



The Planning
Studio



24 Lauderdale Ave Fairlight

Statement of Environmental Effects
Alterations and additions to a dwelling
house

On behalf of
Kathryn Turner
September 2021

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1 General Information

This Statement of Environmental Effects (SEE) report has been prepared on behalf of Kathryn Turner to support a Development Application (DA) to Northern Beaches Council (Council) for alterations and additions to an existing dwelling house on the property.

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents.

Specifically, the SEE includes the following information:

- Description of the site in its local and regional context;
- Identification of the proposed works;
- Assessment of the project against Council's controls and policies;
- Assessment of all environmental impacts of the project; and
- Identification of measures for minimising or managing the potential environmental impacts.

The DA seeks approval for:

- Demolition of some ground-floor structures on site;
- Ground floor rear alterations to provide a new living, dining bathroom and kitchen area;
- Replacement glazing and new glazing to the front covered area/ porch facing Lauderdale Ave; and
- Landscaping works to the rear garden, including tree removal and new swimming pool.

Noble Architecture has calculated the cost of development for the proposal to be \$158,050 refer to **Appendix 6: Cost Summary Plan**

A comprehensive planning and environmental assessment of the proposal is provided in **Sections 4 and 5** of this report. This SEE is also accompanied by the following Appendices:

Appendix 1: Survey Plan

Appendix 2: Architectural Drawings

Appendix 3: Arborist Report

Appendix 4: Stormwater Drainage Asset Plan

Appendix 5: BASIX Certificate

Appendix 6: Cost Summary Plan



2 The Site

2.1 Site Location

The subject site is located in a general residential precinct between Manly Wharf and Fairlight Beach which is in the Northern Beaches LGA. The site currently comprises a single residential dwelling and has a site area of 459m². The site is relatively flat and is approximately 150m (as the crow flies) to the north of Fairlight beach.

The site is surrounded by a mix of residential building types including residential dwellings, residential flat buildings and multi dwelling housing. Photos of the site and its surroundings are provided in the Figures below.



Figure 1: Subject Site (Sixmaps)



Figure 2: Existing dwelling from Lauderdale Ave (Noble Architecture)





Figure 3: Properties to the west of subject site (Noble Architecture)



Figure 4: Properties to the south of subject site (Noble Architecture)

2.2 Site Description

Table 1 provides the legal description, and a brief summary of the site and surrounding context. In addition, a survey plan of the site is provided at **Appendix 1: Survey Plan**.

Table 1 – Site Description	
Item	Description
Legal Description:	1/DP959013
Total Area	459 m ² (approx.)
Location	24 Lauderdale Ave Fairlight
Street Frontage	Approximately 9m to Lauderdale Ave
Site Description and Surrounds	<p>The subject site contains one detached dwelling house on a single torrens title lot.</p> <p>Lauderdale Ave is a largely residential street that winds steeply from the Crescent into Manly Wharf and to Condamine Street in Balgowlah. A few local shops sit along the road, but the key local centres are in Balgowlah and Manly respectively.</p> <p>The site is in general proximity from a number of park and other recreation opportunities, including Fairlight beach.</p> <p>The surrounding development is not in a conservation area and includes a wide range of dwelling types (single dwellings to high density residential flat buildings) with no set or predominant built form character.</p>

2.3 Development background

The site obtained development consent earlier in 2021 (2021/0226) for alterations and additions to the dwelling house for a new hardstand off-street parking area to enable one resident parking space and one visitor space facing Lauderdale Ave.



3 The Proposal

3.1 Development Summary

The proposal seeks approval for:

- Demolition of some ground-floor structures on site;
- Ground floor rear alterations to provide a new living, dining bathroom and kitchen area;
- Replacement glazing and new glazing to the front covered area/ porch facing Lauderdale Ave; and
- Landscaping works to the rear garden, including tree removal, replacement trees and landscaping, and new swimming pool.

Architectural Drawings have been provided in **Appendix 2: Architectural Drawings**. Further detail regarding elements of the proposal is provided in the Table below.

Planning Matter	Description
Site Area	459m ²
Height	No change to existing roof ridge RL23.210
FSR	0.32:1 (145sqm)
Landscape Area	127sqm (35%)
Total Open Space	254sqm (55.14%) and pool is 31.7sqm (12.45%) of total open space.

3.2 Dwelling alterations

The Figure below shows the demolition and works proposed for the ground-floor of the dwelling. The works will include new internal and external updates to the site to convert the front porch area into an enclosed sunroom, and to deliver a new kitchen, bathroom, living and dining area at the rear of the site.

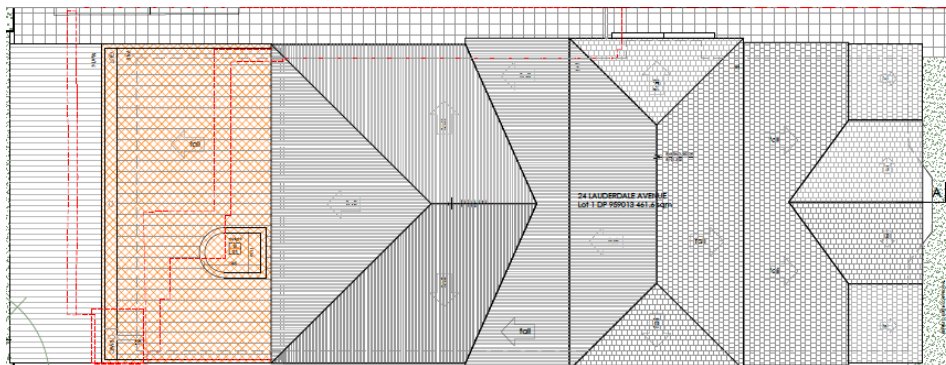


Figure 6: Roof plan showing changes proposed to rear roof addition (Noble Architecture)



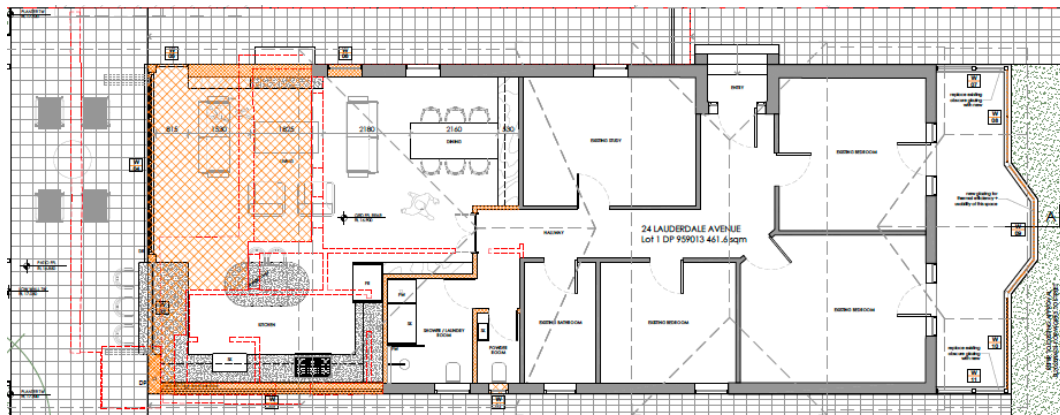


Figure 7: Ground floor plan showing internal and external alterations (Noble Architecture)

3.3 Landscaping and open space

In addition to the alterations proposed to the dwelling, the application proposes alterations to the rear yard area, with new tree planting, landscaping and a swimming pool at the rear of the property. Refer to the Figures below.

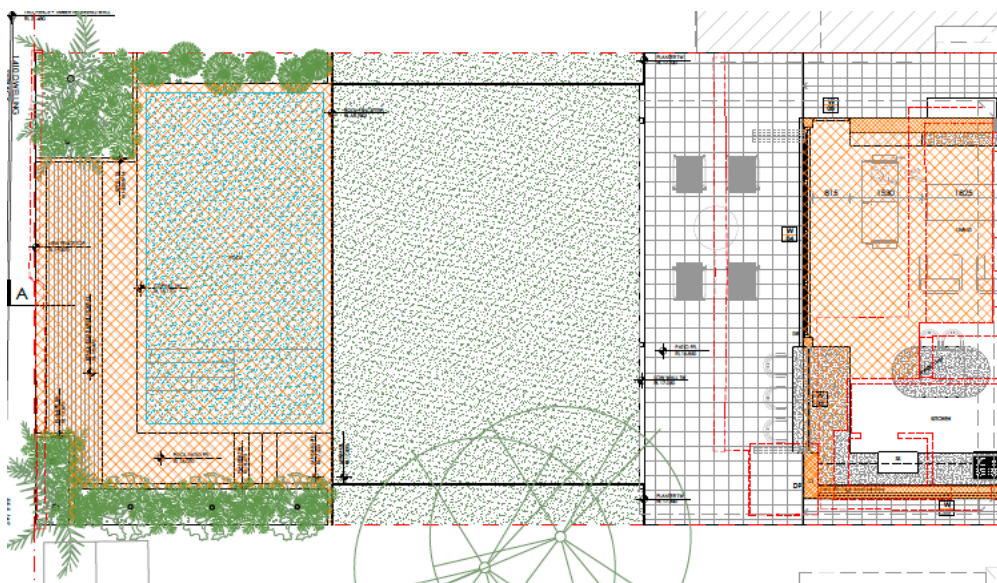


Figure 8: Proposed landscaping plan (Noble Architecture)

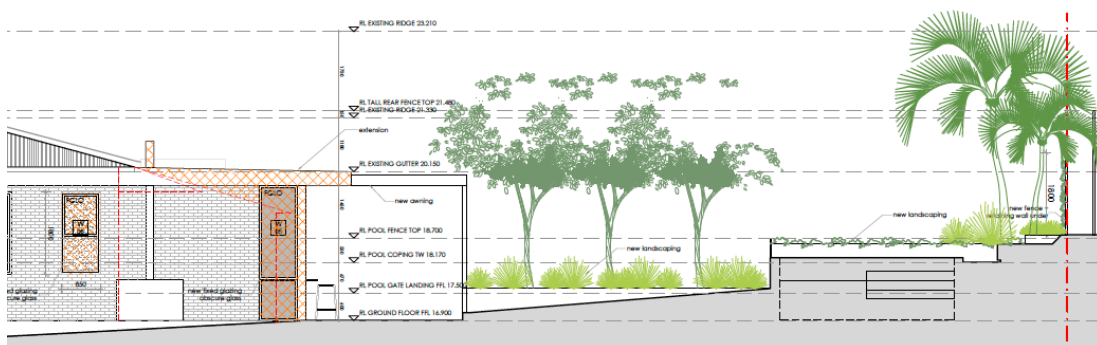


Figure 9: Proposed eastern elevation showing landscaping in rear yard (Noble Architecture)



4 Planning Assessment

An assessment of the proposal against the relevant planning and environmental legislation and guidelines to identify potential environmental impacts and mitigation measures is provided in this Section.

4.1 State Environmental Planning Policies (SEPPs)

4.1.1 SEPP BASIX

The Building Sustainability Index (BASIX) was introduced by the NSW Government to deliver equitable water and greenhouse gas reductions across the state. A BASIX Certificate has been prepared and is attached in **Appendix 5: BASIX Certificate**.

4.1.2 SEPP (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Council may authorise vegetation clearing provided that:

- the clearing does not exceed the biodiversity offsets scheme threshold pursuant to the Biodiversity Conservation Act 2016;
- the vegetation is not part of a heritage item or a heritage conservation area, or
- the vegetation neither is or forms part of an Aboriginal object or that is an Aboriginal place of heritage significance.

The subject application will not result in the clearing of any native vegetation or clearing that exceeds the biodiversity offsets scheme, and does not involve clearing that is, or forms, part of a heritage item or a heritage conservation area, or is, or forms, part of an Aboriginal object or that is a known Aboriginal place of heritage significance.

4.1.3 SEPP 55 – Remediation of Land

The aim of SEPP 55 is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. In accordance with Section 7 of SEPP 55, a consent authority must not consent to the carrying out of development on land unless:

- a) *it has considered whether the land is contaminated, and*
- b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*



This Policy applies to the whole of the State of New South Wales.

Clause 7 of the SEPP requires the contamination and remediation of land to be considered in determining development applications.

The land has in the past been used exclusively for residential purposes. There is no property history to suggest that any contaminating uses occurred on the site or in the vicinity.

Council can therefore be satisfied that the land is not contaminated, and remediation of the land is not required. The land is therefore suitable for its continued use for residential purposes.

It is also noted that the previous development consent granted for the property earlier this year (D/2021/0226) agreed that Clause 7 of the SEPP is satisfied.


4.2 Manly Local Environmental Plan 2013 (MLEP2013)

The MLEP2013 is the primary local planning instrument applying to the site. The table below provides a summary of the key development standards that apply to the site.

Table 3 – Manly LEP 2013		
Item	Control	Assessment
Land Use Zones (2.1)	 R1- General Residential	Complies
Height of Buildings (4.3)		Complies No change is proposed to existing building height, which complies with the 8.5m height control



Table 3 – Manly LEP 2013

Item	Control	Assessment
Floor Space Ratio (4.4)		<p>Complies</p> <p>The proposal has 145sqm of GFA, which is a FSR of 0.32:1</p>
Foreshore Protection (Clause 6.9)	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters—</p> <p>(a) impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,</p> <p>(b) measures to protect and improve scenic qualities of the coastline,</p> <p>(c) suitability of development given its type, location and design and its relationship with and impact on the foreshore,</p> <p>(d) measures to reduce the potential for conflict between land-based and water-based coastal activities.</p>	<p>Complies</p> <p>The subject proposal does not include any built form that would impact on the visual amenity of harbour or coastal foreshore.</p>



4.3 Manly Development Control Plan 2013 (MDCP2013)

The MDCP2013 is the primary Development Control Plan that applies to the site and sets out the core controls for the site. This Section provides an assessment of the relevant DCP controls for alterations and additions to a single dwelling, and the proposal's consistency with it.

4.3.1 Section 3.4.1 Sunlight Access and Overshadowing

Clause 3.4.1.1(a) states "New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June) ".

The application is accompanied by shadow diagrams, which form part of **Appendix 2: Architectural Drawings**. As shown in the Figures below, the proposal creates minor additional overshadowing (less than a third of existing sunlight) to the rear yard of the western neighbour up till midday at June 21st. The proposal creates no additional overshadowing to the living areas of the neighbour and therefore complies with Council's controls.



Figure 10: Proposed additional overshadowing (Noble Architecture)

4.3.2 Section 3.7 Stormwater Management

The application is accompanied by Stormwater Management Plans and an OSD Checklist, which are shown in **Appendix 4: Stormwater Drainage Asset Plan** and demonstrate consistency with Section 3.7 of the DCP.



4.3.3 Section 4.1.4 Setbacks

The application proposes no change to the existing street front setback or side setbacks. The proposal has a very minor addition to the rear that continues to comply with 8m required rear setback.

4.3.4 Section 4.1.5 Open Space and Landscaping

The site is located within Open Space Area 3, which requires at least 55% of the site area for Total Open Space (TOS) and a minimum landscaped area of 35% of the total open space. The current application complies with both these provisions, with 254.52sqm of TOS (55.14%) and the planting area comprising 123sqm or 48% of the TOS. Refer to the Figure below for the TOS and Landscaped Area calculations.

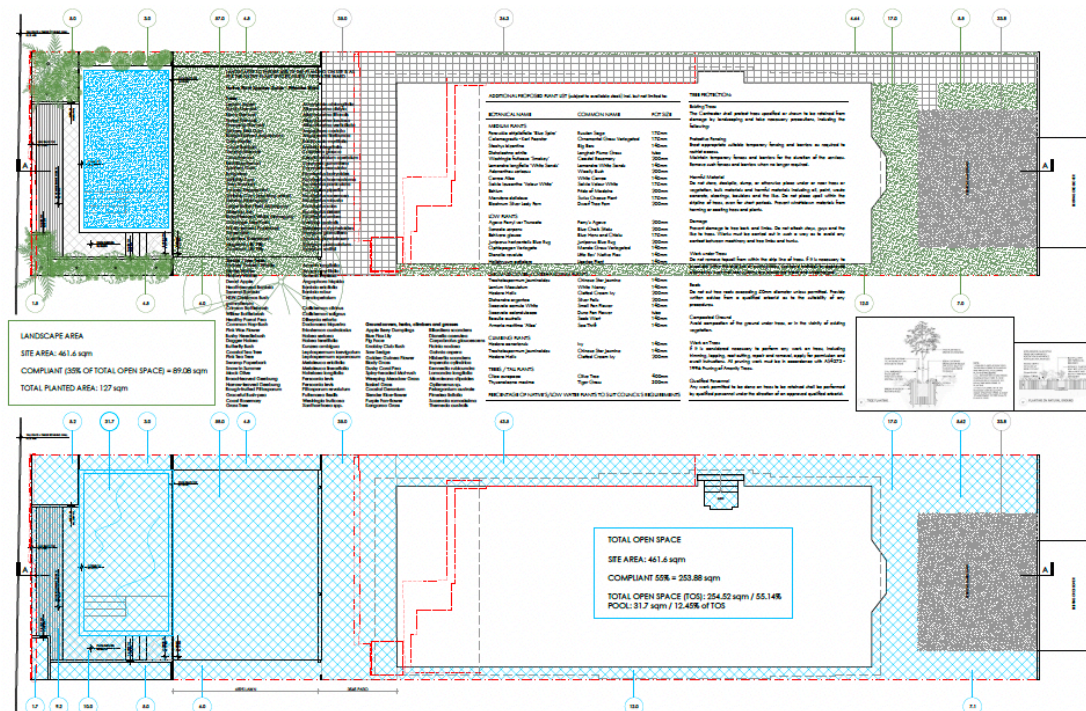


Figure 11: Total Open Space and Landscape Area (Noble Architecture)

Control 4.1.5.2(c) requires that the landscaping on site include that 1 native tree be provided. The landscape plan shows significant new planting to occur on site, including native trees and therefore complies.

4.3.5 Section 4.1.9 Swimming Pools, Spas and Water Features

As shown in the architectural drawings and the figure above, the application also proposes a new in-ground swimming pool. The pool sits in-ground and complies with Clause 4.1.9.1(a), and sits within the rear yard (4.1.9.2). The pool will comprise only 12% of TOS and therefore complies with 4.1.9.3.

5 Environmental Assessment

An assessment of the proposal against the relevant environmental consideration and guidelines to identify potential environmental impacts and mitigation measures is provided in the subject Section. The potential environmental impacts and their mitigation measures are discussed below.

5.1 Arborist report

The development has been accompanied by an Arborist Report, which can be found in **Appendix 3: Arborist Report**. The arborist report demonstrates that of the trees affected by construction, five are exempt from requiring consent for removal (T2, T3, T4, T7 and T8) and therefore have not been considered in the report.

Of the three remaining trees (T1, T5 and T6), only T1 will require removal due to the impact of the pool offset distance being approximately 1m and Pool Safety Fence regulations. Root protection measures are included in the report to ensure retention and safety of Trees 5 and 6. It is also noted from the landscaping plans, that a large number of new trees will be planted as part of the overall development to offset the loss of T1.

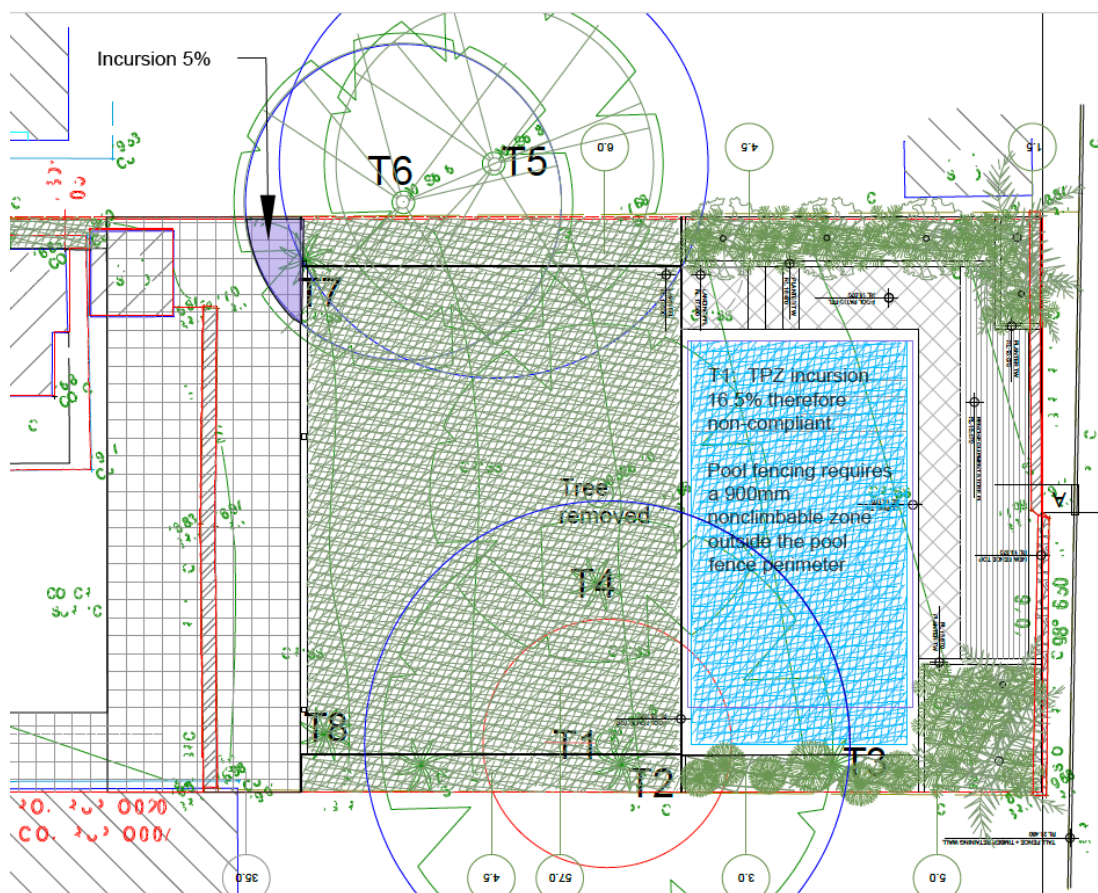


Figure 12: Tree Identification Plan (Margot Blues Consulting Arborist)



6 Summary and Conclusion

6.1 Section 4.15 Assessment Summary

The Table below provides an overview of the proposal's consistency with the requirements of Section 4.15 (Evaluation) of the Act.

Table 4 – Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(1)	Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a)(i)	The provision of: Any environmental planning instrument, and	Complies The proposal is consistent with the provisions of the Manly LEP 2013
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	N/A There are no draft LEP's currently applicable to the land.
(iii)	Any development control plan, and	Complies The proposal is consistent with the provisions of the Manly DCP 2013.
(iiia)	Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and	Not Applicable
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Not Applicable
(v)	Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,	Not Applicable



Table 4 – Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Complies
(c)	The suitability of the site for the development,	Complies
(d)	Any submissions made in accordance with this Act or the regulations,	To be undertaken during assessment
(e)	The public interest.	Complies

6.2 Conclusion

This SEE has been prepared on behalf of Kathryn Turner to support a development application to Northern Beaches Council for alterations and additions to a dwelling house and associated landscaping.

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPAA).

A Planning Assessment has been undertaken in Section 4 of this report, supported by additional consultant studies as per the requirements of Council, which are detailed in the Environmental Assessment in Section 5, which has found the associated impacts of the proposal to be minimal and manageable.

Therefore, we request that Council recommend that the proposed development be granted consent.



7 Appendices

7.1 Appendix 1: Survey Plan

7.2 Appendix 2: Architectural Drawings

7.3 Appendix 3: Arborist Report

7.4 Appendix 4: Stormwater Drainage Asset Plan

7.5 Appendix 5: BASIX Certificate

7.6 Appendix 6: Cost Summary Plan

