



# Minto Planning Services

## Town Planning Consultants

**STATEMENT OF  
ENVIRONMENTAL EFFECTS**

**PROPOSED DEMOLITION OF EXISTING  
STRUCTURES & CONSTRUCTION OF A NEW  
DWELLING AND ASSOCIATED LANDSCAPING**

**9 SHORT STREET, NORTH MANLY**

**On Behalf of  
Ms Entwistle & Mr Gardiner**

**13<sup>th</sup> March 2025**

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**STATEMENT OF ENVIRONMENTAL EFFECTS**

**Proposed Demolition of Existing Dwelling & Construction of a New Dwelling  
and Associated Landscaping**

**at**

**9 SHORT STREET, NORTH MANLY**

Prepared under instructions from

Wattle Court (Sydney North)

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## 1. INTRODUCTION

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Mr Entwistle & Ms Gardiner. The proposal seeks approval for the demolition of the existing dwelling followed by the construction of a new two storey dwelling upon land identified as Lot 5 in DP 5511 and which is known as 9 Short Street, North Manly.

By way of background, it is advised that Pre-Lodgement Advice was received from the Council on the 8<sup>th</sup> September 2023. That advice was taken into consideration in the preparation of this application.

In consideration of this application reference has been made to:

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

Additional information to support this application includes:

- Survey Plan prepared by TSS Total Surveying Solutions, Job No. 230653 and dated 7/9/23.
- Architectural Plans, Erosion, Sediment & Waste Management Plan, 3D Views, Driveway Details and Shadow Diagrams prepared by KJR Drafting, Job No. NSN0043, Dwg No's. A01 to A20, Revision E and dated 27/02/2025.
- Landscape Plans prepared by Contour Landscape Architecture, Drawing No. C1 to C5, Revision B and dated 07/03/2025.
- Stormwater Management Plans prepared by Nastasi & Associates, Project No. 46471, Dwg No's. C1 to C4, Revision B and dated 11/03/2025.
- Flood Information Report issued by Northern Beaches Council and dated 08/08/2023.
- Site Classification Report prepared by Ideal Geotech, Job No. 65462 and dated 04/09/2023.
- BASIX Certificate No. 1782451S and dated 06/02/2025.

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(1) 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. THE SITE

The subject site is identified as Lot 5 in DP 5511 and is known as 9 Short Street, North Manly.

The subject site is a rectangular shaped allotment located at the northwest intersection of Short Street and Wattle Road. The site has a site area of 577.3m<sup>2</sup> with the northern boundary having a frontage of 42.31m to Wattle Road. The sites western boundary has a of 13.98m to Short Street.

The site location is depicted in the following street map extract.



Site Location Map

The property is relatively level with a gentle slope from the site's rear southeast corner (RL 11.99) to the front north western corner (RL 10.49). The total fall over the length of the site is approximately 1.5m. Consistent with the fall of the land, stormwater is understood to currently be disposed of to the gutter in Short Street.

An easement cuts across the front north western corner of the site and is identified as 'A' on the survey plan. The proposed dwelling has been designed so as to sit clear of this easement.

The site currently supports a single storey clad dwelling house with a pitched tiled roof. The dwelling is located on the western portion of the site and is orientated towards Short Street. A detached rendered brick secondary dwelling is located on the eastern portion of the site and is orientated towards Wattle Road.

A wire mesh fence is erected along the Short Street frontage and a portion of the Wattle Road frontage. The remainder of the Wattle Road frontage is bounded by a colorbond metal fence.

A concrete driveway which enters the site from Short Street adjacent to the northern boundary provides vehicular access to the site and to the at grade parking forward of the dwelling. A second driveway is provided from Wattle Road towards the eastern boundary.

The existing dwelling is not heritage listed and is not considered to have any heritage significance which would prevent its proposed demolition.

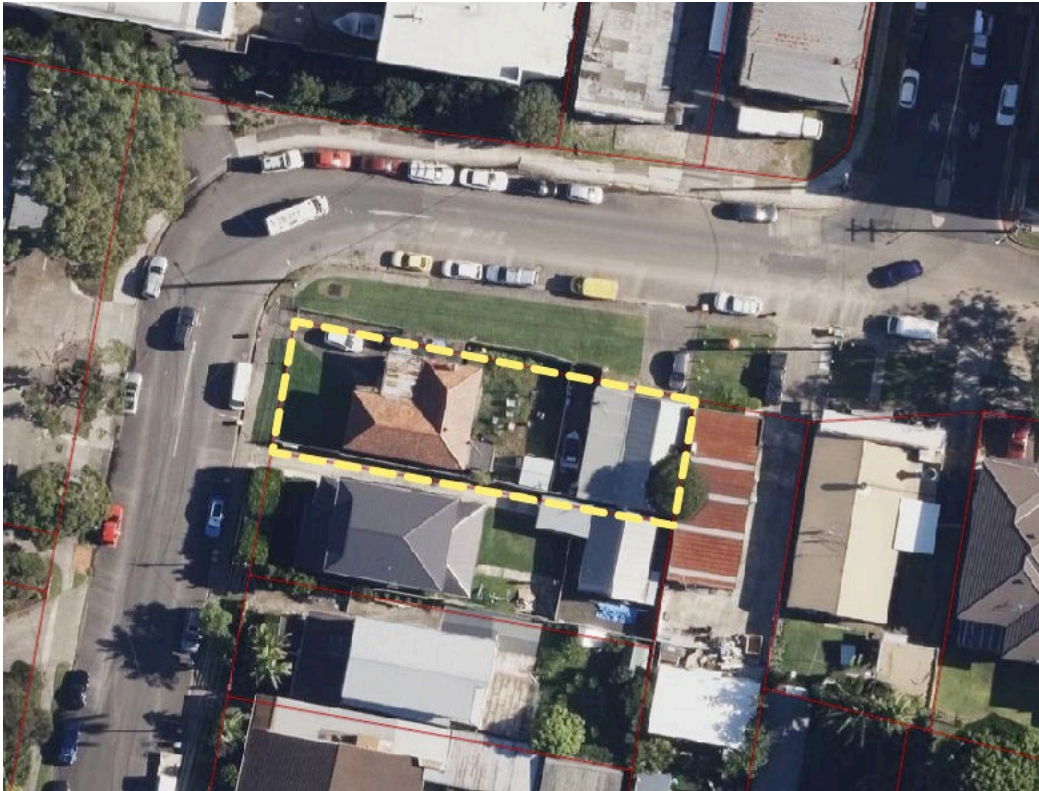
There is no significant vegetation on site or within proximity of the proposed development.



**The subject property as viewed from Short Street**



**View of Site from Wattle Road**



An aerial view of the subject site

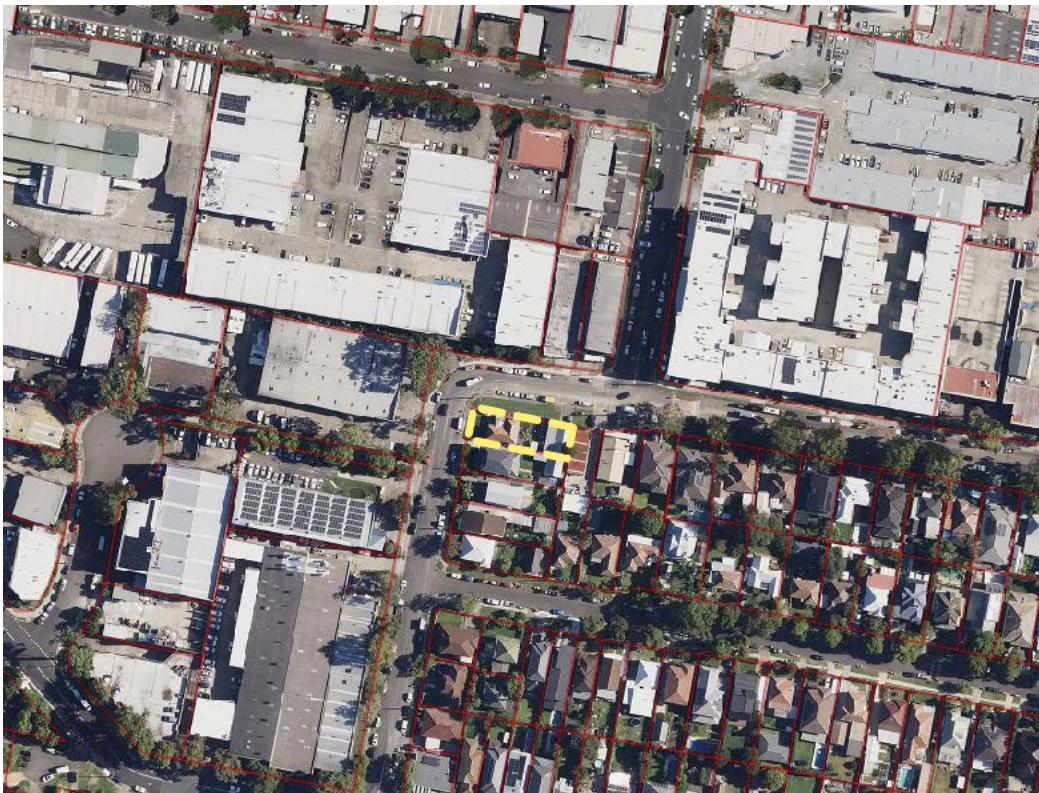


### 3. THE SURROUNDING LOCALITY

The subject property is located in a mixed use environment. Development to the east and south of the site comprises low density residential locality comprising of a combination of traditional and recently constructed contemporary two storey dwellings. Development to the north and west on the opposite side of Short Street and Wattle Road is zoned E4 General Industrial and comprises a mix of industrial and commercial uses.

Development adjoining the subject site comprises of a large two storey dwelling and attached garage to the north.

The relationship of the site to the surrounding environment is illustrated in the following aerial photograph.



An aerial view of the subject and adjoining properties

The site is considered to be appropriately located in relation to access to public transport, being within walking distance of a number of local bus stops.

The site is also located within walking distance of a number of areas of public open space and local shops.



#### 4. THE PROPOSAL

The proposal seeks approval for the demolition of the existing dwelling house and a portion of the detached secondary dwelling and garage followed by the construction of a new two storey dwelling together with associated landscaping and ancillary works.

##### Demolition

The proposal seeks approval for the demolition of the existing dwelling located on the southern portion of the site. The western portion of the detached secondary dwelling (garage) is also proposed to be demolished.

##### New Dwelling House

The proposed dwelling is of a modern design and is to be constructed of a mixture of rendered masonry and cladded timber framed walls and is to have a pitched metal roof as detailed on the architectural plans the schedule of external colours & finishes.

The proposal provides for a front setback to Short Street of a minimum of 7.7m measured to the upper level with the garage setback 10.05m. Setbacks to Wattle Court ranging from 2.397m to the 2.636m are provided to the wall of the proposed dwelling.

It is considered that the proposed setbacks are responsive to the prescriptive requirements of the Council together with the setbacks of dwellings within this particular section of Short Street and Wattle Road.

The proposal is provided with the following side boundary setbacks:

- Southern boundary - 1.0m to the ground floor and 2.305m to the first floor.

It is considered that the setbacks proposed are responsive to the site constraints and the setbacks of surrounding development. It is my opinion that the proposal will not result in any unreasonable streetscape impacts or impacts upon the adjoining properties as a result of the setbacks proposed.

The proposed dwelling once completed will comprise the following:

<b>Ground Floor:</b>	Entry foyer, powder room, laundry, kitchen, family/dining room, lounge room and double garage.
<b>First Floor:</b>	Four bedrooms (master with ensuite & WIR), bathroom and activity room.

Vehicular access to the property is to be provided via a new concrete crossing and driveway from Short Street and located towards the southern boundary.

A detailed plan for the collection and disposal of all stormwater from the property has been prepared by Nastasi & Associates and accompanies this application. The proposal provides for collected surface runoff to be disposed to Short Street via a rainwater reuse tank. Retained water is to be re-used for toilet flushing, clothes washing, garden watering in accordance with the accompanying BASIX Certificate.

The development indices for the proposal are as follows:

<b>Site Area:</b>	<b>577.3m<sup>2</sup></b>
<b>Proposed Landscaped Area:</b>	<b>250m<sup>2</sup> or 43%</b>

## 5. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development permissible with the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979 and the Warringah Local Environmental Plan 2011.

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.

### 5.1 Warringah Local Environmental Plan 2011

The subject land is zoned R2 - Low Density Residential under the provisions of the Warringah Local Environmental Plan 2011.

The objectives for development within the R2 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.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Under the R2 - Low Density Residential zone a range of uses including that of a *dwelling house* are permissible with the consent of the Council.

The proposal which seeks to demolish the existing structures erected upon the site and to construct a new dwelling house and ancillary works upon the site is considered to be consistent with the above objectives and is development permissible with the consent of the Council.



Extract from Council Zoning Map

The following provisions of the Warringah Local Environmental Plan 2011 are considered applicable to the subject site.

#### **Clause 4.3 - Height of Buildings**

The subject site is located within Building Height Area “I” and is therefore ordinarily subject to a maximum building height control of 8.5m.

The proposal has a maximum building height of approximately 7.6m and which complies with the requirements of this Clause.



Extract of Council Height of Buildings Map

#### **Clause 4.4 - Floor Space Ratio**

There is no floor space ratio control applicable to the subject site.

#### **Clause 5.10 - Heritage Conservation**

The subject site is not identified as comprising a heritage item nor is it located within a heritage conservation area. It is not considered to have any heritage significance which would prevent the subject application from proceeding.

The proposal is therefore considered to satisfy the requirements of this Clause.



Extract from Council Heritage Map

#### Clause 6.4 - Development on Sloping Land

The site is identified as Landslip Risk Category A on Council's Landslip Risk Map. No further information is required in this regard.



Extract of Council Landslip Map



## **Summary**

There are no other provisions of the LEP which it is considered are relevant to the proposal.

It is my opinion based upon this assessment that the proposal is compliant with the aims, Warringah LEP and is therefore permissible upon the subject site with the consent of the Council.

## 5.2 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) currently applies to the subject site.

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

Clause	Requirement	Compliance
B1 - Wall heights	7.2m	Complies. The proposal provides for a maximum unbroken wall height of approximately 6.2m which complies with this requirement.
B2 - Number of storeys	Not Applicable	Not Applicable
B3 - Side Boundary Envelope	Building envelope 45 degrees from 5m. Eaves up to 675mm are an allowable encroachment	Complies. The proposal complies with the side boundary envelope as detailed on the architectural plans.
B4 - Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Complies. The proposal provides for a setback of 1.0m to the southern side boundary.
B7 - Front Boundary Setbacks	Minimum 6.5m  3.5m to the secondary frontage.	Complies. The proposal provides for a setback of 7.7m to the street frontage. This is compatible with the established building line in this portion of Short Street.  The proposal provides for a setback of at least 2.452m to the Wattle Road frontage. The minor variation to this control is justified for the following reasons:

Clause	Requirement	Compliance
		<ul style="list-style-type: none"> <li>• The setback provided is compatible with the existing surrounding development, particularly the properties to the east (No. 59 + 61 Wattle Road) which provides for a nil setback to Wattle Road.</li> <li>• The proposed dwelling is well articulated along the northern façade.</li> <li>• The ground floor level is provided with varied setbacks to the Wattle Road frontage, ranging from 2.4m to 6.517m. The first floor level is provided with an increased setback of 4.2m.</li> <li>• The setbacks provided to the Wattle Street frontage is sufficient to support landscaping with a range of species includes small trees and shrubs.</li> <li>• The northern elevation is further modulated through the use of varied external finishes including rendered masonry to the ground floor and cladding to the upper level. A skirt roof form is also proposed to provide additional articulation.</li> </ul> <p>Refer to comments in Council Pre-Lodgement Notes.</p>

Clause	Requirement	Compliance
B9- Rear Boundary Setbacks	6.0m.	Not Applicable Rear building setback does not apply to corner allotments.
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
C2 - Traffic, Access and Safety	<p>Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p> <p>Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</p>	<p>Complies.</p> <p>Vehicular access to the property is to be provided via a new crossing/driveway from Short Street. The proposal will provide on site parking for two vehicles within the attached garage.</p>
C3 - Parking Facilities	<p>Garages not to visually dominate façade</p> <p>Parking to be in accordance with AS/NZS 2890.1</p> <p>Dwelling house to provide 2 spaces per dwelling.</p>	<p>Complies.</p> <p>The proposed garage is integrated into the house design and will not dominate the façade.</p> <p>The proposed garage will provide on site parking for two (2) vehicles. The garage is provided with an increased setback and is not dominant in the streetscape.</p>

Clause	Requirement	Compliance
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Complies.  Reference is made to the accompanying Stormwater Management Plans prepared by Nastasi & Associates which provides for all collected stormwater to be discharged to Short Street.
C5 - Erosion and Sedimentation	Soil and Water Management required	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	To ensure that Council's drainage infrastructure is not damaged and that costs and liabilities are minimised when constructing, replacing, maintaining or obtaining emergency access to constructed public drainage systems located within private property.	Yes The proposed works do not extend over the existing easement.
C7 - Excavation and Landfill	Site stability to be maintained	Complies. Some excavation is required to accommodate the driveway and access. A Preliminary Geotechnical Assessment has been submitted with the application. The extent of excavation is not considered to result in any site instability.
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 behind the front building line.
D1 - Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	Complies. The proposal provides for a landscaped area of 250m <sup>2</sup> or 43%.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	Yes Proposed dwelling provides for ample private open space in the rear yard. This open space is directly accessible from the living areas and is relatively level.
D3 - Noise	Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the <i>NSW Industrial Noise Policy</i> at the receiving boundary of residential and other noise sensitive land uses.	The proposed new dwelling is unlikely to unreasonably diminish the amenity of the area due to noise.
D4 - Electromagnetic Radiation	Not Applicable	Not Applicable

Clause	Requirement	Compliance
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	Yes The proposed dwelling will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.
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.	Complies. Given the east west alignment of the allotment, the proposal results in some overshadowing to the adjoining southern property. However, the proposal continues to maintain at least 3 hours of solar access to the private open space of the adjoining property.
D7 - Views	View sharing to be maintained	Complies The proposal will not result in any unreasonable view loss.
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Complies. The proposed dwelling has been designed to ensure the privacy of the adjoining properties is maintained. The majority of high use living areas are located on the ground floor and are orientated to either overlook the street or the rear yard. The upper level provides for an 'activity' room.

Clause	Requirement	Compliance
		However, this room is located on the northern side of the dwelling and provides views of Wattle Road. There are no views into residential properties from this room.
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.	Complies. The proposal results in a two storey dwelling and is well articulated and provided with a combination of finishes and materials to minimise bulk and scale. It is considered that the proposed dwelling is of a bulk and scale that is compatible with the existing surrounding development.
D10 - Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Complies. External finishes are compatible with the existing surrounding development and the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Complies. The proposal provides for a 22.5 degree pitched roof form 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.	Complies. The proposal will not result in unreasonable glare or reflection.

Clause	Requirement	Compliance
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.	Complies. 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.	Complies.
D20 - Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Complies. The proposal will provide a good outlook of dwelling approach and street. The entry is easily identifiable and not obscured from view.
D21 - Provision and Location of Utility Services	Utility services to be provided.	Complies. Existing facilities on site.
D22 - Conservation of Energy and Water	A BASIX Certificate is required.	Complies. A BASIX Certificate has been provided.
E1 - Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Complies There is no significant vegetation on site and the proposal does not require the removal of any vegetation.

Clause	Requirement	Compliance
E10 - Landslip Risk	Identified on map as A	Complies The site is identified as Landslip Risk Category A and no further information is required.

### Summary

There are no other provisions of the DCP which it is considered are relevant to the proposal.

On the basis of the above the proposal is considered to achieve appropriate compliance with the requirements of Council's DCP and where a variation is proposed it is considered to be consistent with the aims and objectives of the relevant provision.

The proposal is therefore considered to be worthy of the support of the Council.



## **6. SECTION 4.15(1) ASSESSMENT**

### **Environmental Planning Instruments - Section 4.15(1)(a)**

The subject site is zoned R2 - Low Density Residential under the provisions of the Warringah Local Environmental Plan 2011. The proposed demolition of the existing dwelling together with the construction of a new dwelling and ancillary works is permissible with the consent of Council. The proposal has been assessed against the objectives and provisions of both the Warringah LEP 2011 and the Warringah Development Control Plan as detailed within this report.

The proposal was found to generally satisfy the requirements of both policy documents. Where a variation is proposed it is considered to be consistent with the aims and objectives of the relevant provision.

### **Impacts of the Development - Section 4.15(1)(b)**

It is not considered that the proposal will result in any unreasonable detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area.

The proposed dwelling is considered to be of a design, which is in keeping with the character of the surrounding area and the desired future characteristics identified for this locality.

The proposal does not require the removal of any protected vegetation.

### **Suitability of the Site - Section 4.15(1)(c)**

The subject site is zoned R2 Low Density Residential under the Warringah Local Environmental Plan 2011. The construction of a new dwelling and associated ancillary works having a height not exceeding 8.5m is permissible with the consent of Council.

The subject site currently supports a dwelling house and in the absence of any unreasonable detrimental impact is thus considered suitable for the proposed development.

## 7. CONCLUSION

The proposed development is development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and the Warringah Local Environmental Plan 2011 and has been assessed against the requirements of Section 4.15(1) of the Act and the Warringah LEP & DCP. In this regard it is considered that this Statement of Environmental Effects has demonstrated that the proposal generally satisfies the aims and objectives and the applicable prescriptive requirements of the above controls.

It is considered that the proposal will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

It is therefore considered that the proposed demolition of the existing dwelling followed by the construction of a new dwelling and ancillary works upon land at 9 Short Street, North Manly is worthy of the support of Council.



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13<sup>th</sup> March 2025