

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR PROPOSED MINOR ALTERATIONS TO AN EXISTING
SEMI-DETACHED DWELLING TO INCLUDE A NEW SINGLE CARPORT
OVER AN EXISTING HARD STAND AREA**

LOCATED AT

25 QUINTON ROAD, MANLY

FOR

JENNY SCHENK



**Prepared
September 2020**

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1.0 Introduction

This Statement of Environmental Effects accompanies details prepared on behalf of Jenny Schenk by JDA Studio Pty Ltd, Project No. 2002, Sheets 1 – 9, dated 21 May 2020 (Revision A), to detail the proposed construction of a new single carport in association with the existing semi-detached dwelling at **25 Quinton Road, Manly**.

The proposal was the subject of a Pre-Lodgement Meeting (PLM 2020/0132) dated 2 July 2020. The design of the proposed carport has been resolved in response to the issues discussed at the PLM meeting and the submission includes commentary on the matters raised by Council.

This Statement reviews the proposed development by assessing the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, (as amended) including:

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan 2013*

2.0 Property Description

The subject allotment is described as **25 Quinton Street, Manly**, being Lot Y, within Deposited Plan DP442867 and is zoned R1 General Residential under the Manly Local Environmental Plan 2013.

The site enjoys a secondary, rear frontage to Lawson Place which adjoins the western end of the site and permits vehicular access from the Lawson Place laneway.

The site is noted as being within Class 5 acid sulfate soils area. This matter will be discussed in further detail within the report

The subject dwelling is listed under the MLEP 2013 as a heritage item (Item No. I215), as part of a group of houses. The site also adjoins the heritage listed stone kerb (Item 2) within Lawson Place and a discussion of the heritage applications is provided further within this submission.

There site is not identified as being affected by any hazards.

3.0 Site Description

The site is located on the western side of Quinton Road with a secondary frontage to Lawson Place to the rear.

The site is generally regular in shape with a frontage of 8.075m to Quinton Road, northern and southern side boundaries of 22.375m and 30.48m and a rear boundary to Lawson Place measuring 8.075m. The site has an area of 240.4m² (by title) and 245.11m² by calculation.

The site is currently developed by a one and two storey brick and sandstone semi-detached dwelling with a tile roof.

Vehicular access is currently available from Lawson Place to the site via an existing concrete driveway to a hardstand car parking area.

The details of the site are included on the survey plan prepared by C & A Surveyors NSW P/L, Reference No. 13881-20 DET, dated 7 April 2020, which accompanies the DA submission.

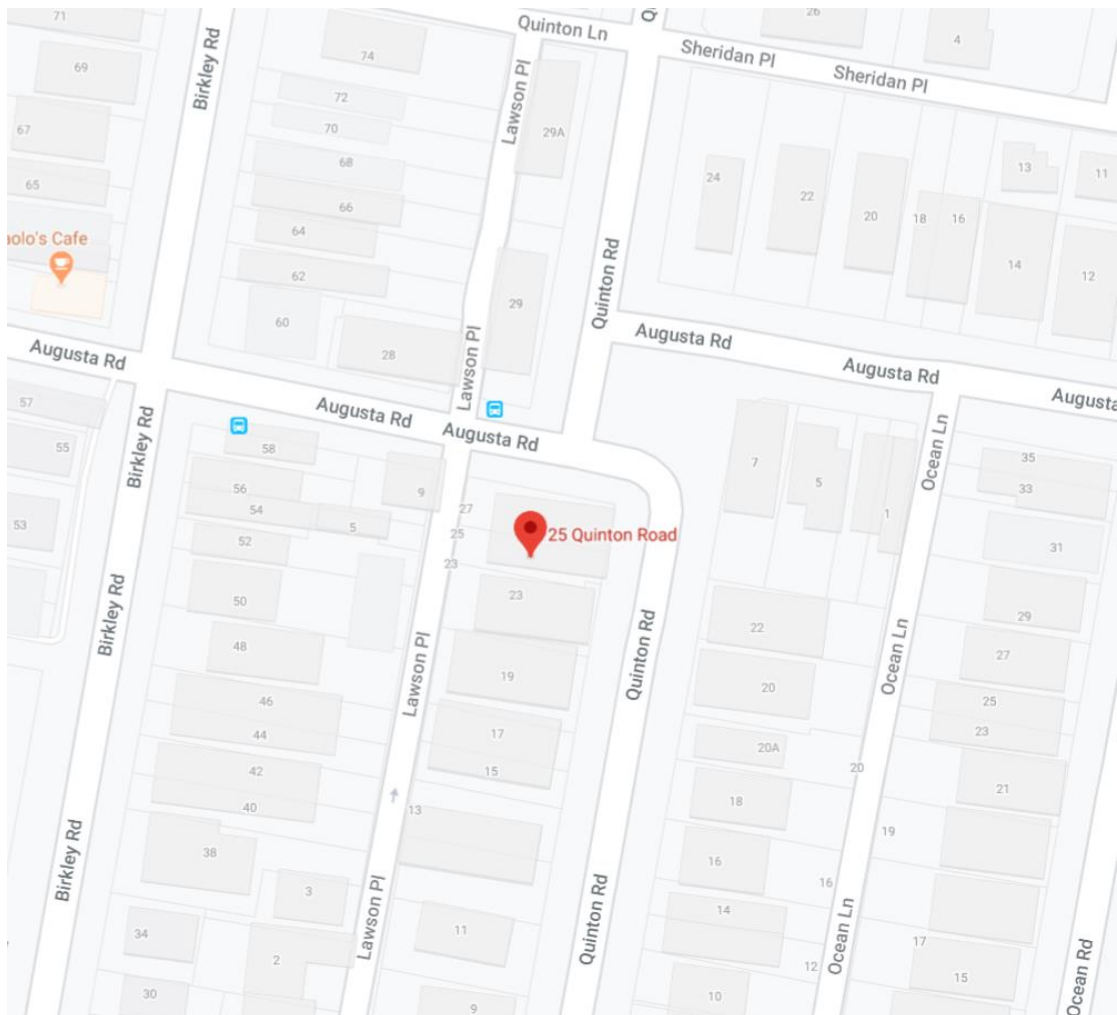


Fig 1: Location sketch
(Source: Google Maps)



Fig 2: View of the subject site and location of proposed carport, looking south-east from Lawson Place



Fig 3: View of the subject site and location of proposed carport, looking south-east from Lawson Place



Fig 4: View of the Lawson Place frontage and the surrounding pattern for enclosed parking structures, looking south

4.0 Surrounding Environment

The area surrounding the site is represented by a mix of development comprising one and two storey detached and semi-detached dwellings.

The adjoining developments to the north and south are similar semi-detached single storey dwellings. The area displays a mix of low and medium density development, with the proposed new works to complement the scale and form of other single residential development in the immediate locality.

Vehicle parking is commonly provided from the rear laneway and garages and open parking structures are common features facing Lawson Place. The previous figures note that car parking in the form of carports and/or double garages are a common feature. In this regard the proposed single open carport compares favourably with the bulk of other parking facilities facing Lawson Place.

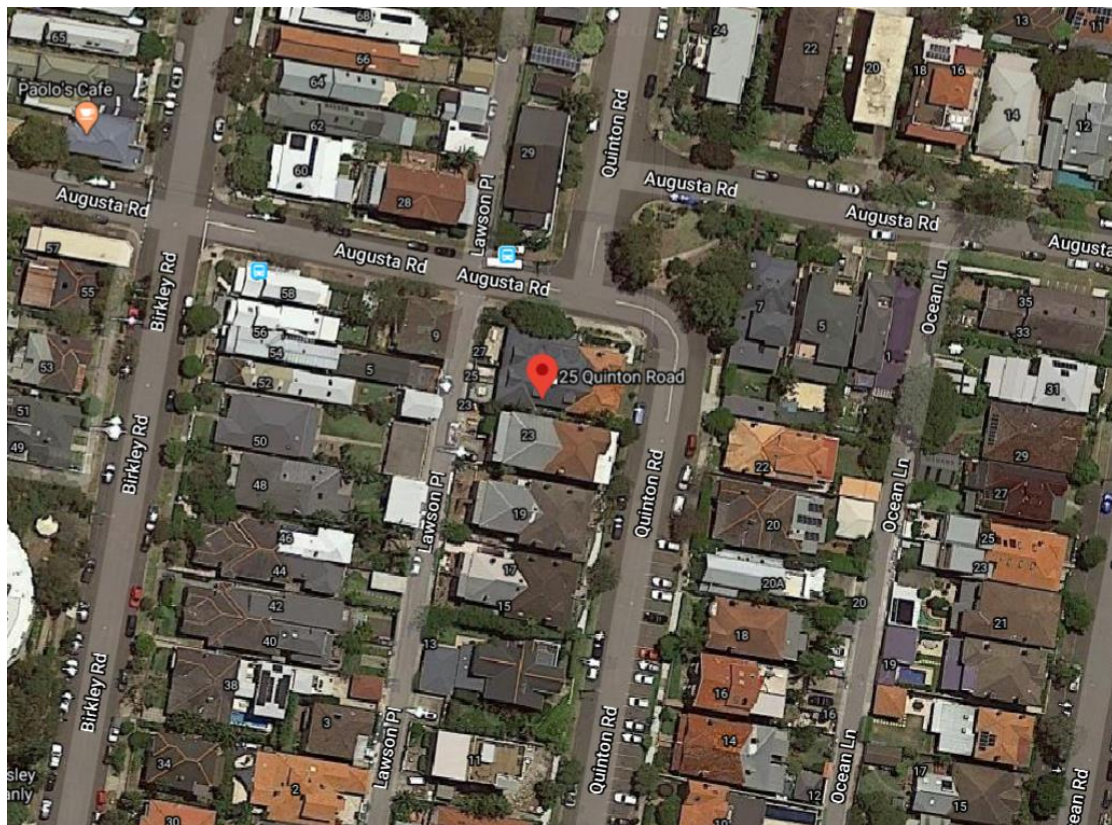


Fig 5: Aerial view of subject site
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying architectural plans it is proposed construction of minor alterations to the existing semi-detached dwelling to provide for the construction of a new single carport over an existing hardstand parking area.

The proposed new works are minor in terms of the bulk and scale presentation to Lawson Lane and will not see any change to the external form of the existing dwelling as it presents to Quinton Road.

The development indices for the site are noted as:

Site Area	240.4m ²
Allowable Floor Space Ratio	0.60:1 or 144.24m ²
Proposed Floor Space Ratio	0.72:1 or 173.09m ² (remains unchanged)
Required Open Space (Area OS3) – 55% total/35% soft open space	132.22m ² (55%)/46.28m ² (35%)
Proposed Total Open Space	20% or 49.2m ²
Proposed Soft Open Space	0% or 0m ² (The existing landscaped areas amount to planter strips less than 1 m wide)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

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

A BASIX is not required for the proposed development.

6.3 Manly Local Environmental Plan 2013

The land is zoned R1 General Residential under the provisions of the MLEP 2013.

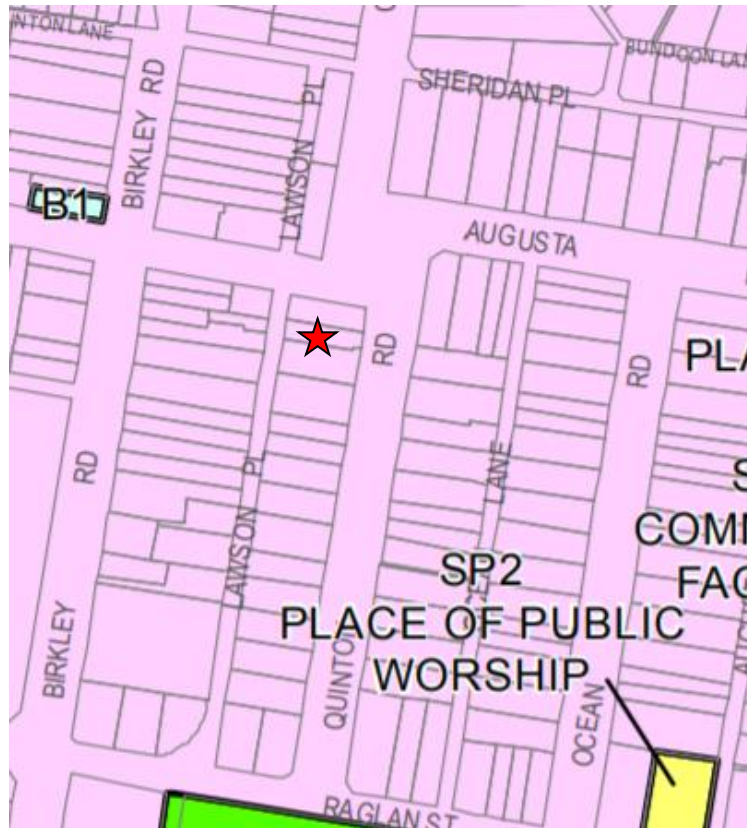


Fig 6: Extract of Manly Local Environmental Plan 2013 – Land Zoning Map

The development of and use of the land for residential purposes is consistent with the R1 zone objectives, which are noted as:

- To provide for the housing needs of the community within a low density residential environment
- To provide for a variety of housing types and densities

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

It is considered that the proposed alterations and additions to the semi-detached dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal maintains the existing built form of the dwelling and therefore maintains consistency with the existing semi-detached style housing within the locality.
- The proposal provides for minor alterations provide for a single open carport over the existing open hard car hard stand parking space that will provide for improved amenity by including whether detection for the owner's vehicle
- The proposal does not have any impact on views, solar access or amenity for the neighbouring properties.
- The site is utilised as housing and will continue to maintain the residential use.
- The proposed alterations and additions will conserve the significance of the heritage item located on the site the adjacent heritage listed stone kerb in Lawson Place.
- The proposal will continue to present as a single storey semi-detached dwelling which is compatible with the existing development in this portion of Quinton Road.

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The building height limit for development in this portion of Manly is 8.5m. The proposed new works (3.529m) will readily comply with the statutory height limit.

Clause 4.4 provides a maximum floor space ratio control of 0.6:1 for development in this locality. The proposed new works will not see any change to the floor space ratio of the existing dwelling, and the proposal will therefore maintain compliance with this control.

Clause 5.10 relates to heritage conservation. The subject dwelling is listed under the MLEP 2013m – Schedule 5 as a heritage item (Item No. 215), as part of a group of semi-detached dwellings and the existing stone kerb within the Lawson Place (Item No 2).

The objectives of the clause are noted as:

- (a) to conserve the environmental heritage of Manly,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The proposed works seek to provide a single open carport to provide for protection over the existing open car space facing Lawson Place to the rear of the site. Given the minimal disturbance presented by the provision of the single open carport, the proposal will not

present any significant intrusion to the site or to the surrounding streetscape and is therefore considered to achieve the above objectives of the control.

The existing driveway crossing and layback will be unchanged. As there will not be any change to the heritage listed stone kerbs or to the general form and streetscape presentation of the dwelling, the dwelling's contribution to the local heritage streetscape will be maintained.

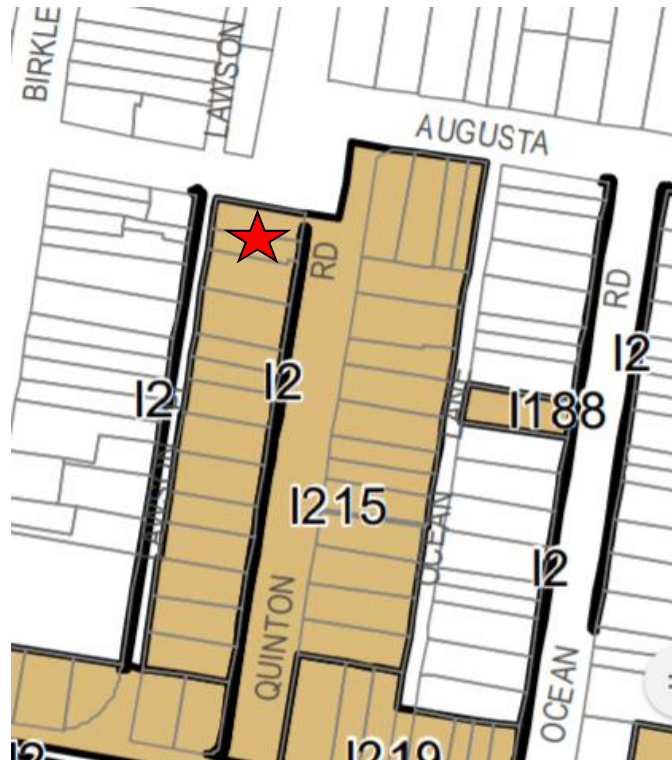


Fig 7: Extract of Manly Local Environmental Plan 2013 – Heritage Map

Clause 6.1 addresses the impact of works in relation to acid sulfate soils. The proposal will see minor excavation of the site in order to provide for the new driveway and retaining walls. It is not anticipated that acid sulfate soils will be encountered.

Clause 6.2 relates to earthworks. The proposal will see minor excavation of the site in order to accommodate the new works. Appropriate erosion and sediment controls will be carried out to ensure minimal site disturbance. The works will be carried out under the guidance of a qualified Structural Engineer. The proposal therefore satisfies the provisions of this clause.

Clause 6.8 relates to landslide risk. The proposal will see no excavation of the site in order to accommodate the new works. The works will be carried out under the guidance of a qualified Structural Engineer, and the proposal therefore satisfies the provisions of this clause.

There are no other clauses of the MLEP 2013 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the MLEP.

6.4 Manly Development Control Plan 2013 – Amendment 14

Councils DCP Development Control Plan 2013 – Amendment 14 provides the primary control for development within the area.

The DA submission will address the Council's submission requirements outlined in Part 2 – Process.

The primary areas which are applicable to the proposed works are detailed within Part 3 – General Principles of Development & Part 4 – Development Controls and Development Types.

Clause 3.1.1 – Streetscape (Residential Areas)

The proposal provides for minor alterations to the existing dwelling, and construction of a new carport over an existing hardstand parking area.

The intended outcomes are noted as:

- i) complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
- ii) ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
- iii) maintain building heights at a compatible scale with adjacent development particularly at the street frontage 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;*
- iv) 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 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
- v) 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 Heritage Considerations;*
- vi) visually improve existing streetscapes through innovative design solutions; and*
- vii) 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 Building Construction and Design*

The existing height, bulk and gross floor area of the dwelling remains unchanged. The proposal will maintain the existing primary façade of the dwelling which maintains consistency with the subject pair of semi-detached dwellings, and the proposal is therefore not considered to result in a significant impact on the site as viewed from Quinton Road.

The proposal involves minor works to provide for a single open carport over the current open car stand area, accessible from Lawson Place at the rear of the site works are to be carried in the secondary frontage to Lawson Place.

The proposal will not require the removal of any significant vegetation.

Clause 3.2.2 – Alterations or Additions to Heritage Items or Conservation Areas

The subject dwelling is listed under the MLEP 2013 as a heritage item (Item No. I215), being part of a group of semi-detached dwellings. Additionally, the site adjoins the heritage listed stone curb in Lawson Place at the rear of the site.

The proposal seeks to provide for construction of a new carport over an existing hardstand parking area in the rear lane – Lawson Place.

This clause provides the following:

- a) Alterations or additions to heritage items or buildings within a conservation area will not necessarily seek to replicate, overwhelm, dominate or challenge heritage details or character of the building or structure of heritage significant buildings. However, a contemporary response which complements and respects the form and scale of the original buildings may be considered if the heritage significance is retained.*
- b) Consideration should be given to whether making a house bigger will ruin its appearance. Additions to small houses can easily overwhelm them and use up garden space needed for private open space and impact the setting and pattern of development in the locality. Modest additions work best and can be organised as wings or pavilions to the existing house. All additions must be at the back of the house, not the front.*

Given the minor extent of the works and the fact that the existing driveway access will be otherwise unchanged, the proposal is therefore considered to be in keeping with the provisions of this clause.

Clause 3.3 – Landscaping

No indigenous planting is to be removed to accommodate the new works.

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

The objectives of the clause are noted as:

- Objective 1) To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties.*
- Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.*

It is suggested that the works will achieve these objectives as the proposal provides for the construction of construction of a new carport over an existing hardstand parking area, which will not result in any impacts on the views, solar access, privacy or amenity currently received by neighbouring properties.

Clause 3.5 – Sustainability

Given the minor nature of the proposal, a BASIX Certificate is not required in this instance.

Clause 3.7 – Stormwater Management

The existing stormwater arrangements remain unchanged.

Part 4 – Residential Development Controls

Site Area 240.4m² - Density Sub Zone D3 (250m² per lot)

Compliance Table

Control	Required	Proposed	Compliance
Clause 4.1.1 Residential Density & Subdivision	Density Area D3 – 1 dwelling per 250m ²	Site area is 240.4m ²	Yes – existing site and dimensions are unchanged
Clause 4.1.2 Height of Buildings	Maximum height – 8.5m	Maximum height – <8.5m (3.529m)	Yes
	Wall height – 6.5m	N/A – wall height remains unchanged	N/A
	Max two storeys	Single storey dwelling maintained	Yes
	Roof height – 2.5m above wall height	N/A – existing roof form remains unchanged	N/A
Clause 4.1.13 Floor Space Ratio (FSR)	0.6:1	N/A – no changes to existing FSR	N/A
Clause 4.1.4 Setbacks (front, side and rear)	Relate to neighbouring sites or 6m	N/A – existing front setback remains unchanged	N/A
Side Boundary setback – 1/3 of wall height		N/A – existing side setbacks remain unchanged	N/A
Clause 4.1.5 Open space and Landscaping	Area OS 3 Min 55%/35%	The proposal provides an open space area of 20% of the site, with no	Yes – on merit (refer to comments below)

		calculable soft open space provided.	
Clause 4.1.6 Parking	2 spaces	<p>New driveway will continue to provide access to the existing single open car space, with the new single carport to provide for weather protection to the owners vehicle within the site.</p> <p>The existing driveway and pedestrian access in the area will be unchanged.</p>	Yes
Clause 4.1.8 Development on Sloping Sites	<p><u>Area G4 – Potential Hazards and Requirements</u></p> <p>Geotechnical assessment may be required depending on location and nature of development and man-made cut and fill.</p> <p>Residential footings are to be in accordance with AS2870.</p> <p>Potential hazards for this land include rock falls & minor slumping of soil and fill materials from top of unsupported cuts onto public and private pathways, roadways and building platforms. There is little to moderate typical consequences of failure involving damage of some or</p>	<p>The proposal will not involve any disturbance to the existing site and therefore no further investigation is considered necessary in this instance.</p>	Yes

	part of structures (for example, to a dwelling or roadway), with part of site requiring some stabilisation works. Large scale stabilisation works are unlikely to be required in Area G4.		
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The proposal will seek to maintain the existing open space area of 49.2m² or 20%, with no change to the current soft landscaped area. The site has landscaped areas in the form of planting strips which are less than 1 m in width and which do not contribute to calculable soft open space.

The objectives of this clause are as follows:

- Objective 1) To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.*
- Objective 2) To maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation and bushland.*
- Objective 3) To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.*
- Objective 4) To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.*
- Objective 5) To minimise the spread of weeds and the degradation of private and public open space.*
- Objective 6) To maximise wildlife habitat and the potential for wildlife corridors.*

The proposal provides for the construction a new carport over an existing hardstand parking area. The site will not see any change to the open space area, with the site conditions currently providing for narrow landscape painting strips, of less than 1m in width which do not contribute to site landscaping. The works will not remove any soft landscaped areas.

The existing stormwater arrangements for the site will remain unchanged with run-off from the new carport roof being directed to the street gutter in Lawson Lane.

Notwithstanding the minor variation to the open space and landscaping provisions, the proposal is considered to be in keeping with the desired outcomes of this clause and is therefore worthy of support on merit.

7.0 Matter for Consideration under the Under Section 4.15 of the Environmental Planning and Assessment Act, 1979

7.1 Any environmental planning instrument

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

The site is not within the Foreshores and Waterways Boundary of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

There are no other environmental planning instruments applying to the site.

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

It is not considered that there are any draft environmental planning instruments applying to the site.

7.3 Any development control plan

The development has been designed to comply with the requirements of Manly Development Control Plan 2013 – Amendment 14.

It is considered that the proposed design respects the aims and objectives of the DCP however we note that the Environmental Planning and Assessment Amendment Act 2012 No 93 (Amendment Act) which received assent on 21 November 2012 commenced on 1 March 2013.

Key amongst the amendments are requirements to interpret DCPs flexibly and to allow reasonable alternative solutions to achieve the objectives of DCP standards.

The new section 3.42 provides that the 'principal purpose' of DCPs is to 'provide guidance' on:-

- giving effect to the aims of any applicable environmental planning instrument
- facilitating permissible development
- achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 4.15(3A) which:

- prevents the consent authority requiring more onerous standards than a DCP provides,
- requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying DCP provisions with which a development application does not comply,
- limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that Council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular we

consider that the variation to the open space requirements is reasonable given that the proposal will not remove any existing area of soft landscaping.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site which will make a positive contribution to the area.

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

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

It is considered that the proposal, which seeks approval for the construction of a carport over an existing hardstand parking area, is reasonable. The development will maintain a favourable bulk and scale relationship with other development in the vicinity. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and Council's Codes and Policies.

7.7 The suitability of the site for the development

The subject land is currently zoned R1 General Residential under the Manly Local Environmental Plan 2013 and is considered suitable for the proposed development.

The subject site does not exhibit any significant constraint to the construction of the proposed new works.

7.8 Any submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to support the construction of a single carport over an existing hard stand parking area which satisfies the stated objectives of Council's Development Controls.

By maintaining our neighbour's amenity and by complimenting the scale and form of other development in the immediate locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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