

# URBANISM

PLANNING & DEVELOPMENT

## STATEMENT OF ENVIRONMENTAL EFFECTS

ALTERATIONS AND ADDITIONS TO A TWO-STOREY  
RESIDENTIAL DWELLING WITH LAND NEW CARPORT

20 BAREENA DR, BALGOWLAH HEIGHTS

PREPARED FOR  
**PROGRESSIVE PLANS**

19 DECEMBER 2022



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## **APPENDIX 1 – SITE PHOTOS**



# 1 Introduction

Urbanism has been engaged by Progressive Plans to prepare a Statement of Environmental Effects to support a development application for alterations and additions to a two-storey residential dwelling and new carport at 20 Bareena Drive, Balgowlah Heights.

The aims of this report are to:

- Provide an assessment of the locality, subject site and applicable planning controls,
- Describe the proposed development; and
- Assess the impacts of the development against Section 4.15 of the *Environmental Planning and Assessment Act 1979* and *Regulations 2021*.

This Statement of Environmental Effects should be read in conjunction with the following supporting technical studies which are submitted under separate cover:

Title	Author	Date/Version
Architectural Plans	Progressive Plans	17/11/2022
Waste Management Plan	Progressive Plans	09/11/2022



## 2 Site Assessment

### 2.1 Locality Assessment

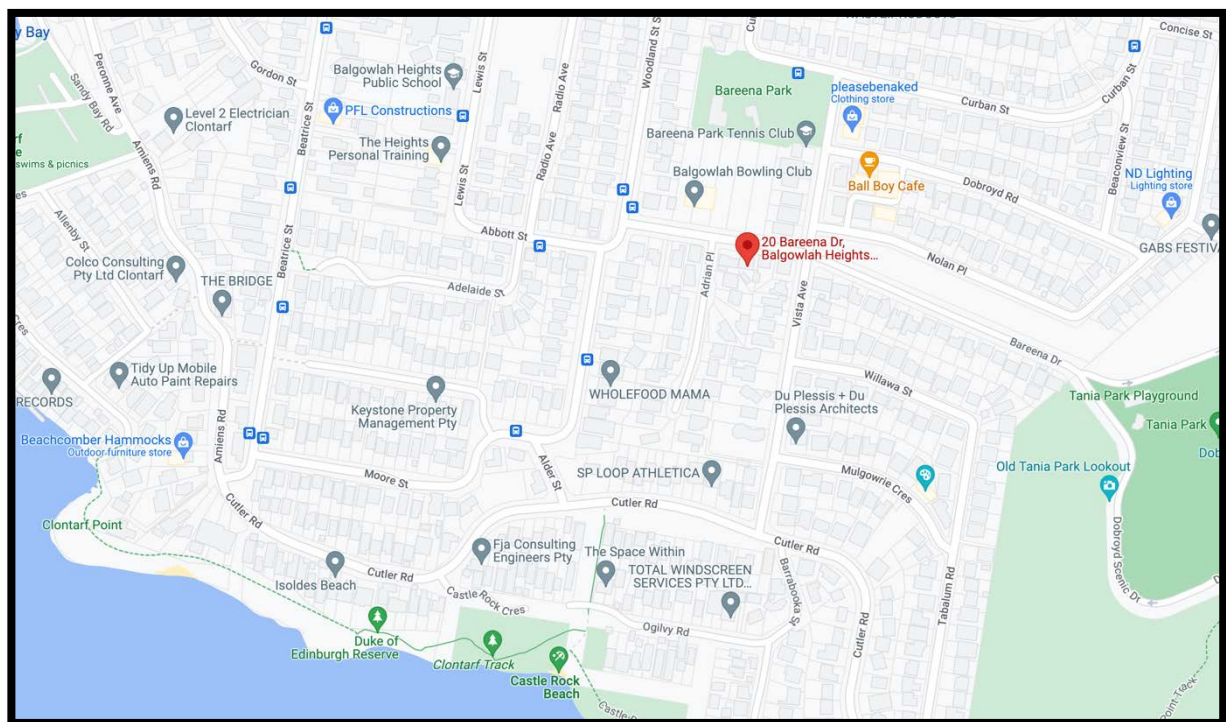
The subject site is located within the suburb of Balgowlah Heights, in the Manly Locality, which is approximately 14 kilometres north of the Sydney CBD, in the Northers Beaches Region.

The site is located within an established residential area characterised by double-storey dwellings. The streetscape is defined by irregular setbacks with front yards that include landscaping, trees, front carports and fences.

The site is favourably located 1.8 kilometres north of Balgowlah local centre, Stockland Balgowlah Shopping Centre, and Balgowlah Village Medical Practice.

The following figure shows the location of the subject site in relation to the surrounding locality:

Figure 1: Locality Map

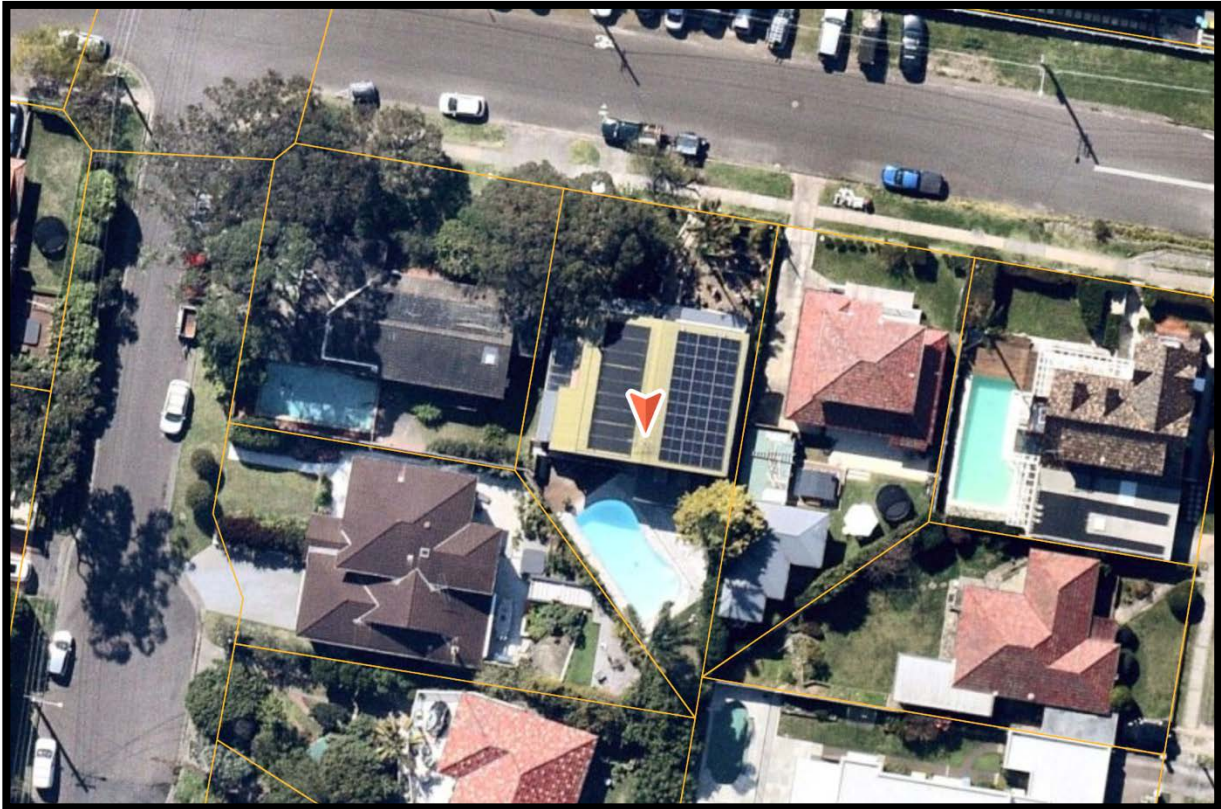


Source: Google Maps (2022)





Figure 2: Aerial Site Map



Source: NearMap (2022)

## 2.2 Site Description

The site is an irregular allotment known as 20 Bareena Drive, Balgowlah Heights. It is legally described as Lot 2, Section 55 of DP 758044 with an area of approximately 619.70m<sup>2</sup>. It contains a two-storey brick dwelling with a tile roof, a front garage and a pergola, deck and pool at the rear of the property.

The site has a frontage to Bareena Drive of 18.34m and a depth of 43.28m. The front boundary has a fall from east to west of approximately 1m consistent with the streetscape and an overall fall from southeast to the northwest of 1.5m.

### 2.2.1 Surrounding Development

#### Streetscape character and visual setting:

The surrounding area is characterised by double-storey dwellings with varying architectural styles. The streetscape is defined by irregular setbacks with front yards that include landscaping, trees, front carports and fences.



Due to the extensive landscaping at the front of the property, the dwelling and garage blend with the existing vegetation.

**Existing vegetation:**

Existing vegetation within the streetscape consists of sparse trees and shrubs with within the nature strip.

**Topography:**

The front boundary has a fall from east to west of approximately 1m consistent with the streetscape and an overall fall from southeast to the northwest of 1.5m.

**Views:**

The site is located in a scenic protection area however, the development proposes minimal changes to the existing building envelope and will not impact the area's visual aesthetic amenity and views preserving views from and to the site.

**Heritage:**

The site is not identified as a heritage item under the Manly Local Environmental Plan 2013 or the State Heritage Registry. It is not located within a Conservation Area or adjacent to many individual listed heritage items.

**Form of adjacent buildings:**

The immediate area is surrounded by double-storey dwellings with varying architectural styles and irregular setbacks with front yards that include landscaping, trees, front carports and fences.

**Surrounding noise sources:**

The site is surrounded by residential uses not being a significant noise source.





## 3 The Proposal

### 3.1 Description of Proposal

The proposal is for the alterations and additions to a two-storey residential dwelling and new carport.

This proposal seeks development consent for:

#### *Demolition Works*

- Lower Ground
  - Driveway
  - Front garage walls and windows
  - Internal walls
  - Stairs
- Ground Floor
  - Garage roof
  - Internal walls
  - External walls
  - Fireplace
  - Doors x 7
  - Windows x 4
  - Kitchen
  - Bathroom
- First Floor
  - Patio roof

#### *Construction*

- Lower Ground
  - Boundary brick wall and fence
  - Gates x 2
  - Carport
  - Retaining walls x 3
  - Stairs
  - Plant room
  - Door x 1
- Ground Floor
  - Garage roof



- Internal walls
  - External walls
  - Door x 1
  - Windows x 5
  - Bedrooms x 2
  - Fireplace
  - Bathroom
  - Linen closet x 2
  - Kitchen
  - Bar
  - Dining
  - BBQ
- First Floor
    - Bedroom Roof

## Plans and Elevations

### *Site Analysis Plan - Existing*

*Source: Progressive Plans*

## 3.2 Development Statistics

Item	Proposal
Site Area	619.70m <sup>2</sup>
Gross Floor Area	Existing: 282.74m <sup>2</sup> Proposed: 298.60m <sup>2</sup>
Floor Space Ratio	Existing: 0.45:1 Proposed: 0.48:1
Height of Building	9.182m
Setbacks	Front: 1.0m West: 0.994m
Private Open Space	Existing: 329.16m <sup>2</sup> (53.12%) Proposed: 328.32m <sup>2</sup> (52.98%)
Landscaped Area	Existing: 183.87m <sup>2</sup> (55.85%) Proposed: 177.03m <sup>2</sup> (54.04%)



## 4 Planning Controls

### 4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 of the SEPP requires Council to consider whether the land is contaminated and if remediation works are required. The site has been used for residential purposes for many years and is therefore unlikely to contain contaminated land.

Council can be satisfied that a preliminary site investigation is not warranted in these circumstances.

### 4.2 Manly Local Environmental Plan 2013

The subject site is R2 – Low-Density Residential under Manly Local Environmental Plan 2013.

The objectives of the zone are as follows:

- *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 following table reviews the proposal against relevant planning controls contained within the LEP:

Item	Requirement	Proposal	Compliance
<b>CI2.3</b> <b>Permissible land use</b>	Dwelling Houses are permissible in the R2 – Low-Density Residential	Alterations and additions to a Dwelling House are permissible.	✓
<b>CI4.3</b> <b>Height of buildings</b>	Maximum height of 8.5m	There is an existing non-compliance, the existing building height is 9.182m. No change to the existing building height is proposed.	Merit
<b>CI4.4</b> <b>Floor space ratio</b>	Maximum FSR 0.4:1	0.48:1, does not comply.  A Clause 4.6 Variation is submitted under a separate cover.	Merit
<b>CI5.10</b>	Consider the effect of the	The site is not identified	✓



Item	Requirement	Proposal	Compliance
<b>Heritage conservation</b>	proposed development on Pittwater's heritage environment.	as a heritage item, within a heritage conservation area or adjacent to any heritage items.	
<b>CI6.9 Foreshore scenic protection area</b>	Consider the effect of the proposed development on the visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.	Complies. The development proposes minimal external alterations and will not impact the visual aesthetic amenity and views.	✓

## 4.3 Manly Development Control Plan 2013

Manly Development Control Plan (Manly DCP) 2013 applies to all land within the local government area of Manly. The DCP came into effect on 19 April 2013.

### 4.3.1 Part 3 – General Principles of Development

Item	Requirement	Proposal	Compliance
<b>3.1 Streetscapes and Townscapes</b>			
<b>3.1.1 Streetscape (Residential areas)</b>			
<b>3.1.1.1 Complementary Design and Visual Improvement</b>	Development in the streetscape (including buildings, fences and landscaping) should be designed to:	The proposal is consistent with similar developments within the streetscape.	✓
<b>a)</b>	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;	The properties at No 23 Vista Avenue and 18 Bareena Drive are two doors east on Bareena Drive which are corner sites with full height fences dominating the Bareena Drive streetscape.  The proposed development will not therefore detract from the streetscape.	



Item	Requirement	Proposal	Compliance
	<p>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;</p> <p>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;</p> <p>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;</p> <p>vi) visually improve existing streetscapes through innovative design solutions; and</p> <p>vii) incorporate building materials and finishes complementing those dominant in the locality. The use of plantation</p>		



Item	Requirement	Proposal	Compliance
	and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 Building Construction and Design		
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 front building setback to the existing garage will be reduced to accommodate the carport in front of what becomes the new plant room.	✓
<b>3.1.1.2 Front Fences and Gates</b>			✓
a)	Notwithstanding maximum height provisions for fencing at paragraph 4.1.10; the siting, height and form of boundary fences and walls should reflect the fencing characteristic of the locality, particularly those of adjacent properties. All fencing and wall materials must be compatible with the overall landscape character and the general appearance of the building and the streetscape.	<p>The existing masonry front fence is 1.890m in height and extends approximately 7 metres along the front boundary from the eastern side boundary. The front fence will be extended across the full length of the front property boundary and up to a maximum height of 2.012m.</p> <p>It is necessary to enclose the front setback areas to prorate this as private open space owing to the irregular block dimensions which limit the usable space in the rear of the property.</p>	
b)	Boundary fences or walls must not be erected where they would conflict with the local character.	The enclosure of front setback area with the additional masonry fence is compatible with the streetscape which features full height fences nearby and thus does not offend the local character.	✓





Item	Requirement	Proposal	Compliance
c)	Front fences and gates must be constructed in materials that complement the architectural style and period of the dwelling and improve the streetscape. In particular, fencing adjacent to a public road or place must not be constructed in metal cladding, powder coated or otherwise.	The masonry front wall and the metal gate are typical materials found within the locality.	✓
d)	Gates must not encroach on public land when opening or closing.	The proposed gate slides sideways and does not encroach on public land.	✓
<b>3.1.1.4 Garages, Carports and Hardstand Areas</b>	Garages, carports and hardstand areas must be designed and sited in a manner that does not to dominate the street frontage by:	The materials of the garage are light weight with the skillion roof form grade matching the existing dwelling so as not to dominate the street and in effect reduces the shorter front setback of the weatherboard clad garage and roller door which does dominate the street. The proposal thus represents a superior development outcome to the existing structures.	✓
a)	i) its roof form, material choice and detailing by being subservient to the associated dwelling; and  ii) being compatible with the streetscape and the location in relation to front setback criteria.		
b)	Exceptions to setback criteria referred to in this paragraph may be considered where parking structures are a positive element of the streetscape.	The proposal represents a superior development outcome to the existing structure and thus should be considered favourably.	✓
<b>3.3 Landscaping</b>			
<b>3.3.1 Landscaping Design</b>			
<b>Landscape Character</b>	In low density areas: (including R2 Low Density) open space should dominate the site.	The proposed development does not alter or reduce the open space on site.	✓
a)			
<b>Planting criteria</b>	Landscaped Areas must	The proposed	✓



Item	Requirement	Proposal	Compliance
<b>including Native Plant Species and Amenity</b>	be capable of supporting new native tree species that are typically expected to reach a mature height of 10m notwithstanding the minimum dimension requirements at paragraph 4.1.5.2 of this plan	development does not alter or reduce the number of mature trees on site and does not reduce the area on site which would accommodate a mature tree being planted	
<b>b)</b>			
<b>3.4 Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)</b>			
<b>Designing for Amenity</b>	Minimise loss of sunlight, privacy, views, noise and vibration impacts and other nuisances for neighbouring properties and the development property.	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling.	✓
<b>a)</b>			
<b>b)</b>	The development should not detract from the scenic amenity of the area. In particular, the apparent bulk and design of the development should be considered and assessed from surrounding public and private viewpoints.	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling. Refer to section 5.4.5.	✓
<b>c)</b>	The use of materials and finishes is to protect amenity for neighbours in terms of reflectivity.	Complies. A schedule of materials and finished is submitted under a separate cover.	✓
<b>3.4.1 Sunlight Access and Overshadowing</b>			
<b>3.4.1.1 Overshadowing Adjoining Open Space</b>	Must not eliminate more than one-third of the existing sunlight accessing the private open space of adjacent properties (9am to 3pm at the winter solstice)	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling.	✓
<b>a)</b>			
<b>3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties</b>	For adjacent buildings with a north-south orientation, the level of solar access presently enjoyed must be maintained to windows or glazed doors of living rooms for at least 4 hours from 9am to 3pm on the winter solstice.	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling. Refer to section 5.4.4. A shadow diagram is a submitter under a separate cover.	✓
<b>b)</b>			



Item	Requirement	Proposal	Compliance
<b>3.4.1.4 Overshadowing Clothes Drying Areas</b>	A minimum of 6 hours of solar access be retained to suitable clothes drying area.	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling. Refer to section 5.4.4. A shadow diagram is a submitter under a separate cover.	✓
<b>3.4.1.5 Excessive Glare or Reflectivity Nuisance</b>	All external materials and finishes incorporated into the development must consider and mitigate any excessive glare or reflectivity nuisance.	Complies. A schedule of materials and finished is submitted under a separate cover.	✓
<b>3.4.2 Privacy and Security</b>			
<b>3.4.2.1 Window Design and Orientation</b>	Use narrow, translucent or obscured glass windows to maximise privacy where necessary.	Complies. The proposed windows in the new ground-floor bedrooms are to be clerestory windows with vertical sunshade louvres to maximise privacy to the neighbouring dwelling.	✓
a)			
b)	When building close to boundaries, windows must be offset from those in the adjacent building.	Complies.	✓
<b>3.4.2.2 Balconies and Terraces</b>	The recessed design of balconies and terraces can also be used to limit overlooking and maintain privacy.	Complies. No change is proposed to the existing recessed balcony on the first floor.	✓
b)			
<b>3.4.2.3 Acoustical Privacy</b>	Consideration must be given to the protection of acoustical privacy in the design and management of development.	Complies. No change to existing residential use not being a significant noise source to the local area.	✓
a)			
<b>3.4.3 Maintenance of Views</b>	The design of any development, including the footprint and form of the roof, is to minimise the loss of views from neighbouring and nearby dwellings and public	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling. Refer to section 5.4.5.	✓
a)			



Item	Requirement	Proposal	Compliance
	spaces.		
b)	Views between and over buildings are to be maximised and exceptions to side boundary setbacks, will not be considered if they contribute to the loss of primary views from living areas.	Complies. The alterations and additions propose a minimal change to the bulk and scale of the existing dwelling. Refer to section 5.4.5.	✓
<b>3.5 Sustainability</b>			
<b>3.5.1 Solar Access</b>			
<b>3.5.1.1 Building Form, Design and Orientation</b>	Maximise northern orientation to optimise solar access.	Complies. No change to the existing north-to-south building orientation.	✓
<b>3.5.1.2 Solar Shading Devices</b>	The design of buildings may reduce summer sun penetration to north, east and west-facing walls of buildings incorporated by the use of external solar shading devices.	Complies. The proposed windows in the new ground-floor bedrooms are to be clerestory windows with vertical sunshade louvres.	✓
a)			
<b>3.5.3 Ventilation</b>			
<b>3.5.3.1 Building Design and Orientation to the prevailing wind</b>	Buildings are to be orientated to benefit from cooling summer breezes where possible.	Complies. No change to the existing north-to-south building orientation.	✓
a)			
b)	Buildings are to provide for cross ventilation by locating windows and openings in line with both each other and the prevailing breezes.	Complies.	✓
<b>3.5.3.2 Location and area of openings</b>	The area of unobstructed window openings should be equal to at least 5% of the floor area served.	Complies.	✓
a)			
b)	Locate windows and openings in line with each other, and with the prevailing.	Complies.	✓
<b>3.5.5 Landscaping</b>	Various requirements.	Complies. No change to the existing landscape.	✓
<b>3.5.7 Building Construction and Design</b>			



Item	Requirement	Proposal	Compliance
<b>3.5.7.1 Environmentally Sound Building Materials</b>	Various requirements.	Complies. A WMP and a BASIX certificate are submitted under a separate cover.	✓
<b>3.5.7.2 Thermal mass</b>	Various requirements.	Complies. A BASIX certificate is submitted under a separate cover.	✓
<b>3.5.7.3 Glazing</b>			
<b>b) Orientation of living spaces:</b>	Where a dwelling's living spaces are orientated northwards, aim to achieve a glazed area of up to 30% of the dwelling's floor area in this direction.	Complies. No change to existing.	✓
<b>3.5.7.4 Insulation</b>			
<b>a) Draught proofing:</b>	To reduce heat loss/gain from a building, provide adequate draught excluders or weather-stripping to all windows and doors.	N/A, can comply with conditions of consent.	N/A
<b>b) Fitted curtains with pelmet:</b>	Fit internal close fitting curtains with pelmet.	N/A, can comply with conditions of consent.	N/A
<b>c) Wall and roof colour</b>	Lighter colours are preferred for wall and roof materials.	To match the existing dwelling design and materials, black walls and basalt colour roofs are proposed.	Merit
<b>d) Pipes and storage tanks</b>	Pipes and storage tanks should be insulated for hot water systems.	N/A, can comply with conditions of consent.	N/A
<b>3.7 Stormwater Management</b>	All developments must comply with Northern Beaches Council's 'Water Management for Development Policy'	Complies. No change to the existing.	✓
<b>3.8 Waste Management</b>	All developments must be accompanied by a Waste Management Plan.	Complies. A Waste Management Plan is submitted under a separate cover.	✓



Item	Requirement	Proposal	Compliance
<b>3.10 Safety and Security</b>			
<b>3.10.1 Safety</b>			
<b>a) Vehicular Access is to be designed and located to achieve safety by:</b>	Vehicular Access is to be designed and located to achieve safety by:  iv) separating pedestrian and vehicular access. This separation is to be distinguishable and design solutions in this regard may include changes in surface materials, level changes and use of landscaping for separation.	Complies. The proposed carport is separated from the pedestrian access to the dwelling	✓
<b>3.10.2 Security (Casual Surveillance)</b>	Promote safety by orientating some rooms to the street.	Complies. No change to the orientation of the existing habitable rooms towards the street.	✓
<b>a)</b>	Provide sight lines to the street frontage from the window(s) of at least one habitable room unobscured by trees or any other object.	Complies. No change to the orientation of the existing habitable rooms towards the street.	✓
<b>c)</b>	Ensure the design of fences, walls and landscaping minimises opportunities for concealment and encourages social interaction.	Complies	✓

#### 4.3.2 Part 4 – Development Controls and Development Types

Item	Requirement	Proposal	Compliance
<b>4.1 Residential Development Controls</b>			
<b>4.1.4 Setbacks (front, side and rear) and Building Separation</b>			
<b>4.1.4.1 Street Front setbacks</b>	Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.	The front building setback to the existing garage will be reduced to accommodate the carport in front of what becomes the new plant room.	✓
<b>a)</b>			
<b>b)</b>	Where the street front building lines of	The current garage encroaches into the front	✓





Item	Requirement	Proposal	Compliance
	neighbouring properties are variable and there is no prevailing building line in the immediate vicinity i.e. where building lines are neither consistent nor established, a minimum 6m front setback generally applies. This street setback may also need to be set further back for all or part of the front building façade to retain significant trees and to maintain and enhance the streetscape.	setback area significantly. The proposed development proposes to demolish the existing garage so that the front building line will comply with this control. The new carport will remain forward of the building line but of lighter construction materials and appear to be more open.	



## **5 Regulation Assessment**

### **5.1 Section 4.15(1)(a)(i) – Provisions of Any Environmental Planning Instrument**

#### **Manly Local Environmental Plan 2013**

The subject site falls under the jurisdiction of the Manly Local Environmental Plan 2013. (Manly LEP 2013).

The subject site is zoned R2 Low-Density Residential under the Manly Local Environmental Plan 2013.

Under the LEP, alterations and additions to a two-storey residential dwelling and new carport are permissible within this zone with consent.

### **5.2 Section 4.15(1)(a)(ii) – Provisions of Any Draft Environmental Planning Instrument**

There are no draft EPIs which apply to the proposed development or subject site.

### **5.3 Section 4.15(1)(a)(iii) – Provisions of Any Development Control Plan**

As previously discussed in Section 4.3, the Manly Development Control Plan 2013 applies to the development proposed on the subject site.

The tables in Section 4.3.1 outline the relevant provisions and the specific development controls and provisions are discussed in greater in this Section.

The proposed alterations and additions to a two-storey residential dwelling and new carport are permissible within this zone with consent.

### **5.4 Section 4.15(1)(b) – Likely Impacts of That Development – Built Environment**

#### **5.4.1 Site Analysis, Site Design and Streetscape**

The subject site is located within the suburb of Balgowlah Heights, in the Manly Locality, which is approximately 14 kilometres north of the Sydney CBD, in the Northers Beaches Region.



The surrounding area is characterised by double-storey dwellings with varying architectural styles. The streetscape is defined by irregular setbacks with front yards that include landscaping, trees, front carports and fences.

The site is an irregular allotment known as 20 Bareena Drive, Balgowlah Heights. It is legally described as Lot 2, Section 55 of DP 758044 with an area of approximately 619.70m<sup>2</sup>. It contains a two-storey brick dwelling with a tile roof, a front garage and a pergola, deck and pool at the rear of the property.

The site has a frontage to Bareena Drive of 18.34m and a depth of 43.28m. The front boundary has a fall from east to west of approximately 1m consistent with the streetscape and an overall fall from southeast to the northwest of 1.5m.

The site is not identified as a heritage item under the Manly Local Environmental Plan 2013 or the State Heritage Registry. It is not located within a Conservation Area or adjacent to many individual listed heritage items. The site is not located near industry and is environmentally safe it is not identified as being affected by flood, bushfire or acid sulfates soils.

The site is favourably located within a short distance of several compatible social uses such as commercial streets (Balgowlah local centre, 1.8km north), educational establishments (Balgowlah Heights Public School, 450m to the northwest and St James Preschool 350m southeast), open public spaces (Bareena Park, 350m to the north and Clontarf Reserve, 1.1km southwest), health facilities (Balgowlah Village Medical Practice, 1.8km north), places of worship (Balgowlah Uniting Church, 1.8km north)

The site is not located close to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises. The site is not located within proximity to heavy or hazardous industry, waste transfer depots or landfill sites; LPG tanks or service stations; water cooling and water warming systems; odour (and other air pollutants) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses.

The development proposes the alterations and additions to a two-storey residential dwelling, a new carport, property access and the demolition of the existing garage as detailed in the Architectural Plans prepared by Progressive Plans. The additions appearance will be consistent with the existing dwellings and buildings within the vicinity.

### ***DCP Requirements***

#### ***(D2.5 Front building line)***

*"b) v) The minimum front building line shall be in accordance with the following table.*



Land zoned Residential	Front Building Line (metres)
Land zoned E4 Environmental Living adjoining McCarrs Creek Road	10 or established building line, whichever is the greater.
<b>All other land zoned R2 Low-Density Residential or E4 Environmental Living</b>	<b>6.5 or established building line, whichever is the greater.</b>
Land zoned R5 Large Lot Residential adjoining McCarrs Creek Road	30
All other land zoned RU2 Rural residential or R5 Large Lot Residential.	20
All other land	Merit Assessment

*Built structures other than driveways, fences and retaining walls are not permitted within the front building setback."*

### **Compliance Assessment**

A variation to the above requirement might be permissible by Council:

*"Where carparking is to be provided on steeply sloping sites, reduced or nil setbacks for carparking structures and spaces may be considered, however, all other structures on the site must satisfy or exceed the minimum building line applicable."*

One off-street car parking spaces are required for the proposal. Due to the topography of the lot, the entrance, access staircase, driveway, retaining wall and single carport are proposed to be built on the boundary lot line with nil setback. Complying with Council's variation to the front building line requirement.

#### **(D2.10 Fences - General)**

*"a) Front fences and side fences (within the front building setback)*

*Front and side fences (within the front building setback) shall:*

- *not exceed a maximum height of 1 metre above existing ground level,*
- *shall be compatible with the streetscape character, and*
- *not obstruct views available from the road."*

### **Compliance Assessment**

As per the requirements, the maximum height of the front fence should be 1 meter. To reduce the impact on the existing facade, the development proposes to maintain the existing 1.892 meter-high front fence.

It is necessary to enclose the front setback areas to prorate this as private open space owing to the irregular block dimensions which limit the usable space in the rear of the property.

The use of both masonry and open fencing is intended to provide both safety and visual privacy as far as possible.

## **5.4.2 Height, Bulk and Scale**



No changes are proposed to the main two-storey dwelling height, bulk or scale. The new carport and plant room are proposed on the existing driveway and garage on the lower ground floor.

The new carport is proposed on the front of the property with a height of 7.677m. The carport roof is lower than the existing gate house roof blending with the existing site landscape maintaining the built form of the adjoining and adjacent dwellings along the streetscape and the locality.

#### **5.4.3 Access, Servicing, Parking and Traffic**

The proposal includes a new carport built over the existing driveway and garage. No change to the existing dwelling entrance is proposed.

#### **5.4.4 Sunlight and Shadow**

The development proposes minimal change to the existing building bulk, external alterations and additions are restricted to the garage and driveway on the lower ground floor and will not increase the existing overshadowing. The development will not affect the solar access to the adjoining properties to decrease.

#### **5.4.5 Views**

The site is located in a scenic protection area however, the development proposes minimal changes to the existing building envelope, proposing only external changes to the existing garage and driveway on the lower ground floor. Furthermore, due to the extensive front landscaping, the additions will blend with the existing and will not impact the area's visual aesthetic amenities and views. None of the developments negatively impact the views from and to the site.

#### **5.4.6 Heritage**

The site is not identified as a heritage item under the Manly Local Environmental Plan 2013 or the State Heritage Registry. It is not located within a Conservation Area or adjacent to many individual listed heritage items.

#### **5.4.7 Visual Privacy**

Clerestory windows (W01 & W02) are proposed on its western façade ensuring no loss of privacy to the adjoining property. All windows location and size ensure visual privacy and minimises potential noise and overlooking impacts on the immediate neighbours.



#### **5.4.8 Noise**

The development proposes alterations and additions to an existing dwelling house, not to be a significant noise source to the local area.

#### **5.4.9 Landscaping**

The alterations and additions are restricted to the front driveway and existing garage proposing a minimal change to the existing front landscape

#### **5.4.10 BCA and Australian Standards**

The proposal is for the alterations and additions to a two-storey residential dwelling and new carport

The development is subject to a number of regulations and standards including but not limited to:

Building Code of Australia (National Construction Code) and associated Australian Standards

The proposed development is supported by the relevant consultant reports and compliance can be ensured through a condition of consent.

#### **5.4.11 Waste Management**

A Waste Management Plan has been prepared and is submitted under separate cover.

The demolition and construction involved in the proposed development will minimise waste where possible and all waste will be sent to a licenced waste transfer facility. A waste management plan is included with the application. The development will have no impact on the ongoing waste management of the site; therefore, the existing waste storage and collection plan will remain unchanged.

### **5.5 Section 4.15(1)(b) – Likely Impacts of That Development – Natural Environment**

#### **5.5.1 Landform, Cut and Fill**

No cut and fill is proposed. New retaining walls are proposed on the lower ground floor level front building line as part of the new carport ensuring the existing landform is retained.

The development is able to be undertaken using standard engineering practices, the development will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.





### **5.5.2 Tree Removal and Retention**

No trees are proposed to be removed as part of this application. Tree protection measurements are submitted as part of the architectural set.

### **5.5.3 Stormwater Drainage**

The development proposes no change to the existing stormwater drainage patterns.

### **5.5.4 Soils, Erosion and Sedimentation**

There will be no soil or erosion and sediment impact as a result of the proposal. The application is supported by an erosion and sediment control plan and is submitted under a separate cover.

### **5.5.5 Endangered Flora and Fauna**

No endangered flora or fauna are impacted by the proposal.

## **5.6 Section 4.15(1)(b) – Likely Impacts of That Development – Social and Economic**

### **5.6.1 Safety and Social Impact**

The development is alterations to an existing dwelling house, posing no safety and social impact on the local environment.

## **5.7 Section 4.15(1)(b) – Likely Impacts of That Development – Hazards**

### **5.7.1 Soil Instability, Subsidence, Slip, Mass Movement**

The subject site is not known to contain subsidence or landslip issues.

### **5.7.2 Acid Sulfate Soils**

The proposed development is not expected to disturb acid-sulfate soils.

### **5.7.3 Flooding, Tidal Inundation**

The subject site is not located within a flood-prone area and will not adversely impact natural overland flood paths.



#### **5.7.4 Bushfire**

The site is not located in a bushfire-prone area. The proposed development will not increase the risk of bushfire or create a fire hazard to nearby developments.

#### **5.7.5 Contamination**

The land is not considered to be at risk of being contaminated given its long-term use as residential development.

### **5.8 Section 4.15(1)(d) – Submissions Made in Accordance with the Act or Regs**

Not relevant at the SEE preparation stage.

### **5.9 Section 4.15(1)(e) – The Public Interest**

The proposed development is not considered to be contrary to the public interest.



## 6 Summary

The subject site is zoned R2 Low-Density Residential under the Manly Local Environmental Plan 2013. Alterations and additions to a two-storey residential dwelling and new carport are permissible within this zone with consent.

The proposal is permissible with the development consent and performs favourably in relation to the relevant aims, objectives and development standards of the relevant environmental planning instruments and associated development control plan.

The proposed alterations and additions are consistent with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and *Regulations 2021* and should be supported.



## APPENDIX 1 – SITE PICTURES

Picture 1: View of the subject site from the streetscape



*Source: Provided by Owner (2022)*





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**Picture 2: View of the existing garage and adjoining front carports**



*Source: Provided by Owner (2022)*