



Alterations & Additions to:  
SP 31425.  
Unit 5, 9 Eustace Street,  
Manly  
NSW 2095



## Statement of Environmental Effects (SOEE)

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## Forward

Cradle Design has prepared this Statement of Environmental Effects (SoEE) on behalf of the owners of Unit 5, 9 Eustace Street, Manly. It supports a Development Application to Northern Beaches Council for alterations and additions to the existing property.

The proposed Unit 5 works are in addition to works proposed to Unit 1 and the general strata area. Both Unit 1 and the general strata are subject to separate development applications. All gross floor areas noted include any additions as part of these separate development applications and are noted as such.

In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act, 1979 as amended.*
- The Environmental Planning and Assessment Regulation 2000.*
- Manly Local Environmental Plan 2013*
- Manly Development Control Plan 2013*

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Design Drawings that accompany this statement:

DA-000	-	LOCATION PLAN & DOCUMENT SCHEDULE
DA-500	-	SITE PLAN
DA-501	-	SITE ANALYSIS PLAN
DA-502	-	EXISTING & DEMOLITION PLANS
DA-503	-	EXISTING & DEMOLITION ELEVATIONS
DA-504	-	FLOOR, ROOF & STORMWATER PLANS
DA-505	-	EAST ELEVATIONS
DA-506	-	NORTH & SOUTH KEY ELEVATIONS
DA-507	-	NORTH & SOUTH UNIT 5 ELEVATIONS
DA-508	-	SECTIONS A & B
DA-509	-	SHADOWS 9am 21 JUNE
DA-510	-	SHADOWS 12pm 21 JUNE
DA-511	-	SHADOWS 3pm 21 JUNE
DA-512	-	BASIX COMMITMENTS - 1 OF 3
DA-513	-	BASIX COMMITMENTS - 2 OF 3
DA-514	-	BASIX COMMITMENTS - 3 OF 3
DA-515	-	FINISHES SCHEDULE
NP-501	-	NOTIFICATION PLAN
NP502	-	NOTIFICATION ELEVATIONS
STATEMENT OF ENVIRONMENTAL EFFECTS - CRADLE DESIGN		
BASIX CERTIFICATE A433084		
SITE SURVEY 16697Adetail 2- CMS SURVEYORS		

## **1.0 INTRODUCTION**

Cradle Design has prepared this Statement of Environmental Effects on behalf of THE owners of Unit 5, 9 Eustace Street, Manly. It supports an application to Northern Beaches Council for alterations and additions to the subject property.

The proposed development has been assessed against the relevant requirements and guidelines set by Northern Beaches Council. In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act, 1979 as amended.
- The Environmental Planning and Assessment Regulation 2000
- Manly Council Local Environmental Plan (LEP) 2013
- Manly Council Development Control Plan (DCP) 2013
- SEPP (Basix) 2004

This statement should be read in conjunction with drawings DA-000 to DA-515 and all development application documentation submitted via the NSW Planning Portal.

In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

The proposed development does not present any significant impact to the environment or the amenity of the surrounding dwellings. Favourable consideration is requested.

## 2.0 THE SITE

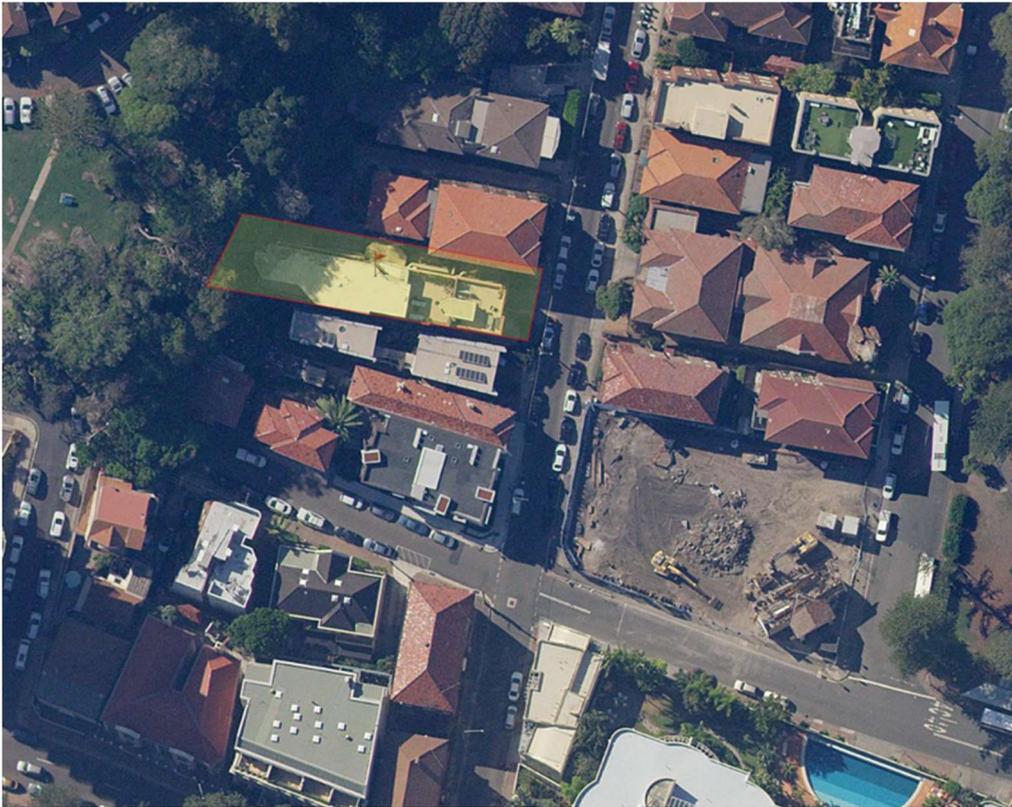


Figure 1 – Site Location Plan (courtesy of six maps)

The subject site is on Eustace Street just off the West Esplanade/ Manly Wharf foreshore. It offers proximity to an extensive public transportation network connecting to the city and northern beaches, shops, and schools.

The surveyed site area is 697.4m<sup>2</sup> on strata lot SP 31425.

The site falls west to east. The existing strata apartments sit above a basement car park and step up from Eustace Street to the public reserve behind. The strata apartments fill the majority of the site,

Please refer to drawings DA-500, DA-501 and the Site Survey Plan for further details of the site, boundaries, levels, prevailing breezes and solar access.

### Locality and Site Context

The surrounding neighbourhood is a mix of multi-residential apartments and mixed-use development of varying heights, 2 to 5 storeys, and a church/ community hall facility.

Manly wharf and foreshore are within 100m south of the property, Manly oval to the north and Manly CBD to the east. The west boundary is council reserve hillside land with pathway connections to Rowe and Tower Street. 9 Eustace has a back-gate access from the public footpath.

Vehicular and pedestrian access is currently via Eustace with the existing driveway running perpendicular to Eustace Street. The existing pedestrian entry is located on the front boundary.

### **3.0 PROPOSED DEVELOPMENT**

The proposed unit 5 works are illustrated in drawings DA-500 to DA-515 prepared by Cradle Design Pty Ltd.

The proposed works include;

- Extending the upper enclosed area (upper terrace) located on the existing terrace to include a rumpus area and bathroom.
- Removal of one window to the kitchen, replaced with brickwork to match existing (remaining southern glazing to remain)
- Internal alterations to bedrooms.
- No changes to strata areas or car parking are proposed as part of this application.

The alterations and additions are complimentary to, and compatible with, the local streetscape and match with the existing apartment complex design.

A Clause 4.6 variation is submitted as part of this application for Floor Space Ratio exemption;

PERMISSIBLE FLOOR AREA -  $0.75/1 (697.4m^2 \times 0.75) = 523.1m^2$

\*EXISTING FLOOR AREA = approx.  $618.2m^2$  (18.2% over permissible)

ADDITIONAL UNIT 1 AREA =  $14.4m^2$  (as part of separate DA application)  
ADDITIONAL UNIT 5 AREA =  $19.3 m^2$

\*PROPOSED FLOOR AREA =  $651.9m^2$  (24.6% over permissible)

VARIATION BETWEEN PERMISSIBLE & PROPOSED = 24.6%

#### 4.0 COMPLIANCE WITH SITE CONTROLS & PLANNING INSTRUMENTS

Building Controls:	Control	Existing	Proposed	Compliance
Site Area	-	697.4m <sup>2</sup>	As existing	-
Floor Space Ratio (FSR)	0.75:1 (523.1m <sup>2</sup> )	0.89:1 (629.5m <sup>2</sup> )	0.94 (651.9m <sup>2</sup> )	No
Density	1 unit/150m <sup>2</sup>	8	8	Existing to remain
Maximum building height (m)	11m	Varies under 11m	Under 11m	Yes
Wall height	9m flat 10.2m for 1:5.3 gradient (north side). 9.8m for 1:8 gradient (south side)	8.81m U/S U5 Terrace level @ north wall 9.02m U/S U5 Terrace level @ south wall	Refer to architectural drawings for wall heights	Yes
Front building set-back (m)	Prevailing immediate vicinity or 6m	Existing	Existing (proposed works 10.5m back)	Yes
Rear building set-back (m)	Prevailing immediate vicinity or 8m	Existing	No change	Yes
Side setback (m)	1/3 of the wall height	3m	3m	Yes
Number of Storeys	Height Area 'L'	3 Storeys + basement	3 Storeys + basement	Yes
Total open space	50% = 348.7 required 3m min, 12m <sup>2</sup> min unbroken	411.4m <sup>2</sup>	371.5m <sup>2</sup>	Yes
Landscaped area	Min 30% of open space area = 104.61m <sup>2</sup>	Existing	Existing (no change)	Yes
Private open space	12m <sup>2</sup> min per Unit connected to Living area (3m min, 12m <sup>2</sup> min)	Varies per Unit	Unit 5 – 32m <sup>2</sup> + 23m <sup>2</sup>	Yes
Car parking	1 per Unit 0.2 per 2-bed Unit 0.5 per 3-bed Unit 0.25 per Unit Visitor parking	12 space + 2 visitor spaces	12 space + 2 visitor spaces	Yes

\* We have provided a written justification for the variations to the development standard as part of this statement.

## **5.0 STATUTORY PLANNING FRAMEWORK**

### **Manly Local Environmental Plan 2013**

#### **Zone R1 General Residential**

##### **Objectives of zone**

- 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.

The proposed development is permissible with development consent and meets the objectives of the zone in providing a variety of housing types and densities.

#### **LEP 4.3 – Height of Building**

(1) The objectives of this clause are as follows

- (a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,
- (b) to control the bulk and scale of buildings,
- (c) to minimise disruption to the following

- (i) views to nearby residential development from public spaces (including the harbour and foreshores),
- (ii) views from nearby residential development to public spaces (including the harbour and foreshores),
- (iii) views between public spaces (including the harbour and foreshores),
- (d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,
- (e) to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The proposed Unit 5 additional area sits well below the 11m height line. It is set back around 10m from the front boundary, behind the existing front set back.

#### **LEP 4.4 – Floor Space Ratio**

The site is located within AREA I with an FSR control of 0.75:1

The LEP objectives of this clause are as follows —

- (a) to ensure the bulk and scale of development is consistent with the existing and desired streetscape character,

- (b) to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,
- (c) to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,
- (d) to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,
- (e) to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres.

PERMISSIBLE FLOOR AREA -  $0.75/1 (697.4\text{m}^2 \times 0.75) = 523.1\text{m}^2$

\*EXISTING FLOOR AREA = approx.  $618.2\text{m}^2$  (18.2% over permissible)

ADDITIONAL UNIT 1 AREA =  $14.4\text{m}^2$  (as part of separate DA application)  
ADDITIONAL UNIT 5 AREA =  $19.3\text{m}^2$

\*PROPOSED FLOOR AREA =  $651.9\text{m}^2$  (24.6% over permissible)

VARIATION BETWEEN PERMISSIBLE & PROPOSED = 24.6%

Refer to Clause 4.6 variation submitted as part of this application.

\*Note – above areas excluded the basement carpark, common open areas and open staircases.

#### **LEP 6.1 – Acid Sulphate Soils**

The site is located on classification 4 & 5. The proposed works will not require any excavation or site disturbance.

#### **LEP 6.8 – Landslide Risk**

The land is not considered a landslip risk.

#### **LEP 6.9 – Foreshore Scenic Protection**

(1) The objective of this clause is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly

The proposed development is not seen from Sydney Harbour, the manly ocean beachfront or the foreshores in Manly, hence there is no impact on the visual amenities and views from these areas.

## Manly Development Control Plan 2013

### Part 3 General Principles of Development

#### DCP 3.1 – Streetscapes and Townscapes

The proposed development does not have a negative impact on the existing street. The extension to Unit 5 has been set back to minimise the visual impact of the additional built area.

3D photomontage images have been provided below, showing the minimal impact to the streetscape by the proposed Unit 5 upper terrace extension.

The roof height of the Unit 5 upper terrace extension has been raised 340mm.

View north towards 9 Eustace Street and in front showing existing situation



View north towards 9 Eustace Street and in front showing proposed Unit 5 Extension





### **DCP 3.4 – Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)**

Relevant DCP objectives to be met in relation to these paragraphs include the following:

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 including noise and vibration impacts.
2. To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.

The proposed design will have minimal effect on overshadowing to 7 Eustace street or other apartments at 9 Eustace Street.

The proposed design will not affect any views towards the Manly Foreshore, ocean front or harbour.

The proposed design will minimise noise transmission between apartments and neighbouring properties (particularly 11 Eustace Street). The proposed new area will minimise noise transfer to Unit 8 open terrace area to the west.

The proposed design will provide greater privacy for the unit 5 owners and neighbouring properties ( 11 Eustace Street). Currently the whole open terrace has direct line of sight into various rooms of 11 Eustace street and vice versa. This will be significantly improved by the new built area, while still maintaining an outdoor terrace of 32m<sup>2</sup>.

### **DCP 3.4.1 – Sunlight Access and Overshadowing**

The proposed extension to Unit 5 will have negligible impact to the neighbouring properties (7 Eustace Street) or other apartments within the 9 Eustace Street complex. Refer to accompanying shadow diagrams for further details.

The new built area and terrace will receive sunlight throughout the day with skylights and high level northerly windows providing solar access in addition to the large east facing glazing.

No change to the existing apartments access to sunlight is foreseen by the proposed changes. The new enclosed areas will receive the minimum 2 hours direct sunlight between 9am and 3pm at mid-winter (refer to shadow diagrams for illustrated examples).

### **DCP 3.4.2 – Privacy and Security**

The proposed works improve the visual and acoustic privacy of Unit 5 occupants and neighbouring properties. The current open terrace is visible from adjacent buildings and Unit 8/ 9 Eustace Street.

The new design will provide greater visual privacy for 11 Eustace Street apartments which can be directly viewed from the existing terrace.

### **DCP 3.4.3 – Maintenance of Views**

The proposed Unit 5 extension will not impact any neighbouring views.

The proposal is sufficiently set back from boundaries and neighbouring properties as to not feel bulky or enclosing.

### **DCP 3.7 - Stormwater Management Plan**

Existing stormwater drains and downpipes are proposed to be reused to capture water from new proposed area.

## **Part 4 Principle development standards**

### **DCP 4.1.2.1 – Wall Height**

The proposed Unit 5 extension sits well within the wall height controls. Refer to accompanying drawings for details.

### **DCP 4.1.3 - Floor Space Ratio**

The DCP objectives of this clause are as follows —

1. To ensure the scale of development does not obscure important landscape features
2. To minimise disruption to views to adjacent and nearby development.
3. To allow adequate sunlight to penetrate both the private open spaces within the development site and private open spaces and windows to the living spaces of adjacent residential development.

The existing and proposed floor space ratio are in excess to the site control.

The existing residential building provides medium density urban housing and comprises eight (8) apartments on a site area of 697.4m<sup>2</sup>, with 620.5m<sup>2</sup> gross floor area.

The additional Unit 5 apartment area (and additional Unit 1 apartment area – see separate development application) will take the total area to 651.9m<sup>2</sup>

PERMISSIBLE FLOOR AREA - 0.75/1 (697.4m<sup>2</sup> x 0.75) = 523.1m<sup>2</sup>

\*EXISTING FLOOR AREA = approx. 618.2m<sup>2</sup> (18.2% over permissible)

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VARIATION BETWEEN PERMISSIBLE & PROPOSED = 24.6%

A Clause 4.6 variation to a development standard has been submitted as part of this application.

\*Note – above areas excluded the basement carpark, common open areas and open staircases.

### **DCP 4.1.4.1 - Street Front Setbacks**

The proposal works to the front of the property is located 4.4 behind the building front line (apartment walls) and 10.5 m back from the street boundary. The proposal will not alter the front setback or streetscape.

### **4.1.4.2 - Side Setbacks**

The new enclosed area on level 4 complies with side set back controls and all windows are 3m or more from any boundary.

#### **DCP 4.1.4.4 - Rear Setbacks**

No Change to rear setbacks proposed as part of this development application.

#### **DCP 4.1.5.3 - Private Open Space**

The proposal provides a minimum private open space for Unit 5 as follows:

Main Level 4 terrace – 32m<sup>2</sup>

Level 3 balconies (north, south and east) – 23m<sup>2</sup>

Refer to accompanying drawings for details.

### **6.0 CONCLUSION**

The proposal is permissible within Council's current LEP2013 & DCP2013, and is considered to be consistent with the objectives of the zone.

Although the proposal does not wholly comply with the Council's present numerical controls, it has been demonstrated that there would be no significant adverse environmental impact to any adjoining or nearby property.

As a result of this assessment it is concluded that the alterations and additions to Unit 5/ 9 Eustace Street, are likely to have a positive environment impact and is therefore considered to be in the public interest and appropriate for the support of Northern Beaches Council.

Favourable consideration is requested.

## **APPENDIX A - Site Photograph's**

1. View looking west towards 9 Eustace street façade (level 5 terrace on top)



2. View looking west to existing unit 5 access to terrace (Unit 8 and neighbours beyond)



3. View looking east across Eustace Street to neighbouring properties



4. Looking west at spaces between unit 5 terrace and 11 Eustace Street



5. Looking west at spaces between unit 5 terrace and 7 Eustace Street



6. Looking North from terrace



7. Looking North east from terrace



8. Looking East from terrace



9. Looking south from terrace



10. Looking South East from Terrace



11. Internal shots of kitchen and existing windows (far window right to be removed)

