

STATEMENT OF ENVIRONMENTAL EFFECTS

7 CLIFF STREET, MANLY

**PROPOSED DWELLING ALTERATIONS AND ADDITIONS
AND NEW FENCE**

**PREPARED ON BEHALF OF
Mr Burton & Ms Keenan**

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling house Lot 2 in DP 534838 which is known as **No. 7 Cliff Street, 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.

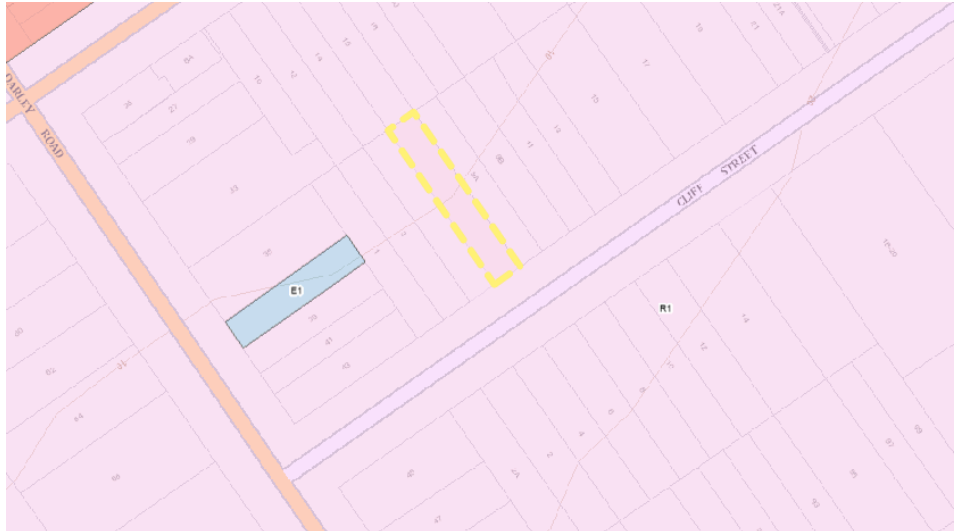
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Geographic Solutions, Ref No. 5417, dated 11/11/2023.
- Architectural Plans prepared by Barbara Bagot Architecture, Ref No. 0152 and dated 28/11/2024.
- Shadow Diagrams prepared by Cad Draft P/L, Project No. 24-139 and dated 08/11/2024.
- BASIX Certificate # A1765426 and dated 20 September 2024.
- Stormwater Drainage Plan prepared by Stormwater Engineers Pty Ltd, Drawing No. 040924, Issue B and dated November 2024.
- Cost Summary Report.
- Waste Management Plan.

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. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 2 in DP 534838 which is known as No. 7 Cliff Street, Manly. The site is located on the northwest side of Cliff Street with a frontage of 7.595m. The site is rectangular in shape and has an area of 353.5m² with a depth of 45.82m. The locality is depicted in the following map:



Site Location Map

The site has a significant fall from the street frontage (RL18.39) towards the rear northwest boundary (RL5.82). The site currently comprises a two storey semi-detached brick dwelling located on the front southern portion of the site. The dwelling presents as a single storey dwelling when viewed from the street. A painted brick wall is erected along the front boundary of the site. The rear portion of the site comprises a number of retaining walls, garden beds and trees. There is currently no parking available on site.

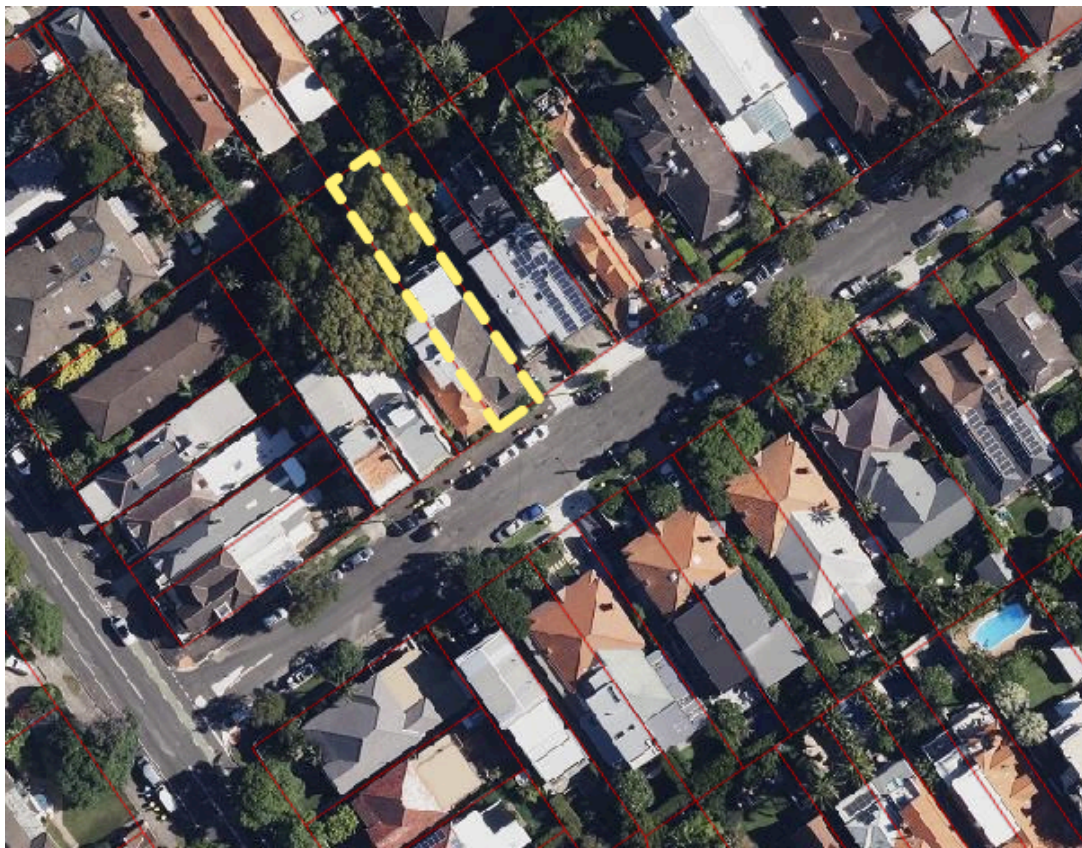
The dwelling is one of two semi-detached dwellings with the adjoining dwelling to the west, No. 5 Cliff Street.

The site is depicted in the following photographs:



View of Site from Cliff Street

The existing surrounding development comprises a mix of semi-detached dwellings and detached dwellings comprising of 1 and 2 storeys and some residential flat buildings. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to the existing semi-detached dwelling including a new first floor level and new front fence. The additions are to be constructed a mix of masonry and clad walls with a terracotta tiled and metal roof.

Dwelling Additions/Alterations

The proposal provides for dwelling alterations and additions including a new upper floor level (Level 3) which is summarised below:

Level 1:

- Demolition of rear portion of existing dwelling and provide new addition to rear in similar location.
- Floor plan reconfigured to provide secondary entry, two bedrooms, bathroom/laundry and living room.
- New terrace to rear addition with screened walkway.

Level 2:

- Demolition of rear portion of existing dwelling and provide new addition to rear in similar location.
- New tiled deck to rear elevation.
- Demolition bay window on front elevation and provide new wall with French doors.
- Reconfigure floor plan to provide bedroom with ensuite, WC, office and kitchen/dining room.

Level 3:

- New first floor level to provide for bedroom, ensuite and rear balcony.

Level 1 and 2 are provided with a setback of 1.97m to the eastern side boundary with the new upper level (level 3) setback at least 3.03m to the eastern boundary. The additions do not encroach the existing front setback.

Front Fence/Wall

The existing masonry wall and timber gate will be demolished and replaced with a new low sandstone wall with screening above to match the fence at No. 5 Cliff Street. A new retractable gate will be provided to provide pedestrian access.

Stormwater

The existing stormwater system will be upgraded to provide for a portion of the roof water to be discharged to the street gutter and the remainder to be dispersed to the new water tank as detailed in the Stormwater Plan prepared by Stormwater Engineers Pty Ltd and in accordance with Council controls.

The proposal will result in the following numerical indices:

Site Area: **353.5m²**

Proposed Total Open Space: **198m² or 56%**
(as defined)

Existing Soft Landscape: **58.6m² or 30.1% of the required total open space**

Proposed Soft Landscaped: **58.6m² or 30.1% of the required total open space**

Proposed FSR: **211.1m² or 0.597:1**

4. 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.

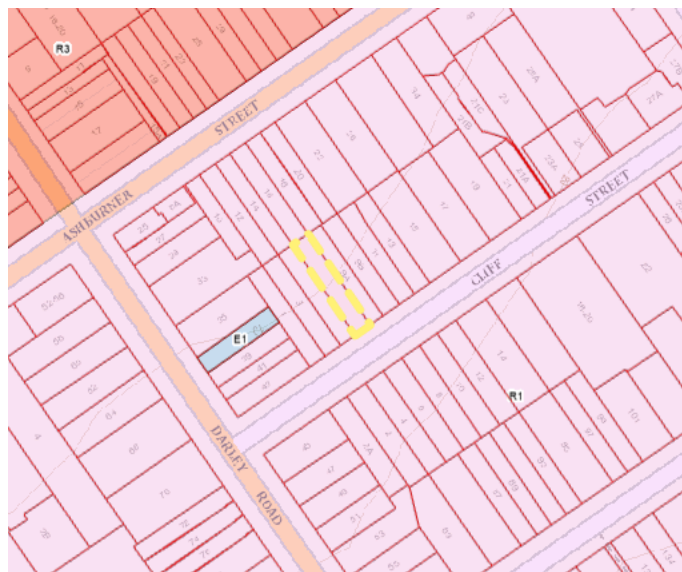
4.1 Planning for Bushfire Protection 2006



Extract of Bushfire Prone Lands Map

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.

4.2 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 complements 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 4.3 Height of Buildings	10.965m	Approx 5.22m	Clause 4.6 Variation is provided.
Clause 4.4 Floor Space Ratio	0.6:1	211.1m ² or 0.597:1	Yes

Clause 5.10 Heritage Conservation



Extract of Heritage Map

The subject site is not heritage listed however the 'stone kerbs' are identified as a local heritage item (Item I2). The proposed additions to the existing dwelling are well separated from the stone kerb. The proposal does incorporate a new stormwater outlet into the existing gutter. This is a very minor alteration to the existing kerb and is required to meet Council stormwater controls.

The properties immediately opposite the site, No. 2-12 Cliff Street, are a group of semi-detached dwellings which are identified as a local heritage item. The proposed development provides for additions largely located to the rear of the existing dwelling on the subject site. Therefore, the proposed works are well separated from the heritage item and do not have any impact on the its significance.

Therefore, no further information is required in this regard.

Clause 6.1 Acid Sulfate Soils

The site is identified as Class 5 on Council's Acid Sulfate Soils Map. The proposal does not provide for any works greater than 1m below existing ground level and therefore no further investigation is required in this regard.

Clause 6.5 Terrestrial Biodiversity



Extract of Terrestrial Biodiversity Map

The site has been identified as being within Council's Terrestrial Biodiversity zone. The following comments are offered in support of the proposal to address the potential impacts to the biodiversity in the area and conditions also suggested which included to ensure the works do not adversely affect biodiversity in the locality.

Long-nosed Bandicoot Habitat

The subject site has little connectivity to offsite habitat as its entire perimeter is fenced. The existing fencing would restrict any individuals from travelling between the rear-yards of adjacent lots, which will serve as protection during construction to prevent individuals accessing the site during this time. The proposal does not require the removal of any trees or vegetation and therefore will not impact on any existing habitat on site.

The following recommendations have been made to reduce the proposed development's likelihood of impacting on the subject population.

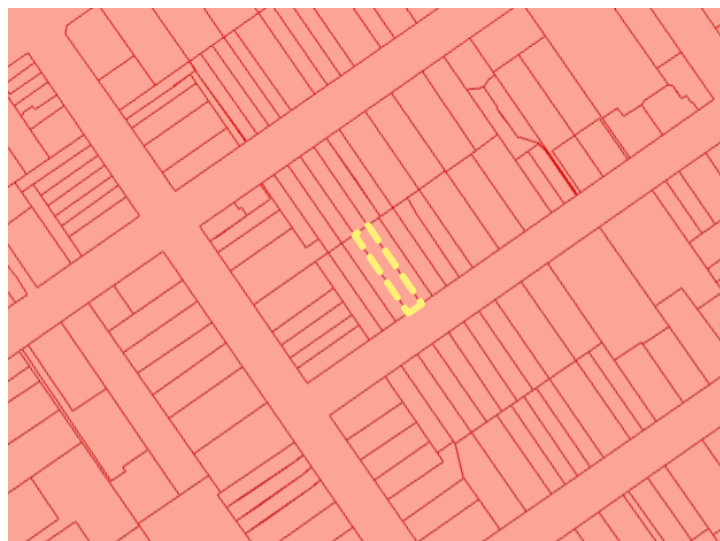
Construction Works

The Long-nosed Bandicoot is a nocturnal species and is active during the night. Therefore, it is recommended that construction works only be undertaken during the day when the species is less likely to be foraging. If at any time during construction a Long-nosed Bandicoot individual is seen, all works should stop until the individual leaves the area. In the unlikely event that an injured individual is identified, an appropriate wildlife carer (e.g. WIRES) should be contacted.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**Fencing for Wildlife Passage**

Any new permanent fencing (with the exception of swimming pool fencing) is to be made passable to native fauna through the provision of access gaps or raised fencing to provide appropriate ground clearance. Any access gaps are to be a minimum of 150mm wide x 100mm high at ground level and spaced at a minimum of 6m intervals.

Reason: To preserve wildlife corridors.

Clause 6.9 Foreshore Scenic Protection Areas

Foreshore Scenic Protection Area

The site has been identified as being within Council's Foreshore Scenic Protection zone. The proposed additions are predominantly to the rear of the existing dwelling and are of a bulk and scale that is compatible with the existing surrounding development. The proposal does not require the removal of any vegetation. The proposed additions will not be visible from the foreshore.

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

4.3 Manly Residential Development Control Plan 2013

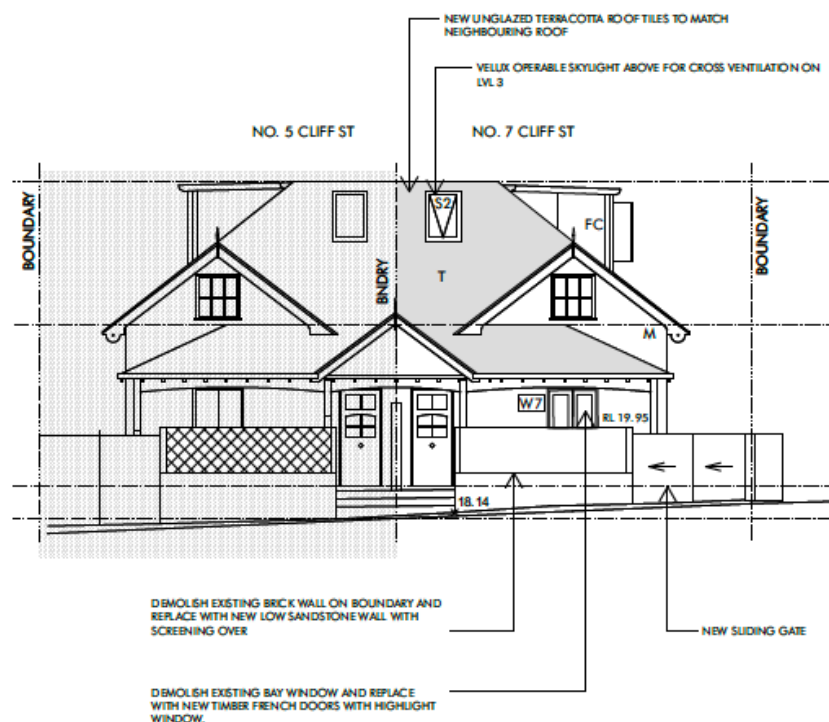
The Manly DCP 2013 applies to all land where the LEP applies. Therefore the DCP applies to the subject development.

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 additions to an existing semi-detached dwelling. The majority of the works are located at the rear of the dwelling behind the existing ridge on the front elevation. The additions generally reflect the previous additions on the adjoining semi-detached dwelling (No. 5 Cliff Street) as depicted in the street elevation included in the architectural plans and an extract provided below:



Extract of Architectural Plans - Streetscape

The property immediately to the east of the site, No. 9/9A Cliff Street, comprises a large three storey semi-detached dwelling. The property to the west of the subject semi-detached dwellings, No. 3 Cliff Street, comprises a large three storey terrace dwelling.

The proposed development which provides for additions to the existing semi-detached dwelling, is considered to be compatible with the existing streetscape in this portion of Cliff Street. The additions have been designed to reflect the bulk, scale and envelope of the adjoining semi-detached dwelling (No. 5 Cliff Street) and minimise the existing dwelling as viewed from the streetscape.

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 complement 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 provides for addition to an existing semi-detached dwelling that are compatible with the existing surrounding streetscape, particularly when having regard to the immediately adjoining development.

Clause 3.1.1.1 Setbacks

In higher density areas (including LEP Zones R1 & R3), careful consideration should be given to minimising any loss of sunlight, privacy and views of neighbours. This is especially relevant in the design of new residential flat buildings adjacent to smaller developments.

The proposed additions do not reduce the existing side boundary setbacks. The setbacks proposed are compatible with the existing surrounding development. The proposal has been designed having regard to solar access, privacy and views as discussed in detail in this report.

Clause 3.1.1.3 Roofs and Dormers

The proposal provides for a dormer style feature on the eastern side elevation. This dormer replicates the dormer provided to the adjoining semi-detached dwelling at No. 5 Cliff Street. Given the slope of the site and setback of dormer to the street ensures that the dormer will not be prominent when viewed from the public domain. The dormer aims to provide additional floor area within the existing roof space.

Clause 3.3 - Landscaping

The proposal does not require the removal of any existing protected vegetation and there is no reduction in the existing landscaped area.

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 proposed upper floor level provides for only a bedroom and ensuite. Whilst there is a small balcony, this serves the bedroom which is not a high use living area and will not be used for outdoor entertaining. The new upper level is provided with an increased setback of at least 3.03m to the eastern side boundary. The balcony to this upper level is provided with a further increased setback. The balcony is partially enclosed by the roof form, with a garden planter along the rear portion of the balcony. A privacy screen is also provided to provide privacy between the subject and adjoining semi-detached dwelling. The east facing windows of the bedroom and bathroom of the upper level (Level 3) are screened with perforated metal blades to enhance privacy between the two properties.
The main living area and associated private open space, (living room and rear terrace on Level 1), has been designed with a reduced floor level. This has been achieved by providing a split level and reducing the floor level by approximately 610mm. The additions also provide for a screen along the eastern elevation of the new rear terrace and walkway of Level 1. This will improve privacy between the subject site and the adjoining eastern property.
The alterations/additions to the existing levels retain the existing side setbacks and maintain the existing separation. Views are directed towards the rear (northwest) and away from adjoining properties.
Adjustable louvres are also proposed to the eastern elevation of the stairway to assist in improving privacy if necessary.

- The proposed additions are predominantly located at the rear of the dwelling behind the existing front roof ridge. The additions are consistent with the bulk and scale of the adjoining semi-detached dwelling at No. 5 Cliff Street.
- Shadow diagrams have been prepared. Given the north south orientation of the allotment the proposal does not result in any material additional overshadowing to the adjoining properties.
- The subject and surrounding properties do not currently enjoy any significant views and therefore there will be no impact on existing views. This has been achieved by providing for a rear setback that does extend beyond the rear setback of the adjoining semi-detached dwelling at No. 5 Cliff Street.
- The proposal provides a more usable floor plan and improve connectivity to the rear private open space.

Clause 3.5 - Sustainability

A BASIX certificate has been submitted and the proposal complies with the objectives of this clause.

Clause 3.7 - Stormwater Management

The existing stormwater system will be upgraded to provide for a portion of the roof water to be discharged to the street gutter and the remainder to be dispersed to the new water tank as detailed in the Stormwater Plan prepared by Stormwater Engineers Pty Ltd and in accordance with the Manly Specification for Stormwater Drainage 2003.

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	Yes The site area is 353.5m ² and the proposal does not seek to increase housing density.
Floor Space Ratio	Refer to LEP 0.6:1	Yes Proposal provides for a floor area of 211.1m ² or 0.597:1, which complies with this clause.
Wall Height	Height – 6.5m	Refer to clause 4.6 variation in relation to non-compliance with height of building.

Clause/ Design Element	DCP Requirement	Compliance/Comments
Number of Storeys	Two Storeys	The proposal results in a two storey building with a third level with rooms within the roof form. The resultant dwelling is consistent in style with the adjoining semi-detached dwelling at No. 5 Cliff Street and is compatible with the height of the immediately surrounding properties, including No. 9 and 3 Cliff Street. The dwelling will continue to present as a single storey dwelling when viewed from the street.
Roof Height	2.5m above wall height	Yes Existing roof form retained and extended.
Parapet Height: 600mm above wall height.	600mm above wall height	Not Applicable
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 The proposed additions do not encroach the existing front setback.</p> <p>The proposed additions provide for a maximum wall height of 7.8m which would require a setback a setback of 2.6m. The proposed additions provide for a setback of 1.97m to the eastern boundary, with the attic level setback 3.03m to this boundary. The proposed setbacks are considered appropriate in this instance and achieve the objectives of this clause for the following reasons:</p> <ul style="list-style-type: none"> The proposed additions to Level 1 and Level 2 replace existing floor area with the existing setback retained.

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 overing, or loss of view and no impediment to property maintenance.</p>	<ul style="list-style-type: none"> • The setbacks provided are compatible with the existing surrounding development, with particular reference to the adjoining eastern property, No. 9A Cliff Street. • The new attic 3 (level 3) is provided with a setback that complies with this clause (3.03m). The DCP permits variations to sites within the D3 Density Area. • The non-compliance does not result in unreasonable loss of solar access. The plans include detailed shadow diagrams which depict that the proposal does not result in any material additional overshadowing to the adjoining eastern property, No. 9A Cliff Street. • The additions have been designed to direct views over the rear yard and the district views. Windows are appropriately located so as not to be directly opposite high use windows on the adjoining property. <p>Yes The subject dwelling is part of a pair of semi-detached dwellings and the proposal retains the existing nil setback to the common boundary.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Rear Setback – Minimum 8.0 metres	Yes Ample setback is provided to the rear setback in accordance with this clause.
Landscaping/Open Space	Open Space Area 3: Minimum total open space: 55% of site area.	Yes Proposed Total Open Space: 198m ² or 56%
	Minimum soft open space as % of total open space: 35%	Proposed Soft Landscaped: 58.6m ² or 30.1% of the required total open space. It is noted that the proposal does not result in the removal of any existing soft open space and as such strict compliance with this clause is unreasonable. The proposal does not require the removal of any trees or landscaping and there are a number of trees in the rear yard. an alternative outdoor area being a predominately open structure. The allotment is relatively small and the soft open space provided is comparable with the existing surrounding development.
	Minimum number of endemic trees: 2	Yes Existing trees in rear yard retained.
	Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m ² .	Yes The proposed additions improve the connectivity to the existing open space in the rear yard by incorporating a living area on the lowest floor directly adjacent to a terrace.

Clause/ Design Element	DCP Requirement	Compliance/Comments
Parking and Access	<p>Minimum 2 Spaces per Dwelling.</p> <p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p> <p>Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.</p>	<p>The subject site does not currently provide for any on site parking. Given the location of the existing dwelling on site, there is no option for parking on site.</p> <p>There is no change to existing circumstances in this regard.</p>
First Floor Additions	<p>Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</p> <p>Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences</p>	<p>Yes</p> <p>Proposed additions retain existing side boundary setbacks, the new upper level provides for increased setbacks which comply with the DCP.</p>
Fences	<p>Maximum height 1.0m for solid</p> <p>Maximum height 1.5m where at least 30% is transparent.</p>	<p>Yes</p> <p>The proposal seeks to replace the existing solid masonry wall on the front boundary with a low stone wall with screening above which is consistent with the existing fencing to the adjoining semi-detached dwelling at No. 5 Cliff Street.</p>

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

5. 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. A Clause 4.6 variation has been prepared with regard to the non-compliance with the building height development standard. 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 additions to an existing semi-detached dwelling without detrimentally impacting on the character of the area. The proposal does not result in the removal of any protected vegetation. The design of the proposal is such that they do not result in any unreasonable loss of privacy.

The Suitability of the Site for the Development

The subject site is zoned R1 General Residential and the construction alterations and additions to an existing semi-detached dwelling house 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 protected 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 alterations and additions to an existing semi-detached dwelling that are consistent with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing single storey semi-detached 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. A Clause 4.6 Variation has been submitted in relation to the non-compliance with the building height development standard. 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 alterations and additions to an existing semi-detached dwelling upon land at **No. 7 Cliff Street, Manly** is worthy of the consent of Council.

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