

SHIRE PLANNING SERVICES

STATEMENT OF ENVIRONMENTAL EFFECTS

This Statement of Environmental Effects has been prepared by Shire Planning Services on behalf of Precision Planning Pty Ltd for submission to Northern Beaches Council accompanying a Development Application for alterations and first floor additions to an existing dwelling including rear terrace, and in-ground plunge pool at 12 Waterview Street, Seaforth.



Figure 1: Front elevation/perspective. **Courtesy:** Precision Planning Pty Ltd.

This Statement and supporting documents should be read in conjunction with the Architectural Plans prepared by Precision Planning, Land Survey, BASIX Certificate and Aboricultural Impact Assessment prepared by Hugh The Aborist submitted with the Development Application.

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1. Introduction

This statement has been prepared by Shire Planning Services on behalf of Precision Planning Pty Ltd for submission to Northern Beaches Council as a development application for alterations and first floor additions to an existing dwelling, rear terrace and in-ground plunge pool.

The site is known as No. 12 Waterview Street, Seaforth and is legally described as Lot 3 in DP 370267. Approval is sought under the Manly Local Environmental Plan (MLEP) 2013 and Manly Development Control Plan (MDCP) 2013. This statement will discuss the environmental impacts of the proposal under the relevant clauses of the LEP and DCP.

2. Existing Site Context, Analysis and Surrounding Streetscape

2.1 Site Location and Description

Existing Site

The subject site is known as No. 12 Waterview Street, Seaforth and is legally described as Lot 3 in DP 370267. The site is located on the western side of Waterview Street, between Judith Street to the north and Kirkwood Street to the west.



Figure 2 – Subject Site & Context: Source SIX MAPS

The site is an irregular shaped allotment with a total area of 529.5sq.m with a fall of approximately 6m from the west (rear) to the east (front) and has the following dimensions:

Street frontage (eastern boundary):	$16.33\text{m} + 15.24\text{m} = \text{total frontage } 31.57\text{m}$
Side (northern boundary):	31.72m
Side (southern boundary):	46.27m

Existing Development on Site

Situated on the site is a part single part two storey (lower ground/ground level) detached residential dwelling. Vehicular access to the site is via driveway access from Waterview Street. The site is heavily vegetated.



Image 1: Subject site, looking west from Waterview Street.



Image 2: Subject site (right), looking south from Waterview Street.



Image 3: Subject site, rear open space. Looking east from the rear boundary.

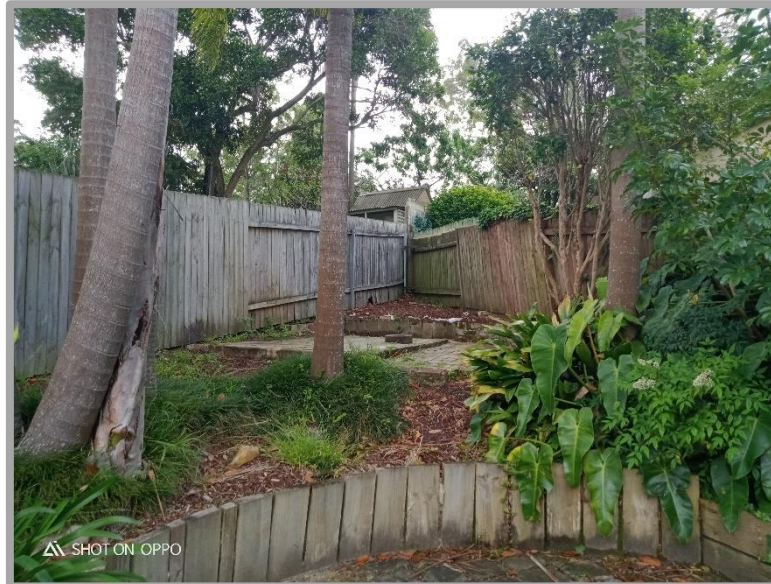


Image 4: Subject site, rear open space looking west toward rear boundary.

2.2 Surrounding Development

Surrounding Development

Existing development surrounding the site is primarily residential with single storey and two storey residential dwellings. A detailed description of surrounding development is provided below.

North

To the immediate north of the subject site is No. 14 Waterview Street which contains a single storey residential dwelling with inground swimming pool in the rear setback (see Image 5 below).



Image 5: No. 14 Waterview Street, Seaforth.

East

To the east of the site, opposite Waterview Street is No. 21 Waterview Street which contains a two-storey residential dwelling, and No. 19 Waterview Street which contains a single storey residential dwelling (see Image 6 below).



Image 6: No. 21 (left) and No. 19 (right) Waterview Street, Seaforth.

Also to the east of the site is No. 17 Waterview Street which contains a contemporary two-storey residential dwelling (see Image 7 below) and No. 11 Waterview Street which contains a single storey residential dwelling with a significant setback from the front boundary (see Image 8 below).



Image 7: No. 17 Waterview Street, Seaforth.



Image 8: No. 11 Waterview Street, Seaforth.

South

Immediately to the south of the site is No. 10 Waterview Street which contains a two-storey dwelling (see Image 9 below).



Image 9: No. 10 Waterview Street, Seaforth

West

Given the irregular shape of the subject site, the rear of the subject site is bounded by the rear boundaries of No's 14 Waterview Street to the north, and No. 10 Waterview Street to the south. There are no other direct adjoining rear properties.

3. The proposed development, in detail

The proposed development seeks consent for alterations and first floor additions to an existing residential dwelling, including a rear terrace and an in-ground plunge pool.

The specifics of the proposal are detailed below:

Existing Dwelling

The existing dwelling is a part single part two-storey built form and contains a garage and workshop/store area within the sub-floor (lower ground level). At ground level the existing dwelling contains a concrete staircase from lower ground level to the ground level verandah. A front entry, dining room, living room, kitchen, laundry, bathroom and 3 bedrooms.

The rear of the site does not contain any built structures and is terraced, and vegetated.

Proposed Alterations and Additions to the Existing Dwelling at Lower Ground and Ground Level

Lower Ground Level

- Demolition of existing staircase, relocation and construction of new staircase to access the extended ground floor balcony/deck area;
- Excavation of rock shelf to facilitate foundation/footings for extended ground floor balcony/deck area;
- Increase in workshop/store area under new extended ground floor balcony/deck area, and installation of air vents along external walls of workshop/store;

- Re-surfacing of the existing driveway;

Ground Level

- Demolish existing verandah;
- Construct new balcony/deck extend to the east;
- New addition to eastern façade/front building line of dwelling to enlarge front entry area and living area;
- Demolish virtually all internal walls of the dwelling, reconfigure floor plan to provide an open plan living, kitchen and dining area, with stacker doors from the living area directly accessible to the front deck;
- Retain the 3 existing bedrooms along the southern portion of the dwelling, but remove the existing walls to reconfigure the sizes of each bedroom, relocate doors and some windows;
- Construct new bathroom and laundry and staircase to the first floor level;
- Construction of a new outdoor covered terrace/alfresco area (6m x 4m);
- Landscaping to rear private open space area; and
- Construction of inground plunge pool (triangular in shape) and associated coping along the northern, southern, and eastern edge.

First Floor Addition

The construction of a first-floor addition containing a master bedroom with walk in robe and ensuite, with stacker door leading onto a front balcony, a retreat and home office area with stacker door leading onto a front balcony.

Removal/Retention and Pruning of Site Trees

- Removal of five (5) site trees to facilitate the new terrace/alfresco area, and plunge pool;
- Retention of twelve (12) site trees; and,
- Replacement tree planting proposed.

Materials and Finishes

An External Finishes and Materials Schedule has been submitted with the architectural plans. The materials and finishes proposed for the development, whilst contemporary, are considered to be complimentary to the existing dwelling.

Aim of the Proposed Development

The aim of the proposed development is to accentuate and enrich the amenity of the residents (current and future owners) living at the subject site. The alterations and rear addition are of high-quality design and will be of superior materials and fittings. The proposed additions will not depreciate the value or context of the site, as the front portion of the original dwelling will be retained, and the setting of the dwelling within the existing streetscape is therefore retained by the proposal.

4. Proposed Site Calculations

Control/Requirement	Proposed	Compliance
Site Area	Existing site area: 529.5sq.m	N/A
FSR Clause 4.4 0.45:1	Subfloor – non-habitable Ground Level: 145.77sq.m First Floor Level: 86.14sq.m Total GFA: 231.91sq.m Proposed FSR: 0.44:1	Yes
Height of Building- 8.5m	8.5m to top-most point of roof ridge from n.g.l	Yes
Landscaped Area 35% of site area: 185.3sq.m	243.11sq.m or 45.9%	Yes
Open Space – 55% of site area (291.2sq.m) with minimum 3m dimension	Existing: 140.82sq.m Proposed: 237.8sq.m	No – however an improvement upon existing open space

5. Site Development History

A search of available Council's records on Council's Application Tracker did not locate any previous/recent determinations made for the subject site.

6. Environmental Planning Instruments

This section of the Statement of Environmental Effects discusses the relevant Environmental Planning Instruments which apply to the proposed development at 12 Waterview Street, Seaforth.

- The provisions of State Environmental Planning Policy No.55 – Remediation of Land.
- The provisions of State Environmental Planning Policy No. 19 – Bushland in Urban Areas.
- The provisions of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
- The provisions of an environmental planning instrument – Manly Local Environment Plan 2013 (MLEP).
- The provisions of Manly Development Control Plan 2013 (MDCP).
- The impact of the development in relation to:
 - The context/character and setting of the development
 - The impact on the natural and built environment
- The suitability of the site for development.
- The public interest.
- Submissions made under the Act and Regulations.

7. Planning Assessment

6.1 State Environmental Planning Policy No. 55 – Remediation of Land

The provisions of SEPP 55 are required to be considered for any development application. Consideration must be made if the land is suitable for the proposed development, if it is contaminated – if it is suitable for the proposed use, and/or if the contamination is required to be remediated before the land is used for that purpose.



Figure 3 – Aerial View of Subject site: **Source** – Six Maps



Figure 4 – 1943 Aerial View of Subject site: **Source** – Six Maps- 1943

The site, as confirmed by the photos in Figures 2 & 3 (above), the site was previously vegetated bushland with a history of redevelopment for residential land use only, it is therefore highly unlikely that the site has any contamination and no remediation is necessary for the proposed development.

6.2 State Environmental Planning Policy No. 19 – Bushland In Urban Areas

The provisions of SEPP No. 19 are not considered to apply to the proposed development as the proposal will not impact on any existing bushland.

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

The provisions of SEPP BASIX apply to the proposed development as the cost of works is greater than \$50,000 to an existing residential dwelling. The SEPP Basix prescribes that certain sustainability requirements are to be achieved by design of residential development.

The development application is accompanied a BASIX Certificates which certifies that the proposed development has achieved the requirements of the SEPP BASIX.

6.5 Manly Local Environmental Plan 2013

The provisions of Manly Local Environmental Plan (MLEP) 2013 apply to the proposed development. The proposal is generally consistent with the aims and objectives and development standards contained in MLEP 2013.

6.5.1 Manly LEP 2013 Compliance Table

An assessment of the application against the provisions of the MLEP 2013 is provided in the below table.

Issue	Requirement/standard	Proposal	Compliance
Manly Local Environmental Plan (MLEP) 2013			
Part 2 – Permitted or Prohibited Development			
Cl. 2.1 Land Use Zones Land Use Table	Permitted development within the zone.	The subject site is zoned R2. Alterations and first floor additions to existing dwellings is permitted with consent in the R2 zone.	Yes
Part 4 – Principal Development Standards			
Cl. 4.1 – Minimum Subdivision Lot Size	In accordance with the Minimum Subdivision Lot Size Map – being min. 500sq.m	The development does not propose land subdivision.	N/A
Cl. 4.3 – Height of Buildings	Maximum height of building for the subject site in the R2 zone under the Map is 8.5m.	The overall height of the dwelling is proposed to be 8.5m to the top-most point of the roof ridge as measured from the natural ground level.	Yes

Issue	Requirement/standard	Proposal	Compliance
Cl.4.4 – Floor Space Ratio	Clause 4.4 – 0.45:1	Subfloor – non-habitable Ground Level: 145.77sq.m First Floor Level: 86.14sq.m Total GFA: 231.91sq.m Proposed FSR: 0.44:1	Yes
Cl.4.6 – Exceptions to Development Standards	Provides a degree of flexibility in applying certain development standards to particular development.	The proposed development does not seek to vary any development standards; therefore, a submission under Clause 4.6 is not required.	N/A
Part 5 – Miscellaneous Provisions			
Cl.5.1 – Relevant Acquisition Authority	Applies if the land is required to be acquired under Section 3.15 of the Act.	The subject site is not identified for Land Acquisition on the MLEP 2013 maps.	N/A
Cl.5.10 – Heritage Conservation	Requirements for sites that contain a heritage item, or are located within a HCA	The site does not contain a heritage item and is not located within a HCA or in the vicinity of a heritage item or HCA.	N/A
Part 6 – Additional Local Provisions			
Cl.6.1 – Acid Sulfate Soils	Applies if the site is identified as containing Acid Sulfate Soils	The subject site is not identified as being affected by Acid Sulfate Soils.	N/A
Cl.6.2 - Earthworks	Before granting development consent the consent authority must consider the following matters— <ul style="list-style-type: none"> the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, the effect of the development on the likely future use or redevelopment of the land, the quality of the fill or the soil to be excavated, or both, the effect of the development on the 	The proposed development involves earthworks for the purpose of excavating/cutting into the existing rock shelf to facilitate the extended balcony/deck area at ground level. The development also proposes excavation for the purposes of constructing the in-ground plunge pool (12sq.m). No relics are expected to be encountered during excavation. Minimum fill is proposed as part of the application.	Yes

Issue	Requirement/standard	Proposal	Compliance
	<p>existing and likely amenity of adjoining properties,</p> <ul style="list-style-type: none"> the source of any fill material and the destination of any excavated material, the likelihood of disturbing relics, the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area. 	<p>The proposed excavation works will not adversely impact upon any waterway, drinking water catchment or environmentally sensitive area.</p> <p>The proposed excavation will not adversely impact upon the existing and likely amenity of adjoining properties.</p>	
Cl.6.3 – Flood Planning	Flood risk and levels apply to development if the site is flood affected.	The site is not affected by flooding. As such Clause 6.3 does not apply.	N/A
Cl. 6.4 – Stormwater Management	Minimise the impact of urban stormwater on land. Submission of Stormwater Drainage Plans in accordance with Council's guidelines.	Concept Stormwater Plans have been submitted with the application. The additions to the dwelling will be serviced by the existing stormwater system, which naturally falls to the street.	Yes
Cl.6.5 – Terrestrial Biodiversity	Maintain terrestrial biodiversity (protecting native flora and fauna) on affected sites.	The subject site is not identified/affected on the Terrestrial Biodiversity map u under MLEP 2013.	N/A
Cl. 6.9 – Foreshore Scenic Protection Area	Protect visual aesthetic amenity of the foreshore areas, and views from Sydney Harbour, the Pacific Ocean and the foreshore of Manly.	The subject site is not identified/affected on the Foreshore Scenic Protection Area map u under MLEP 2013.	N/A

6.6 Manly Development Control Plan 2013

The provisions of the Manly Development Control Plan (MDCP) 2013 apply to the proposed development. The proposal is generally consistent with the aims and objectives and controls contained in MDCP 2013 as demonstrated under 6.6.1 below.

6.6.1 Manly DCP 2013 Compliance Table

An assessment of the application against the provisions of the MDCP 2013 is provided in the below table. As the proposal is for alterations and a first-floor addition to the existing residential dwelling, with rear terrace area and in-ground plunge pool, only the relevant controls contained in the DCP have been included in the table.

Issue	Requirement/standard	Proposal	Compliance
Manly Development Control Plan 2013			
Part 3 – General Principles of Development			
3.1 – Streetscapes and Townscapes			
3.1.1 – Streetscape (Residential Areas)	Development to the streetscape is to complement the predominant building form, distinct building character, building material finishes, and architectural style in the locality.	<p>A Site and Context Analysis plan has been submitted with the application and has been prepared in accordance with the DCP.</p> <p>The proposed internal alterations, new front addition and first floor addition additions to the existing dwelling have been designed in character with the form and style of the existing dwelling.</p> <p>There are several examples of two-storey dwellings in the immediate vicinity of the site. The proposed alterations and additions are sympathetic to the distinct building character, building material finishes, and architectural style in the locality.</p>	Yes
3.1.1.2 – Front Fences and Gates	Comply with fencing controls contained in 4.1.1.10.	No front fencing is proposed as part of this application.	N/A
3.1.1.3 – Roofs and Dormer Windows	Roof forms should complement (but not replicate) the predominant form in the locality, should not be reflective and should minimise view loss.	The proposed roof form is a pitched style which matches the existing roof form of the dwelling and is sympathetic to the distinct building character, building material finishes, and architectural style in the locality. The roof is non-reflective, does not result in view loss from adjoining properties and no dormer windows are proposed.	Yes
3.1.1.4 – Garages, Carports and Hardstand Areas	Garages, carports and hardstand areas must be designed and sites in a	No change to the existing car parking on site is proposed. The existing dwelling contains car parking in the	Yes

Issue	Requirement/standard	Proposal	Compliance
	manner that does not dominate the streetscape.	form of an existing garage located at the subfloor/lower ground level. The development proposes to re-surface the existing driveway.	
3.3 - Landscaping			
3.3.1 – Landscape Design	On low density sites, open space should dominate the site.	Whilst the development does not meet the technical requirements for Open Space on the site (discussed in detail in below table), the proposed development results in a significant improvement in the quantity and quality of the open space provided for the site.	Yes
	Landscaped areas must support new native tree species that are typically expected to reach a height of 10m at maturity.	The site contains existing vegetation. Some trees are required to be pruned/removed to facilitate the proposed development. Replacement planting is proposed which supports new native tree species that are typically expected to reach a height of 10m at maturity.	Yes
3.3.2 – Preservation of Trees or Bushland Vegetation	Existing site trees are to be preserved where possible.	The site contains a number of existing trees. An Aboricultural Impact Assessment has been submitted with the application. The AIA notes that (5) trees are proposed to be removed to facilitate the development, of these 5 trees, 3 are “exempt species”. There are 12 trees on the site that are to be retained and protected and the AIA has recommended the appropriate methods for protection and retention.	Yes - On merit
	No works to or removal of any trees is permitted	The tree pruning and removal is proposed as part of this development	At Council's discretion

Issue	Requirement/standard	Proposal	Compliance
	without consent from Council. For tree removal an Arborist report may be required.	application and will be subject to Council's assessment. An Aboricultural Impact Assessment has been submitted with the application.	Yes
3.4 – Amenity (Views, Overshadowing, Overlooking, Privacy & Noise)			
3.4.1 – Sunlight Access and Overshadowing			
3.4.1.1 – Overshadowing adjoining Open Space	New development including alterations and additions must not eliminate more than 1/3 of the existing sunlight accessing the private open space of adjacent properties from 9am until 3pm on June 21.	Shadow diagrams have been submitted with the application. A detailed discussion of the shadow impacts created by the proposed development is discussed under Note 1 below this table. In summary, the development achieves the requirements of 3.4.1.	Yes – Refer Note 1 below
3.4.1.2 – Maintaining Solar Access into Living Rooms of Adjacent Properties.	In relation to sunlight to the windows or glazed doors to living rooms of adjacent properties with an east/west orientation, at least 2 hours solar access is to be provided from 9am until 3pm on June 21.	2 hours solar access is to be provided from 9am until 3pm on June 21 to the windows or glazed doors to living rooms of adjacent properties.	Yes
3.4.1.3 – Overshadowing of Solar Collector Systems	A minimum of 6 hours is to be retained.	Complies.	Yes
3.4.1.4 – Overshadowing of clothes drying areas	A minimum of 6 hours is to be retained.	Complies.	Yes
3.4.1.5 – Excessive Glare or Reflectivity Nuisance	All external materials and finishes incorporated into the development must consider and mitigate any excessive glare or reflectivity nuisance.	The proposed materials and finishes do not result in any excessive glare of reflectivity nuisance.	Yes
3.4.2 – Privacy and Security			
3.4.2.1 – Window Design and Orientation	Use narrow, translucent or obscured glass windows to	The development has been carefully designed to ensure that the privacy of the	Yes

Issue	Requirement/standard	Proposal	Compliance
3.4.2.2 – Balconies and Terraces	maximise privacy where necessary.	adjoining properties is retained.	
	When building close to boundaries, windows must be off-set from those in the adjoining adjacent building.	On the southern elevation at ground level, there are no new windows. The existing windows servicing the bedrooms are to be relocated to match the adjustments to the room sizes. There is a new window to the home-office area on the first-floor addition on the southern wall, however this is substantially setback from the southern boundary and in this regard the potential for overlooking is minimal.	Yes
		There are no new windows to the northern elevation at ground level or at the new first floor level.	Yes
	Architectural or landscape screens must be provided to balconies and terraces to limit overlooking of nearby properties.	A balcony/deck area currently exists, it is proposed to extend this area toward the front building line. Given the location of the adjoining dwelling to the north, and the vegetation that currently exists on both sites, screening of this balcony/deck area is not considered to be necessary.	Yes
3.4.2.3 – Acoustical Privacy (Noise Nuisance)	Noise generating equipment, i.e. pool pumps should be located in a manner which considers	Similarly, small balconies are proposed for the first floor these are 1m wide and front Waterview Street. Screening of these balconies is not considered necessary due to the siting of the dwelling to the north, and the existing vegetation on the site.	
		A pool pump is proposed to be located adjacent to the rear corner of the dwelling and the northern boundary.	Yes

Issue	Requirement/standard	Proposal	Compliance
	the acoustical privacy of neighbours.	The pool pump is enclosed/encased and is not considered to create any acoustical impacts upon the adjoining property to the north.	
3.4.3 – Maintenance of Views			
3.4.3 – View Sharing	To minimise the disruption of views from adjacent and nearby development and views to and from public places.	The proposed development will not disrupt views from adjacent and nearby development and views to and from public places.	Yes
3.5 – Sustainability			
3.5.1 – Solar Access			
3.5.1.1 – Building Form, Design and Orientation	The building and site layout is to maximise northern orientation to optimise solar access.	The proposal is for alterations and first floor additions to the existing dwelling. The site has an east-west orientation and where possible the design of the internal alterations, and the proposed first floor addition has taken advantage of solar access from the east and west.	Yes
3.5.1.2 – Solar Shading Devices	Consider incorporation of solar shading devices to north, east and west facing walls.	Noted.	Can be conditioned if required.
3.5.2 – Energy Sources and Systems			
3.5.2.2 – Hot Water System	A solar hot water system is required in all new residential buildings and in major renovations.	Noted.	Can be conditioned if required.
3.5.2.4 – Space Cooling – Ceiling Fans	Ceiling fans are encouraged to be used.	Noted.	Can be conditioned if required.
3.5.3 – Ventilation			
3.5.3.1 – Building Design and Orientation to Prevailing Wind	Buildings are to be orientated to benefit from cooling summer breezes (generally easterly/north easterly in Manly) Cross ventilation should be provided.	The proposal is for alterations and first floor additions to the existing dwelling. The site has an east-west orientation and where possible the design of the internal alterations, and the proposed first floor addition has taken advantage of solar access	Yes

Issue	Requirement/standard	Proposal	Compliance
3.5.3.2 – Location and Area of Openings	<p>Locate windows and openings in line with each other where possible to facilitate cross flow ventilation.</p> <p>The area of an unobstructed window opening should equal at least 5% of the floor area.</p>	<p>from the east and west. Due to the open plan design of the ground level, cross ventilation is easily achieved.</p> <p>Complies.</p> <p>Complies.</p>	<p>Yes</p> <p>Yes</p>
3.5.5 – Landscaping			
3.5.5.1 – Considerations in Plant Selection and Landscaping Design	When selecting trees & vegetation best suited to conserving energy in buildings, the canopy, site adaptability, seasonal character and growth patterns, water requirements, and relationship between the building and landscaping should be taken into consideration.	The proposal is for alterations and first floor addition to an existing dwelling. The site currently contains existing vegetation, the majority of which is proposed to be retained, however five (5) trees will require removal to facilitate the proposed development. Replacement tree planting is proposed. This is discussed in detail in the Aboricultural Impact Assessment submitted with the application.	Yes
3.5.7 – Building Construction and Design			
Principles in achieving energy efficiency	<ul style="list-style-type: none"> • environmentally sound building materials; • thermal mass; • glazing; • wall and roof colour; and, • insulation 	The proposal is accompanied by a BASIX Certificate which demonstrates that the development achieves the objectives of SEPP BASIX which includes consideration of environmentally sound building materials, thermal mass, glazing, wall and roof colours and insulation.	Yes
3.5.8 – Water Sensitive Urban Design			
Stormwater Quality Management	For all developments the impervious areas that are directly connected to the stormwater system should be minimised.	Impervious areas for the proposed development are minimised. The application is accompanied by a Concept Stormwater Plan.	Yes

Issue	Requirement/standard	Proposal	Compliance
Water Conservation	To enhance potable water conservation in developments to provide enhanced sustainability benefits.	Noted.	Noted.
3.7 – Stormwater Management			
Managing Urban Stormwater	The development must comply with the Council's "Stormwater Control Policy".	The application is accompanied by a Concept Stormwater Plan prepared in accordance with Council's "Stormwater Control Policy".	Yes
3.8 – Waste Management			
Sound waste management practices	Waste Disposal and Construction Waste Management.	Garbage waste facilities for the dwelling already exist on the site. Council will impose the submission of a Waste Management Plan for construction waste prior to the issue of the Construction Certificate.	Yes Conditioned.
Part 4 – Development Controls and Development Types			
Part 4.1 – Residential Development Controls			
4.1.1 – Dwelling Density, Dwelling Size and Subdivision	Schedule 1 – Residential Density Areas – Site identified as Density Area D5 – 1unit/500ms of site area	The subject site has an area of 529.5sq.m and contains 1 dwelling. This complies with the density requirements.	Yes
	Dwelling size – 3+ bedrooms shall have a minimum area of 90sq.m	The dwelling proposes 4 bedrooms and has a total GFA of 231.91sq.m.	Yes
4.1.2 – Height of Buildings	The subject site has a gradient of 1:4 or steeper and under Figure 26, the maximum wall height is 8m above natural ground level.	The maximum wall height of the dwelling is 8m above natural ground level. The overall height of the dwelling complies with the maximum 8.5m HOB under the MLEP 2013.	Yes
	The number of storeys must not exceed 2.	The development proposes a maximum of 2 storeys.	Yes
	Pitched roof structures must be no more than 2.5m above the actual wall height.	The proposed roof pitch/allowance is <2.5m above the actual wall height.	Yes

Issue	Requirement/standard	Proposal	Compliance
	The roof pitch must be generally no steeper than 35 degrees.	The proposed roof pitch is 18 degrees.	Yes
4.1.3 – Floor Space Ratio	To comply with FSR under MLEP 2013.	The proposal complies with the max 0.45:1 FSR as established in MLEP 2013.	Yes
4.1.4 - Setbacks	<u>Street front setbacks</u> – minimum 6m, some projections into setback for unenclosed balconies etc. may be permitted where there is no adverse impact upon adjoining properties.	The proposed front setback to the front building line of the dwelling is between 5.09m-6.5m, this is a minor non-compliance with the front setback control. The deck attached to the front of the dwelling is unenclosed and encroaches into the 6m front setback control. However, this is due to the angle of the front boundary line. There are no discernable impacts to the streetscape or adverse impacts upon adjoining landowners.	Yes – on merit
	<u>Side Setbacks</u> – not less than 1/3 of the height of the adjacent external wall of the proposed building. Some projections into setback area for unenclosed balconies, sun hoods, roof eaves may be permitted where there is no adverse impact upon adjoining properties.	The proposed side setback of the new addition to the front of the dwelling and the first floor addition along the northern boundary match the setback of the existing dwelling at ground level which is between 2.09m-2.165m.	Yes - As existing
	All new windows from habitable dwellings that face the site boundary are to be setback at least 3m from side boundaries.	As above, the setbacks of the proposed addition and first floor addition are in-line with the existing dwelling setbacks.	Yes
	Side setbacks are to provide sufficient access to allow for property maintenance.	Side setbacks are existing. There is sufficient access along the side setbacks to allow for property maintenance.	Yes
	<u>Rear Setbacks</u> – minimum 8m to any part of a	The setback of the new outdoor covered terrace area is between 4m-10.5m due to	Yes – On Merit

Issue	Requirement/standard	Proposal	Compliance
	building and the rear boundary.	the irregular site shape – there is no “rear boundary”. The proposed new terrace/alfresco area does not impact upon adjoining properties by way of bulk/scale/overshadowing or privacy impacts and in this regard the variation is considered acceptable.	
4.1.5 – Open Space and Landscaping	In accordance with Schedule 1 – Map B – Residential Open Space Areas the site is identified as Open Space Area OS3	The DCP requires that 55% of the subject site to be open space. The site has an area of 529.5sq.m, and therefore 291.2sq.m of the site is required to be open space.	Existing Non-compliance. Acceptable on Merit.
	At least 55% of the site area total open space (minimum % of site area).	The subject site currently (existing) has a total open space area of 140.82sq.m or 26.5%.	
		The proposed development seeks to increase this open space area and also improve the quality of the open space, from 140.82sq.m to 237.8sq.m or from 26.5% to 44.9%.	
		Whilst this does technically not comply with the 55% open space requirement, it is an existing non-compliance, and the development results in an improvement of the current open space area.	
	At least 35% of open space landscaped area (minimum % of site area).	The site has an area of 529.5sq.m, and therefore 185.3sq.m (35%) of the site is required to be landscaped area.	Yes
		The development proposes a landscaped area of 237.8sq.m or 44.9% and therefore complies with this requirement.	Yes

Issue	Requirement/standard	Proposal	Compliance
	Native Tree Planting requirements: sites between 500-800sq.m: 3 trees.	Replacement planting is proposed. Council can condition the number/species of these trees.	Yes
	Private Open Space: Minimum of 18sq.m is to be provided.	The development proposes a POS area within the rear setback which measures approx. 130sq.m and includes a rear terrace/alfresco area, rear landscaped area and an inground plunge pool located in the rear corner of the site.	Yes
4.1.6 – Parking, Vehicular Access and Loading	Design/location of garages, carports or hardstand areas must minimise their visual impact on the streetscape and adjoining properties.	The site contains an existing garage integrated into the dwelling at subfloor/lower ground level. There are no impacts upon the streetscape or adjoining properties.	Yes
4.1.7 – First Floor Additions	Must complement the architectural style of the ground floor where possible and retain existing roof forms. The addition may follow the ground floor setbacks providing the adjoining properties are not adversely impacted by overshadowing, view loss or privacy.	The proposed alterations and additions have been designed to complement the style of the existing dwelling.	Yes
	The additions must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences or the aesthetic quality of the former Manly area.	Setbacks of the additions and the first-floor addition match that of the existing dwelling.	
		The additions retain the existing scale and character of Waterview Street which contains a number of two-storey dwellings and do not adversely impact adjoining properties by overshadowing, view loss or privacy.	Yes
4.1.8 – Development on Sloping Sites	The design of the development must respond to the slope of the site to minimise loss of views and amenity from public and private spaces.	The development consists of alterations and first floor additions to the existing dwelling and does not create view loss or any amenity impacts from public and private spaces.	Yes

Issue	Requirement/standard	Proposal	Compliance
4.1.9 – Swimming Pools, Spas and Water Features	Swimming pools and spas must not be more than 1m above natural ground level.	The proposed in-ground plunge pool is <1m above n.g.l.	Yes
	Swimming pools and spas must not be located in the front setback.	The proposed plunge pool is located in the rear setback.	Yes
	The setback of the outer edge of the pool/spa concourse from the side and rear boundaries must be at least 1m, and 1.5m to the waterline.	The proposed setback from the boundary to the waterline of the plunge pool is between 960mm-1m. Whilst this does not technically comply with the DCP requirements, due to the very irregular nature of the site, and the fact that the site does not have a “rear” boundary, the proposed setback to the waterline is considered appropriate. There are no adverse impacts upon adjoining properties by way of noise, privacy etc., due to the location of the plunge pool in relation to the adjoining property boundaries. Further, the plunge pool is only 16.21sq.m in area.	On Merit
	Swimming pools must not comprise more than 30% of the total open space.	Complies – comprises 5% of the total open space area.	Yes
	Pumps/Filters must be located, enclosed and acoustically controlled to limit noise impacts.	A pool pump is proposed to be located adjacent to the rear corner of the dwelling and the northern boundary. The pool pump is enclosed/encased and is not considered to create any acoustical impacts upon the adjoining property to the north.	Yes
	Swimming pools/spas must be connected to the sewerage system.	Yes – connected to sewer.	Yes

Issue	Requirement/standard	Proposal	Compliance
4.1.10 - Fencing	Fencing/walls within the front setback are limited to 1m in height.	Front fencing is not proposed as part of this application.	Yes
	Side and rear boundary fencing generally 1.8m and subject to Dividing Fences Act 1991.	Side fencing is existing.	Yes

Note 1 – Solar Access and Overshadowing

A detailed assessment of the proposed shadows cast by the alterations and first floor additions is provided below. These comments are to be read in conjunction with the above table and applicable development controls contained in Part 3.4.1 of MDCP 2013.

9am

As demonstrated in Figure 5 below, the existing dwelling currently casts shadow on the most part of the adjoining property to the south, No. 10 Waterview Street. This shadow is shown in the light blue shading, the additional shadow created by the proposed first floor addition and the rear covered terrace/alfresco area is shown in dark blue shading. The additional shadow created by the first-floor addition does not create any additional adverse impacts as the existing shadow already falls within the rear open space area of No. 10 Waterview Street.

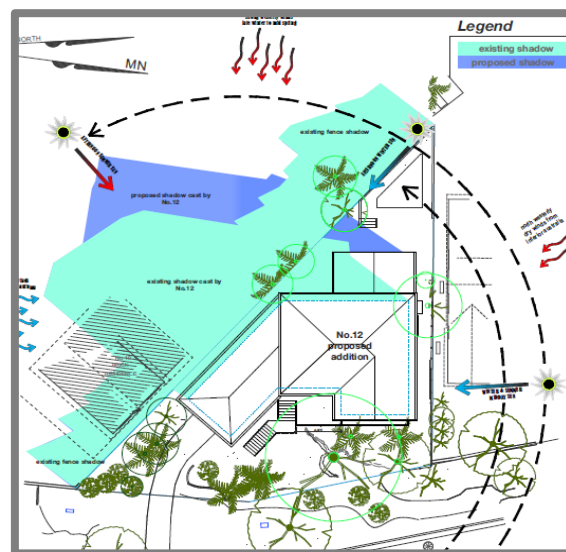


Figure 5 – 9am Shadows – Existing and Proposed.

12 Noon

As demonstrated by Figure 6 below, the shadows cast by the existing dwelling are indicated in light blue, and by 12noon have moved toward the east (front) of the site, allowing solar access to the rear open space of the adjoining dwelling to the south, No. 10 Waterview Street. The windows located in the northern external wall of No. 10 Waterview Street remain in shadow – existing. The additional shadow cast by the first-floor addition is indicated in dark

blue, and as evident by the shadow plan below, do not create any significant sunlight loss to the dwelling or the rear private open space area of No. 10 Waterview Street.

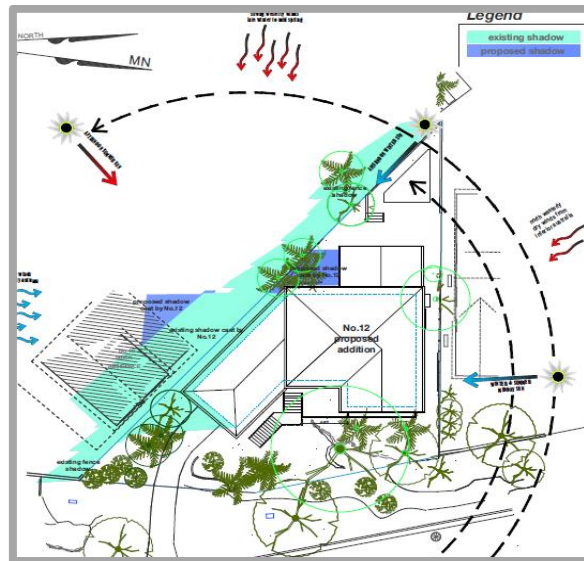


Figure 6 – 12noon Shadows – Existing and Proposed.

3pm

As demonstrated in Figure 7 below, the shadows cast by the existing dwelling (indicated in light blue) have completely moved away from the adjoining property to the south No. 10 Waterview Street, and instead fall heavily within the front setback of the subject site and across Waterview Street road and road reserve. The rear setback of the subject site is affected by overshadowing from the adjoining property to the north, No. 14 Waterview Street. The shadows cast by the proposed first floor addition do not create any adverse shadow impacts upon adjoining properties at the 3pm time station.

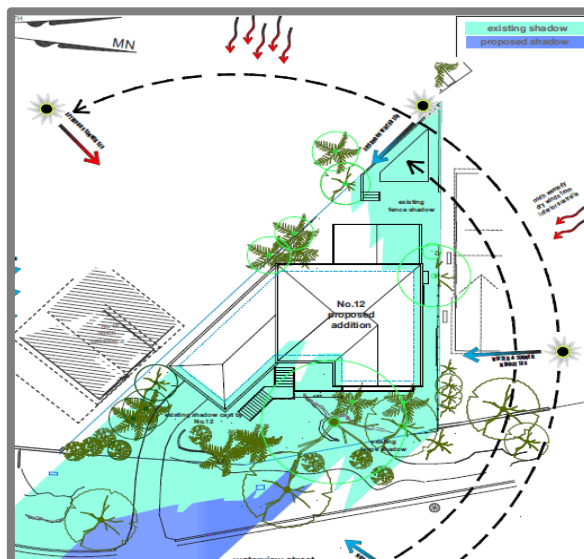


Figure 7 – 3pm Shadows – Existing and Proposed.

Summary

In summary, whilst the windows in the northern external wall, and rear private open space of No. 10 Waterview Street are overshadowed between 9am-12noon, these shadows are existing and the first floor addition does not create any additional adverse impacts upon these areas. Between 12noon-3pm the shadows have completely moved to the east toward Waterview Street, and therefore No. 10 Waterview Street will receive in excess of 2 hours solar access as required by the DCP for sites that have an east-west orientation.

The proposed first floor addition can therefore be considered to have very limited additional shadow impacts upon the adjoining property to the south No. 10 Waterview Street and is within acceptable parameters. The solar access requirements therefore satisfy the requirements of the DCP.

8. Assessment under Section 4.15 of the Act

a) heads of consideration in Section 4.15.

(a) the provisions of:

- (i) any environmental planning instrument, and
- (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and
- (iii) any development control plan, and
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

The proposed development has been assessed against all relevant SEPPs, the Manly LEP 2013 and the Manly DCP 2013 and is consistent with relevant objectives and requirements. There is no planning agreement relevant to the subject land or the proposed development.

b) the likely impacts of that development,

- The impact of the proposed development on the natural environment is negligible for reasons outlined in this Statement;
- The provisions for landscaped open space are achieved;
- The provisions for stormwater management are achieved;
- The proposed development will have a positive economic impact on the locality by way of increasing the quality of available housing stock in the area; and,
- The proposed development will also improve the value of the site.

- c) **the suitability of the site,**
The subject site is zoned to permit the proposed development. The proposal is in keeping with the character of the area and in this regard, the site is considered to be suitable for the proposed development.
- d) **any submissions made,**
Subject to the public exhibition period upon lodgement of the Development Application with Council and shall be addressed if any submissions are received/in due course.
- e) **the public interest.**
For the reasons outlined in this Statement, the proposed development is considered to be in the public interest.

9. Conclusion

The proposed development is permissible with development consent in the zone, and as has been detailed in this Statement is consistent with the development standards of the Manly LEP 2013 and Manly DCP 2013.

The proposed alterations and first floor addition to the existing residential dwelling provides an opportunity for reasonable and sympathetic development within its neighbourhood and locale. Careful consideration has been given to minimising overlooking, acoustic and overshadowing impacts upon adjoining properties by ensuring that the height of building is compliant and that a suitable amount of landscaped (deep soil) area is retained on the site for POS and water infiltration, with appropriate stormwater management incorporated into the design. Furthermore, the proposal provides substantial improvements to the present amenity and living conditions for current and future owners.

The proposed development will achieve a good planning outcome for the subject site, with negligible impacts upon the natural or built environment. It is therefore considered appropriate that development consent be granted for the alterations and first floor additions to the existing single storey dwelling, including rear terrace/alfresco area, in-ground swimming pool removal of five (5) site trees, and associated landscaping works at 12 Waterview Street, Seaforth.