposed development complies with Clause 5.21 of the Warringah Local Environmental Plan 2011, which relates to flood planning. Compliance is supported by a Flood Management Report prepared by NB Consulting Engineers, Issue B dated 3 July 2025. The assessment was undertaken in accordance with accepted engineering practice and utilises flood data provided by Northern Beaches Council.

The report concludes that the proposed development will not result in any anticipated increase in flood risk to the subject site or adjoining properties, provided that the recommendations outlined in the report are implemented.

The recommendations of the report ensure the development meets the flood-related objectives and controls of Council, and to protect the safety of future occupants and neighbouring properties. As such, subject to the implementation of these measures, the proposed development is considered acceptable from a flood risk management perspective.

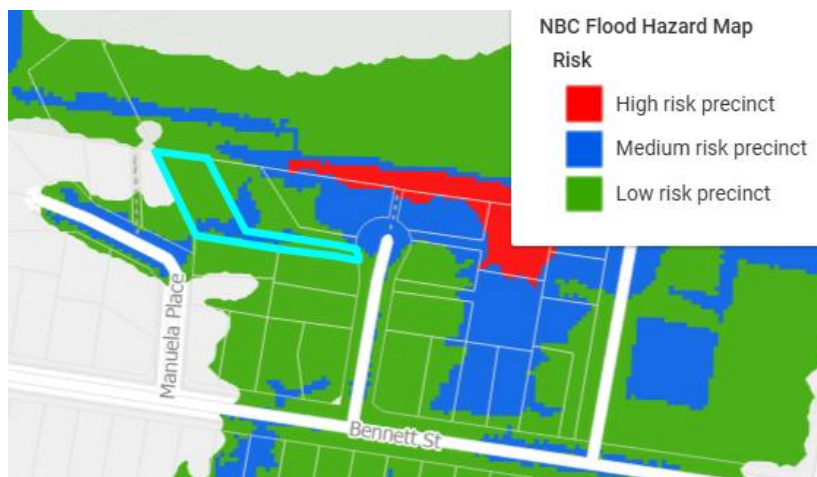


Fig 10: Extract of Northern Beaches Council Flood Hazard Map.

Clause 6.1 relates to Acid Sulfate Soils.

The subject site is identified as being within Acid Sulfate Soils – Area 4 on the Acid Sulfate Soils Map under the Warringah Local Environmental Plan 2011. Clause 6.1 requires that development consent must not be granted unless the consent authority is satisfied that the proposed works will not result in the disturbance of acid sulfate soils.

The proposed development does not involve excavation works below the natural water table or any significant soil disturbance likely to trigger acid sulfate conditions.

Accordingly, the proposal is considered to comply with Clause 6.1 of the Warringah LEP 2011.

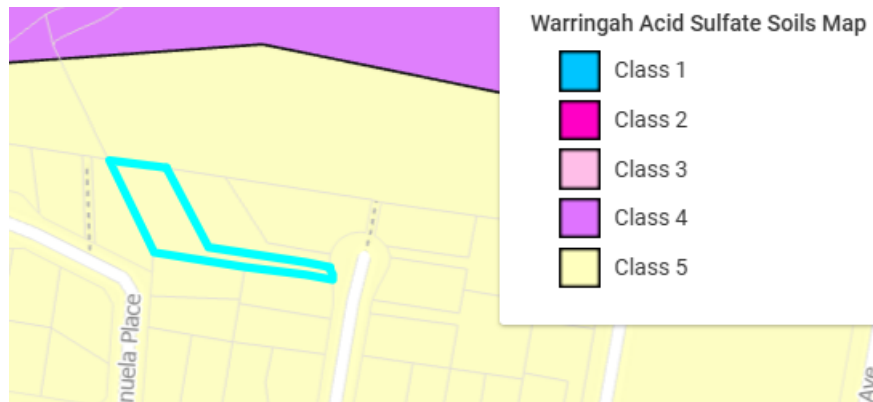


Fig 11: Extract of Warringah Local Environmental Plan 2011

Clause 6.2 relates to earthworks.

The proposed development involves minor site levelling to accommodate the dual occupancy slab. The extent of earthworks has been carefully designed to minimise visual bulk and ensure an appropriate interface with adjoining properties and the public domain.

The proposed earthworks/site leveling will not result in any significant adverse impacts on environmental processes, neighbouring land uses, heritage items, or existing stormwater and drainage patterns. The excavation is considered reasonable and necessary to allow the building to integrate appropriately with the site's natural slope, while avoiding unnecessary modification to the existing landform.

There are no environmental or heritage features affected by the proposed works, and stormwater will continue to be managed in accordance with Council's requirements, with no disruption to natural overland flow paths.

Clause 6.4 relates to development on sloping land.

The subject site is identified on Council's Landslip Risk Map as being within **Area A**, which indicates a lower level of landslip risk, but still requires appropriate consideration of geotechnical stability in the design and construction of any proposed development.

In this instance, the site is relatively flat, and the proposed dual occupancy has been designed to respond sensitively to the topography, ensuring that the built form integrates with the natural land levels and avoids excessive cut or fill.

As a result, the development achieves an appropriate built form outcome that respects the existing character and scale of surrounding dwellings, while maintaining residential amenity for both the subject and adjoining properties.

The proposed works will be undertaken in accordance with the recommendations of a suitably qualified Structural Engineer. These recommendations will guide construction practices to ensure the stability of the land is maintained during and after development.

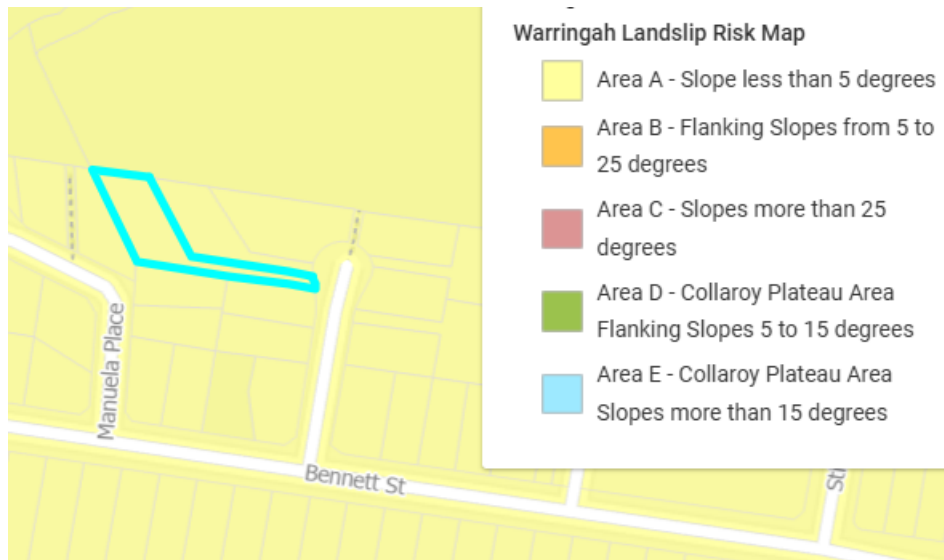


Fig 12: Extract of Warringah Landslip Risk Map

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

6.6 Warringah Development Control Plan

There are no specific built form controls for dual occupancy development in the R2 zone under the Warringah Development Control Plan 2011 (WDCP). In the absence of tailored controls, the built form provisions applicable to detached dwelling houses have been applied to guide the design of the proposed development. This approach ensures the dual occupancy is of an appropriate scale and character within its low-density residential context. Accordingly, the proposed development is considered to be suitably controlled and consistent with the intended built form outcomes for the area.

The relevant numerical and performance based controls under WDCP are discussed below:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	The wall height of the new dual occupancy is <7.2m.	Yes
B3 – Side Boundary Envelope	Building envelope 45 degrees from 5m.	The new works site comfortably within the required side boundary envelope.	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	Ground Floor: Eastern setback: 2m to carport, 4.4m to dwelling Western setback: From 2.596m – 3.336m First Floor Eastern setback: 4.4m to dwelling Western setback: 2.596m to 3.336m	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map	N/A	N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	Front setback >6.5m due to the battle-axe subdivision configuration	Yes
B8 – Merit assessment of front boundary setbacks	No requirement identified on map	N/A	N/A

B9 – Rear Boundary Setbacks	Min 6m rear setback	Dwelling 1: >6m Dwelling 2: .6m Swimming pool is existing	Yes
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
Part C – Siting Factors			
C1 - Subdivision	Requirements R2 Low Density Residential zone requirements: Proposed new allotments: a) Minimum width: 13 metres b) Minimum depth: 27 metres; and c) Minimum building area: 150m2	The proposal will seek separate consent for the Strata subdivision of the completed development under a separate application. On this basis, there is no change to the existing allotment size.	Yes
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	The existing vehicle crossing from 4B Holloway is to remain and will be improved in accordance with Councils policies.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal provides two car parking spaces for each dwelling within the site. Additionally, the proposed parking arrangements have been designed in accordance with the requirements of AS/NZS 2890.1, ensuring appropriate vehicle access, maneuvering, and safety standards are achieved.	Yes

C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	<p>The proposed development demonstrates compliance with the requirements of C4 – Stormwater by ensuring that all stormwater from roof areas and hard surfaces will be appropriately collected and directed to the lawful point of discharge in accordance with Council's engineering standards. The stormwater system has been designed to manage site runoff effectively and mitigate potential impacts on neighbouring properties and the public domain.</p> <p>The development incorporates suitable drainage infrastructure and erosion and sediment control measures during construction to protect downstream environments.</p> <p>A Stormwater Management Plan has been prepared by Development Engineering Solutions, Project No 240925 dated 23 June 2025, confirming that the system meets the relevant performance criteria.</p>	Yes
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C5 – Erosion and Sedimentation	Soil and Water Management required	<p>The proposed development will install appropriate erosion and sediment control measures prior to and maintained throughout the construction phase to prevent sediment from leaving the site and impacting adjoining properties or public stormwater infrastructure.</p> <p>Controls will be designed in accordance with best practice and Council's guidelines, and will include silt fencing, stabilised site access, and appropriate stockpile management.</p>	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained	<p>The extent of excavation is very minor and limited to minor site leveling for the new dual occupancy slab, with all earthworks designed to minimise disturbance to existing site conditions.</p> <p>Excavated materials will be managed and disposed of in accordance with Council requirements to prevent environmental harm, including sediment</p>	Yes

		runoff and dust generation.	
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed, with a waste management plan submitted as part of the application package.	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage is provided within appropriate areas on the site.	Yes

Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The landscaped/open space for the site is 40.88%, of which are significant majority of the area comfortably complies with 2 m minimum requirement. Some areas surrounding the driveway are marginally less than 2 m in width however with the substantial length in excess of 2 m, contribute positively to the extent of the soft landscaped appearance and planning opportunity within the site. Additional landscaping is to be incorporated as part of the proposal to providing enhanced soft landscaping that contributes positively to the site's visual amenity and environmental quality.</p>	Yes – on merit
D2 – Private Open Space	<p>Dwelling houses with three or more bedrooms</p> <p>Min 60m² with min dimension 5m</p>	<p>The proposed provides multiple private open space areas that cater to a variety of outdoor activities and lifestyle needs.</p> <p>At ground level, the rear yard offers a generous private open space area, ensuring direct access from each dwelling and suitable for recreational and passive use.</p> <p>Additionally, the existing swimming pool is to be retained, providing a recreational space for future occupants to enjoy. To further maximise residential amenity and take full advantage of the surrounding landscaped setting and views toward the adjoining sports fields, the design includes an elevated</p>	Yes

		<p>deck and external stair access for Dwelling 2.</p> <p>These elements offer a comfortable and visually connected outdoor living area that enhances the dwelling's functionality and connection to the surrounding environment.</p> <p>These combined open spaces provide functional, accessible, and well-integrated outdoor environments promoting indoor-outdoor living and enhancing the overall residential amenity.</p>	
D3 – Noise	<p>Mechanical noise is to be attenuated to maintain adjoining unit amenity.</p> <p>Compliance with NSW Industrial Noise Policy Requirements</p>	<p>Given the residential nature of the proposal, no noise impacts are anticipated.</p>	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	<p>Dwellings to be orientated to receive northern sun</p> <p>Appropriate construction to enhance thermal properties and ventilation/natural cooling</p> <p>Compliance with SEPP (BASIX) requirements</p>	<p>The building design maximises north-facing windows and living areas, ensuring that primary rooms receive ample sunlight during the winter months while incorporating shading elements to minimise heat gain during summer.</p> <p>The layout facilitates cross-ventilation by aligning windows and openings to promote natural airflow, reducing reliance on mechanical cooling systems. Materials and finishes have been selected to improve thermal performance,</p>	Yes

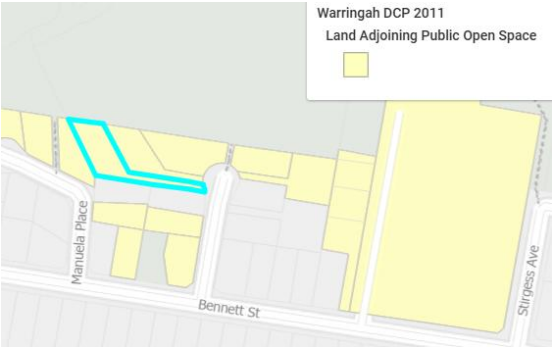
		contributing to energy efficiency.	
D6 – Access to sunlight	This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.	As demonstrated by the shadow diagrams prepared in support of the development (Drawings Nos. S4 – S6), the site and neighbouring properties will continue to receive adequate solar access to their internal and external living areas throughout the day.	Yes
D7 – Views	View sharing to be maintained	<p>The proposed dual occupancy has been designed to maintain the existing view corridors towards the northern sports fields. Due to the orientation of the site and the configuration of surrounding dwellings, the development will not adversely impact the view lines of neighbouring properties to the north.</p> <p>Generous building setbacks, which comply with the applicable development standards, further assist in preserving these view corridors and ensuring that no unreasonable visual obstruction occurs as a result of the proposal.</p> <p>Overall, the development respects the established view corridors and contributes to maintaining the visual amenity and valued outlooks enjoyed by neighbouring residents, preserving their connection to the open space and broader coastal landscape.</p>	Yes


D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties	<p>The proposal incorporates a range of privacy measures to effectively reduce overlooking impacts to the eastern and western neighbouring properties. These measures include varied sill heights, window placement and the installation of privacy screens can be incorporated if required.</p> <p>While the terrace areas are elevated, this reflects the character of the surrounding locality. Importantly, their orientation is directed towards the sportfields rather than western neighbouring property, thereby reducing potential overlooking.</p> <p>In line with the objectives of the privacy controls, the design promotes improved natural light and ventilation while maintaining suitable visual and acoustic privacy for both the occupants and adjacent neighbours. to adjoining sites.</p> <p>Suitable privacy is therefore considered to be maintained for occupants of the subject site and neighbouring properties.</p>	Yes
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the	<p>The surrounding area consists of a diverse mix of one, and two-storey dwellings, establishing a varied built form context.</p> <p>The proposed development is compatible in both height and scale with this existing</p>	Yes

	street or surrounding spaces	<p>pattern, ensuring that it will not visually dominate Holloway Place or the adjoining sport fields.</p> <p>To reduce perceived bulk, the front and rear setbacks of each dwelling are varied, creating a stepped building profile that softens the massing and enhances the sites setback rhythm.</p> <p>The design incorporates articulation through varied building elements and fenestration, along with open-style balconies, which collectively break down the building's bulk and scale when viewed from the public sport fields to the north.</p> <p>Additionally, ample landscaped areas in all setbacks are retained and enhanced to provide effective screening and soften the overall appearance of the built form, maintaining a balanced relationship with the surrounding environment.</p>	
D10 – Building Colours and materials		The proposed new works will be finished in colours which complement the existing development on site and the locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposal includes a new pitched roof form that offers a compatible and cohesive design aesthetic for the dual occupancy, while remaining modest in scale and avoiding any dominance of the skyline.	Yes

D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The existing external finishes and colours will be retained and the proposed new finishes will complement the existing dwelling. No significant glare impacts will result from proposed new works.	Yes
D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street	N/A – no new front fencing proposed	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities	Bin storage area is available within the site, and will not be visible from the Holloway Streetscape.	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	N/A Swimming pool is existing.	N/A
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of Holloway Place is available	Yes

	surveillance of the street.	from the dwelling to the street over and through the front landscaped area.	
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	BASIX Certificate Provided	Yes
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	N/A

Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	No significant or protected trees are affected by the works.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within the site.	Yes
E7 – Development on land adjoining public open space		<p>The design maintains appropriate setbacks and incorporates landscaping to ensure a sympathetic interface with the adjoining Curl Curl sports fields, preserving both openness and visual connection to the public space.</p> <p>Importantly, the proposal does not restrict or impede existing public access to the sports fields or nearby beach reserves, thereby supporting continued community use and enjoyment.</p> <p>By retaining the existing swimming pool and including outdoor living areas that overlook the open space, the development respects and complements the</p>	Yes

		<p>recreational character of the locality.</p> <p>Overall, the proposal responds appropriately to its proximity to public open space, enhancing the local environment while preserving amenity for both future residents and the wider community.</p>	
<p>E8 – Waterways and Riparian Lands</p> <p>Not identified on map</p> 		N/A	N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area A.	<p>The site is noted on Council's Landslip Risk Map as being within Area A.</p> <p>In this instance, the site is relatively flat, and the proposed dual occupancy has been designed to respond sensitively to the topography, ensuring that the built form integrates with the natural land levels and avoids excessive cut or fill.</p>	Yes

		<p>As a result, the development achieves an appropriate built form outcome that respects the existing character and scale of surrounding dwellings, while maintaining residential amenity for both the subject and adjoining properties.</p> <p>The proposed works will be undertaken in accordance with the recommendations of a suitably qualified Structural Engineer. These recommendations will guide construction practices to ensure the stability of the land is maintained during and after development.</p>	
E11 – Flood Prone Land	The site is identified on NBC Flood Hazard Map – low and medium flooding.	A detailed Flood Management Report prepared by NB Consulting Engineers (dated 3 July 2025) confirms that the development will not increase flood risk to the site or adjoining properties when constructed in accordance with the report's recommendations. The design incorporates appropriate floor levels, stormwater management, and mitigation measures to ensure safety and minimise any potential flood impacts.	Yes

		Accordingly, the proposal meets the relevant flood planning controls and maintains the safety and resilience of the development in accordance with Councils requirements and the requirement of the clause.	
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D1 - Landscape Open Space

Under the proposed development, the landscape open space will include 40.88, representing a enhancement that supports improved visual amenity, environmental quality, and site permeability.

A detailed Landscape Plan prepared by Vanessa Miles accompanies the application and demonstrates a high-quality landscape outcome. The plan provides for well-considered soft landscaping elements throughout the front, side, and rear yards, integrating the built form into the site and surrounding environment while supporting the objectives of enhancing biodiversity, minimising stormwater runoff, and contributing to the ecological function of the area.

The proposal ensures that ample private open space is retained for recreational use by future dual occupancy residents, and no significant vegetation is proposed to be removed. The remaining site area allows for effective perimeter planting, deep soil zones, and stormwater infiltration, which will collectively maintain and enhance the site's contribution to the local green corridor.

Importantly, the improved landscape design ensures that the bulk and scale of the development will not result in adverse impacts on neighbouring amenity or the natural environment. The landscaped setting will help to integrate the development within the Curl Curl area and reinforce the bushland identity of the locality.

On this basis, the proposed development is considered to satisfy the objectives of Part D1 of the DCP and warrants support on merit.

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

7.2 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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

It is not considered that there are any draft environmental planning instruments applying to the site.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Warringah Development Control Plan 2011.

The application has been prepared having regard to the requirements of Section A, Section B, Section C, Section D and Section E of the Warringah DCP.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

7.4 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

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

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

It is considered that the proposal, which seeks consent for the construction of a new duplex residential flat building, is reasonable in circumstances where resultant development is compatible with and will complement the character of the conservation area.

The proposal is considered to be well designed having regard to the relevant provisions of the Housing SEPP 2021, Council's WLEP 2011 and Council's Codes and Policies, in particular the Warringah DCP 2011.

7.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

The proposal will provide for the construction of new duplex residential flat building permissible under the SEPP Housing 2021.

It is suggested that the proposal will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

7.8 Any submissions made in accordance with this Act or the regulations

This is matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment or the character of the locality and the modest extent of changes will ensure that there are no unreasonable visual impacts on the amenity of adjoining properties. The works are therefore considered to be within the public interest.

8.0 Conclusion

The proposal provides for the demolition of the existing structures and construction of a new two storey attached dual occupancy.

A separate Development application submission will be lodged for the future strata subdivision of the completed development.

The outcome is a modernised duplex dwelling of exceptional design quality which displays a highly articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

The proposed development is a high-quality design solution which seeks to maximise amenity for occupants of the subject site whilst minimising impacts to adjoining properties.

The proposal provides a complimentary and compatible building form when compared to the existing dwelling, other development located along this area of Curl Curl and within the site's visual catchment generally.

As the proposed development will not have any significant adverse impacts on the environment, scenic quality of the area or the amenity of the adjoining allotments, there is no statutory impediment or meritorious reason as to why Council should not grant consent to the proposed development.

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