

STATEMENT OF ENVIRONMENTAL EFFECTS

15 RIVERVIEW PARADE, NORTH MANLY

**CONSTRUCTION OF GARAGE ATTACHED TO AN EXISTING
DWELLING**

**PREPARED ON BEHALF OF
Mr & Mrs Hoetmer**

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling and construction of a new swimming pool upon land at Lot A in DP 366644 which is known as **No. 15 Riverview Parade, North Manly**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Total Surveying Solutions, Job No. 201738 and dated 30/09/2024.
- Architectural Plans prepared by Du Plessis + Du Plessis Architects, Issue A and dated 24/07/2024.
- Flood Management Report prepared by NY Civil Engineering, Ref No. E220211 and dated 08/11/2024.
- Stormwater Management Plan and Sediment Control Plan prepared by NY Civil Engineering, Ref No. E220211, Issue A and dated 01/11/2024.

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 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. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot A in DP 366644 which is known as 15 Riverview Parade, North Manly. The site is located at the eastern side of Riverview Parade with a street frontage of 15.24m. The site has an area of 580.6m² with a maximum depth of 47.665m. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a two storey rendered brick dwelling with a tiled roof. The dwelling is located on the front western portion of the site. A small masonry wall is erected along the street frontage. At grade parking is provided adjacent to the northwest boundary and forward of the dwelling structure.

The site is relatively level with the corners identified as follows:

Rear Northern Corner	RL2.48
Front Southern Corner	RL2.23
Front Western Corner	RL2.25

Development Consent (DA2022/1956) was issued for the construction of alterations and additions to the existing dwelling including a new swimming pool. A Construction Certificate has also been issued. These works are depicted on the architectural plans.

The site is depicted in the following photographs:



View of Subject Site from Riverview Parade

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on similar sized allotments. There are a number of nearby properties with parking with reduced side setbacks including No. 11, 12, 38, 44, 52 Riverview Parade.

The subject site and existing surrounding development are depicted in the following aerial photograph:



Aerial Photograph of Locality

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a garage to be attached to the existing dwelling house. The garage is to be constructed of clad walls with flat metal roof.

The proposed garage is to be located on the northern side of the existing dwelling. A portion of the existing external wall of the dwelling is to be demolished to accommodate the garage. The existing internal wall of the dwelling will be retained. The garage is to be setback 6.655m to the street frontage with a nominal setback of 30mm to the northern side boundary.

All collected stormwater will be discharged to the street gutter as detailed in the Stormwater Management Plan prepared by NY Civil Engineering and submitted with the application.

The proposal will result in the following numerical indices:

Site Area:	580.6m ²
Existing Approved Landscaped Area:	258.1m ² or 44%
Proposed Landscaped Area:	258.1m ² or 44% (no change proposed)

4. ZONING & DEVELOPMENT CONTROLS

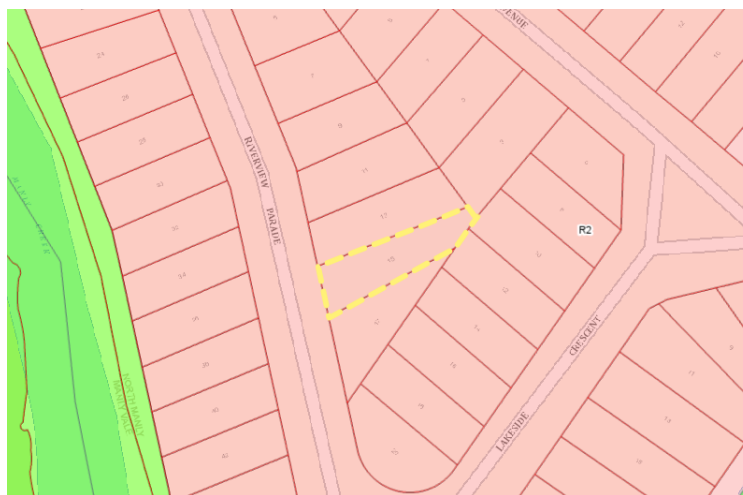
The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

4.1 Planning for Bushfire Protection 2006

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

4.2 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



Extract of Zoning Map

The site is zoned R2 Low Density Residential. Development for the purposes of a dwelling alterations/additions and ancillary development is permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	3.26m	Yes

The following provisions are also relevant:

Clause 5.21 Flood Planning

The subject site is identified as predominantly medium risk flood hazard. A Flood Management Report has been prepared by NY Civil Engineering which in summary provides:

1. *The proposed development has no material impact on the existing flood regime.*
2. *The proposed garage doors are to be of permeable construction to a minimum height of RL 3.66m AHD.*
3. *All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level (FPL). Any existing electrical equipment and power points located below the Flood Planning Level – _RL 3.66m AHD - must have residual current devices installed that turn off all electricity supply to the property when flood waters are detected.*
4. *A suitably qualified structural engineer to certify at Construction Certificate stage that the structural integrity of the proposed additions is maintained to the FPL level – _RL 3.66m AHD, accounting for forces of floodwater, debris and buoyancy.*
5. *The natural ground levels for the pre-development state are to be maintained for the post-development state of the site.*
6. *A laminated copy of the Flood Emergency Response Plans appended to this report is to be provided to the residents of the dwelling.*

The proposal complies with this clause.

Clause 6.1 Acid Sulfate Soils

The subject site is identified as Class 4 on the Acid Sulfate Soil Map. The proposal does not require excavation more than 2m that would affect the water table. No further information is required.

Clause 6.4 Development on Sloping Land

The site is classified as Class A on Council's Landslip Map. No further information is required in this regard.

There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

4.3 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) has been prepared by Council and was due to come into effect upon the gazettal of the LEP 2011. The new DCP contains detailed planning controls that support LEP 2011.

The following table provides a summary of the relevant controls of the DCP:

Clause	Requirement	Compliance
B1 – Wall heights	7.2m	Yes Refer to plans
B2 – Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	Yes The garage complies with this clause.
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	See discussion at end of table.
B7 – Front Boundary Setbacks	Minimum 6.5m Secondary frontage 3.5m	Yes Garage is setback 6.655m. Not applicable
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.5m	Yes
B11 – Foreshore Building Setback	Not applicable	Not Applicable
B12 – National Parks Setback	Not applicable	Not Applicable
B13 – Coastal Cliffs Setback	Not applicable	Not Applicable
B14 – Main Roads Setback	Not applicable	Not Applicable
B15 – Minimum Floor to Ceiling Height	Not applicable	Not Applicable

Clause	Requirement	Compliance
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes The proposal retains the existing driveway and vehicular crossing.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes The proposal provides for a single garage located behind the established building and does not dominate the streetscape.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes The proposal provides for all collected stormwater to drain to the street gutter in accordance with Council controls and the Stormwater Management Plan submitted with the application.
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Soil Erosion Management Plan has been prepared and forms part of the submission to Council.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes The proposal does not result in any significant excavation or fill.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.

Clause	Requirement	Compliance
C9 – Waste Management	Waste storage area to be provided	Yes There is sufficient area on site for waste and recycling bins.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	Yes There is not change to the approved landscaped area of 258.1m ² or 44%. This complies with this clause.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes The proposal maintains ample private open space in the rear yard.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
D4 – Electromagnetic Radiation	Not Applicable	Not Applicable
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	BASIX does not apply to non-habitable structures.

Clause	Requirement	Compliance
D6 – Access to sunlight	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties' private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	Yes The proposal provides for a single storey garage adjacent to the northern boundary. The proposal will not result in any additional overshadowing.
D7 - Views	View sharing to be maintained	Yes The subject site and surrounding properties do not enjoy any significant views.
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Yes The proposal is for a non-habitable structure and does not provide for any openings on the side elevation. Further the garage is located adjacent to a driveway on the adjoining property.
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	Yes The proposal provides for a single storey garage which is located behind the established building and is subservient to the existing dwelling.
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to be compatible with the existing surrounding development and the natural environment.

Clause	Requirement	Compliance
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposal provides for a flat roof form to minimise bulk and which is compatible with the variety of roof forms in the locality.
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	Not Applicable
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	Yes There is ample area on site for storage and site facilities.
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Not Applicable

Clause	Requirement	Compliance
D17 – Tennis Courts	N/A	Not Applicable
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The dwelling will continue to provide a good outlook of dwelling approach and street. The garage does not obstruct views to or from the dwelling.
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.
D22 – Conservation of Energy and Water	A BASIX Certificate is not required.	Not Applicable
D23 - Signs	Not Applicable	Not Applicable
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Not Applicable
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable
E7 – Development on land adjoining public open space	N/A – not identified on map	Not Applicable

Clause	Requirement	Compliance
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as A	No further information required.
E11 – Flood Prone Land	To comply with Council flood policy.	Yes A Flood Assessment Report has been submitted with the application.

The following clause is discussed in further detail:

B5 Side Boundary Setbacks

This clause requires a side boundary setback of 900mm. The proposed garage provides for a nominal setback to the northwest boundary. Whilst not strictly complying with the numerical requirements of this clause, it is justified for the following reasons:

- There are a number of nearby properties with parking with reduced side setbacks including No. 11, 12, 38, 44, 52 Riverview Parade.
- The site is constrained by the location of the existing dwelling. There is no opportunity to provide for parking behind the front building line and comply with the side setback control. If a reduced setback to the side boundary cannot be provided then the only alternative for parking is within the front setback. It is considered that the garage as proposed is the most appropriate location.
- The garage is proposed over the approved hardstand parking area.
- The garage is immediately adjacent to a driveway on the adjoining property, No. 13 Riverview Parade and as such the proposal will not result in any detrimental impact to the adjoining property.
- The garage is a single storey non-habitable structure which will not reduce amenity to the adjoining property.
- The garage does not require the removal of any vegetation, rather it is located over the existing hardstand parking area.
- The garage is located behind the existing front building line and will not dominate the streetscape. The garage will be well integrated into the existing dwelling house.

There are no other provisions of the DCP that apply to the proposed development.

5. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned R2 Low Density Residential under the provisions of the LEP. Construction of dwelling alterations/additions to provide for a garage are permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

It is considered that the development will provide for the construction of alterations and additions to provide for a garage to an existing dwelling without any detrimental impact on the environment, social and economic status of the locality. The proposal does not require the removal of any vegetation and there is no detrimental impact on the adjoining properties.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of a garage ancillary to a dwelling in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for a garage ancillary to an existing dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of new garage ancillary to an existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed carport does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction of a garage ancillary to an existing dwelling and new swimming pool at **No. 15 Riverview Parade, North Manly** is worthy of the consent of Council.

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