



19 WEST STREET BALGOWLAH

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING



Report prepared for
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1. Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to an existing dwelling, at 19 West Street, Balgowlah.

The report describes how the application addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013, the Manly Development Control Plan 2013 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Site visit
- ◆ Survey Plan prepared by Terralinks
- ◆ Architectural drawings prepared by Action Plans
- ◆ BASIX Certificate prepared by Action Plans
- ◆ Landscape Plan prepared by Jamie King Landscape Architect
- ◆ Arborist report prepared by Ezigrow
- ◆ Stormwater Management Plan prepared by TDL Engineering Consulting
- ◆ Geotechnical Report prepared by White Geotechnical Group

- 1.3 The proposed development is consistent with the objectives of all Council controls, considerate of neighbouring residents and will result in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1 The subject site is located on the western side of West Street, near the corner of West Street and Upper Beach Street in Balgowlah. It is legally described as Lot B DP 401309 and is known as 19 West Street.
- 2.2 It is a rectangular shaped lot with front and rear boundary of 15.24 metres and side boundaries of 44.975 metres.
- 2.3 The site has an area of 582.9m² and is currently occupied by a 1 & 2 storey rendered dwelling with a tile roof. The site slopes to the east, towards the front of the lot.
- 2.4 The property is surrounded by detached residential dwellings and strata subdivided dual occupancies and multi-dwelling properties in all directions. It is located in close proximity to shops and services on Sydney Road and in Balgowlah to the north-east.



Figure 1. The site and its immediate surrounds

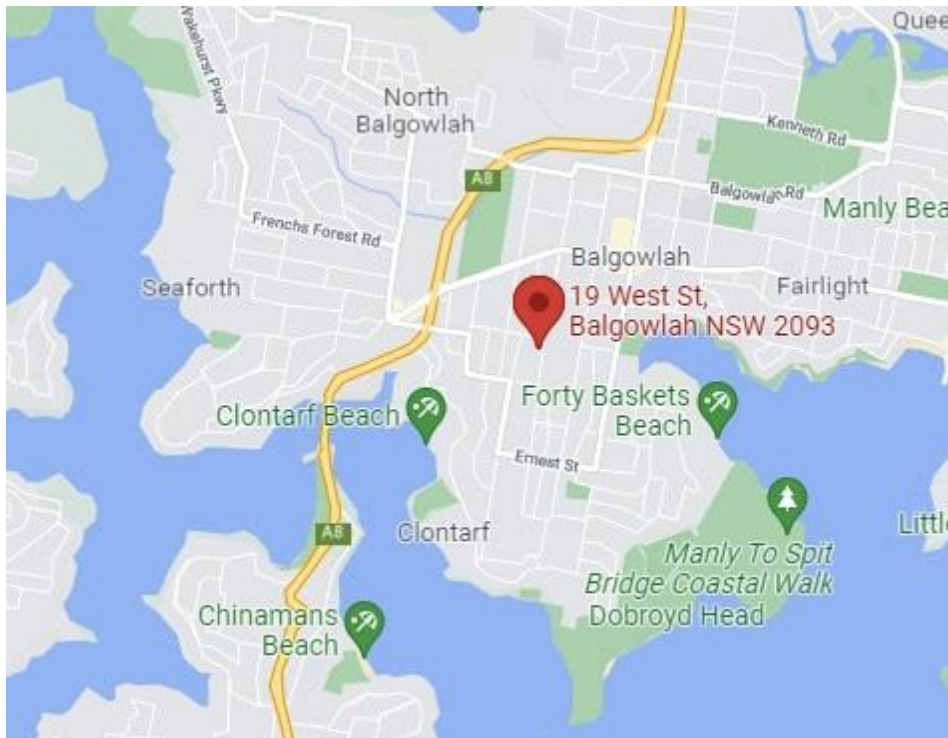


Figure 2. The site within the locality

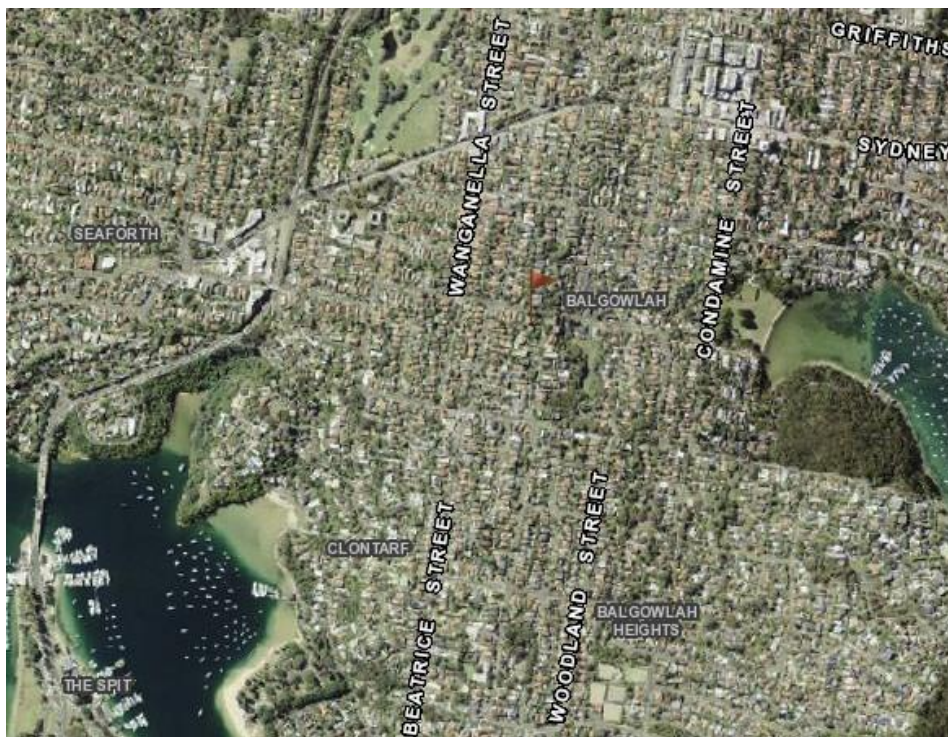


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4. The existing property, looking west from West Street.



Figure 5. The existing front of the dwelling and location of the proposed ramp to the front of the site looking west.



Figure 6. The existing rear yard looking west from the existing alfresco.



Figure 7. The existing rear of the dwelling looking east



Figure 8. The existing dwelling to the north of the site from the rear yard looking north



Figure 9. The existing dwelling to the south of the site from the rear yard looking south



Figure 10. The existing path to the south side of the dwelling looking east to the front of the site

4. Proposed Development

- 4.1 The proposed development is for alterations and additions to the existing dwelling, to create a four bedroom dwelling with multiple living areas and new in ground pool.

The proposal is consistent with Council controls and ensures privacy is maintained for both neighbours and the subject site.

The development will be made up as follows:

Lower Ground Floor

- Retain the existing garage and storage
- New rumpus room and bathroom
- New landscaping to the front and sides of the site
- New ramp to the southern side of the dwelling to the upper floor.

Ground Floor

- Retain the existing dining and living areas, bedroom 4 and ensuite,
- Reconfigure the existing bedroom 5 to a study with access to the rear alfresco, entry, WC, laundry, kitchen and dining to a new entry, WC, laundry, kitchen and dining with access to the rear alfresco
- New terrace to the front of the site with accesses from the existing dining and living room

First Floor

- Retain the existing Master bedroom, WIR & ensuite, Bedroom 2 & Bedroom 3 and bathroom,
- New stairs
- New balcony to the front of the master bedroom and bedroom 3.

Site

- New inground pool with glass balustrade
- Pergola with screen at the rear of pool
- Rear landscape works including some cut to provide level turfed area in rear yard
- New retaining walls at rear
- Partly new boundary fencing
- Removal 2 x trees (low category)

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it proposes to remove 2 low category trees, with the support of an arborist. Significant landscape and planting improvements are proposed in the rear yard.

Sydney Region Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the Sydney Harbour Catchment and Council is the Consent Authority for land-based development, as is proposed by this application.

The proposed development is consistent with the aims of the SREP having nil impact on the catchment. It is not visible from critical and valuable areas and the Sydney Harbour Catchment will retain its environmental and cultural significance. No Heritage Items nominated in the SREP are in the immediate vicinity of the site.

The development proposed is appropriate for the residential lot and will have no impact on the retention of significant environmental and cultural aspects of the Sydney Harbour Catchment.

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy No. 55 – Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

5.3 Manly Local Environmental Plan 2013

The relevant clauses of the Manly Local Environmental Plan 2013 are addressed below.

Zoning

The site is zoned R2 Low Density Residential pursuant to the provisions of the Manly Local Environmental Plan 2013. The proposed development is for alterations and additions to an existing dwelling and dwelling houses are permitted with development consent in the R2 Low Density Residential zone.



Figure 11. Extract from Manly LEP 2013 zoning map

Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum subdivision lot size of 500m². The subject site comprises of a compliant area of 682.9m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development will retain the existing approved building height of 8.475 metres.

Floor Space Ratio

A maximum floor space ratio of 0.45:1 is permitted for the site, which equates to 307.3m² for the site area of 682.9m². The development proposes a compliant floor space ratio of 0.39:1 equating to an area of 263.74m²

Heritage Conservation

The site is not a heritage item, located within a heritage conservation area, or located in proximity to any heritage items.

Flood Planning

The site is not identified on the NBC Flood Hazard mapping.

Acid Sulfate Soils

The site is mapped with class 5 acid sulfate soils. The proposed works are minor and are not likely to lower the watertable below 1 metres AHD on adjacent Class 1, 2, 3 or 4 land.

Earthworks

Earthworks and excavation are proposed to provide for excavation of the swimming pool and landscape works in the rear yard. Cut to a maximum depth of 2.5 metres is proposed for construction of the swimming pool and levelling of the site at the rear to create a more usable turf level. Levels are not dissimilar to neighbours and are appropriate to the site creating a more usable outdoor area.

Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Stormwater Management

Rainwater from the dwelling will be detained in OSD tank and will drain to infrastructure in West Street. See accompanying drainage plan.

Essential Services

All essential services are existing on the site.

5.4 Manly Development Control Plan 2013.

The relevant sections of the DCP are addressed below.

3. General Principles of Development

3.1 Streetscape and Townscapes

The subject site has frontage to and is visible from West Street. West Street is characterised by one and two storey residential dwellings and two and three storey apartment buildings. The proposal retains the existing dwelling character, which will complement the streetscape.

Garbage Areas

A new bin storage area is proposed to the front of the site in a dedicated storage area. The area will be screened from the street by a new wall.

Complementary Design and Visual Improvement

The proposed development remains consistent with the local character and streetscape in the locality. The proposed works will be constructed of materials consistent with the residential use and are of an appropriate scale for the locality. Details are provided in the attached materials and finishes schedule.

Front Fences and Gates

The DCP permits a maximum solid front fence height of 1 metre or open front fencing to a maximum height of 1.5 metres.

The development proposes to retain the existing solid fence to the front of the site with landscaping maintained behind the wall. It is considered the proposal is appropriate as West street contains a number of properties with solid front fencing.

Roof and Dormer Windows

No change is proposed to the existing roof pitch and no dormer windows are proposed.

Garages, Carports and Hardstand Areas

The development does not propose a change to the existing double garage on the site. The garage remains compatible with the streetscape in the locality, with the addition of the rumpus room to the front of the dwelling giving the appearance of a further recession from the dwelling. The proposed landscaping will further contribute to softening the built form of the dwelling, parking and hard stand on the site.

3.2 Heritage Considerations

The subject site is not a heritage item, located in a heritage conservation area and is not located in proximity to a heritage item.

3.3 Landscaping

The development largely retains the existing landscape areas to the front. A new swimming pool and outdoor living area in the rear yard will be enhanced by new landscaping and a retained lawn area for the enjoyment of the residents.

3.4 Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

Overshadowing

The DCP requires that new development not eliminate more than 1/3 of existing sunlight to the private open space of adjoining properties between 9am and 3pm on 21 June.

In addition, as the subject site and adjoining lots have an east-west orientation, the DCP requires a minimum 2 hours solar access be maintained to the glazing in living rooms of adjacent properties, between 9am and 3pm on 21 June.

The following observations are made of the shadow diagrams included with this application:

9am – The development will result in a minor increase in shadowing to the front yard of 17 West Street.

12pm - The development will result in a minor increase in shadowing to the front yard of 17 West Street.

3pm – The development will result in a minor increase in shadowing to the front yard of 17 West Street.

It is concluded that the development will not alter the existing, compliant solar access to the private open space or living room glazing between 9am and 3pm.

Overshadowing Solar Collector Systems

The proposed development will not overshadow neighbouring solar collector systems.

Overshadowing Clothes Drying Areas

The proposed development will not overshadow neighbouring clothes drying areas.

Excessive Glare or Reflectivity Nuisance

All external material and finishes will be constructed of non-reflective materials in keeping with this clause.

Privacy and Security

There is some existing overlooking between the subject site and the adjoining properties due to the slope of the site and the proposed works will not exacerbate the existing situation.

Security measures have been incorporated into the design including a clear entry to the dwelling that is overlooked by habitable rooms and habitable rooms that overlook the street for passive surveillance.

Acoustical Privacy (Noise Nuisance)

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in proximity to a noise generating activity.

The pool filter will be located in an approved sound proof enclosure in the rear yard.

Maintenance of Views

The subject site and surrounding properties enjoy water views of North Harbour to the east (towards the front of the lot). A site visit has been undertaken and it is considered the proposed development will not result in any view loss impacts, with works located within the existing building envelope.

3.5 Sustainability

A compliant BASIX Certificate is provided with the attached plan set.
The proposed alterations and additions provide compliant solar access and ventilation.

3.7 Stormwater Management

Stormwater from the alterations and additions will be connected to OSD and drain to West Street.

3.8 Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

3.10 Safety and Security

The property maintains clear property boundaries and visual surveillance of the street, which is of benefit to the safety and security of residents.

Part 4 - Development Controls and Development Types

4.1 Residential Development Controls

Dwelling Density, Dwelling Size and Subdivision

No change is proposed to the existing density which comprises of a single residential dwelling.

Height of Buildings (incorporating wall height, number of storeys and roof height)

The LEP restricts the height of any development on the subject site to 8.5 metres. The development will retain the existing approved building height of 8.475 metres.

No change is proposed to the existing approved wall heights.

The DCP permits a maximum of 2 stories on the subject site and the development proposes to retain the existing 2 and 3 storey property.

Floor Space Ratio (FSR)

A maximum floor space ratio of 0.45:1 is permitted for the site, which equates to 307.3m² for the site area of 682.9m². The development proposes a compliant floor space ratio of 0.39:1 equating to an area of 263.74m²

Setback (front, side and rear) and Building Separation

Street Front setbacks

A front setback consistent with neighbouring properties or a minimum 6 metres, is required on the site by the DCP.

The alterations and additions propose a front setback of 10.67 metres, which remains consistent with adjoining dwelling to the north.

Side setbacks and secondary street frontages

The alterations and additions maintain side setbacks of 1187mm (north) and 900mm (south). The new terrace to the front of the site has a minimum setback of 3144mm.

New setbacks are compliant with the exception of the first floor balcony to the north. This minor breach is reasonable and appropriate given that the structure is open, does

not result in excessive bulk and breaks up the frontage of the dwelling, assisting in reducing any apparent bulk from the street.

The impact for neighbours is appropriate, with no solar access impact and no privacy issues with the upper level balcony being narrow in width and located off the master bedroom.

Rear Setbacks

A minimum rear setback of 8 metres is required on the site. The existing dwelling has a compliant rear setback of greater than 8 metres and no change is proposed.

Open Space and Landscaping

Minimum Residential Total Open Space Requirements

The subject site is located in Open Space Area OS3, as such the DCP requires a total of 55% of the site to be open space with a minimum 35% of that open space to be landscaped area and a maximum 25% of open space located above ground.

This equates to a minimum 375.59m² of total open space for the site area of 682.9m², a minimum 121.83m² of landscaped area and maximum 93.89m² of open space above ground level.

The development proposes a of total open space area of 401.18m² or 58.7% and a compliant landscaped area of 229.85m² or 66%.

The development will result in an open space area above ground of 33.84m².

The DCP requires a minimum 18m² of principal private open space for a single residential dwelling. The development will provide a compliant of area of 239.08m².

The site has ample planting and soft landscape and the overall development will be a positive change to the outdoor areas.

Parking, Vehicular Access and Loading (including bicycle facilities)

The existing dwelling has a double garage to the front of the site and additional space to park in front of the garage. Bike storage is available within the garage. The development maintains the existing access on the site.

Swimming Pools, spas and water features

The pool is appropriately located in the rear yard with ample setbacks of:

2m (north)/ 1.245m

2.4 (north)/ 3.1m (west)

Excavation for the pool area extends with some excavation in the landscape surrounds. The landscape plan provided demonstrates considered levels and planting to ensure privacy is retained for neighbours and amenity levels on the site are improved.

6. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Manly LEP 2013 and the Manly DCP 2013.

	Standard	Proposed	Compliance
Manly LEP 2013			
Lot Size	300m ²	682.9m ²	Yes
Building Height	8.5 metres	8.475 metres	Yes (no change to existing)
Floor Space Ratio	0.45:1 (307.30m ² for the site area of 682.9m ²)	0.39:1	Yes
Manly DCP			
Front Fence	Max. height 1m (solid fence) 1.5m (open fence)	1.8m solid fence	Retain existing Merit assessment
Solar Access	Not eliminate more than 1/3 sunlight to POS and maintain 2 hours sunlight to living room glazing of adjoining properties between 9am and 3pm on June 21.	Yes	Yes
Residential Density/ Dwelling Size	1 /500m ²	1	Yes
Wall Height	7.2	No change to existing	No change to existing
Front Boundary Setback	Prevailing building line or 6m.	> 6m (10.76m)	Yes
Side Boundary Setbacks 1/3 wall height	Balcony (front) North 2.2 South 2.6m	1.187m 3.16m	No Yes
	Rumpus (front) North 1.4m South -1m	7.4m 3.144m	Yes Yes
	Roofed alfresco (rear) North 900mm South 900mm	1.23m 920mm	Yes Yes
Rear Boundary Setbacks	8 metres	10.67m	Yes
Total Open Space	Total Open Space – 55% (375.59m ² for the site area of 682.9m ²)	401.18m ² or 58.7%	Yes
Landscaped Open Space	Landscaped Area 35% of Open Space (121.83m ²)	229.85m ² or 66%	Yes

	Standard	Proposed	Compliance
Open Space Above Ground	Open space above ground 25% of open space (93.89m ²)	33.84m ²	Yes
Principal Private Open Space	12m ²	>12m ²	Yes

7. Section 4.15 Considerations

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 to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

7.1 **The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations**

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Manly LEP and DCP. The development is permissible in the zone.

7.2 **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

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?*

These matters have been discussed in detail in the body of the statement.

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?*

The proposed alterations and additions have been designed to complement the site and its surrounds. The development will have a reasonable and appropriate impacts on adjacent properties.

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?*

There will be no impact.

Public domain

The proposed development will have a positive impact on the public domain as the proposal is consistent with the character of the streetscape of the area.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

The natural hazard of acid sulfate soils can be effectively mitigated to allow the development to proceed.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions 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?*

The proposed alterations and additions are highly appropriate to the site, with regards to all of the above factors. The development fits well within the context of the surrounds and the buildings on the site will remain of minimal scale and well suited to its residential surrounds.

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 will comply with the provisions of the Building Code of Australia. Additionally, finishes, building materials and all facilities will be compliant with all relevant Council controls.

Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

7.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments 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?*

The development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the additions proposed.

7.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

7.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate and positive additions to an existing residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

8. Conclusions

- 8.1 The proposed development for alterations and additions to the existing dwelling at 19 West Street Balgowlah is appropriate considering all State and Council controls.
- 8.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3 Considering all the issues, the development is considered worthy of Council's consent.