



## STATEMENT OF ENVIRONMENTAL EFFECTS

### ALTERATIONS AND ADDITIONS

42 Macmillan Street, Seaforth 2092

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## 1. INTRODUCTION

This statement of environmental effects accompanies details prepared by Hermosa Design. This document outlines the subject site and surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. Every effort has been made to comply with planning controls for this development whilst maintaining its visual aesthetics without any detrimental effect to its surrounds. As a result of this assessment, it is concluded that the development of the site in the manner proposed is considered acceptable and is worthy of the support of local council.

## 2. PROPERTY DESCRIPTION

The subject property is described as 42 Macmillan Street/71 Frenchs Forest Rd, Seaforth 2092 being Lot 7 sec DP 6210. The property identifies as:

- MDCP Schedule 1-Map A- Residential Density Areas- 1 Unit/500m<sup>2</sup> of the Site Area.
- MDCP Schedule 1 Map B- Residential Open Space Areas- OS3
- Manly LEP2013- Land Zoned R2 Low Density Residential

The property is sited as a single storey residence with a garage and carport to the rear of the property. Currently as it stands the existing garage has a small kitchenette and bathroom attached with a small mezzanine above. The main residence is a three-bedroom family residence.

## 3. SITE DESCRIPTION

The site is zoned R2 Low Density Residential-Manly LEP2013. The subject site has dual access, the main residence with a frontage to Frenchs Forest Road, while the carport and existing garage front Macmillan Street. The subject site is an average size block for the location being 558m<sup>2</sup> and slopes from Macmillan Street gently towards Frenchs Forest Rd at approximately 7°. The property has a rear yard separating the residence from the garage this is made up of mostly paving and grass with sections of concrete. The existing carport and garage are located on the secondary and side boundaries.

House location from Google Maps



View of existing garage and carport from Macmillan Street



View of existing main residence from Frenchs Forest Road





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View of adjoining property known as 40 Macmillan Street/69 Frenchs Forest Rd



View of Adjoining property known as 44 Macmillan Street



## 4. SURROUNDING AREA

Seaforth is a relatively suburban development area with a main shopping precinct running along Sydney Road towards Manly. This precinct is made up of restaurants, Cafes, art galleries and other commercial developments. The Seaforth residential area is primarily multi storey dwellings. Seaforth is within the Northern beaches council where homes are provided outlooks into bushland as well as panoramic ocean views in some residences. The subject property adjoins two other properties all with dual access. The surrounding homes within Macmillan and Frenchs Forest Road are primarily one and two storey residences to the rear of many of the properties are garages that appear to be within the rear setbacks due to the nature of the street and the inability to have off street parking from Frenchs Forest Rd. Within walking distance of the subject site is the local primary school at the end of the street and within a five-minute walk is the local shopping precinct. At the end of the street is the local bus stop that has routes to both manly and the city providing ease of transport to the local residence.

## 5. PROPOSED WORKS

- The applicant seeks to construct a secondary dwelling within the subject site by converting the existing garage into a one-bedroom residence by removing part of the existing roof and creating a bedroom at first floor.
- Currently there is a metal shed to the rear of the garage that will be demolished and in place a small patio is proposed to allow for access to the existing rear yard. With stairs coming off the patio to the yard.
- At ground level the existing bathroom is to be pushed out to increase the internal floor space.
- At first floor the proposal seeks to add a bedroom with an ensuite, small balcony and garden beds.
- A skillion roof is proposed to cover the first-floor addition with the fall towards Macmillan Street it will include skylights.

## 6. AREA AND COMPLIANCE TABLE

Site Information and Building Controls	Control	Existing	Proposed
Zoning	Zone R2	Zone R2	Unchanged
Site area	500m <sup>2</sup>	588m <sup>2</sup>	Unchanged
Frontage	12.19m	12.19m	Unchanged
Number of Storeys	1	2	Unchanged
Maximum Building Height	8.5m	4.37m	7.01m
Front building setback	6.0m	4.72	Unchanged
Rear building setback	8.0m	0.53m	No-See note
Min. side boundary setback (West) Ground floor	1.953metres (1/3 Adjacent wall height 5.86m)	0metres	Unchanged
Min. side boundary setback (East) Ground floor	1.953metres (1/3 Adjacent wall height 5.86m)	0.2metres	Unchanged-see note
Total Open Space	352.8m <sup>2</sup> (60%) of site area	177.95m <sup>2</sup>	Unchanged-(non compliant)
Landscaped Open Space	141.12m <sup>2</sup> (40%) of total open space	40.29m <sup>2</sup>	Unchanged-(non compliant)
Private Open Space	24m <sup>2</sup>	177.95m <sup>2</sup>	Unchanged





## 7. PLANNING ASSESSMENT

- ❖ State Environmental Planning Policy
- ❖ Manly Local Environmental Plan 2011
- ❖ Response to Manly Development Control Plan 2013

### STATE ENVIRONMENTAL PLANNING POLICY

The following principles are relevant to the consideration of the application:

- State Environmental Planning Policy (Affordable Rental Housing) 2009: Land Application (pub. 31-7-2009)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Concurrences and Consents) 2018: Land Application (pub. 21-12-2018)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017: Land Application (pub. 1-9-2017)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: Land Application (pub. 31-3-2004)
- State Environmental Planning Policy (Infrastructure) 2007: Land Application (pub. 21-12-2007)
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007: Land Application (pub. 16-2-2007)
- State Environmental Planning Policy (Primary Production and Rural Development) 2019: Land Application (pub. 28-2-2019)
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Excluded (pub. 17-9-2021)
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Subject Land (pub. 25-8-2017)
- State Environmental Planning Policy No 19—Bushland in Urban Areas: Land Application (pub. 24-10-1986)
- State Environmental Planning Policy No 21—Caravan Parks: Land Application (pub. 24-4-1992)
- State Environmental Planning Policy No 33—Hazardous and Offensive Development: Land Application (pub. 13-3-1992)
- State Environmental Planning Policy No 36—Manufactured Home Estates: Land Application (pub. 16-7-1993)
- State Environmental Planning Policy No 50—Canal Estate Development: Land Application (pub. 10-11-1997)
- State Environmental Planning Policy No 55—Remediation of Land: Land Application (pub. 28-8-1998)
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application (pub. 16-3-2001)



- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)
- State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes): Land Application (pub. 31-5-2002)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005: Land Application (pub. 28-6-2016)

### Manly Local Environmental Plan 2013

#### 2.1 Land use zones

The subject allotment is Zoned R2 Medium density which allows for the type of development proposed under the application.

#### 4.3 Height of Buildings

The development is of a secondary dwelling located to the rear of the property the maximum height of building requirement for the subject site is 8.5m. the proposal seeks to build to 7m in height which is well below the maximum height of buildings allowable

#### 4.4 Floor Space Ratio

The Subject site falls under Section C of the Floor Space Ratio Map- FSR\_001 at 0.45:1. The proposed Works have a floor space of 220.8m<sup>2</sup> whilst the maximum would be 264.6m<sup>2</sup> therefore the proposed works comply.

#### 6.1 Acid Sulfate Soils

The subject site sits outside of the Class 5 zone and is therefore unaffected by Acid Sulfate Soils.

#### 6.4 Stormwater Management

All Stormwater is to connect to existing stormwater drainage that connects to street front curb and will therefore not impact on neighbouring downhill properties.

## **RESPONSE TO MANLY DEVELOPMENT CONTROL PLAN 2013 AMENDMENT 14**



Existing Site Area=m2		
DCP COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Part 3</b>		
<b>3.1- Streetscapes and Townscapes-</b>		
3.1.1- Streetscape ( <i>residential areas</i> )	The subject site currently as it stands has dual access with the proposed works being contained to the rear of the site. Whilst the proposal does not provide for an openness to Macmillan Street this is consistent with all properties within the vicinity as they all have dual access on the northern side of the street to Frenchs Forest Rd.	<b>Yes</b>
3.1.2- Streetscape Improvement in LEP zone B6 Enterprise Corridor	NA	NA
3.1.3- Townscape (Local and neighbourhood Centres)	NA	NA
<b>3.2- Heritage Considerations-</b>		
3.2.1-Consideration of Heritage Significance	NA	NA
3.2.2-Alterations or Additions to Heritage Items or Conservation Areas	NA	NA
3.2.3-Fences for Heritage Items and Conservation Areas	NA	NA
3.2.4- Setbacks of Garages and Carports for Heritage Items and Conservation Areas	NA	NA
3.2.5-Exceptions to Parking Requirements and FSR Development Standards for Heritage Developments	NA	NA
<b>3.3- Landscaping-</b>		
3.3.1- Landscaping Design	The current property has minimal soft landscaping. The proposal falls within an existing footprint and such will have no adverse effect to the existing landscaped environment.	No
3.3.2- Preservation of trees or bushland vegetation	No trees will be impacted by the proposed development.	Yes
3.3.3- Footpath tree planting	NA	NA
<b>3.4- Amenity- (<i>views, overshadowing, overlooking/privacy, noise</i>)</b>		
3.4.1- Sunlight access and overshadowing	Minimal overshadowing has been created on adjoining properties due to the design and positioning of the additions-See accompanying shadow diagrams.	<b>Yes</b>
3.4.2- Privacy and Security	The proposal will be of minimal impact to neighbouring properties regarding privacy as there is no additional windows on the side boundaries that would impose on any living spaces. The design has been well executed to avoid interruption or increase noise to any surrounding properties.	<b>Yes</b>
3.4.3-Maintenance of views	NA	<b>Yes</b>

3.4.4- Other Nuisance ( <i>Odour, fumes etc.</i> )	NA	NA
<b>3.5- Sustainability-</b> ( <i>Greenhouse energy efficiency, thermal performance, and Water Sensitive Urban Design</i> )		
3.5.1- Solar Access	There is minimal loss of solar access to adjoining properties as all proposed works remains to the rear of the property where no living spaces are located on adjoining properties.	<b>Yes</b>
3.5.2- Energy Sources and Systems	NA	NA
3.5.3- Ventilation	Large Format glazing has been proposed to allow for cross ventilation through-out the dwelling.	<b>Yes</b>
3.5.4- Energy Efficient Appliances, Demand Reduction and Efficient Lighting ( <i>Non-residential buildings</i> )	NA	NA
3.5.5- Landscaping	Whilst the proposed works do not comply with the landscaping requirements it is noted that the existing footprint remains unchanged.	<b>No</b>
3.5.6- Energy Efficiency/conservation requirements for non-residential developments	NA	NA
3.5.7- Building Construction and Design	The proposed design allows for the re-use of some doors and materials that have low embodied energy. The selected materials are durable with low maintenance. The occupants are after a low maintenance dwelling and therefore careful consideration was taken to ensure materials selected would match this criterion.	<b>Yes</b>
<b>3.6- Accessibility-</b>	NA	NA
<b>3.7- Stormwater Management-</b>	All new stormwater pipework is to connect to existing system which drains to the street kerb.	<b>Yes</b>
<b>3.8- Waste Management-</b>	A waste management plan accompanies this application.	<b>Yes</b>
<b>3.9- Mechanical Plant Equipment-</b>	NA	NA
<b>3.10- Safety and Security-</b>	The proposed works are primarily to the rear yard with street access. The carparking facilities remain unchanged.	<b>Yes</b>
<b>Part 4</b>		
<b>4.1- Residential Development Controls-</b>		
4.1.1- Dwelling Density, Dwelling Size and Subdivision	NA	NA
4.1.2- Height of Buildings ( <i>Incorporating Wall Height, Number of Storeys + Roof Height</i> )	The proposed works have a maximum wall height of 5.78m and is therefore within the maximum wall height control.	<b>Yes</b>
4.1.3- Floor Space Ratio ( <i>FSR</i> )	The subject site falls within the area Section C of the Floor Space Ratio Map- FSR_001 at 0.45:1. The proposed Works have a floor space of 220.8m <sup>2</sup> whilst the maximum allowable would	<b>Yes</b>

	be 264.4m <sup>2</sup> for the subject site therefore the proposed works comply.	
4.1.4- Setbacks ( <i>Front, Side and Rear</i> ) and Building Separation	<p>There is no change to the front setback. Currently at ground level the setback from the rear boundary is 0.52m however the proposal seeks to include a first-floor addition which is setback at 2.5m from the boundary under 4.1.4.2 section d) for secondary street frontages the proposed works may comply to the side setback control. In the case of this proposed works the development complies.</p> <p>The Eastern side boundary whilst non-compliant at 0.2m off the boundary is of masonry brick construction with multiple dwellings within this street having similar design and positioning with in their site.</p>	<b>No</b>
4.1.5- Open Space and Landscaping	The proposed development does not comply to the minimum percentage of site area at 60% (352.8m <sup>2</sup> ) the existing total open space is 177.95m <sup>2</sup> (29.2%). The Landscaped open space requirement is 141.12m <sup>2</sup> (40%) The proposed development has a landscaped open space of 40.29m <sup>2</sup> (6.85%). It is noted that either side of the existing main residence is soft landscaping however due to the dimensioning can not be included in the overall calculation.	<b>No</b> -Total Open Space <b>NO</b> - Total Landscaping
4.1.6- Parking, Vehicular Access and Loading (including bicycle facilities)	The subject site parking facilities will be unchanged and currently has ample parking facilities with two off street parking spaces.	<b>Yes</b>
4.1.7- First Floor and Roof Additions	The first floor addition will be in keeping with the existing design of the building, the new roof over will complement the existing roof.	NA
4.1.8- Development on Sloping Sites	NA	NA
4.1.9- Swimming Pools, Spas and Water Features	NA	NA
4.1.10- Fencing	NA	NA
<b>4.4-Other Development (All LEP Zones)</b>		
4.4.5- Earthworks (Excavation and Filling)	NA	NA

## 8. CONCLUSION

The proposed development seeks approval based on its modest size and allowance for multi-generational living providing ease of access for the residence and maintaining sufficient parking spaces. The proposal would have minimal environmental impact on the subject site and its





surrounds as the development is contained within the existing footprint. Where possible materials will be re-used or disposed of in a proper manner. Issues such as privacy to neighbouring properties, side boundary setbacks and environmental impacts have all been addressed above. The principal objective of the development is to create a secondary dwelling to provide the occupants with the opportunity for multi-generational living. The proposed development seeks to incorporate an indoor/outdoor living space allowing the occupants more outdoor recreational and lifestyle choices. The proposed development while not complying to all the relevant council LEP's and DCP's, with its minimal environmental impacts and design the proposal should refrain from having adverse effects on its neighbouring properties. The proposal shall maintain an acceptable level of amenity to neighbouring properties and public open space.