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Statement of Environmental Effects

Window Modifications and Internal Renovations
20/122 Bower Street, Manly

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1. Summary

- The proposal is to make minor modifications to window and door openings on the ocean facing façade and eastern facade, bathroom and kitchen renovation and demolition of one non-structural wall at 20/122 Bower Street Manly, 2095 NSW.
- The proposal replicates windows' modifications that were made to apartment 17/122 Bower St in 2022 and located directly below the subject of this application. (DA 2022/0614)
- The modification to the windows will improve the overall livability and quality of the apartment while maintaining the public amenity.
- There is no impact to the local ecology of the site due to the minor nature of the proposed work.
- The proposal will have minimal impact to the overall character of the area and to the streetscape.
- The proposal has no impact on privacy, views and solar access to the neighboring properties.
- The building envelope remains otherwise unchanged.
- Under the Clause 4.3(2) of the MLEP 2013, the 8.5 metre height limit applies. The existing apartment building exceeds this height however the proposed window modification will not increase the existing building's height. The proposed works will however take place above the 8.5 metre limit and hence a Clause 4.6 variation of MLEP 2013 is referenced and attached to this Statement of Environmental Effects.

2. DESCRIPTION OF PROPOSAL

The Proposal consists of a modification to the two existing window openings (W-01 and W-02) and replacement of two existing doors (W03 and W04) at unit 20/122 Bower Street, Manly 2095.

The apartment is located on the 6th floor of the existing 8-storey building. The existing windows W-01, W-02 and existing door W-03 are located on the northern ocean facing elevation of the apartment building. The existing door W-04 is located on the east elevation of the apartment building.

The windows are proposed to be slightly larger than the existing openings, but their location will remain unchanged. The proposed windows will reflect as a replica of unit 17 window modification located directly below.

The proposed building works have a maximum height of approximately 19.380 meters above existing ground level.

The proposal is shown on the following plans:

Index				
		Drawing Name	Revision	Drawing Scale
A.01.1 DA Project Information	A.01.1	Title Page	A	NTS
	A.01.2.1	Site Plan	A	1:500
A.01.2 Plans	A.01.2.2	Existing Floor Plan	A	1:100
	A.01.2.3	Demolished Floor Plan	A	1:100
	A.01.2.4	Proposed Floor Plan	A	1:100
A.01.3 Elevations	A.01.3.1	North Elevation	A	1:100
	A.01.3.2	East Elevation	A	1:100
A.01.4 Supporting Information	A.01.4.1	Finishes & Material Schedule	A	NTS
	A.01.4.2	Basix Certificate	A	NTS

3. SITE ANALYSIS

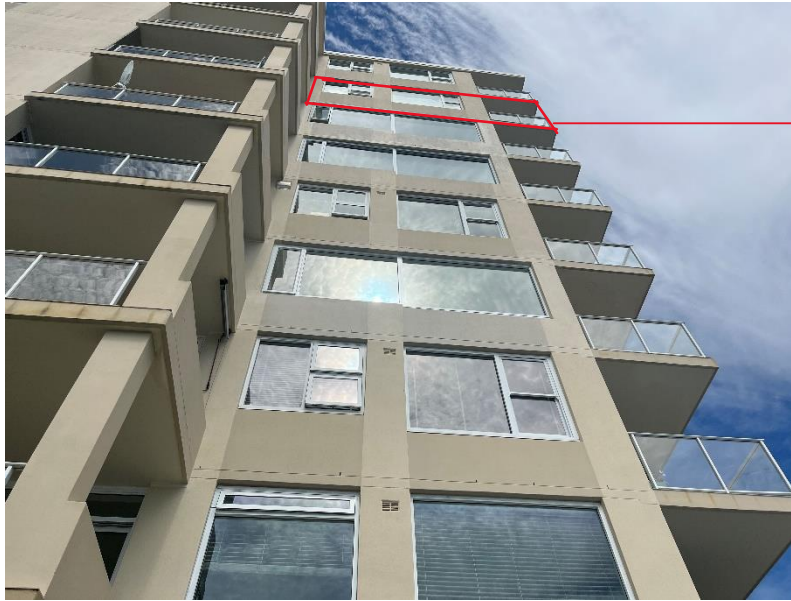
The subject site is CP/SP1717 Located at 20/122 Bower Street, Manly 2095 NSW.
The apartment is situated on the 6th floor of the 8-storey apartment building and is oriented to the north. The surrounding area has been zoned for a mix of residential uses including single dwellings and apartment buildings.



Fig 1.1 Location (Six Map)



Fig 1.2 Aerial Photograph (Six Map)



Subject Site unit 20/122 Bower Street

Fig 1.3: Photograph 122 Bower Street, Manly from North



Subject Site unit 20/122 Bower Street

Fig 1.3: Photograph 122 Bower Street, Manly from Entry

4. MANLY LEP 2013

The proposal is to make minor modifications to window and door openings on the ocean facing façade and eastern facade, bathroom and kitchen renovation and demolition of one non-structural wall at 20/122 Bower Street Manly, 2095 NSW. The proposed work is considered consistent with the aims stated in MLEP 2013:

- The proposal has been designed to achieve and promote a high standard of urban design.
- The proposal responds appropriately to the environmental constraints presented to the site.
- The proposal sustains a diverse range of housing opportunities and choices in the area.
- The proposal has no impact on any areas of the natural environment.
- The proposal has been designed to promote an environmentally sustainable space, improving access to daylight.
- The proposal preserves public amenity and private views.

Land Use Zoning

The Proposal is located in Zone C4 Environmental Living. Residential Flat buildings are permissible with consent in this zone. The proposal is considered to be consistent with the objectives of the zone.

Principle Development Standards

	Maximum Permitted	Proposed	Complies
Building Height	8.5 meters	21.3 meters (Ceiling to Assume Ground Level)	No
Floor Space Ratio	0.6:1	No change	No change

HEIGHT OF BUILDINGS

The Existing apartment building has a height that exceeds the permitted.

The proposal does not increase the building height as the proposed modifications are confined to the 6th floor of an 8 storey building. However, the building works will take place above the 8.5 metre height limit.

EXCEPTIONS TO DEVELOPMENT STANDARDS

A request to vary the building height control under clause 4.6 of MLEP 2013 is attached as Report - Clause 4.6 and is considered well founded.

Foreshore Scenic Protection Area

- The proposal maintains existing public access along the coastal foreshore.
- The scenic quality of the area is maintained.
- There is no overshadowing or loss of views of the coastal foreshore.
- Visual amenities are protected.
- There is no impact on biodiversity and ecosystems.
- There are no cumulative impacts arising from the proposal.

HERITAGE CONSERVATION

The site is not within a heritage or conservation area and there are no impacts on nearby heritage items; stone kerbs (Item 12) and street trees (190).

ACID SULPHATE SOILS

The proposal complies as there is no developmental impact on the water table.

EARTHWORKS

There are no earthworks proposed.

STORMWATER MANAGEMENT

There is no stormwater impact.

TERRESTRIAL BIODIVERSITY

There is no impact on biodiversity or ecosystems due to the minor nature of the works.

RIPARIAN LAND AND WATERCOURSES

There is no impact on biodiversity or ecosystems due to the minor nature of the works.

WETLANDS

There is no impact on biodiversity or ecosystems due to the minor nature of the works.

LANDSLIDE RISK

The site is not located as being at risk on the Landslide Risk Map.

5. MANLY DCP 2013

General Principles of Development

Issue	Consistent with Principle	Inconsistent with Principle
Street scape	Yes	
Heritage	Yes	
Sunlight access and overshadowing	Yes	
Privacy and security	Yes	
Maintenance of views	Yes	

Development Controls

Control	Required/permitted	Proposed	Complies
Residential density – area D3	1 dwelling per 250 m2	No change	Existing
Wall height	<i>4.1.2 (b) Where an existing building exceeds the maximum height controls in this plan or the height of building standards in the LEP, any alterations and/or additions to the building must not increase the overall height of the existing building.</i>		
Number of stories			
Roof allowance			
Front setback	6.0 meters or prevailing / established front setback	No change	Existing
Side setback	1/3 wall height	No change	Existing
Rear setback	8.0 meters	No change	Existing
Open space(os3)	55% site area 35% of open space	No change	Existing
-total			
-landscape			
Private open space	12 m ²	No change	Existing

SPECIAL CHARACTER AREAS AND SITES

FORESHORE SCENIC PROTECTION AREA

The proposal is consistent with the objectives of the foreshore scenic area.

THREATENED SPECIES AND CRITICAL HABITAT

The proposal is of minor works and has no change to the present site condition.

6. STATE ENVIRONMENTAL PLANNING POLICIES

SEPP (Coastal Management) 2018

The proposal satisfies the aims of the SEPP, protecting and preserving the integrity of the coastal foreshore, due to the minor nature of the proposed works.

7. ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION

Demolition

All demolition works will be conducted in accordance with the AS 2601. This matter may be addressed by a condition of consent.

8. OTHER MATTERS UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

LIKELY IMPACTS

These have been addressed above.

SUSTAINABILITY OF SITE

The site is considered to be suitable for the proposed development as it is consistent with Clause 4.15(1) (b) of the Environmental Planning and Assessment Act 1979 No 203. The development does not contain any environmental impact to the natural, built, social and economic environments of the immediate locality.

PUBLIC INTEREST

Clause 4.15(1) (e) of the Environmental Planning and Assessment Act 1979 No 203

The public interest is served by developing the land in an efficient and economic matter, maintaining the character and amenity of the neighborhood. The council's planning controls as such encourage such developments in this locality.

9. CONCLUSION

The Benefits of the proposal have been identified in this assessment statement under Section 4.15 of the Environmental Planning and Assessment Act 1979

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

2. The proposed window modification to the north-eastern façade of apartment 17/122 Bower Street, Manly is considered to be minor and therefore has no impact on the.

- Coastal foreshore
- Biodiversity
- Habitats of protected and threatened species

3. The proposal does not change nor increase the height of the existing 8-storey building. The building works however do not technically comply with the 8.5-meter height limit of the area applying to the site and a Clause 4.6 variation is attached to this statement.

4. The proposal achieves the objectives of Council's development controls and strategic aims without impact to neighbors and public interests and is considered to be suitable for approval.