



D-PLAN
URBAN PLANNING CONSULTANTS PTY LTD

STATEMENT OF ENVIRONMENTAL EFFECTS

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**TO DEMOLISH THE EXISTING
DWELLING WITH ASSOCIATED
STRUCTURES & CONSTRUCT A
NEW TWO-STOREY DWELLING
HOUSE WITH AN INGROUND
SWIMMING POOL & CABANA**

**156 WYADRA AVENUE, NORTH MANLY
(LOT 34 DP 6171)**

3/9/2025

D-Plan Urban Planning Consultants Pty Ltd

TABLE OF CONTENTS

1.0	EXECUTIVE SUMMARY	1
2.0	SITE/LOCALITY DESCRIPTION	2
3.0	THE PROPOSAL	4
4.0	RELEVANT PLANNING CONTROLS	5
4.1	<u>SEPP (Resilience & Hazards) 2021</u>	4
	Coastal Management (Chapter 2)	5
	Remediation of Land (Chapter 4)	6
4.2	<u>Warringah Local Environmental Plan 2011</u>	7
	Clause 2.3 – Zone Objectives	8
	Clause 4.3 – Height of Buildings	8
	Clause 4.6 – Exceptions to development standards	8
	Clause 5.10 – Heritage Conservation	8
	Clause 5.21 – Flood Planning	8
	Clause 6.1 – Acid Sulfate Soils	8
	Clause 6.3 – Earthworks	8
	Clause 6.4 – Development on Sloping Land	8
4.3	<u>Warringah DCP 2011</u>	9
	<u>Part B – Built Form Controls</u>	9
	Wall Height	9
	Side Boundary Envelopes	9
	Front Boundary Setbacks	9
	Secondary Street Setbacks	9
	Side Boundary Setbacks	9
	Rear Boundary Setbacks	9
	<u>Part C – Siting Factors</u>	9
	Traffic, Access & Safety	9
	Parking Facilities	10
	Stormwater	10
	Erosion & Sedimentation	10
	Excavation & Landfill	10
	Waste Management	10
	<u>Part D – Design</u>	10
	Landscaped Open Space & Bushland Setting	10
	Private Open Space	10
	Access to Sunlight	11
	Privacy	11
	Building Bulk	11
	Building Colours & Materials	11
	Roofs	11
	Safety & Security	11
4.4	<u>Other Requirements</u>	12
	Tree Preservation	12
	Conservation of Energy	12
	Bushfire	12
4.5	<u>Non-Compliance</u>	13
	Building Envelope	13
5.0	CONCLUSION	14

ATTACHMENTS

1. Compliance Table

1.0 EXECUTIVE SUMMARY

Council recognises the need to provide practical residential controls in order to encourage efficient use of land. It also promotes residential development with good design attributes to ensure that the amenity of existing neighbourhoods is preserved.

Several design options were considered, taking into account the constraints and opportunities of the site. From the site analysis, the most appropriate and environmentally sensitive approach was to provide a two-storey dwelling design with a relatively small swimming pool and cabana providing a usable outdoor entertainment area.

The urban design qualities of the proposed development are complementary to the established character of Wyadra Avenue and will substantially improve the streetscape amenity by incorporating the following:

- A well-balanced façade with effective design elements and low pitched (flat) rooflines to produce an aesthetically pleasing presentation to the street;
- Subservient garage;
- Landscaping; and
- Passive surveillance opportunities from habitable room windows.

Council has comprehensive planning and urban design standards to ensure that dwelling house development complements existing residential areas. The proposed design promotes best planning practice and complies with the LEP and most requirements of the DCP, resulting in a high-quality development that will enhance the amenity of the locality.

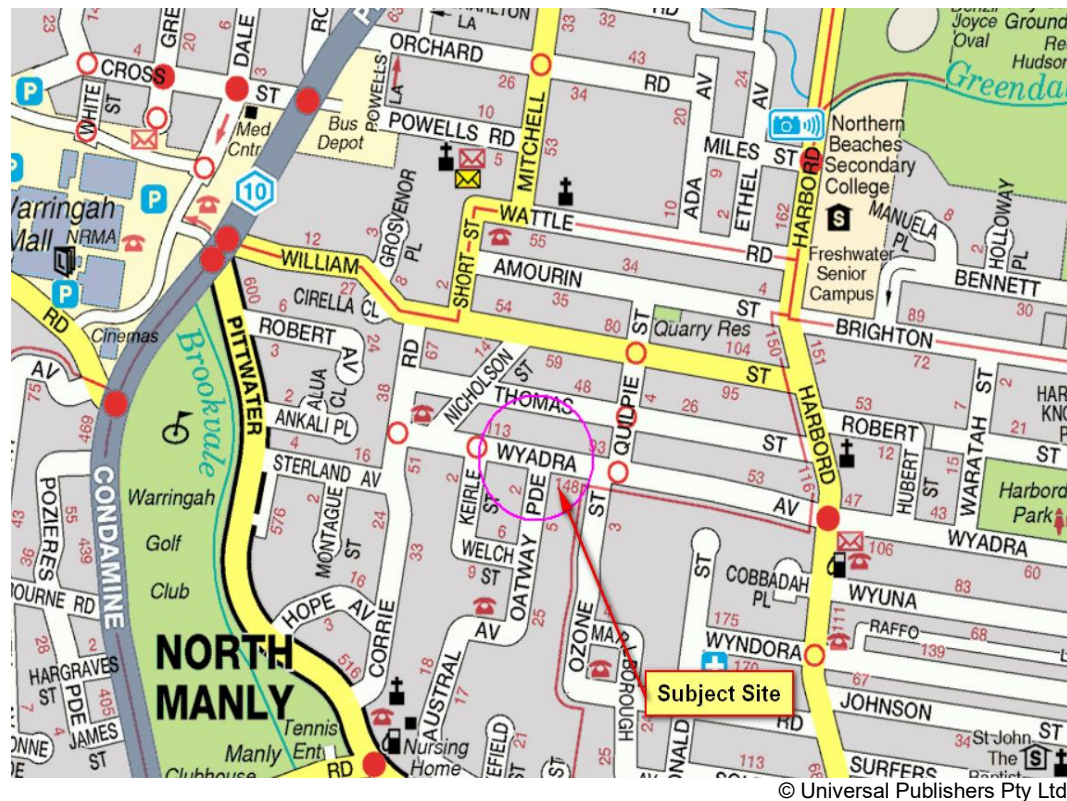
2.0 SITE/LOCALITY DESCRIPTION

The subject land, No. 156 (Lot 34 DP 6171) Wyadra Avenue, North Manly is located on the southeastern corner of Wyadra Avenue and Oatway Parade. The site is rectangular in shape, with a frontage of 15.24m and a minimum length of 45.63m, comprising a site area of **696.5m²**.

There is an aging dwelling with associated structures currently on the site which will be demolished.

The characteristics of the immediate locality are as follows:

- A mixture of residential development, including detached dwellings with interspersed seniors living, multi-dwelling housing and residential flat building development;
- Mixture of architectural styles;
- Sloping terrain;
- Standard road reserve with a relatively consistent street tree planting theme; and
- Mixture of front fencing styles and heights.



Locality Map



Photo – Subject site

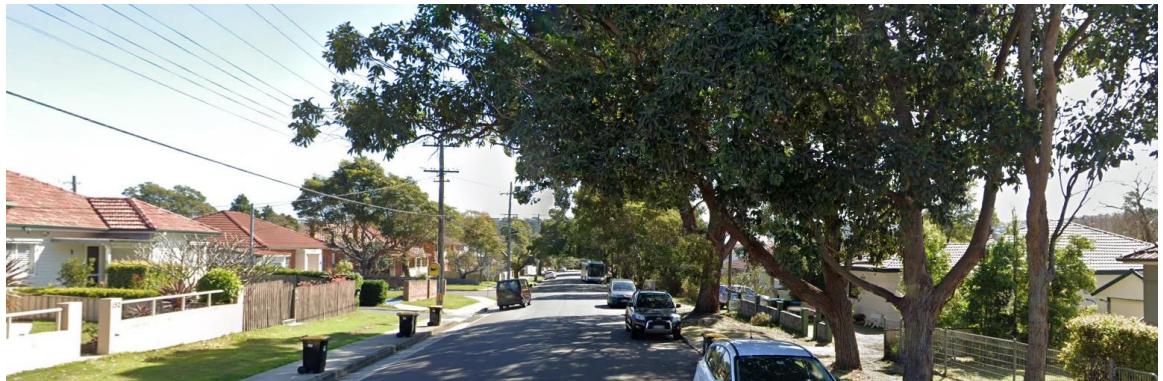
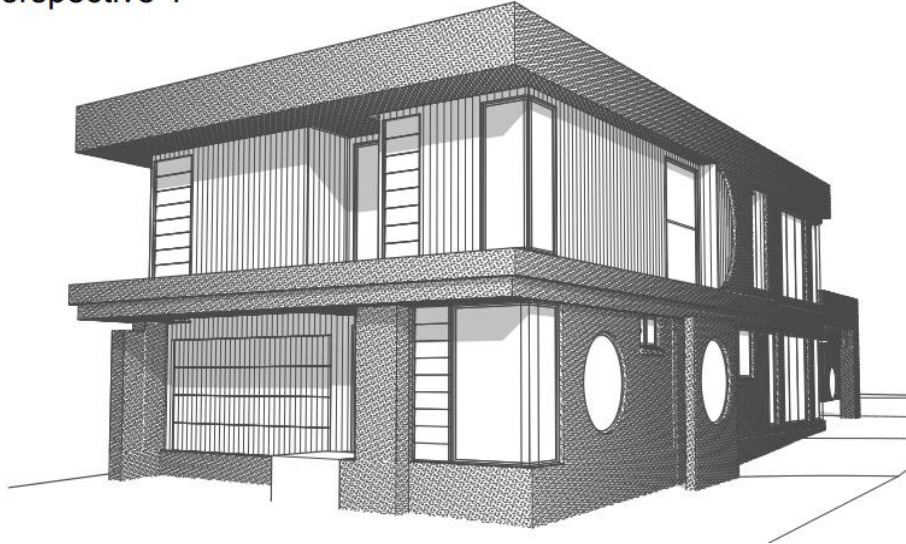


Photo – Streetscape

3.0 THE PROPOSAL

The proposal is to demolish the existing dwelling with associated structures and construct a new two-storey dwelling house with an inground swimming pool and cabana.

perspective 1



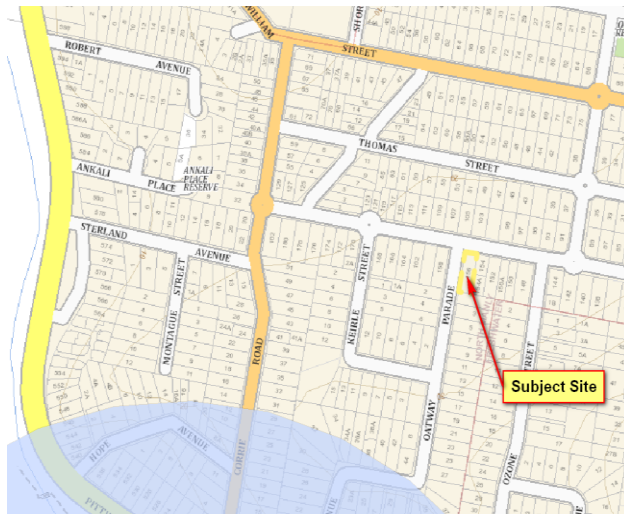
Artistic Impression

4.0 RELEVANT PLANNING CONTROLS

4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

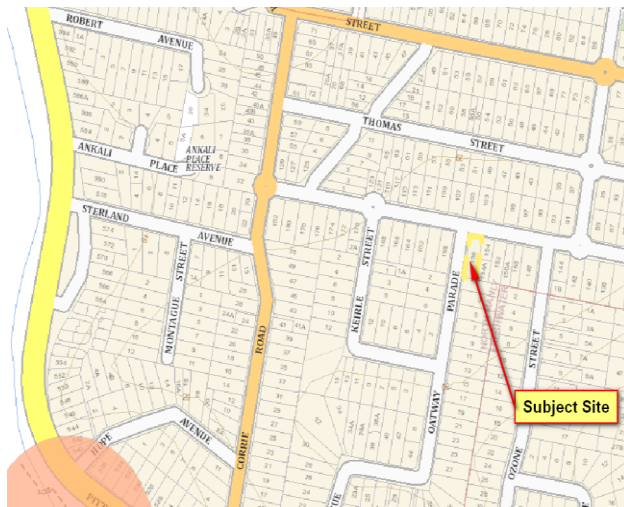
Coastal Management (Chapter 2)

The policy identifies sites within the coastal environment area and requires certain considerations for development applications under each respective heading/clause. It is evident from the maps below that the site is not within any identified category.



Coastal Environment Area Map

Coastal Environment Area Map



Coastal Use Area Map

Coastal Use Area Map

Remediation of Land (Chapter 4)

A consent authority must not consent to the carrying out of any development on land unless:

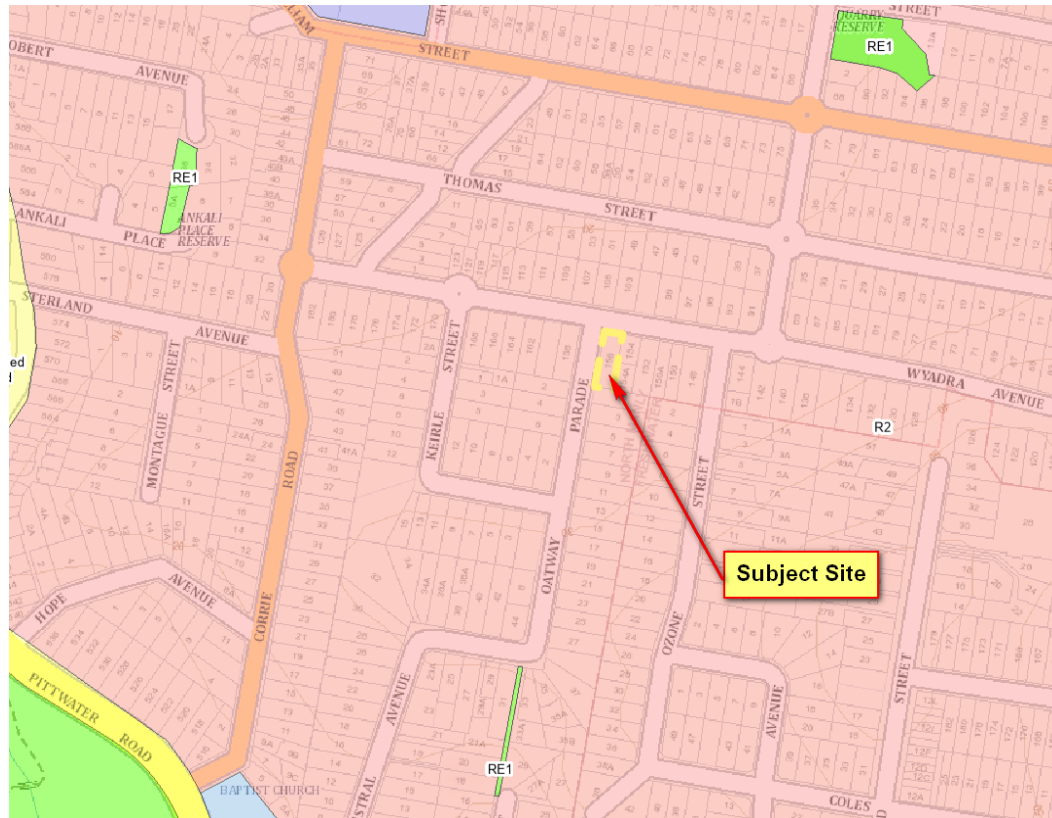
- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land 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.*

Being in a well-established residential area it is unlikely that the site is contaminated. A Preliminary Site Investigation is not considered necessary under the circumstances.

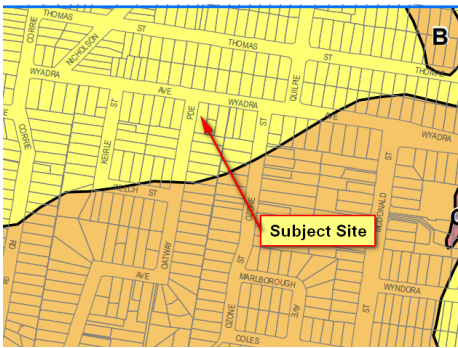
4.2 Warringah Local Environmental Plan 2011 (LEP)

The subject site is within Zone R2 – Low Density Residential under Warringah Local Environmental Plan 2011 (LEP). The proposed development is permissible with the consent of Council provided that the proposal complies with all relevant clauses in the LEP.

“dwelling house means a building containing only one dwelling.”



Zoning Map

Relevant Clause	Comment	✓/X
Clause 2.3 - Zone Objectives - 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.	A permissible form of development is being provided on an allotment of land that is large enough to accommodate the dwelling with all residential amenities. Consideration has been given to the existing amenity and character of the area and it is considered that the proposed development is sympathetic and harmonious with adjoining development and will complement the existing character of the locality. The proposed development will enhance the amenity of the residential area by the provision of new housing stock and landscaping. The development will add to the range of housing in the zone through the provision of an average sized dwelling.	✓
Clause 4.3 - Height of Buildings	The maximum allowable height for a building is 8.5m measured vertically from any point on ground level. In this regard, the proposed development complies with the requirement, having a maximum height of approximately 7.9m .	✓
Clause 4.6 - Exceptions to development standards	No "Variation Requests" will be required.	✓
Clause 5.10 - Heritage Conservation	The subject site is not listed as a heritage item and is not located in the immediate vicinity of any heritage-listed items.	✓
Clause 5.21 - Flood Planning	According to Council's Section 10.7 Planning Certificate, the subject site is not within a flood planning area.	✓
Clause 6.1 - Acid Sulfate Soils	According to the Acid Sulfate Soils Map, the subject site is not within any category which may limit excavation of the kind proposed. The proposal does not involve extensive excavation that would affect the structural viability of the buildings due to the existing soil conditions.	✓
Clause 6.3 - Earthworks	Slab on ground construction with minimal cut/fill satisfies the considerations of this clause.	✓
Clause 6.4 - Development on Sloping Land 	The subject site is within "Area A" as identified by the Landslip Risk Map. As such, a Geotechnical Investigation is not required.	✓

4.3 Warringah DCP 2011

All relevant numeric DCP requirements have been tabulated and are provided as **Attachment 1 - Compliance Table**, with additional comments provided below:

Controls	Comment	√/X
<u>Part B - Built Form Controls</u>		
Wall Height	The DCP stipulates a maximum wall height of 7.2m from ground level to the underside of the ceiling on the upper most floor of the building, which the proposed development complies with, having a maximum wall height of less than 7.2m .	√
Side Boundary Envelopes	Buildings on land shown coloured on the "DCP - Side Boundary Envelopes Map" 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: • 4m or 5m The subject site is identified within a 4m height projection line at the side boundaries. Being a corner allotment, the secondary street setback requirement results in the building being moved closer to the eastern side boundary. Strict compliance in this instance would be detrimental to the architectural integrity of the building and would serve no practical purpose given that a driveway adjacent to the boundary provides spatial relief between the adjoining dwelling.	Merit
Front Boundary Setbacks	The proposed front setback of 6.503m complies with the DCP requirement and is considered an adequate response given the corner site location and the streetscape character.	√
Secondary Street Setbacks	The proposal complies with the secondary street setback of 3.5m .	√
Side Boundary Setbacks	The proposed development meets the side setback requirement, with a minimum setback of 0.91m .	√
Rear Boundary Setbacks	A rear setback of 6m is specified for the subject site on the DCP Map, which the proposal complies with, having a setback of 17.33m to the dwelling. Note: swimming pools and outbuildings may encroach into the rear setback for 50% of the rear setback area, which the proposed cabana satisfies.	√
<u>Part C - Siting Factors</u>		
Traffic, Access and Safety	Wyadra Avenue and Oatway Parade do not carry large volumes of traffic, therefore, reverse manoeuvres are considered safe. The driveway is positioned more than 6m from the tangent point of the corner. Based on RTA guidelines, the additional traffic generated by the proposed development will have an insignificant impact on the existing traffic conditions and the servicing of intersections in the immediate locality.	√

Parking Facilities	Two car parking spaces have been provided for the dwelling in the form of a double width garage. A single driveway entry point services the dwelling and garage dominance is addressed by positioning main building elements and design features forward of the door. Landscaping will be provided in the front yard to soften the visual appearance of the hard standing areas.	√
Stormwater	Council's goal is to develop long term improvements to the health of waterways, which in turn enhances the ecological integrity of the system, whilst balancing the need to manage flooding, waste water and stormwater. To achieve this goal the proposed development provides the following: ➤ A Stormwater Management Plan which demonstrates that stormwater will be collected, stored and discharged by gravity in a controlled manner; ➤ Rainwater harvesting also assists in reducing runoff from the site; and ➤ Erosion and sedimentation control measures will be implemented during construction.	√
Erosion & Sedimentation	Erosion and sedimentation control measures are indicated on the plans and will be implemented during construction.	√
Excavation and Landfill	The construction method on the gradually sloping site ensures minimal site works. Slab construction avoids unnecessary excavation to establish the building platforms [i.e., cut/fill is minimal (i.e., less than 1m) and will be mostly contained within the building footprint with dropped edge beams].	√
Waste Management	A Waste Management Plan is submitted as a separate document to accompany the application. The plan adopts the principles of <i>Avoid Reuse Recycle and Dispose</i> to minimise landfill waste.	√
<u>Part D - Design</u>		
Landscaped Open Space...	The amount of Landscaped Open Space available (i.e., 42.3% of the site) and the selection of planting nominated on the Landscape Plan will achieve the objectives outlined in the DCP as follows: ➤ Screening between adjoining properties; ➤ Softening the visual impact of hard surface areas and car parking spaces; ➤ Appropriate species selection for the climate and locality; and ➤ Enhancement of the streetscape amenity.	√
Private Open Space	The dwelling has a Private Open Space area which complies with the minimum DCP requirement (i.e., 264m²), with a Principle Private Open Space area adjacent to the Living/Media Rooms.	√

Access to Sunlight	The rooms in the dwelling have been appropriately orientated to gain access to natural sunlight to habitable rooms. The private open space areas also receive sunlight in accordance with the DCP requirement. Daylight to habitable rooms and secluded open spaces in the adjacent dwellings will not be significantly reduced by the proposed development, given that shadows fall across the driveway which provides spatial relief. The DCP states: 1. <i>Development should avoid unreasonable overshadowing any public open space.</i> 2. <i>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.</i> The proposal easily satisfies the abovementioned requirements.	√
Privacy	Potential privacy concerns are addressed by raised/lowered sill heights and opaque glazing where required, limiting the number of first floor window openings facing the side boundary, positioning low impact rooms, such as bedrooms and bathrooms on the first-floor level and separation between adjoining development. Boundary fencing and new landscaping will improve privacy between the adjoining properties. Additional measures can be implemented if Council considers it necessary.	√
Building Bulk	A two-storey design with design features ensures that the building does not appear bulky. Adequate setbacks, together with landscaping also assists in visually offsetting the bulk of the building, which in general is considered comparable to other dwellings in the locality. Good urban design principles, such as street presentation, articulation with base elements to avoid a bland bulky appearance, adequate setbacks and formalised landscaping have been incorporated into the design of the development, to ensure a quality outcome which will enhance the future amenity of the site and locality in general.	√
Building Colours and Materials	Details of finished surface materials, including colours and textures will be provided with the application, adopting the required palette for the locality.	√
Roofs	Contemporary low pitched (flat) rooflines of 5° (max) will complement the architectural style of the building and the built form in the locality.	√
Safety and Security	Design guidelines outlined in the Crime Prevention through Environmental Design (CPTED) were considered and incorporated as follows: ➤ Provision of a clearly visible entry point facing the street; ➤ Passive surveillance is available from habitable room windows which face both street frontages; ➤ Suitable landscaping will produce a defensible open space at the front, resulting in some interaction with the public domain beyond; and ➤ Fencing will be provided to prevent intruders from accessing the Private Open Space areas.	√

4.4 Other Requirements

Tree Preservation

The proposal does not involve the removal of any significant trees.

Formalised landscaping will be planted, as indicated on the Landscape Plan, which will enhance the future amenity of the site and locality in general.

Conservation of Energy

The State Government introduced BASIX, which consolidates planning provisions relating to water consumption and greenhouse gas emissions. A BASIX Certificate is provided for the development, demonstrating the applicant's commitments in achieving the objectives of the state government's policy.

Energy conservation principles will be achieved through the construction method and orientation of the building, together with thoughtful planting of trees and shrubs.

Bushfire

The subject site is not identified as being in a bushfire prone area.

4.5 Non-Compliance

Building Envelope

The building envelope control was discussed earlier in the report, with the non-compliance being due to the secondary street setback forcing the building to be moved closer to the eastern side boundary. Strict compliance in this instance would be detrimental to the architectural integrity of the building and would serve no practical purpose given that a driveway adjacent to the boundary provides spatial relief between the adjoining dwelling.

It should also be noted that the building envelope control aims to achieve the same purpose as the side setback controls which the proposal complies with.

The heads of consideration under Section 4.15 (previously Section 79C) of the Environmental Planning and Assessment Act 1979 set out the assessment criteria for development applications and the approach that assessing authorities should take.

Sub clause (3A) states:

(3A) Development control plans - If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application **complies** with those standards—is **not to require more onerous standards** with respect to that aspect of the development, and*
- (b) if those provisions set standards with respect to an aspect of the development and the development application **does not comply** with those standards—is to be **flexible** in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and...*

The non-compliance does not frustrate the objectives behind the control, as such, it should not be a determining factor to the success of the application.

5.0 CONCLUSION

Council's LEP/DCP requirements and good planning principles have been incorporated in the design of the proposed development which has resulted in a high-quality development that will enhance the locality.

Consideration has been given to matters listed in Section 4.15 (previously Section 79C) of the Environmental Planning and Assessment Act 1979, concluding that the proposed development warrants approval.

David Bobinac
Town Planner

ATTACHMENT 1

COMPLIANCE TABLE

Control	LEP/DCP Requirement	Development Proposal	Complies
Site Area/Density	N/A (existing allotment)	696.5m ²	N/A
Frontage/Width	N/A (existing allotment)	15.24m	N/A
Floor Space Ratio	N/A	N/A	N/A
Building Height	2-storeys & Max 8.5m (ridge) Max 7.2m (wall)	2-storey 7.9m (approx.) < 7.2m	Yes Yes Yes
Building Envelope	4m at side boundary & 45°	encroachments	No
Setbacks Front Secondary Side Rear (generally 6m)	6.5m (min) 3.5m (min) 0.9m (min) 6m (min) (Exempt development, such as, cabanas is permitted for 50% of rear setback area)	6.503m 3.5m 0.91m 17.33m 2m & < 50%	Yes Yes Yes Yes Yes
Landscaped Open Space	40% (min)	42.3%	Yes
Private Open Space	60m ²	264m ²	Yes
Minimal Dimension of Principle Private Open Space	Min dimension 5m	➤ 5m	Yes
Parking	2 spaces per dwelling	2 spaces	Yes
Dimensions	Australian Standard	Australian Standard	Yes
Fill	1m (max)	< 1m	Yes