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# REVISED STATEMENT OF ENVIRONMENTAL EFFECTS

## **S4.55 (1a) – Modification with minimal environmental impact To Development Application DA2021/0423**

For Alterations and Additions to a dwelling house,  
including a swimming pool

13 Redman Street  
Seaforth NSW 2092

By A. Elboz *Director*  
Space Landscape Designs Pty Ltd

9<sup>th</sup> May 2022

## **1.0 Introduction**

On behalf of the owners we apply to Northern Beaches Council under the provisions of Section 4.55 of the Environmental Planning and Assessment Act, 1979 to modify the approved DA.

The modified works are consistent and similar to the approved DA. It has been prepared in accordance with the relevant policy and legislation as set out by Northern Beaches Council. Consideration has been given to Manly Local Environmental Plan (LEP) 2013 and Manly Development Control Plan (DCP) 2013, Environmental Planning and Assessment Act 1979 and applicable State Environmental Planning Policies.

We seek to modify the approved Development Application DA2021/1363 approved on 27 May 2021 for Alterations and Additions to a Dwelling House, including a swimming pool.

The modification that are sought include the following:

- Increase height of approved masonry retaining wall from 1300mm to 2600mm high and relocate 520mm closer the rear boundary.
- Replace approved decking to the north of the alfresco area with crazy paving
- Replace part of tiled side access path with turf
- Relocated side gate and fence return with new steps and low retaining wall adjacent to dwelling

## **1.0 Site Description and Location**

The site is known as 13 Redman Street, Seaforth NSW 2092 (Lot 8, D.P. 19148). The site is a rectangular shaped block located on the corner of Peacock Street and Redman Street. The land falls from the rear NW of the site to the front SE approximately 7.7m. The property adjoins residential dwellings. A new dwelling was approved under a separate CDC application. The site area is 571.5m<sup>2</sup>.

## **2.0 Locality and Planning**

The site is located within Northern Beaches Council. This Statement of Environmental Effects has been prepared in accordance with the relevant policy and legislation as set out by Northern Beaches Council.

Consideration has been given to Manly Local Environmental Plan (LEP) 2013 and Manly Development Control Plan (DCP) 2013, Environmental Planning and Assessment Act 1979 and applicable State Environmental Planning Policies.

### **SEPP No.55 – Remediation of Land**

The site has an established history of residential zoning and use and has not been zoned for industrial, agricultural or defence purposes at any time. Therefore there is no evidence to suggest the land is likely to be contaminated and render it unsuitable for continued residential use.

## **4.0 MLEP 2013**

### **Zoning**

The site is zoned R2 Low Density Residential and therefore is suitable for the development. Provisions of Manly LEP 2013 as relevant to the proposed modification:

#### CI 4.3 Height of buildings

<b>Standard</b> 8.5m	<b>Proposed</b> N/A The modification does not propose a change in the building height of the existing dwelling.
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#### CI 4.4 Floor Space Ratio

<b>Standard</b> 0.4:1	<b>Proposed</b> N/A –The proposed modification does not alter the existing FSR
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#### CI 4.6 Variation to Development Standards

The proposed development does not contravene the development standard.

#### CI 5.10 Heritage Conservation

The site does not contain a heritage item nor is it located in a heritage conversation area.

#### CI 5.11 Bush Fire Hazard Reduction

The subject site is not identified as Bushfire Prone Land.

#### CI 6.1 Acid Sulfate Soils

The subject site is identified as Class 3 on Council's Acid Sulfate Soils Map. The modification will not lower the water table to below 1 metre.

#### CI 6.2 Earthworks

The proposed modification will not have any detrimental impact on surrounding land.

### 5.0 Manly Development Control Plan 2013

The objectives of the primary controls set out in the Manly DCP and the compliance with those controls are outlined below.

## PART 3

### 3.1 Streetscape and Townscape

#### 3.1.1 Streetscape (Residential areas)

*To minimise any negative visual impact of walls, fences and carparking on the street frontage.*

The proposed modification to the side fence on Peacock Street is to relocate the fence return 4.5m towards the rear of the site. This will be an improvement to the streetscape as it is removing 4.5m of fencing and allowing more planting to be visible which will further assist in minimising the built form. A small retaining wall 440mm high is required to maintain ground levels with new steps added adjacent to the dwelling. It will not cause any unreasonable visual impact in the street due to its minor nature.

*To ensure development generally viewed from the street complements the identified streetscape.*

The modification is minor with less fencing visible which complements the streetscape.

#### 3.1.1.2 Front Fences and Gates

No Change proposed to Redman Street.

### 3.2 Heritage Considerations

The site does not contain a heritage item nor is it located in a heritage conversation area.

### 3.3 Landscaping

#### 3.3.1 Landscaping Design

The modification is a small increase to the planting of 3 additional *Crassula 'Max Cook'* to the approved Landscape Plan. The approved ramped side path is replaced with steps and a landing with new turf. This improves the soft landscaping calculations.

#### 3.3.2 Preservation of Trees or Bushland Vegetation

No trees are proposed to be removed as part of this modification.

### 3.4 Amenity

#### 3.4.1 Sunlight and Overshadowing

The proposed modification will not result in any additional loss of sunlight to adjoining neighbours being located at or below ground level.

#### 3.7 Storm water Management

The modification will not cause any additional storm water runoff. The wall will be built to engineers details. Sediment and Erosion Control measure will be in place prior to construction.

#### 3.8 Waste Management

The modification will not change waste management.

#### 3.9 Mechanical Plant Equipment

N/A

## PART 4 Residential Development Controls

### 4.1 Residential Development Controls

Built Form Controls	Requirement	Proposed	Comments	Complies
4.1.2 Height of Building	6.5m	N/A		
4.1.2.2 Number of storeys	2	N/A		
4.1.2.3 Roof Height	2.5m	N/A		
4.1.4.1 Street Front Setbacks	6m	N/A		
4.1.4.2 Side setbacks	0.9m (earthworks)	West 1.8m	No change to approved setback	yes
		East 0.1m-0.8m		no
	Secondary street frontage Prevailing Setback	0.8m	No change to approved setback	yes (Merit)
4.1.4.4 Rear Setbacks	8m	N/A		

4.1.5.1 Open Space and Landscaping	OS3-55% of site 571.5M2 (314.3m2)	303.0m2	No change	No
4.1.5.2 Landscape Area	Minimum of 35% as Landscape Area (110m2)	165.8m2	This is an improvement to the approved DA	Yes
	3 native trees	3 proposed	No change	Yes
4.1.6 Parking	2 spaces		No change	
4.1.10 Fencing	1.2m high pool fence		No change	
4.4.5 Earthworks	Limit Cut and Fill	2.6m	The proposed retaining wall is required to be increased in height due to part of rear soil and rocks eroding due to recent heavy rains	No
4.4.5.3 Filling			No change	
4.4.5.4 Retaining Walls		2.6m	The proposed retaining wall	No

#### Comments

The increase in the retaining wall height is due to the recent heavy rains which caused erosion of the cut and cause the rock floater to become unstable. The cut for the pool, after all the heavy rain, resulted in erosion of the soil and rocks above as the new retaining wall had not yet been installed. The approved 1.3m high retaining wall at the rear is now required to be increased in height to 2.6m as the wall now needs to be set further back up the site. The wall is now 1.8m from the rear boundary and remains the same at 800mm from the side boundaries. No overlooking of neighbours will occur with screen planting along all boundaries.

## **6.0 Matters for Consideration under section 79C of the Environmental Planning and Assessment Act 1979.**

### **The Likely Impacts of the Development**

The proposed modification will not have a detrimental social or economic impact in the locality given the character of the proposal.

### **The Public Interest**

The modification will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties. It is therefore considered to be within the public interest.



## 7.0 Summary

The modification sought is minor with the modified works consistent and similar to the approved DA.

The modification is an improvement on the approved plans as it provides more soft landscaping. The increase in the height of the retaining wall is due to the recent heavy downpours and flash flooding.

The proposal does not result in any unreasonable impacts on surrounding, adjoining or nearby properties. It is felt that the development has 'responded to the characteristics of the site and the qualities of the surrounding neighbourhood' and is considered acceptable.

We trust Council will view this application favourably and support the modification.

## SITE PHOTOS



*Rear of site showing cut that requires a higher retaining wall to retain higher ground level and rock outcrop that is now unstable*





*Rear of site showing existing cut that requires a higher retaining wall to retain higher ground level*