

20 March 2020

STATEMENT OF ENVIRONMENTAL EFFECTS
PROPOSED RESIDENTIAL FENCING, RETAINING WALLS, AND
ASSOCIATED WORKS
JAGDEEP SARAI
LOT 13 SEC 24 DP 758044
4 DOBROYD ROAD, BALGOWLAH HEIGHTS 2093

Introduction

This statement of environmental effects is to accompany a development application for the construction of residential fencing, retaining walls, and associated works upon land at Lot 13 Section 24 DP 758044 which is known as No. 4 Dobroyd Road, Balgowlah Heights. The statement outlines the description of the proposed development, the design elements and their impact on the local environment, and details of compliance with local Council policies. In preparation of this development application consideration has been given to the following plans and Acts:

Manly Local Environmental Plan 2013
Manly Development Control Plan 2013
Environmental Planning & Assessment Act, 1979

The Development application is accompanied by the following documentation: -

Right Angle Design and Drafting F1	- site plan/site analysis plan
Right Angle Design and Drafting F2	- elevations at front fence
Right Angle Design and Drafting F3	- sections
Right Angle Design and Drafting F4	- landscape plan
Right Angle Design and Drafting F5	- sediment control plan
Right Angle Design and Drafting N1	- notification plan
Donovan Associates Surveyors	- AHD survey
Terralinks Surveyors	- boundary survey showing new residence
Bushfire Protection and Planning	- bushfire assessment report (BAL 12.5)

This statement describes the subject site and the surrounding area, relates the proposal to the relevant Council planning controls and policies relevant to the site and the type of proposed development. It provides an assessment in consideration of the Environmental Planning and Assessment Act 1979 and as a result of the assessment it is concluded that the development proposed on the site is to be considered acceptable and should be supported by the Council.

SITE DETAILS

Subject Land	No 4 Dobroyd Road, Balgowlah Heights NSW 2093 Lot 13 Section 24 DP 758044
Present Use	Owners principal residence
Zoning	R1 General Residential
Permissible Development	Yes
Heritage Item	No. The property is not in a heritage conservation area. There are no near heritage elements on Dobroyd Road
Conservation Area	No. There are no nearby Conservation Areas
Coastal Protection	No
Landslip	No-this was specifically asked to be addressed by Council
Bushfire	Yes-there is a complete bushfire assessment with this Application—BAL 12.5
Tidal Inundation	No
Subsidence	No
Acid Sulphate Soils	Class 5
Flooding	No
Land Reserved for Acquis.	No
Biodiversity Certified Land	No
Property Vegetation	No
Contaminated Land	No trees are required to be removed. No

EXISTING

The subject site is located to the northern side of Dobroyd Road, on the corner of Dobroyd and Beaconview Street. It is a corner block with the address on Dobroyd but all access and the front of the residence on Beaconview. Dobroyd Road is a short straight road traversing west to east for approximately 3 blocks. The street appears to run along a crest in the landscape with the street frontages being located higher than the remainder of the properties. The fall for this site is approximately 2m from south to north. The surrounding neighbourhood is made up of a large number of differing single family residential properties. All properties located on this section of Dobroyd Road are characterised as single-family residences, with the majority being two storey. This site is in the process of having a new residence being constructed on it, including alfresco and pool. The residence is at completion with external works still being constructed. A

full AHD survey of this site is supplied for the original site and a boundary survey is supplied showing the location of the residence. The remainder of the property will be soft landscaped and gardened. This application will be requesting required retaining and fencing to ensure that the property is adequately managed. At present, the rear of the property is divided into two sections, the small swimming pool area and a larger area that will be grassed and gardened. The Dobroyd side of the residence is to be all soft surface with the exception of a small access pathway. There are no trees to be removed with this application. A large number of properties in the area have been renovated, in particular to the south and north.

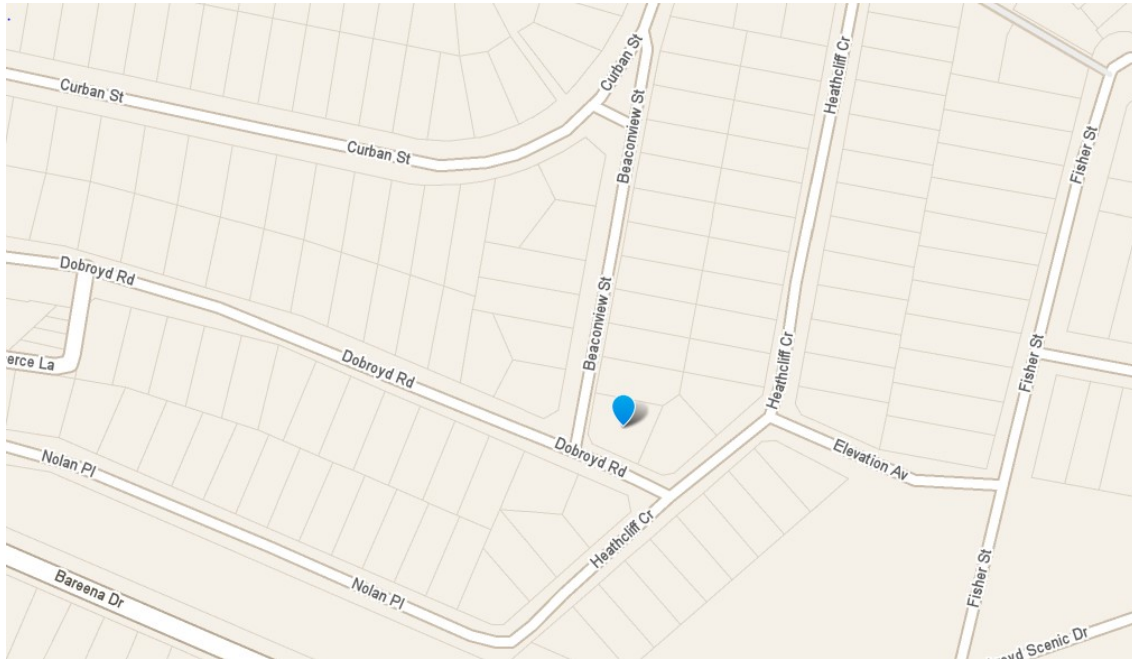


Figure 2 – Location of 4 Dobroyd Road, Balgowlah Heights

The site is slightly rectangular in shape and has an area of approximately 663.7 square metres. Due to the sloped nature of the street the property sits well below the Dobroyd Road side and level with the Beaconview side, while continuing to fall away to the northern properties. The property has had an existing boundary wall around the rear of the site with a 1.8m high fence located on top. There is room on site for two vehicles. The property is located in the R1 General Residential zone and is not located in any Acid Sulphate Class. Acid Sulphate Class 5 requires a report for any proposal with excavation below 2m. This proposal does not require the report. There are no Landslip Zone implications on this site. Both the LEP landslip map and the DCP Map C in Schedule 1 show the property is not located in any landslip zoning. The property is not located in a flood zone and all discussions with Council have determined that proposed retaining and fencing should have no effect on the zoning. The site does fall within the bushfire buffer zone, is classified as BAL 12.5, and has a bushfire assessment report accompanying this application.

It is proposed to construct a number of retaining walls around the property for proper retention of land and soil for both this property and the neighbouring sites. All retaining running along Dobroyd Road and Beaconview Street will be cut retaining as the property is well below street level. The proposed retaining along the rear and northern side boundary will be retaining to support the existing soil and earth on this site. There will be no fill included with this application along the northern side boundary. A number of internal retaining walls along Dobroyd Road have been approved with the house and pool though these walls are low in nature and set back from the boundaries. The new walls along Dobroyd will permit the property to properly retain the sloped land from the Council nature strip. This will allow proper fill on the Council side of the property and the boundary fencing to adequately supply privacy and screening to the site. These boundary walls will continue around the corner onto the Beaconview side until the land levels out. All walls will be correctly engineered and will not impede or affect views around the area as all walls will only bring the boundary up to the height of the existing land on the Council portion of land.

The new wall running along the eastern rear boundary will be to ensure that there is proper footing and a level area for the upgraded boundary fencing to be located. The additional retaining walls and the new fencing will not impact on either neighbour while privacy to both sites will be increased. The proposed boundary wall along the northern side of the site is divided into two sections. The western portion of the proposed wall will be to retain existing levels on the site at number 4 and to ensure that the neighbouring site does not have issues with soil or collapse onto their site. The eastern portion will be to create a level fenced area to ensure both properties have privacy and security. The new wall will be constructed of koppers logs and will be designed to ensure that there is no impact on the roots of the existing tree in the eastern corner. There will be no fill added with this portion of the application. The fencing here will only be for privacy as the fence drops away quite steeply in this location due to the changing ground levels.

The remainder of the DA is to request permission for new fencing around the site. 1.8m high paling fencing will be supplied along the sides and the rear of the site and this fencing will not pass the front building line of the residence. To the front of the house, a new 1.2m high metal palisade fence will be created. The fence will have the majority of its structure open to permit views, airflow, and planting. A new sliding driveway gate will be installed to the same height. A new access door from Dobroyd Road will also be installed to allow pedestrian traffic to the front door of the house. Full sections and elevations are provided for both the retaining and the fencing.

The majority of what is requested with this application is permissible under Council regulations for Exempt and Complying. To ensure that everything requested is permitted it has all been added as part of this application.

The development is in full compliance with all of Council's controls regarding heights, setbacks, built upon areas, and solar access and shadow. The required open space area for this site, located in Open Space Area 3, is 55%. This site will have 62%. Proposed landscaping will be provided totalling 71% of the open spaced area. This is well above the required 35%. These percentages will not change with the proposal. The owners have made a real concerted effort to keep the soft areas of the site and to ensure that the

site is in a better condition than when purchased. The site meets all landscape requirements, both for landscaped area, 71% of open space, and for the existing swimming pool not to exceed 30% of the open space. It takes up 6%.

No trees are required to be removed from the site. There will be new plants positioned around the pool location and along the proposed new fencing. This new planting will provide privacy and soften the area to the sides and front of the property.

This proposal will continue to meet all requirements regarding site coverage, height plans, building lines, landscaped areas and floor space ratios. There are no Clause 4.6 statements required with this application.

PRINCIPAL DEVELOPMENT STANDARDS MANLY DEVELOPMENT CONTROL PLAN

There will be no demolishing with this application. All work will be carried out external to the residence. The existing residence under construction will remain. There should be no impact on the streetscape, outside of fencing views, with this portion of the proposal.

The proposed new retaining and fencing is consistent with the Council requirements, including overshadowing, sight lines, views, and privacy. The work will provide a more usable rear yard for the family. There should be minimal to no impact on neighbouring sites. The scale, form and materials are sympathetic to the streetscape and is a complimentary addition to the streetscape, its design has been guided by other work approved by Council in the immediate neighbourhood. Consideration has been given to the provisions within the Building Typologies and the development is compatible with the outcomes. There are a number of similar approvals in the local vicinity of the proposal.

The building height is compatible with the neighbouring buildings and fencing and complies with the objectives of the Site Layout of the DCP. All side setbacks meet or exceed the required setback recommended by Council. The rear setback also complies. There will be no change to the front setback with this proposal. As the majority of the work is below existing street level for this site, there should be no change to the streetscape or views.

Heritage Conservation Areas and Heritage Items

The subject site is not listed in the historical Schedule of the Manly Local Environmental Plan (LEP) 2013 as an individual heritage item; nor is it located within any of Council's Heritage Conservation Areas. There are no heritage listings for Beaconview St or Dobroyd Road with the nearest heritage listing on Woodland St, over 5 blocks away and it is important to note that this application will not impact it at all.

Landslip Zoning

The site is not zoned within any of Council's landslip or Acid Sulfate zonings. The accompanying maps at the end of this statement shows that the site is well over 100m from any zoning that may be a concern of Council. This was specifically requested to be addressed with this application and the concerns are noted and all care will be taken on

site to ensure stability is maintained. The LEP mapping shows that the site is well away from any potential landslip areas. The DCP map C in Schedule 1 shows the site to be in zone 4 and not impacted or requiring a report. Following a flow chart in Schedule 11 of the DCP it is noted that no report is required with this application.

Solar Access

The proposed works are located around the whole external boundary of the site. The height of the proposal and the location on site ensure that there will be no change to any neighbouring residence regarding solar access. To the rear yard the private open space will receive a full complement of sunlight throughout the day. The neighbouring properties will retain existing shadows and should not have any additional windows blocked by shadow as a result of this development.

Visual and Acoustic Privacy

The rear yard fencing, at 1.8m in height, is at a height approved by Council. It will increase both the visual and acoustic privacy of all neighbouring properties. There are to be new large grassed areas created on site and all will be at or below the land on the other side of any shared boundary.

Streetscape

The streetscape will be altered with this application as new fencing is proposed. All requested fencing is compliant with Council regulations. Side fencing will be 1.8m in height, front fencing to be open and to not exceed 1.2m. No other work will be visible from the road.

View Sharing

The proposal has taken the neighbouring properties and views into consideration. The proposed works are located at or below ground level where possible. The portion of the retaining located out of ground does not have any fill or walkable edges to ensure that views to neighbours are not invasive. The position of the proposed retaining on site also ensures that there will be no change to any neighbouring views and that the proposal will not affect view sharing. The proposal should have no impact on the south, east and west neighbours regarding views.

Floor Space Ratio

There is no change to the FSR for the site. The property will fully comply with the Council requirements. No Clause 4.6 is required for this application.

Landscaped Area

The proposal will meet all of Council's landscape requirements including landscape ratio and site coverage. The calculation of open space requires 55% of the site. The site will continue to far exceed this requirement and there will be no change in the ratio. It is important to note that the site will continue to have large soft surface areas and will continue to minimise site coverage where possible.

Stormwater

Stormwater on site will continue to flow as existing. The new residence has a full stormwater plan and is fully compliant with all regulations. The proposed works should not impact on the overland flow across site at all. New drainage channels behind proposed retaining walls will be connected directly to the stormwater on site to decrease overland flow. The existing stormwater system will be upgraded if necessary. No detention is required as part of this proposal.

Privacy and Noise

The work has been designed to be as unobtrusive as possible for any neighbouring residences. The rear landscaped area will continue to exceed the required amount. The proposal is compatible with the established setting and the character of the area.

Site Management

There will be approximately 15 cubic metres of excavation required. The majority of the excavation will occur along the southern side boundary and will be required to ensure that proper footings are provided for the retaining. The majority of fill will be returned to site to help level out the sloped areas between the proposed retaining and the boundary. All excess excavated material, with the exception of some topsoil used to refurbish the gardens, will be taken off site by small trucks at the responsibility of the excavating contractor. There will be no stockpiling of soil; it will be removed straight away after excavation. A licensed builder will be conducting all work in and around the residence. During the construction process utmost care and consideration will be taken to ensure the privacy and lifestyle of the neighbouring residences is uninterrupted.

DEVELOPMENT CONTROL PLAN 2013 GENERAL PROVISIONS AND REQUIREMENTS

The Manly Council DCP 2013 applies to all land that the Manly LEP 2013 applies. The subject land therefore falls under the requirements of the DCP.

CONTROL	REQ'D	PROPOSED	COMPLIES
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Part C: Place

SITE CONTEXT ANALYSIS	Plans of existing conditions on site	Supplied full site analysis on plan and in statement	Y
DEMOLITION	Ensure heritage or conservation buildings are retained	Residence is designed to retain and enhance site setting, no heritage implications	Y
ALTERATIONS AND ADDITIONS	Ensure the new form complements the surrounding area	The proposal retains the existing street frontage and the new additions are provided as integrated items	Y
HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS	Controls the development with Heritage Conservations Areas and Heritage Items	The property is not heritage listed nor in a conservation area	Y
CORNER SITES			NA
SUBDIVISION			NA

SITE FACILITIES	Provide functional site facilities	Areas have been provided for bins and adequate functioning of the site	Y
CONTAMINATION	Ensure the land is not contaminated from past activities	The site is not known to be contaminated and has been a residential property for the past 30+ years.	Y
SAFETY BY DESIGN	Preventing crime through design	The proposal seeks to retain the open aspect to the streetscape.	Y
EQUITY OF ACCESS AND MOBILITY	Promote consideration of disabled access	The new works will provide an easier living space for disabled or impaired persons.	Y
PARKING		The site has provision for two vehicles	Y
LANDSCAPING	Enhance the amenity and visual setting of the property	The landscaped area will be enhanced and upgraded. No trees are required to be removed as part of this development.	Y
OPEN SPACE WITHIN THE PUBLIC DOMAIN	Integrate within the public domain	No street works are to be carried out.	Y
TREE MANAGENT		No trees to be removed	Y
SIGNS AND OUTDOOR ADVERTISING			NA
STRUCTURES OVER THE PUBLIC DOMAIN			NA
MINOR ARCHITECTURAL DETAILS			NA
LANEWAYS			NA
ROCK FACES, ROCKY OUTCROPS, CLIFF FACES, STEEP SLOPES AND ROCK WALLS	To conserve rocky outcrops as features and cultural significance	There are no rock outcrops or features on site, excavation will reveal sandstone to be removed	Y
FORESHORE LAND			NA
GREEN ROOFS AND GREEN LIVING WALLS			NA
PART 3 – GENERAL PRINCIPLES			
RESIDENTIAL GENERAL PROVISIONS		Retaining and fencing to be compliant with Council	Y
3.3 LANDSCAPING	35%	71%	Y
3.4 AMENITY	Views and overshadowing	All views and overshadowing have been taken into account, no change to views or shadows	Y
3.5 SUSTAINABILITY		No Basix certificate required with this application	Y
3.7 STORMWATER	In accordance with Manly 2003 stormwater specifications	No change to stormwater, will be upgraded if necessary though new stormwater is being installed as part of the residential application	Y
site layout and capacity	Ensure site can accommodate works	Site meets landscape ratios Built upon ratios to remain as existing	Y
local character	Development siting and design shall respect and enhance the natural attributes	All work kept to the rear, the view from the street will be retained, the proposal is in keeping with the neighbourhood.	Y
building location zone	BLZ to consider the established pattern of development.	The proposal is directly in keeping with the other residential houses on the street	Y

corner sites			
PART 4			
setbacks	South side 1000mm North side 1000mm East side 1000mm S side first floor m N side first floor m Front Rear 6m	Fencing and retaining permitted Within setback Fencing and retaining permitted Fencing and retaining permitted Fencing and retaining permitted Fencing and retaining permitted	Y Y Y N/A N/A Y
Wall height	Wall height 6.5m	The proposal complies	Y
landscaped open space	55% of site or 364.7sqm 35% soft open space	62% or 413.1sqm 71% complies	Y Y
street orientation	Aligned with street	The existing alignment is retained	Y
building height and building envelope	Max 8.5m and 2.5m above wall height	All new work fits within height and building envelope	Y
roof pitch	Max 35 degrees Roof pitch in keeping with area and below required heights	No roof with this proposal	Y
ELEVATION AND MATERIALS			
building facades	Banding to define storeys and windows	The proposal is designed to take in recommendations of Council	Y
Balustrades			NA
Building Typologies		The new building is designed to fit into the existing neighbourhood and materials have minimal contrast.	Y
Enclosure of verandahs			NA
Elevation elements			Y
	Front windows must be habitable rooms	No windows	Y
colour schemes	All schemes to match neighbourhood	Colours match existing and neighbouring sites	Y
brickwork	Unpainted to remain	All unpainted brick to remain	Y
finishes	Compatible with streetscape and period	The work will be in keeping with the site, surrounds, and neighbourhood	Y
DORMERS			N/A
FRONT GARDEN AND ENTRIES		The front garden will be retained. A new entrance will be created at the side of the residence, replacing proposed front entrance in similar location.	Y
FENCES	Compatible with area	Fencing to comply with pool fencing act	Y
ENVIRONMENTAL PERFORMANCE	High level of energy efficiency and comfort	Designed with good insulation, crossflow and light access.	Y
PRIVATE OPEN SPACE	Site requires 364.7sqm	Site will have 413.1sqm	Y
SOLAR ACCESS	Maximise sunlight	No change to shadows. Property will retain a high level of solar access	Y
	Include shadow diagrams	No shadows required	Y
	Maximise sunlight in main living area	Max sunlight to private open space and to living area	Y
	Windows good size and to have shading	No windows with this application	Y

	Private open space to receive min 3 hours	Private open space receives the same amount of shadow as existing.	
	All habitable rooms to have natural sunlight		Y
alts and adds	To have min overshadowing	Designed to minimise over shadowing of neighbours, minimal additional showing to neighbours' private open space.	Y
	No reduction in sunlight	No reduction in sunlight to main living areas	Y
	Maintain solar access to neighbours	All effort made to ensure neighbour has good solar access	Y
	Promote view sharing	Views are still all available to all neighbours, work has been kept to a minimum to lessen impact on views and has been designed to promote view sharing	Y
	Ensure sight lines to neighbour living areas is not increased	Position on site and height levels as well as setbacks help ensure no sight line issues	Y
	Dividing walls and floors to BCA	All work to BCA standard, no increase in site noise	Y
	Isolate noise generating areas on site	No change	Y
	Private open space away from living areas of neighbours	Private open space at rear of site	Y
CONVERSION OF EXISTING NON-RESIDENTIAL BUILDING			NA
ADAPTABLE HOUSING			NA

MANLY LOCAL ENVIRONMENTAL PLAN 2013

Zone R1 General Residential 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
- to improve opportunities to work from home
- to provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas
- to provide landscaped areas for the use and enjoyment of existing and future residents
- to ensure that subdivision creates lots of regular shapes that are complimentary to, and compatible with, the character, style, orientation and pattern of the surrounding area
- to protect and enhance the amenity of existing and future residents and the neighbourhood

The application fully complies with the objectives of the LEP 2013. The proposal has been designed to meet the objectives of this zoning.

PART 4 PRINCIPAL DEVELOPMENT STANDARDS – MAP 7

No.	Standard	Required/ Allowable	Supplied	Complies	Comments
4.1	Minimum subdivision lot size	200sqm	663sqm	NA	No change to existing.
4.1AA	Minimum subdivision lot size for community title schemes			NA	
4.2	Rural Subdivision			NA	
4.3	Height of Buildings	8.5m	1.8m	Y	
4.3A	Landscaped areas for Residential accommodation in Zone R1	35% of open space on the site	71% of the open space on the site	Y	
4.4	Floor Space Ratio	0.4:1		N/A	
4.4A	Exceptions to floor space ratio for active street frontages			NA	
4.5	Calculation of Floor Space Ration			Y	
4.6	Exceptions to development standards			NA	Not required

Part 6 - Additional Local Provisions

6.1 Acid Sulphate Soils – Class 5

6.2 Earthworks – A structural engineer will be engaged to monitor the excavation of the site to ensure no damage will occur to neighbouring properties and to mitigate the impacts of the development.

6.3 Flood planning – The property is not located within a flood zone.

6.4 Stormwater management – stormwater on site will remain as existing but will be upgraded or replaced if necessary and in keeping with council's controls.

6.5 Terrestrial biodiversity—this portion of the LEP is not applicable with this application

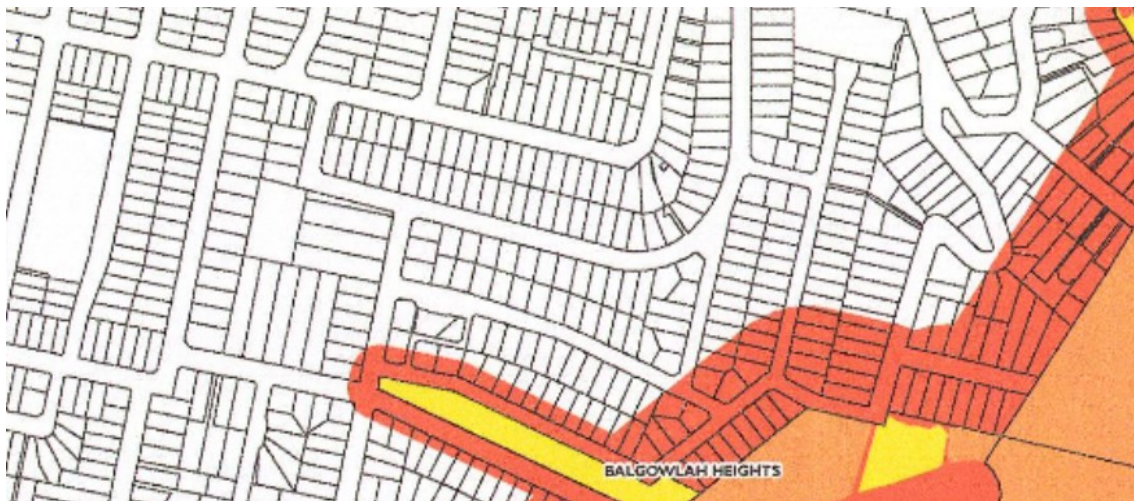
6.6 Foreshore Scenic Protection Area—the property does not fall within the foreshore scenic protection area

CONCLUSION

The enclosed assessments of the merits of the application indicate that the proposed development will not have any adverse environmental impact.

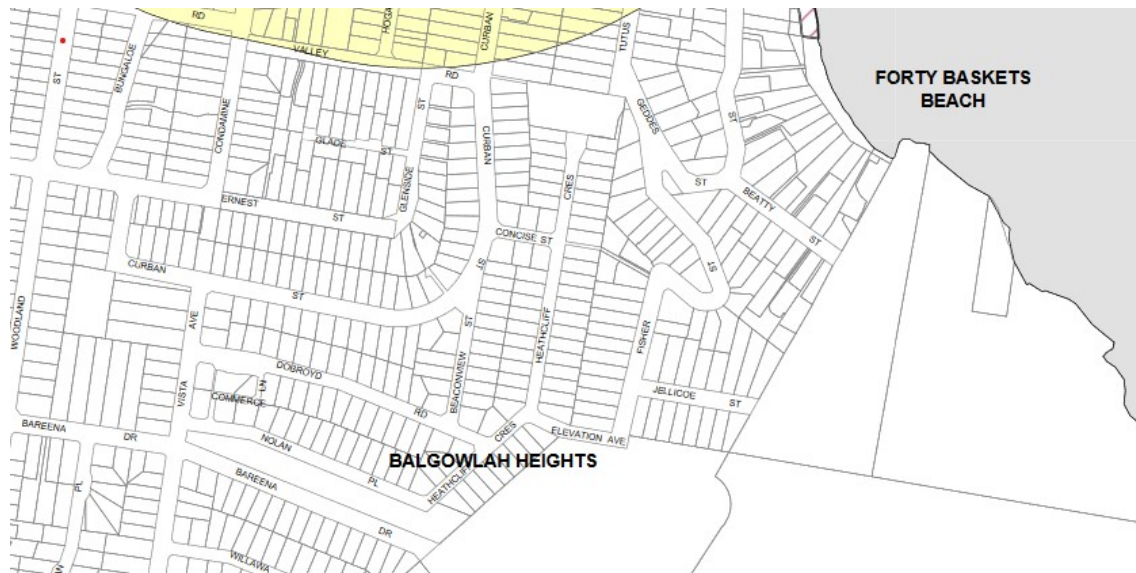
The development has taken into consideration design aspects of human comfort such as scale, noise, solar access and shade to both this residence and the neighbouring properties. The design protects the neighbour's amenity including visual and acoustic privacy particularly regarding living areas and private open spaces. The setback from the boundary ensures the amenity of the neighbouring properties is maintained and enhanced and landscaping softens visual appearances. The structure is in keeping with the neighbourhood and the scale of this form is balanced by the existing and proposed vegetation. It is proposed to use quality materials to finish the area and to maintain the architectural style of the existing residence.

The proposed design maintains the general aims and objectives of the Manly LEP and Manly DCP's and enhances the characteristics of the area and the desired outcome of the Balgowlah area.



Map showing the property is located in the bushfire buffer zone with a classification of BAL 12.5

All work is permitted in this zoning



LEP Map showing landslip and acid sulfate soils—property is in neither
All work permitted in this zoning



DCP map 3 in Schedule 1 showing the site is in zone G4 and does not require any
additional investigation or reports