



46 DAINTRY STREET FAIRLIGHT

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ADDITIONS TO A DWELLING



Report prepared for
Action Plans
September 2020

Contents

- 1 INTRODUCTION
- 2 THE SITE AND ITS LOCALITY
- 3 SITE PHOTOS
- 4 PROPOSED DEVELOPMENT
- 5 STATUTORY FRAMEWORK
- 6 SECTION 4.15
- 7 CONCLUSIONS

1.0 Introduction

- 1.1 This is a statement of environmental effects for additions to a dwelling at 46 Daintrey Street, Fairlight. The proposed development is a new double garage and home office.

The report describes how the application addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013, the Manly Development Control Plan 2013 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Site visit
- ◆ Survey Plan by C.M.S Surveyors Pty Limited
- ◆ Design Plans prepared by Action Plans
- ◆ BASIX Certificate prepared by Action Plans
- ◆ Waste Management Plan

- 1.3 The proposed additions are consistent with the objectives of all Council controls, considerate of neighbouring residents and will result in improved amenity for the residents of the site, by providing much needed onsite parking. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1 The subject site is a corner lot, located on the eastern side of Daintrey Street and southern side of Arthur Lane, approximately 100 metres south of the intersection with Balgowlah Road. It is legally described as Lot 25 Section D DP 4449 and is known as 46 Daintrey Street.
- 2.2 It is an irregular shape with a 7.62 metre primary street frontage to Daintrey Street, a 33.345 metre secondary street frontage to Arthur Lane and side boundaries of 13.08 metres (east) and 33.58 metres (south). As the site is a corner lot, it does not have a rear boundary.
- 2.3 The site has an area of 344.7m² and has been terraced with stone walls to level and retain the site. The locality slopes from south to north, towards Arthur Lane. The lot is currently occupied by a two storey, weatherboard dwelling with a metal roof.
- 2.4 The site is surrounded by detached and semi-detached residential dwellings and residential flat buildings in all directions. It is in close proximity to the Manly Golf Club, Manly Beach. Public transport and shops are available along Pittwater Road.



Figure 1. The site and it's immediate surrounds



Figure 2. The site within the locality

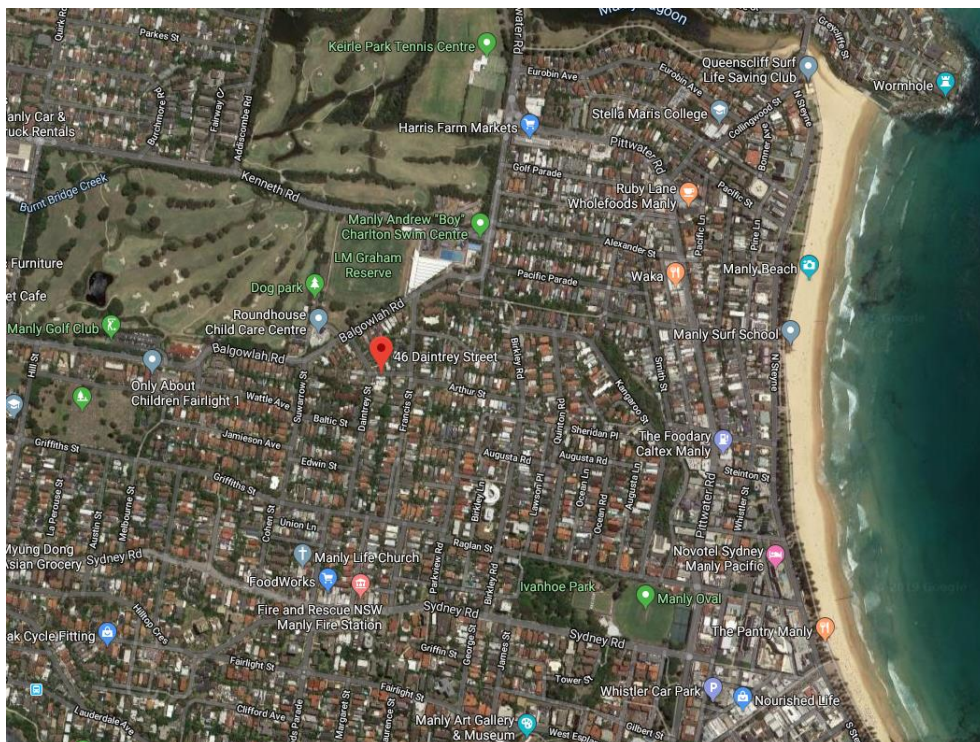


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4: The existing dwelling, looking east from Daintrey Street.



Figure 5. The subject site, looking east along Arthur Lane



Figure 6. Location of proposed garage, looking south west from Arthur Lane



Figure 7. The rear yard and location of the proposed home office, looking north east.



Figure 8. The existing terrace and rear yard, looking east

4. Proposed Development

- 4.1 The proposed development is for additions to the existing dwelling, to construct a new double garage and home office. The garage will be on the existing street level, with the home office above, at the existing rear yard ground level.
- 4.2 The additions will provide off street parking for two vehicles and upgraded facilities for the residents.
- 4.3 The proposed development remains consistent with the streetscape and the locality. The proposal is consistent with Council controls, ensures privacy, views and solar access are maintained for surrounding properties and the subject site.
- 4.3 The alterations and additions will be made up as follows:

Lower Ground Floor

- Excavate and construct a double garage and new driveway crossover, accessed from the Arthur Lane frontage.
- Demolish and reconstruct two sets of stairs from Arthur Lane.

Ground Floor

- Demolish the existing deck and paving
- Construct a home office with bathroom above the garage
- Extend the existing terrace around the proposed home office.

Retaining walls

- Rendered masonry retaining walls to replace existing stone retaining walls. (see plans)

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development remains consistent with the provisions of the SEPP as it does not propose the removal of any trees.

5.2 Manly Local Environmental Plan 2013

The relevant clauses of the Manly Local Environmental Plan 2013 are addressed below.

Zoning

The site is zoned R1 – General Residential, pursuant to the provisions of the Manly Local Environmental Plan 2013.

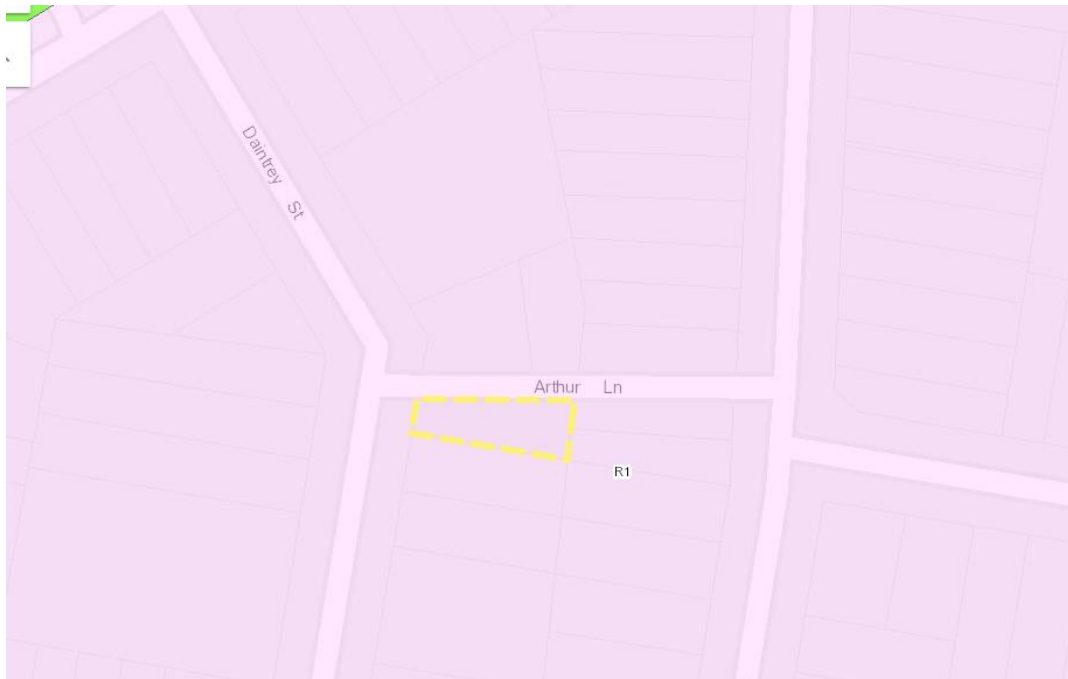


Figure 9. Extract from Manly LEP 2013 zoning map

The proposed development is for additions to the existing dwelling house and dwelling houses are permitted with consent in Zone R1.

Demolition

Consent is sought for demolition works as detailed on the attached DA plans.

Minimum Lot Size

The site is mapped with a minimum subdivision lot size of 250m². The subject site comprises an area of 344.7m² and no subdivision is proposed.

Height

Clause 4.3 of the LEP restricts the height of any development on the subject site to 8.5 metres.

The existing building has a compliant maximum building height of 8.15 metres and no change is proposed. The replacement front retaining wall sits with a maximum height of 2.93 metres.

Floor Space Ratio

The site is mapped with a maximum FSR of 0.6:1. This equates to a maximum floor area of 206.82m² for the site area of 344.7m².

The existing FSR on the site is 158.04m² or 0.46:1. The proposed FSR is compliant at 188.2m² or 0.55:1.

Heritage

The site is not a heritage item, located within a heritage conservation area or located in proximity to heritage item.

Acid Sulfate Soils

The site is mapped with class 5 acid sulfate soils. The proposed works are minor and are not likely to lower the watertable below 1 metre AHD on adjacent class 1,2,3 or 4 land.

Earthworks

Earthworks and excavation are proposed to allow for the construction of the proposed double garage which proposes a maximum cut of 2.46 metres.

All works will be undertaken in accordance with engineering specifications, Councils controls and any consent conditions.

Stormwater Management

Stormwater from the additions will drain to Arthur Lane and connect to Councils existing stormwater network.

Essential Services

All essential services are existing on the site.

5.2 Manly Development Control Plan 2013

The relevant sections of the DCP are addressed below.

3. General Principles of Development

3.1 Streetscapes and Townscapes

The proposed garage and home office have been designed to be consistent with the design of the dwelling and will be located on the secondary street frontage. The proposal maintains and improves the character of the area through design, architectural features and complimentary materials and colour choices.

3.1.1 Streetscape (Residential Areas)

The subject site has frontage to and is visible from Daintrey Street and Arthur Lane.

Complementary Design and Visual Improvement

The proposed development remains consistent with the character and streetscape in the locality. The proposed works will be constructed of materials consistent with the existing dwelling and are of an appropriate scale for the locality. The replacement retaining wall will enhance structural stability and present as a positive and complementary element to the streetscape.

Front Fences and Gates

The development proposes to replace the existing stone retaining wall that sits above the natural rock line on both street frontages with a rendered finish, which acts as a boundary fence for the subject site. The garage proposes a rendered finish to complement the existing dwelling and walls. The balustrading and fencing on the ground floor level will match the proposed rendered finish of the retaining wall.

Roofs and Dormer Windows

The new roof on the home office proposes a 4° pitch. Colorbond is proposed in a colour to match the existing roof. No dormer windows are proposed.

Garages, Carports and Hardstand Areas

The proposed double garage will provide much needed onsite car parking for the property. It will be excavated into the existing slope with a new driveway proposed from the secondary street frontage of Arthur Lane.

The proposed garage is consistent with existing development along Arthur Lane which is dominated by garages, retaining walls and blank walls. The property adjoining the rear

of the subject site (No 45 Francis Street) has an existing double garage adjoining the location of the proposal, as illustrated in Figures 5 and 6 above.

Garage Areas

The existing garbage storage area located at the rear of the dwelling will be retained.

3.2 Heritage Considerations

The subject site is not a heritage item, located in a heritage conservation area and is not located in proximity to a heritage item.

3.3 Landscaping

The site contains existing landscaping in the front setback of both street frontages, which will be retained.

No trees are proposed to be removed.

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

3.4.1 Sunlight Access and Overshadowing

3.4.1.1 Overshadowing adjoining private open space

The DCP requires that new development not eliminate more than 1/3 of existing sunlight accessing the private open space of adjoining properties between 9am and 3pm on 21 June.

The proposed additions will result in a very minor increase to shadowing of No 44 Daintrey Street at 9am only and over the rear yard of No 43 Francis Street at 3pm only. The shadow diagram provided with this application demonstrate compliance with this clause.

3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties

The subject site and adjoining lots have an east-west orientation, as such the DCP requires a minimum 2 hours solar access be maintained to the glazing in living rooms of adjacent properties between 9am and 3pm on 21 June.

As described above the proposed additions present a very minor increase to shadowing of No 44 Daintrey Street at 9am only and over the rear yard of No 43 Francis Street at 3pm only. There will be no increase in shadowing of glazing on adjoining properties. The shadow diagram provided with this application demonstrate compliance with this clause.

3.4.1.3 Overshadowing Solar Collector Systems

The proposed development will not overshadow neighbouring solar collector systems.

3.4.1.4 Overshadowing Clothes Drying Areas

The proposed development will not overshadow neighbouring clothes drying areas.

3.4.1.5 Excessive Glare or Reflectivity Nuisance

All external material and finishes will be constructed of non-reflective materials in keeping with this clause.

3.4.2 Privacy and Security

Privacy will be retained for neighbours with no direct overlooking to neighbouring properties.

The home office proposes solid walls with no windows of the eastern and southern elevations, where the site adjoins neighbouring properties. A bifold door is proposed on the Arthur Lane frontage which does not present any privacy or security concerns.

3.4.2.3 Acoustical Privacy (Noise Nuisance)

The development is appropriate and will not result in noise levels inappropriate to a residential area.

The site is not located in proximity to a noise generating activity.

3.4.3 Maintenance of Views

The subject site and surrounding properties enjoy district views to the north and west. It is considered the proposed development will have no impact on views from the subject site or adjoining properties.

3.5 Sustainability

A compliant BASIX Certificate is provided with the attached plan set.
The proposed additions provide compliant solar access and ventilation.

3.7 Stormwater Management

Stormwater from the additions will drain to Arthur Lane and connect to Councils existing stormwater network.

3.8 Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

As described above the existing bin storage area located at the rear of the dwelling will be retained. The site is serviced by Councils existing garbage collection service.

3.10 Safety and Security

The proposal provides a car park entry on the secondary street frontage of Arthur Lane, in accordance with this clause.

The dwelling maintains clear property boundaries and visual surveillance of the street which is of benefit to the safety and security of residents.

Part 4 Development Controls and Development Types

4.1 Residential Development Controls

No change is proposed to the existing residential density which comprises of a single dwelling house.

4.1.2 Height of Buildings (incorporating wall height, number of storeys and roof height)

Clause 4.3 of the LEP restricts the height of any development on the subject site to 8.5 metres. The existing building has a compliant maximum building height of 8.15 metres and no change is proposed.

The DCP permits a maximum of 2 stories plus basement on the subject site. The development proposes 2 levels, incorporating a basement garage and home office. The new roof proposes a compliant 4° pitch.

4.1.3 Floor Space Ratio (FSR)

The site is mapped with a maximum FSR of 0.6:1. This equates to a maximum floor area of 206.82m² for the site area of 344.7m². The existing FSR on the site is 0.46:1 or 158.04m². The proposed FSR is compliant at 188.2m² or 0.55:1.

4.1.4 Setback (front, side and rear) and Building Separation

4.1.4.1 Street Front setbacks

A front setback consistent with the prevailing setback, or a minimum 6 metres, is required on the site.

The subject site has an existing, compliant, front setback of 6.61 metres to Daintrey Street and no change is proposed.

The Arthur lane retaining wall sits on the boundary and is a replacement for the existing structure also.

4.1.4.2 Side setbacks and secondary street frontages

As the site is a corner lot, the east and south boundaries are the side boundaries.

A side boundary setback equivalent of 1/3 of the wall height is required on the site which equates to 1.4 metres (east – based on wall height of 4.2m) and 700mm (south – based on wall height of 2.1m). The development proposes a 0 metre side setback (east) and 4.27 - 4.85 metre side setback (south).

In accordance with this clause the wall subject to the 0 metre setback contains no windows and is constructed to the eastern side boundary only. This wall does not exceed 3 metres in height and will be 4.640 metres long. This is very marginally longer than the 4.58 metres permitted, which represents 35% of the 13.08 metre boundary in this location. The impact of this is negligible and no amenity issues will arise from the 0.6m variation. The finishes proposed are consistent with the existing building and as described above will not result in overshadowing or loss of views.

A secondary street frontage setback consistent with the prevailing for the northern, Arthur Lane frontage. The development proposes a 1 metre secondary street setback to the garage and 1.3 metre – 2.265 metre setback to the home office. Precedent within the laneway establishes this as a reasonable and appropriate setback, and the implications are negligible from the street frontage and highly appropriate with regard to neighbouring amenity.

4.1.4.4 Rear Setback

As the subject site is a corner lot, it does not have a rear boundary.

4.1.5 Open Space and Landscaping

4.1.5.1 Minimum Residential Total Open Space Requirements

The DCP requires a total of 55% of the site to be open space with a minimum 35% of that open space to be landscaped area. This equates to 189.59m² of open space for the site area of 344.7m² and 66.36m² landscaped area.

The existing area of open space is non-compliant at 157.86m² or 45.79%. The development proposes a reduction in open space area to 109.09m² or 31.64% of the site area. The development also proposes a reduction in the landscaped area to 60.87m², which is compliant.

A variation to the open space area control is considered appropriate, in this case, as the sloping nature of the site and existing stone retaining walls, limit the area of useable open space, which is already non-compliant. The extension of the terrace in the rear yard provides an area of useable outdoor space for the residents to enjoy on this small lot.

Further the existing landscaping on the Daintrey Street frontage will not be impacted by the proposal, retaining the landscaped street frontage. In this instance, the provision of parking on site and removal of parking from the street is considered a great benefit, and worthy of Council consideration and approval.

4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

The existing dwelling has no off-street parking space. The addition proposes a double garage accessed from the secondary street, Arthur Lane. The new garage is consistent with existing development along Arthur Lane and will allow the provision of compliant onsite car parking. A new vehicle access is proposed as part of the additions.

6. Section 4.15 Considerations

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

The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Manly LEP and DCP.

The development is permissible in the zone.

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

6.1. Context and Setting

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

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

These matters have been discussed in detail in the body of the statement.

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

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

The proposed additions have been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

6.2. Access, transport and traffic

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

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

No conflict or issues will arise as a result of the proposed development. The provision of parking on site and removal of parking from the street is considered a great benefit.

6.3. Public domain

The proposed development will have a positive impact on the public domain as the proposal is consistent with character of the streetscape of the area.

6.4. Utilities

There will be no impact on the site, which is already serviced.

6.5. Flora and fauna

There will be no impact.

6.6. Waste

There will be no impact.

6.7. Natural hazards

The site is not constrained by natural hazards.

6.8. Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

6.9. Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is highly appropriate to the site with regard to all of the above factors. The proposed development fits well within the context of the surrounds and is an appropriate scale.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia and all relevant Council controls. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

6.10. Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*

- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the proposed additions.

Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

7. Conclusions

- 7.1 The proposed development for additions, comprising of a double garage and home office, at 46 Daintrey Street, Fairlight, are appropriate considering all State and Council controls.
- 7.3 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3 Considering all the issues, the development is considered worthy of Council's consent.