



Development Application Statement of Environmental Effects

14 Bareena Drive, Balgowlah Heights



Submitted to: Northern Beaches Council

On behalf of: HA S Studio

Date: September 2024

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1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared for on behalf of HA S Studio (**the applicant**) in support of a Development Application (DA) to Northern Beaches Council, prepared in accordance with Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2021.

The proposed development comprises of '**alterations and additions**' to the existing dwelling.

Whilst the proposal requires the consent authority to give favourable consideration to a variation to the building height development standard, strict compliance has been found to be unreasonable having regard to the particular circumstances of the case including the development's ability to achieve the objectives of the development standards notwithstanding the variations sought. Sufficient environmental planning grounds exist to support the variation including the topography of the land and the attainment of an appropriate contextual fit with the accompanying clause 4.6 variation requests are well founded.

The identified non-compliances with the MDCP 2013 controls have been acknowledged and appropriately justified having regard to the associated objectives. Such variations succeed pursuant to section 4.15(3A)(b) of the Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of the DCP standard for dealing with that aspect of the development.

1.1 Report Structure

This SEE is structure in the following manner:

- **Section 1** – Introduction;
- **Section 2** - Analysis of site and surrounding context;
- **Section 3** - Background to the project;
- **Section 4** - A description of the proposed development;
- **Section 5** - Assessment of the proposal's compliance with relevant planning instruments and policies;
- **Section 6** - Impact assessment and consideration of key planning issues as required by Section 4.15 of the EP&A Act; and
- **Section 7** – Conclusion.

1.2 Supporting Documentation

The technical and design documents that have been prepared to accompany this DA are identified in **Table 1** and are as follows;

Document:	Prepared by:
Architectural Plans	HA S Studio
Landscape Plans	HA S Studio
Survey Plan	M Y XU Surveyor
BASIX	Certified Energy
Stormwater	Hyten Engineering
Bushfire Report	Bushfire Hazard Solutions

2. SITE ANALYSIS AND CONTEXT

2.1 The Subject Site

The subject site is located within the Local Government Area (LGA) of Manly. **Figure 1** below provides a plan view identifying the location of the site within its defining context.



Figure 1: Site Plan

Source: Six Maps

Subject site 

2.2 Site Description

The site is legally described as Lot 4, Section 56 in DP 758044 and is commonly known as 14 Bareena Drive, Balgowlah Heights. The frontage width, as measured along the front boundary is 16.46m. However, the width of the site narrows on approach to the rear where a 14.74m width is then observed. Respective eastern and western boundary lengths of 39.155m and 40.17m are observed alongside a total land area of 618.1m².

The site incrementally falls from the rear to the street where a maximum 2.4m fall is observed.

2.3 Existing Built Form and Landscaping

The site currently accommodates an existing single brick dwelling. There is a detached carport at the front of the site with driveway crossing adjacent. There are various ancillary structures such as a detached rear terrace, sand stone wall, retaining wall and block wall dispersed throughout the site. **Figure 2** below provide a visual appreciation of the site as it currently presents along its frontage.



Figure 2: Front of the subject site

2.4 Site Surrounds

The site is located at the eastern end of Bareena Drive which is effectively split into two ends separated by Vista Avenue. The subject site is located within a residential area in close proximity to numerous beaches and public open spaces. A substantial vegetative buffer is located to the north of the site across from Bareena Drive that runs parallel with the Nolan Place Street frontage.

The immediate locality is comprise of a range of varying architectural styles and external presentations characterised by both original established single level brick and tile housing stick to more contemporary homes that are reflective of the gradually evolving street character.

3. THE PROPOSAL

3.1 Description

The proposed development comprises of the '*alterations and additions*' to the existing dwelling on the land.

The proposed development is further described as follows:

Existing Garage Level

- Retention of the existing garage and driveway.

An extract of the garage level (as existing) is reproduced below for reference:

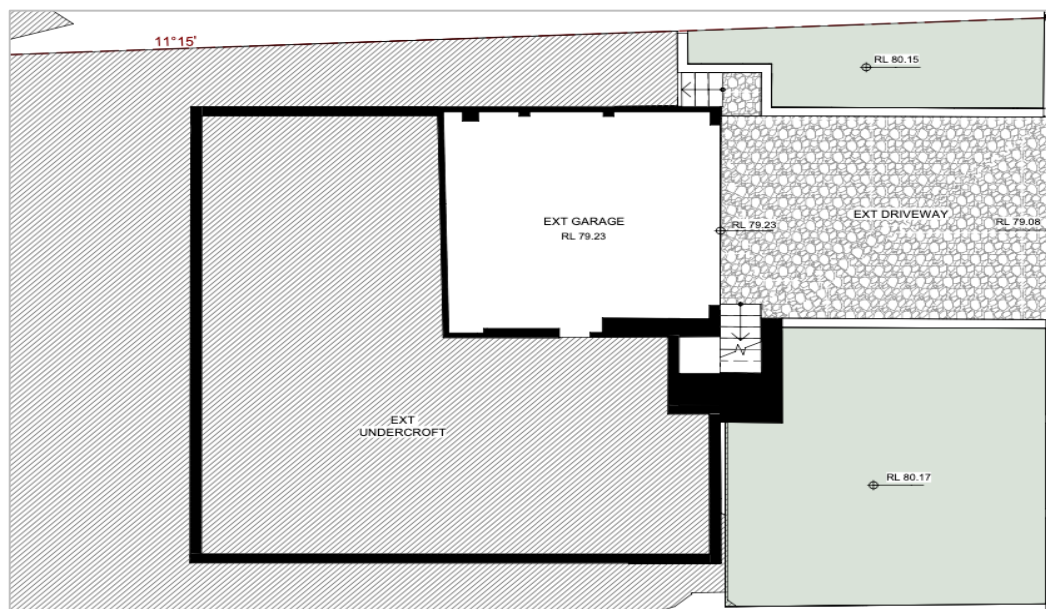


Figure 3: Ground Floor Level
 Source: HA S Studio

Ground Floor Plan

- Reconfiguration of the ground floor plate;
- Extension of the ground floor plate; and
- Retention of the existing pool.

An extract of the proposed ground level is reproduced below for reference:

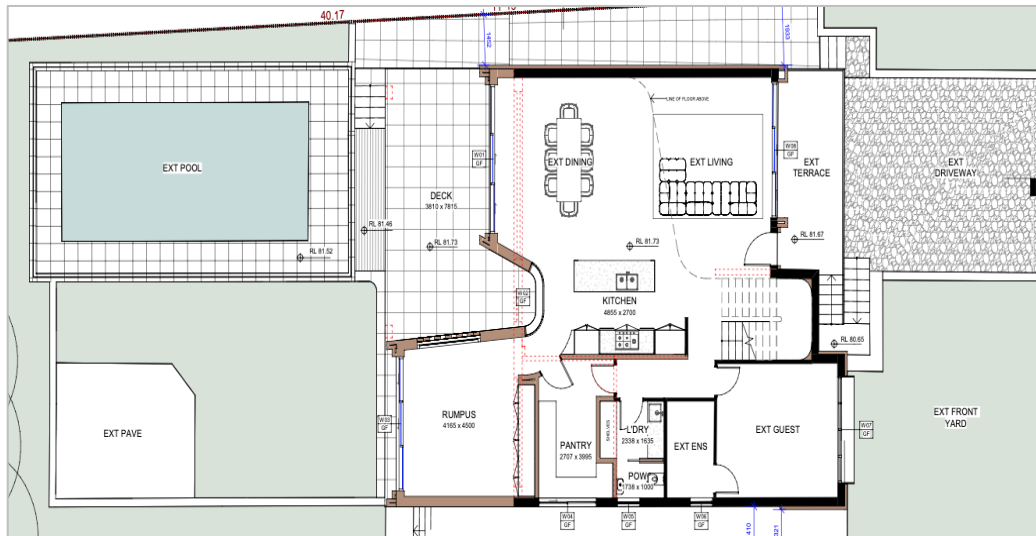


Figure 4 Ground Level

Source: HA S Studio

First Floor Plan

- Reconfiguration of the first floor plate; and
- Extension of the first floor plate.

An extract of the proposed first floor plan is reproduced below for reference:

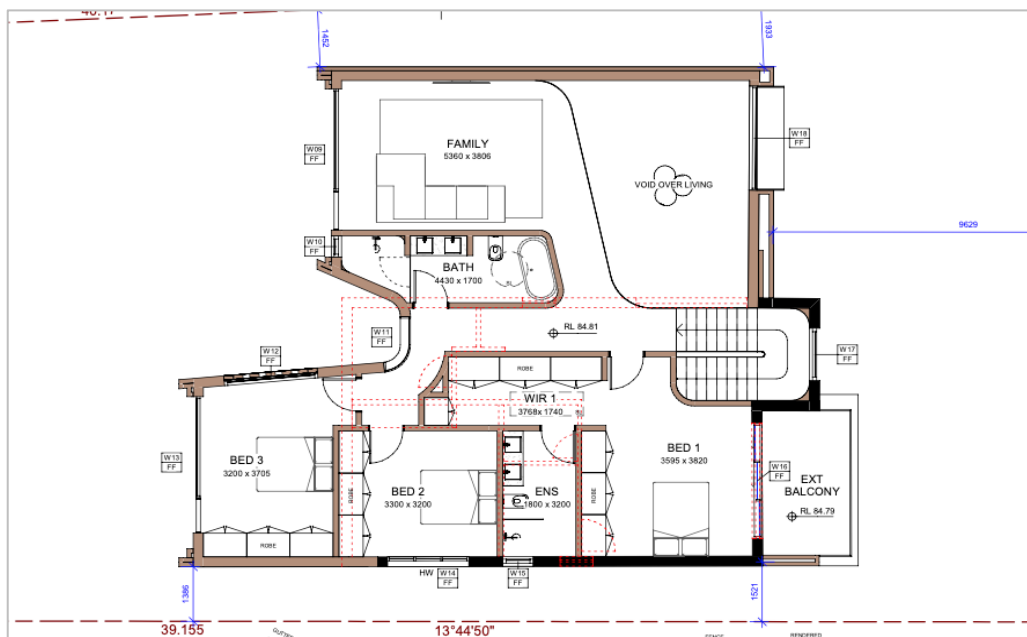


Figure 5: First Floor Plan

Source: HA S Studio

4. NUMERICAL OVERVIEW

The key numerical aspects of the proposed development are outlined in **Table 2** and described in further detail in the following sections.

Parameter	Proposal
Site Area	618.1m ²
Total GFA	247m ² or 0.43991
Building Height (Maximum)	8.92m
Parking	Two (2) spaces retained
Landscaping	189.6m ² or 30.6% of the site area

Table 1: Numeric Overview of the proposed development

4.1 Building Design

The building facades have been designed in a manner whereby they serve to modulate the building volume while variations in materiality seek to further define the layers of the development in a manner that also facilitates the provision of a greater level of visual interest. The proposed dwelling incorporates contemporary architecture and design. **Figures 7** and **8** below being a perspective of the development, demonstrates the external presentation of the proposed dwelling as viewed along the Bareena Drive public domain and from along the rear of the site.



Figure 6: Development perspective – Public Domain

Source: HA S Studio



Figure 7: Development perspective – Rear of site
 Source: HA S Studio

4.1.1 Materials and Finishes

The proposed development incorporates a range of external materials and finishes which result in a dwelling which has a contemporary architectural appearance. The selection of materials and finishes includes: aluminium doors and windows, render, timber battens and glass balustrades as identified in the schedule below:

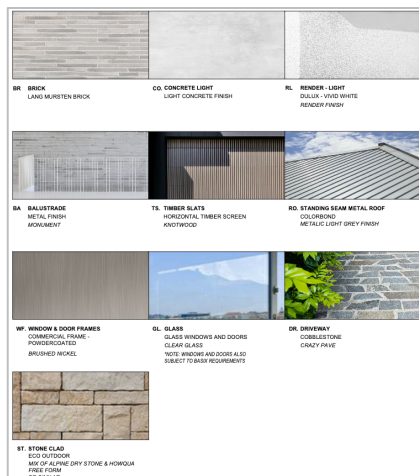


Figure 8: Development montage
 Source: HA S Studio

4.2 Vehicular Access and Parking

4.2.2 Vehicular Access/Parking

The proposal seeks to retain the existing provide vehicular access directly from Bareena Drive from within the north-western corner of the site. The garage as existing accommodates two (2) dedicated car parking spaces which is unaltered by way of this proposal.

4.3 Waste Management

A Waste Management Plan (WMP) is submitted with the Development Application. The WMP covers operational waste management details, describing the location and capacity of waste storage areas, waste volumes that are anticipated to be generated by the development, and reporting and management responsibilities.

5. STATUTORY PLANNING CONSIDERATIONS

5.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Manly Local Environmental Plan 2013; and
- Manly Development Control Plan 2013.

The relevant provisions and controls of the above Instruments and Plans are summarised in the following sections of this SEE.

5.2 Environmental Planning and Assessment Act 1979

5.2.1 Section 1.3 – Objects

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c) to promote the orderly and economic use and development of land,*
- d) to promote the delivery and maintenance of affordable housing,*
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- g) to promote good design and amenity of the built environment*
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is considered to be consistent with the objects of the EP&A Act for the following reasons:

- It promotes the orderly and economic use and development of the land by proposing a residential built form that is consistent with the emerging character of the locality, noting that older building stock is gradually being replaced by new construction; and

- It promotes good design and amenity by providing for an appropriately designed built form that responds to the characteristics of the site and locality, whilst ensuring that the amenity of the built environment in the immediate vicinity remains uncompromised.

5.3 Environmental Planning and Assessment Regulations 2021

5.3.1 Section 69 – Compliance with the BCA

The proposed development has been designed in a manner whereby the requirements of the BCA are capable of being met.

5.4 State Environmental Planning Policies

5.4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 of this state policy applies to the whole of the State. The object of this chapter is to provide for a Statewide planning approach to the remediation of contaminated land. In accordance with the provisions of clause 4.6(1) of this state policy, Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and 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. Due to the existing and surrounding residential land uses, there is nothing to indicate that the site would be affected by soil contamination within the meaning of the contaminated land planning guidelines. As such, the subject site is considered suitable in its current state for continued residential use and the proposed residential development.

5.4.2 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the State Environmental Planning Policy (Sustainable Buildings) 2022, a BASIX Certificate has been provided. The proposed development satisfies the requirements of the Certificate in terms of water, thermal comfort and energy efficiency.

5.4.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 - Vegetation in non-rural areas

Chapter 2 of this state policy applies to the non-rural areas of the State inclusive of the subject local government area and aims to (a) *protect the biodiversity values of trees and other vegetation in non-rural areas of the State* and (b) *preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation*.

The proposed development does not seek consent for any tree removal.

Chapter 6 of this state policy applies to land within several water catchments including the Sydney Harbour Catchment which also incorporates the subject site. The controls on development generally as set out in Division 2 of Part 6.2 of this chapter are outlined and addressed in the table as follows:

Requirement	Proposed
6.6 - Water quality and quantity	
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following:	
whether the development will have a neutral or beneficial effect on the quality of water entering a waterway	The proposal will have a neutral effect on the quality of water entering the harbour and associated tributaries.
whether the development will have an adverse impact on water flow in a natural waterbody	Given its scale and location well removed from the harbour and associated tributaries, the proposal will have no such adverse impact.
whether the development will increase the amount of stormwater run-off from a site	Given the proposal's inclusion of a rainwater tank to capture runoff from the roof areas for re-use and increased soft landscaping areas, the amount of stormwater runoff is unlikely to be increased.
whether the development will incorporate on-site stormwater retention, infiltration or reuse	The proposal incorporates on-site stormwater retention and re-use measures in the form of a rainwater tank to collect stormwater runoff from the roof areas.
the impact of the development on the level and quality of the water table	Given its scale and associated extent of excavation, the proposal will have a negligible impact.
the cumulative environmental impact of the development on the regulated catchment	Given its scale and limited excavation, the proposal will have a negligible impact.
whether the development makes adequate provision to protect the quality and quantity of ground water	Given the limited excavation associated with the proposal, the quality and quantity of the ground water will be adequately protected.
Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures:	
the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial	The proposal will have a neutral effect on the quality of water entering the harbour and associated tributaries.
the impact on water flow in a natural waterbody will be minimised	Given the proposal's scale and location, removed from the harbour and associated tributaries, together with its inclusion of stormwater retention

	and re-use measures, such impact will be minimised.
6.7 - Aquatic ecology	
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following:	
whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation	Given its scale and location, removed from the harbour and associated tributaries, the proposal will have no such adverse impacts.
whether the development involves the clearing of riparian vegetation and, if so, whether the development will require a controlled activity approval under the <i>Water Management Act 2000</i> , or a permit under the <i>Fisheries Management Act 1994</i>	Not applicable.
whether the development will minimise or avoid the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody	Given the proposal's scale and location, removed from the harbour and associated tributaries, along with its inclusion of various on-site sediment control measures, such impacts will be minimised.
whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area	Given its scale and location, removed from the harbour and associated tributaries, the proposal will have no such adverse impact.
whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology	Given the proposal's scale and location, removed from the harbour and associated tributaries, no such safeguards and measures are considered necessary.
if the development site adjoins a natural waterbody - whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody	The development site is well removed from natural waterbodies.
Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following:	
the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development	Given the proposal's scale and location, removed from the harbour and associated tributaries, such impacts will be minimised to the extent necessary.
the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves	Given its scale and location, removed from the harbour and associated tributaries, the proposal will have no such adverse impacts.

if a controlled activity approval under the <i>Water Management Act 2000</i> or a permit under the <i>Fisheries Management Act 1994</i> is required in relation to the clearing of riparian vegetation - the approval or permit has been obtained	A controlled activity approval or permit under the respective legislation is not required in this case as no riparian vegetation is being cleared.
the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised	Given the proposal's scale and location, removed from the harbour and associated tributaries, such impact will be minimised.
the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised	Given the proposal's scale and location, removed from the harbour and associated tributaries, such impact will be minimised.
6.8 - Flooding	
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems	Given its scale and location, removed from the harbour and associated tributaries, the proposal will have a negligible impact.
Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not:	
if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody	The proposal is not on flood liable land.
have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems	As above.
6.9 - Recreation and public access	
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider:	
the likely impact of the development on recreational land uses in the regulated catchment	Given its relatively minor scale, the proposal will have a negligible impact.
whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation	Not applicable.
Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following:	

the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation	Public access to and from natural waterbodies is not reduced by the proposal.
new or existing points of public access between natural waterbodies and the site of the development will be stable and safe	No such existing or new public access points are associated with the site.
if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership - public access to and use of the land will be safeguarded	No such existing or new public access points are associated with the site.
6.10 - Total catchment management	
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact	Given its scale and location, removed from the harbour and associated tributaries, the proposal is unlikely to have an adverse environmental impact on adjacent or downstream local government areas.

Part 6.3 - Foreshores and Waterways Area

The site is located within the foreshore and waterway area and in accordance with Part 6.3 of the Biodiversity and Conservation SEPP 2021 which requires Council, in deciding whether to grant development consent to development in the Foreshores and Waterways Area, to consider whether equitable use of the Foreshores and Waterways Area is preserved and whether the development will have an adverse impact on the Foreshores and Waterways Area.

It is not considered that the proposed development will not obstruct public access to the foreshore area as the subject site has never served as a public accessway. In addition, no works are proposed in the foreshore area.

5.6 Local Environmental Plans

5.6.1 Manly Local Environmental Plan 2013

The Manly Local Environmental Plan 2013 (MLEP 2013) applies to the subject site which is identified as being within Zone R2 – Low Density Residential Zone. The proposed development is best characterised as **‘alterations and additions’** a **‘dwelling house’** which is a permissible form of development with the consent of Council in the R2 zone.



Figure 9: Zoning Map
Source: MLEP 2013

Subject site 

The objectives of the R2 – Low Density Residential zone are as follows:

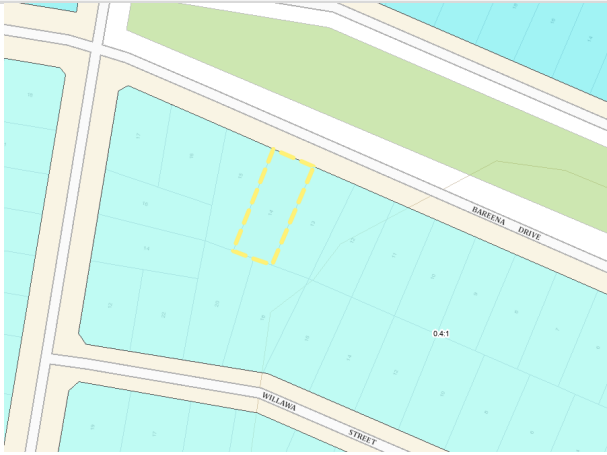
- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development is consistent with the objectives of the R2 – Low Density Zone.

A summary of our assessment of the proposed development against the LEP provisions is detailed below. Some clauses with the LEP have been deliberately omitted because they are not applicable to the proposed development.

Manly Local Environmental Plan 2013			
CL	Requirement	Proposed	Y/N
Part 2 - Permitted or Prohibited development			
2.6	Subdivision – Consent Requirements	The proposal does not seek consent for any subdivision.	Yes
2.7	Demolition requires development consent	This application seeks consent for part demolition of the existing dwelling as identified on the Demolition Plan prepared by <i>H AS Studio</i> .	Yes
Part 4 – Principal Development Standards			
4.3	Height of Buildings The development is subject to the provisions of Clause 4.3, which as indicated on the associated "Height of Buildings" Map, limits the height of buildings to 8.5m.	 Figure 10: Height of Buildings Map Source: NSW Planning Portal The proposal will comprise of a maximum height of 8.92m and therefore does not comply with the standard. Sufficient environmental planning grounds existing to support the variation proposed with the accompanying clause 4.6 variation request well founded. Refer to the Clause 4.6 variation request accompanying this application in Appendix A.	No

Manly Local Environmental Plan 2013

CL	Requirement	Proposed	Y/N
4.4	Floor Space Ratio The development is subject to the provisions of Clause 4.4, which as indicated on the associated "Floor Space Ratio" Map, limits the FSR to 0.4:1m.	 Figure 11: FSR Map Source: NSW Planning Portal The proposal will comprise of a total gross floor area of 247m² generating an FSR of 0.399:1.	Yes

Part 5: Miscellaneous provisions

5.10	Heritage Conservation The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	The building on the site is not identified as a heritage item and is not located in a heritage conservation area. No items of heritage are located in proximity to the site.	Yes
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Manly Local Environmental Plan 2013

CL	Requirement	Proposed	Y/N
Part 6: Additional Local Provisions			
6.2	Earthworks This clause seeks to ensure earthworks would not have a detrimental impact on any environmental functions or existing built environments. It also prescribes that earthworks are required for most earthworks.	The proposal does not necessitate any notable level of earthworks to be carried out. It is considered unlikely that the site, which for the most part has been relatively undisturbed, contains relics or any items of historic significance. Should any such item be encountered during site preparation works, excavation will cease immediately and the appropriate government authority notified. It is anticipated that a standard condition of consent will be imposed in this regard. The site is not in proximity to, nor are earthworks likely to have any detrimental impact on groundwater, drinking water catchment or environmentally sensitive area. Sediment and erosion controls will be installed and maintained for the duration of site preparation and construction phases to ensure there is no risk of sediment laden water leaving the site and entering council's drainage infrastructure. Excavation techniques which focus on minimising disturbance resulting from noise and vibration transmission will be implemented. Sediment and erosion controls will be installed and maintained for the duration of site preparation and construction phases. In this regard, the proposal will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	Yes

Manly Local Environmental Plan 2013

CL	Requirement	Proposed	Y/N
6.4	Stormwater Management Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.	Stormwater will be collected appropriately disposed of as detailed on the accompanying stormwater management plans prepared by Hyten Engineering. The consent authority can be satisfied that the proposed development— (a) has been designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes on-site stormwater retention for use as an alternative supply to mains water, (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters. As such, the consent authority can be satisfied that the proposal is consistent with the provisions of clause 6.4 of MLEP 2013.	Yes

Manly Local Environmental Plan 2013

CL	Requirement	Proposed	Y/N
6.9	Foreshore scenic protection area Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters— (a) impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore, (b) measures to protect and improve scenic qualities of the coastline, (c) suitability of development given its type, location and design and its relationship with and impact on the foreshore, (d) measures to reduce the potential for conflict between land-based and water-based coastal activities.	Pursuant to clause 6.9 of the MLEP 2013 the subject site is located within the foreshore scenic protection area. The objective of this clause is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly. It is considered that the proposed development is consistent with the bulk and scale of development within the visual catchment of the site and the foreshore area. The proposed dwelling, most notably the new additions, will integrate with existing development along the streetscape and will not result in an unreasonable visual impact when viewed from public places or the foreshore.	Yes

Manly Local Environmental Plan 2013

CL	Requirement	Proposed	Y/N
6.12	Essential Services	Pursuant to clause 6.12 of MLEP 2013, development consent must not be granted to development unless the consent authority is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required. As the subject property is currently occupied by dwelling house, the consent authority can be satisfied that all essential services will be available to the resultant development prior to the issuance of the occupation certificate.	Yes

Table 2: Manly Local Environmental Plan 2013 Compliance Table

5.7 The Provisions of any exhibited Draft Environmental Planning Instruments

There are no draft EPI's of direct relevance to the assessment of the proposed development.

5.8 Development Control Plans

5.1.1 Manly Residential Development Control Plan

The Manly DCP and in particular Part 4 – Primary Planning Controls and Part 5 – Site Planning and Design provides the key controls for the proposed development. The relevant controls are addressed below:

Objective	Provisions	Response
3.1 Streetscape and Townscapes		
3.1.1.1 Streetscape (Residential Areas)	Development in the <u>streetscape</u> (including buildings, fences and landscaping) should be designed to: - complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality; - ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4	Complies The form, height and scale of the development will be in keeping with the existing streetscape and neighbourhood character that comprises freestanding dwellings between one and three storeys with associated recreation and parking facilities. While the proposal seeks dispensation from the overall height and wall projection control, these

	Amenity) when viewed from surrounding public and private land; • maintain building heights at a compatible scale with adjacent development particularly at the street <u>frontage</u> and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys; • avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 <i>Development on Sloping Sites</i> and paragraph 4.1.9 <i>Swimming Pools, Spas and Water Features</i>; • address and compliment the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 <i>Heritage Considerations</i>; • visually improve existing streetscapes through innovative design solutions; and • incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 <i>Building Construction and Design</i>.	departures in no way hinder the ability for the development as a whole to remain complimentary to the established and emerging built form character. Furthermore, the proposed dwelling additions remain contemporary in their pronunciation and appropriate for the character and form of development in the locality, utilising high quality materials and finishes to ensure that the building positively contributes to the streetscape. The use of fenestration, terraces and varied setbacks provide visual interest and reduce the bulk and scale of the dwelling. Overall, the proposal will be consistent with the objectives and planning guidelines of relating to streetscape and building design, as the proposal is considered to be consistent with the existing surrounding development in terms of bulk and scale when viewed from the street. In relation to open space, the front setback area relevant to the proposal remains on balance, well landscaped and afforded with areas of open space that suitably offset any hard paved surfaces.
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	<u>Setback Principles in Low Density Areas</u> In lower density areas including LEP Zones R2, E3 & E4, setbacks should be maximised to enable open space to dominate buildings, especially on the foreshore.	
3.1.1.2 Front Fences and Gates	• Notwithstanding maximum height provisions for fencing at paragraph 4.1.10; the siting, height and form of boundary fences and walls should reflect the fencing characteristic of the locality, particularly those of adjacent properties. All fencing and wall materials must be compatible with the overall landscape character and the general appearance of the building and the streetscape. • Boundary fences or walls must not be erected where they would conflict with the local character. • Front fences and gates must be constructed in materials that complement the architectural style and period of the dwelling and improve the streetscape. In particular, fencing adjacent to a public road or place must not be constructed in metal cladding, powder coated or otherwise. • Gates must not encroach on public land when opening or closing.	Complies The proposal does not seek to alter the established fencing arrangements observed across the site.

3.1.1.3 Roofs and Dormer Windows	• Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings. • Roofs should be designed to avoid or minimise view loss and reflectivity. • Dormer windows and windows in the roof must be designed and placed to compliment the roof structure and reflect the character of the building. In particular, such windows are not permitted on the street <u>frontage</u> of the building where there is no precedent in the streetscape, especially on adjoining dwellings.	Complies Given the nature of the proposal, the contemporary roof form of the dwelling was already set and in doing so, the current proposal seeks to retain this roof arrangement, albeit, in a marginally alerted form so as to cater for the new works.
3.1.1.4 Garages, Carports and Hardstand Areas	Garages, carports and hardstand areas must be designed and sited in a manner that does not to dominate the street frontage by: • its roof form, material choice and detailing by being subservient to the associated dwelling; and • being compatible with the streetscape and the location in relation to front setback criteria.	Complies The siting, scale and arrangement of the existing garage inclusive of any proposed access, remains unaltered by way of this proposal.
3.3 Landscaping		
3.3.1 Landscape Design	The design, quantity and quality of open space should respond to the character of the area. In particular: • In low density areas: (including LEP Zones R2 Low Density, E3 Environmental Management and E4 Environmental Living) open space should dominate the site. Setbacks of buildings from open space should also be maximised to enable open space to dominate buildings,	Complies Landscaping across the site remains commensurate with that currently provided.

	especially when viewed to and from Sydney Harbour, the Ocean and the foreshore. In areas adjacent to native vegetation: the design of development should be sympathetic to the natural environment in order to protect and enhance the area as habitat for native fauna.	
	<u>Planting criteria including Native Plant Species and Amenity</u> - Landscaped Areas must be capable of supporting new native <u>tree</u> species that are typically expected to reach a mature height of 10m notwithstanding the minimum dimension requirements at paragraph 4.1.5.2 of this plan. - The use of locally occurring native plant species is preferred to assist in providing habitat for local fauna; and preserve threatened native plants.	Complies Refer to the landscape plan detail prepared by HA S Studio submitted under separate cover.

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

3.4.1 Sunlight Access and Overshadowing

3.4.1.1 Overshadowing Adjoining Open Space

In relation to sunlight to private open space of adjacent properties:

- New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June) ; or
- Where there is no winter sunlight available to open space of adjacent properties from 9am to 3pm, the calculations for the purposes of sunlight will relate to the equinox in March and September from 9am to 3pm.

Complies

Reference is made to the accompanying solar analysis prepared by HA S Studio which forms part of the architectural plan detail set.

This analysis demonstrates that the extent of additional shadow cast by the additions is not unreasonable, nor would it result in an adverse level of compromise to the extent of solar access afforded to the adjacent neighbouring properties areas of private open space areas.

3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties

In relation to sunlight to the windows or glazed doors to living rooms of adjacent properties:

- for adjacent buildings with an east-west orientation, the level of solar access presently enjoyed must be maintained to windows or glazed doors to living rooms for a period of at least 2 hours from 9am to 3pm on the winter solstice (21 June);
- for adjacent buildings with a north-south orientation, the level of solar access presently enjoyed must be maintained to windows or glazed doors of living rooms for a period of at least 4 hours from 9am to 3pm on the winter solstice (21 June);
- for all adjacent buildings (with either orientation) no reduction in solar access is permitted to any window where existing

Complies

Neighbouring properties, more specifically, glazed areas relevant to living spaces will continue to receive compliant levels of solar access that will not be unreasonably alerted as a result of the development works on the subject land.

This is affirmed upon review of the solar analysis prepared by HA S studio accompanying this application.

	windows enjoy less than the minimum number of sunlight hours specified above.	
3.4.1.3 Overshadowing Solar Collector Systems	A minimum of 6 hours solar access be retained to solar collectors on neighbouring properties.	Complies Neighbouring properties do not contain solar collectors.
3.4.1.4 Overshadowing Clothes Drying Areas	A minimum of 6 hours solar access be retained to clothes drying areas on neighbouring properties.	Complies Capable of compliance.
3.4.1.5 Excessive Glare or Reflectivity Nuisance	All external material and finishes incorporated into the development must consider and mitigate any excessive glare or reflectivity nuisance.	Complies Reference is made to the extract of the material schedule in Figure 9 which identifies the use of an array of materials and finishes that will not generate an unreasonable level of glare.
3.4.2 Privacy and Security		
3.4.2.1 Window Design and Orientation	- 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 to restrict direct viewing and to mitigate impacts on privacy.	Complies Along the eastern and western building peripheries, existing levels of fenestration are being retained. New glazing is proposed along the western periphery of the rumpus and bedroom 3, both of which are set well away from the shared boundary interface and as a result, reciprocal privacy outcomes will be maintained.
3.4.2.2 Balconies and Terraces	- Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties. Architectural screens must be fixed in position and suitably angled to protect visual privacy. - Recessed design of balconies and terraces can also be used to	Complies Glazing across the elevations remains consistent with that of the original approval.

	limit overlooking and maintain privacy.	
3.4.2.3 Acoustical Privacy (Noise Nuisance)	Consideration must be given to the protection of acoustical privacy in the design and management of development.	Complies The proposal will not give rise to any adverse increased level of acoustic impact over that already being generated across the site.
3.4.3 Maintenance of Views		
	- The design of any development, including the footprint and form of the roof is to minimise the loss of views from neighbouring and nearby dwellings and from public spaces. - Views between and over buildings are to be maximised and exceptions to side boundary setbacks, including zero setback will not be considered if they contribute to loss of primary views from living areas.	Complies Having regard to the information made available to us, it is unlikely that the proposal will result in the causation of any adverse level of view impact across neighbouring properties.

3.5 Sustainability

3.5.1 Solar Access

3.5.1.1 Building Form, Design and Orientation

- The building and site layout is to maximise northern orientation to optimise solar access. Achieving passive solar energy efficiency is an important consideration in design, but it must be balanced with responding to desired streetscape character; promoting amenity for both the proposed development and neighbouring properties (including views, overshadowing and noise considerations), retaining trees and responding to topography.

Complies

The dwelling will be afforded with ample levels of solar access noting the east-west site axis.

3.5.3 Ventilation

3.5.3.1 Building Design and Orientation to prevailing wind

- Buildings are to be orientated to benefit from cooling summer breezes (generally easterly/north easterly in Manly) where possible.
- Buildings are to provide for cross ventilation by locating windows and openings in line with both each other and the prevailing breezes.

Complies

Building orientation remains commensurate with the established floor plates. The dwelling additions do not alter this in any perceivable way.

New glazing components are designed in such a manner that will continue to promote cross ventilation.

3.7 Stormwater Management

In support of the purposes of LEP clause 6.4(3), all developments must comply with Northern Beaches Council's 'Water Management for Development Policy';

Complies

The proposal is accompanied by a stormwater plan prepared by Hyten Engineering.

3.8 Waste Management

	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.	Complies A waste management plan prepared by HA S Studio accompanies this application.
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3.9 Mechanical Plant Equipment

3.9.3 Noise from Mechanical Plant

	External mechanical plant systems (for pools, air conditioning and the like) must be acoustically enclosed and located centrally and away from neighbours living areas of neighbouring properties and side and rear boundaries.	Complies A consent condition may be imposed that formalises this requirement.
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3.10 Safety and Security

3.10.2 Security (Casual Surveillance)

	In order to promote safety and security, all development is to be designed to maximise opportunities for passive surveillance of public and communal areas by: • orientating some rooms to the street; • providing sight lines to the street <u>frontage</u> from the window(s) of at least one habitable room unobscured by trees or any other object; • ensuring the design of fences, walls and landscaping minimise opportunities for concealment and encourage social interaction; and • ensuring the design of fences, walls and landscaping minimise opportunities for concealment and encourage social interaction; and	Complies The dwelling contains a number of rooms which are oriented towards the public domain that will afford generous levels of site surveillance.
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4.1 Residential Development Controls

4.1.2 Height of Buildings

4.1.2.1 Wall Height	Within the LEP Height of Buildings development standard, the maximum external wall height is calculated based on the slope of the land under the proposed wall. Figures 26, 27 and 28 provide guidelines for determining the maximum height of external walls based on the particular slope of the land along the length of these proposed walls. The maximum wall height control will also vary from one building, elevation or part elevation to another depending on the slope of land on which the wall is sited.	Merit The development results in a varying wall height that ranges between 6.23m and 7.41m from the NGL on the eastern elevation and 7.21m to 7.425m from the NGL on the western. The non-compliance does not attribute to an unreasonable level of additional building bulk nor would it adversely compromise on the amenity of neighbouring properties. It is also pertinent to note that the majority of the dwelling is sited at or well below the maximum prescribed height to the land and in doing so, far offsets any adverse additional level of building bulk that arises from the wall height departure.
4.1.2.2 Number of Storeys	- Buildings must not exceed 2 storeys, except on land in areas 'L' and 'N1' on the LEP Height of Building Map and notwithstanding the wall and roof height controls in this plan. - Buildings on land in areas 'L' and 'N1' on the LEP Height of Building Map Buildings must not exceed 3 storeys notwithstanding the wall and roof height controls in this plan. Variation to the maximum number of storeys may be considered: - where specific physical site constraints warrant an exception to this requirement. In these circumstances the development must still fully comply with other numeric	Merit The dwelling will present a maximum of three (3) storeys noting the established lower ground and ground floor plates. The horizontal street fronting alignment of the additions are visually responsive to the established built form envelope and in order to mitigate any ensuing development volume further, are recessed behind the primary central building element so to present as subordinate in visual volume. Furthermore, the additions take into consideration the characteristics of the land which observes a slope from the rear to the street.

	height controls and development standards; and to allow an additional understorey where that storey satisfies the meaning of basements in the LEP.	This land characteristic alongside the established and pre-determined floor plates relevant to the existing dwelling which are being retained, have both had a bearing on the number of storey compliance outcome.
4.1.2.3 Roof Height	Roof parapets may extend up to 0.6m above the actual wall height where Council considers that a parapet is considered to be appropriate to the design of the development and satisfies the objectives of this DCP and the LEP. For example, a parapet roof should not result in the appearance of lift structures and the like that protrude above the roof.	Complies The roof parapet is either sited below the allowable wall height and or is located between 580mm above the wall height prescribed control.

4.1.4 Setbacks (front, side and rear) and Building Separation

4.1.4.1 Street Front setbacks

- Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.
- Where the street front building lines of neighbouring properties are variable and there is no prevailing building line in the immediate vicinity i.e. where building lines are neither consistent nor established, a minimum 6m front setback generally applies. This street setback may also need to be set further back for all or part of the front building façade to retain significant trees and to maintain and enhance the streetscape.
- Where the streetscape character is predominantly single storey building at the street frontage, the street setback is to be increased for any proposed upper floor level.
- Projections into the front setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, chimneys, meter boxes and the like, where no adverse impact on the streetscape or adjoining properties is demonstrated to Council's satisfaction.

Complies

The dwelling retains a street fronting setback that ranges between 7.42m and 7.538m, unaltered by this proposal.

4.1.4.2 Side setbacks and secondary street frontages

- Setbacks between any part of a building and the side boundary must not be less than one third of the height of the adjacent external wall of the proposed building.
- All new windows from habitable dwellings of dwellings that face the side boundary are to be setback at least 3m from side

Complies

Side setbacks of the addition range from 1.321m to 1.41m east and 1.452m and 1.93m west not inconsistent with the existing established dwelling floorplates.

	boundaries;	At first floor level, side setbacks range between 1.386m to 1.521m (east) and between 1.452m to 1.93m (west). No new habitable windows are proposed to the eastern and western dwelling peripheries and in doing, application of the 3m setback is not warranted.
4.1.4.4 Rear Setbacks	- The distance between any part of a building and the rear boundary must not be less than 8m. - Rear setbacks must allow space for planting of vegetation, including trees, other landscape works and private and/or common open space. The character of existing natural vegetated settings is to be maintained. See also paragraph 3.3 Landscaping. - On sloping sites, particularly where new development is uphill and in sensitive foreshore locations, consideration must be given to the likely impacts of overshadowing, visual privacy and view loss. - Rear setbacks must relate to the prevailing pattern of setbacks in the immediate vicinity to minimise overshadowing, visual privacy and view loss.	Complies The dwelling will observe a rear setback ranging between 15.301m and 19.493m.
4.1.5 Open Space and Landscaping		
4.1.5.1 Minimum Residential Total Open Space Requirements	Open Space must be provided on site in accordance with Figure 34 - Numeric Requirements for <i>Total Open Space</i>, <i>Landscaped Area</i> and <i>Open Space Above Ground</i>. In Area OS4, at least 60% of the site area is to be Open space with at least 40% of the Open Space to be landscaped.	Complies 395.3m² or 63.9% is provided.

4.1.5.3 Private Open Space	Principal private open space is to be provided in accordance with the following minimum specifications: Minimum area of principal private open space for a dwelling house is 18sqm	Complies The area of primary open space provided at the rear of the dwelling far exceeds
4.1.7 First Floor and Roof Additions		
4.1.7.1 First Floor Additions	- First floor additions must complement the architectural style of the ground floor and where possible retain existing roof forms. Notwithstanding setback provisions, the addition may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues. - The dwelling and the form of alterations and additions must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences or the aesthetic quality of the former Manly Council area. In this regard, it may be preferable that the addition be confined to the rear of the premises or be contained within the roof structure.	Complies The proposed additions present and architectural form that visually relate to the retained dwelling components. The built form composition of the additions subtly integrate with that of the retained features and in doing so, compliment the visual characteristics of the development as a whole.

Table 3: Manly Development Control Plan Compliance Table

5.1.2 Sydney Harbour Foreshores and Waterways DCP

The Sydney Harbour Foreshores and Waterways Development Control Plan 2005 ('Sydney Harbour DCP') applies to the 'foreshores and waterways area'.

The Development Control Plan for Sydney Harbour Foreshores and Waterways area provides more detailed performance-based criteria and guidelines than are contained within the Plan with the aim of protecting ecological communities, protecting the scenic quality of the area of the River and its foreshores, providing siting and design principles for new structures and identifying potential foreshore access locations.

Ecological Assessment

The ecological assessment of the site involves identifying the ecological community of the site's foreshore and assessing the impact of the proposal against performance criteria for that community. The purpose of the performance criteria is to conserve biological diversity within and around Sydney harbour and its tributaries. Within this context, criteria have been devised to ensure that:

- ecological communities, particularly those which form wildlife habitats, are protected and where feasible enhances;
- development is site to retain native vegetation, wetlands and natural foreshores;
- development is accompanied by revegetation and rehabilitation of degraded foreshores, where appropriate; and
- development does not impact adversely on water quality.

In response, the proposal does not seek to remove any significant endemic vegetation from across the land. Non-significant tree removal is proposed across the land which will be offset by the additional landscaping proposed to be incorporated as part of this development.

A stormwater plan prepared by Hyten Engineering accompanies this application. This plan specific details regarding stormwater disposal and erosion control. Any approval of the application should incorporate the requirements of the plans as well as Council's to ensure runoff during the excavation and construction stages is minimised.

In terms of any potential impact to aquatic communities, the proposed development will not result in any shading of these communities nor is any level or form of land reclamation proposed. Given that the proposal is land based, it is not anticipated that any increased nutrient levels in the intertidal zone will result.

An environmental site management plan has been submitted which shows how waste and sediment will be managed during construction.

Landscape Assessment

The site is within Landscape Character Type 3, for which the intent for development within these areas is to allow suitable development that is of an appropriate scale and siting to maintain **natural shorelines** and vegetation.

The proposal satisfies the relevant performance criteria because:

- It does not impose any dominant structures along the shoreline whereby the natural aesthetics of the foreshore will remain as the defining feature;
- Any continuous line of natural features will be preserved;
- It is sited and designed to maintain the vegetation cover on upper and lower slopes;
- Major points and entrances to the bays are not affected and therefore preserved;
- Colours as well as finishes of the proposed dwelling are considered to be compatible with the native vegetation and natural elements.

Design Guidelines for Land Based Development

Foreshore access

The proposal has no impact on foreshore access.

Siting of buildings and structures

Existing native vegetation - No prominent endemic contributory native vegetation is sought to be removed.

Buildings should address the waterway - The dwelling has no relationship with the waterway.

Buildings should not obstruct views - The proposal will not unreasonably impact public or private views.

Buildings should not obstruct view of landmarks - The proposal will not result in any unreasonable level of impact upon views of landmarks.

Cliffs or steep slopes - The proposal appropriately responds to the sloping nature of the land. The siting of the dwelling is acceptable noting it has been designed in response to the established existing and natural site characteristics.

Foreshore building lines – Not impacted .

Appropriate scale - The proposal provides a building scale which is consistent with comparable structures in the locality.

Form and shape of buildings, roof forms as well as materials - The form and shape of the proposal is consistent with its neighbours and the locality generally. The dwelling provides a low parapet roof form with which is also consistent with the built form of the locality. The proposed materials and finishes are considered acceptable; however, the final selection of materials can be required by standard condition if required.

Reflective materials - It is appropriate that the design particularise the use of non- reflective roof material or in the alternative, appropriate conditions of approval to that effect ought to be imposed.

Colours of buildings - The colours and finishes used in the proposal are considered to be compatible with the locality and its surroundings.

The Sydney Harbour DCP includes provisions relating to landscape assessment and separates the harbour foreshores into 16 different landscape character typologies, with performance criteria set for any development within these different landscape typologies. The subject site is located within a part of the harbour foreshores identified as 'Landscape Character Type 3'. As already detailed, the proposal satisfies the relevant performance criteria.

The Sydney Harbour DCP also includes design guidelines for land-based development. The proposal satisfies the relevant design guidelines relating development does not alter the essential features of development on the land to a degree where adverse visual impacts would result upon the interpretation of the building and its ancillary structures from the harbour foreshores and waterways.

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

This section will consider the following: The Assessment of the Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15 of the EPA Act.

6.1 Assessment of Natural Environmental Impacts

This section will assess the topographic and scenic impacts as well as the water and air quality impacts of the proposed development.

6.1.1 Topography & Scenic Impacts

The proposal will be a positive contribution to the topographic and scenic qualities of the locality. A comprehensive new planting scheme is proposed for the site which will positively contribute to the scenic character of the setting.

6.1.2 Water & Air Quality Impacts

The proposed development is, in our opinion, unlikely to result in any adverse effects on the locality in terms of water and air quality. Stormwater and runoff will be managed, and the proposal is, in our opinion, acceptable.

6.1.3 Bushfire

Northern Beaches Council's Bushfire Prone Land Map identifies the subject property as partly containing the Vegetation Buffer. A bushfire assessment report has been prepared by Building Code and Bushfire Hazard Solutions which concludes the following:

"The highest Bushfire Attack Level to the proposed works was determined from Table A1.12.5 of PBP to be 'BAL 29'. The proposed works will be constructed to sections 3 and 7 (BAL 29) under AS3959 – 2018 and the additional construction requirements detailed in section 7.5 of PBP. The southern elevation has been downgraded to BAL 19 due to shielding by the dwelling itself."

The existing water supply and access provisions are considered adequate.

In accordance with the bushfire safety measures contained in this report, and consideration of the site-specific bushfire risk assessment it is our opinion that when combined, they will provide a reasonable and satisfactory level of bushfire protection to the subject development".

6.2 Assessment of Built Environmental Impacts: Character and Context

This section will address the impact of the proposed development on the character and context of the area.

6.2.1 Impact on the Area's Character

The surrounding area is predominately characterised by large multi storey residential dwellings which display a mixture of traditional and contemporary architectural styles.

The dwelling additions will present as contextually compatible with the existing and emerging character of the area. The development will also present a siting, scale and volume which is not inconsistent with the scale and pattern of development observed across the immediate locality.

A well-articulated built form, incorporating varied setbacks and a range of contemporary elements will serve to complement surrounding development. In our opinion, the development will be a positive contribution to the streetscape and will present as compatible with the desired future character of the area.

6.3 Assessment of Built Environmental Impacts: Privacy and Amenity

6.3.1 Aural and Visual Privacy

The design and layout of the proposal will maintain aural and visual privacy for residents of neighbouring sites.

The proposed additions have been sympathetically designed to ensure that privacy is provided to the future residents of the proposed dwelling/s and to adjoining properties. This has been achieved through the generally compliant built form (with the exception of building and wall height), compliant setbacks, and the siting and orientation of the proposed private open outdoor space/s.

6.3.2 Solar Access

To assess the impact of the proposed development in terms of overshadowing, shadow diagrams have been prepared by HA S for 9:00 am, 12 noon and 3:00 pm for the winter solstice (21 June). These diagrams indicate that the characteristics of the land and the relationship with adjoining properties is such that the neighbouring properties will continue to receive a reasonable level of solar access.

6.4 Assessment of the Site Suitability

This section will consider the proximity of the site to services and infrastructure; traffic, parking and access issues; and hazards.

6.4.1 Proximity to Services and Infrastructure

As the site is within an established area, electricity, telephone, water and sewerage are also readily available.

6.4.2 Traffic, Parking and Access

The extent of additional generation and or volume of the development is unlikely to create any perceptible level of impact to the surrounding road network.

As the proposal retains a compliant level of spaces and geometry as per Council's DCP and AS 2890.1:2004, it will continue to satisfy the likely parking demand for the proposal. The proposed development is in our opinion, suitable from a traffic and parking point of view.

6.4.3 Hazards

The site is not in an area recognised by Council as being subject to any form of hazard that would strictly preclude the ability for the proposed development to take place.

6.5 The Public Interest

This section will consider the social and economic effects of the proposal and the public interest.

6.5.1 Social and Economic Impact

The proposal will have social and economic benefits in the area with the provision of well-designed residential dwelling additions.

The proposal also seeks to provide appropriate levels of landscaping reducing its visibility when viewed from neighbouring development and the public domain. The proposal will reduce water and energy consumption through efficient fixtures, fittings and insulation; and will provide off-street parking for residents. This will reduce water consumption and parking congestion in the area.

6.5.2 The Public Interest

The proposal has been designed with consideration of the adjoining residents' amenity and the streetscape. It will provide a well-designed development which is a contextually appropriate scale and form for the area. The development has been designed with the intent of preserving neighbouring amenity while also contributing positively to the streetscape and local character. The proposal is a quality development which serves the public interest.

7.0 CONCLUSION

The proposal is permissible in the R2- Low Density Zone under the LEP and is in our opinion, consistent with the relevant objectives of the Zone.

The subject development introduces open plan living area and generously proportioned areas of private open spaces, which will serve to enhance the internal and external amenity for the residents. A well-articulated built form, with varied setbacks, a range of materials and finishes and an appropriate degree of landscaping, all of which serve to enhance the developments streetscape presentation has been provided. Importantly, the proposal is compatible with the existing and emerging character of development in the locality. The proposal also demonstrates the provision of a high level of internal amenity for future dwelling occupants alongside the preservation of neighbouring dwelling amenity.

Having regard to the above, it is considered that the development is an acceptable built form, scale and density and will have acceptable impacts on the amenity of neighbouring development and therefore, can be supported.

DISCLAIMER

This report incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of BMA Urban Pty Ltd opinion in this report. BMA Urban prepared this report on the instructions, and for the benefit only, **HA S (Instructing Party)** for the purpose of the Statement of Environmental Effects and **(Purpose)**. To the extent permitted by applicable law, BMA Urban expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, BMA Urban was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to BMA Urban at the date of this report, and upon which BMA Urban relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which BMA Urban has no control.

Whilst BMA Urban has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. BMA Urban (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which BMA Urban relies, provided that such errors or omissions are not made by BMA Urban recklessly or in bad faith.

This report has been prepared with due care and diligence by BMA Urban and the statements and opinions given by BMA Urban in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.