

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR THE PROPOSED DEMOLITION OF THE EXISTING SINGLE STOREY  
DWELLING AND ASSOCIATED STRUCTURES**

**LOCATED AT**

**15 ALTO AVENUE, SEAFORTH**

**FOR**

**MR M DEERAN**

**Prepared  
March 2020**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies details prepared on behalf of Ms Shannon Deeran, dated 5 March 2020, to detail the proposed demolition of the existing single storey dwelling and associated structures at **15 Alto Avenue, Seaforth**.

Development Application No. 2019/0344 for subdivision of one lot into two lots and associated infrastructure was refused by Council on 3 August 2019.

This proposal is to form **Stage 2** of a three stage project which will seek consent for the following defines stages of work:

Stage 1	Construction of a new dwelling as a detached dual occupancy (subject application)
<b>Stage 2</b>	<b>Demolition of the existing single dwelling facing Prince Edward Road (separate application)</b>
Stage 3	Subdivision of the existing allotment (Lot 130 within DP 1162) into two allotments

Furthermore, Council raised concern with regard to the rear setback of the existing dwelling to occur as a result of the proposed subdivision. The current proposal seeks to provide for demolition of the existing dwelling only, and the rear setback control is not relevant in this instance. Any future development application for the construction of a dwelling on the eastern lot will be subject to a separate assessment by Council.

This Statement reviews the proposed development by assessing the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, (as amended) including:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan 2013*

## 2.0 Property Description

The subject allotment is described as **15 Alto Avenue, Seaforth**, being Lot 130 within Deposited Plan 11162 and is zoned R2 Low Density Residential under the Manly Local Environmental Plan 2013.

The dwelling is not listed as a heritage item within Schedule 5 of the Manly Local Environmental Plan 2013 and is not noted as being within a Conservation Area.

The western portion of the site is burdened with Council's stormwater conduit. Accordingly, a Flood Study Report has been prepared by Waterdesign Civil Engineers, Job No. 2018-053, dated 6 March 2020.

The site is identified as G4 on Council's DCP Map of Geotechnical Hazards. This matter will be discussed further within this statement.

No other hazards have been identified.

### 3.0 Site Description

The site is located on the eastern side of Alto Avenue, with a rear, secondary eastern frontage to Prince Edward Road.

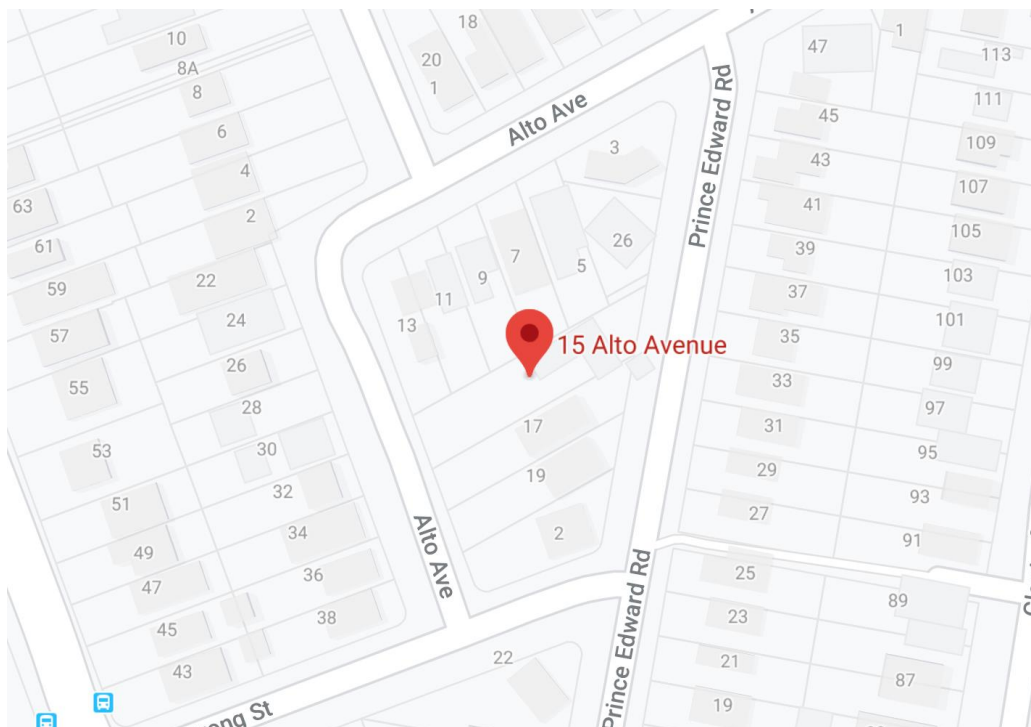
The irregular shaped allotment has a primary frontage of 15.24m to Alto Avenue and south-eastern and north-western boundaries measuring 63.56m and 73.45m respectively. The secondary frontage to Prince Edward Road measures 19.4m. The total site area is 1037m<sup>2</sup>.

The site has a general fall to the south. Stormwater from the roofed areas is directed to the easement.

The site is currently occupied by a single storey metal clad dwelling with a tile roof and carport.

Vehicular access is currently available via a concrete driveway from Alto Avenue to an existing detached single carport.

The details of the site are included on the survey plan prepared by Survey Plus, Reference No. 16123\_DET\_1A, dated 30 March 2017, which accompanies the DA submission.



**Fig 1: Location sketch**  
(Source: Google Maps)



**Fig 2: View of subject site, looking north-west from Prince Edward Road**





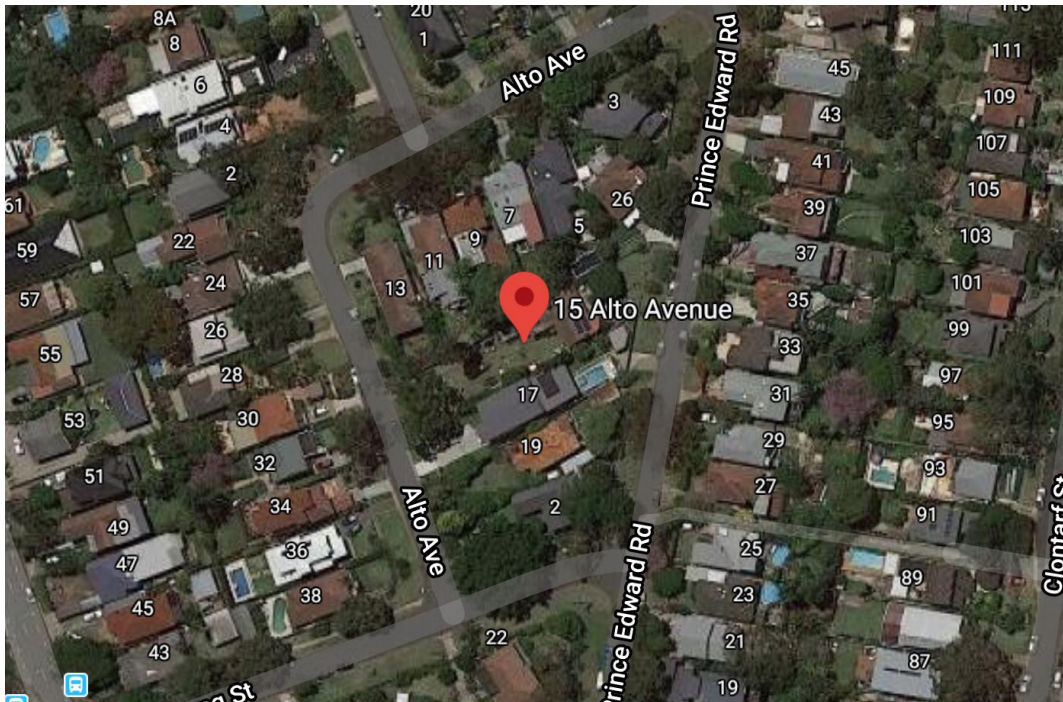
**Fig's 3 & 4: Views of existing site and current driveway access from Alto Avenue, looking east**



#### 4.0 Surrounding Environment

The area surrounding the site is predominantly represented by a mix of development comprising one and two level detached single dwellings.

The neighbouring properties to the north along Alto Avenue comprise a mix of one and two storey detached dwelling, with the adjoining property to the west being developed with a single dwelling.



**Fig 5: Aerial view of subject site**  
(Source: Google Maps)

## 5.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks approval for the demolition of existing single storey dwelling and its associated structures.

The subject proposal is Stage 2 of a 3-stage process, comprising the following:

- **Stage 1:** Construction of a new dwelling to provide for a detached dual occupancy development
- **Stage 2:** Demolition of existing dwelling
- **Stage 3:** Torrens title subdivision of existing lot into two lots

No new works are proposed as part of the subject application.



## **6.0 Zoning and Development Controls**

### **6.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

The proposal seeks to provide for demolition only, and a BASIX certificate is therefore not required in this instance.

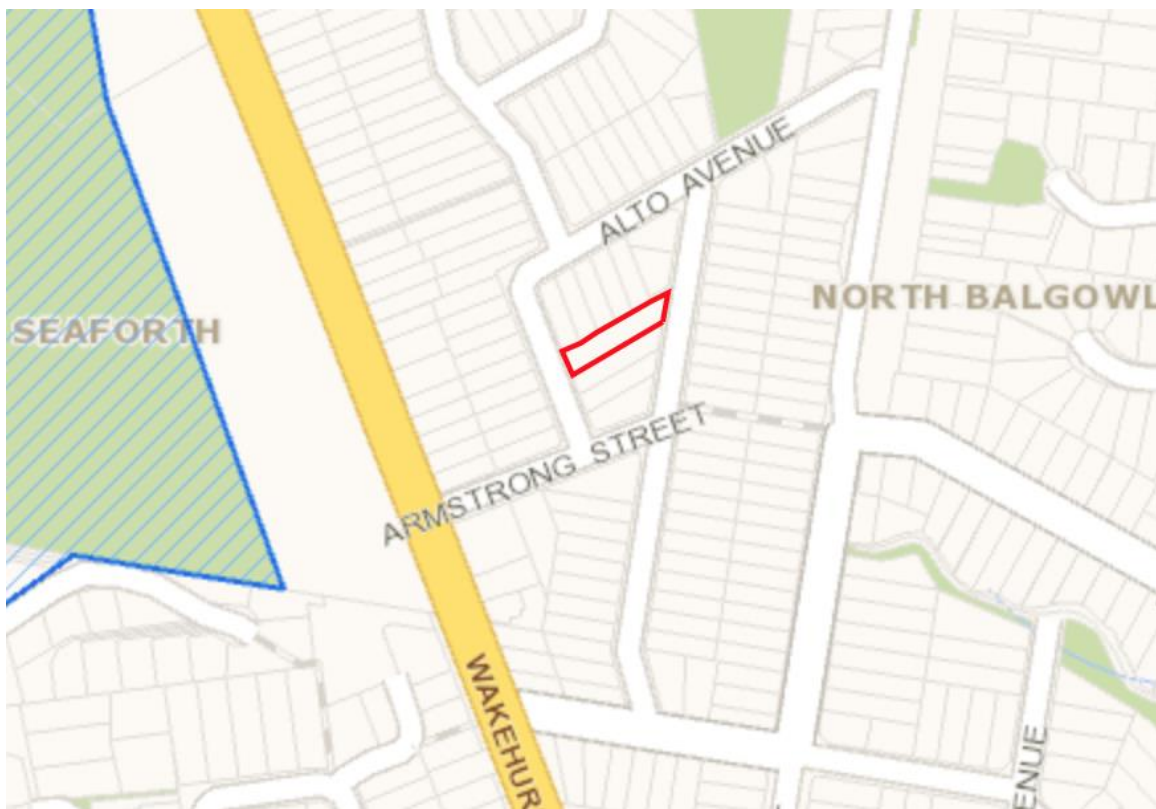
### **6.2 State Environmental Planning Policy (Coastal Management) 2018**

The subject site is not identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is not applicable to the proposed development.

### **6.3 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The subject site is not located within the area affected by the provisions of State Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005 (SREP 2005).

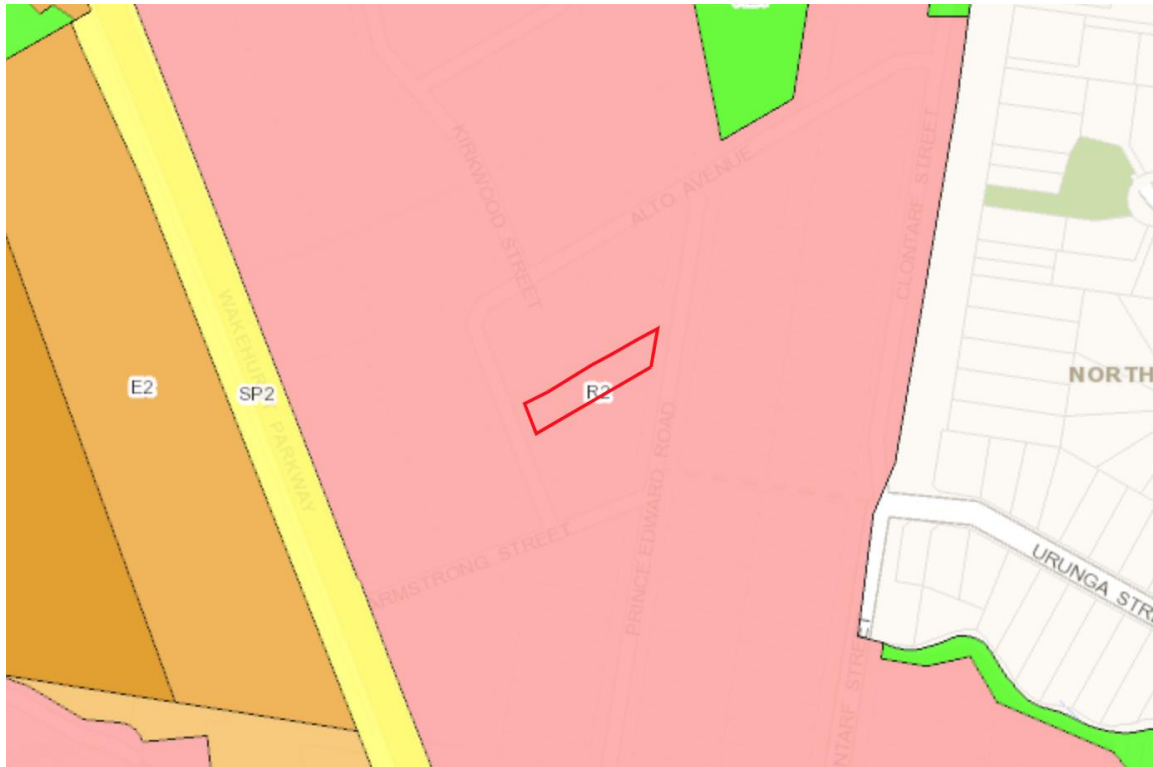
No further assessment under the provisions of the SREP is required in this instance.



**Fig 6: Extract of Foreshores and Waterways Area Map from Northern Beaches Council Planning Maps**

#### 6.4 Manly Local Environmental Plan 2013

The land is zoned R2 Low Density Residential under the provisions of the MLEP 2013. The proposed demolition of existing structures is permissible in the zone.



**Fig 7: Extract of Manly Land Zoning Map from Northern Beaches Council Planning Maps**

The proposed demolition of the existing single storey dwelling is consistent with the R2 zone objectives, which are noted as:

- *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 proposal provides for the demolition of existing structures only, and will therefore not result in any adverse impacts for neighbouring properties in terms of views, solar access, privacy or general amenity.

**Clause 6.2** relates to earthworks. The proposal will not require any excavation to accommodate the demolition of the existing dwelling.

Subject to the works being carried out in accordance with the recommendations of the consulting Structural Engineer, the proposal is considered to satisfy the provisions of this clause.

**Clause 6.8** relates to landslide risk. The subject site is within Area G4 of Council's Landslip Hazard Map, and does not require any Geotechnical Investigation due to the limited site disturbance proposed.

Subject to the works being carried out in accordance with the recommendations of the consulting Structural Engineer, the proposal is considered to satisfy the provisions of this clause.

There are no other clauses of the MLEP 2013 that are considered to be relevant to the proposed development.

It is considered that the proposal achieves the requirements of the MLEP.

## 6.5 Manly Development Control Plan 2013

Council's Development Control Plan 2013 provides the primary control for development within the area.

The DA submission will address the Council's submission requirements outlined in Part 2 – Process.

The primary areas which are applicable to the proposed works are detailed within Part 3 – General Principles of Development & Part 4 – Development Controls and Development Types.

### Clause 3.1.1 – Streetscape (Residential Areas)

The intended outcomes are noted as:

- a) *Development in the streetscape (including buildings, fences and landscaping) should be designed to:*
- i) *complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
  - ii) *ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
  - iii) *maintain building heights at a compatible scale with adjacent development particularly at the street frontage and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;*
  - iv) *avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
  - v) *address and compliment the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 Heritage Considerations;*
  - vi) *visually improve existing streetscapes through innovative design solutions; and*
  - vii) *Incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 Building Construction and Design*

#### Setback Principles in Low Density Areas

- b) *In lower density areas including LEP Zones R2, E3 & E4, setbacks should be maximised to enable open space to dominate buildings, especially on the foreshore.*

The proposal provides for the demolition of existing structures only, and will therefore not result in any adverse impacts on the streetscape. Any future application for development within the site will have regard for Council's streetscape objectives.



### Clause 3.4 Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- Objective 1) To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties.*
- Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.*

The proposal provides for the demolition of existing structures and will therefore not result in any adverse impacts on the amenity currently enjoyed by neighbouring properties.

### Clause 3.5 Sustainability

The proposal seeks to provide for demolition only, and a BASIX certificate is therefore not required in this instance.

## Part 4 – Residential Development Controls

**Site Area 1037m<sup>2</sup> – Density (500m<sup>2</sup> per lot)**

### Compliance Table

Control	Required	Proposed	Compliance
<b>Clause 4.1.1</b> Residential Density & Subdivision	Density – 1 dwelling per 500m <sup>2</sup>  Min frontage to a public road 1m	N/A – remains unchanged	N/A
<b>Clause 5.4.1</b> Foreshore Scenic Protection Area			N/A
<b>Clause 5.4.2</b> Threatened Species and Critical Habitat			N/A

**7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979**

**7.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

The site is not within the Foreshores and Waterways Boundary of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

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

**7.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

It is not considered that there are any draft environmental planning instruments applying to the site.

**7.3 Any development control plan**

The development has been designed to comply with the requirements of Manly Development Control Plan 2013.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

**7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

No matters of relevance are raised about the proposed development.

**7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),**

No matters of relevance are raised about the proposed development.

**7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposal, which seeks approval for the demolition of existing structures, is reasonable. The development will maintain a favourable bulk and scale relationship with other development in the vicinity. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and Council's Codes and Policies.

#### **7.7 The suitability of the site for the development**

The subject land is currently zoned R2 Low Density Residential under the Manly Local Environmental Plan 2013 and is considered suitable for the proposed development.

The subject site does not exhibit any significant constraint to the construction of the proposed development.

#### **7.8 Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

#### **7.9 The public interest**

The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

#### **8.0 Conclusion**

The principal objective of this development is to support the demolition of existing structures, which satisfies the stated objectives of Council's Development Controls.

The proposal is Stage 2 of a three stage proposal that also involves the construction of a detached dual occupancy dwelling (Stage 1) and the subdivision of the land into two lots (Stage 3).

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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