

STATEMENT OF ENVIRONMENTAL EFFECTS

4 GILBERT STREET, MANLY

PROPOSED DWELLING ALTERATIONS AND ADDITIONS

**PREPARED ON BEHALF OF
Mr & Mrs Rosnell**

JULY 2025

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling house upon land identified as Lot 10 in DP 589949 which is known as **No. 4 Gilbert Street, Manly**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Manly Local Environmental Plan 2013.
- Manly Development Control Plan 2013.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Survey Plus, Ref No. 24398_DET_1A, dated 10/06/2025.
- Architectural Plans prepared by R&R Building Design, Project No. 250305/DA and dated 10/07/2025.
- Shadow Diagrams and Certification prepared by R&R Building Design dated 11/07/2025
- BASIX Certificate No. A1800134_03 and dated 10/07/2025.
- Hydraulic Detail and Certification prepared by Prime Consulting Engineers Pty Ltd, Drawing No. H-25-1367, Issue A2 and dated 11/07/2025.
- Cost Summary Report
- Waste Management Plan.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

3. BACKGROUND

A number of previous Development Applications were lodged by the previous owners of the subject site. Most recently, DA202/0340 was lodged for the construction of dwelling alterations/additions and a swimming pool. This application was referred to Council's heritage consultant as the site is within proximity to Item I237 – Reserve Park. The comments provided by the Heritage Consultant are provided below:

The application seeks consent for partial demolition of the existing dwelling substantial alterations to the ground floor, including an extension of the dining room, an addition of a new first floor and alterations to the lower ground floor. The lower ground floor contains the existing garage with sandstone walls which are the only original fabric proposed to be retained. A new swimming pool and associated landscaping and a new front fence and gate were also included in the proposal.

The existing building is not a heritage listed item but it is considered to have potential heritage significance as it is a federation cottage built in 1930s. The features include face brick external walls, sandstone base, terracotta tiled roof and an entry portico with masonry piers. The building is adjacent to the heritage listed item I237 - Reserve Park. The park is elevated from the Gilbert Street with historically significant viewing point, natural rocks and cultural plantings. The entry portico of the existing building is accessed through the steps of the park. It is believed that the existing property is contributing the streetscape and the views of the historical park in its current form. A Heritage Impact Statement has not been provided and the Statement of Environmental Effects does not address the heritage issues. The proposal is described as alterations and additions although, it is understood that the only remaining part of the original fabric is the sandstone walls of the lower ground floor, which contains the existing garage. Heritage recommends to retain the front section of the dwelling along with the entry portico, front windows and the sandstone walls of the lower ground floor level. It is believed that, a more sympathetic design approach could be achieved in order to preserve the significance of the adjoining heritage item. Therefore, Heritage can not support the proposal in its current form.

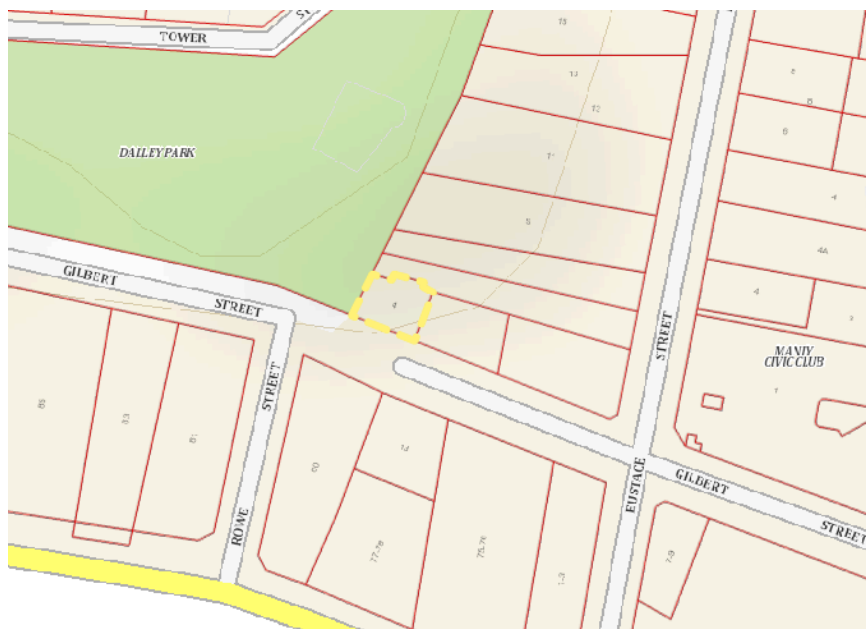
The current proposal has addressed these concerns. This has been achieved through the existing lower and ground floor level footprint, front entry portico and external fabric including the windows and brick/sandstone walls. The proposal merely provides for a new upper level.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 10 in DP 589949 which is known as No. 4 Gilbert Street, Manly. The site is located on the northern side of Gilbert Street, to the west of its intersection of Eustace Street, and with a street frontage of 15.475m. The site is generally rectangular in shape with an irregular rear boundary. The site has an area of 171.7m² with eastern and western boundaries having lengths of 11.77m and 10.375m, respectively.

The site benefits from an easement (identified as 'A' on the survey), over No. 5 Eustace Street, for recreation and horticultural purposes. The proposal provides for landscape works within this easement. Owners consent has been obtained from the owners of No. 5 Eustace Street.

The locality is depicted in the following map:



Site Location Map

The site has been previously excavated with a large rock face towards the western portion of the site. The site currently comprises a single storey two bedroom stone/brick and tiled roof dwelling over a lower level garage.

The site is located a short distance from Manly central business district and Manly Cove.

The site is depicted in the following photographs:



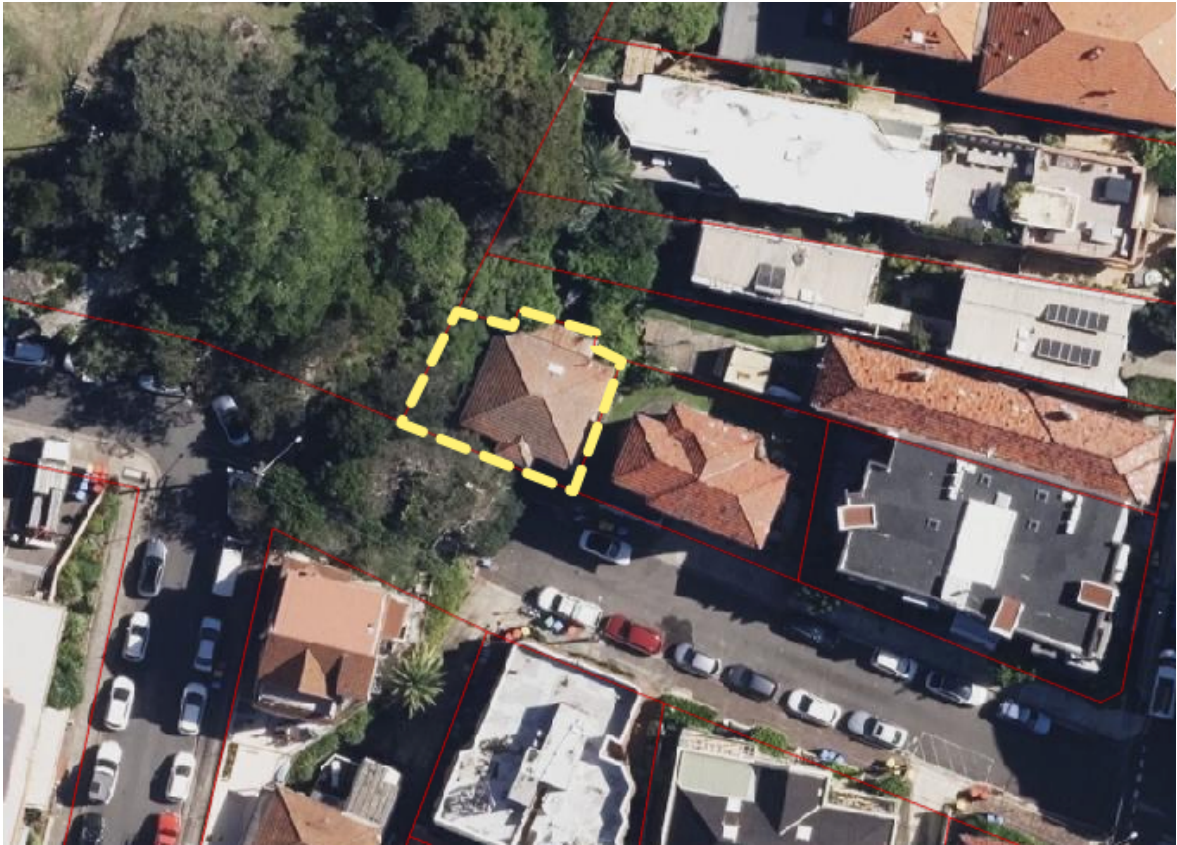
View of Site from Gilbert Street

Existing dwelling
at No. 4 Gilbert
Street



View towards site from Cnr of Gilbert and Eustace Street

The subject site is located within a residential area, predominantly characterised by multi-storey residential flat buildings. The site adjoins Dalley Park, a public reserve to the west. The site is located adjacent to an unformed portion of Gilbert Street, with public stairs providing public access to the western portion of Gilbert Street. The public stairs also provide access to the main pedestrian entry of No. 4 Gilbert Street. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

The following photos depict the existing streetscape in this portion of Whistler Street.



Development Opposite Subject Site – No. 13 Gilbert



**Development towards the southeast – No. 80 and 81 West Esplanade
which fronts upper Gilbert Street**



**No. 2 Gilbert Street,
immediately to the east of the subject site**

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to the existing dwelling.

Dwelling Alterations/Additions

The additions will be constructed of external clad walls and terracotta roof tiles to the main roof form with metal roof over the new stair. The proposed alterations / additions are described below:

Garage Level

No changes proposed to this level.

Ground Floor Level

- Addition to western elevation to provide laundry and new internal stair.
- Reconfigure floor plan to provide for new kitchen and upgrade bathroom/ensuite.
- New windows and doors as noted.

First Floor

- New first floor level to provide for three bedrooms (main with ensuite), bathroom and study.

Ancillary Work

The proposal also provides for minor landscape works to provide for a lawn area to the north of the dwelling. This is located within the easement (identified as A on the Survey Plan) on the adjoining northern property.

Stormwater

The proposal provides for all collected stormwater to be discharged to the existing gutter outlet in Gilbert Street.

The proposal will result in the following numerical indices:

Site Area: 171.7m²

Proposed Total Open Space: 42.9m² or 24.98%
(as defined)

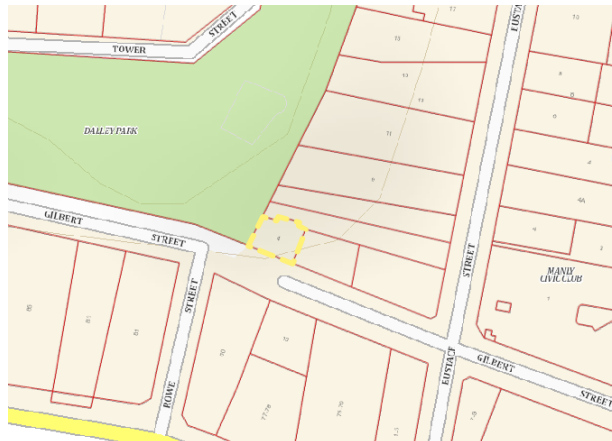
Proposed Soft Landscaped: 21.2m² or 22.4% of the required total open space

Proposed FSR: 165.28m² or 0.96:1

5. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Manly Council.

5.1 Planning for Bushfire Protection 2006



Extract of Bushfire Prone Lands Map

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R1 General Residential.

The objectives of the R1 Zone are as follows:

- *To provide for the housing needs of the community.*
- *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 development achieves these objectives by:

- ❑ Ensuring the proposal complements the existing streetscape and the existing surrounding properties.
- ❑ Retaining the existing amenity to the surrounding residences.
- ❑ Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Dwelling houses and associated structures are a permissible use in the R1 General Residential zone with the consent of Council. The following numerical standards are applicable to the proposed development:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	11m	11m	Yes
Clause 4.4 Floor Space Ratio	0.75:1	0.96:1	A Clause 4.6 Variation has been prepared and submitted with the application.

Clause 5.10 Heritage Conservation



Extract of Heritage Map

The subject site is not heritage listed nor is it located within a conservation area. However, the adjoining western public reserve (Item I237 – Tower Reserve, Tower Hill) is identified as a heritage item.

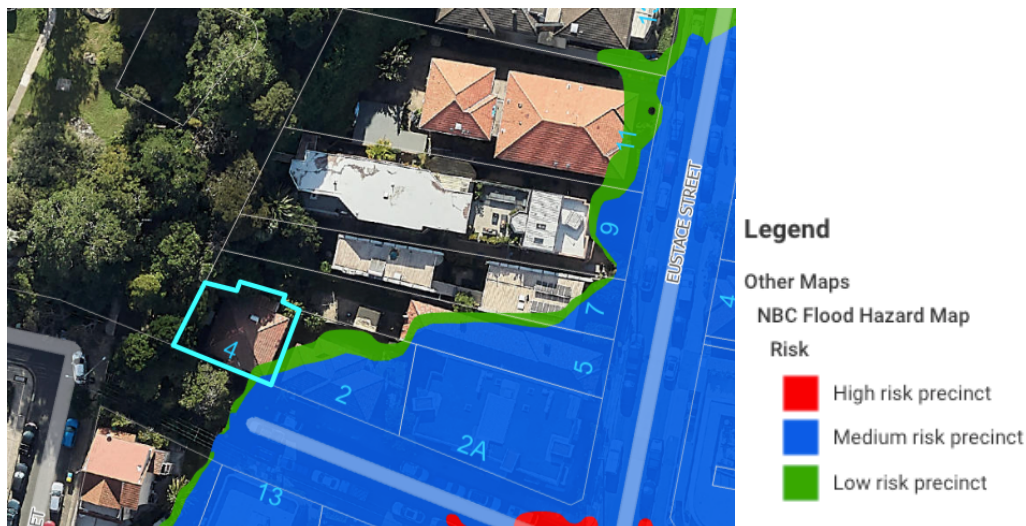
Given the topography of the site and its surrounds, with the subject site being substantially lower than the adjoining reserve, the proposed works will not be visible from the main area of the public reserve. The proposed additions will not affect views to or from the adjoining reserve. No further information is required in this regard.

Clause 6.1 Acid Sulfate Soils

The site is identified as Class 5 on Council's Acid Sulfate Soils Map. The proposal does not provide for any significant excavation and therefore no further investigation is required in this regard.

Clause 6.3 Flood Planning

The very front south east corner of the site is identified as a 'low risk precinct' on Council's Flood Hazard Map. All the works proposed are at or above the existing elevated ground level of the dwelling on site. This is located outside the flood precinct. There is no further information required in this regard.



The proposal complies with this clause.

Clause 6.9 Foreshore Scenic Protection Area

The site is located within the foreshore scenic protection area. The existing development to the south of the site, comprising multi-level residential flat buildings obscure any view of the site from West Esplanade and Manly Cove. As such the site and proposed additions will not be visible from the foreshore or ocean. Further the additions will not result in any overshadowing or loss of views of the foreshore.

There is no further information required.

There are no other specific clauses that specifically relate to the proposed development.

5.3 Manly Residential Development Control Plan 2013

The Manly DCP 2013 applies to all land where the LEP applies. Therefore the DCP applies to the subject development.

Part 3

Part 3 provides general principles applying to all development and Part 4 outlines development controls for specific forms of development including residential. The relevant provisions of **Part 3** are summarised below:

Clause 3.1.1 – Streetscape (Residential Areas)

The proposal provides for additions to an existing dwelling which is considered to be modest in height and bulk when having regard to the existing surrounding development. This portion of Gilbert Street is characterised by large multi storey residential flat buildings. Immediately to the east, No. 2 Gilbert Street comprises a four storey residential flat building. Opposite the site on the southern side of Gilbert Street, No. 13 Gilbert comprises a three storey residential flat building with a nominal setback to the street frontage. The proposed additions provide for a new first floor and result in a two storey single detached dwelling with parking under. The additions have been designed to respect the character of the existing dwelling and provide for a height (RL15.80) which is compatible with the streetscape, noting No. 2 Gilbert Street has a building height of RL 16.42. The proposed alterations/additions are compatible with the residential character of the locality and will not detract from the existing streetscape.

The architectural plans include montages will demonstrate the improvements to the streetscape.

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 complement 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*

It is considered that the proposal provides additions/alterations to the existing dwelling that are compatible with the existing surrounding streetscape.

Clause 3.1.1.1 Setback Principles in Higher Density Areas

In higher density areas (including LEP Zones R1 & R3), careful consideration should be given to minimising any loss of sunlight, privacy and views of neighbours. This is especially relevant in the design of new residential flat buildings adjacent to smaller developments.

The proposed additions maintain the existing setbacks to the south, east and north boundaries. The new addition to the west of the dwelling is setback 2.08m to the western boundary which adjoins a public reserve.

Given the north south orientation of the allotment, the proposal does not result in any significant overshadowing.

The new first floor provides for only bedrooms, a study and bathrooms, with all height use areas retained on the existing ground floor level. The proposal provides for only one (1) new window to the new first floor level on the eastern side elevation. This window serves a bedroom and is a highlight window with high sill height. The design of this window prevents overlooking into the adjoining properties.

The proposed additions will not obstruct any existing views from adjoining properties or the public domain.

Clause 3.1.1.3 Roofs and Dormers

The proposal provides for a new pitched roof form. This form of development is considered to be compatible with the streetscape with a variety of roof forms in this part of Gilbert Street.

Clause 3.3 - Landscaping

The proposal does not require the removal of any existing protected vegetation. The site benefits from an easement over the adjoining northern property for recreation and horticultural purposes.

The site is located within a medium density area with the majority of surrounding properties providing for little or no vegetation. The site also benefits from an adjoining public reserve.

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 additions/alterations that are of a height and bulk that is comparable with the existing surrounding development. The proposed development will not detract from the existing streetscape in this portion of Gilbert Street.
- The proposed alterations/additions retain the retain all high use living areas on the existing ground floor with only bedrooms, study and bathrooms on the new first floor level. The new first floor has been designed to ensure an appropriate level of privacy to the subject and adjoining sites. This is achieved by the considered location of window and door openings.
- Shadow diagrams have been prepared which does not result in any significant overshadowing. The proposal maintains adequate solar access to the adjoining properties.
- The subject site does not currently enjoy any significant views given the existing multi storey residential flat buildings to the south of the site on the opposite side of Gilbert Street.
- The proposal for additional floor area to provide a dwelling that can support a modern family without any detrimental impact. The proposal retains the single detached dwelling character.
- The proposal provides better access to and better utilises private open space.

Clause 3.5 - Sustainability

A BASIX Certificate has been submitted with the application.

Clause 3.7 - Stormwater Management

A Stormwater Management Plan has been prepared by Prime Consulting Engineers and is submitted with the application which depicts that all collected stormwater will be discharged to the existing outlet in the street gutter. The stormwater disposal will be in accordance with the Manly Specification for Stormwater Drainage 2003.

Part 4

The following numerical provisions of **Part 4** are considered relevant to the proposal:

Clause/ Design Element	DCP Requirement	Compliance/Comments
Residential Density & Subdivision	Density Area D2 – 1 dwelling per 150m ²	Yes The site area is 171.7m ² and the proposal does not seek to increase housing density.
Floor Space Ratio	Refer to LEP 0.75:1	Floor space ratio is 0.96:1. Refer to Clause 4.6 Variation request.
Wall Height	Height – 10.5m – sloping site	Yes The proposal provides for a maximum wall height of approximately 9.6m.
Number of Storeys	Three Storeys (Area 'L' on height map)	Yes Three storeys
Roof Height	2.5m above wall height	Yes
Parapet Height: 600mm above wall height.	600mm above wall height	Not Applicable
Maximum Roof Pitch	35°	Yes Refer to plans.
Building Setbacks	Front Setback – must relate to the front building line of neighbouring properties and prevailing building lines in the immediate vicinity.	Yes The wall of the existing dwelling on site is provided with a setback of 2.06m to the street frontage with the porch setback 0.8m. The development immediately to the east, No. 2 Gilbert Street is setback 1.8m to the street frontage. All developments in this portion of Gilbert Street provide for reduced setbacks ranging from 0m to 1-2m. The proposed additions do not encroach the existing front setbacks and are compatible with the established building line.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Side Setback – 1/3 of the height of wall.	<p>The new upper level provides for a setback of 1.07m to the eastern side boundary. Whilst not strictly complying with the numerical requirements of this clause, it is considered justified in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The first floor additions retains the existing boundary setbacks. • The first floor provides for only bedrooms, bathrooms and a study, with all high use living areas on the ground floor. The first floor does not result in a loss of privacy. • The site is significantly constrained by the reduced lot size and topography in particular the large rock face on the western portion of the site. As such there is limited opportunity for dwelling additions. • The site is located within a portion of Gilbert Street that is characterised by multi storey residential flat buildings with reduced boundary setbacks. The proposal provides for a development that complements the character of the area. • The proposal does not result in any unreasonable overshadowing. • The proposed additions, and in particular the non-complying side setback, does not result in any loss of views from surrounding properties.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Walls without windows may be constructed to one side boundary only, providing the objectives of this part can be met and the applicant can demonstrate no disadvantage to the adjacent allotment through increased overshadowing, or loss of view and no impediment to property maintenance.</p> <p>Rear Setback – Minimum 8.0 metres</p>	<p>Not Applicable.</p> <p>Existing rear setback retained. The existing dwelling is provided with a nominal setback to the rear boundary. The proposal replicates this setback. It is noted that the site benefits from an easement over the rear adjoining land for recreation and horticultural purposes and as such there is no detrimental impact on the adjoining property.</p>
Landscaping/Open Space	<p>Open Space Area 2: Minimum total open space: 50% of site area.</p> <p>Minimum soft open space as % of total open space: 30%</p>	<p>Proposed Total Open Space: 42.9m² or 24.98%</p> <p>Proposed Soft Landscaped: 21.2m² or 24.69% of the required total open space.</p> <p>The allotment is relatively small, being only 171m² and less than the minimum allotment size of 250m². The open space provided is comparable with the existing surrounding development.</p> <p>The only reduction in total open space and landscaped area is the from the proposed addition to create an internal stair which is required for access to the new first floor.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Minimum number of endemic trees: 1</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>The stair access is located on the western side of the dwelling which is surround by a rock outcrop and does <u>not</u> provide for good solar access or amenity.</p> <p>The site has benefit of an easement for recreation and horticultural purposes over the adjoining rear site. This application seeks for upgrade this area to increase usability. This north facing area is directly accessible from the internal living areas.</p> <p>The site is well located to beaches and areas of public open space, with a public park located immediately to the west of the site.</p> <p>Yes The proposal does not require the removal of any protected trees.</p> <p>Given the minimal allotment size it is unreasonable to require planting of any additional endemic trees on site.</p> <p>Yes The proposal has benefit of an easement over the adjoining northern property for recreation. The dwelling has direct access to this area and will be utilised for private open space.</p>
Parking and Access	<p>Minimum 2 Spaces per Dwelling.</p> <p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p>	<p>The site currently provides for a single car garage attached to the dwelling. There is no change to the existing parking and there is no opportunity for additional parking on site.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.	
First Floor Additions	Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues. Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences	Yes Existing side boundary setbacks retained. This has been discussed in greater detail previously in this report.
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Not Applicable

There are no other provisions of the Manly DCP that apply to the proposed development.

6. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. It is considered that the provisions of these documents have been satisfactorily addressed within this report. A Clause 4.6 Variation request has been prepared to address the non-compliance with the maximum floor space ratio development standard. It is submitted that this request is well founded and should be supported.

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

The Likely Impacts of the Development

It is considered that the development will provide for alterations to an existing single detached dwelling without detrimentally impacting on the character of the area. The proposal does not result in the removal of any protected vegetation. The design of the proposal is such that they do not result in any unreasonable loss of privacy, solar access or amenity.

The Suitability of the Site for the Development

The subject site is zoned R1 General Residential and the construction alterations and additions to an existing dwelling house in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with existing surrounding developments. The proposal does not result in the removal of any protected vegetation.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for additions to an existing dwelling that are compatible with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. A Clause 4.6 Variation request has been prepared to address the non-compliance with the maximum floor space ratio development standard. It is submitted that this request is well founded and should be supported. The proposal does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed alterations and additions to an existing dwelling upon land at **No. 4 Gilbert Street, Manly** is worthy of the consent of Council.

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July 2025