



Statement of Environmental Effects

Alterations and additions to an existing
dwelling that forms part of an attache du
occupancy at
20B Clifford Avenue, Fairlight
(Lot 2 in SP 60808)
also known as **2/20 Clifford Avenue, Fairlight**

16 June 2022

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1. Introduction

This Development Application proposes alterations and additions to an existing residential dwelling which forms one (1) part of an existing attached dual occupancy development at 20B Clifford Avenue, Fairlight (Lot 2 in SP 60808).

The development proposal is permissible in the R1- General Residential zone under the provisions of Manly Local Environmental Plan (LEP) 2013 and is an acceptable form of redevelopment for an existing residential premises located on the periphery of the foreshore scenic protection area.

The proposed alterations and additions do not compromise the core objectives of Manly Development Control Plan in our view.

The proposed works are necessary to provide a suitable level of amenity for the occupiers and do not result in detrimental impacts for the adjoining properties.

The main body of this report will review the key planning considerations for a consent authority under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979 and it is concluded that the proposed development is consistent with the relevant objectives of MLEP 2013 / MDCP.

2. Site Details

2.1. Location

The site is an existing Strata titled allotment (SP 60808) of a regular shape that is situated on the northern side of Clifford Avenue and is known as 20A and 20B Clifford Avenue, Fairlight.

The site subject to this application is known as 20B Clifford Avenue, Fairlight and is legally identified as Lot 2 in SP 60808.

The site has a total surface area of 613.1sq.m and a frontage of 15.24 metres to Clifford Avenue.

At the site stands an existing part 1 and 2 storey attached dual occupancy and is constructed of rendered brickwork and tile roof.

Other site improvements consist of a concrete driveway which leads to car parking, retaining walls, fencing, storage areas and courtyards.

The form of the attached dual occupancy is presented in a stacked configuration i.e., one on top of the other and is split into 2 building components to reflect the respective legal allotments of Lots 1 and 2.



Subject site

Surrounding the development consists of a mixed residential environment that is typified by high density and low-density housing forms of varying age, scale, design and finishes.

To the northern side of Clifford Avenue, the buildings are more prominent and distinct with staircases that lead to cascading floor plates that are built above garages.

A notable feature along the streetscape is the steep road incline and large retaining walls constructed from sandstone and rock shelf that sits below the walls.

A small patch of landscaping is evident at the road batter where the public roadway splits and is lined with sandstone and white post and top rail fence.

A location plan of the site is provided below.



Location Plan

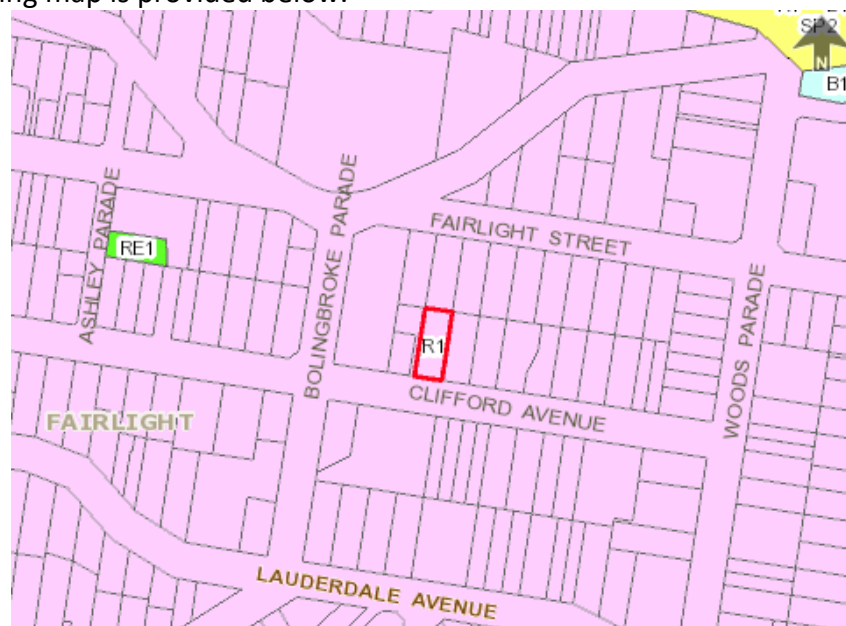


Site Aerial Photograph

2.2. Zoning

The site is located within the R1 General Residential zone pursuant to Manly Local Environmental Plan 2013.

A zoning map is provided below.



LEP Zoning Map

3. Development Proposal

The Development Application proposes alterations and additions to an existing dwelling which forms part of an attached dual occupancy and within the Lot 2 component.

The development proposal is unpacked as follows:

Lower ground floor plan

- Wall removal.
- New lift shaft and cart.
- New storage space.
- New ramp.

Upper ground floor plan

- Continuation of lift shaft.

First floor plan

- Continuation of lift shaft.
- Extension to balcony.
- Replacement of roofline over terrace.
- Removal of walls.
- New support beam.
- Replace existing roof over dining room.
- Larger dining space/living quarters.
- Replace solid balustrade with glass balustrade.
- New glazing elements and louvers.

The relevant architectural plans, survey plan and other supporting documents accompany the Development Application.

4. Permissibility

The proposed development is permissible in the R1- General Residential zone under the provisions of Manly Local Environmental Plan 2013 as the works are defined as ancillary works to an existing dual occupancy.

5. Matters of Consideration

5.1. Section 4.15(1)(A)(I) – any environmental planning instruments

Manly Local Environmental Plan 2013

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
Aims of the LEP?	Yes
Zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings	8.5 m	8.15m to rear building line (proposed lift).	N/A	Yes
Floor Space Ratio Site area: 613 sq.m.	FSR: 0.6:1	Maximum permitted= 368sq.m. Existing floor area= 324 sq.m or 53 %. propose floor area= 9 sq.m or 1.5 %. Total floor area= 333 sq.m or 54.5%.	N/A	Yes
Foreshore scenic protection area	To protect visual amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in	The proposal would not be readily visible from the foreshore. The proposed works are low impact and visual impact would be	N/A	Yes

	Manly.	within acceptable grounds.		
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Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.6 Exceptions to development standards	N/A
5.1 Heritage Conservation	N/A
6.1 Acid sulfate soils	N/A
6.2 Earthworks	N/A
6.4 Stormwater management	Yes
6.8 Landslide risk	N/A
6.12 Essential services	N/A

5.2. Section 4.15(1)(A)(ii) – any draft environmental planning instrument(s)

There are no known draft environmental planning instruments which affect the improvement works and are viewed ancillary works to existing residential accommodation found onsite.

5.3. Section 4.15(1)(A)(iii) – any development control plan(s)

The proposed improvement works on merit satisfactorily address the core objectives of Manly Development Control Plan.

Built Form Controls

Built Form Controls – Site Area: 613.1m ²	Requirement	Proposed	Complies
4.1.2.1 Wall Height	Max. 6.5m or existing	5.76 metres and existing (lean to roofline is slightly above existing gutter line)	Yes
4.1.2.2 Number	2 or existing	Part single and two storey	Yes

of Storeys		construction. Below the main ridgeline to the upper floor. No change.	
4.1.2.3 Roof Height	Pitched roof structures must be no higher than 2.5m above the actual wall height	New roofline is not pitched and is a lean to. No change.	Yes
4.1.4.3 Side Setbacks and Secondary Street Frontages	900mm or existing	Existing setback to side boundary i.e., 1.45m and 2.5m are to be continued.	Yes
4.1.4.4 Rear Setbacks	8m or existing	8.15m to rear building line (proposed lift).	Yes
4.1.5.1 Minimum Residential Total Open Space Requirements Residential Open Space Area: OS3	Open space 55% of site area or existing	No change.	Yes
4.1.5.2 Landscaped Area	Landscaped area 35% of open space or existing	No change.	Yes
4.1.5.3 Private Open Space	18sqm or existing	No change.	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.1 Streetscapes and Townscapes	Yes	Yes
3.1.1 Streetscape (Residential areas)	Yes	Yes
3.2 Heritage Considerations	Yes	Yes
3.3.1 Landscaping Design	Yes	Yes
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	Yes	Yes
3.4.3 Maintenance of Views	Yes	Yes

3.5 Sustainability - (Greenhouse Energy Efficiency, Thermal Performance, and Water Sensitive Urban Design)	Yes	Yes
3.7 Stormwater Management	Yes	Yes
3.8 Waste Management	Yes	Yes
3.10 Safety and Security	Yes	Yes
4.1 Residential Development Controls	Yes	Yes
4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)	Yes	Yes
4.1.3 Floor Space Ratio (FSR)	Yes	Yes
4.1.4 Setbacks (front, side and rear) and Building Separation	Yes	Yes
4.1.5 Open Space and Landscaping	Yes	Yes
4.1.7 First Floor and Roof Additions	Yes	Yes
4.4.2 Alterations and Additions	Yes	Yes

5.4. Section 4.15(1)(A)(iia) – any planning agreement or draft planning agreement

There are no related matters for consideration in terms of a planning agreement or draft planning agreement which affects the proposal.

5.5. Section 4.15(1)(A)(iv) – the regulations

The proposal is viewed sufficient to enable a proper evaluation to be carried out by Council under the planning regulations.

Regarding compliance with the provisions of the Building Code of Australia (BCA), this matter is deemed to comply as a condition of consent.

It is noted that certification of the installation of the passenger lift from the lift installation company confirming compliance with AS1735 and Safe Work NSW requirements and along with the Passenger Lift Registration Certificate from Safe Work NSW is deemed to comply as conditions of consent.

5.6. Section 4.15(1)(B) – the likely impacts of the development

There are no undesirable socio-economic impacts that will result from the works.

The proposed development will not have any detrimental social impact in the locality considering there are no amenity impacts of the works to the side and rear of the property.

5.7. Section 4.15(1)(C) – the suitability of the site

There are no adverse effects on adjoining properties and the site is considered suitable for the proposed development.

5.8. Section 4.15(1)(D) – any submission made

Council will review any submissions made during the exhibition process; and we welcome the opportunity to review these.

5.9. Section 4.15(1)(e) – the public interest

The proposal is not contrary to the public interest and the proposal in our view does not impact on any view corridors or the enjoyment of surrounding lands.

6. Conclusion and Recommendation

The main body of this report reviewed key planning considerations for a consent authority under the matters of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979.

The proposed development is permissible with consent and will not result in any adverse impacts on the adjoining parcels or the foreshore areas since the works are suitably integrated with the existing built form, and the architectural composition is considered acceptable.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of MLEP 2013 / MDCP and the objectives specified in Section 1.3(a) of the Environmental Planning and Assessment Act, 1979.

On this basis, it is recommended that the development proposal be approved subject to conditions.

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