

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Alterations
and Additions to a
Dwelling

2 Montague Street,
North Manly

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2 Montague Street, North Manly

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1 Introduction

This Statement has been prepared as part of the documentation associated with a Development Application proposing alterations and additions to the existing dwelling at 2 Montague Street, North Manly. A previous application (DA2019/1165) was withdrawn after issues were raised by Council. This application has addressed those issues raised and represents a more modest and compliant built form which maintains the amenity of neighbouring dwellings.

In addition to the Statement of Environmental Effects the application is also accompanied by the following:

- Survey Plan
- Architectural plans prepared by Drafting Help
- Basix Certificate
- Preliminary Geotechnical Assessment by White Geotechnical

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979.
- Warringah Local Environmental Plan 2011, and
- Warringah Development Control Plan 2011

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed alterations and additions are compatible with the desired future character and zone objectives.
- The proposed alterations and additions will not have an unreasonable impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

The application relates to Lot 51 in DP 9853, 2 Montague Street, North Manly . A location map is included as **Figure 1**.



Figure 1: Site Location (Source: Six Maps)

The subject site is predominately a rectangular shaped allotment with a frontage and address to Montague Street. The site area measures 801.3m² and has a width of 15.24m and a variable depth of between 51.84m and 53.34m. The topography of the site has a natural slope of approximately 8°

The existing development on the site contains a part 1 and 2 storey dwelling. Development in the vicinity generally consists of singles residential dwellings in informal landscaped settings. Warringah Golf Course is located to the west of the site.

2.2 Zoning and Key Environmental Considerations

The site is zoned R2 Low Density Residential pursuant to the Warringah Local Environmental Plan 2011.
The site is mapped as being within Landslip Risk Area B.

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application proposes alterations and additions to the existing dwelling house, comprising the following works as detailed on the architectural drawings prepared by Drafting Help. Specifically the works include:

- An extension to the rear of the dwelling which will create an open plan kitchen and dining area. This area will open to a new veranda. A living room and family room is also proposed.
- An external staircase is proposed to the southern elevation to access the backyard.
- Some internal reconfigurations and demolition of partition walls is also proposed. This is detailed on the demolition plan provided.

The new extension will connect to the existing stormwater drainage system on the site.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

As previously noted the site is zoned R2 Low Density Residential pursuant to the provisions of the Warringah Local Environmental Plan 2011.

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The application relates to alterations and additions to a dwelling which is permissible use in the zone.

4.1.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- (a) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) *to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) *to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

The proposed alterations and additions are compliant with the 8.5m height limit as detailed on the section drawings provided with this application. The section B drawing below demonstrates that the proposal will be well under the 8.5m development standard and, as such, is not an impediment to the granting of consent.

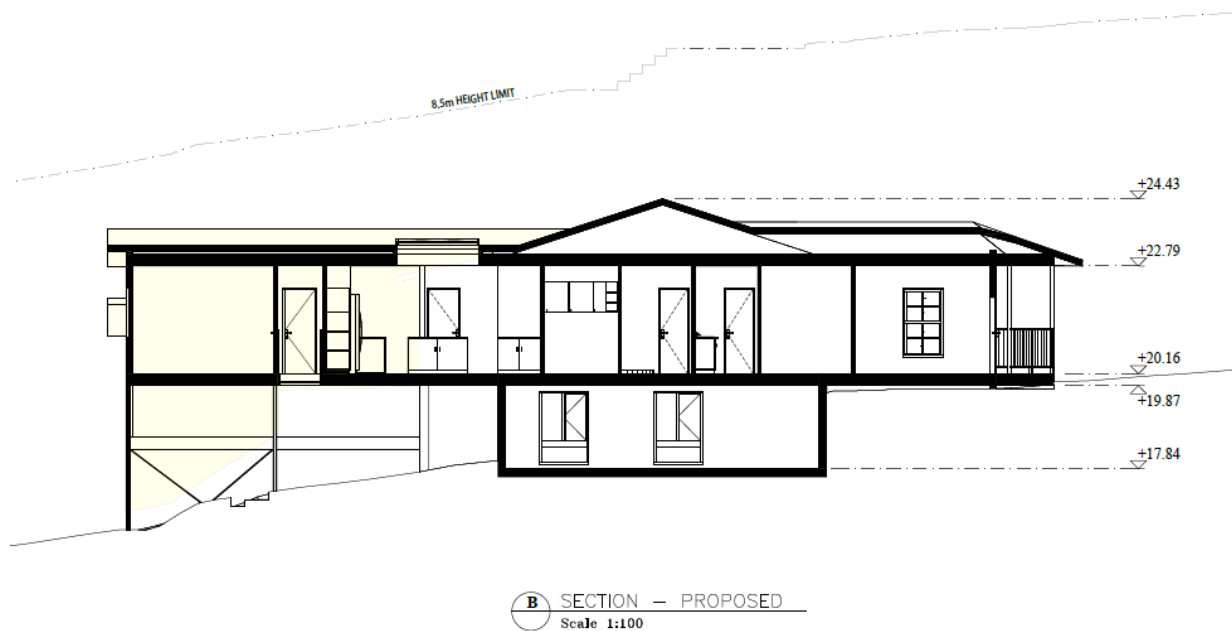


Figure 2: Building height compliance drawing

4.1.3 Development on Sloping Land

The site is identified as falling within Land Slip Risk Area B. The objectives of Clause 6.4 seek to:

- Avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land;
- Ensure the impacts of storm water runoff from development or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land;
- To ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.

The preliminary geotechnical report provided by White Geotechnical determines that the proposal is suitable on the subject site and provided that good engineering and building practices are followed, no further geotechnical assessment is recommended.

4.2 Warringah Development Control Plan 2011

The proposal relates to alterations and additions to the existing dwelling and the following relevant DCP controls have been addressed with respect to consideration of the proposed subdivision application.

4.2.1 DCP Compliance Table

A table demonstrating compliance with the relevant provisions of the Warringah DCP 2011 is detailed as follows:

Control	Requirement	Proposed	Compliance
Wall Height DCP Control B1	7.2 metres from ground level (existing) to the underside of the ceiling to the uppermost floor of the building (excluding habitable areas wholly located within a roof space).	The proposed development will have wall heights compliant with the 7.2m control.	Yes
Side Boundary Envelope DCP Control B3	Buildings must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of 4 metres.	The west elevation drawing demonstrates that the rear extension will sit within the prescribed building envelope control.	Yes
Side Boundary Setback DCP Control B5	Development is to maintain a 900mm minimum setback from side boundaries.	The development will maintain the established side setbacks of 1.975m to the southern boundary and 1.283m to the northern boundary.	Yes

Control	Requirement	Proposed	Compliance
Front Boundary Setback DCP Control B7	Development is to maintain a front setback of 6.5 metres.	No change is proposed to the existing front setback.	Yes
Rear Boundary Setback DCP Control B9	Development is to maintain a minimum rear boundary setback of 6 metres.	Well in excess with a 24.587m rear setback	Yes
Parking Facilities DCP Control C3	2 off street parking spaces must be located behind the front building alignment.	The existing car parking circumstance is to be maintained.	Yes
Stormwater DCP Control C4	<p>To protect and improve the ecological condition of Warringah's beaches, lagoons, waterways, wetlands and surrounding bushland;</p> <p>to minimise the risk to public health and safety;</p>	The alterations and additions will connect to the existing stormwater drainage system for the dwelling.	Yes
Excavation and Landfill	Excavation and landfill works must not result in any	No significant excavation proposed.	Yes

Control	Requirement	Proposed	Compliance
DCP Control C7	adverse impact on adjoining land.	The geotechnical report provided states that the proposed development is suitable on the site and that no further geotechnical assessment is required.	
Demolition & Construction DCP Control C8	A demolition and waste management plan must be satisfactorily completed and submitted.	Partial demolition is proposed with the development. Demolished materials will be disposed of appropriately. These details can be provided at construction certificate stage.	Yes
Landscaped Open Space DCP Control D1	A minimum 40% landscaped open space is to be provided.	The proposed landscaped area is calculated at 56.07%, which is compliant with the control.	Yes
Private Open Space DCP Control D2	Dwelling houses with 3 or more bedrooms are to provide a minimum area of 60sqm of private open space.	>60m ² achieved	Yes
Access to Sunlight DCP Control D6	Pursuant to these provisions development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing:	Shadow diagrams have been prepared and accompany this application. The diagrams show that compliant levels of solar access will be achieved with the proposed works. Elevational shadow diagrams have been prepared of the northern elevation of 4	Yes

Control	Requirement	Proposed	Compliance
	<ul style="list-style-type: none"> At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21. 	<p>Montague Street. It demonstrates that the proposed development will not significantly impact on the 2 north facing windows. Compliant levels of solar access will be achieved to these windows and to the private open space areas of 4 Montague Street.</p>	
<p>Views</p> <p>DCP Control D7</p>	<p>To allow for the reasonable sharing of views.</p> <p>To encourage innovative design solutions to improve the urban environment.</p> <p>To ensure existing canopy trees have priority over views.</p>	<p>The proposed works will not result in any unreasonable view loss for neighbouring dwellings. The works are consistent with the principals of view sharing pursuant to the planning principle <i>Tenacity vs Warringah Council</i>.</p>	Yes

Control	Requirement	Proposed	Compliance
Privacy DCP Control D8	<p>Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.</p> <p>To encourage innovative design solutions to improve the urban environment.</p> <p>To provide personal and property security for occupants and visitors.</p>	<p>The works have been designed to ensure that a high level of visual privacy is maintained to adjoining development.</p> <p>Minimal new fenestration treatments are proposed to the side elevations and generally consist of highlight windows. This does not give rise to any significant risk to the privacy of neighbouring dwellings.</p> <p>The works are compliant with setbacks, envelope, wall height and building height and, as such, would not create an unreasonable impact to privacy.</p>	Yes
Building Bulk DCP Control D9	<p>Encourage good design and innovative architecture to improve the urban environment.</p> <p>Minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.</p>	<p>The works represent a modest extension to the rear of the dwelling which will maintain the existing single storey streetscape presentation.</p> <p>The works are compliant with height, building envelope, wall height and setbacks which ensure the development could not be considered excessive in bulk and scale when viewed from neighbouring properties.</p>	Yes

Control	Requirement	Proposed	Compliance
Building Colours and Materials DCP Control D10	<p>Ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.</p>	<p>A range of materials and finishes is proposed and detailed on the architectural plans provided.</p>	<p>Yes</p>
Roofs DCP Policy D11	<p>Roofs are to be designed to complement the local skyline.</p>	<p>The extension to the roof will match the existing skyline and sit below the maximum roof ridge height of the existing dwelling.</p>	<p>Yes</p>
Preservation of Trees or Bushland Vegetation E1	<p>To protect and enhance the urban forest of the Northern Beaches.</p> <p>To effectively manage the risks that come with an established urban forest through professional management of trees.</p> <p>To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy</p>	<p>No trees are proposed to be removed.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>conservation and noise reduction.</p> <p>To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.</p> <p>To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.</p> <p>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.</p>		
Landslip Risk DCP Policy E10	<p>The site is identified as falling within Landslip Risk Area B</p> <p>The applicant must demonstrate that:</p> <ul style="list-style-type: none"> The proposed 	<p>This has been addressed in section 4.1.3 of this report.</p> <p>A preliminary geotechnical report is provided with this application.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>development is justified in terms of geotechnical stability; and</p> <ul style="list-style-type: none"> The proposed development will be carried out in accordance with good engineering practice. 		

4.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.4 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any Planning Instrument

The proposed alterations and additions are permissible and consistent with the intent of the Warringah Councils Local Environmental Plan and Development Control Plan as they are reasonably applied to

the proposed works given the constraints imposed by the sites location, environmental and topographical constraints.

(ii) Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

N/A

(iii) Any development control plan

Warringah DCP applies

(iiia) Any Planning Agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and

N/A

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,

Context and Setting

i. *What is the relationship to the region and local context in terms of:*

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

The proposed alterations and additions to the existing dwelling are entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. *What are the potential impacts on adjacent properties in terms of:*

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

The proposal maintains the existing parking circumstance on the site.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will continue to service the dwelling house.

Flora and Fauna

N/A

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

A geotechnical report has been prepared.

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

i) *Is the development design sensitive to environmental considerations and site attributes including:*

- *size, shape and design of allotments*
- *The proportion of site covered by buildings*
- *the position of buildings*
- *the size (bulk, height, mass), form, appearance and design of buildings*
- *the amount, location, design, use and management of private and communal open space*
- *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *The environmental planning issues listed above*
- *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The proposed works are permissible and consistent with the intent of the LEP and DCP controls as they are reasonably applied to the proposed alterations and additions. The development would not be contrary to the public interest.

5 Conclusion

The proposed works are permissible and consistent with the intent of the built form controls as they are reasonably applied to the site. The proposed works have responded to the issues raised with the previous application and represents a more modest outcome that ensures that amenity impacts have been minimised to neighbouring dwellings.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.