



Corona Projects

DEVELOPMENT APPLICATION **STATEMENT OF ENVIRONMENTAL EFFECTS**

Change of use from a non-habitable garage to a habitable room

23A Valley Road, Balgowlah Heights

December 2024

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PROJECT DETAILS

Client: Mr. Tomas Gibbs
Subject land: 23A Valley Road, Balgowlah Heights
Lot Description: 4/-/DP415873
Proposed development: Change of use from a non-habitable garage to a habitable room

The report is prepared by Pavel Zaytsev
Bachelor of Planning (WSU)

The report is reviewed by Mathew Fortunato
Bachelor of Architecture and Environment (USYD)

I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 24 of the Environmental Planning and Assessment Regulation 2021;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

Quality Management

Issue	Description	Date	Written By	Reviewed By
1	Final Report	20.12.2024	PZ	MF

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for Mr. Tomas Gibbs to accompany a Development Application (DA) to Northern Beaches Council for the change of use from a non-habitable garage to a habitable room.

The development application is lodged in conjunction with a Building Information Certificate application (BC2024/0312). The Building Information Certificate application seeks the regularisation of the reconfiguration of an existing double garage and construction of new internal access stairs.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk, and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Architectural Plans	A77 Designs Pty Ltd	2.12.2024
Survey Plan	Project Surveyors	15.11.2018

2.0 SITE ANALYSIS & CONTEXT

2.1 The Site

The site is located at 23A Valley Road, Balgowlah Heights and is legally described Lot 4 in Deposited Plan 415873. The site is located on the southern side of Valley Road. The site is a battle axe lot with an access handle towards Valley Road.



Figure 1: Site locality map (Google Maps 2024)

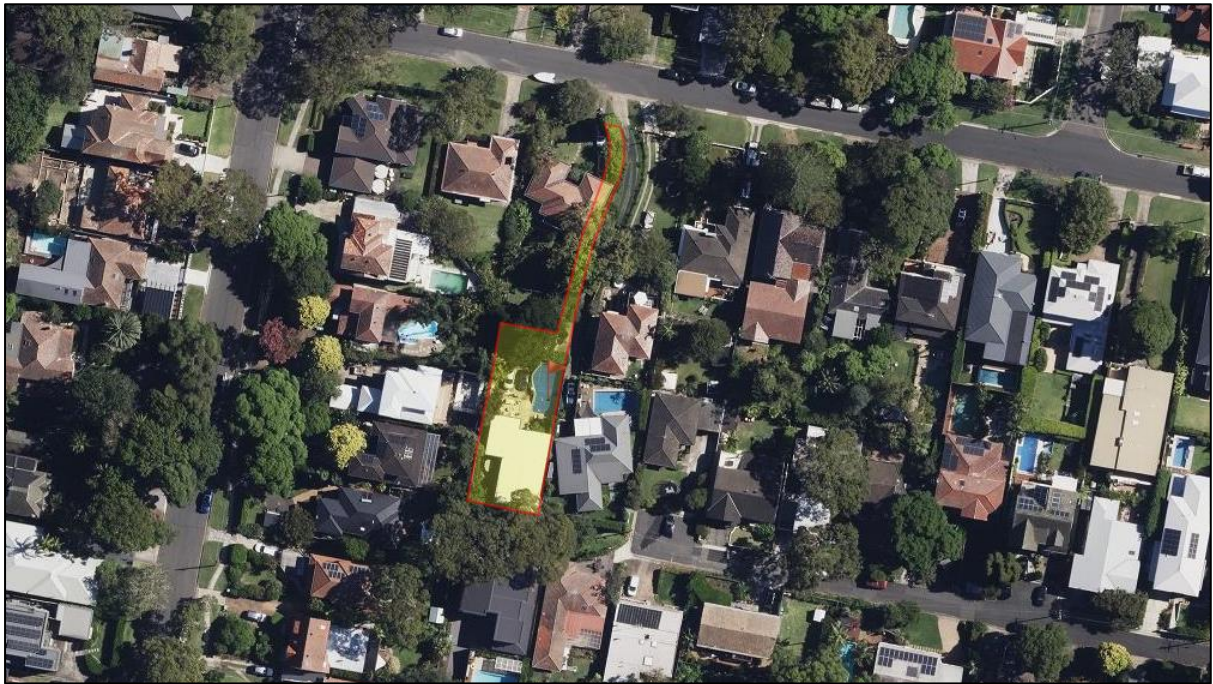


Figure 2: Aerial photo (Six Maps 2024)

The site is irregular with a total area of 690.9 square metres by survey, with a 3.355 metre street frontage to Valley Road. The eastern side boundary measures 43.46 metres and the western boundary measures 37.795. The rear boundary measures 15.24. The site falls towards the street from the rear by approximately 6 metres. The subject site features a 6.095-metre-wide easement for drainage from the west to the north.

The land is zoned R2: Low Density Residential under the provisions of Manly Local Environmental Plan 2011 (MLEP 2013). The site is not identified as a Heritage Item, nor is it located within a Heritage Conservation Area (HCA). It is also not considered to be located within the close vicinity of any Item or HCA, or as a contributory item.

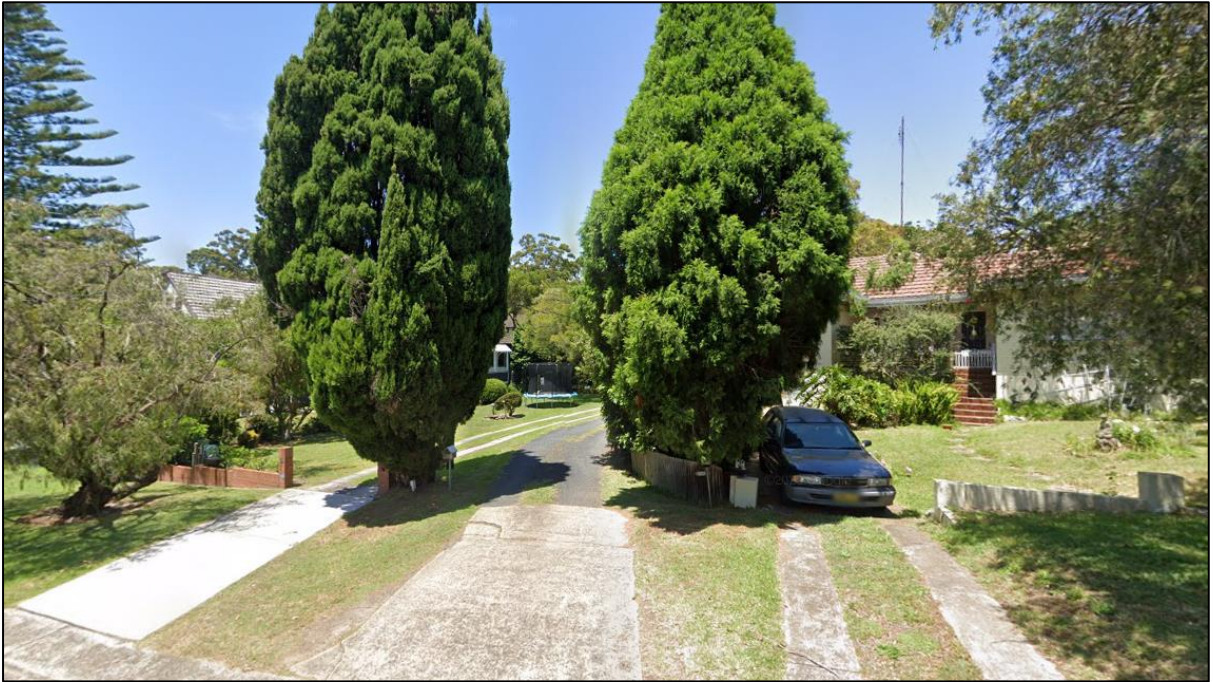


Figure 3: Subject site as viewed from Valley Road (Google Maps 2024)



Figure 4: Subject area converted into a habitable space (Corona Projects Pty Ltd 2024).

2.2 The Locality

The site is located within the local residential area of Balgowlah Heights. The locality comprises of residential development of building heights typically of two (2) to (3) three storeys.

2.3 Development History

A search on Council's DA Tracker returned the following results for development applications associated with the site.

Application Number	Description	Determination & Date
CDC2024/0720	Alterations to existing dwelling - 24-0201/01	(Submitted: 20/09/2024)

Table 1: Development History

3.0 THE PROPOSAL

3.1 Overview

The Development Application proposes the change of use from a non-habitable garage area to a habitable space. The development application is lodged in conjunction with a Building Information Certificate application (BC2024/0312). The Building Information Certificate application seeks the regularisation of the reconfiguration of an existing double garage and construction of new internal access stairs.

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk, and scale. The contemporary design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality.

Please refer to plans prepared by A77 Designs Pty Ltd.

3.2 Numerical Overview

A brief numerical overview of the development parameters for the proposed development is included in Table 1 below.

Component	Existing	As-Built
Site area	690.9m ²	
Gross Floor Area	134.93m ²	167.02m ²
Floor Space Ratio	0.19:1	0.21:1
Height	As existing	
Boundary setbacks	As existing	
Car spaces	Two spaces (2)	Two spaces (2)

Table 2: Key development components

4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- Manly Local Environmental Plan 2011
- Manly Development Control Plan 2011

The primary statutory document that relates to the subject site and the works is Manly Local Environmental Plan 2011. The primary non-statutory plan relating to the subject site and the works is Manly Development Control Plan 2011.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 4.6, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the residential purpose. Thus, there is no further consideration required under Clause 4.6(1)(b) and (c) of the Resilience and Hazards SEPP.

4.1.2 Manly Local Environmental Plan 2011

Zoning and permissibility

The site is located in Zone R2: Low Density Residential.

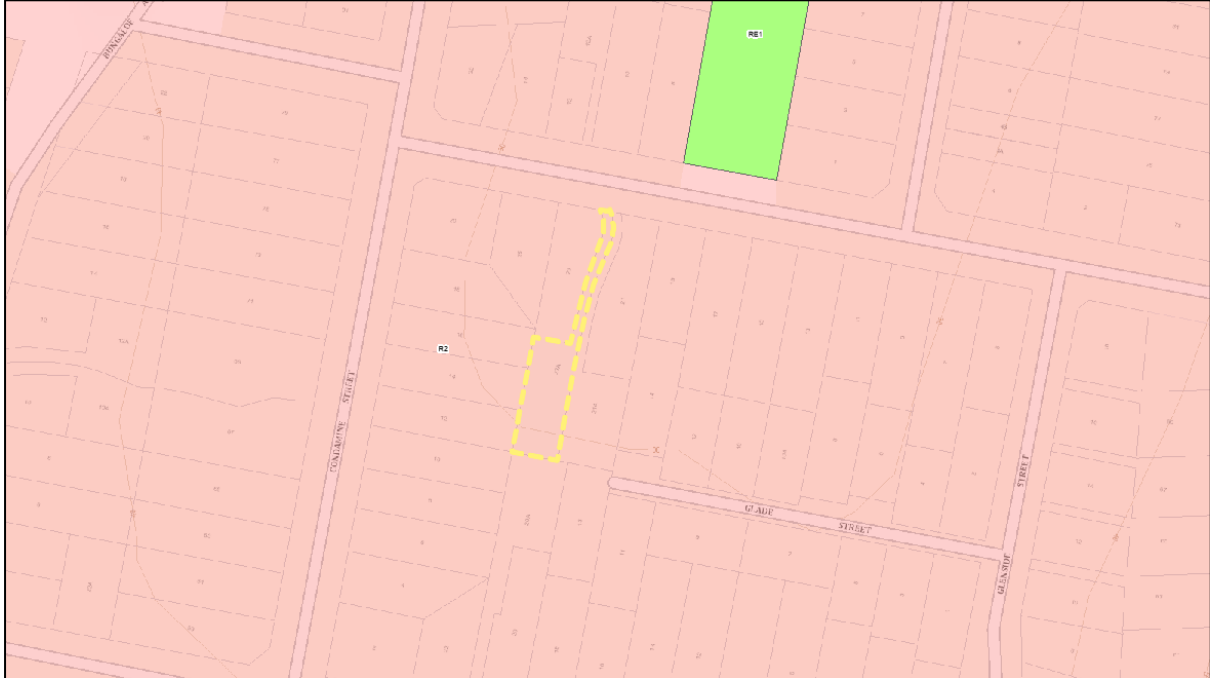


Figure 5: Land Zoning Map (NSW Spatial Planning Viewer 2024)

The development is identified to be ancillary to a *dwelling house*, which is permitted with consent in the R2: Low Density Residential zone.

The objectives of the zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development provides for the housing needs of the community and maintains a low-density residential environment. The change of use will not alter the building envelope, bulk or scale of the building. The conversion of the room into a habitable space does not result in an exceedance to the floor space ratio.

Clause 4.3 Height of buildings

The Height of Building Map stipulates that the maximum building height permitted for the site is 8.5 metres. The height of the development remains as existing.

Clause 4.4 Floor space ratio

The Floor Space Ratio Map stipulates that the maximum floor space ratio permitted for the site is 0.45:1. The proposal has a floor space ratio of 0.24:1.

4.1.3 Manly Development Control Plan 2011

The development achieves a high level of compliance with the provisions of Manly Development Control Plan 2011.

Control		Comment	Compliance
Part 3			
3.1.1 Streetscape (Residential areas)			
3.1.1.4 Garages, Carports and Hardstand Areas			
a)	Garages, carports and hardstand areas must be designed and sited in a manner that does not to dominate the street frontage by: i) its roof form, material choice and detailing by being subservient to the associated dwelling; and ii) being compatible with the streetscape and the location in relation to front setback criteria.	The parking arrangements will be reallocated to the front setback area in lieu of the double garage. The site is able to accommodate two (2) hardstand spaces at the front of the dwelling house that cannot be seen from the street given the lot's battle-axe configuration.	Compliant
3.4.2.3 Acoustical Privacy (Noise Nuisance)			
a)	Consideration must be given to the protection of acoustical privacy in the design and management of development.	Considering the distance between the lot boundary, the acoustic privacy of adjoining development is anticipated to be maintained. The use of the space is for the purpose of residential accommodation and would not result in unacceptable levels of noise.	Compliant

Control		Comment	Compliance
Part 4			
4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)			
4.1.2.1 Wall Height			
a)	Within the LEP Height of Buildings development standard, the maximum external wall height is calculated based on the slope of the land under the proposed wall. Figures 26, 27 and 28 provide guidelines for determining the maximum height of external walls based on the particular slope of the land along the length of these proposed walls. The maximum wall height control will also vary from one building, elevation or part elevation to another depending on the slope of land on which the wall is sited. Within the range of maximum wall heights at Figures 26 and 28, the permitted wall height increases as the slope of the land increases up to a gradient of 1 in 4, at which point the permitted maximum wall height is capped according to Figure 26.	The height of the building is as existing.	Compliant
4.1.4 Setbacks (front, side and rear) and Building Separation			
4.1.4.1 Street Front setbacks			
a)	Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.	The front setback is as existing.	Compliant
4.1.4.2 Side setbacks and secondary street frontages			
a)	Setbacks between any part of a building and the side boundary must not be less than one third of the height of the adjacent external wall of the proposed building.	The side setback is as existing,	Compliant
4.1.4.4 Rear Setbacks			
a)	The distance between any part of a building and the rear boundary must not be less than 8m.	The rear setback is as existing.	Compliant
4.1.5 Open Space and Landscaping			
4.1.5.1 Minimum Residential Total Open Space Requirements			

Control		Comment	Compliance
a)	Open Space must be provided on site in accordance with Figure 34 - Numeric Requirements for Total Open Space, Landscaped Area and Open Space Above Ground.	The private open space and landscaping configuration is as existing. The hardstand areas occupy non-pervious area at the existing driveway.	Compliant
4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)			
4.1.6.1 Parking Design and the Location of Garages, Carports or Hardstand Areas			
a)	The design and location of all garages, carports or hardstand areas must minimise their visual impact on the streetscape and neighbouring properties and maintain the desired character of the locality.	In lieu of the garage conversion, the site will be able to accommodate two (2) parking arrangements at the front of the dwelling house. There would be no impact upon the character of the locality given that the site is a battle-axe lot and the development is concealed from the street.	Compliant
4.1.6.4 Vehicular Access			
a)	All vehicles should enter and leave the site in a forward direction.	All vehicles are able to enter and leave the site in a forward direction.	Compliant
PART 5			
5.4 Environmentally Sensitive Lands			
5.4.3 Flood Prone Land			
1.	Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property.	The property is identified within the high, medium, and low risk precinct according to the NBC Flood Hazard Map. However, as per figure 6, the development itself is not located within the mapping. The proposal is considered acceptable in this regard.	Not Applicable

4.1.4 Draft Planning Instruments

Northern Beaches Council does not have any current Draft Planning Instruments that apply to the proposed development, thus as demonstrated, the development achieves a high level of compliance with the applicable Environmental Planning Instruments.

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4.2 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the development is of a minor scale and nature, and does not present unreasonable environmental, social, and economic impacts.

4.2.1 Impacts on Natural and Built Environment

The development does not impact upon native vegetation, soil conditions, foreshore environment or air quality. The built form allows the neighbouring sites to retain their access to privacy, solar access, pleasant outlook, and overall residential amenity. The built and natural impacts of the development are negligible considering that the bulk, scale, height, landscaping and open space is entirely preserved.

4.2.2 Social and Economic Impacts

The development increases the amenity of the property with the increase in floor area and habitable space. The development will thus also upgrade the presentation of the site to the street and improve aesthetic quality of the streetscape. The short-term economic impacts are positive, with the generation of employment opportunity through the physical construction stages. The use of high-quality materials will ensure a durable final built outcome, reducing the need to rebuild in the near future, resulting in a positive long term financial and sustainability outcome. The proposal does not engender any negative social or economic outputs.

4.3 Suitability of the Site

The subject site is considered suitable in size and shape to accommodate the development. The proposal does not introduce any incompatible uses to the site. The works are permissible under the R2: Low Density Residential zone.

4.3.1 Access to Services

The site is located within an established residential area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

The proposal seeks to provides an ancillary development that makes efficient use of space on the site in a prime location that is in high demand for residential accommodation. In addition, the proposal has been designed to minimise as far as practical any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement of Environmental Effects. Accordingly, the works are considered to be in the public interest.

5.0 CONCLUSION

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social, and economic impacts of the development at 23A Valley Road, Balgowlah Heights. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the works at 23A Valley Road, Balgowlah Heights as described in this application is reasonable and supportable, and worthy of approval by Northern Beaches Council.

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