

STATEMENT OF ENVIRONMENTAL EFFECTS

2 PACIFIC PARADE, MANLY

PROPOSED TORRENS TITLE SUBDIVISION & CONSTRUCTION OF TWO SEMI-DETACHED DWELLINGS INCLUDING SWIMMING POOLS AND LANDSCAPE IMPROVEMENTS

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APRIL 2022

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1. INTRODUCTION

This application seeks approval for the Torrens Title subdivision of 1 lot into two and the construction of two semi-detached dwellings upon land at Lot 40, Section 1 in DP 4603 which is known as **No. 2 Pacific Parade, Manly**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Manly Local Environmental Plan 2013.
- Manly Development Control Plan 2013.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Bee & Lethbridge Pty Ltd, Job No. 211618 and dated 11/10/2021.
- Proposed Subdivision Plan prepared by Total Surveying Solutions, Ref No. 211618-2 and dated 18/10/2021.
- Architectural Plans, Schedule of External Finishes prepared by Du Plessis & Du Plessis Architects, Issue F and dated 28/03/2022.
- Shadow Diagrams prepared by CAD Draft P/L, Project No. 21-11 and dated 08/02/22.
- BASIX Certificate No. 1283040S and 1283042S issued 31 March 2022.
- Arboricultural Impact Assessment Report prepared by Seasoned Tree Consulting and dated 8/02/2022.
- Landscape Plan prepared by Space Landscape Designs, Project No. 221965, Revision B and dated 16/03/2022.
- Geotechnical Investigation prepared by White Geotechnical Group, Job No. J4056 and dated 28/02/2022.
- Traffic Impact Assessment prepared by Park Transit, Version 1 and dated 28/02/2022.
- Flood Management Report prepared by NY Civil Engineering, Ref No. E220054 and dated 03/03/2022.
- Stormwater Management Plan and Soil Erosion & Sediment Plan prepared by NY Civil Engineering, Job Ref No. E220054, Issue A and dated 04/03/2022.
- 3D Montage.
- DA Construction & Waste Management Plan prepared by Du Plessis & Du Plessis and dated 14/04/2022

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. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that 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.

2. BACKGROUND

A Pre-Lodgement Meeting (PLM2021/0188) was held with Council on 12 August 2021. The meeting raised concern over a non-compliance with the floor space ratio standard on reduced sized allotments. The front and side setbacks were also raised as requiring some amendment.

The plans forming part of this application have been amended to reflect the discussions with Council and provide for the following:

- Compliance with the FSR control of the Manly LEP.
- Altering the first floor to provide for the majority of this level to be setback 2.2m from the side boundaries.
- Increase setback from the front boundary to the terraces/balconies.

The applicant has also discussed the proposal with the adjoining property owners.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 40, Section 1 in DP 4603 which is known as No. 2 Pacific Parade, Manly. The site is located on the northern side of Pacific Parade, to the west of its intersection of Collingwood Street with a street frontage 12.19m. The site is rectangular in shape and has an area of 445.7m² with a depth of 36.575m. The locality is depicted in the following map:



Site Location Map

The site is relatively level with a slight fall from the rear northeast corner (RL7.03) towards the street frontage (RL5.34). The subject site currently comprises a single storey brick and clad dwelling with a metal roof. The existing house ground floor level is raised above street level (flush with higher rear garden). An attached carport is located at the front of the dwelling and is accessed from Pacific Parade via a paved driveway located adjacent to the eastern boundary. A low masonry wall is erected along the street frontage.

The site is depicted in the following photographs:



View of Subject Site from Street

The existing surrounding development comprises a mix of single detached dwellings and semi attached dwellings, generally on allotments smaller than the subject site.

Existing development in the local area contains a mixture of single and two storey detached and semi-detached residential dwellings, on small residential allotments. The site is located in close proximity to excellent recreational amenities with Manly pool and playing fields to the west of the site, with Manly/Queenscliff beaches to the east of the site.

Whilst there is a variety of allotment sizes, the majority of the allotments in Pacific Parade, Alexander Street and Rolfe Street are substantially below the minimum lot size requirement of 250m² as specified in the Manly LEP 2013. The aerial photograph below depicts the subdivision pattern with within the immediate locality, the majority of which are around the 200m² to 220m². In particular, on the northern side of Pacific Parade 60% of the dwellings are semi-detached on lot sizes less than 250m².

The adjoining western property comprises a pair of two storey semi-detached dwellings identified as No. 4 and 6 Pacific Parade. The adjoining eastern property, No. 15 Collingwood Street, comprises a single detached dwelling orientated towards Collingwood Street with a double garage and roof top terrace adjacent to the common boundary with the subject site and provided with a nil setback to Pacific Parade. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality



Aerial Photograph of the Locality and Variety of Allotment Sizes

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the Torrens Title subdivision of one lot into two followed by the construction of two semi-detached dwelling with associated landscaping and stormwater works. The development is to be constructed of a mixture of stone wall cladding and weatherboard wall cladding with a metal pitched roof.

The proposed additions are summarised below:

Subdivision

The proposal provides for the Torrens Title Subdivision of the existing allotment of land to provide for two residential allotments as described below:

	Lot Size	Frontage	Depth
Lot 1	222.8m ²	6.095m	36.575m
Lot 2	222.8m ²	6.095m	36.575m

A reciprocal right of way is proposed for vehicular access and an easement is proposed for a vehicular turntable.

Semi-Detached Dwelling

The proposal proposes the construction of two semi-detached dwellings consistent with the proposed subdivision boundary. The semi-detached dwellings are two storeys with basement parking and storage.

The dwellings provide for essentially the same layout which is described below:

Basement: Parking for 2 cars, store room and services room.

Ground Floor: Entry, guest room/study with ensuite, WC, kitchen, living/dining room.

First Floor: Two bedroom (main with ensuite) and bathroom.

The basement level is accessed via a single driveway with vehicular access located centrally on the street frontage. The basement provides parking for two cars for each dwelling with a turntable ensuring all cars can enter and leave the site in a forward direction. This level also provides for sub-floor services and store rooms. Internal stair access is provided from the basement level to each dwelling.

The proposed semi-detached dwellings are provided with the following boundary setbacks:

North (rear)	Minimum 1.27m to basement 8.0m to Dwelling 1 8.36m to Dwelling 2
East (side)	0.9m to basement 0.9m to ground floor 1.5m to 2.2m to first floor
West (side)	0.6m to basement 0.9m to ground floor 1.5m to 2.2m to first floor
South (front)	5.985m to ground floor terrace 6.185m to first floor balcony

Swimming Pools

A swimming pool is proposed to be constructed in the rear yard of each allotment. Each pool is provided with a setback of at least 1.74m to the side boundaries and 1.5m to the rear boundary.

Stormwater

A Stormwater Management Plan prepared by NY Civil Engineering has been submitted with the application. This plan provides for all collected stormwater to discharge to street gutter via a combined on site stormwater detention tank.

The proposal will result in the following numerical indices:

	Lot 1	Lot 2
Site Area	222.8m ²	222.8m ²
Floor Space Ratio	134m ² or 0.6:1	134m ² or 0.6:1
Total Open Space	120.6m ² or 54%	120.6m ² or 54%
Landscaped Area	48.4m ² or 40% of TOS	48.4m ² or 40% of TOS

5 ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Manly Council.

5.1 Planning for Bushfire Protection 2006

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R1 General Residential. The objectives of the R1 Zone are as follows:

- *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.*

It is considered that the proposed development achieves these objectives by:

- ❑ Ensuring the proposal compliments the existing streetscape and the existing surrounding properties.
- ❑ Retaining the existing amenity to the surrounding residences.
- ❑ Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Semi-detached dwellings and associated structures are a permissible use in the R1 General Residential zone with the consent of Council. The following numerical standards are applicable to the proposed development:

Clause	Development Standard	Proposal	Compliance
Clause 4.1 Lot Size	250m ²	Lot 1: 222.8m ² Lot 2: 222.8m ²²	See Clause 4.6 Variation
Clause 4.3 Height of Buildings	8.5m	8.45m	Yes – refer to plans
Clause 4.4 Floor Space Ratio	0.60:1	0.60:1	Yes

The following clauses also apply:

Clause 5.10 Heritage Conservation

The subject site is not heritage listed, nor is it located within a heritage conservation area. However the street trees in Pacific Parade are identified as a local heritage item (I191). An Arboricultural Impact Assessment has been prepared and submitted as part of the application. In this regard, the existing street tree (T5 – Brushbox) can be protected and retained. There is no further information required in this regard.

5.21 Flood Planning

A Flood Management Report has been submitted with the application which provides for the following:

Based on our assessment of the flood information and the proposed development, we have concluded and summarise that the proposal will have no impact on the existing flood regime and is subject to no flood controls.

The basement access ramp is above the flood planning level, and provision of pump out tank has been made with storage as per AS3500.3:2021 to cater for runoff from the driveway.

The proposal complies with this clause.

Clause 6.2 Earthworks

A Geotechnical Report has been prepared by White Geotechnical which in summary provides:

The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.

The proposal complies with this clause.

Clause 6.4 Stormwater Management

All collected stormwater will discharge to the street gutter in Pacific Parade in accordance with Stormwater Management Plan submitted with the application and Council controls.

There are no other specific clauses that specifically relate to the proposed development.

4.3 Manly Residential Development Control Plan 2013

The Manly DCP 2013 applies to all land where the LEP applies. Therefore, the DCP applies to the subject development.

Part 3

Part 3 provides general principles applying to all development and Part 4 outlines development controls for specific forms of development including residential. The relevant provisions of **Part 3** are summarised below:

Clause 3.1.1 – Streetscape (Residential Areas)

The proposal provides for the Torrens title subdivision of one lot into two followed by the construction of two semi-detached dwellings. This portion of Pacific Parade is characterised by a mix of single dwellings interspersed between predominately semi-detached dwellings on similar sized allotments to that proposed. The proposal has been designed with basement parking and a single driveway to minimise impacts on the streetscape and retain on street parking. The development is provided with a setback that is compatible with the existing surrounding development. The front façade is well articulated through the use of varied setbacks and balconies. The first floor level is provided with an increased setback. The front setback area is provided with appropriate landscaping which is enhanced through the provision of a single driveway access point. The proposal retains the existing street tree and the tree on site within the front setback. The resultant development is compatible with the existing surrounding development, particularly when having regard for the immediately adjoining properties.

The intended outcomes are noted as:

- i) *complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
- ii) *ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
- iii) *maintain building heights at a compatible scale with adjacent development particularly at the street frontage 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;*
- iv) *avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
- 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. See also paragraph 3.2 Heritage Considerations;*
- vi) *visually improve existing streetscapes through innovative design solutions; and*

- 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. See also paragraph 3.5.7 Building Construction and Design*

It is considered that the proposal development is compatible with the existing surrounding streetscape.

Clause 3.1.1.3 Roofs and Dormers

This clause provides:

- a) *Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings.*
b) *Roofs should be designed to avoid or minimise view loss and reflectivity.*
c) *Dormer windows and windows in the roof must be designed and placed to compliment the roof structure and reflect the character of the building. In particular, such windows are not permitted on the street frontage of the building where there is no precedent in the streetscape, especially on adjoining dwellings.*

The proposal provides for a conventional pitched roof form to complement the existing surrounding development.

Clause 3.3 - Landscaping

The proposal has been designed to retain significant vegetation including the tree in the Council Road reserve. Sufficient landscaping is provided on site.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- Objective 1) To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties.*
Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.

It is suggested that the works will achieve these objectives as:

- The proposal provides for subdivision of land followed by the construction of two semi-detached dwellings. The resultant height and bulk are compatible with the surrounding properties, in particularly the two adjoining properties. The proposal has been designed to maintain privacy to the adjoining properties. This has been achieved by locating all high use living areas on the ground floor with the new first floor providing for only bedrooms. The first floor provides for a balcony on the front elevation. This balcony serves a bedroom and overlooks the street and dwelling approach. There is no opportunity for overlooking into habitable areas or private open space.

- Privacy screens are proposed along the eastern and western side boundaries in the rear yard to ensure appropriate privacy for the proposed development. The rear private open space and pool areas are located at ground level.
- Shadow diagrams have been prepared which indicate only minimal additional shadowing to the adjoining properties. The allotment is orientated north-south which ensures that adjoining properties will receive at least 3 hours of solar access to private open space and living areas on the winter solstice.
- The subject and adjoining properties do not enjoy any significant views.

Clause 3.5 - Sustainability

A BASIX Certificate has been prepared to support the new works and confirm that the resultant dwellings will achieve the appropriate thermal performance criteria.

Clause 3.7 - Stormwater Management

It is proposed to connect all collected stormwater to the infrastructure in Pacific Parade as depicted in the Stormwater Management Plan submitted with the application.

Part 4

The following numerical provisions of **Part 4** are considered relevant to the proposal:

Clause/ Design Element	DCP Requirement	Compliance/Comments
Residential Density & Subdivision	Density Area D3 – 1 dwelling per 250m ² Each lot to have frontage to a public road at least 1m wide.	Refer to the Clause 4.6 Variation for Lot Size. Yes
Floor Space Ratio	Refer to LEP 0.6 :1	Yes
Wall Height	Height – 6.5m	Yes.
Number of Storeys	Two Storeys	Yes The proposal is two storeys with a basement level.
Roof Height	2.5m above wall height	Yes
Parapet Height: 600mm above wall height.	600mm above wall height	Not Applicable

Clause/ Design Element	DCP Requirement	Compliance/Comments
Maximum Roof Pitch	35°	Refer to plans.
Building Setbacks	<p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Side Setback – 1/3 of the height of wall.</p>	<p>Yes</p> <p>The proposal provides for a setback of 5.985m to the street frontage as measured from the terrace with the wall of the dwelling setback 7.285m. This is compatible with the two adjoining properties, with the adjoining eastern property provided with a nil setback to Pacific Parade. No. 4 to the west is setback 5.985m from the terrace to the street frontage with the carport provided with a nil setback.</p> <p>The proposal provides for setbacks of 0.9m from the ground floor and 1.5m to the first floor to both side boundaries. These boundaries are considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The majority of the facades comply with this clause by providing increased setbacks to the upper level between 1.5m to 2.2m. • The proposal provides setbacks compatible with the existing surrounding development. • The design of the additions ensures the privacy of the adjoining properties is improved. This has been achieved by locating high use living areas on the ground floor. • The proposal does not result in unreasonable overshadowing with all adjoining properties receiving at least 3 hours solar access in accordance with the DCP.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Walls without windows may be constructed to one side boundary only, providing the objectives of this part can be met and the applicant can demonstrate no disadvantage to the adjacent allotment through increased overshadowing, or loss of view and no impediment to property maintenance.</p> <p>Rear Setback – Minimum 8.0 metres</p>	<p>Yes A common boundary wall is provided on the internal boundary.</p> <p>Yes Dwellings are setback 8.36m to the rear boundary.</p>
Landscaping/Open Space	<p>Open Space Area 3: Minimum total open space: 55% of site area.</p> <p>Minimum soft open space as % of total open space: 35%</p> <p>Minimum number of endemic trees: 1 additional tree required</p>	<p>The proposal provides for a total open space of 120.6m² or 54% for each dwelling. This represents a minor non-compliance of less than 2m². This would not be discernible and is compatible with the existing surrounding development. The dwelling provides for good useable areas of open space.</p> <p>Yes Proposal provides for soft open space of 40% of the total open space.</p> <p>Yes The proposal does not require the removal of any vegetation. There is sufficient vegetation on site.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m ² .	Yes The proposal provides for useable areas of private open space directly accessible from the internal living areas.
Parking and Access	Minimum 2 Spaces per Dwelling. Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials. Carports forward of the building line shall be open on all sides. Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.	Yes Basement parking provided with 2 car spaces per dwelling.
Swimming Pools	Located at or near ground level. Locate in rear yard. Setback 1.5m from all boundaries.	Yes Yes Yes
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Not Applicable

There are no other provisions of the Manly DCP that apply to the proposed development.

6. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

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

The Likely Impacts of the Development

It is considered that the development will provide for Torrens title subdivision and two semi-detached dwellings without detrimentally impacting on the character of the area. The design of the proposal is such that they do not result in any unreasonable loss of privacy. The proposal does not require the removal of any significant vegetation and retains the existing street tree which is heritage listed.

The Suitability of the Site for the Development

The subject site is zoned R1 General Residential and the Torrens Title Subdivision followed by the construction two semi-detached dwellings in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with existing surrounding developments. The proposal does not result in the removal of any significant vegetation.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for Torrens Title Subdivision followed by the construction two semi-detached dwellings that are consistent with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of alterations to an existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. The proposal does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed of Torrens Title Subdivision followed by the construction two semi-detached dwellings and swimming pools upon land at **No. 2 Pacific Parade, Manly** is worthy of the consent of Council.

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April 2022