



Minto Planning Services

Town Planning Consultants

**STATEMENT OF
ENVIRONMENTAL EFFECTS**

PROPOSED NEW GARAGE

7A Linkmead Avenue, Clontarf

**On behalf of
Mark Fenna-Roberts**

28th November 2024

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STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED NEW GARAGE

7A Linkmead Avenue, Clontarf

Prepared under instructions from

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1. INTRODUCTION

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Mark Fenna-Roberts. The proposal seeks approval for the conversion of the existing carport into an enclosed garage upon land identified as Lot 1 in DP 525168 and which is known as 7A Linkmead Avenue, Clontarf.

In consideration of this application reference has been made to:

- *Environmental Planning & Assessment Act 1979, as amended.*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan*

Additional information to support this application includes:

- Architectural Plans prepared by Playoust Churcher Architects Drawing Nos. A100 - A300, Revision A, and dated 14/11/2024.
- Survey Plan prepared by Hammond Smeallie & Co Pty Ltd, Drawing NO. 11170, Revision B, and dated 18/10/2024.
- Bushfire Hazard Assessment Report prepared by Building Code and Bushfire Hazard Solutions P/L, Reference No. 250243, and dated 25/11/2024.
- Waste Management Plan.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

As a result of that assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

2. THE SITE

The subject site currently comprises of a single allotment of land identified as Lot 1 in DP 525168 and which is known as 7A Linkmead Avenue, Clontarf.

The subject property is an irregular shaped battleaxe allotment located on the western side of Linkmead Avenue towards its southern end, adjacent to where it terminates at a cul-de-sac head. Access to the property is provided via a right of carriageway access handle of variable width, being 3.05m wide at its narrowest point.

The subject site has an area of 834.2m² with a site width of approx. 20.19m at the building line. The site has a variable depth, with the shortest distance being 35.05m between the eastern and western boundaries (excluding the access handle) along the southern property boundary. The site arrangement and location are depicted in the following street map extracts.



Figure 2.1 Site Arrangement Map



Figure 2.2 Site Location Map

The subject site is a steeply sloping allotment of land having a fall from the eastern end of the access handle at Linkmead Avenue (RL 46.65) towards the rock shelf near the western boundary of the site (RL 28.72). The land within the subject site between the rock shelf and western boundary has a steep drop off or cliff, and is not surveyed due to inaccessibility. The site has a total surveyed fall between the eastern end of the access handle and the top of the western rock shelf of approximately 17.93m. Consistent with the fall of the land stormwater from the property is understood to be currently disposed of on-site. This arrangement is to be retained, with all proposed new stormwater works, to join to the existing stormwater system.

Development upon the site currently comprises of a 2-storey brick/clad dwelling with a tiled roof. The site also supports several ancillary structures including a swimming pool to the west of the dwelling house, and a detached carport structure. The carport structure, which is the subject of this application, is constructed on a suspended concrete slab due to the steep slope of the allotment. The concrete slab is suspended approximately 3.3m above the ground level and adjoins the existing driveway at a block retaining wall.

The undercroft area under the suspended concrete carport slab is currently used as a general storage area; this arrangement is to be retained. The existing dwelling is located roughly centrally upon the site with a generous rear/western setback provided to the adjoining C2 zoned public land. A bitumen driveway extends from the carport structure to Linkmead Avenue via the access handle.

The only structure which is subject to this application is the carport structure, which is in need of replacement and beginning to show signs of weathering and dilapidation as evident in the below photograph:



Figure 2.3 Current carport structure to be reconstructed as a garage

The existing dwelling is not heritage listed and is not considered to have any heritage significance which would be impacted by the proposed development. The adjoining land to the west of the subject site is identified as having natural heritage significance. The proposed new garage is contained within the boundaries of the site and does not obstruct views to or from the adjoining heritage item.

Vegetation upon the property is mainly comprised of a combination of unkept bushland beyond the western rock shelf on the site, along with more formal garden beds with various plantings, and hedge plantings along some site boundaries. There is limited vegetation within the access handle due to its narrow width. The proposal does not involve the removal of any vegetation and is not considered to have any detrimental impacts on the health and structural integrity of any vegetation.

The site as it currently presents is depicted in the following photographs:



Figure 2.4 The subject site as viewed from Linkmead Avenue. Approximate location of access handle highlighted in red.



Figure 2.5 Current carport structure and associated dwelling house



Figure 2.6 Access handle and driveway as viewed from the carport structure looking east towards Linkmead Avenue



Figure 2.7 Undercroft storage area below the suspended concrete slab and carport.



Figure 2.8 An aerial view of the subject site

3. THE SURROUNDING ENVIRONMENT

The subject property is located within a residential locality which traditionally comprised of one, two and three storey detached dwelling houses. In more recent times, areas of original housing stock have been the subject of significant dwelling alterations and additions, and some modern infill dwelling house redevelopments.

Nearby residential development comprises of both two storey and multi-storey low-density development and comprising of both original and modern dwelling houses.

The sites relationship with surrounding properties is depicted in the following aerial photograph.



Figure 3.1 An aerial view of the subject and adjoining properties

In addition to the surrounding built form the site is located adjacent to the foreshore area of middle harbour, which is publicly accessible land with popular walking tracks. The adjoining land is protected as C2 Environmental Conservation under the land zoning map.

The land surrounding the subject site is subject to a variety of different land zones and uses including C2 Environmental Conservation, C3 Environmental Management, R2 Low Density Residential and RE1 Public Recreation as depicted on the following land zoning map extract.

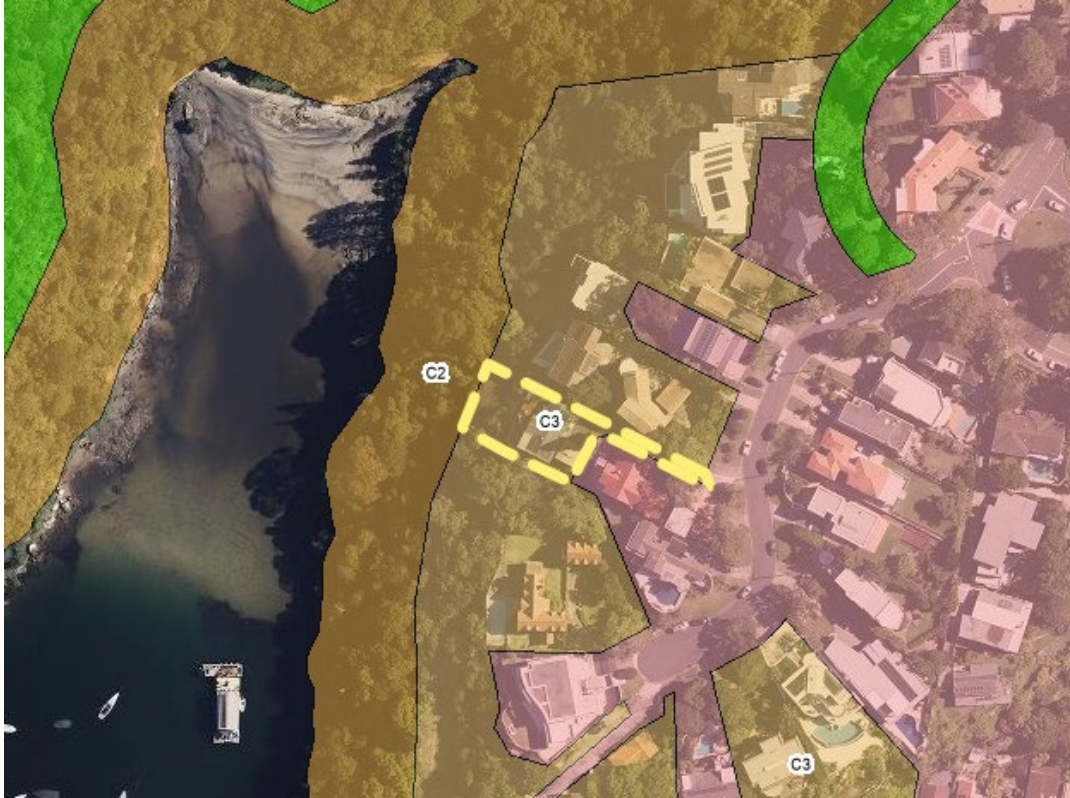


Figure 3.2 An aerial view of the subject and adjoining properties overlaid with the land zoning mapping.

4. THE PROPOSAL

The proposal seeks approval to convert the existing open carport structure into an enclosed garage. This is to be achieved through the construction of new clad walls and the addition of a garage door on the existing carport so as to convert it into an enclosed garage structure.

The proposal will also include the reconstruction of the roof so as to integrate the design of the new garage structure with the existing dwelling.

The proposal seeks no change to the undercroft storage area situated under the suspended concrete slab which the carport is currently situated on.

No change is proposed to the existing building setbacks.

Development Indices

The development indices associated with the proposal are detailed in the below table:

Table 4.1 Proposal Development Indices

Development Indices	Existing	Proposed	Required
Site Area	834.06m ²	N/A	N/A
Floor Space Ratio	366.98m ² or 0.44:1	366.98m ² or 0.44:1 (no change)	0.4:1 or 333.64 m ²
Landscaped Area	292.6 m ² or 35.1%	292.6 m ² or 35.1% (no change)	291.9 or 35%
Total Open Space	648.8m ² or 77.7%	648.8m ² or 77.7% (no change)	583.8m ² or 70%

5. ZONING AND DEVELOPMENT CONTROLS

The proposed development is identified as development permissible with the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979 and the Manly Local Environmental Plan 2013.

The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of the Northern Beaches Council.

5.1 Planning for Bushfire Protection

The subject site is identified as comprising bushfire prone land on Council's Bushfire Prone Lands Map.

Therefore, the provisions of Planning for Bushfire Protection do apply to the subject application.



Figure 5.1.1 Extract from Council Bushfire Prone Land Map

A Bushfire Assessment Report has been prepared in support of the proposal by Building Code & Bushfire Hazard Solutions Pty Ltd and their report forms part of the information accompanying this application. The report is found to be supportive of the proposal.

Subject to compliance with the recommendations of the Bushfire Assessment Report the proposal is considered to provide for a satisfactory response in relation to the issue of bushfire safety.

5.2 Manly Local Environmental Plan 2013

The subject land is zoned C3 - Environmental Management under the provisions of the Manly Local Environmental Plan 2013.

The objectives for development within the C3 zone are:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To protect tree canopies and provide for low impact residential uses that does not dominate the natural scenic qualities of the foreshore.*
- *To ensure that development does not negatively impact on nearby foreshores, significant geological features and bushland, including loss of natural vegetation.*
- *To encourage revegetation and rehabilitation of the immediate foreshore, where appropriate, and minimise the impact of hard surfaces and associated pollutants in stormwater runoff on the ecological characteristics of the locality, including water quality.*
- *To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.*

Under the C3 - Environmental Management zone a range of uses including that of a *dwelling house* is permissible with the consent of the Council.

The proposal which seeks to convert an existing carport structure into an enclosed garage upon the site is considered to be consistent with the above objectives. The proposed garage is considered to be ancillary to the existing dwelling house and which is development permissible with the consent of the Council.

The proposed conversion of the existing carport structure into an enclosed garage does not require the removal of any vegetation or protected trees. There is no proposed change to the existing landscaped area and open space, with the current landscaping to be retained. All new stormwater works are to connect to the existing stormwater system. The proposed garage structure provides for a height that complies with the controls of the LEP.

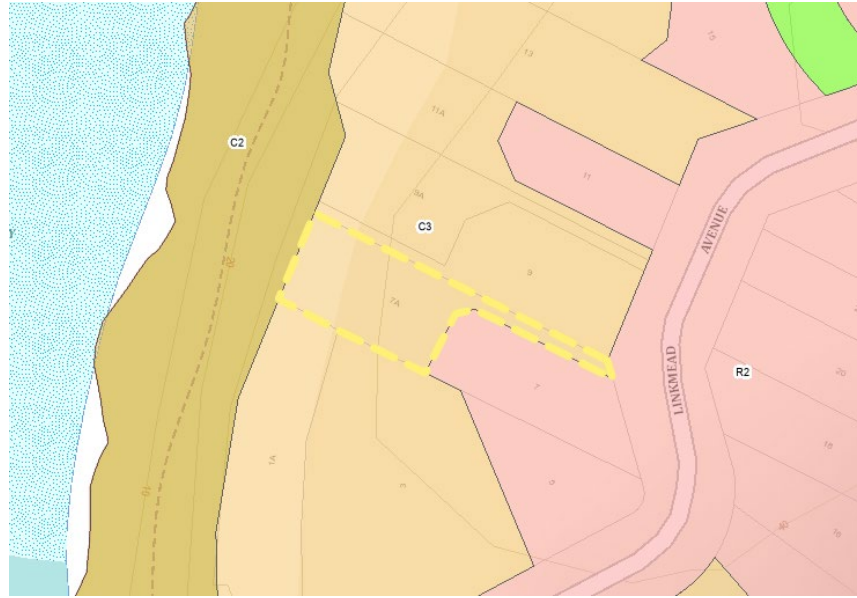


Figure 5.2.1 Extract from Council Zoning Map

The following provisions of the Manly Local Environmental Plan 2013 are considered to be applicable to the subject site.

Clause 4.3 - Height of Buildings

The subject site is located within Building Height Area “I” and is therefore subject to a maximum building height control of 8.5m.

The proposed garage structure will have a maximum height of 6.71m and which complies with this clause.



Figure 5.2.2 Extract of Council Height of Buildings Map

Clause 4.4 - Floor Space Ratio

The subject site is located within the “B” floor space area zone and as such is subject to a maximum FSR of 0.40:1.

The dwelling in its current form has a floor space ratio of 0.44:1.

The proposal will not result in a change to the floor space ratio on the site on the basis that, carparking to meet the requirements of the Council is excluded from the calculation of gross floor area.

The proposal is required to provide two car spaces and which the proposal complies with.

The proposed floor area of the garage is therefore to be excluded from the calculation of the gross floor area of the site.

On this basis the proposal will not result in an increase in the existing floor space ratio for the site.

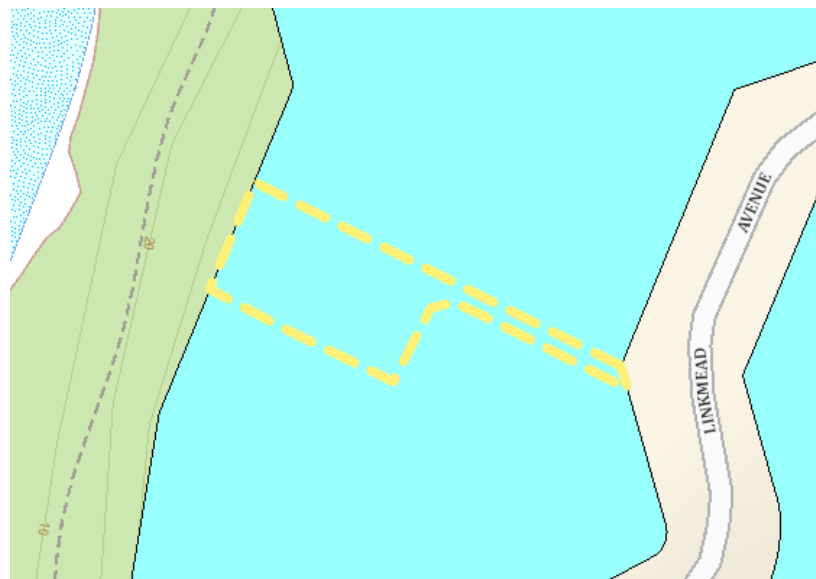


Figure 5.2.3 Extract from Council Floor Space Ratio Map

Clause 5.10 - Heritage Conservation

The subject site is not identified as comprising a heritage item and is not considered to have any heritage significance which would prevent the subject application.

The adjoining land to the west of the subject site is identified as having natural heritage significance. The proposed new garage is contained within the eastern portion of the site and does not obstruct views to or from the adjoining heritage item.

The proposal is therefore considered to satisfy the requirements of Clause 5.10 of the LEP.



Figure 5.2.4 Extract from Council Heritage Map

Clause 6.1 - Acid Sulfate Soils

The subject site is identified as containing 'Class 5' Acid Sulfate Soils.

The proposed works are not located within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5 metres AHD and by which the water table is likely to be lowered below 1 metre AHD. The proposal is therefore considered to satisfy the requirements of this clause.



Figure 5.2.5 Extract from Council Acid Sulfate Soils Map

Clause 6.5 - Terrestrial Biodiversity

The subject site is identified as containing terrestrial biodiversity under Council's terrestrial biodiversity mapping. The proposal does not involve the removal of any vegetation, and it is therefore considered that the proposal satisfies the requirements of this clause.

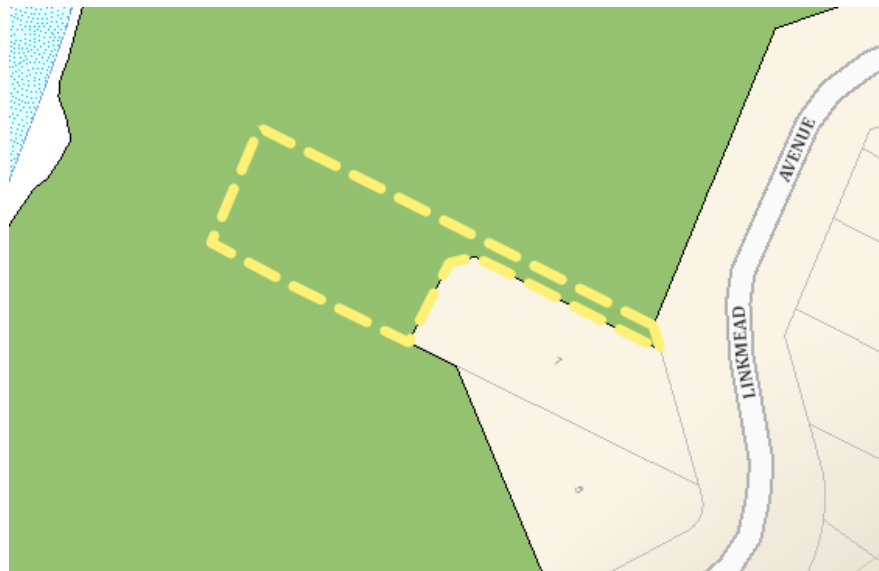


Figure 5.2.6 Extract of Council Terrestrial Biodiversity Map

Clause 6.9 - Foreshore Scenic Protection Area

The site is identified on Council's Foreshore Scenic Protection Area Map and therefore this clause applies. In this regard it is considered that the proposal is consistent with the requirements of this clause for the following reasons:

- The proposed works will not be visible when viewed from the foreshore or waterway.
- The works will not result in conflict between land-based and water-based coastal activities.
- The proposed works do not require the removal of any protected vegetation and will not result in any unreasonable amenity impacts.
- The works will not overshadow the foreshore or waterway and will not result in any loss of views to or from the waterway.

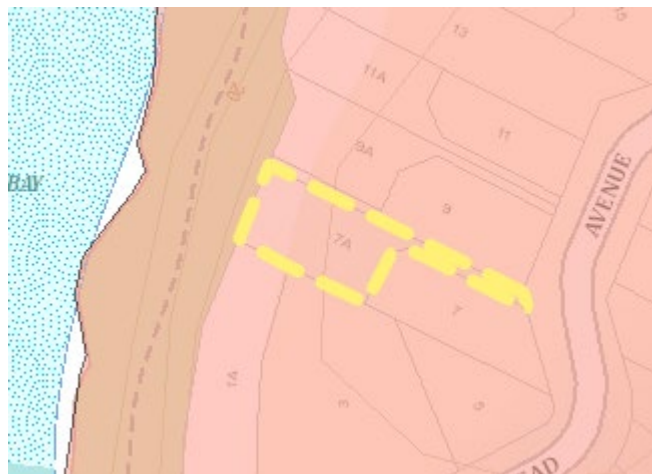


Figure 5.2.7 Extract of Foreshore Scenic Protection Area Map

There are no other provisions of the Manly LEP which it is considered are relevant to the proposal.

Summary

It is therefore my opinion based upon this assessment that the proposal is compliant with the aims, objectives and the prescriptive requirements of the Manly LEP and is worthy of the support of the Council.

5.3 Manly Development Control Plan

Council's Development Control Plan applies to all forms of development with Part 3 and Part 4 being specifically applicable to the proposed development.

An assessment of the proposal against the applicable provisions of the DCP has been undertaken and the following comments are made.

Part 3 - Low Density Principles of Development

Section 3.1 - Streetscapes and Townscapes

The proposed works are situated on a battleaxe allotment and hidden from public view. However, the proposed works are considered to complement the existing building form and as such satisfies this section of the DCP.

It is considered that the proposal will improve the presentation of the existing building, particularly when viewed from adjoining properties.

Section 3.2 - Heritage Considerations

The subject site is not identified as comprising a heritage item and is not considered to have any heritage significance which would prevent the subject application.

The site is not located within the direct vicinity of a heritage item and is not located within a Heritage Conservation Area.

The adjoining land to the west of the subject site is identified as having natural heritage significance. The proposed new garage is contained within the boundaries of the site and does not obstruct views to or from the adjoining heritage item.

The proposal is therefore considered to satisfy this section of Council's DCP.

Section 3.3 - Landscaping Design

The proposal does not include any change to landscaped areas nor the removal of any vegetation. The proposal preserves existing vegetation, bushland and rock outcrops and it is therefore considered that the proposal satisfies this section of Council's DCP.

Section 3.4 - Amenity

Shadow diagrams have been prepared in support of the proposal and which indicate that the proposal will result in minor additional overshadowing of neighbouring properties. This additional overshadowing is not considered to be significant and result in minor impacts. In this regard it is advised that some shadows created by the current structure will be receive additional solar access after the completion of the new structure which counteracts the additional overshadowing.

On this basis, it is considered that the adjoining properties will continue to receive appropriate solar access.

Section 3.7 - Stormwater Management

All proposed new stormwater works are to connect with the existing stormwater system. All proposed drainage works are to be in accordance with AS3500.3.

Section 3.8 - Waste Management

Refer to the Waste Management Plan submitted with this application.

Part 4.1 - Residential Development Controls

Section 4.1.2 - Height of Buildings

The subject site is located within Building Height Area “1” and is therefore subject to a maximum building height control of 8.5m.

The proposed garage structure has a maximum height of 6.71m which complies with this clause.

Section 4.1.2.1 - Wall Height

It can be assumed that the site has a gradient of 1:4 considering the site has a total gradient of 1:3.9 without including the steep unsurveyed area beyond the rock outcrop in this calculation. The site is therefore subject to a maximum wall height of 8m due to the steep gradient of the allotment.

The proposal will result in a maximum wall height of 6.11m.

The proposal is therefore considered to comply with this clause.

Section 4.1.2.2 - Number of Storeys

The site is subject to a maximum of 2 storeys. The existing dwelling consists of a 2-storey dwelling. The proposed garage structure will similarly be 2 storeys in height, including the existing undercroft storage area.

The proposal is therefore considered to comply with this clause.

Section 4.1.2.3 - Roof Height

The proposal seeks to reduce the proposed roof height of the carport as part of the reconfiguration into an enclosed garage structure. The roof height of the garage will be lower than that of the associated dwelling.

Section 4.1.3 - Floor Space Ratio

The subject site is located within the “B” floor space area zone and as such is subject to a maximum FSR of 0.40:1.

The dwelling in its current form has a floor space ratio of 0.44:1.

The proposal will not result in a change to the floor space ratio on the site on the basis that, carparking to meet the requirements of the Council is excluded from the calculation of gross floor area.

The proposal is required to provide two car spaces and which the proposal complies with.

The proposed floor area of the garage is therefore to be excluded from the calculation of the gross floor area of the site.

On this basis the proposal will not result in an increase in the existing floor space ratio for the site.

Section 4.1.4 - Setbacks

There are no changes proposed to the existing setbacks. The proposed garage relies upon the existing carport structure and its conversion to an enclosed garage. The proposal is therefore considered to meet the objectives of this section of the DCP.

While there are some existing non-compliances against the numerical standards for the side and front setback controls, it is advised that there are no further proposed encroachments into setback areas as part of this proposal. The new garage will be constructed of a design that is sympathetic to the surrounding area and associated dwelling house.

Section 4.1.5.1 - Minimum Residential Total Open Space Requirements

This section of the DCP requires that the subject site is to be provided with a minimum of 60% Total Open Space.

The proposal provides for a total open space of 648.8m² or 77% which complies with this clause.

Section 4.1.5.2 - Landscaped Area

The subject site is located in Residential Open Spaces Area OS4 and is therefore required to provide a minimum of landscaped area equivalent to 40% of the total open space. The proposal provides 292.6m² or 35% of the total open space which does not comply with this clause.

It is advised that there is no proposed reduction to the existing landscaped area on the site, and all vegetation and soft landscaping is to be retained. Whilst non-compliant, it is considered the application is worthy of Council's support as the existing soft landscaping on site meets the objectives of the land zone.

Section 4.1.5.3 - Private Open Space

There are no proposed changes to the current private open space provided on the site, which is considered to comply with the requirements of this section of the DCP.

Section 4.1.6 - Parking, Vehicular Access and Loading

The proposal seeks approval for the conversion of the existing double carport into an enclosed double garage.

It is therefore considered that on this basis the proposed complies with this section of the DCP.

Conclusion

The proposal is considered to achieve appropriate compliance with the aims and objectives together with the prescriptive requirements of the Manly Development Control Plan.

Where a variation is proposed it is considered to be minor in nature, with the proposal satisfying the aims and objectives of the applicable control.

The proposal is considered to be worthy of the support of the Council.

6. SECTION 4.15(1) ASSESSMENT

Environmental Planning Instruments - Section 4.15(1)(a)

The subject site is zoned C3 - Environmental Management under the provisions of the Manly Local Environmental Plan 2013. The proposed conversion of the existing carport into an enclosed garage is permissible with the consent of Council.

The proposal has been assessed against the objectives and provisions of both the Manly LEP 2013 and the Manly Development Control Plan as detailed within this report. It is considered that the proposal achieves appropriate compliance with the requirements and objectives of these documents.

There are no draft environmental planning instruments applicable to the subject site.

Impacts of the Development - Section 4.15(1)(b)

The proposed development has been designed so as to not have an unreasonable impact upon the amenity of adjoining properties, particularly with regard to a loss of privacy and overshadowing as has been demonstrated by this report.

The proposal is considered to provide for a high-quality conversion of the existing carport into an enclosed garage and has been designed so as to complement the existing architecture, materials and finishes of both the existing dwelling house and the surrounding locality.

Suitability of the Site - Section 4.15(1)(c)

The subject site is zoned C3 - Environmental Management under the Manly Local Environmental Plan 2013. The proposed conversion of the existing carport into an enclosed garage is permissible with the consent of Council.

In the absence of any unreasonable impacts the subject site is considered to be suitable for the development as proposed.

7. CONCLUSION

The proposed development is development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and has been assessed against the requirements of Section 4.15(1) of the Act, the Manly Local Environmental Plan and Council's Development Control Plan.

It is considered that this Statement of Environmental Effects has demonstrated that the proposal appropriately satisfies the aims, objectives and the prescriptive requirements of the above planning controls. It is considered that the proposal will not impact upon the amenity of adjoining properties or upon the character of the surrounding area.

It is therefore considered that the proposed conversion of the existing carport into an enclosed garage upon land at 7A Linkmead Avenue, Clontarf is worthy of the support of Council.



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28th November 2024