



## STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and additions to an existing dwelling

Lot 6 DP 9891

136 Woodland Street

Balgowlah

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

**LOT 6 DP 9891**  
**136 Woodland Street Balgowlah**

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## 1 Introduction

This Statement of Environmental Effects accompanies a development application for the alterations to an existing dwelling on land identified as Lot 6 DP 9891, 136 Woodland Street Balgowlah.

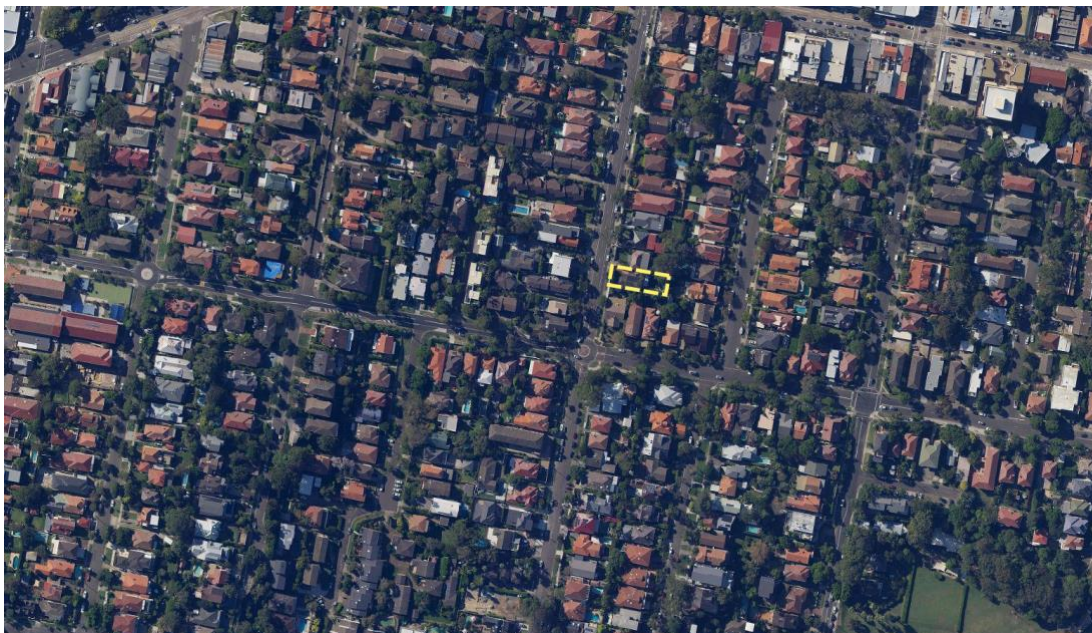
The primary topics addressed in this report are:

- Site description
- Details of the proposal;
- Summary and assessment against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 (as amended).

This Statement of Environmental Effects confirms that the proposed development is suitable and appropriate in the context of the area and all relevant statutory and non statutory planning policies. As such it is considered that the proposal can be supported and approved by Council.

### 1.1 Site Description

The subject land is identified as Lot 6 DP 9891, 136 Woodland Street Balgowlah. Located on site is an existing dwelling.



**Figure 1:** Aerial Image of Site & Surrounding Area



**Figure 2:** Map of the subject site

## 1.2 Proposed Development

The proposed development involves the **alterations and additions to an existing dwelling**.

These alterations and additions impact the ground floor and the first floor. These changes include:

- Two new bedrooms and an ensuite to the first floor
- New balcony to first floor
- New tiled roof
- New bi-fold doors on ground floor

## 1.3 Approvals Sought

The application, which this Statement of Environmental Effects supports, seeks consent under section 4.15 of the Environmental Planning and Assessment Act, 1979 for the proposed development.

## 2 Planning Assessment

### 2.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

The relevant objects of the Act are:

*(a) to encourage:*

*(ii) the promotion and co-ordination of the orderly and economic use and development of land.*

This application is consistent with the objects of the Act as the proposed development enables the orderly and economic use of the land.

#### 2.1.1 Integrated Development

Section 4.46 of the EP&A Act defines integrated development as development that requires development consent by one or more approvals under another Act. **The subject proposal does not trigger integrated development as detailed under S.4.46 of the EP&A Act.**

#### 2.1.2 Designated Development – Section 4.10

Schedule 3 of the Environmental Planning and Assessment Regulations 2000 prescribes development which, if of the relevant type and size, may be considered to be Designated Development. In this case it is our opinion that the development would not trigger any of the designated development provisions.

### 2.2 Section 4.15 Assessment

Section 4.15 of the EP&A Act outlines the matter for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.

#### 2.2.1 Environmental Planning Instruments - Section 4.15 (1)(a)(i)

##### 2.2.1.1 State Environmental Planning Policies

##### **State Environmental Planning Policy No 55 – Remediation of Land**

SEPP 55 is a NSW-wide planning approach to the remediation of contaminated land. When considering a Development Application, the consent authority must observe the requirements of SEPP 55. The significant clause of SEPP 55 is clause 7, which is outlined below.

##### ***Clause 7 - Contamination and remediation to be considered in determining development application***

Under Clause 7, a consent authority must not consent to the carrying out of any development on land unless:

*(a) It has considered whether the land is contaminated, and*

*(b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

*(c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

In accordance with Clause 7 of SEPP 55, Council must consider whether the land is potentially contaminated. The land where the proposed development is located is in an existing residential area and shows no sign of previous contamination.

#### **SEPP Infrastructure 2007**

This policy sets out certain requirements to smooth the path of mainly large infrastructure projects. In this case the policy requires the consent authority to ensure infrastructure is adequate to accommodate the development proposal, which is held to be of the traffic-generating variety. As the development is for a residential development, 104 (2) of the SEPP is not triggered in this instance.

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

The Manly Local Environmental Plan 2013 (LEP 2013) is the applicable local planning instrument for the site.

<b>Local Environmental Plan</b>	
<b>Matter</b>	<b>Relevant Control</b>
Zoning	R1: General Residential
Zone Objectives	<p>The objectives of this residential zone are:</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community.</li> <li>• To provide for a variety of housing types and densities.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> </ul>
Permitted without consent	Home-based child care; Home occupations
Permitted with consent	<p>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tank-based aquaculture; Water recreation structures; Water recycling facilities; Water supply systems</p>

Prohibited	Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3
Height of Building	The site has a 8.5m height of building limit.
Architectural Roof	Clause 5.6 allows Height of Building exceedance.
Floor Space Ratio	The floor space ratio is 0.5:1
Minimum Lot Size	The minimum lot size is 300sqm.
Heritage	Not of heritage significance.
Acid Sulphate Soils	Not identified as acid sulphate
Land Acquisition	Not identified for acquisition.
Mine Subsidence	Not identified as mine subsidence.
Bushfire	The site is not located within a bushfire area.
Flood Prone Land	Not identified as being flood prone land
Wetlands	Not identified as Wetlands.
Drinking Water Catchment	The site is not located within a drinking water catchment area.
Watercourses	No identified watercourses.

#### **Clause 5.10 Heritage conservation**

Subclause (5) allows Council to require a heritage management plan to be prepared where a development is proposed on a site that is *within the vicinity of a heritage item*. The site is not listed as being a heritage item or in the vicinity of a heritage item.

#### **2.2.2 Proposed Instruments - Section 4.15 (1)(a)(ii)**

There are no proposed instruments that are or have been the subject of public consultation under the Act and that have been notified to Council that would have implications for this development application.

#### **2.2.3 Manly Development Control Plan 2013 - Section 4.15 (1)(a)(iii)**

*Manly Development Control Plan 2013* (DCP) applies to the site and outlines specific development requirements for residential development. The provisions of the DCP must be considered in the assessment of the proposed development.



Development Control	Compliance
<b>3.4 Amenity (Views, Overshadowing, Overlooking, Privacy/ Noise)</b>	
<b>3.4.1 Sunlight Access and Overshadowing</b> <ul style="list-style-type: none"> <li>a) New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June) ; or</li> <li>b) Where there is no winter sunlight available to open space of adjacent properties from 9am to 3pm, the calculations for the purposes of sunlight will relate to the equinox in March and September from 9am to 3pm.</li> </ul>	<p>The proposed alterations and additions allow for adequate sunlight to reach the dwelling.</p>
<b>3.4.2 Privacy and Security</b>  <b>Window Design and Orientation</b> <ul style="list-style-type: none"> <li>a) Use narrow, translucent or obscured glass windows to maximise privacy where necessary.</li> <li>b) When building close to boundaries, windows must be off-set from those in the adjacent building to restrict direct viewing and to mitigate impacts on privacy.</li> </ul> <b>Balconies and Terraces</b> <ul style="list-style-type: none"> <li>a) Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties. Architectural screens must be fixed in position and suitably angled to protect visual privacy.</li> <li>b) Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties. Architectural screens must be fixed in position and suitably angled to protect visual privacy.</li> </ul> <b>Acoustical Privacy</b> <ul style="list-style-type: none"> <li>a) Consideration must be given to the protection of acoustical privacy in the design and management of development.</li> <li>b) Proposed development and activities likely to generate noise including certain outdoor living areas like communal areas in Boarding Houses, outdoor open space, driveways, plant equipment including pool pumps and the like should be located in a manner which considers</li> </ul>	<p>The proposed design for the development will comply with privacy and security controls.</p>

<p>the acoustical privacy of neighbours including neighbouring bedrooms and living areas.</p> <p>c) Council may require a report to be prepared by a Noise Consultant that would assess likely noise and vibration impacts and may include noise and vibration mitigation strategies and measures. See particular requirements for noise control reports for licenced premises below at paragraph g) below.</p>	
<p><b>3.4.3 Maintenance of Views</b></p> <p>a) 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 from public spaces.</p> <p>b) Views between and over buildings are to be maximised and exceptions to side boundary setbacks, including zero setback will not be considered if they contribute to loss of primary views from living areas.</p> <p>c) Templates may be required to indicate the height, bulk and positioning of the proposed development and to assist Council in determining that view sharing is maximised and loss of views is minimised. The templates are to remain in place until the application is determined. A registered surveyor will certify the height and positioning of the templates.</p>	<p>The alterations and additions to the development will ensure an adequate maintenance of views for the dwelling and nearby dwellings.</p>
<p><b>4.1 Residential Development Controls</b></p>	
<p><b>4.1.1 Dwelling Density, Dwelling Size and Subdivision</b></p> <p><u>Dwelling Density</u></p> <p>The maximum permissible residential density control at Figure 24 - Minimum Residential Density applies to land identified in Residential Density Areas on the Minimum Residential Density Map at Schedule 1 - Map A in this plan.</p> <p>D1 – 50 sqm. of site area per dwelling D2- 150sqm of site area per dwelling D3- 250sqm of site area per dwelling D4- 300sqm of site area per dwelling D5- 500 sqm of site area per dwelling D6- 600 sqm of site are per dwelling D7- 740sqm of site area per dwelling D8- 950sqm of site area per dwelling D9- 1150sqm of site area per dwelling</p> <p><u>Dwelling Size</u></p>	<p>The dwelling is in area D4 which allows minimum permissible residential density to be 300sqm of the site per dwelling. The site complies with dwelling density controls.</p> <p>The minimum internal area for this site is 126sqm. The proposed alterations and additions comply with this control</p>

<p>Dwellings are required to have the following minimum internal areas:</p> <p>Studio dwellings: 35sqm 1 bedroom dwellings: 50sqm 2 bedroom dwellings: 70sqm 3 bedroom dwellings: 90sqm</p> <p>The minimum internal areas include only 1 bathroom. Additional bathrooms increase the minimum internal area by 5sqm.</p> <p>A 4th bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.</p>	
<p><b>4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys and Roof Height)</b></p> <p><b>Wall Height</b></p> <p>Within the LEP Height of Buildings development standard, the maximum external wall height is calculated based on the slope of the land under the proposed wall. Figures 26, 27 and 28 provide guidelines for determining the maximum height of external walls based on the particular slope of the land along the length of these proposed walls. The maximum wall height control will also vary from one building, elevation or part elevation to another depending on the slope of land on which the wall is sited. Within the range of maximum wall heights at Figures 26 and 28, the permitted wall height increases as the slope of the land increases up to a gradient of 1 in 4, at which point the permitted maximum wall height is capped according to Figure 26.</p>	<p>The proposed alterations and additions do not impact the existing wall height of the dwelling.</p>
<p><b>Number of Storeys</b></p> <p>a) Buildings must not exceed 2 storeys, except on land in areas 'L' and 'N1' on the LEP Height of Building Map and notwithstanding the wall and roof height controls in this plan.</p> <p>b) Buildings on land in areas 'L' and 'N1' on the LEP Height of Building Map Buildings must not exceed 3 storeys notwithstanding the wall and roof height controls in this plan.</p>	<p>The proposed alterations and additions do not impact the existing number of storeys of the dwelling.</p>

<p>c) Variation to the maximum number of storeys may be considered:</p> <ul style="list-style-type: none"> <li>i. where specific physical site constraints warrant an exception to this requirement. In these circumstances the development must still fully comply with other numeric height controls and development standards; and</li> <li>ii. to allow an additional understorey where that storey satisfies the meaning of basements in the LEP.</li> </ul>	
<p><b>Roof Height</b></p> <ul style="list-style-type: none"> <li>a) Pitched roof structures must be no higher than 2.5m above the actual wall height *, calculated in accordance with Figure 29.</li> <li>b) Roof parapets may extend up to 0.6m above the actual wall height where Council considers that a parapet is considered to be appropriate to the design of the development and satisfies the objectives of this DCP and the LEP. For example, a parapet roof should not result in the appearance of lift structures and the like that protrude above the roof.</li> <li>c) Roof Pitch The maximum roof pitch must be generally no steeper than 35 degrees. A roof with a steeper pitch will be calculated as part of the wall height.</li> </ul>	<p>The proposed alterations and additions do not impact the existing roof height of the dwelling.</p>
<p><b>4.1.4 Setbacks (front, side and rear) and Building Separation</b></p> <p><b>4.1.4.1 Front Setbacks</b></p> <ul style="list-style-type: none"> <li>a) Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.</li> <li>b) Where the street front building lines of 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</li> </ul>	<p>The proposed development will not impact existing front setbacks.</p>



<p>significant trees and to maintain and enhance the streetscape.</p> <p>c) Where the streetscape character is predominantly single storey building at the street frontage, the street setback is to be increased for any proposed upper floor level. See also paragraph 4.1.7.1.</p> <p>d) Projections into the front setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, chimneys, meter boxes and the like, where no adverse impact on the streetscape or adjoining properties is demonstrated to Council's satisfaction.</p> <p>-</p>	
<p><b>4.1.4.2 Side Setbacks and Secondary Street Frontages</b></p> <p>a) Setbacks between any part of a building and the side boundary must not be less than one third of the height of the adjacent external wall of the proposed building.</p> <p>b) Projections into the side setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, and the like, if it can demonstrate there will be no adverse impact on adjoining properties including loss of privacy from a deck or balcony.</p> <p>c) All new windows from habitable dwellings of dwellings that face the side boundary are to be setback at least 3m from side boundaries;</p> <p>d) For secondary street frontages of corner allotments, the side boundary setback control will apply unless a prevailing building line exists. In such cases the prevailing setback of the neighbouring properties must be used. Architecturally the building must address both streets.</p> <p>e) Side setbacks must provide sufficient access to the side of properties to allow for property maintenance, planting of vegetation and sufficient separation from neighbouring properties. See also paragraph 4.1.4.3.b.vi.of this plan.</p> <p>f) In relation to the setback at the street corner of a corner allotment the setback must consider the need to facilitate any improved traffic conditions including adequate and safe levels of visibility at the street intersection. In this regard Council may consider the need for building works including front fence to be setback at this corner of the site to provide for an unobstructed splay. The maximum dimension of this triangular shaped splay would be typically up to</p>	<p>The proposed development will not impact existing side boundary setbacks.</p>

<p>3m along the length of the site boundaries either side of the site corner.</p>	
<p><b>4.1.4.4 Rear Setbacks</b></p> <ul style="list-style-type: none"> <li>a) The distance between any part of a building and the rear boundary must not be less than 8m.</li> <li>b) Rear setbacks must allow space for planting of vegetation, including trees, other landscape works and private and/or common open space. The character of existing natural vegetated settings is to be maintained. See also paragraph 3.3 Landscaping.</li> <li>c) On sloping sites, particularly where new development is uphill and in sensitive foreshore locations, consideration must be given to the likely impacts of overshadowing, visual privacy and view loss.</li> <li>d) Rear setbacks must relate to the prevailing pattern of setbacks in the immediate vicinity to minimise overshadowing, visual privacy and view loss.</li> </ul>	<p>The proposed development will not impact existing rear setbacks.</p>
<p><b>4.1.5 Open Space and Landscaping</b></p> <p><u>Open Space Area OS3:</u></p> <p>Total open space</p> <ul style="list-style-type: none"> <li>- at least 45% of site area</li> </ul> <p>Landscape area</p> <ul style="list-style-type: none"> <li>- at least 35% of open space</li> </ul> <p>Above Ground</p> <ul style="list-style-type: none"> <li>- No more than 25% of total open space</li> </ul> <p>Minimum dimensions and areas for Total Open Space</p> <p>Total Open Space (see Dictionary meanings including landscape area, open space above ground and principal private open space) must adhere to the following minimum specifications:</p> <ul style="list-style-type: none"> <li>i. horizontal dimension of at least 3m in any direction; and</li> <li>ii. a minimum unbroken area of 12sqm.</li> <li>iii. A variation to the minimum specifications in i) and ii) above may only be considered for Above Ground Open Space where it can be demonstrated that lesser dimensions or areas will better serve to minimise amenity impacts on neighbours. A lesser areas of above ground open space may be included or calculated under the minimum requirements in the circumstances of the</li> </ul>	<p>The proposed alterations and additions comply with open space requirements.</p>

<p>case. In all other cases open space that does not comply with the minimum specification is not included or calculated under the minimum requirements for total open space.</p>	
<p><b>4.1.5.2 Landscaped Area</b></p> <p>Landscaped Area must be provided on site in accordance with above Figure 34 - <i>Numeric Requirements for <u>Total Open Space</u>, <u>Landscaped Area</u> and <u>Open Space above Ground Level</u></i>. The minimum landscaped area requirement is a percentage of the actual* <u>total open space</u> onsite.</p> <p>Minimum dimensions and area</p> <p>Minimum dimensions and areas must provide for the following:</p> <ul style="list-style-type: none"> <li>i. soil depth of at least 1m for all landscaped areas either in ground or above ground in raised planter beds; and</li> <li>ii. a minimum horizontal dimension of 0.5m measured from the inner side of the planter bed/ box, wall or any other structure which defines the landscaped area and incorporating an appropriate drainage and irrigation regime.</li> </ul>	<p>The proposed alterations and additions will not impact the existing landscaped area of the site.</p>
<p><b>4.1.5.3 Private Open Space</b></p> <p>Principal Private Open Space</p> <ul style="list-style-type: none"> <li>a) Principal private open space is to be provided in accordance with the following minimum specifications: <ul style="list-style-type: none"> <li>i. Minimum area of principal private open space for a dwelling house is 18sqm; and</li> <li>ii. Minimum area of principal private open space for residential accommodation with more than 1 dwelling on the site is 12sqm for each dwelling.</li> </ul> </li> </ul>	<p>The private open space of the existing dwelling will remain, with additional private open space included in the first-floor additions.</p>
<p><b>4.1.7 First Floor and Roof Additions</b></p> <p><b>4.1.7.1 First Floor Additions</b></p> <ul style="list-style-type: none"> <li>a) First floor additions must complement the architectural style of the ground floor and where possible retain existing roof forms. Notwithstanding setback provisions, the addition may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</li> </ul>	<p>The proposed alterations and additions are proposed to an existing first floor and complement the architectural style of the existing building.</p>

<p>b) The dwelling and the form of alterations and additions must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences or the aesthetic quality of the former Manly Council area. In this regard, it may be preferable that the addition be confined to the rear of the premises or be contained within the roof structure.</p>	
<p><b>4.1.10 Fencing</b></p> <p>Freestanding walls and fences between the front street boundary and the building are to be no more than 1m high above ground level at any point.</p>	<p>No additional fencing is proposed.</p>
<p><b>5.4.1 Foreshore Scenic Protection Zone</b></p> <p>LEP clause 6.9 designates land in the Foreshore Scenic Protection Area as shown on the LEP Foreshore Scenic Protection Area Map to protect visual aesthetic amenity and views both to and from Sydney Harbour, the Pacific Ocean and the Manly foreshore. Development in the Foreshore Scenic Protection Area must not detrimentally effect the 'visual or aesthetic amenity of land in the foreshore scenic area nor must the development similarly effect the views of that land, including ridgelines, <u>tree</u> lines and other natural features viewed from the Harbour or Ocean from any road, park or land in the LEP for any open space purpose or any other public place. Any <u>adverse impacts</u> considered in this paragraph will be mitigated. In accordance with these LEP objectives Council seeks to conserve and preserve <u>tree</u> canopies and street trees, wildlife corridors and habitat and minimise cumulative impacts on escarpment, rock shelves and other natural landscape features.</p>	<p>The proposed alterations and additions do not cause any detrimental impacts to the dwelling or the surrounding area. The development fits in to the existing characteristics of the Foreshore area.</p>

## 2.2.4 The likely impacts of that development – Section 4.15(b)

### 2.2.4.1 Aboriginal Archaeology

The requirement for an Aboriginal Heritage Impact Assessment (AHIA) is based on Part 2 of the NPWS Guidelines for Aboriginal Heritage Impact Assessments. Part 2 states that an AHIA is generally not required where:

- a) The proposed development is on land previously subject to intensive ground disturbance and the development will impact only on the area subject to the previous disturbance;*



*b) The impact of the proposed activity is unlikely to cause any additional damage to Aboriginal objects than that which has already occurred; and*

*c) The proposed development is in an area that has been identified in strategic planning, rezoning or other assessment studies as having low Aboriginal heritage potential.*

Based on the abovementioned points it is noted that the proposed development is not likely to cause any damage to Aboriginal objects as the development is located within an existing residential area with existing site disturbances.

#### **2.2.4.2 CONTEXT AND SETTING**

The proposed development has demonstrated consistency of the surrounding locality through the environmental planning regulations and site features informing the overall development design. It has also shown to be consistent with the rural surroundings through its consistency with the existing residential development of the area.

#### **2.2.4.3 VISUAL IMPACT**

The development has been designed in a way and style that complements the area and its close links to the water. The development is not expected to create an eye sore to the surrounding community.

#### **2.2.4.4 ACCESS, TRANSPORT AND TRAFFIC**

Due to the small nature of the development it is not considered to cause any impact on the local road network.

#### **2.2.4.5 PUBLIC DOMAIN**

The proposed development will not have an impact on any public domain. The development contributions derived from this development in providing infrastructure and public domain improvements.

#### **2.2.4.6 SERVICES**

Electricity, telephone and physical, legal and emergency service access exists to the existing development. The site has reticulated (town) water supply and reticulated sewer service available.

#### **2.2.4.7 European Heritage**

The site is not within a heritage area or close to any existing heritage items.

#### **2.2.4.8 Landslip Risk Land**

The site is not mapped as being landslip risk land.

#### **2.2.4.9 Flooding**

The site is not located within a flood prone area.

#### **2.2.4.10 Bushfire**

The site is not located within a bushfire zone.

#### **2.2.4.11 Ecology**

The physical works that will result from the proposed development will involve some minor earthworks for the footing/ slab.

#### **2.2.4.12 Noise and Vibration**

No potential noise or vibration impacts have been identified. Construction noise will be as per normal construction times/processes.

#### **2.2.4.13 Social and Economic Impact**

The proposed development is for the alterations and additions to an existing dwelling unit and should have no social or economic impact on the area.

### **2.2.5 Suitability of the Site – Section 4.15(c)**

The subject site is considered suitable for the proposed use as the area is surrounded by similar buildings of a similar size. As such it is considered that the development is suitable for the site and the surrounding area.

### **2.2.6 The Public Interest – Section 4.15(e)**

The proposed development is considered to be in the public interest.

## **3 Conclusion**

This Statement of Environmental Effects comprehensively demonstrates that the proposed *alterations and additions comprising of two new bedrooms, a new tiled roof, a new on-suite on the first-floor and new bi-fold door to the ground floor* an appropriate and suitable development when tested against the relevant heads of consideration detailed within the section 4.15(C) of the *Environmental Planning & Assessment Act, 1979*.

This report has identified all key issues associated with the proposal and demonstrated that the proposal can be developed appropriately with respect to these issues. The proposal is consistent with the zone objectives and other planning provisions and will make a positive contribution to the area.

The proposal is considered acceptable and should be approved because:

- The site is suitable for the proposal;
- The SoEE has identified all constraints associated with the land and demonstrated that the proposal can be undertaken whilst effectively minimising these constraints;
- The proposal will generate positive social and economic impacts;
- The proposal will generate only negligible environmental impacts; and
- The proposal is within the public interest.

The proposal has been assessed in accordance with S.4.15 of the EP&A Act 1979. This assessment has concluded under the current Residential zone is a permissible land use.

Manly Council's Development Control Plan has also been considered and proposal complies with the DCP in all respects of the controls.

This report has assessed environmental considerations of the proposal, including heritage, flooding, access, ecological considerations, waste management, stormwater runoff, Aboriginal archaeology and servicing, and has concluded that there are no likely adverse environmental impacts associated with the proposal and that infrastructure either is, or can be developed to support the proposal.