



2 MONASH CRESCENT, CLONTARF

STATEMENT OF ENVIRONMENTAL EFFECTS FOR DEMOLITION OF AN EXISTING DWELLING AND CONSTRUCTION OF A NEW DWELLING



Report prepared for
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Appendix 1 - View Loss Analysis

Clause 4.6 (to vary the height) attached

Clause 4.6 (to vary the FSR) attached

1. Introduction

- 1.1 This is a statement of environmental effects for the demolition of an existing dwelling and construction of a new two and three storey dwelling, including a partial basement level, at 2 Monash Crescent, Clontarf.
- 1.2 The report describes how the application addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013, the Manly Development Control Plan 2013 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3 This statement of environmental effects has been prepared with reference to the following:
- ◆ Site visit
 - ◆ Site Survey prepared by Hill and Blume Consulting Surveyors
 - ◆ Architectural drawings prepared by Studio Nina Pty Ltd
 - ◆ BASIX prepared by BASIX Solutions
 - ◆ Civil and Stormwater Management Plan prepared by JHA Consulting
 - ◆ Landscape Plan prepared by Greenfriends Gardens
 - ◆ Geotechnical Report prepared by STS Geotechnics
 - ◆ Arboricultural Report prepared by Urban Arbor
 - ◆ View Analysis prepared by Watermark Planning
- 1.3 The proposed development is consistent with the objectives of all Council controls, considerate of neighbouring residents and will result in a new family sized home for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1 The subject site is located on the eastern side of Monash Crescent, at the end of the cul-de-sac, in Clontarf, approximately 70 metres south of its intersection with Allenby Lane. The site is legally described as Lot 2 in DP539424.
- 2.2 It is an irregular shaped lot with a front boundary of 16.135 metres (west – to Monash Parade), rear boundary of 25.67 metres (east) and side boundaries of 29.295 metres (south) and 33.375 metres (total northern boundary). It slopes from the rear of the lot down towards the front (Monash Parade) with a fall of approximately 14 metres. A sewer main traverses the site in a north-south direction.
- 2.3 The site is currently occupied by a one and two storey, brick residence with a metal roof and has a concrete crossover and driveway from Monash Parade. A single garage is located within the front setback on the northern side and a small metal shed in the rear yard.



Figure 1. The site and its immediate surrounds

- 2.4 It is surrounded by detached residential dwellings in all directions. The site directly adjoins a heavily vegetated strip of RE1 – Public Recreation zoned land located to the south.
- 2.5 Clontarf Beach is in close proximity to the north-east. The site is located in close proximity to shops and services in Balgowlah and Manly to the north and north-east and transport services on Manly Road and Sydney Road.

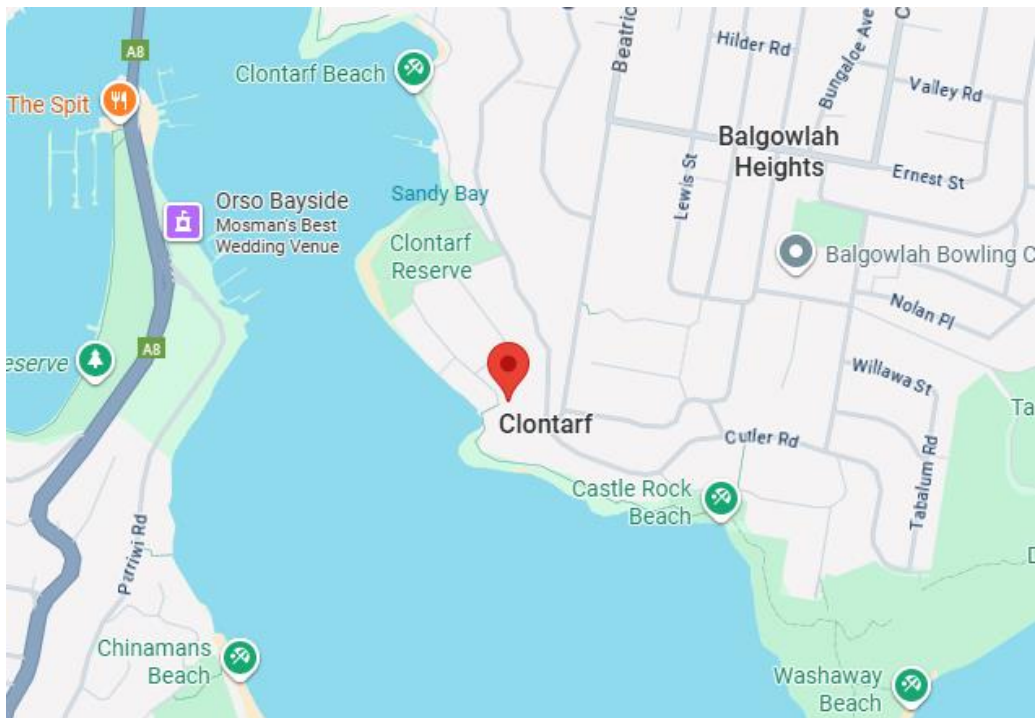


Figure 2. The site within the locality



Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4. Looking east from Monash Crescent towards the front of the site



Figure 5. Looking north-east from the existing driveway towards the front (western) elevation (the RE1 land to the right/south of the dwelling)



Figure 6. Looking west from the existing front deck of the dwelling towards Monash Crescent and Middle Harbour



Figure 7. Looking north towards the rear yard



Figure 8. Looking south-west towards the rear garden at the back of the existing dwelling house



Figure 9. View to the south-west from the rear yard across the roof of the existing dwelling

4. Proposed Development

- 4.1 The proposed development is for the demolition of an existing dwelling and construction of a new two and three storey dwelling, set within landscaped grounds, on the subject site.
- 4.2 The proposed development remains consistent with the streetscape and the locality. The development ensures views, privacy and solar access are maintained for surrounding properties and the subject site.
- 4.3 The proposed new dwelling will be made up as follows:

Ground Floor Plan

- Double car garage with turntable
- Bin store
- Plant room (including rain water tank)
- Wine cellar
- WC
- Lift
- Internal stair to upper level (with storage below)

First Floor Plan

- Master bedroom with ensuite, WIR
- Bedrooms 2, 3 and 4
- Bathroom
- Linen storage
- Laundry
- Internal stair
- Mudroom
- Lift
- Front terrace.

Second Floor Plan

- Open plan living, dining and kitchen areas
- Powder room
- Rumpus room
- Lift
- Internal stair
- Rear terrace
- Void

Site

- Solar panels on roof
- Landscaping and planter beds (sandstone outcrops to be retained)
- Removal of one (1) tree, a *Camellia sasanqua*

- 4.4 Extracts from the architectural package showing the 3D visual sheets for the western, north, east and south elevations are provided in Figures 10, 11, 12 and 13 below.
- 4.5 Materials and finishes have been selected to be compatible with the coastal location and complement the streetscape.



Figure 10. Western elevation



Figure 11. Northern elevation



Figure 12. Eastern elevation



Figure 13. Southern elevation

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Sustainable Buildings) 2022

Schedule 1 of SEPP (Sustainable Buildings) 2022 sets out the standards for thermal performance and energy requirements for BASIX development in NSW. The proposal is BASIX development (as defined by the EPA Regulation 2021), and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. Although the development proposes the removal of one (1) tree, it remains consistent with the provisions of the SEPP.

An Arborist Report is attached which provides an assessment of the potential impact the proposed development is likely to cause to existing trees on the site, including the tree to be removed.

Chapter 10 - Sydney Harbour Catchment

The site is located outside the Sydney Harbour Catchment as shown on the catchment foreshores and waterways area map in Sydney Regional Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

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

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 Coastal Management

The site is not mapped as being located in the coastal use area or coastal environmental area and therefore, is not subject to the provisions of Chapter 2.

Chapter 4 Remediation of Land

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

5.2 Manly Local Environmental Plan 2013

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

Zoning

The site is zoned R2 – Low Density Residential, pursuant to the provisions of the Manly Local Environmental Plan 2013, as illustrated in Figure 14. The proposed development is for demolition of an existing dwelling house and construction of a new dwelling house and dwelling houses are permissible with development consent in the R2 zone.

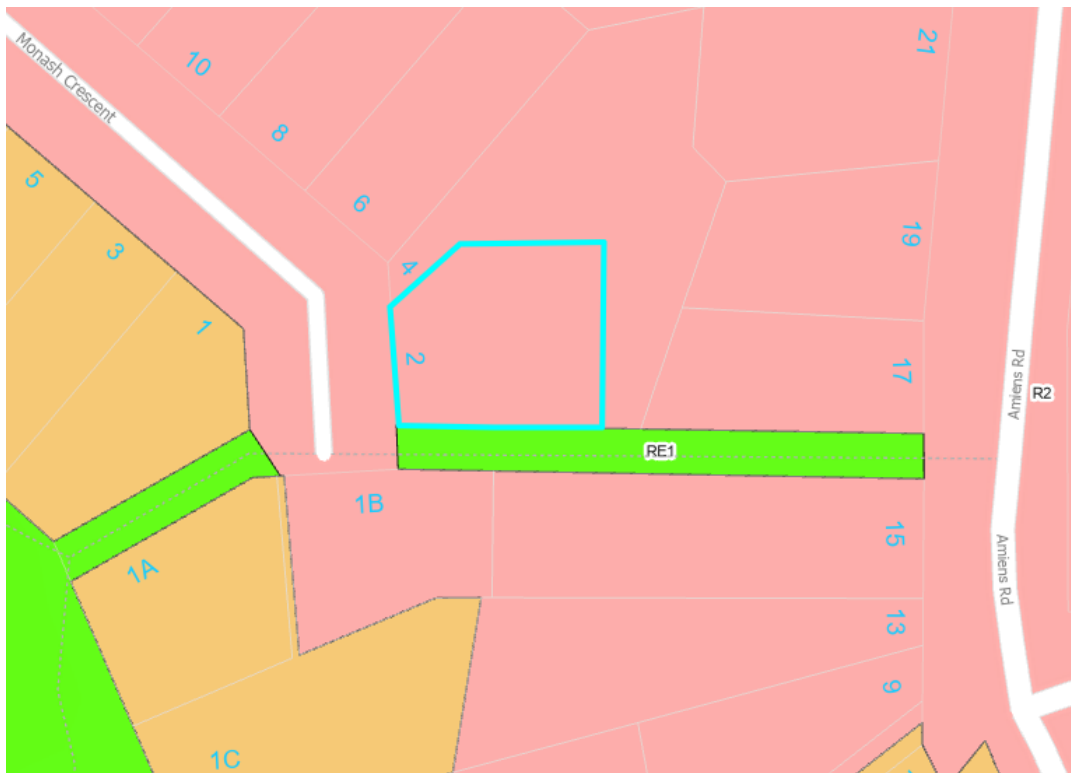


Figure 14. Extract from Manly LEP 2013 zoning map

Demolition

Demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the new dwelling house.

Minimum Lot Size

The site is mapped with a minimum subdivision lot size of 1,150m². The subject site is an existing undersized parcel comprising an area of 709.1m² and no subdivision is proposed.

Height of Buildings

Clause 4.3 of the LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a maximum building height of 8.917 metres and resulting in a height exceedance of 0.417 metres. We note that this variation is resultant of the steeply sloping topography, from the rear (eastern boundary) towards the site frontage (western boundary). The development incorporates a flat roof design to minimise view loss and bulk and scale.

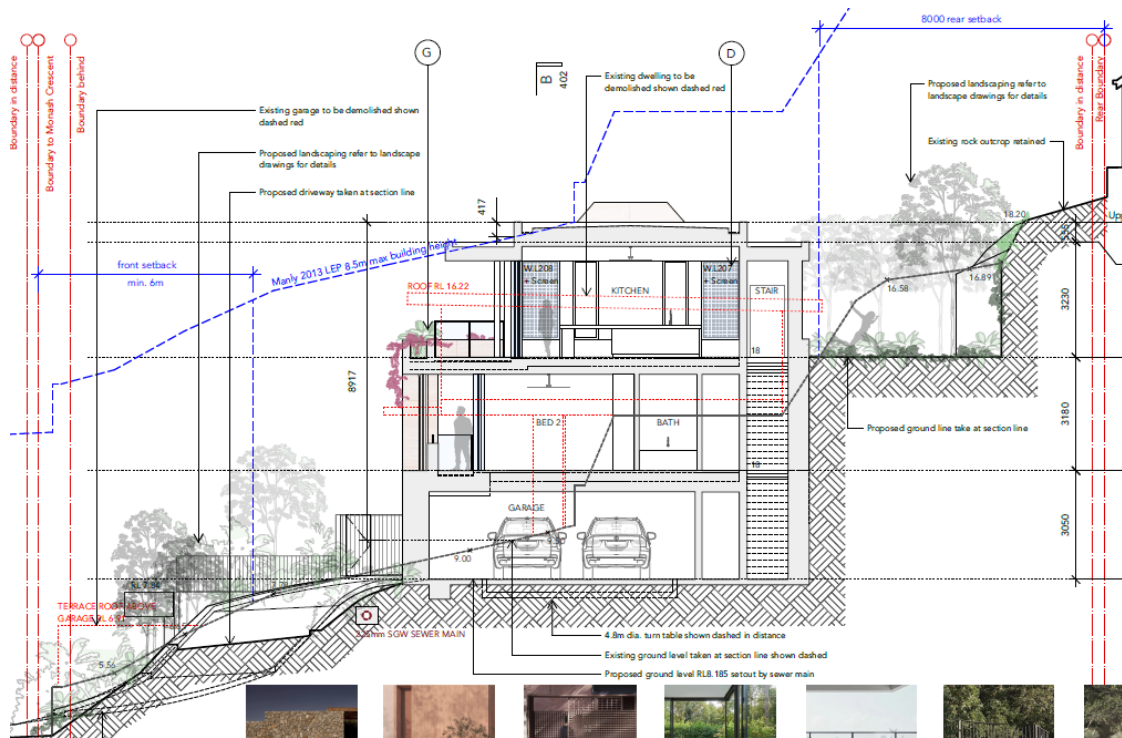


Figure 15. Extract from Longitudinal Section A DA.401 showing the minor variation

The application is supported by a Clause 4.6 variation.

Floor Space Ratio

The site is mapped with a maximum FSR of 0.4:1. This equates to a maximum Gross Floor Area (GFA) of 283.64m² for the site area of 709.1m².

The DCP permits a GFA, based on a lot size of 750m², for this undersized lot, which equates to a maximum GFA of 300m².

The development proposes a GFA of 292.6m² or FSR of 0.41:1, a variation of 8.96m² or 3.16% to the LEP control however, compliant with the DCP control.

However as the subject site is an existing undersized parcel, clause 4.1.3 of the DCP, permits an FSR calculation based on a 750m² lot size, which equates to 300m² for the site. As noted above, the proposed gross floor area is 292.6m² and therefore complies

with the provision of DCP Clause 4.1.3. Based on these calculations an FSR of 0.41:1 is proposed, which would be easily compliant.

The application is supported by a Clause 4.6 variation.

Plan DA.901, Area Calculations, provides further information in relation to the calculation of GFA and FSR.

Heritage Conservation

The site is not listed as a heritage item, located within a heritage conservation area of within proximity to any heritage items.

Flood Planning

The subject site is not identified on the NBC Flood Hazard Map.

Bushfire

The subject site is not identified on the Manly Bush Fire Prone Land Map 2010.

Acid Sulfate Soils

The site is mapped with class 5 acid sulfate soils. The proposed works are not located on land that is below 5 metres AHD and is not likely to lower the watertable by more than 1 metre. Refer to the attached Geotechnical Assessment for further details on the Acid Sulfate Soils classification.

Earthworks

Earthworks are proposed to prepare the site for construction, including cut and fill as illustrated within the attached DA Plan set.

Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed.

Stormwater Management

A stormwater plan compliant with Council's stormwater management policy has been proposed by JHA Consulting and is attached to this development application package.

Landslide risk

The site is identified on the Manly Map C – Potential Geotechnical Landslip Hazard Areas Map as Area G1. A supportive Geotechnical Report is attached.

Foreshore Scenic Protection Area

The site is identified as being located in the Manly Foreshore Scenic Protection Area. The provisions of Clause 6.9 of the LEP seek to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly. The LEP requires that consideration must be given to the matters listed below:

(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,

The proposed development is designed and sited to complement the residential locality. The development is consistent with the scale of surrounding dwellings and will provide a positive visual contribution to the streetscape and the visual amenity from the harbour. There will be no overshadowing of the foreshore or loss of views from a public place to the foreshore.

(b) measures to protect and improve scenic qualities of the coastline,

The proposed development blends with the surrounding development when viewed from the coast and is consistent with the residential character of the coastal location, while maintaining the scenic quality of the coastal foreshore. The front and rear of the site incorporates substantial planting to soften the built form.

(c) suitability of development given its type, location and design and its relationship with and impact on the foreshore,

The proposed development is for a new dwelling. The site is zoned residential and the use remains permissible in the zone. The proposed works will not impact on the foreshore.

Proposed materials and finishes are in keeping with a coastal aesthetic including light colours and natural materials such as sandstone cladding and textured concrete or render.

(d) measures to reduce the potential for conflict between land-based and water-based coastal activities.

The subject site is located over 80 metres from the water edge, within an existing residential lot and not a direct line of sight. The proposed works will not create conflict between land-based and water-based coastal activities.

Terrestrial Biodiversity

The site is not mapped as being located in the Manly Terrestrial Biodiversity Area.

Essential Services

All essential services are existing on the site.

5.3 Manly Development Control Plan 2013

The relevant sections of the DCP are addressed below.

3. General Principles of Development

3.1 Streetscapes and Townscapes

3.1.1 Streetscape (Residential Areas)

The subject site is located at the end of a cul-de-sac, and has frontage to and is visible from Monash Crescent. This section of Monash Crescent is characterised by 2 and 3 storey detached dwelling houses.

The proposed development remains consistent with the streetscape of the locality, providing a positive, contemporary visual contribution to the site and the streetscape. The proposed bulk and scale of the dwelling is considered modest, and the nominated materials and finishes are compatible with the architectural style of the coastal location and neighbouring development.

3.1.1.5 Garbage Areas

Compliant bin storage areas are provided at ground floor level, as illustrated on DA.201, Ground Floor Plan.

3.1.1.1 Complementary Design and Visual Improvement

As detailed above, the proposed development remains consistent with the local character and streetscape in the locality. The proposed works will be constructed of materials consistent with the residential use and are of an appropriate scale for the locality.

Details are provided in the attached Schedule of Colours and Materials, DA.902.

3.1.1.2 Front Fences and Gates

No fencing or gate is proposed at the front of the site, with the proposed development retaining an open frontage to Monash Parade.

3.1.1.3 Roofs and Dormer Windows

The development proposes an Upper Roof Parapet of RL 18.200 and Roof Parapet of RL 17.645, as shown on the attached sections/elevations and roof plan within the Architectural DA Plan set. The proposed roof parapet ensures that the bulk and scale of the dwelling is minimised and views across the site are retained for neighbouring properties. No dormer windows are proposed.

3.1.1.4 Garages, Carports and Hardstand Areas

A new crossover and driveway are proposed from Monash Crescent, as detailed within the attached DA Plan set. The development proposes to embellish the adjacent landscaping to the driveway and provides an internal garage for two vehicles on the ground floor level. A turntable is proposed to enable vehicles to enter and leave the site in a forward direction. These access and parking arrangements do not dominate the street frontage and are suitably integrated into the design.

3.3 Landscaping

The development proposes to enhance the existing landscaping on the site, with no significant vegetation to be removed (refer to the attached Arborist Report).

Also, the development retains a compliant landscaped area. The front landscaped area for the subject site will be significantly improved as per the accompanying landscape plan.

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

3.4.1 Sunlight Access and Overshadowing

3.4.1.1 Overshadowing adjoining private open space

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

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

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

9am – The development will result in a very minor increase in shadowing to the RE1 land to the south, to the rear of 15A Amiens Road and to the northern setback of 1B Monash Crescent.

12pm - The development will result in only a minor increase in shadowing to the RE1 land to the south, with no impact to neighbouring properties.

3pm – The development will result in only a minor increase in shadowing to the RE1 land to the south, with no impact to neighbouring properties.

It is concluded that the development will result in a very minor increase in shadowing to the adjoining RE1 land and neighbouring properties to the south of the site.

Further, the proposed development will not result in any increase in shadowing to the glazing on the northern side of No. 1B Monash Crescent, as shown in the attached shadow diagrams (DA.1000).

Overall, the development will have an acceptable impact to sunlight access and overshadowing of adjoining properties.

3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties

The DCP requires a minimum 3 hours solar access be maintained to the glazing in living rooms of adjacent properties between 9am and 3pm on 21 June.

As described above the proposed additions result in a very minor increase to No. 1B Monash Crescent at 9am. The shadow diagram provided with this application demonstrate compliance with this clause.

3.4.1.3 Overshadowing Solar Collector Systems

The proposed development will not overshadow neighbouring solar collector systems.

3.4.1.4 Overshadowing Clothes Drying Areas

The proposed development will not overshadow neighbouring clothes drying areas.

3.4.1.5 Excessive Glare or Reflectivity Nuisance

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

3.4.2 Privacy and Security

Privacy will be retained for neighbours with appropriate setbacks and no overlooking into key living areas.

At the second floor level, the development incorporates privacy screening to windows (W.L207 and W.L208) on the northern elevation and to the southern windows (W.L202 and WL203) to minimise opportunities for overlooking.

The Second Level terrace includes a landscape planter to limit overlooking opportunities and maintain privacy, noting that due to site topography and siting of adjoining dwellings overlooking is unlikely.

Additional privacy measures have been incorporated into the design including offset windows, orienting larger glazing to the front and rear of the lot, the use of skylights, and privacy glazing.

3.4.2.3 Acoustical Privacy (Noise Nuisance)

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

3.4.3 Maintenance of Views

A site visit has been undertaken and it is considered the proposed development will not result in any significant view loss impacts as works are predominantly located within the existing building footprint and to the rear of the site.

The subject site and surrounding properties share water views to middle harbour to the west and north-west. There is no significant impact on views to properties adjacent or to the north of the subject site.

A View Loss Analysis is attached as Appendix 1.

3.5 Sustainability

A compliant BASIX Certificate is provided with the attached plan set.

The proposed development provides compliant solar access and ventilation.

3.7 Stormwater Management

A stormwater plan compliant with Council's stormwater management policy has been proposed by JHA Consulting and is attached to this development application package.

3.8 Waste Management

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

The site is serviced by Councils existing garbage collection service. The location of the new garbage storage area is identified on DA Plans at Ground Floor Level.

4.1.2.2 Number of Storeys

The development proposes 2 part 3 storeys and therefore, a variation to Council's storey control is required, and considered reasonable and in character with surrounding development.

4.1.3 Floor Space Ratio (FSR)

The DCP permits a GFA, based on a lot size of 750m², for this undersized lot, which equates to a maximum GFA of 300m².

The development proposes a GFA of 292.6m² or FSR of 0.41:1, a variation of 8.96m² or 3.16% to the LEP control however, compliant with the DCP control.

However as the subject site is an existing undersized parcel, clause 4.1.3 of the DCP, permits an FSR calculation based on a 750m² lot size, which equates to 300m² for the site. As noted above, the proposed gross floor area is 292.6m² and therefore complies with the provision of DCP Clause 4.1.3. Based on these calculations an FSR of 0.41:1 is proposed, which would be easily compliant.

The application is supported by a Clause 4.6 variation.

Plan DA.901, Area Calculations, provides further information in relation to the calculation of GFA and FSR.

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

4.1.4.1 Street Front setbacks

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

The development proposes a compliant front setback of 9.507 metres at the south-western corner of the dwelling. The proposal remains consistent with the objectives of Clause 4.1.4

4.1.4.2 Side setbacks and secondary street frontages

A side boundary setback equivalent of 1/3 of the wall height is required on the site which equates to the following:

REQUIRED:	PROPOSED:	COMPLIANCE:
<u>North:</u>	<u>North:</u>	
<i>Ground Floor –</i>		
1/3 of 6.55m = 2.18m	2.6m (garage)	Yes
	1.447m – 1.585m (external stair)	No
<i>First Floor –</i>		
1/3 of 6.55 = 2.18m	2.6 (ensuite and terrace)	Yes
	1.635m – 1.81m (external stair)	No
<i>Second Floor –</i>		
1/3 of 8.14m = 2.7m	3.24m – 3.37m (tv/fireplace)	Yes
<u>South:</u>	<u>South:</u>	
<i>Ground Floor –</i>		
1/3 of 4.66m = 1.55m	2.6m (garage)	Yes

First Floor –

1/3 of 4.66m = 1.55m	2.6m (bed 4 and mudroom)	Yes
	1.36m – 2.275m to external stair	No

Second Floor –

1/3 of 7.905m = 2.635m	2.6m to planter bed	Yes
	3.75m (rumpus and void)	Yes

A variation to the side setback control on the first and second floor levels on the northern and southern sides of the dwelling to allow for the external stairs is proposed and a merit assessment of this variation is provided below.

It is noted that the proposed dwelling provides greater setbacks to the southern boundary than the existing dwelling on the site, with the existing southern elevation sitting in very close proximity to this boundary.

Objectives of the control:

- 1. To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.***

Comment

Due to the steeply sloping topography and configuration of the lot, the proposed variations will not be highly discernible from the street. The development proposes a very generous front setback and enhanced landscaping which will significantly contribute to the landscaped character of Monash Crescent. Compliant setbacks are provided to the dwelling footprint, with the variation allowing for external stairs for garden maintenance. The design ensures the amenity of neighbours and the desired character of the locality is retained.

The proposed variation on the northern side adjoins a terraced/landscaped southern side setback to the dwelling at No. 4 Monsh Crescent. On the southern side the variation adjoins the overgrown reserve/RE1 land. The side setback to allow the external stair is not out of character or to the detriment of amenity of streetscape.

- 2. To ensure and enhance local amenity by:***

- providing privacy;***
- providing equitable access to light, sunshine and air movement; and***
- facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.***
- defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and***
- facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.***

Comment

The proposed variations to the side setbacks to allow for the external stairs will have no impact on the amenity of the neighbouring properties, resulting in negligible solar and privacy impacts. As stated above, due to the landscaped southern (side) setback to the dwelling at No. 4 Monash Crescent and the RE1 land to the south, the reduced setbacks are considered appropriate. Given the lot configuration, and the steeply sloping topography, the reduced setbacks to the external stair will not adversely affect the streetscape. The proposed design considers local amenity, allowing adequate space between buildings to be achieved.

As demonstrated in Appendix 1 there will be no unreasonable view loss as a result of the proposed variations.

3. To promote flexibility in the siting of buildings.

Comment

Flexibility in the application of the side setback control is considered appropriate, in this case, due to the steeply sloping topography and the configuration of the lot. The variations to the side setbacks allow for the external stair to provide access to the rear of the site. The dwelling proposes compliant side setbacks. The setbacks are also consistent with neighbouring development and do not result in a building of any greater bulk or sale, as is demonstrated by the compliant FSR (based on the DCP controls).

4. To enhance and maintain natural features by:

- ***accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;***
- ***ensuring the nature of development does not unduly detract from the context of the site and particularly in relation to the nature of any adjoining Open Space lands and National Parks; and***
- ***ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.***

Comment

The proposed side setback variations have a negligible impact on the landscaped area on the site, with an easily compliant landscaped area proposed. The proposed variations enable external access for garden maintenance, whilst allowing ample planting of vegetation to be provided within the side setbacks.

5. To assist in appropriate bush fire asset protection zones.

Comment

Not relevant. The subject site is not bushfire prone land.

It is concluded that the proposed variations will have no inappropriate impacts on neighbouring properties and remains consistent with the objectives of this clause, despite the non-compliances.

4.1.4.3 Variations to Side Setbacks in Residential Density Areas D3 to D9

This clause allows for the consideration of variations to the side setback. The proposed non-compliance to allow for the external stairs on the northern and southern sides of the dwelling is considered appropriate as privacy, views and solar access is retained to the neighbouring properties. The side boundary fencing, existing and proposed planting and sloping topography will minimise amenity impacts to neighbours.

4.1.4.4 Rear Setback

A minimum rear setback of 8 metres is required on the site.

The development proposes an easily compliant rear setback of 8 metres to the dwelling at all levels.

4.1.4.6 Setback for development adjacent to LEP Zones RE1, RE2, E1 and E2

Buildings, swimming pools and garden sheds on sites with a common boundary to land zoned in the LEP as Zones RE1 Public Recreation, RE2 Private Recreation, E1 National Parks and E2 Environmental Conservation must be set back at least 6 metres from this common boundary. The heavily vegetated bushland to the south of the site is zoned RE1, and accordingly this clause must be considered.

It is considered that the design of development is sympathetic to the natural environment and the proposed separation is sufficient to protect and enhance this land as habitat for native fauna. Noting that the RE1 land is not accessible due to extensive vegetation, and thereby not used by the public. The proposed development incorporates landscaping along the full length of the southern boundary adjacent to the RE1 land, as illustrated within the attached Landscape Plan, which contributes to the natural setting. The new dwelling also provides a much larger setback to the common boundary than the existing dwelling on the site.

The proposed setback to the RE1 land is also consistent with the setback provided to No. 1B Monash Crescent, with the dwelling located in very close proximity to the RE1 land.

See Figure 18 below.



Figure 18. Looking east towards the heavily vegetated RE1 reserve (subject site to the left and No. 1B to the right of photo)

4.1.5 Open Space and Landscaping

4.1.5.1 Minimum Residential Total Open Space Requirements

The subject site is located in Open Space Area OS4, as such the DCP requires a total of 60% of the site to be open space with a minimum 40% of that open space to be landscaped area and a maximum 25% of open space located above ground.

This equates to a minimum of 425.46m² of total open space for the site area of 709.1m², a minimum 170.18m² of landscaped area and maximum 106.36m² of open space above ground level.

The development proposes a compliant total open space area of 67% or 475.4m².

The development proposes a compliant landscaped area of 63.2% or 269.1m².

A compliant open space area located above ground level is proposed of 18.3% or 78m².

Refer to the attached Landscape Plan, prepared by greenfriends gardens, for detailed information on proposed planting for the site, which includes native tree planting as per the DCP.

The DCP requires a minimum 18m² of principal private open space. The development provides ample areas of private open space.

4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

The development proposes a new crossover and driveway from Monash Crescent, providing access to an integrated garage for the parking of 2 vehicles at ground floor level. The garage is fully integrated with the building design and will not be highly visible from the street due to the lot configuration and the steeply sloping topography.

The development incorporates a 4.8 metre turn table which ensures the safest and most efficient solution and to enable vehicles to enter and leave the site in a forward direction.

The parking and access arrangements have been assessed by a traffic engineer, with swept paths designed in accordance with Australian Standards for a B99 vehicle. This assessment concludes that the proposal is compliant with Council's requirements and the relevant Australian Standards.

4.1.8 Development on Sloping Sites

The architectural design of the new dwelling responds to the slope of the site, by stepping with the topography and integrating the building into the slope, consistent with neighbouring development. The design has ensured that amenity impacts to neighbours are minimised, including loss of views, privacy and solar access. The design of the driveway does not dominate the street frontage, with substantial landscaping proposed within the front setback softening the visual impact from Monash Crescent.

A supportive Geotechnical Assessment is attached demonstrating compliance with the requirements on Clause 4.1.8 of the DCP.

4.1.10 Fencing

No fencing is proposed between the front street boundary and the dwelling. Existing side and rear boundary fencing is to be retained.

4.4 Other Development (all LEP Zones)

4.4.5 Earthworks (Excavation and Filling)

In accordance with the DCP requirements, the proposed earthworks have been limited to the part of the site required to accommodate the new dwelling. The architectural design has ensured that mature vegetation and prominent sandstone outcrops at the rear of the site have been protected and retained where possible.

The proposal includes excavation for the partial ground floor and first floor due to the steep slope of the site, with the extent of excavation measuring 0.56 metres to 5.9 metres deep. It is considered the proposed earthworks are appropriate for the site, and are unlikely to result in any adverse environmental impacts, including to existing drainage patterns, and soil stability.

A Geotechnical Investigation Report, prepared by STS Geotechnics, is submitted with this DA and provides several recommendations to ensure a negligible impact on neighbouring properties and built structures.

Minimal fill is proposed at the rear, adjacent to the rear building line, and along the northern side access passage.

The attached Geotechnical Assessment concludes the following:

'It is our preliminary assessment that the site is considered suitable provided (1) excavation methodologies are carried out, (2) all slopes are retained by engineered retaining walls or excavation faces are inspected by an experienced geotechnical engineer and (3) all footings are designed as per the recommendations outlined in this report subjected to a detailed geotechnical investigation.'

5.4 Environmentally Sensitive Lands

5.4.1 Foreshore Scenic Protection Area

As identified in Section 5.2 of this report, the site is mapped as being located in the Manly Foreshore Scenic Protection Area. Paragraph 5.4.1.1 of the DCP sets out additional matters for consideration for development within the Foreshore Scenic Protection Area as described and addressed in the following table.

Foreshore Scenic Protection Area 5.1.4.1- Additional matters for consideration	Compliance / comment
Development in the foreshore Scenic Protection Area must also:	
i. minimise the contrast between the built environment and the natural environment;	The site is located in an urbanised area of Manly and is not located in close proximity to any natural landscape features. The proposal is compatible with its context.
ii. maintain the visual dominance of the natural environment;	The location of the proposal will ensure the visual dominance of the natural environment is preserved.
iii. maximise the retention of existing vegetation including tree canopies, street trees, wildlife corridors and habitat	No significant tree removal is proposed as part of the application, with only one (1) tree to be removed. It is not anticipated that there will be any impact to No wildlife habitat or corridors.
iv. not cause any change, visually, structurally or otherwise, to the existing natural rocky harbour foreshore areas;	N/A
v. locate rooflines below the tree canopy;	The proposal will sit generally below the tree canopy of the street trees in the immediate locality, with an appropriate roof pitch incorporated into the dwelling design.
vi. consider any effect of the proposal when viewed from the harbour / ocean to ridgelines, tree lines and other natural features	The proposal is compatible and consistent with the scale and character of development in area.
vii. use building materials of a non-reflective quality and be of colours and textures that blend with the prevailing natural environment in the locality	The material and finishes selection are consistent and compatible with the surrounding built environment, are non-reflective and will not adversely impact the visual amenity of land in the foreshore scenic protection area.
Setbacks in the Foreshore Scenic Protection Area should be maximised to enable open space to dominate buildings, especially when viewed to and from Sydney Harbour, the Ocean and the foreshores in Manly.	The proposal includes a rear setback that exceeds Council's requirements. The development's landscape setting will prevail in any views to and from the site.

Having regard to the above, it is concluded that the proposal will not have an adverse impact on the Foreshore Scenic Protection Area.

6. Numerical Control Table

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

	Standard	Proposed	Compliance
Manly LEP 2013			
Lot Size	250m ²	709.1m ²	Yes – no change
Building Height	8.5 metres	8.917m	No Clause 4.6 variation Provided
Floor Space Ratio	0.4:1 (283.64m ²) DCP allows 300m ² as its an undersized lot	0.41:1 (292.6m ²)	No Clause 4.6 variation Provided Complies with DCP control
Manly DCP			
Residential Density/ Dwelling Size	Density Area D9 1/1150m ²	Proposed- 1	Yes
Wall Height	8m	6.55m (north) 4.66m (south)	Yes Yes
Number of Stories	2 Variations permissible	2 part 3	Yes- satisfies considerations for a variation
Side Boundary Setbacks	<u>North:</u> <i>Ground Floor –</i> 1/3 of 6.55m = 2.18m <i>First Floor –</i> 1/3 of 6.55 = 2.18m <i>Second Floor –</i> 1/3 of 8.14m = 2.7m <u>South:</u> <i>Ground Floor –</i> 1/3 of 4.66m = 1.55m	<u>North:</u> <i>Ground Floor -</i> 2.6m (garage) 1.447m – 1.585m (external stair) <i>First Floor –</i> 2.6 (ensuite and terrace) 1.635m – 1.810m (external stair) <i>Second Floor –</i> 3.2m (tv/fireplace) <u>South:</u> <i>Ground Floor –</i> 2.6m (garage)	Yes Merit assessment Yes Merit assessment Yes Yes

	<p><i>First Floor –</i></p> <p>1/3 of 4.66m = 1.55m</p> <p><i>Second Floor –</i></p> <p>1/3 of 7.905 = 2.635m</p>	<p>2.6m (bed 4 and mudroom) 1.36m – 2.275m (external stair)</p> <p>2.6m (planter bed) 3.75m (rumpus and void)</p>	<p>Yes</p> <p>Merit assessment</p> <p>Yes</p> <p>Yes</p>
Primary Front Boundary Setback	Prevailing building line or 6m	9.507m	Yes
Rear Boundary Setbacks	8 metres	8m	Yes
Parking	2 spaces	2 spaces	Yes
Open Space O/S Area 4	<p>Total O/S – 60% = 425.46m²</p> <p>Landscaped Area 40% of O/S = 170.184m²</p> <p>Above Ground - Maximum 25% of open space 106.365m²</p>	<p>67% (475.4m²)</p> <p>63.2% (269.1m²)</p> <p>18.3% (78m²)</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Solar Access (adjoining P o/s)	2/3 sunlight retained between 9am and 3pm on June 21.	Complies	Yes
Solar Access (Living rooms)	Change accordingly to orientation from DCP North-south 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 4 hours from 9am to 3pm on the winter solstice (21 June)	Complies	Yes

7. Section 4.15 Considerations

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

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

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

The development is permissible in the zone.

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

Context and Setting

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

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

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

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

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

The proposed new dwelling has been designed to complement the site and its surrounds. The proposal is appropriate and will have an appropriate impact on adjacent properties.

Access, transport and traffic

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

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

No conflict or issues will arise as a result of the proposed development. A compliant driveway and crossover will be provided as a part of the proposal.

Public domain

The proposed development will have a positive impact on the public domain.

Utilities

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

Flora and fauna

There will be no impact on local flora and fauna.

Waste

There will be no impact.

Natural hazards

The site is identified on the Manly Map C – Potential Geotechnical Landslip Hazard Areas Map as Area G1. A supportive Geotechnical Report is attached.

Economic impact in the locality

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

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

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

The proposed development is highly appropriate to the site with regard to all of the above factors. The proposal fits well within the context of the surrounds and is of an appropriate scale.

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

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

The proposed development will comply with the provisions of the Building Code of Australia and all relevant Council controls.

Construction

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

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

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

7.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*

- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the proposed development.

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

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

7.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

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

8. Conclusions

- 8.1 The proposed development for the demolition of the existing dwelling and construction of a new dwelling, at 2 Monash Crescent, Manly is appropriate considering all State and Council controls.
- 8.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3 Considering all the issues, the fully compliant development is considered worthy of Council's consent.

Planner Declaration

This report was prepared by:

Senior Planner: Susan May-Roberts

Report Version: Final

Document Control Table

Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
13/10/2025	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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