

Statement of Environmental Effects



Property - Unit 1/6 Jackson Street, Balgowlah NSW 2093

Patio Roof

Unit 1/6 Jackson Street, Balgowlah NSW 2093

Lot 1 Deposited Plan 74337

by

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The proposed development at **Unit 1/6 Jackson Street, Balgowlah NSW 2093** is subject to the **NSW State Environmental Planning Policy 2021, Manly Local Environmental Plan 2013, and the Manly Development Control Plan 2013**

1. Site Description & Analysis

The proposed development site is located at **Unit 1/6 Jackson Street, Balgowlah NSW 2093**. The site is known as Lot 1 in Deposited Plan 74337 and is zoned **R1: General Residential**. The lot is a regular shaped parcel of land facing Jackson Street, Balgowlah. The subject site is located within an established residential zone with an area of approximately 841.63sm. The size and style of dwellings, as well as the size of allotments in the immediate vicinity of the subject site is typical of the locality and lends itself to the proposed development. The subject site is contained within the vicinity of local shops and public transport and primary roads.



The proposed Patio Roof conforms to the Council Development Control Plan and other relevant codes & regulations except for building height, for which a exception is being sought

The property in question is subject to the zoning objectives of the NSW State Environmental Planning Policy 2021, Manly Local Environmental Plan 2013, and the Manly Development Control Plan 2013, which state the

R1: General Residential

1.1 Objectives of zone

- 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.

2 Permitted without consent - Home-based childcare, Home occupations.

3 Permitted with consent - Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tank-based aquaculture; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited - Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3

In consideration of the proposal, none of the above Zoning objectives will be changed.



Aerial location map of subject site 6 Jackson Street, Balgowlah NSW 2093

2. Description of the proposal

The proposed construction consists of a Louvre Patio Roof, using colours that will complement the existing dwelling. The total size of the proposal is approx. 14.70m². and to be constructed in accordance with

manufacturer's specifications and in accordance with relevant Australian Standards and National Construction Code.

3. Relevant Planning Controls

The property is subject to the controls established in:

- **NSW State Environmental Planning Policy 2021**
- **Manly Local Environmental Plan 2013**
- **Manly Development Control Plan 2013**

4. Existing uses

The existing site is residential and there will be no change to this usage.

The proposal requires approval for construction of a Louvred Patio Roof.

- The Principal Development Standards in accordance with the Manly Development Control Plan 2013 are the following:

R1: General Residential

1.7 Aims and Objectives of this Plan

The General Aims of this plan are to:

- Ensure that development contributes to the quality of the natural and built environments.
- Encourage development that contributes to the quality of our streetscapes and townscapes.
- Ensure that development is economically, socially and environmentally sustainable and to require the principles of ecologically sustainable development to be taken into consideration when determining DAs.
- Ensure future development has consideration for the needs of all members of the community.
- Ensure development positively responds to the qualities of the site and its context.
- Ensure development positively responds to the heritage and character of the surrounding area.

3.3.1 Landscaping Design

See also Schedule 4 - Part B - Native Tree Selection

See also Schedule 4 - Part C - Plant selection for energy efficiency

See also paragraph 3.5 Sustainability.

See also paragraph 4.1.5 Open Space and Landscaping.

Relevant DCP objectives to satisfy in relation to this part include the following:

Objective 1 - To encourage appropriate tree planting and maintenance of existing vegetation.

Objective 2 - To retain and augment important landscape features and vegetation remnant populations of native flora and fauna. – **Complies – no change in current landscaping**

3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)

Relevant DCP objectives to be met in relation to these paragraphs include the following:

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 including noise and vibration impacts.

Objective 2 - To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.

Designing for Amenity

- a) Careful design consideration should be given to minimise loss of sunlight, privacy, views, noise and vibration impacts and other nuisance (odour, fumes etc.) for neighbouring properties and the development property. This is especially relevant in higher density areas, development adjacent to smaller developments and development types that may potentially impact on neighbour's amenity such as licensed premises.
- b) Development should not detract from the scenic amenity of the area. In particular, the apparent bulk and design of a development should be considered and assessed from surrounding public and private viewpoints.
- c) The use of material and finishes is to protect amenity for neighbours in terms of reflectivity. The reflectivity of roofs and glass used on external walls will be minimal in accordance with industry standards. See also Council's Administrative Guidelines regards DA lodgement requirements for materials and finishes. – **Complies – no change in current amenities**

3.7 Stormwater Management

See also NSW Road and Maritime Services standard requirements for the management of stormwater in relation to development near the foreshore.

Relevant objectives to satisfy relation to this part include the following:

Objective 1 - To manage urban stormwater within its natural catchments and within the development site without degrading water quality of the catchments or cause erosion and sedimentation.

Objective 2 - To manage construction sites to prevent environmental impacts from stormwater and protect downstream properties from flooding and stormwater inundation.

Objective 3 - To promote ground infiltration of stormwater where there will be no negative (environmental) impacts and to encourage on-site stormwater detention, collection and recycling.

Objective 4 - To make adequate arrangements for the ongoing maintenance of stormwater facilities. –

Complies - Connected to the existing stormwater facilities.

4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)

Note: While the LEP contains Height of Buildings development standard and special height provisions, these paragraphs control the wall and roof height and the number of storeys within and in support of the LEP provisions in relation to residential development.

LEP objectives for the Height of Buildings at clause 4.3 are particularly applicable to controls at paragraph 4.1.2 of this DCP.

See also paragraph 4.1.7 *First Floor and Roof Additions*.

See also LEP clause 4.6 *Exceptions to Development Standards*.

a) LEP Zones where numeric height controls in this DCP apply

Height controls under paragraph 4.1.2 of this plan apply to development in LEP Zones R1, R2, R3, E3 and E4. This part of the DCP does not apply to development of other lands subject to the LEP Height of Building standard identified on the LEP Height of Building Map.

See also paragraph 4.2 of this plan in relation to height controls and considerations in the LEP Business Zones.

b) Exceptions to Height

Where an existing building exceeds the maximum height controls in this plan or the height of building standards in the LEP, any alterations and/or additions to the building must not increase the overall

height of the existing building.

See also paragraph 4.1.7.2 *Habitable Rooms in the Roof Structure*. - **Complies – the proposed patio roof does not increase the existing building height.**

4.1.4 Setbacks (front, side and rear) and Building Separation

Note: This section addresses the buildings' setback from its various property boundaries.

Relevant DCP objectives to be met in relation to this part include:

Objective 1 - To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.

Objective 2 - To ensure and enhance local amenity by:

- providing privacy;
- providing equitable access to light, sunshine and air movement; and
- facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.
- defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and
- facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.

See also objectives at paragraph 3.4 Amenity.

Objective 3 - To promote flexibility in the siting of buildings.

Objective 4 - To enhance and maintain natural features by:

- a) accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;
- b) ensuring the nature of development does not unduly detract from the context of the site and particularly
- c) in relation to the nature of any adjoining Open Space lands and National Parks; and
- d) ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.

Objective 5 - To assist in appropriate bush fire asset protection zones.

- Complies – no change to existing setbacks or building separation.

Note: In addition to the setbacks required in this plan, residential development subject to the Residential Apartment Code is subject to additional setback requirements for adequate building separation to achieve reasonable levels of privacy e.g. 12m separation between habitable rooms and balconies between buildings up to 4 storeys either on the same site or across a site boundary to a neighbouring building.

4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

Relevant DCP objectives to be met in relation to these paragraphs include:

Objective 1 - To provide accessible and adequate parking on site relative to the type of development and the locality for all users (residents, visitors or employees).

Objective 2 - To reduce the demand for on-street parking and identify where exceptions to onsite parking requirements may be considered in certain circumstances.

Objective 3 - To ensure that the location and design of driveways, parking spaces and other vehicular access areas are efficient, safe, convenient and are integrated into the design of the development to minimise their visual impact in the streetscape.

Objective 4 - To ensure that the layout of parking spaces limits the amount of site excavation in order to avoid site instability and the interruption to ground water flows.

Objective 5 - To ensure the width and number of footpath crossings is minimised.

Objective 6 - To integrate access, parking and landscaping; to limit the amount of impervious surfaces and to provide screening of internal accesses from public view as far as practicable through appropriate landscape treatment.

Objective 7 - To encourage the use of public transport by limiting onsite parking provision in Centres that are well serviced by public transport and by encouraging bicycle use to limit traffic.

congestion and promote clean air. – **Complies – no change in current Parking, Vehicular Access and Loading (Including Bicycle Facilities)**

4.3 Height of buildings

(1) The objectives of this clause are as follows--

(a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,

- The proposed pergola roof will be attached below roof level to the rear of an existing building, which is constructed on a significant slope;
- The maximum height of the proposed pergola roof will be well below the overall height of the existing building.
- The overall height of the sides and rear of the existing building already exceed the 8.5 m standard.
- The height of the building at street level is not affected and is in compliance.
- The development will have no impact on the streetscape.

(b) to control the bulk and scale of buildings,

- The proposed pergola is fully compatible with the scale and height of surrounding developments, many of which exceed the 8.5m height standard. The nearest neighbouring property (8 Jackson Street), recently built strata building, extends further out on the same slope and has a large, covered balcony, the roof of which is higher than that of the proposed development. The overall height of 8 Jackson Street, as viewed from both a westerly direction (from the street) and an easterly direction (from North Harbour Reserve) is higher than 6 Jackson Street.
- The attached photographs provide supporting evidence.

(c) to minimise disruption to the following--

(i) views to nearby residential development from public spaces (including the harbour and foreshores),
 (ii) views from nearby residential development to public spaces (including the harbour and foreshores),
 (iii) views between public spaces (including the harbour and foreshores),

- The proposed pergola is an open structure on all sides and the louvered roof section will be fully or partially open much of the time, meaning that the structure will mainly appear open when viewed from below.
- The development, which is open sided, will have no impact on views to or from nearby residential developments or to or from public spaces and will have no impact on views between public spaces.

(d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,

- The development will have no impact on solar access to private or public open spaces.
- Because the roof is louvered and fully adjustable, it will facilitate the ability to ensure that, during sunny weather, any shade generated will fall only on desired areas of the balcony.
- The rear areas of the two neighbouring properties are located either further forward from or further back from the property and the louvered roof will not result in shade being cast on any part of those properties.

(e) to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses.

- The height and bulk of this ancillary structure will have no impact on surrounding vegetation or topography or on surrounding land use

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map .

- Although the height of the pergola roof, when considered independently, exceeds the maximum permitted height by 0.78m, the development has no impact on the overall height of the building, which already exceeds 8.5m

Existing Infrastructure - Given to nature of the proposal, we do not believe the proposed will affect the Existing infrastructure services related to the subject site in any way.

Environmental Issues - The property in question does not appear to have any environmental constraints. apart from being in a Scenic Protection Zone. – The proposed Patio Roof will have no effect on the Scenic Protection Zone.



Rear of 8 Jackson Street Taken from the Balcony of 1/6 Jackson Street



Street View of 8 Jackson Street (L) and 1/6 Jackson Street ®



Street View of 7 Jackson Street Located Directly Opposite 1/6 Jackson Street

5. Compliance schedule:**Manly Development Control Plan 2013**

Performance Criteria	Design Solution	Compliance	Comment
Zoning:	Zone R1: General Residential	YES	Existing will not be changed
Minimum Lot size:	300sqm	YES	841.63sqm - Existing will not be changed
Scale and Building Height	Maximum 8.5mtrs for buildings – 2 Storeys	NO	Height of Patio Roof – 9.28 meters. This is 0.78 meters, above the allowable limit. – A Variation - section 4.6 has been submitted.
Floor Space Ratio	0.5:1	YES	Unchanged
Site Coverage	40%	YES	Unchanged
Landscape Area	300m2 to 449m2 – minimum 15%	YES	40.59% - Unchanged
Setbacks	Front Boundary-6m Side Boundary-3m Rear Boundary-8m	YES	Unchanged
Private open space	45% of the site area	YES	Unchanged

Conclusion

Our investigation of the property in question and the surrounding area concludes that the proposal will have minimal impact on the adjoining dwelling and neighborhood. The proposal will complement the existing dwelling and streetscape.

We seek council to view this application favorably.

Kind Regards,

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