

The General Manager
Northern Beaches Council
1 Belgrave St, Manly NSW 2095

28/06/2024

Statement of Environmental Effects – minor alterations and additions 17 Dalwood Avenue, Seaforth

Dear Sir

This Statement of Environmental Effects (SEE) has been prepared to seek development consent for minor alterations and additions to the existing dwelling (the Proposal) at 17 Dalwood Avenue, Seaforth (the Site) in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This SEE provides a background to the Site and Proposal (refer to Section 1) site location and context (refer Section 2), a description of the Proposal (refer Section 3) and an environmental assessment in accordance with section 4.15 of the EP&A Act (refer Section 4). The following supporting documentation has been provided:

- Neighbour Engagement Letter Template (**Attachment A**)
- Survey Plan (**Attachment B**)
- Architectural Plans (**Attachment C**)
- Compliance table (**Attachment D**)
- Statement of Development Standard Exception (**Attachment E**)
- Setback Garage/Carport Analysis (**Attachment F**)
- Waste Management Plan (**Attachment G**)
- Bushfire Assessment Report (**Attachment H**).

In summary, the Proposal would not result in adverse impacts and would provide an improved amenity to the street frontage resulting in a positive addition to the surrounding streetscape and locality.

1. Background

1.1 Previous approvals

DA 262/2014

On the 14 August 2015 Development Application (DA) 262/2014 was approved by the then Manly Council (now part of Northern Beaches Council). The DA included 'the demolition of an existing dwelling, construction of a new two (2) storey dwelling house with decks, swimming pool and landscaping' on the Site. This dwelling has subsequently been constructed and occupied.

A number of conditions of consent were included within this previous approval including, amongst others Condition ANS06:

The width at the back of the layback shall not exceed 4.5m. The proposed hardstand car parking space may be moved westwards to achieve the playing on the crossover. Plans are to be amended accordingly and submitted to Council's Urban Services Department for approval, prior to the issue of any Construction Certificate.

The layback was subsequently altered to 4.5m and the plans resubmitted and approved. Notwithstanding this, the car parking space was not moved further westward, but retained the length (5.4m) approved with the DA.

The Proposal seeks to undertake minor alterations and additions to the dwelling constructed under DA 262/2014. Amongst other minor works, the southern car parking space is to be extended (as suggested in this condition however not implemented) to improve access and manoeuvrability.

1.2 Engagement

Neighbour engagement

Engagement has been undertaken with the occupiers of the neighbouring properties in the vicinity of, and with potential views to, the Site. A mailbox drop was undertaken on 24 March 2024 providing the surrounding neighbours the opportunity to discuss the Proposal. Dalwood Home (to the north) was engaged via email on 9 April 2024. Informal support was provided by three residents and Dalwood Home (Facilities Manager) formally raised no objection to the Proposal (email dated 10 April 2024). No other comments were received.

The properties which were consulted are shown in Figure 1. A copy of the letter has been provided at **Attachment A** of this SEE.



Figure 1 neighbouring property engagement (Site = red arrow, neighbours engaged with = purple markers)

2. Location and context

Site context and surrounds

The Site is situated on land legally described as Lot 2A, DP 17157 and is located at 17 Dalwood Avenue, Seaforth within the Northern Beaches Council Local Government Area (LGA). A Survey Plan identifying the site dimensions, existing topography and surrounding development is provided at **Attachment B** of this SEE.

The Site has a total area of 473.7m² and is a trapezoidal shape narrowing towards the rear. The Site includes a dwelling constructed under DA 262/2014 (refer to Section 1, above). The existing gross floor area (GFA) of the dwelling is 198.02m². The existing front setback of the dwelling is 5.3m to the building and approximately 0m to the existing first level stair structure.

The immediate surrounds of the Site include a low-density residential area which is characterised by 2 storey residential dwellings. Some of the surrounding properties include either garages or carports fronting the boundary line. The location of the Site in the context of its surrounds are shown within Figure 2 and Figure 3 respectively. Photos of the existing dwelling is provided in Figure 4 below.

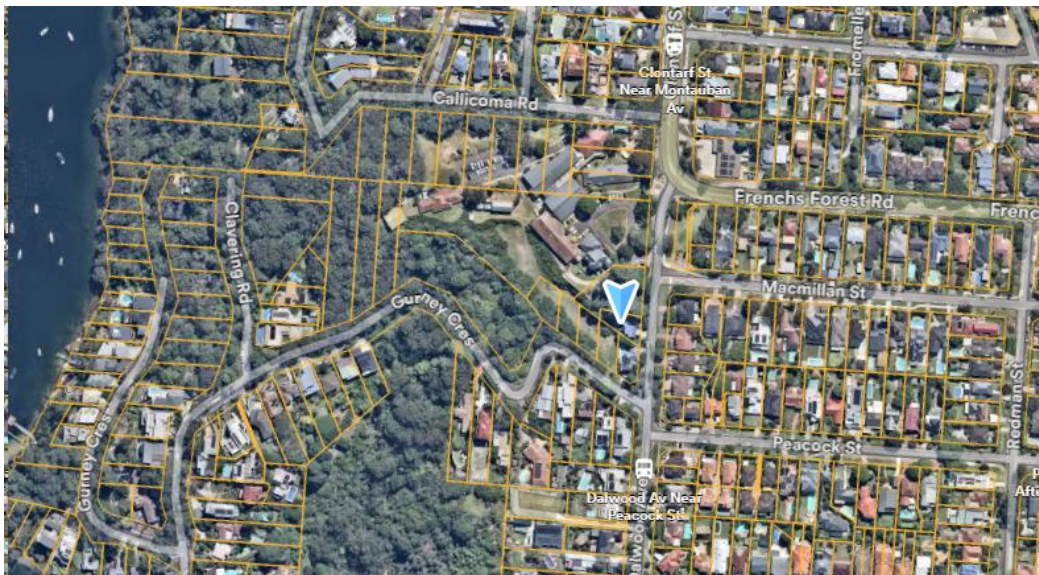


Figure 2 Site context (site shown with blue marker) / Source: Nearmap



Figure 3 Site and surrounds (site shown with blue marker) / Source: Nearmap



Existing First Floor open reflection area (viewing north)



Existing Front dwelling façade (view from streetscape).

Figure 4 Photos of existing dwelling

3. Proposal description

The Proposal includes minor alterations and additions to the existing dwelling. Architectural Plans (inc. materials and finishes) are included at **Attachment C** of this SEE. A general description of the works included within the Proposal are provided below, however the appended documentation should be referred to as they detail all works for which approval is sought.

The Proposal generally includes the following:

- Ground Floor –
 - Minor extension to existing car parking hardstand (southern space only)
 - Installation of carport
- First Floor –
 - Extension of study to enclose the existing open reflection area.

A front fence (along the boundary line) would also be installed however this is below 1.2m therefore does not require development consent and as a result is not part of this DA.

The Proposal does not include any change to the height of the building, side or rear established dwelling setbacks. A numeric overview¹ of the existing Site (dwelling and landscaping) and the Proposal is provided within Table 1.

Table 1 Proposal – numeric overview

Detail	Existing	Proposed
GFA	198.02m ²	204.03m ²
FSR	0.418:1	0.43:1
Front setback	Dwelling - 5.3m	Carport – 0m
	Stair structure – 0m (approx.)	No change to dwelling setback.

4. Environmental assessment

This Section of the SEE has been prepared to provide an environmental assessment of the Proposal in accordance with section 4.15 of the EP&A Act. Overall, the justification for the Proposal are as follows:

- Carport:
 - Articulation of the existing ‘block like’ building to improve the street frontage
 - Improve safety and manoeuvrability for car parking and access
 - Allow for weatherproof secure area to store cars and sheltered unloading area for occupants – particularly important longer term as weather incidents become more severe and frequent as a result of climate change
 - Obscure utilities (onsite detention and air conditioning) from street frontage to improve visual appearance.

¹ In accordance with the MLEP 2013 definitions.

- Move the southern car park space westward as originally envisaged by condition
- Study extension/reflection area enclosure:
 - Provide additional bedroom to accommodate occupants improving the functionality of the existing dwelling
 - Reduce noise emissions from occupants who would otherwise utilise the open reflection area (i.e. enclosure of this area reduces noise impacts)
 - Enclose an area which is not viewed from the street, or neighbouring properties and below the existing roof line and would continue the established building line.

4.1 Environmental planning instruments

The following environmental legislation and planning instruments are relevant to the Proposal:

- *Environmental Planning and Assessment Act 1979*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan 2013*

Note that *State Environmental Planning Policy (Sustainable Buildings) 2022* does not apply as the works, for which approval is sought, are below \$50,000. Notwithstanding this, sustainability (more broadly) is addressed within the compliance table provided within **Attachment D**.

An assessment of the Proposal in consideration of this relevant legislation and plan is provided below.

4.1.2 Manly Local Environmental Plan 2013

The *Manly Local Environmental Plan 2013* (MLEP 2013) provides development standards for part of the Northern Beaches Council LGA. The Site is located in 'Zone R2 Low Density', under the MLEP 2013. The Land Use Table indicates that dwelling houses are permissible with development consent in this zone.

An assessment of the Proposal in consideration of the development standards included within MLEP 2013 is provided within **Attachment D**. A summary of the compliance of the Proposal with key development standards is provided within Table 2.

Table 2 MLEP 2013 – Compliance overview (relevant development standards)

Development Standard	Details	Comments	Compliance
Zoning (Land Use Table)	R2 Low Density Residential	The Proposal is consistent with the zone objectives.	✓
<i>Permitted with consent</i>	Dwelling houses (and other uses)	The Proposal includes minor alterations and additions to an existing dwelling house.	✓
Floor space	0.4:1		✗

Development Standard	Details	Comments	Compliance
(Clause 4.4) ²			
Calculation of floor space ratio and site area (Clause 4.5)		The existing floor space ratio (FSR) of the dwelling is 0.418:1. The proposed FSR is 0.43:1. Notwithstanding this, the MDCP facilitates for an alternative FSR calculation which, when applied, places the FSR considerably below this development standard (refer to Section 4.2.1 below).	✓
Exceptions to development standards (Clause 4.6)	Exceptions to FSR can be considered.	A Statement of Development Standard Exception to the FSR control has been prepared and concludes that the minor additional FSR included within the Proposal would not adversely impact the locality or streetscape (refer to Attachment E).	✓
Heritage conservation (Clause 5.10)	Effect of proposed development on heritage significance must be considered.	The Site is located adjacent to the "Dalwood Home" (I270) which is a locally listed heritage item. Due to existing vegetation and topography the minor alterations would not be viewed from this heritage item and therefore the Proposal would not result in any adverse impacts. Further, the Dalwood Home (Facilities Manager) raised no objection to the Proposal when consulted (refer to Section 1.2 above).	✓
Foreshore scenic protection area (Clause 6.9)	Protect the visual amenity and views to and from the foreshore areas.	The Proposal would not alter any views from the surrounding Bantry Bay or greater harbour area.	✓

As identified within this assessment the Proposal complies with all of the relevant development standards within the MLEP 2013, with the exception of the FSR control. A Statement of Development Standard Exception (in accordance with clause 4.6) to the floor space development standards (clauses 4.4) is included at **Attachment E**. The additional floor space included within the Proposal is considered acceptable in that it is consistent with the objectives of clause 4.4 of the MLEP 2012 and would not be viewed from the streetscape or the surrounding locality.

² The MDCP 2013 (Section 4.1.3.1 – Exceptions to FSR for Undersized Lots) facilitates for the floor space ratio to be above this development standard, subject to meeting the LEP objectives and provisions of the DCP.

4.1.3 Manly Development Control Plan 2013

The Manly Development Control Plan (MDCP 2013) provides development controls for part of the Northern Beaches LGA.

An assessment of the Proposal in consideration of the development controls included within MDCP 2013 is provided within **Attachment D**. As identified within this assessment, the Proposal generally complies with all of the relevant development controls within the MDCP 2013.

4.2 Potential environmental impacts

4.2.1 Built form, bulk and scale

An overview of the proposed changes to the built-form, and their compliance with the key planning controls (MLEP 2013 and MDCP 2013) are provided in Table 3.

Table 3 Built-form alterations and additions numeric summary

Detail	Existing	Proposed
Site area	473.7m ²	473.7m ²
GFA	198.02m ²	204.03m ²
FSR (site area) – LEP (c4.4) – 0.4:1	0.418:1 (8.54m ² above control)	0.43:1 (14.55m ² above control)
FSR (750m²) DCP (s4.1.3) – 0.4:1	0.264:1 (compliant)	0.272:1 (compliant)
Front setback	Dwelling - 5.3m	Carport – 0m (approx.)
	Stair structure – 0m (approx.)	No change to dwelling setback.

The Proposal includes the alterations and additions to an existing dwelling to improve, amongst other aspects, its visual appearance and soften its presence within the streetscape. Alterations to the front façade include a carport (integrated into the existing dwelling at Ground Floor) which contributes to a greater articulation of the building without dominating the structure. The carport albeit located at the front boundary is generally 'light weight' in nature and partially open and therefore would not detrimentally alter the perceived bulk and scale of the dwelling when viewed from the streetscape.

The study extension/reflection area enclosure would not be viewed from the street or surrounding properties. Regardless, this area would comprise of materials and finishes which are consistent with the existing built form. Further this area would not project outside of the established building envelope, in that the wall would be located directly below the existing roof line of the dwelling. As a result, this alteration would seamlessly integrate into the existing dwelling.

In summary, the built form, bulk and scale of the Proposal is considered appropriate having regards to its high-quality design and consistency with the surrounding residential context.

4.2.2 Other considerations

An overview of the other potential environmental impacts posed by the Proposal is provided within Table 4. Overall, the Proposal would result in either a positive or neutral environmental impact.

Table 4 Other potential environmental impacts

Potential impact	Details
Surrounding residential amenity	The alterations and additions included within the Proposal have been designed to ensure that there are no adverse impacts on the privacy, views from, and solar access to, surrounding residential properties. There may be a minor noise reduction from the study extension/reflection area enclosure with residents no longer utilising this balcony, but instead, an enclosed space.
Residential amenity of the dwelling	The Proposal is considered to improve the amenity for the occupants of the dwelling including the following: <ul style="list-style-type: none"> ▪ Safety – the carport would provide weather protection for both vehicles and residents. ▪ Functionality – the study extension/reflection area enclosure would provide additional accommodation for the occupants of the dwelling. ▪ Visual aesthetics – the works would improve the look of the existing dwelling, in particular with the proposed carport softening the existing façade and improving the street presence.
Waste management	The Proposal would generate waste during both construction (alterations and additions) and occupation of the dwelling. The waste generated through construction would be managed by the contractor with opportunities to recycle and reuse employed where reasonable, feasible and practical. <p>A Waste Management Plan (WMP) is provided within Attachment G of this SEE. The WMP details waste management measures which would be undertaken for the Proposal.</p> <p>Overall, the waste management for the Proposal, during construction and occupation is considered a suitable and consistent approach within the existing residential context.</p>
Bushfire	A Bushfire Assessment Report is provided at Attachment H of this SEE. The Site is identified on the 'Bush Fire Prone Land Map' as being within a "Vegetation Buffer". The highest bushfire Bushfire Attack Level to the enclosure of the existing open reflection area is 'BAL FZ'. Notwithstanding this, as a result of the minor nature of the works the report recommends that this aspect of the Proposal is constructed to BAL 40, which is consistent with the DA (DA 262/2014) for the constructed dwelling. <p>The carport, which is not located on the northern boundary (which includes the potential bushfire threat) is to be constructed to BAL 40.</p> <p>The Proposal is therefore considered consistent with the relevant bushfire requirements.</p>
Surface water management	The Proposal would result in an extremely minor increase in permeable area through the increase of the length of the hard stand area (southern parking space only). Drainage from the carport would provide a greater opportunity for water capture and reuse, with water from the roof being directed to the existing onsite detention tanks.

Potential impact	Details
Heritage preservation	<p>The Proposal would not result in any impacts to the significance of the adjoining heritage item (Dalwood Home) in that:</p> <ul style="list-style-type: none"> ▪ The Site and buildings listed are separated by dense vegetation and are at considerably differing ground levels (due to topography – residential dwelling is generally below the ground level of the item) ▪ There would be extremely limited or no views from the heritage item to the proposed works ▪ No physical works would be undertaken outside of the site boundary and therefore there would be no direct impacts on this item ▪ External works would be generally minor, are consistent with the character of the area, and would not detract from the item.
Suitability of the site	<p>The Site is considered suitable for the Proposal in that:</p> <ul style="list-style-type: none"> ▪ It is zoned for residential use and includes an existing residential dwelling ▪ It is of a shape and size suitable to accommodate the proposed alterations and additions to the dwelling ▪ It is in an established residential area with dwellings of similar bulk and scale. <p>Therefore, the Site is considered suitable for the Proposal.</p>
The public interest³	<p>The Proposal includes alterations and additions to improve the amenity and usability of the dwelling for the intended residents and also to soften the appearance of the building to maximise its integration into the surrounding streetscape. The Proposal has been designed to integrate into the surrounding streetscape and provide a positive visual impact on the character of the locality.</p> <p>In addition to this, short term employment would be created as a result of the alterations and additions to be undertaken to the dwelling and Site.</p> <p>Therefore, the Proposal is considered to be in the interest of the public.</p>

³ Refer also to the Statement of Development Standard Exception (Attachment C of this SEE) for further discussion in relation to the public benefit (particularly the minor additions to floor space) included within the Proposal.

5. Conclusion

The Proposal includes alterations and additions to an existing dwelling at 17 Dalwood Avenue, Seaforth.

The Proposal is considered generally consistent with all relevant legislation and plan, including the EP&A Act, MLEP 2013 and MDCP 2013. An exception to this, is that the Proposal includes additions to floor space which would increase the FSR of the Proposal above the development standard (clause 4.4) of the MLEP 2013. Notwithstanding this, the MDCP 2013 facilitates an alternative approach to the measurement of FSR resulting in the Proposal being below the criteria.

Overall, the Proposal, although including a departure from the floor space development standard, provides a generally positive outcome which would be realised through an improved presence and aesthetics of the dwelling when viewed from the streetscape and neighbouring properties.

The Proposal would make a positive contribution to the locality and not result in any unacceptable adverse environmental impacts. Therefore, the Proposal is considered to be in the interest of the public.

Please do not hesitate to contact the undersigned should you have any questions regarding any of the above.

Yours sincerely



Westley Owers
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ATTACHMENT A: NEIGHBOUR ENGAGEMENT LETTER TEMPLATE

24/03/24

Hi Neighbour,

RE: Minor alterations and additions (Development Application) – 17 Dalwood Avenue, Seaforth

We are currently preparing a Development Application (DA) for minor alterations and additions to our home at 17 Dalwood Avenue, Seaforth.

The works generally include the following:

- Ground floor (Dalwood Street frontage) –
 - Installation of carport – protect cars from the elements.
- First Floor (northern frontage – not street facing – no views from surrounding area)
 - Extension of study to enclose the existing balcony area – enable the activation of another bedroom.

The works are architecturally designed and would complement the existing dwelling, improving its appearance and the surrounding streetscape (particularly breaking up the ground floor blank façade). There would be no adverse impacts to your or neighbouring properties as part of these works.

We are looking to submit the DA in early April 2024. If you have any questions please reach out to Wes, details below.

Regards,

< Redacted for DA submission >

ATTACHMENT B: SURVEY PLAN

ATTACHMENT C: ARCHITECTURAL PLANS

ATTACHMENT D: COMPLIANCE TABLE

**ATTACHMENT E: STATEMENT OF DEVELOPMENT
STANDARD EXCEPTION**

**ATTACHMENT F: SETBACK GARAGE/CARPORT
ANALYSIS**

Setback garage/carport analysis

This analysis provides examples of other residential properties within the immediate locality (and the former Manly LGA) which have either a carport or garage located on the front boundary (i.e. no setback to the street frontage).

It is clear that many properties (over 40) include either a carport or garage on the front property boundary. Several are in immediate proximity to the Site, on Dalwood Avenue and Peacock Street, Seaforth. The Proposal would be consistent with this characteristic of development within the locality and would improve the streetscape through high quality design and visual appearance. As a result, the location of the proposed carport is considered appropriate.

An overview of the properties with either a carport or garage at the front boundary are shown in Figure 5 and Table 1.

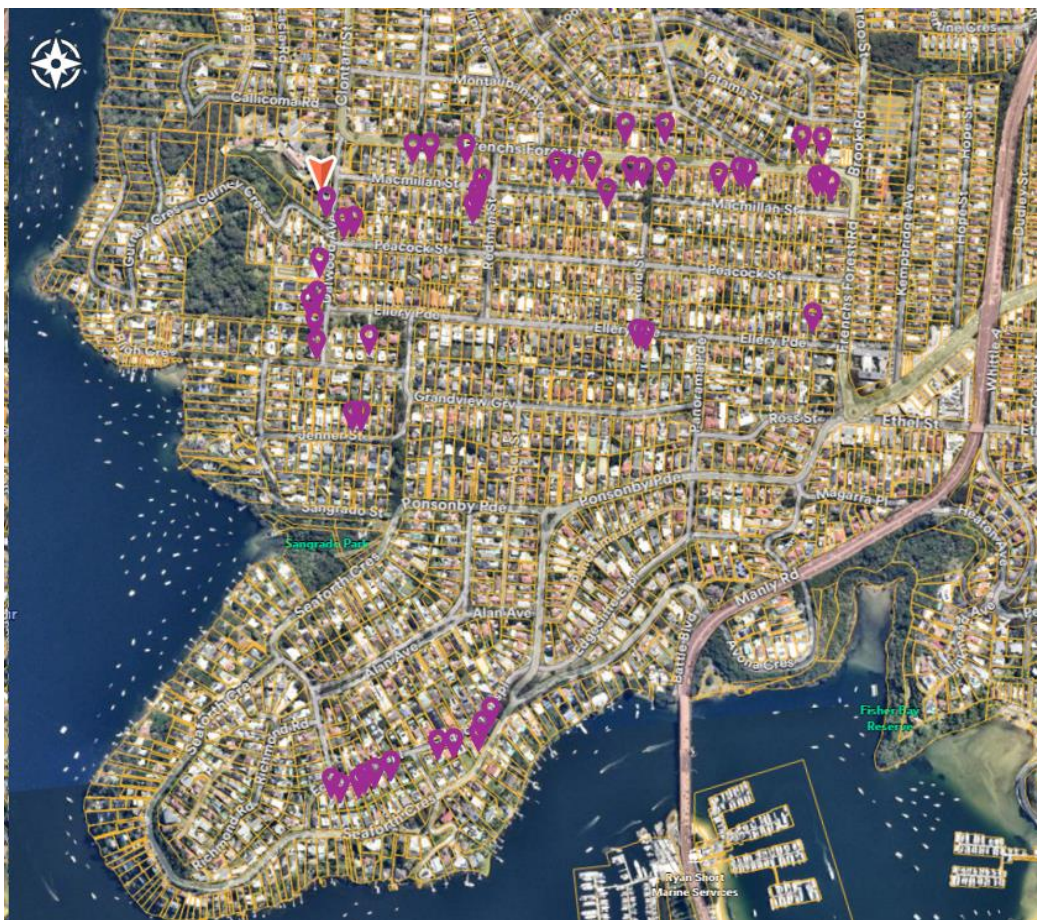


Figure 5 Setback carport/garage analysis map (purple marker = carport/garage at front boundary, red marker = the Site)

Table 5 Setback carport/garage analysis listings

Address	Carport	Garage
1 Dalwood Avenue, Seaforth		✓
1A Dalwood Avenue, Seaforth		✓
2 Dalwood Avenue, Seaforth		✓
10 Dalwood Avenue, Seaforth		✓
13 Dalwood Avenue, Seaforth		✓
100 Peacock Street, Seaforth		✓ x 2
2 Ellery Parade, Seaforth		✓
29 Ellery Parade, Seaforth		✓
31 Ellery Parade, Seaforth		✓
32 Macmillan Street, Seaforth		✓
34 Macmillan Street, Seaforth		✓
43 Macmillan Street, Seaforth		✓
45 Macmillan Street, Seaforth	✓	
56 Macmillan Street, Seaforth		✓
66 Macmillan Street, Seaforth		✓
70 Macmillan Street, Seaforth		✓
74 Macmillan Street, Seaforth		✓
92 Macmillan Street, Seaforth		✓
125 Macmillan Street, Seaforth		✓
129 Macmillan Street, Seaforth		✓
17 Redman Street, Seaforth	✓	
19 Redman Street, Seaforth		✓
21 Redman Street, Seaforth		✓
23 Redman Street, Seaforth		✓
25 Redman Street, Seaforth		✓
10 Jenner Street, Seaforth		✓
12 Jenner Street, Seaforth		✓
6 Harvey Street, Seaforth		✓
46 Frenches Forest Road, Seaforth	✓	
48 Frenches Forest Road, Seaforth	✓	
68 Frenches Forest Road, Seaforth	✓	
76 Frenches Forest Road, Seaforth		✓

Address	Carport	Garage
17 Edgecliff Esplanade, Seaforth		✓
19 Edgecliff Esplanade, Seaforth		✓
21 Edgecliff Esplanade, Seaforth		✓
25 Edgecliff Esplanade, Seaforth		✓
39 Edgecliff Esplanade, Seaforth	✓	
43 Edgecliff Esplanade, Seaforth		✓
45 Edgecliff Esplanade, Seaforth		✓

ATTACHMENT G: WASTE MANAGEMENT PLAN

ATTACHMENT H: BUSHFIRE ASSESSMENT REPORT