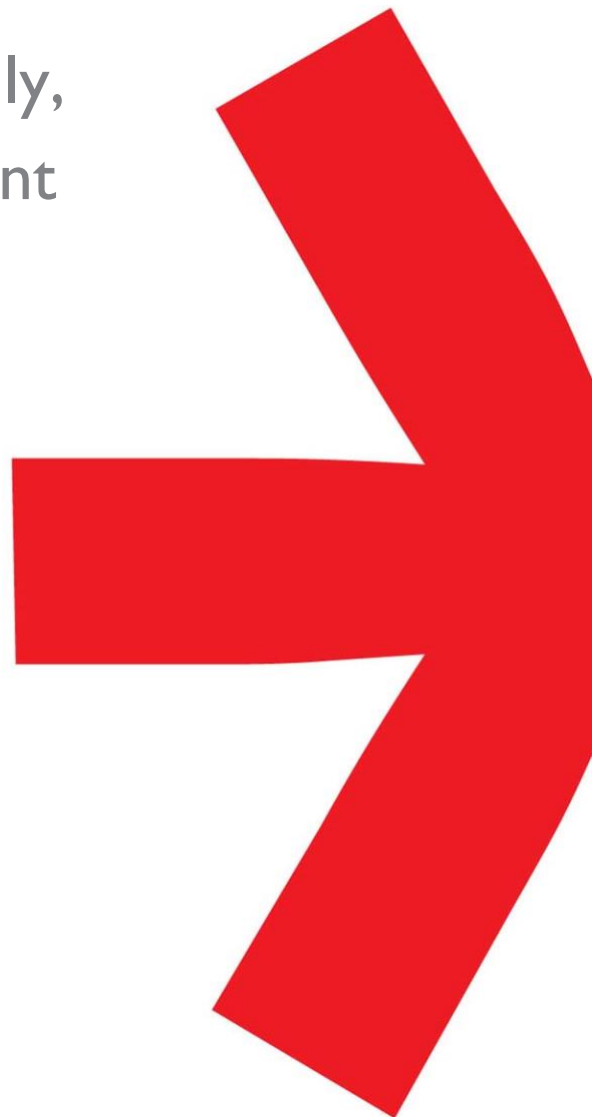


Statement of Environmental Effects

5 / 136 Addison Road Manly,
Alterations to an Apartment
June 2025



Document status

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Approval for issue

Name	Signature	Date
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1 Introduction

Planik Pty Ltd has been engaged to prepare this Statement of Environmental Effects for Jeanette Hutchinson c/o Luisa Manfredini and MM+J Architects for the proposed development at 5 / 136 Addison Road Manly. The proposal is for redistribution of the floor plate to the ground floor apartment, improving living area orientation, replacement of doors and altering various windows.

The site is located within the Northern Beaches Council area and is subject to the controls of the Manly Local Environment Plan 2013 (MLEP 2013) and the Manly Development Control Plan 2013 (MDCP 2013). The subject site is zoned R1 – General Residential and the proposed works are permissible with development consent within the zone.

1.1 Key Opportunities and Objectives

The main opportunities resulting from this proposal include:


- The proposal will improve the internal distribution of spaces and particularly create north facing living areas.
- Increased solar gains internally from improved window sizes and placements.
- Retains the integrity and architectural expression of the building by not departing from the style of the windows.
- The works will not be highly visible from the street noting that they are on the internal facing façade.
- The proposal will not impact upon the amenity of adjoining dwellings or the neighbourhood with regards to overshadowing, privacy, or existing views.

The proposal will also go towards achieving a number of objectives outlined in the Manly Local Environmental Plan 2013 (MLEP) as follows:

Table 1 Manly Local Environmental Plan 2013 Objectives

Objectives	Response
aa) N/A (a) in relation to all land in Manly: (i) to promote a high standard of urban design that responds to the existing or desired future character of areas, and (ii) to foster economic, environmental and social welfare so that Manly continues to develop as an accessible, sustainable, prosperous, and safe place to live, work or visit, and (iii) to ensure full and efficient use of existing social and physical infrastructure and the future provision of services and facilities to meet any increase in demand, and (iv) to ensure all development appropriately responds to environmental constraints and does not adversely affect the character, amenity or heritage of Manly or its existing permanent residential population,	aa) N/A (a) (i) The proposed works will conform with and complement the existing apartment building. (ii) The proposal will not contravene this objective as it involves the sustainable and sympathetic alterations to an existing apartment to improve its amenity without compromising the architecture of the overall built form. (iii) The proposal will not have any impact upon the provision of infrastructure or services in the locality as it involves the redistribution of floorplate and window and door fixtures only. (iv) The proposal will not adversely impact the character or amenity of any nearby heritage items and will not impact the heritage kerb on the street dwellings.

Objectives	Response
	The works are internal facing and the alterations to windows and doors are cohesive to the style and shape of the original windows that will be retained in the building.
<p>(b) in relation to residential development:</p> <p>(i) to provide and maintain a diverse range of housing opportunities and choices that encourages affordable housing to cater for an ageing population, changing demographics and all socio-economic groups, and</p> <p>(ii) to ensure high quality landscaped areas in the residential environment, and</p> <p>(iii) to encourage higher density residential development to be located close to major transport nodes, services and employment opportunities, and</p> <p>(iv) to maintain active retail, business and other non-residential uses at street level while allowing for shop top housing in centres and offices at upper floors in local centres,</p>	<p>(b)</p> <p>(i) The proposal is not antipathetic to this objective.</p> <p>(ii) No site works are proposed. The proposal does not impact the landscape setting of the site.</p> <p>(iii) N/A</p> <p>(iv) N/A</p>
<p>(c) in relation to business and the economy:</p> <p>(i) to encourage, provide and consolidate business opportunities for a range of uses in appropriate locations that support local employment, community services and economic growth in business centres, and</p> <p>(ii) to recognise that tourism is a major industry and employer in Manly and to encourage its growth and continuing viability while protecting the needs of the local community,</p>	(c) N/A
<p>(d) in relation to transport, infrastructure and amenities:</p> <p>(i) to reduce private car dependency, increase the viability of various public transport modes, minimise conflict between pedestrians and vehicular movement systems and encourage walking and cycling while concentrating intensive land uses and trip generating activities in locations most accessible to public transport and centres, and</p> <p>(ii) to provide for a range of recreational and community service opportunities to meet the needs of residents and visitors to Manly and promote the efficient and equitable provisions of public services, infrastructure and amenities,</p>	(d) N/A
(e) in relation to heritage—to identify, protect, sustain, manage and conserve all heritage, including archaeological relics, sites and	(e) The site is adjacent to heritage item I2 – heritage kerb and opposite I 72 which includes three houses on Addison Road

Objectives	Response
<p>resources, places of Aboriginal heritage significance, heritage items (and their curtilages), heritage conservation areas and the cultural (natural and built) environmental heritage of Manly.</p>	<p>The proposed works do not confront the heritage dwellings across the road and therefore their curtilages are respected.</p>  <p>Photograph 1: 95,97-99 and 101 Addison Road – Item # 72</p>
<p>(f) in relation to the natural environment:</p> <ul style="list-style-type: none"> (i) to conserve and enhance terrestrial, aquatic and riparian habitats, biodiversity, wildlife habitat corridors, remnant indigenous vegetation, geodiversity and natural watercourses, and (ii) to promote energy conservation, water cycle management (incorporating water conservation, water reuse, catchment management, stormwater pollution control and flood risk management) and water sensitive urban design, and (iii) to protect, enhance and manage environmentally sensitive land with special aesthetic, ecological, scientific, cultural or conservation values for the benefit of present and future generations, and (iv) to protect existing landforms and natural drainage systems and minimise the risk to the community in areas subject to environmental hazards, particularly flooding, bush fires, acid sulfate soils, sea level rise, tsunamis and landslip, and (v) to provide a framework that facilitates and encourages measures to assist the adaptation of the local environment to mitigate the impacts of climate change, and (vi) to give priority to retaining bushland for its own intrinsic value and as a recreational, educational and scientific resource, 	<p>(f) The proposal will not have any impact upon biodiversity, water cycle or the environment in general, noting no works are proposed to the site generally and no reduction in soft soil landscaped area.</p>
<p>(g) in relation to Manly's unique harbour, coastal lagoon and ocean beach setting:</p> <ul style="list-style-type: none"> (i) to preserve and enhance the amenity of public places and areas visible from navigable water around Manly, and (ii) to retain open space, make more foreshore land available for public access and protect, restore and enhance riparian land along 	<p>(g)</p> <ul style="list-style-type: none"> (i) N/A – proposal does not impact on the Manly harbour, coastal lagoon and ocean beach setting. (ii) N/A


Objectives	Response
watercourses and foreshore bushland.	

Table 2 Zone R1 – General Residential Zone Objectives

R1 Objectives	Response
<ul style="list-style-type: none"> To provide for the housing needs of the community. 	Achieved.
<ul style="list-style-type: none"> To provide for a variety of housing types and densities. 	The proposal does not alter the housing type, however, it will improve the apartment to modern standards of living.
<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	N/A

1.2 Manly Local Environment Plan 2013 Development Control Summary

Table 3 Manly LEP 2013 Planning Control Summary

Applicable LEP Control	Requirement	Proposed	Complies
Maximum Height	8.5m	No change (Ground floor works)	Yes
Floor Space Ratio	0.6:1	No Change	Yes
Acid Sulfate Soils	Class 5 	No impact – no excavation proposed	Yes
Terrestrial Biodiversity	Subject site identified as “Biodiversity”.	No impact – works only to existing built upon areas of the site. Refer to clause 6.5 response	Yes
Foreshore Scenic Protection Area	Subject site identified as within “Foreshore Scenic Protection Area”.	No impact – works contained within the existing floorplate of the existing apartment building. Window and door alterations are internally facing.	Yes

1.3 Applicant and Ownership

The applicant for this Development Application is MMJ Architects on behalf of Ms Jeanette Hutchinson .

1.4 Consent Authority

The consent authority for this development is Northern Beaches Council.

1.5 Supporting documentation

This report should be read in conjunction with the following plans and documents below:

Plan/Document Title:	Revision	Date:	Prepared by:
Architectural Plans	B	17 03 25	MMJ Architects
Schedule of materials and finishes		17 03 25	MMJ Architects
Waste Management Plan		17 03 25	MMJ Architects
Statement of Environmental Effects	O	12 06 25	Planik Pty Ltd
Survey		15 07 24	CMS Surveyors

1.6 Structure of the Report

This report is divided in to six sections detailing the nature of the development in the following manner:

- | | |
|-----------|---|
| Section 1 | Introduction. |
| Section 2 | Examines the existing site conditions in terms of location, context, access and relevant planning controls. |
| Section 3 | Describes the development proposal through development statistics, built form, materials and the site conditions. |
| Section 4 | Assesses the development proposal against relevant planning controls. |
| Section 5 | Summarises the environmental effects of the proposed development under the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act, which lists matters for consideration by a consent authority in determining a development application. |
| Section 6 | Concludes the statement of environmental effects. |

2 Site and Context

2.1 Site Location and Description

The site is legally referred to as Lot null in SP8961. It has a total area of 893.4 m² and a 21.94 m frontage to Addison Road, and currently contains 12 apartments.

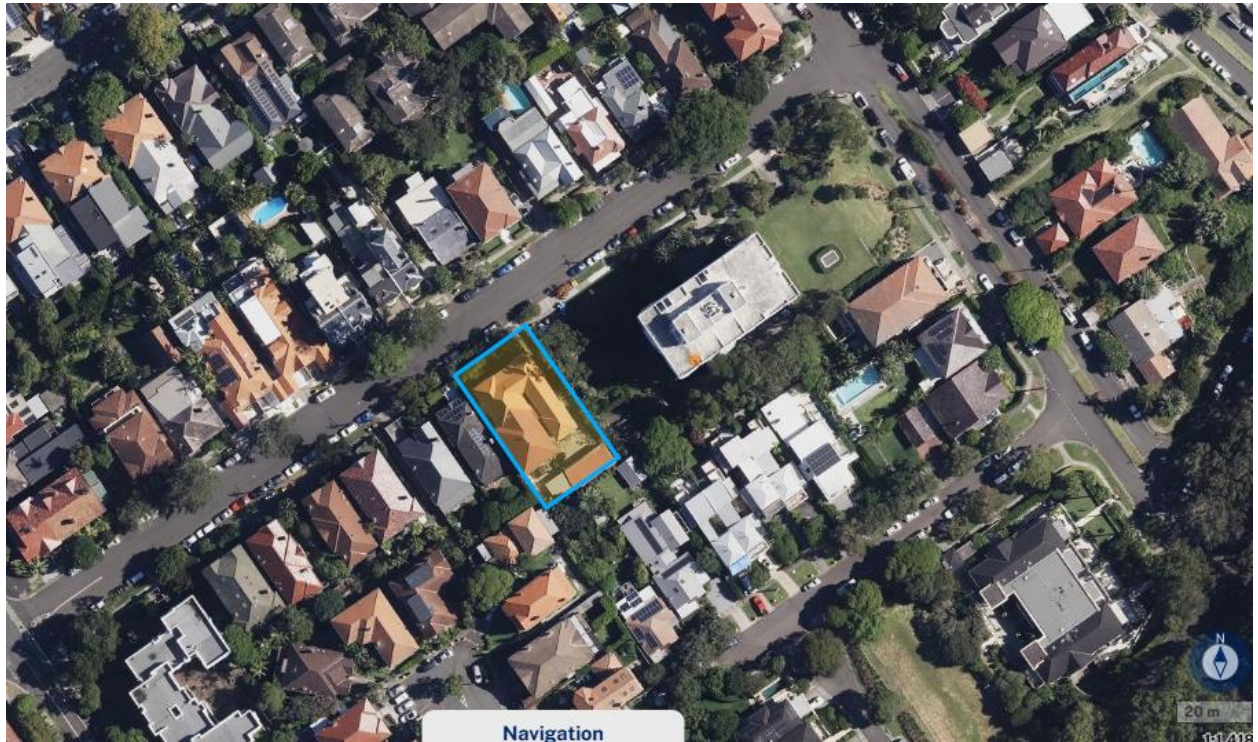


Figure 1 Site Location Map. Source: SIX Maps

2.2 Locality and Surrounding Context

The subject site is located on the southeastern side of Addison Road in between Reddall Street and Darley Road, Manly. The precinct is a mix of dwellings, townhouses and residential flat buildings located on the Manly Point peninsula.



Figure 2 Site Context Map. Source: SIX Maps



Figure 3 Street View – Site and context (Source: Google)



Figure 4 File photo from a real estate website showing the side façade where building works are proposed

2.3 Relevant Legislation

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

The plans of the proposed alternation have been assessed in accordance with the relevant state, regional and local planning policies detailed below.

2.3.1 State

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy – (Sustainable Buildings) 2022

2.3.2 Local

- Manly Local Environmental Plan 2013
- Manly Development Control Plan 2013

This Planning Report demonstrates that the proposed development is generally consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

3 Development Proposal

3.1 Summary of Proposal

The existing development includes:

A two storey apartment building containing 12 apartments, the subject apartment is located on the ground floor on the eastern side of the building.

The following are the proposed works:

- Redistribution of ground floor floorplate to orientate living kitchen dining areas to the north.
- Introduce new window to living area, brick up two small windows and Increase head heights of existing windows and door to east elevation
- Replace existing doors to western elevation, remove two windows and replace with high sill windows
- Install gas to west wall and install air con to south wall.

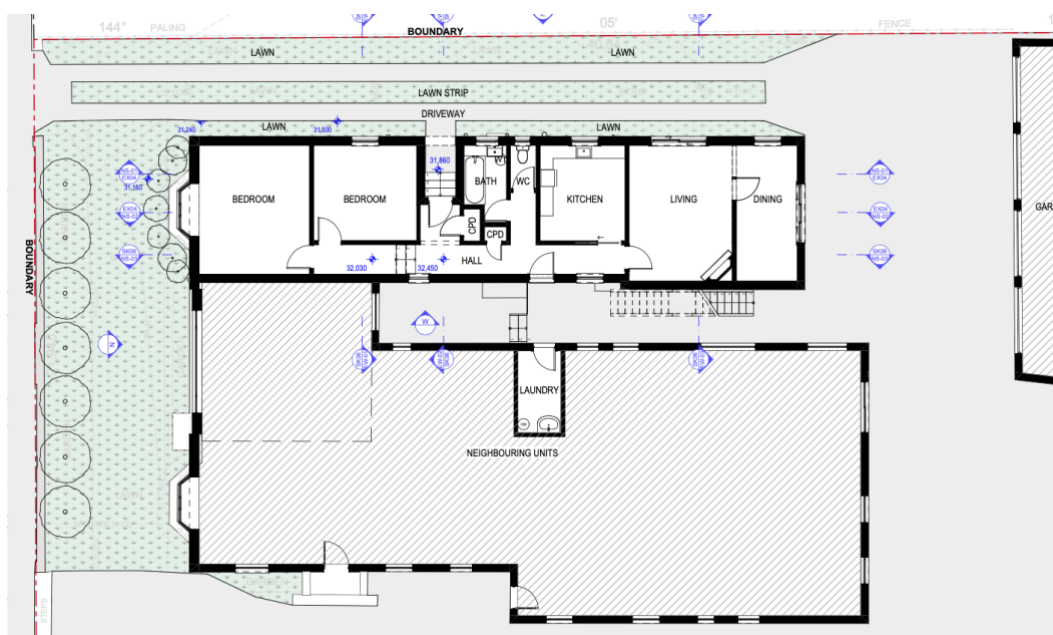


Figure 5 Existing Floor Plate of Unit 5

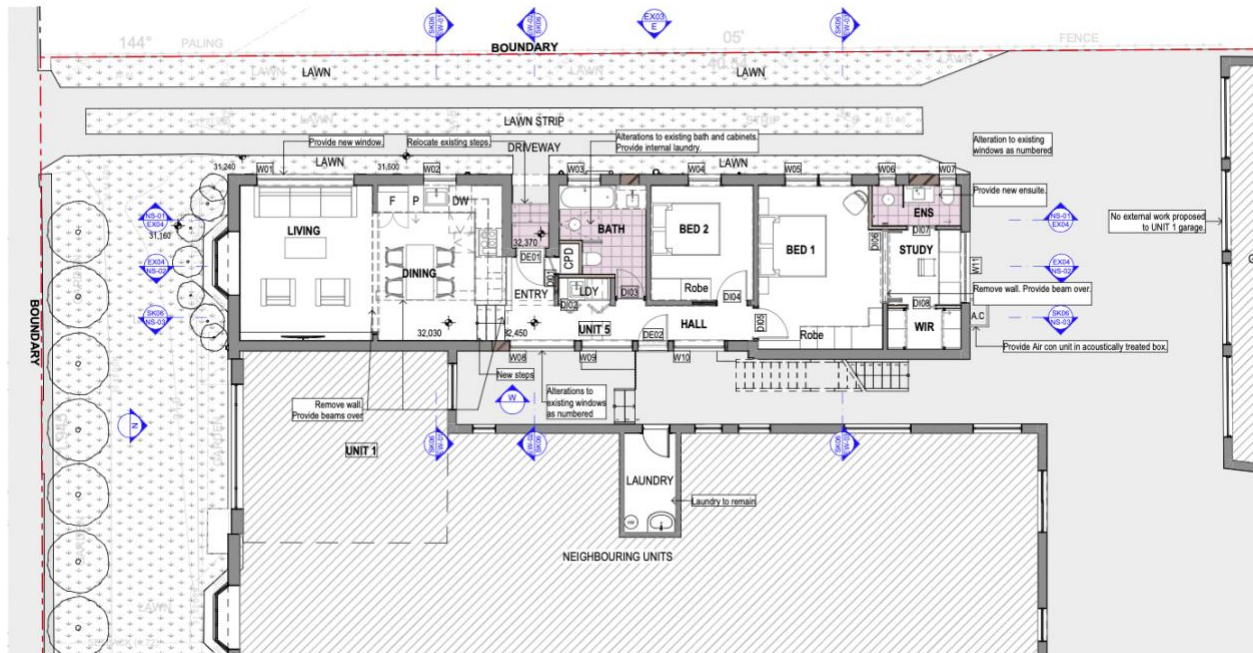


Figure 6 Proposed works

4 Statutory Planning Assessment

4.1 Zoning and Permissibility

The site is subject to the controls of the Manly Local Environmental Plan 2013 and is zoned R1 General Residential under the MLEP 2013. The proposed development is permissible within the R1 General Residential zone.

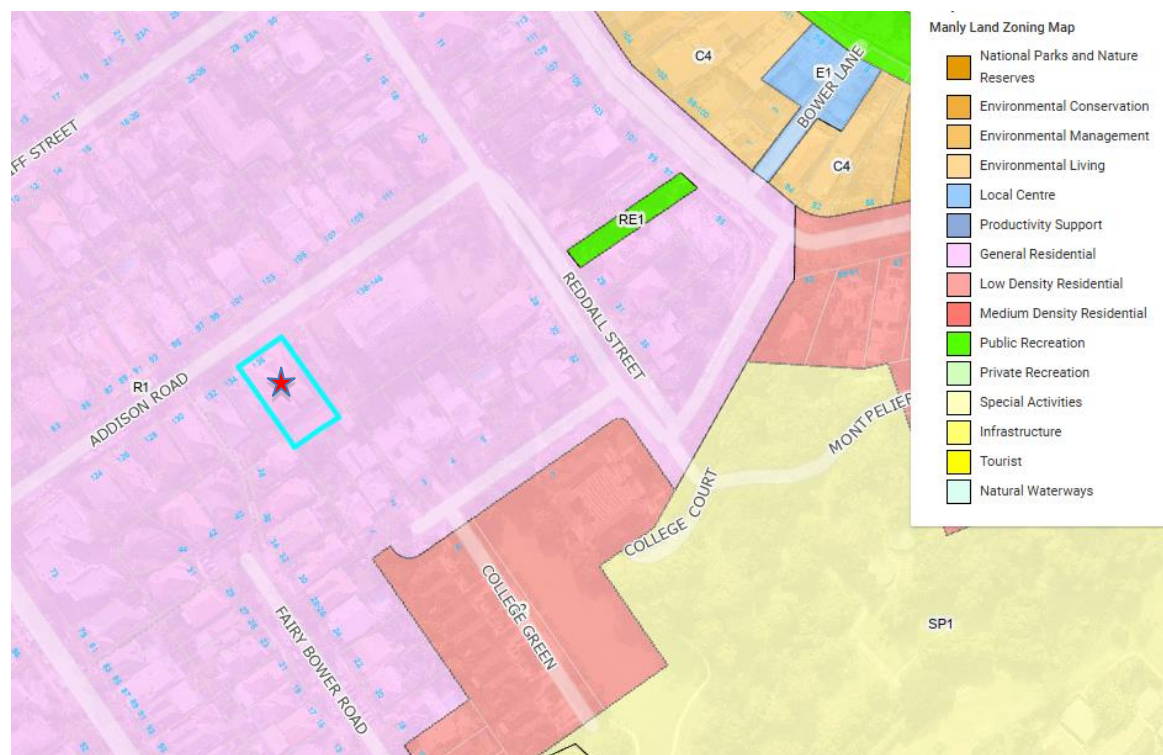


Figure 7 Manly Environmental Plan 2013

Table 4 Zone R1 General Residential Land Use Table

R1 – General Residential Zone Land Use Table	
2 Permitted without consent	Home-based child care; Home occupations
3 Permitted with consent	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings ; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tank-based aquaculture; Water recreation structures; Water recycling facilities; Water supply systems
4 Prohibited	Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3

4.2 Environmental Planning and Assessment Act 1979

4.2.1 Section 1.3 – Objects

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

1.3 Objects of Act

The objects of this Act are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the Act:

- The proposed development will promote the social and economic welfare of the local community through improvements to an existing apartment that will bring it up to current lifestyle standards while retaining the external fabric of the building which is a sustainable outcome minimising resource requirements.
- There will be no unreasonable adverse impacts on the environment including neighbourhood amenity nor will the proposal impact heritage items in the vicinity of the site.

4.3 Environmental Planning and Assessment Regulation 2000

4.3.1 Clause 92 – Demolition

All demolition works will be undertaken in accordance with Clause 92 of the Regulation requiring the consent authority to consider AS 2601 - 1991: The Demolition of Structures.

4.3.2 Clause 98 – Compliance with the BCA

Pursuant to the prescribed conditions under Clause 98 of the Regulation, any building work must be carried out in accordance with the requirements of the Building Code of Australia.

4.4 State Environmental Planning Controls

4.4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

The provisions of the Resilience and Hazards SEPP have been considered in the assessment of the development application. The site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated. Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under this SEPP.

4.4.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The application is not subject to clause 2.48 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure that trigger a written referral to the energy authority.

The application is not subject to clause 2.119 of the SEPP as the site does not have frontage to a state classified road.

The application is not subject to clause 2.120 of the SEPP as the proposed use is not likely to be adversely affected by road noise or vibration.

The proposal is not adjacent to a rail corridor and therefore Clause 2.100 of the SEPP does not apply.

4.4.3 State Environmental Planning Policy – (Sustainable Buildings) 2022

A BASIX certificate supports this application and the proposal will achieve the targets set in this policy.

4.5 Manly Local Environmental Plan 2013

Manly Local Environmental Plan 2013 (MLEP2013) is the primary planning instrument applicable to the subject site. The site is zoned R1 General Residential zone under the MLEP 2013 which permits alteration works to a residential flat building.

The following table provides applicable clauses from the MLEP 2013.

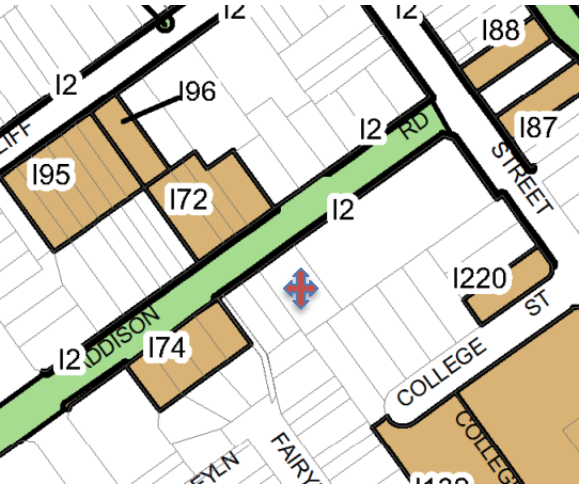
Table 5 Manly Local Environmental Plan 2013 Applicable Controls.

MLEP2013 Relevant Controls	Response	Compliant
Clause 1.2 Aims of Plan (2) The particular aims of this Plan are as follows— (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other	Please refer to responses in Table 1.	Yes

MLEP2013 Relevant Controls	Response	Compliant
<p>performance arts,</p> <p>(a) in relation to all land in Manly—</p> <p>(i) to promote a high standard of urban design that responds to the existing or desired future character of areas, and</p> <p>(ii) to foster economic, environmental and social welfare so that Manly continues to develop as an accessible, sustainable, prosperous, and safe place to live, work or visit, and</p> <p>(iii) to ensure full and efficient use of existing social and physical infrastructure and the future provision of services and facilities to meet any increase in demand, and</p> <p>(iv) to ensure all development appropriately responds to environmental constraints and does not adversely affect the character, amenity or heritage of Manly or its existing permanent residential population,</p> <p>(b) in relation to residential development—</p> <p>(i) to provide and maintain a diverse range of housing opportunities and choices that encourages affordable housing to cater for an ageing population, changing demographics and all socio-economic groups, and</p> <p>(ii) to ensure high quality landscaped areas in the residential environment, and</p> <p>(iii) to encourage higher density residential development to be located close to major transport nodes, services and employment opportunities, and</p> <p>(iv) to maintain active retail, business and other non-residential uses at street level while allowing for shop top housing in centres and offices at upper floors in local centres,</p> <p>(c) in relation to business and the economy—</p> <p>(i) to encourage, provide and consolidate business opportunities for a range of uses in appropriate locations that support local employment, community services and economic growth in business centres, and</p> <p>(ii) to recognise that tourism is a major industry and employer in Manly and to encourage its growth and continuing viability while protecting the needs of the local community,</p> <p>(d) in relation to transport, infrastructure and amenities—</p> <p>(i) to reduce private car dependency, increase the viability of various public transport modes, minimise conflict between</p>		

MLEP2013 Relevant Controls	Response	Compliant
<p>pedestrians and vehicular movement systems and encourage walking and cycling while concentrating intensive land uses and trip generating activities in locations most accessible to public transport and centres, and</p> <p>(ii) to provide for a range of recreational and community service opportunities to meet the needs of residents and visitors to Manly and promote the efficient and equitable provisions of public services, infrastructure and amenities,</p> <p>(e) in relation to heritage—to identify, protect, sustain, manage and conserve all heritage, including archaeological relics, sites and resources, places of Aboriginal heritage significance, heritage items (and their curtilages), heritage conservation areas and the cultural (natural and built) environmental heritage of Manly,</p> <p>(f) in relation to the natural environment—</p> <p>(i) to conserve and enhance terrestrial, aquatic and riparian habitats, biodiversity, wildlife habitat corridors, remnant indigenous vegetation, geodiversity and natural watercourses, and</p> <p>(ii) to promote energy conservation, water cycle management (incorporating water conservation, water reuse, catchment management, stormwater pollution control and flood risk management) and water sensitive urban design, and</p> <p>(iii) to protect, enhance and manage environmentally sensitive land with special aesthetic, ecological, scientific, cultural or conservation values for the benefit of present and future generations, and</p> <p>(iv) to protect existing landforms and natural drainage systems and minimise the risk to the community in areas subject to environmental hazards, particularly flooding, bush fires, acid sulfate soils, sea level rise, tsunami and landslip, and</p> <p>(v) to provide a framework that facilitates and encourages measures to assist the adaptation of the local environment to mitigate the impacts of climate change, and</p> <p>(vi) to give priority to retaining bushland for its own intrinsic value and as a recreational, educational and scientific resource,</p> <p>(g) in relation to Manly's unique harbour, coastal lagoon and ocean beach setting—</p> <p>(i) to preserve and enhance the amenity of public places and areas visible from navigable water around Manly, and</p>		

MLEP2013 Relevant Controls	Response	Compliant
(ii) to retain open space, make more foreshore land available for public access and protect, restore and enhance riparian land along watercourses and foreshore bushland.		
R1 General Residential Objectives <ul style="list-style-type: none"> To provide for the housing needs of the community. To provide for a variety of housing types and densities. To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	Please refer to responses in Table 2.	Yes
4.3 Height of buildings (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map .	No Change	Yes
4.4 Floor space ratio (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map . 2 A) N/A gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes— (a) the area of a mezzanine, and (b) habitable rooms in a basement or an attic, and (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes— (d) any area for common vertical circulation, such as lifts and stairs, and (e) any basement— (i) storage, and (ii) vehicular access, loading areas, garbage and services, and	The FSR map lists the maximum FSR for the site as 0.6:1. No Change	Yes

MLEP2013 Relevant Controls	Response	Compliant
<p>(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and</p> <p>(g) car parking to meet any requirements of the consent authority (including access to that car parking), and</p> <p>(h) any space used for the loading or unloading of goods (including access to it), and</p> <p>(i) terraces and balconies with outer walls less than 1.4 metres high, and</p> <p>(j) voids above a floor at the level of a storey or storey above.</p>		
<p>5.10 Heritage conservation</p> <p>(2) Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p>	<p>The site does not contain heritage items and is not located within a heritage conservation area.</p> <p>The site is however located adjacent to a heritage item – Item No. 2 – stone kerbs and opposite item 72 townhouses and dwellings see Photograph 1 noted in brown below:</p>  <p>The proposal will not have an impact on the heritage items, noting that:</p> <ul style="list-style-type: none"> the works are at ground level and any external works (additional window) are internal to the site and do not face the street. No impact to kerbs. Works will have nil to negligible visibility from the street. 	<p>Yes</p>

MLEP2013 Relevant Controls	Response	Compliant
(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.		
<p>6.1 Acid Sulfate Soils</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<p>The site is identified as containing Class 5 ASS.</p> <p>The site contains class 5 acid sulfate soils pursuant to Council's mapping.</p> <p>However, the proposal will not result in the disturbance of acid sulfate soils or lower the water table, noting minor excavation works are proposed for the footing for one new steel post approximately 400 mm x 400 mm.</p>	Yes
<p>6.5 Terrestrial Biodiversity</p> <p>(2) This clause applies to land identified as "Biodiversity" on the Terrestrial Biodiversity Map.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>The subject site is identified as "Biodiversity" mapped land on the Terrestrial Biodiversity Map.</p> <p>The proposal will not have any adverse environmental impact, noting works are only proposed over previously built upon areas.</p>	Yes
<p>6.9 Foreshore Scenic Protection Area</p> <p>(2) This clause applies to land that is shown as "Foreshore Scenic Protection Area" on the Foreshore Scenic Protection Area Map.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters—</p> <p>(a) impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,</p> <p>(b) measures to protect and improve</p>	<p>The subject site is identified as being within the "Foreshore Scenic Protection Area" on the Foreshore Scenic Protection Area Map.</p> <p>The proposal will not be visible from the foreshore.</p>	Yes

MLEP2013 Relevant Controls	Response	Compliant
<p>scenic qualities of the coastline,</p> <p>(c) suitability of development given its type, location and design and its relationship with and impact on the foreshore,</p> <p>(d) measures to reduce the potential for conflict between land-based and water-based coastal activities.</p>		

4.6 Manly Development Control Plan 2013


The Manly Development Control Plan (MDCP 2013) is used to provide comprehensive planning and design guidelines for development in the council area. Relevant clauses for the proposal are outlined in the table below.

Table 6 Manly Development Control Plan 2013 Applicable Controls

MDCP2013 Relevant Controls	Response	Compliant
<u>3.1.1 Streetscape (Residential areas)</u>		
3.1.1.1 Complementary Design and Visual Improvement		
i) complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;	i) window and door changes have been selected to complement the existing architecture and remain cohesive to the original buildings design	Yes
ii) ensure the bulk and design of development does not detract from the scenic amenity of the area when viewed from surrounding public and private land;	ii) The works will have nil to negligible visibility from the streetscape and face the side of the neighbouring apartments)	Yes
iii) maintain building heights at a compatible scale with adjacent development particularly at the street <u>frontage</u> and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;	iii) No Change	Yes
iv) avoid elevated structures constructed on extended columns that		

MDCP2013 Relevant Controls	Response	Compliant
<p>dominate adjoining sites such as elevated open space terraces, pools, driveways and the like.</p> <p>v) address and compliment the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting.</p> <p>vi)visually improve existing streetscapes through innovative design solutions;</p> <p>vii) incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged.</p>	<p>iv) N/A</p> <p>v) The works will not interface with Heritage items and although the building itself is not heritage listed the design has been developed to complement the existing architecture.</p> <p>vi) The streetscape will not be impacted by the proposal.</p> <p>vii) Materiality has been specifically developed to compliment and not compete with the architectural; qualities of the building. Refer to Materials and Finishes</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3.2 Heritage Considerations		
3.2.1 Consideration of Heritage Significance		
<p>3.2.1.1 Development in the vicinity of heritage items, or conservation areas</p> <p>a) In addition to LEP listings of Environmental Heritage (LEP Schedule 5), this DCP requires consideration of the effect on heritage significance for any other development in the vicinity of a heritage item or conservation area.</p> <p>b) Proposed development in the vicinity of a heritage item or conservation area must ensure that:</p> <p>i) it does not detract or significantly alter the heritage significance of any heritage items, conservation area or place;</p> <p>ii) the heritage values or character of the locality are retained or enhanced; and</p> <p>iii) any contemporary response may not necessarily seek to replicate heritage details or character of heritage buildings in the vicinity, but must preserve heritage significance and integrity with complementary and respectful building form, proportions, scale, style, materials, colours and finishes and building/street alignments.</p> <p>c) The impact on the setting of a heritage item or conservation area is to be minimised by:</p> <p>i) providing an adequate area around the building to allow interpretation of the heritage item;</p>	<p>The site does not contain heritage items and is not located within a heritage conservation area.</p> <p>The site is however located adjacent to a heritage item – Item 2 kerbs & No. 72 house and town houses opposite in Addison Road -</p> <p>The proposal will not impact nearby heritage items because the kerb will not be interfered with and all works are either internal to the apartment or involve alterations to windows and</p>	<p>Yes</p>

MDCP2013 Relevant Controls	Response	Compliant
<p>ii) retaining original or significant landscaping (including plantings with direct links or association with the heritage item);</p> <p>iii) protecting (where possible) and allowing the interpretation of any archaeological features; and</p> <p>iv) retaining and respecting significant views to and from the heritage item.</p>	<p>doors to the side elevations of the apartment building and not highly visible from the street and not within the visual catchment of the townhouse / dwelling items opposite</p> <p>The items themselves and their curtilages are therefore respected.</p>	
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)		
<p>Objectives</p> <p>1.To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, <u>solar access</u> and general amenity of adjoining and nearby properties including noise and vibration impacts.</p> <p>2. To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</p>	<p>Due to the works being:</p> <ol style="list-style-type: none"> 1. Internal to the site, 2. At ground level and 3.Separated from the boundary by the access drive , and 4. Shielded by landscaping and screen planting adjacent to the boundary amenity impacts do not arise from the proposal. <p>Refer to Photograph 2 below.</p>	

MDCP2013 Relevant Controls	Response	Compliant
		
Photograph 2 – Streetview interface of site with lot to the east		
Part 4.1 – Residential Development Controls		
4.1.1 – 4.1.10		
	<p>As the proposal is for internal configuration changes to the apartment with some window and door alterations, these works do not trigger any of the Part 4 controls</p>	<p>Yes</p>

5 Environmental Effects

Under the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act), in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development subject of the development application.

Table 7 Section 4.15(1) Provisions to consider

EPA Act 1979 - Section 4.15(1)	
a) The Provisions of	
	Response
i) any environmental planning instrument	The key relevant planning instrument is the Manly Local Environmental Plan 2013. The proposal supports the aims of the LEP and is in accordance with all other relevant provisions of the documents, as discussed in section 4. The proposal has been assessed against all the relevant planning instruments and complies.
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 Planning 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	The proposal has been assessed against the Manly Development Control Plan 2013 and complies, as outlined in section 4.
(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	There is no planning agreement
iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	There are no relevant matters prescribed by the regulations
v) (Repealed)	N/A

The environmental impacts of the proposal have been considered throughout this SEE. The table below provides further assessment of all potential impacts considered within Section 4.15(1)(b) of the EPA Act 1979.

Table 8 Response to Potential Environmental Impacts

Potential Impacts	Response
<i>Context and Setting</i>	The proposal will not negatively impact the context and setting of any built forms.
<i>Access, Transport and Traffic</i>	The proposal will not impact accessibility and traffic.
<i>Public Domain</i>	Public domain is not impacted by the proposal.
<i>Utilities</i>	Utilities will serve the site as prior to development and will be upgraded where necessary.
<i>Heritage</i>	The proposal would not impact upon the significance of the adjacent heritage item for reasons stated above.
<i>Other Land Resources</i>	No other land resources will be impacted by the proposal.
<i>Water Quality</i>	Not impacted
<i>Air and Microclimate</i>	The air and microclimate will be maintained as a result of this proposal.
<i>Ecological</i>	The proposal will not impact any existing ecological areas in the vicinity of the site.
<i>Waste</i>	Any waste generated during the construction/demolition process will be disposed of to a registered waste facility by the contractor as detailed on the waste management plan submitted with this development application.
<i>Energy</i>	Energy saving devices will be utilised wherever possible.
<i>Noise and Vibration</i>	Noise and vibration are not expected to increase as a result of the development noting pool equipment will be stored in the enclosure proposed.
<i>Natural Hazards</i>	The site is not subject to any natural hazards.
<i>Technological Hazards</i>	All installations at this facility will be best practice and comply with relevant Australian Standards.
<i>Safety, Security and Crime Prevention</i>	The proposal is not expected to result in any security issues and safety improves with the fences and gates proposed.
<i>Social Impact in Locality</i>	The proposal will not have a negative social impact in the locality.

Potential Impacts	Response
<i>Economic Impact in Locality</i>	The development will positively impact the locality during the construction phase by providing potential employment to trades people during the build.
<i>Site Design and Internal Design</i>	The proposal respects the existing built form but improves amenity of the existing apartment particularly solar access and sunlight to living areas which are being relocated to the north of the building on the site and rationalisation of window sizes to capture more internal light.
<i>Construction</i>	No off-site impacts will result from the construction activities on the site.
<i>Cumulative Impacts</i>	No negative cumulative impacts are expected to be created by this development.

6 Conclusion

The proposed development has been assessed against the provisions of the Manly LEP 2013 and Manly DCP 2013 and is consistent with the overall aims and objectives of the plans. The development represents a sustainable design solution for the subject site that is within the public interest. The following reasons warrant the proposal worthy of approval:

- The proposal will improve the internal configurations of the apartment and improve solar access and internal light.
- The proposal will not impact heritage values in the locality and respects the architecture of the subject building.
- The proposal will not impact upon the amenity of adjoining dwellings or the neighbourhood with regards to overshadowing, privacy, or existing views.