

STATEMENT OF ENVIRONMENTAL EFFECTS

15 RIVERVIEW PARADE, NORTH MANLY

**CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO
AN EXISTING DWELLING AND NEW SWIMMING POOL**

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

NOVEMBER 2022

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	SITE DESCRIPTION AND LOCALITY	4
3.	THE DEVELOPMENT PROPOSAL	7
4.	ZONING & DEVELOPMENT CONTROLS	8
5.	EP&A ACT – SECTION 4.15	18
6.	CONCLUSION	19

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 08/10/2020.
- Architectural Plans, External Finishes, Excavation & Fill Plan prepared by Du Plessis + Du Plessis Architects, Issue G and dated 21/09/2022.
- BASIX Certificate No. A475258 and issued 31/10/2022.
- Arboricultural Impact Assessment Report prepared by Seasoned Tree Consulting and dated 10 June 2022.
- Flood Management Report prepared by NY Civil Engineering, Ref No. E220211 and dated 21/10/2022.
- Stormwater Management Plan and Sediment Control Plan prepared by NY Civil Engineering, Ref No. E220211, Issue A and dated 21/10/2022.
- Shadow Diagrams prepared by CAD Draft P/L, Project No. 22/124 and dated 14/10/2022.

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

There are a number of trees on site with the proposal requiring the removal of 3 three trees, none of which are identified as having a high retention value. An Arboricultural Impact Assessment Report has been submitted with the application.

The site is depicted in the following photographs:



View of Subject Site from Riverview Parade



Rear View of Existing Dwelling

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on similar sized allotments.

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 alterations and additions to the existing dwelling and construction of a new swimming pool.

Dwelling Additions/Alterations

The additions are constructed of a variety of materials including cladding, rendered and painted walls and stone clad walls with a colorbond metal roof. The additions are detailed below:

Ground Floor

- Demolition of rear portion of dwelling and provide new addition. Setback of 1.2m retained to the southern boundary and setback of at least 950mm provided to the northern boundary. The addition will have a raised floor level of RL3.29 to comply with the Flood Assessment Report.
- Internal alterations.

First Floor

- Demolish existing first floor level.
- Provide new first floor level. Setbacks from at least 1.725m to the northern boundary and 2.305m to the southern boundary. The balcony is setback 8.14m from the street frontage with the wall of this level setback 7.095m to the street frontage.

Swimming Pool

The proposal provides for a new swimming pool in the rear yard and adjacent to the southern side boundary. The swimming pool is proposed to be setback 1.2m to the southern side boundary.

Stormwater

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: 580.6m²
Proposed Landscaped Area: 258.1m² or 44%

4. ZONING & DEVELOPMENT CONTROLS

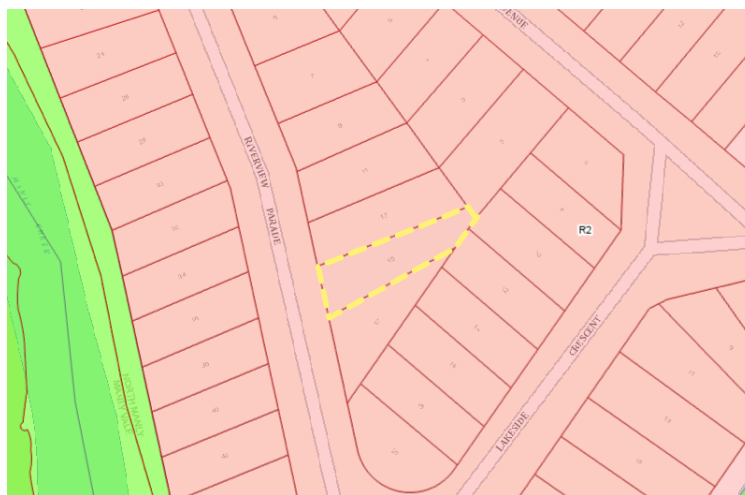
The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning 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	8.32m	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 minimum habitable FFL for the additions is to be no lower than RL 3.29m AHD.*
3. *The Pool decking is to open form and suspended above natural ground level.*
4. *The existing building and additions are to be constructed on pier footings with an open subfloor for the extent shown in Appendix C 'Building Footprint Plan'.*
5. *The perimeter of the open subfloor is to remain unobstructed with only pool style fencing and/or at the perimeter of the subfloor.*

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	<p>A portion of the roof form on the southern elevation exceeds the envelope. However, the proposal achieves the objectives of the clause for the following reasons:</p> <ul style="list-style-type: none"> • The proposal maintains reasonable solar access to the adjoining properties. Shadow diagrams have been submitted including elevational shadows. These depict minimal additional shadowing and compliance with the DCP. • The resultant dwelling is well articulated on all facades with varied setbacks, change in roof forms and external finishes. • The dwelling will be of a bulk and scale that is compatible with the existing surrounding development. • The proposal provides increased setbacks to the side boundaries as wall heights increase. The new upper level provides for setbacks of at least 2.305m and 1.725m to the northern and southern side boundaries.

Clause	Requirement	Compliance
		<ul style="list-style-type: none"> The proposal provides for the majority of high use livings at the ground level. Whilst the upper level provides for a lounge, there are no windows on the side elevation and this room is orientated towards the street.
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes
B7 – Front Boundary Setbacks	Minimum 6.5m Secondary frontage 3.5m	Proposed additions retain the existing front setback. Not applicable
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.5m	Yes Ample setback proposed to the rear boundary.
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 retains the existing at grade hardstand parking area.
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 The proposal provides for a landscaped area of 258.1m ² or 44% of the site which 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	Yes A BASIX Certificate has been submitted with the application.

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 Shadow diagrams have been submitted with the application. The proposal results in only minimal additional overshadowing and which complies with this clause.
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 has been designed to ensure that the privacy of the adjoining properties is maintained. Whilst the new upper level provides for an informal lounge, this room is orientated towards the street with no windows on the side elevation. Similarly the adjoining balcony is provided with a screen along the southern elevation to direct views towards the street.

Clause	Requirement	Compliance
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 proposed additions maintain appropriate setbacks to all boundaries. The new upper level is provided with an increased setback to the boundaries of the site as such will not result in unreasonable bulk or scale. The new level is well articulated and provided varied setbacks and change in external finishes.
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.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposal provides for a 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.	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

Clause	Requirement	Compliance
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.	Yes Pool is located in rear yard and provided with an appropriate side boundary setback. Sufficient area is provided for landscaping between the pool and side boundary.
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.
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.

Clause	Requirement	Compliance
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
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	Not Applicable	Not Applicable

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 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 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 additions and alterations 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 additions 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 alterations and additions 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 alterations and additions to an existing dwelling and new swimming pool at **No. 15 Riverview Parade, North Manly** is worthy of the consent of Council.

Natalie Nolan
Grad Dip (Urban & Regional Planning) Ba App Sci (Env Health)
Nolan Planning Consultants
November 2022