

DEVELOPMENT APPLICATION

New home business (beauty treatment room)

8 CLIFF STREET MANLY

Statement of Environmental Effects

Submitted to Northern Beaches Council

On Behalf of Rosalind Dunphy

11 November 2020 ■ 2011

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1.0 INTRODUCTION

1.1 Overview

This Statement of Environmental Effects (**SEE**) is submitted to the Northern Beaches Council (**Council**) on behalf of Rosalind Dunphy (the landowner and occupant). It describes a Development Application (**DA**) relating to 8 Cliff Street, Manly (the **site**).

The site is occupied by a two storey semi-detached dwelling with on-site car parking.

The proposed works the subject of this DA, generally comprises the fitout and use of the front bedroom as a beauty treatment room (with sharps).

The proposed home business will enable the owner and occupant of the dwelling to provide a valuable service to the local community directly from home.

1.2 Consent authority and type of application

The cost of development is \$7,740 (including GST). Refer to Builders Quote (attached).

Therefore, in accordance with the *Environmental Planning & Assessment Act, 1979 (EP&A Act)* and State Environmental Planning Policy (State and Regional Development) 2011 (**SEPP State and Regional Development**), the DA is a local development and Council officers or the Local Planning Panel would be the consent authority (*General development under \$30,000,000*).

Pursuant to Section 4.46 of the EP&A Act, the DA is not integrated development.

A Construction Certificate (**CC**) will be sought separately.

1.3 Scope of SEE

The SEE describes the site, its locality and the proposal. It includes an assessment of the proposal under the heads of consideration at Section 4.15(1) of the EP&A Act.

This SEE should be read in conjunction with the following documentation (submitted under separate cover):

- Cost Report, by Pipe Down Plumbing Solutions (6 November 2020)
- Existing and Proposed Plans, by Rosalind Dunphy (11 November 2020)
- Waste Management Plan, by Rosalind Dunphy (11 November 2020)

2.0 SITE LOCATION

2.1 The site

The site is identified as Lot D in DP 438914 known as 8 Cliff Street, Manly (the **site**).

The site is located on the southern side of Cliff Street bounded by Darley Road to the west and Reddall Street to the east (**Figure 1** and **2**).

The site is rectangular in shape with a northern front and southern rear boundary measuring 9.05m, and western and eastern side boundary measuring 45m (approximately).

The site has an area of 413.90m² and is occupied by a semi-detached, federation style house with on-site car parking.

There is a slight fall across the site from south (rear boundary) to the north (Cliff Street) of approximately 4m.

A search of Council records show a limited number of previous approvals for the site. The most recent development application (**DA**) (6/2014) approved on 22 October 2014, alterations and additions comprising a new first floor addition. These works have been completed on site.

In accordance with Manly Local Environmental Plan 2013 (**Manly LEP 2013**), the site is zoned R1 – General Residential (Refer to Section 4.1.4 and **Figure 7** for further details).

The site is identified as a heritage item (Item I95) in accordance with Manly LEP 2013 Schedule 5, and forms part of a group of six houses at 2 - 12 Cliff Street. The site is not located within a heritage conservation area (Refer to Section 4.1.4 and **Figure 8** for further details).

2.2 Surrounding development

The area is characterised by a variety of residential forms, ranging from one and two storey dwelling houses, and three storey residential flat buildings (**RFB**) towards Reddall Street to the east.

Development surrounding the site comprises:

- **North:** To the north of the site on the opposite side of Cliff Street is row of one to two storey residential dwellings
- **South:** To the south of the site and sharing a rear boundary is a part two, part three storey pair of semi-detached dwellings fronting Addison Road (87 & 89 Addison Road).
- **East:** To the east of the site is another pair of semi-detached house (10 & 12 Cliff Street)
- **West:** The site forms a pair with the semi-detached house to the immediate west (6 Cliff Street). Beyond that is another pair of semi-detached houses (2 - 4 Cliff Street).

Photographs of the site are located at **Figure 3** and **5 - 6** below.



Figure 1– Site location plan (Source: Six Maps)



Figure 2 – Aerial view of the site (Source: SixMap)



Figure 3 – The site: 8 Cliff Street Manly

3.0 PROPOSED DEVELOPMENT

3.1 Overview

As illustrated on the proposed floor plan prepared by Rosalind Dunphy and shown at **Figure 4**, the proposal comprises the following works:

1. Alterations comprising the following:

- (a) New hand wash basin (connected to existing waste and water)
- (b) New lockable medical refrigerator
- (c) New shelving, benchtops, storage and treatment bed*

** All new joinery will be free standing and no structural modifications are proposed*

2. Use of front room as a beauty treatment room (with sharps) operating as follows:

- (a) Capacity:
 - (i) Maximum of one (1) patient on site at any one time
 - (ii) Appointments approximately one (1) hour in length
 - (iii) Appointments to be spaced to avoid patient cross-over and preserve patient privacy
- (b) Hours of operation:
 - (i) Monday to Friday: 9.00 am - 6.00 pm
 - (ii) Saturday: 10.00 am - 4.00 pm.

No signage is proposed.

3.2 Parking and access

The site currently provides two on-site car parking space within the front setback.

No change is proposed to the current on-site car parking arrangement on the site.

Patients will have access to the on-site car parking and also be able to rely on available on-street parking.

3.3 Waste Management

A Waste Management Plan (**WMP**) has been prepared in accordance with Council's requirements and accompanies this report.

The sink to be installed is for handwashing only. No sterilising or washing of equipment is to occur on site. As all items to be used within the practice are single use and disposable.

All surgical waste from the treatment room will be stored within a dedicated sharps and clinical waste container, which will be collected weekly by a private waste contractor.

All general waste and recycling from the treatment room will be stored within a dedicated waste storage collection bin, which will be collected weekly by a private waste contractor.

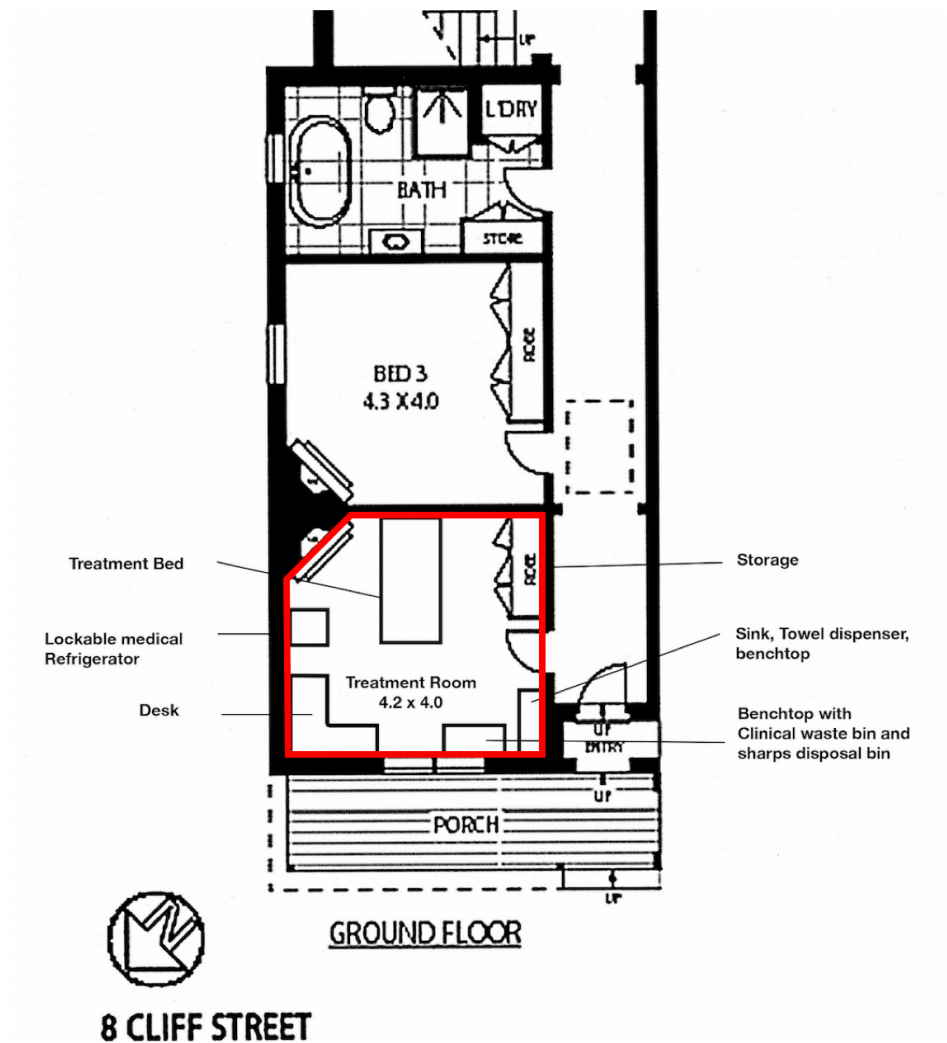


Figure 4 – Proposed location and fitout of beauty treatment room (Source: Proposed Ground Floor Plan Drawing DA01 by Rosalind Dunphy)



Figure 5 – The site: Proposed treatment room



Figure 6 – The site: Proposed treatment room

4.0 PLANNING ASSESSMENT

The following is our assessment of the environmental effects of the proposal. The assessment includes only those matters under Section 4.15(1) of the EP&A Act that are relevant to the proposal.

4.1 S.4.15(1)(a) Statutory considerations

The following environmental planning instruments (EPI) and development control plans (DCP) are relevant to the proposal:

- State Environmental Planning Policy No. 55 – Remediation of Land (gazetted 28 August 1998) (**SEPP 55**)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (gazetted 25 June 2004) (**SEPP BASIX**)
- State Environmental Planning Policy (Coastal Management) 2018 (commenced 3 April 2018) (**SEPP Coastal Management**)
- Manly Local Environmental Plan 2013 (**Manly LEP 2013**) (commenced 5 April 2013)
- Manly Development Control Plan 2013 (**Manly DCP 2013**) (came into effect 9 December 2011 and last amended on 1 December 2019)
- Northern Beaches Council Section 7.12 Contributions Plan 2019 (**NBC Contribution Plan 2019**).

An assessment of compliance with these plans follows.

4.1.1 SEPP 55

In accordance with Clause 7 of SEPP 55, the consent authority must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

Given the site's extended use for residential purposes, the site is unlikely to be contaminated.

4.1.2 SEPP (BASIX)

The proposal is not identified under the *Environmental Planning and Assessment Regulation 2000* (**EPA Reg**) as a BASIX affected building.

4.1.3 SEPP Coastal Management

The Coastal Management SEPP commenced on 3 April 2018 and gives effect to the objectives of the *Coastal Management Act 2016* from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the Coastal Zone.

Pursuant to the SEPP, the site is located outside the Coastal Environment Area and Coastal Use Area as shown at **Figure 7**.

As such the provisions of this SEPP do not apply to the site or the proposed development.



Figure 7 – Extract of the SEPP Coastal Management Map (Source: Online Mapping)

4.1.4 Manly LEP 2013

As detailed in **Table 1** below, the following relevant provisions in Manly LEP 2013 apply:

- **Zoning/Permissibility (Figure 8)** – The site is located on land zoned R1 – General Residential. The proposed fitout and use of the front room of the existing dwelling house as a home business being a beauty treatment room (with sharps) is permitted with consent.
- **Building height standard**–The site is subject to a 8.5m height standard. No change is proposed to the building height.
- **FSR standard**–The site is subject to a 0.6:1 FSR standard. No change is proposed to the FSR standard.
- **Heritage (Figure 9)** - The site forms part of a group of six heritage listed semi-detached houses (Item No. 195).
- All new joinery associated with the use of the front bedroom as a beauty treatment room will be free standing and does not require any structural modifications. Given this, a Statement of Heritage Impact was not considered necessary in this case given the minor nature of the proposal and limited works. Should Council feel it necessary an appropriate condition of consent could be imposed to preserve the fabric of the dwelling.

4.1.5 Manly DCP 2013

The relevant provisions of Manly DCP 2013 are detailed at **Table 2**. As indicated in the compliance table, the proposal has been designed to comply with the requirements of Manly DCP 2013 where they are relevant to the site and the proposal.

4.1.6 NBC Contributions Plan 2019

Northern Beaches Council Section 7.12 Contributions Plan 2019 applies to the site, which enables Council to impose a condition requiring the payment of a levy, based on development cost.

As the development involves the carrying out of works with a cost of \$4,740 (including GST) a contribution is not required to be paid in this instance (*up to and including \$100,000 = Nil*).

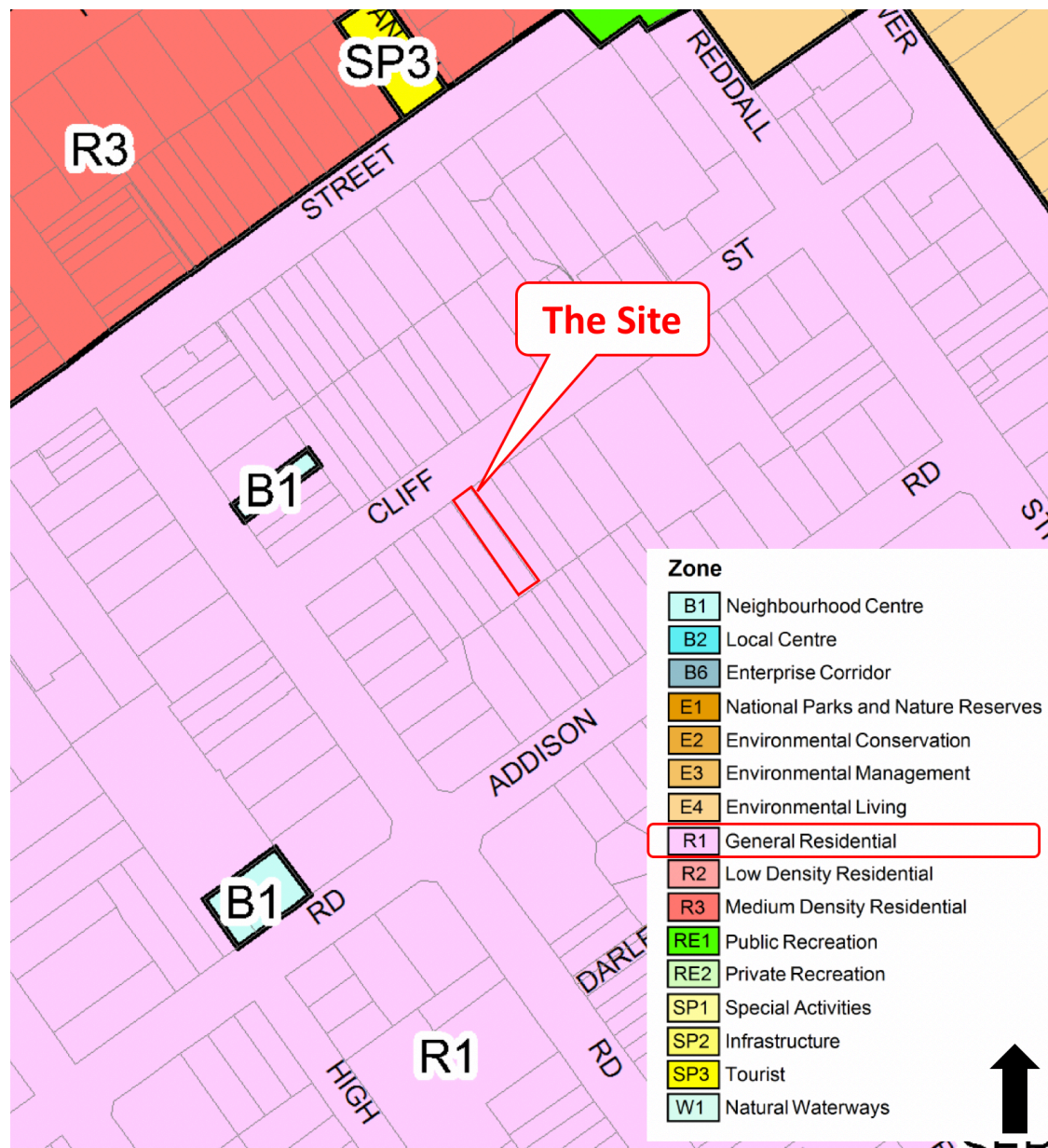


Figure 8 – Extract of Land Use Zoning Map Manly LEP 2013 (LZN_006)

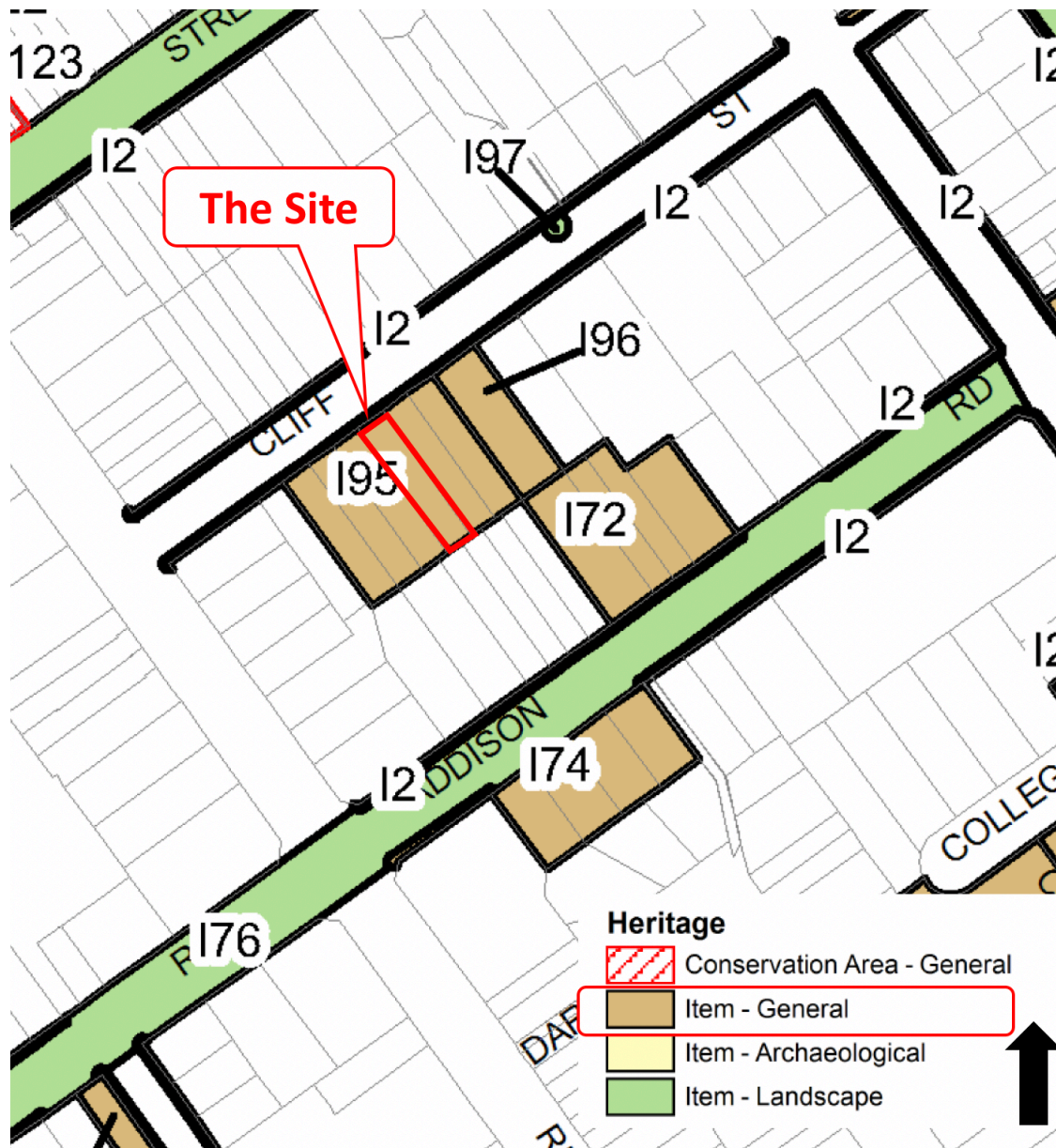


Figure 9 – Extract of Heritage Building Map Manly LEP 2013 (HER_006)

Table 1 – Compliance with the relevant provisions of Manly LEP 2013

Control	Control	Proposal/Compliance
Zones objectives and land use table (cl. 2.2 - 2.3(2))	<p>The site is zoned R1 – General Residential</p> <p>Objectives of zone</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. <p>Permitted with consent</p> <p><i>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</i></p>	<p>✓ <i>Home Business (beauty treatment room with sharps)</i> is permitted with consent</p> <p>✓ Consistent with the relevant zone objectives, the proposed fitout and use as a home business:</p> <ul style="list-style-type: none"> – Retains the existing residential dwelling on site – Supports another land use on site that provides a direct service to meet the day to day needs of local residents
Lot size (Cl. 4.1)	Minimum lot size of 250sqm	N/A No change
Height of buildings (cl. 4.3)	Maximum height standard of 8.5m	N/A No change
Floor space ratio (cl. 4.4)	Maximum FSR of 0.6:1	N/A No change
Heritage Conservation (cl. 5.10)	<p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> • To conserve the environmental heritage of the Manly, • To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, • To conserve archaeological sites, • To conserve Aboriginal objects and Aboriginal places of heritage significance. 	<p>✓ The proposed works are internal and minor (comprising free standing joinery and the installation of a hand wash basin). Given this, the proposal will conserve the significance of the heritage item located on site as well as the heritage items in the vicinity.</p> <p>✓ No known archaeological sites or items of Aboriginal significance are located on site</p>
Acid sulfate (cl. 6.1)	Development does not disturb, expose or drain acid sulfate soils and cause environmental damage. Class 5:	N/A The site is located on land identified as Class 5 acid sulfate soils. No

Control	Control	Proposal/Compliance
	<ul style="list-style-type: none"> Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres AHD and by which the watertable is likely to be lowered below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land. 	works are proposed within 500m of adjacent class 1, 2, 3 or 4 to land below 5m AHD
Stormwater management (cl. 6.4)	<p>Development consent must not be granted unless the development:</p> <ul style="list-style-type: none"> is designed to maximise the use of water permeable surfaces on the land includes on-site stormwater retention for use as an alternative supply avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters 	<p>✓ All works are internal and no change is proposed to the existing areas of non-permeable surface on site. The proposed development will have no impact on existing stormwater runoff</p>
Terrestrial biodiversity (cl. 6.5)	<p>The consent authority must consider whether the development is likely to have:</p> <ul style="list-style-type: none"> Any adverse impact on the condition, ecological value and significance of the fauna and flora on the land Any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and Any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and Any adverse impact on the habitat elements providing connectivity on the land, and Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. 	<p>✓ All works are internal and the proposal will not impact any of the site's existing open space or landscaped areas. The proposed development is unlikely to have any impact on the subject Bandicoot population</p>

Table 2 – Compliance with the relevant provisions of Manly DCP 2013

Control	Compliance
3.0 GENERAL PRINCIPLES	
3.2 Heritage considerations	
<p>Development in the vicinity of a heritage item or conservation area</p> <ul style="list-style-type: none">• Development in the vicinity of a heritage item is to ensure that it does not detract or significantly alter the significance of the item.• The impact on the setting of a heritage item is to be minimised by: providing an adequate area around the building to allow interpretation; retaining original or significant landscaping.	<p>✓ Consistent with the controls, the proposal:</p> <ul style="list-style-type: none">– Will comprise free standing works only with no structural modifications proposed– Will not impact on any original or significant building fabric– Is wholly contained within the building and will not be visible from surrounding streets– Can be undertaken so that they are reversible– Will not affect interpretation of the building’s heritage significance– Will be of no impact on the heritage significance of the site, or nearby heritage items
<p>Alterations and additions to Heritage items</p> <p>Alterations or additions to heritage items or buildings within a conservation area will not necessarily seek to replicate, the character of the building. However, a contemporary response, which complements the original buildings may be considered.</p>	
<p>Retaining significant features</p> <p>Alterations or additions to heritage items or buildings within a conservation area must retain original architectural detailing, retain original wall treatments, not render or paint original face brickwork, and avoid removal of original fabric in order to retain the integrity of the heritage item or conservation area.</p>	
3.4 Amenity (Views, Overshadowing, Overlooking, Privacy, Noise)	
<p>Privacy and security</p> <ul style="list-style-type: none">• Use narrow, translucent or obscured glass windows to maximise privacy where necessary.• When building close to boundaries, windows must be off-set from those in the adjacent building.• Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties.• To provide casual surveillance of the street and to provide a sense of security sight lines to the street frontage should not be obscured by trees or any other object; fences, walls and landscaping should minimise opportunities for concealment.	<p>✓ Consistent with the provisions:</p> <ul style="list-style-type: none">– No change is proposed to any existing openings– The use of the front room as a treatment room will have no visual privacy impacts on adjacent properties as it is oriented to the street and fitted with privacy shutters
<p>Acoustic privacy</p> <ul style="list-style-type: none">• Consideration must be given to the protection of acoustical privacy in the design.• Development likely to generate noise should be located in a manner, which considers the acoustical privacy of neighbours.	<p>✓ Proposed alterations will not cause a nuisance to the nearest residential neighbours</p> <ul style="list-style-type: none">– Only one visitor will be allowed on site at a time for a standard beauty treatment consultation. Noise generated from the home business will be consistent with current conditions on site

Control	Compliance
3.5 Sustainability	
Energy efficiency/conservation requirements for non-residential developments <ul style="list-style-type: none"> New or replacement air conditioning units are to have a minimum 4 star energy rating for cooling only. Reverse cycle air conditioning units are to have a minimum of 4 star rating on one cycle and 3 star rating on the alternate cycle. New gas heaters must be rated no less than one star energy rating below the maximum available at the time of installation. Demand reduction lighting technologies and energy efficient lighting must be used. 	✓ Able to comply
Environmentally sound building materials <ul style="list-style-type: none"> Where possible, reuse existing site materials. Building materials should be selected to increase the energy efficiency of the building, and to minimise damage to the environment. Material choice should also take account of environmental considerations. Wood certified by the Forest Stewardship Council known as 'Good Wood' must be utilised where possible. 	✓ Able to comply <ul style="list-style-type: none"> Where possible materials will be reused or recycled Appropriate building materials will be selected to increase energy efficiency
3.8 Waste management	
<ul style="list-style-type: none"> All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan 	✓ WMP attached

4.2 S.4.15(1)(b) Impact on the environment

As demonstrated above the proposal will have no significant detrimental effects relating to environmental, social or economic impacts on the locality.

4.3 S.4.15(1)(c) The suitability of the site for the proposed development

Having regard to the characteristics of the site and its location, the proposal is considered appropriate in that the proposed development:

- Is permitted with consent
- Makes a positive contribution to the character of the locality
- Will not result in any detrimental environmental impacts for adjoining properties or the surrounding area.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

4.4 S.4.15(1)(d) Any submissions made in accordance with the Act or Regulations

It is expected that the consent authority will consider submissions (if any) in its assessment of the DA.

4.5 S.4.15(1)(e) The public interest

The DA will be notified/advertised in accordance with Council policy and submissions received will be considered in the DA assessment.

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

5.0 CONCLUSION

The proposed fitout and use of the front bedroom as a home business being a beauty treatment room (with sharps) at 8 Cliff Street, Manly offers the following benefits:

- Meets the objectives of the zone and complies with Manly LEP 2013 and the provisions and controls contained in Manly DCP 2013.
- Provides a proposal that will not result in any significantly adverse amenity impacts for adjoining and nearby residents (privacy, noise and parking)
- Has a neutral (and reversible) impact on the heritage item located on site and adjacent heritage items.

In view of its merits and the absence of any significant adverse effects, the proposal is considered worthy of approval.