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STATEMENT OF ENVIRONMENTAL EFFECTS

For Alterations and Additions

No. 4 LAURA STREET, SEAFORTH NSW 2092

Prepared on behalf of Marcelle Carr

by Amanda Elboz *Director*
Space Landscape Designs Pty Ltd

26th May 2020

1.0 Site Description and Location

The site is known as 4 Laura Street, Seaforth or Lot 4, D.P. 249261. The site is located on the low side of Laura Street has a northern street frontage and area of 976.2m². The rear of the site falls steeply approximately 9.5m from the rear patio level to Middle Harbour foreshore.

Currently the site contains a multi storey single dwelling. There is an existing pool with terraced retaining walls and steps leading down to the foreshore with two jetties.

Alterations and additions have occurred in 2010 including a second floor addition, new roof and extended garage. A new jetty has been constructed which was approved under Transport Roads & Maritime Services DA 13/113 dated 14/11/13. A DA was approved in 2015 for a new seawall, retaining walls and modification to boatshed.

The surrounding area consists of low density residential developments. The site enjoys uninterrupted views across Middle Harbour.



Image 1 – Subject Site courtesy of Northern Beaches Council

2.0 Locality and Planning

The site is located within Northern Beaches Council.

The proposed development has been prepared in accordance with Manly Local Environmental Plan (LEP) 2013 and Manly Development Control Plan (DCP) 2013. Consideration has also been given to the Coastal Management Act 2016, State Environmental Planning Policy (Coastal Management) 2018, Sydney Harbour Catchment Regional Environment Plan, 2005 and Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005.

3.0 Proposed Works

The proposal is for alterations and additions to the existing dwelling house. They consist of the following:

- a. New fibre cement privacy screen on existing balcony
- b. New roof to existing balcony
- c. New balustrade to existing balcony

4.0 State Environmental Planning Policy (Coastal Management) 2018

State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP) took effect on 3 April 2018.

The site is located on both the 'Coastal Environment Area' and 'Coastal Use Area' maps but not included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Therefore clauses 13, 14 and 15 of the Coastal Management 2018 SEPP are relevant. However, as the site is located under the Sydney Harbour Foreshores and Waterways Area, Clauses 13 and 14 do not apply to this site.

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comments

The proposed works are to the front of the existing dwelling. Therefore there will be no adverse impacts on the land or neighbouring land.

Coastal Management Act 2016

27 Granting of development consent relating to coastal protection works

(1) Development consent must not be granted under the [Environmental Planning and Assessment Act 1979](#) to development for the purpose of coastal protection works, unless the consent authority is satisfied that:

(a) the works will not, over the life of the works:

(i) unreasonably limit or be likely to unreasonably limit public access to or the use of a beach or headland, or

Comment

No impact. The proposed works are to the front of the existing dwelling. There is currently no public access.

(ii) pose or be likely to pose a threat to public safety, and

Comment

N/A.

(b) satisfactory arrangements have been made (by conditions imposed on the consent) for the following for the life of the works:

(i) the restoration of a beach, or land adjacent to the beach, if any increased erosion of the beach or adjacent land is caused by the presence of the works,

(ii) *the maintenance of the works.*

(2) *The arrangements referred to in subsection (1) (b) are to secure adequate funding for the carrying out of any such restoration and maintenance, including by either or both of the following:*

(a) *by legally binding obligations (including by way of financial assurance or bond) of all or any of the following:*

(i) *the owner or owners from time to time of the land protected by the works,*

(ii) *if the coastal protection works are constructed by or on behalf of landowners or by landowners jointly with a council or public authority—the council or public authority,*

Note.

Section 80A (6) of the [Environmental Planning and Assessment Act 1979](#) provides that a development consent may be granted subject to a condition, or a consent authority may enter into an agreement with an applicant, that the applicant must provide security for the payment of the cost of making good any damage caused to any property of the consent authority as a consequence of the doing of anything to which the consent relates.

(b) *by payment to the relevant council of an annual charge for coastal protection services (within the meaning of the [Local Government Act 1993](#)).*

(3) *The funding obligations referred to in subsection (2) (a) are to include the percentage share of the total funding of each landowner, council or public authority concerned.*

Comment

N/A. No beach or adjacent beach will be effected. The new works are to be funded and maintained by the owner.

5.0 Planning Controls

The subject site is zoned E3 Environment Management. The proposed development is permissible within the zone, with consent from the consent authority.

Provisions of Manly LEP 2013 as relevant to the proposed development:

Minimum subdivision lot size	- Not applicable
Height of buildings	- 8.5m
Floor Space Ratio	- 0.4:1
Acid Sulfate Soils	- The proposal will not lower the water table to below 1 metre and therefore not likely to impact upon Acid Sulphate Soils.

The site has the following zoning:

Residential Open Space Area OS4

Geotechnical Landslip Hazard

Site does not contain endangered species, a heritage item or located in heritage area

Land does comprise of Biodiversity

The site is not located on Bushfire Prone Land

The site is located within the Foreshore Area and on Scenic Protected Land

6.0 Manly Development Control Plan 2013

The objectives of the primary controls set out in the Manly DCP and the compliance with those controls are outlined below.

PART 3

3.1 Streetscape and Townscape

3.1.1 Streetscape (Residential areas)

There will be no change to the existing streetscape. The existing balcony is located on the eastern side adjacent to the rear of the neighbours garage (see Image 2 of Site Photos).

The proposed works will complement the existing dwelling. The balustrade will match existing balustrades with the fibre cement privacy screen to match the existing cladding on the dwelling. There is no change to the existing building height.

Therefore the proposed works will not be visible from the street and will not detract from the existing streetscape.

3.1.1.3 Roofs and Dormer Windows

The balcony roof will be minimal measuring only 1.75m². It will consist of a solid roof to cover the triangle corner void. The remainder of the roof will be metal battens with transparent polycarbonate roof sheeting over. There will be no view loss to the neighbouring site as the works are adjacent to their garage.

3.1.1.4 Garages, Carports and Hardstand Areas

N/A

3.2 Heritage Considerations

The site does not contain a heritage item nor is it located in a heritage conversation area.

3.3 Landscaping

3.3.1 Landscaping Design

There is no changes to the existing landscape. The works are to an existing balcony and will have no effect on existing vegetation.

3.3.2 Preservation of Trees or Bushland Vegetation

No existing trees are to be removed.

3.4 Amenity

The proposal will not result in any loss of sunlight, privacy or views to neighbours.

The balcony is adjacent to the neighbour garage. The neighbours garage is built up to the boundary with the outer wall unfinished and unsightly from the owners balcony (see Image 4 of Site Photos). The privacy screen wall will increase privacy as the balcony is off a bedroom and the garage window can look into the bedrooms.

3.4.1 Sunlight and Overshadowing

The roof is only 1.75m², above the existing balcony and below the existing roof. The balcony is adjacent to a garage and not the private open space of the neighbouring dwelling.

No additional afternoon shadows would fall on the neighbours garage as it is below the height of the existing dwelling.

3.4.2 Privacy and Security

There will be no loss of privacy to adjoining properties. The proposal is to increase privacy between the bedrooms balcony and neighbours adjacent garage window. The fibre cement solid screen will prevent overlooking into the garage of the neighbor.

3.4.2.3 Acoustical Privacy

The screen will provide an acoustic barrier between the balcony and neighboring garage.

3.4.3 Maintenance of Views

No views will be affected

3.5 Sustainability

As the value of works is less than \$50,000 a Basix Certificate is not required.

3.6 Accessibility

N/A

3.7 Stormwater Management

The roof is over an existing balcony and will be connected into the existing stormwater system via a new downpipe. Therefore there will be no additional stormwater runoff.

3.8 Waste Management

During construction, rubble and waste will be disposed of into a skip located on site. All waste will be disposed of by suitable contractors and be recycled where possible.

The proposed development will not produce additional household waste. The current household waste will continue to be dealt with according to council guidelines.

3.9 Mechanical Plant Equipment

N/A

3.10 Safety and Security

As new balustrade is proposed to comply with BCA.

PART 4 Residential Development Controls

4.1 Residential Development Controls

4.1.2 Height of Buildings – 8.5m

No changes are proposed to the height of the existing building.

4.1.2.2 Number of Storeys

N/A

4.1.2.3 Roof Height

The proposed roof will be flat and 3.1m high. It will sit 110mm below the existing roof line

4.1.3 Floor Space Ratio – 0.4:1

N/A. The proposed works is to an existing external balcony.

4.1.4 Setbacks

No change to existing setbacks. The existing streetscape is maintained.

4.1.4.1 Street Front Setbacks

No change to existing street front setback

4.1.4. Side setbacks and secondary street frontages

The existing balcony is located 65mm from the eastern side boundary with the neighbours garage located on the boundary. The new roof will have the same setback of 65mm to cover the existing balcony.

4.1.5 Open Space and Landscaping

The site is area OS4 and requires Minimum of 60% open space. Of this 40% is Landscape Area.

Site Area	976.2m ²	
Minimum Open Space	60% of site (585.7m ²)	
Existing Open Space	52% (562.7m ²)	NON COMPLIANCE
Proposed Open Space	52% (562.7m ²)	NON COMPLIANCE
Minimum Landscape Area	40% of open space (234.2m ²)	
Proposed Landscape Area	17% (98.1m ²)	NON COMPLIANCE

The site currently does not comply with Open Space or Landscape Area requirements. The proposal is for works to an existing balcony.

A variation is therefore sought for Open Space and Landscape Area requirements given that the proposal results in no change to the existing site.

4.1.6 Parking

N/A

4.1.7 First Floor and Roof Additions

N/A

4.1.8 Development on sloping sites

The property is identified as Landslide Risk Land. A Geotechnical Report has not been submitted as there is no excavation involved and all new works are to an existing balcony.

4.1.9 Swimming Pools, Spas and Water Features

N/A.

4.4 Other Development

4.4.5 Earthworks

N/A

4.4.5.3 Filling

N/A

4.4.5.4 Retaining Walls

N/A

PART 5

5.4 Environmentally Sensitive Lands

5.4.1 Foreshore Scenic Protection Area

The property rests within a Foreshore Scenic Protection area. The proposed changes are to the side balcony near the front of the existing dwelling. The works will not be visible from the foreshore. The following has been considered with the proposed works;

- there will be neither loss of amenity nor overshadowing of the foreshore from the works.
- there will be no loss of view from a public place to the foreshore
- the proposal will not decrease the visual quality of the foreshore.

Threatened Species

The land is not known to contain any threatened species nor is it situated as an area of habitat for the little penguin or long nosed bandicoot.

7.0 Summary

The proposal has been designed to improve the amenity of the existing site. It will improve privacy between the owners bedroom balcony and neighbouring garage. The privacy screen will cover the neighbours unfinished wall with a balustrade for safety.

The proposed development demonstrates substantial compliance with the objectives of Council's Development Control Plan with the exception of Open Space and Landscape Area. The new works are to an existing balcony which does not alter the existing site Open Space or Landscaping.

The new works will not be visible when viewed from Middle Harbour. Therefore the proposal is consistent with the objectives of Manly LEP 2013 and Manly DCP 2013.

We trust that Council will view this application favourably.

SITE PHOTOS



Image 2 – Subject Site Street View courtesy of Google Maps

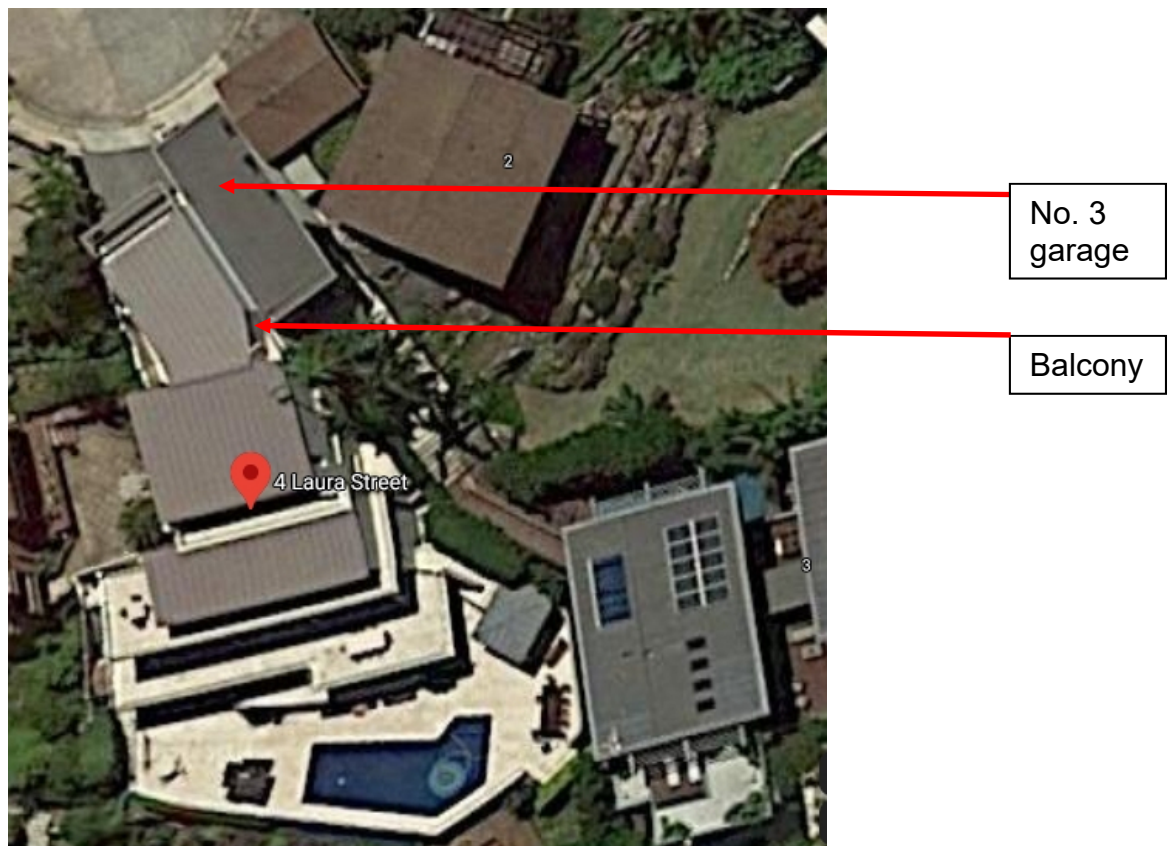


Image 3 – Subject Site Aerial View courtesy of Google Maps



No. 3 garage
showing exposed
unfinished wall

Owners
dwelling

Image 4 – Existing balcony showing neighbours unfinished wall