



WILLOW TREE  
PLANNING

# Statement of Environmental Effects

Proposed Two-lot Torrens Title Subdivision  
and Residential Dwelling

50 Grandview Grove, Seaforth NSW 2092  
(Lot 235 in DP 4889)

Prepared by Willowtree Planning Pty Ltd on behalf of PDC  
Holdings Pty Ltd



## Statement of Environmental Effects

Proposed Two-lot Torrens Title Subdivision and Residential Dwelling  
50 Grandview Grove, Seaforth (Lot 235 DP 4889)

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### APPENDICES

Appendix	Document	Prepared by
1	DCP Compliance Table	Willowtree Planning
2	Council Minutes dated 10 January 2019	Northern Beaches Council
3	Clause 4.6 Variation Statement	Willowtree Planning
4	Architectural Plans	Clarendon Homes
5	Survey Plan	Aspect Development and Survey Pty Ltd
6	Landscape Plan	Riverview Landscape Design
7	Subdivision Plan / Civil Design	Orion Consulting Engineers
8	Stormwater Design and Details	Ibrahim Stormwater Consultants
9	Arborist Report	Naturally Trees
10	Preliminary Geotechnical Assessment	White Geotechnical Group
11	Waste Management Plan	Christian Rueda
12	Cost Summary Report	Orion Consulting

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## PART A PRELIMINARY

### 1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning on behalf of PDC Holdings Pty Ltd (the applicant), and is submitted to Northern Beaches Council (Council) to support a Development Application (DA).

This DA seeks development consent for Torrens Title subdivision and a residential dwelling at 50 Grandview Grove, Seaforth (the Site). The Site is legally described as Lot 235 in DP 4889.

The primary objective of the proposal is to create allotments that are suitable for low-density residential development, consistent with surrounding land uses within the Seaforth low density residential area. Further to the above, the future Lot 235A will developed for the purpose of a residential dwelling under this DA.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 50 and Part 1 of Schedule 1 of the Environmental Planning and Assessment Regulations 2000. Assessment against the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been carried out.

Based on the assessment undertaken, it is recommended that favourable consideration to the approval of the Development Application be given.

### 1.2 PRE-LODGEMENT CONSULTATION

A Pre-Lodgement Meeting was held with Northern Beaches Council on 10 January 2019 with Luke Perry and Clair Ryan.

It is noted that since the Pre-Lodgement Meeting the scope of works has been revised to include the erection of a residential dwelling on the future Lot 235A.

**Table 1. Pre-Lodgement Notes**

Council Comments	Applicant Response
Stormwater Management <i>The proposal is acceptable in relation to stormwater management. Council prefer design Option 1.</i>	Design option 1 has been applied to the Site as per Council's request.
Park Assets – Planning Design and Delivery  Arborist report required	Arborist report has been provided and is attached at <b>Appendix 9</b> .
Development Engineering and Certification  Stormwater and vehicle access requirements are to be designed in accordance to relevant controls pertaining to <i>Manly Development Control Plan 2013</i> .	All stormwater and access requirements have been designed to comply with all relevant standards outlined in <i>Manly Development Control Plan 2013</i> .

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## PART B SITE ANALYSIS

### 2.1 SITE LOCATION AND CHARACTERISTICS

The Site is identified as 50 Grandview Grove, Seaforth and is legally described as Lot 235 in DP4889.

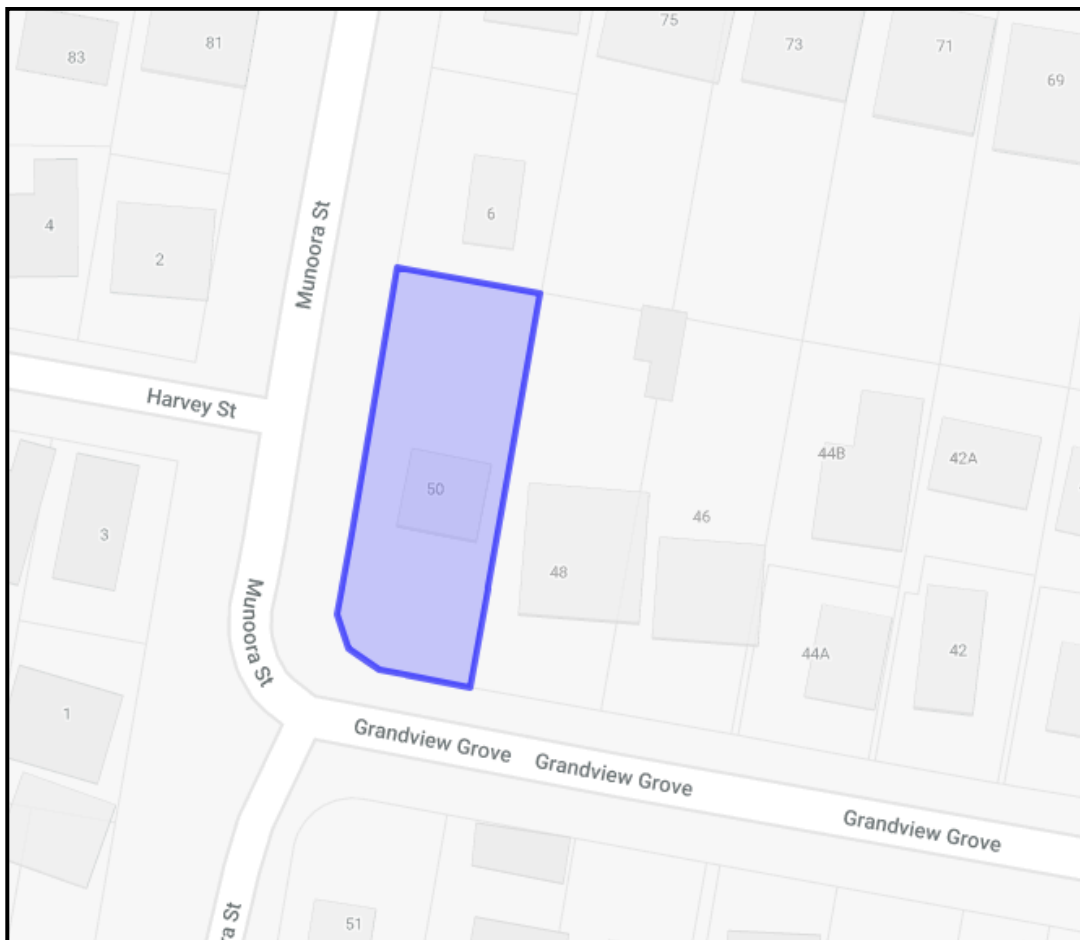
The Site has an area of approximately 1,363.6m<sup>2</sup> with a primary frontage to Grandview Grove to the south. Access to the Site is afforded via Munoorra Street.

The Site has recently undergone demolition works for the clearing of the two-storey residential premises that was located on the northern end of the existing Lot; the Site is now vacant. The Site is located on the north-east side of Grandview grove and immediate locality is characterised by low density residential developments.

Surrounding land uses in the immediate vicinity include:

- North – Ellery Parade and Low density residential development;
- South – Low density residential development and Sangrado Park
- East – Low density residential and Balgowlah RSL Memorial Club; and
- West – Low density residential development and Peach Tree Bay.

The Site and the surrounding context are shown in **Figures 1** and **2** below.



**Figure 1: Cadastral Map** (Near Map, 2019)

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**Figure 2: Aerial Map** (Near Map, 2019)

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## PART C PROPOSED DEVELOPMENT

### 3.1 OVERVIEW

This DA seeks consent for a two lot Torrens Title subdivision to provide a suitable platform for future low density residential development, consistent with surrounding land uses. Additionally, consent is sought for the erection of a residential dwelling on proposed Lot 235A.

The following objectives have been identified as forming the basis of the proposed development:

- Ensure minimal environmental and amenity impact;
- Support residential generating land uses; and
- Ensure development is compatible with surrounding development and the local context.

The proposal is considered to meet the objectives as it enables the creation of two (2) residential allotments and a residential dwelling on land that has been zoned for the purpose of low density residential development.

### 3.2 DEVELOPMENT STATISTICS

Consent is sought for the two-lot subdivision and associated development of proposed Lot 235A. All future development associated with proposed Lot 235B will be subject to a future Development Application (DA).

The development particulars are identified in **Table 2** below.

Table 2. Development Statistics	
Component	Proposed
<b>Subdivision</b>	
Site Area	1,364m <sup>2</sup>
Proposed Subdivision	Proposed Lot 235A – 753.97m <sup>2</sup> Proposed Lot 235B – 610.03m <sup>2</sup> Total Site Area – 1,364m <sup>2</sup>
<b>Built Form</b>	
Proposed Building Type	Proposed Two-storey residential dwelling to be developed on Lot 235A.
Gross Floor Area	Ground Floor – 155.8m <sup>2</sup> First Floor – 170.4m <sup>2</sup> Total Gross Floor Area = 326.2m <sup>2</sup>
Floor Space Ratio	0.43:1
Building Height	The proposed development will have a building height of <b>9.7m</b> . It is understood that the permissible building height within the R2 Low Residential Zone is currently 8.5m. A Clause 4.6 Variation has therefore been prepared ( <b>Appendix 3</b> ) to formally justify the proposed height non-compliance.
Number of Storeys	Two (2)
Landscaping	Landscaping will be provided as a part of the single dwelling development. This includes fencing around the side and rear boundaries, shrubs and turf within and 3 trees spread around the lot. The proposed development has a generous amount of open space consisting of 71.5% of the Site, of this open space landscaping consists of 56.3% of the total Site.



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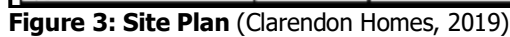
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Earthworks	Minor earthworks are proposed as a part of this application refer to <b>Part E</b> for further detail.
Roads / Driveways	An ingress/egress is proposed for access to the proposed subdivided lots. This is to be located at Grandview Grove and Munoorra Street. Both driveways have proposed width of 4.2m.
Car Parking	The proposed dwelling includes a double enclosed garage which will accommodate two parking spaces for the dwelling.
Tree Removal	The proposed development is proposing to remove 2 trees, refer to <b>Part E</b> of the report for further detail.
Cost of works	\$647,687.00

**Figure 3** below show a Site Plan including the proposed subdivision layout and the location of the future residential dwelling.

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## PART D LEGISLATIVE AND POLICY FRAMEWORK

### 4.1 STATUTORY PLANNING FRAMEWORK OVERVIEW

This part of the SEE assesses and responds to the legislative and policy requirements for the proposal in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act). The statutory planning framework relevant to the preparation of the SEE includes:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *State Environmental Planning Policy (Building Sustainability Index BASIX) 2004*

### 4.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The EP&A Act is the principle planning and development legislation in New South Wales. Pursuant to Part 4, the proposal is local development.

#### 4.2.1 Section 4.15(1) of the EP&A Act

**Section 4.15(1)** of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **Table 3** below.

Table 3. Section 4.15(1)(A) Considerations	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	All relevant Environmental Planning Instruments are Addressed in Part D.
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	No draft instruments are applicable to this application.
Section 4.15(1)(a)(iii) any development control plan, and	The <i>Manly Development Control Plan 2013</i> (MDCP2013) applies to the Site.
Section 4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	N/A
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed in <b>Section 4.3</b> .
Section 4.15(1)(b)-(c)	Refer to <b>Part E</b> .

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### 4.2.2 Section 4.46 of the EP&A Act – Integrated Development

Section 4.46 of the EP&A Act defines 'integrated development' as matters which require consent from Council and one or more authorities under related legislation. In these circumstances, prior to granting consent, Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development

The proposed development is not considered to be an integrated development of any sort under the EP&A Act.

### 4.3 ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

The proposal has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). Clause 50 and Part 1 of Schedule 1 of the EP&A Regulation stipulates how a DA must be "made". This DA satisfies the relevant criteria of the Regulation as follows:

- Clause 50(1)(a) – All required documentation has been provided in the ensuing sections of this report.

Further, the proposal does not trigger 'Designated Development' pursuant Schedule 3 of the EP&A Regulation.

### 4.4 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Act 2016* (BC Act) seeks to ensure the protection and management of biodiversity and threatened species. The purpose of the BC Act is to maintain a healthy productive and resilient environment for the greatest wellbeing of the community, now and into the future, consistent with the principals of ecologically sustainable development. The BC Act is supported by a number of regulations including the *Biodiversity Conservation Regulation 2017* (BC Regulation).

The Site is currently a vacant lot. The proposal seeks to propose a two-lot subdivision and a residential dwelling on proposed Lot 235A. The Site does not contain any threatened species, this is further supported in the Arborist Report attached at **Appendix 9**.

Therefore, further consideration of the BC Act is not warranted in this instance.

### 4.5 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX BASIX) 2004

The aim of this Policy is to establish a scheme to encourage sustainable residential development (the BASIX scheme) This on-line assessment tool calculate the dwelling's energy and water scores based on a range of design data.

The BASIX has been established as a scheme to encourage sustainable residential development. All residential developments must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out.

The proposed architectural plans attached at **Appendix 4** have been assessed against the BASIX and are provided with a list of commitments.



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### 4.6 STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017

Part 3 Clause 10 of the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* outlines situations where a permit for clearing of vegetation may be issued:

- (1) *A council may issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State.*
- (2) *A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.*
- (3) *A permit under this Part cannot allow the clearing of vegetation:*
  - (a) *that is or forms part of a heritage item or that is within a heritage conservation area, or*
  - (b) *that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,*  
*unless the council is satisfied that the proposed activity:*
    - (c) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and*
    - (d) *would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.*
- (4) *A permit may be granted under this Part subject to any conditions specified in the permit.*

The proposal does not trigger the threshold for the Biodiversity Offset Scheme. The Site is also not identified to be of heritage or Aboriginal significance hence it is considered that a permit for vegetation clearing can be issued.

### 4.7 MANLY LOCAL ENVIRONMENTAL PLAN 2013

The *Manly Local Environmental Plan 2013* (MLEP2013) is the primary environmental planning instrument that applies to the site.

The relevant provisions of MLEP2013 as they relate to the subject site are considered below:

#### 4.7.1 Zoning and Permissibility

The Site is located in the R2 Low Density Residential zone under the MLEP2013 as illustrated in **Figure 4**.

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

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

Within the R2 zone the following are permissible without consent:

*Home-based child care; Home occupations*

Within the R2 zone the following are permissible with consent:

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; **Dwelling houses**; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Shop top housing; Signage; Water recreation structures; Water recycling facilities; Water supply systems*

Within the R2 zone the following are prohibited:

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*Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3*

The proposed residential dwelling is permissible with consent. The proposed subdivision and earthworks are ancillary to the development of the Site for residential purposes and therefore are permissible with consent.

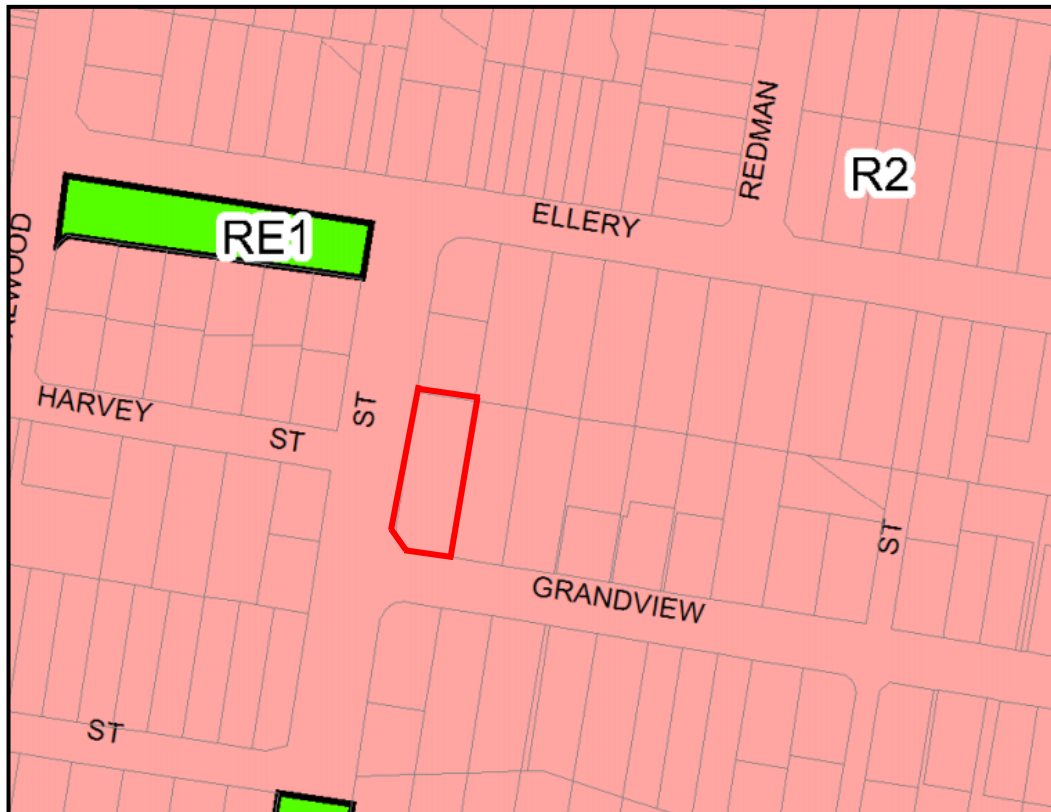


Figure 4: MLEP2013 Zoning Map (NSW Legislation, 2019)

**Table 4** outlines the proposals consistency and compliance with the relevant development standards and controls under MLEP2013.

Table 4. Development Standards	
Clause	Comment
Clause 4.1 – Minimum Lot Size	The Site is subject to a minimum lot size of 600m <sup>2</sup> . The proposed subdivided lots are considered to be of sufficient sizes to accommodate the proposed and future low-density residential dwellings.
Clause 4.3 – Height of Buildings	<p>The Site is subject to a maximum height of 8.5m. The proposed residential dwelling located at proposed Lot 235A has a proposed height of <b>9.7m</b>.</p> <p>A Clause 4.6 Variation has been attached in <b>Appendix 3</b> of this report for non-compliance of this matter.</p>
Clause 4.4 – Floor Space Ratio	The Site is subject to a floor space ratio (FSR) of <b>0.45:1</b> . The proposed residential dwelling at proposed Lot 235A is subject to an FSR of

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	<b>0.43:1</b> therefore compliant with the permissible FSR prescribed to the Site.
Clause 5.10 – Heritage	The Site is not identified as an item of environmental heritage nor is it located within a heritage conservation area. The Site is not located in close proximity of any heritage items or heritage conservation areas.
Clause 6.1- Acid Sulfate Soils	The Site has been identified as a Class 5 Acid Sulfate Soils however, does not require any further investigations as it is not within 500m of adjacent Class 1,2,3 or 4 acid sulfate soils.
Clause 6.2 Earthworks	The proposal will consist of minor earthworks to the Site. This is detailed further in <b>Part E</b> .

### 4.8 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the Site.

### 4.9 NON-STATUTORY PLANNING FRAMEWORK OVERVIEW

The following non-statutory development control and strategic plans apply to the Site and proposed development.

- *Manly Development Control Plan Development Control Plan*

#### 4.10 MANLY DEVELOPMENT CONTROL PLAN 2013

The *Manly Local Environmental Plan 2013* supplements the MLEP2013 and provides a comprehensive framework to guide development in the Local Government Area.

The objectives of the MDCP2013 are as follows:

- Ensure that development contributes to the quality of the natural and built environments.*
- Encourage development that contributes to the quality of our streetscapes and townscapes.*
- Ensure that development is economically, socially and environmentally sustainable and to require the principles of ecologically sustainable development to be taken into consideration when determining DAs.*
- Ensure future development has consideration for the needs of all members of the community.*
- Ensure development positively responds to the qualities of the site and its context.*
- Ensure development positively responds to the heritage and character of the surrounding area.*

A comprehensive assessment of the proposal, in particular the residential dwelling, against the relevant provisions of MDCP2013 is provided in **Appendix 1**.

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## PART E LIKELY IMPACTS OF THE DEVELOPMENT

Pursuant to Section 4.15 of the EP&A Act, 1979, the following matters have been addressed.

### 5.1 CONTEXT AND SETTING

The proposed subdivision and development has been designed for the purposes of low-density residential accommodation consistent with the intended development of land within the R2 zone. The proposal will promote the efficient and appropriate use of the Site through the creation of lots suitable for low density residential development. The proposed development is compatible with surrounding land uses including established residential housing. Although it is understood that the proposed development exceeds the permissible height applicable to the Site, appropriate justification has been applied as a part of the Clause 4.6 Variation attached at **Appendix 3**.

The proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity of any adjoining sites. Therefore, the proposed subdivision and development is considered compatible with the site context.

### 5.2 TRAFFIC & TRANSPORT

Access to the proposed residential dwelling on Lot 235A will be off Grandview Grove. A driveway will be located on the southern boundary of the Site providing ingress/ egress to the Site and direct access to the double garage that will form part of the proposed development at the Site.

Future access to Lot 235B will be addressed as part of any future development application.

### 5.3 CIVIL DESIGN

#### 5.3.1 Easements

The proposal includes a two-lot subdivision and associated residential development at proposed Lot 235A.

The proposed residential development will comprise of minor civil works to proposed Lot 235A, including:

1. Proposed drain pipe to be drained out to the kerb along Grandview Grove; and
2. Proposed sewer pipe to be connected to existing sewer pipe.

The proposed pipes outlined above are provided in further details at **Appendix 7**.

#### 5.3.2 Earthworks

Earthworks are proposed across the Site to facilitate development of the allotments. Cut and fill works are required on Site to facilitate the proposed development of Lot 235A and future development of Lot 235B. A Cut and fill plan has been prepared (**Appendix 7**) to demonstrate the depths of cut and fill required for the development, ranging from 0.5m to 1.0m of fill. Detailed analysis of the cut and fill is shown on Plan 2 of the accompanying **Appendix 7**.

#### 5.3.3 Stormwater

A Stormwater Management Plan has been prepared by Ibrihim Stormwater Consultants at **Appendix 8**. A rainwater tank will be provided at the south-west corner of the Site to be developed, this tank will provide 3140L rainwater tank with pipes to supply garden taps and internal reuse to be connected as per architectural details. The stormwater design has been appropriately illustrated in the plans provided in **Appendix 8**, further details on pits, downpipes and gutter outlets have all been provided throughout.



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### 5.4 GEOTECHNICAL

A Geotechnical Assessment has been prepared by White Geotechnical Group (**Appendix 10**). The assessment concludes there are no geotechnical or topographic constraints identified that would preclude or restrict the proposed subdivision or future development of the Site.

### 5.5 WASTE

A Waste Management Plan (WMP) (**Appendix 11**) has been provided to outline the details and type of volume of excavation and fill that will be undertaken on the Site. Any waste during this phase of the development will be appropriately stored, transported, recycled and disposed of in accordance with the accompanying WMP.

### 5.6 FLORA AND FAUNA

An Arborist Report has been prepared by Naturally Trees (**Appendix 9**). An assessment of the existing trees on site has been undertaken to determine the health of the trees and likely impact from the proposed development. Overall the proposal seeks to remove four (4) trees which are located to the north of the Site. Trees 1, 2 and 3 to be removed are of moderate to high significance however, these are proposed to be appropriately compensated with replacement planting within the Site and on the nature strip.

Further to the above, the development proposes to remove Trees 4 and 5 of which neither of these are considered to have significant value and therefore do not warrant special measures to ensure their preservation.

### 5.7 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is located within an established residential area and is zoned for R2 Low Density Residential under MLEP2013. The proposed subdivision will create allotments that are suitable for residential development, which is consistent with the zoning of the site and surrounding context. The proposed residential development at proposed Lot 235A has been designed appropriately in respect of the surrounding context.

Accordingly, the site is considered to be suitable for the subdivision and development and is consistent with the aims and objectives of the R2 zone in that it seeks to facilitate future residential development that responds to the characteristics of the land and is compatible with surrounding land uses.

### 5.8 SUBMISSIONS

No submissions are apparent at the time of writing. However, the applicant is willing to address any submissions, should they be received by Council.

### 5.9 THE PUBLIC INTEREST

The proposed development will have no adverse impact on the public interests. The development of the site will be carried out for the purpose of facilitating proposed and future residential housing generating activities that shall result in a positive impact for the Northern Beaches LGA and the broader Region.

Overall, the proposal will uphold the public interest as no adverse environmental, social or economic impact is to result from the development.

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## PART F CONCLUSION

The proposed subdivision and residential dwelling of 50 Grandview Grove (Lot 235 in DP4889), is permissible with consent pursuant to MLEP2013. The proposal will create two (2) new allotments for proposed and future development of residential accommodation. The proposal is consistent with the objectives of the R2 low density residential zone as well as the existing and established lot typologies within the Seaforth residential area.

This SEE provides an assessment of the proposal against the relevant environmental planning framework, including MLEP2013 and MDCP2013. The assessment finds that the proposal is consistent with the objectives and controls of the relevant instruments and policies. No significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed development. Rather, the proposal will provide for positive impacts, including facilitating the efficient and suitable development of residential areas.

In summary, it is considered that the proposal should warrant a favourable determination for the following reasons:

- The proposal facilitates the future development of the site for residential purposes. The Site has a minor non compliance in height which has been appropriately justified as a Clause 4.6 Variation and is considered to appropriately supported.
- The proposed subdivision, and intended future development are highly compatible with surrounding land uses and positively contribute to the residential character of the surrounding locality.
- The proposal is permitted with consent in the R2 Low Density Residential zone pursuant to MLEP2013.
- The proposal is consistent with the objectives and provisions of the MDCP2013.
- The future development of the Site will provide a design that will respond positively to the site conditions and the surrounding urban environment.

The proposed is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this report, the matters for consideration under Section 4.15 of the EP&A Act have been satisfactorily addressed demonstrating the proposal is compatible with the surrounding environment.

Accordingly, it is recommended that Council grant development consent to the proposal.