

STATEMENT OF ENVIRONMENTAL EFFECTS

22 ABERNETHY ST SEAFORTH

PROPOSED LIFT & WALKWAY

**PREPARED ON BEHALF OF
Mr & Mrs Hardy**

April 2024

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1. INTRODUCTION

This application seeks approval for construction of a lift adjoining the existing garage and a new walkway to improve access between the existing garage and dwelling upon land at Lot 1 in DP 91180 which is known as **No.22 Abernethy St, Seaforth**.

In preparation of this development application consideration has been given to the following:

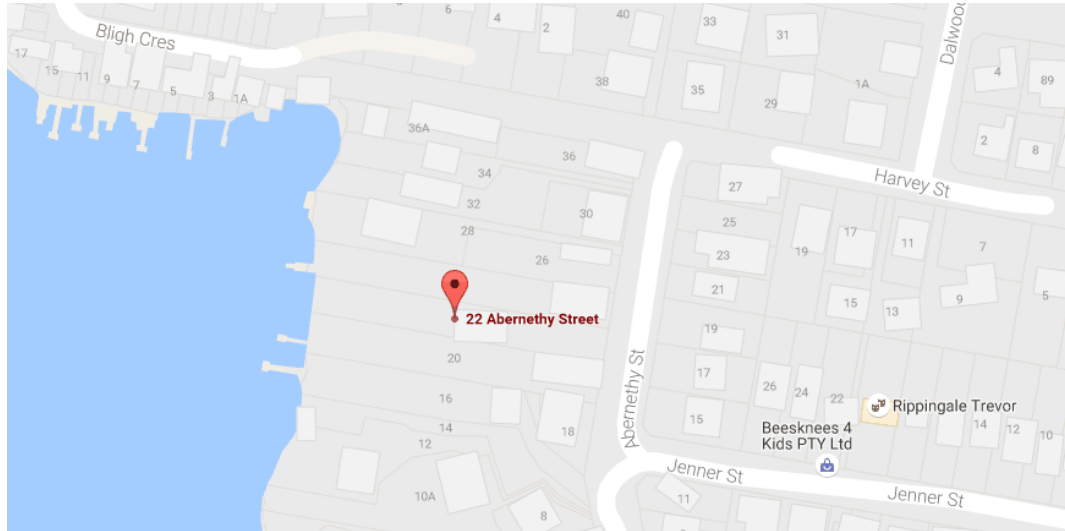
- Environmental Planning & Assessment Act, 1979.
- Manly Local Environmental Plan 2013.
- Manly Development Control Plan 2013.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in the Environmental Planning and Assessment Act 1979.

As a result of that assessment, it is concluded that the development of the site in the manner proposed has no impact on neighbouring properties or to the public domain and is considered to be acceptable and is worthy of the support of the Council.

2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 1 in DP 91180 which is known as No. 22 Abernethy St, Seaforth. The site is located on the western side of Abernethy St. The site is rectangular in shape and has an area of 1,733m² with a frontage of 14.5m and a maximum depth of 122.2m. The locality is depicted in the following;



Site Location Map

The site has a steep slope towards the rear of the site with levels of RL 55.3 at the front and RL 1.4 at the rear.

The subject site currently comprises a three storey dwelling with a tiled roof, with the lower level being brick cavity and the ground and first level being timber frame / timber clad.

A brick and tiled roof two car garage is located mid-way between the front of the site and the dwelling.

The site is depicted in the following photographs:



View of Site from Street

The dwelling is located 33m from the front boundary and cannot be seen from Street. The above picture shows the existing two car garage and the driveway from the street.

Access from the garage to the dwelling is via a stone pathway and comprises a total of 55 steps comprising access.

The existing surrounding development comprises a mix of double and triple storey detached dwellings. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality
(courtesy of Google Maps)

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a new lift integrated to the existing garage and a new walkway from the garage to the existing dwelling.

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk, and scale.

The contemporary design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality.

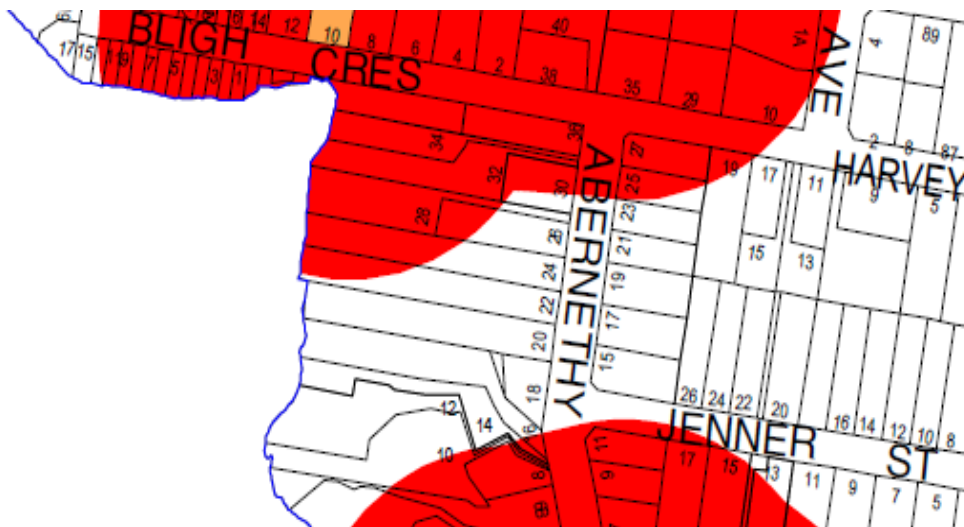
The proposal will result in the following numerical indices:

Site Area:	1,733m²
Existing Total Open Space:	1,513m² or 87%
Proposed Total Open Space:	1,498m² or 86%
Existing FSR:	287m² or 0.17:1
Proposed FSR	290m² or 0.17:1

5 ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. As the property is located on the harbour foreshore Council consent is required, otherwise the proposed development would have met the Complying Development Certificate requirements. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Manly Council.

5.1 Planning for Bushfire Protection



Extract of Bushfire Prone Lands Map

The proposed works are located on land identified as bushfire prone land on Council's Bushfire Prone Land Map. It should be noted that the affected area is at the bottom of the site and no part of the existing or proposed construction is located near the zone.

A bush fire report has been prepared by Eco Logical Australia, and also forms part of the application.

5.2 Manly Local Environmental 2013

The LEP provides several generic objectives which apply to development generally but has more specific objectives applying to the zone. The subject property is zoned – Zone C3 Environmental Management under the provisions of MLEP 2013 as shown on Figure 2 below.



The objectives of the zone are:

- To provide for a limited range of development low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To protect tree canopies and ensure that new development does not dominate the natural scenic qualities of the foreshore.
- To ensure that development does not negatively impact on nearby foreshores, significant geological features and bushland, including loss of natural vegetation.
- To encourage revegetation and rehabilitation of the immediate foreshore, where appropriate, and minimise the impact of hard surfaces and associated pollutants in stormwater runoff on the ecological characteristics of the locality, including water quality.
- To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.

It is considered that the proposed development achieves these objectives by:

- Ensuring the proposal does not negatively impact on nearby foreshores, significant geological features and bushland.
- Ensuring no loss of natural vegetation.
- Retaining the existing amenity to the surrounding residences.
- The proposed height and bulk of the proposed lift is suitable to the site and adjoins the existing garage.

The following numerical standards are applicable to the proposed development:

Is the development permissible	Yes
After considering the merits of the proposal is the development consistent with;	
Aims of the LEP?	Yes
Zone objectives of the LEP?	Yes

Principal development standards

Standard	Requirement	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5m	6.0m	Yes
Clause 4.4 Floor Space Ratio	0.40:1	0.17:1	Yes

The site is in the Foreshore Scenic Protection Area. The objective of the Protection Area is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.

The proposed development cannot be seen from the harbour or foreshore and will have no detrimental impact to the visual amenity of harbour or coastal foreshore.

The Terrestrial Biodiversity Map stipulates that the site is located within environmentally sensitive land. A Flora and Fauna Assessment (FFA) has been prepared by Narla Environmental which states.

5.3 Manly Residential Development Control Plan 2013

The Manly DCP 2013 applies to all land where the LEP applies. Therefore, the DCP applies to the subject development.

Part 3

Part 3 provides general principles applying to all development and Part 4 outlines development controls for specific forms of development including residential. The relevant provisions of **Part 3** are summarised below:

Clause 3.1.1 – Streetscape (Residential Areas)

The proposal provides for the lift and walkway to improve access between the existing garage and dwelling is modest in height and bulk and will not have a detrimental impact on the view of the site from the street as the dwelling is not visible.

Clause 3.3 - Landscaping

The proposal meets the objectives outlined in this Clause.

Open space dominates the site occupying a total area of 86% after the proposed development. The building is 80m from the foreshore and the proposed works have no impact on the views from or to the harbour. No natural vegetation or landscape is removed.

Whilst there is a very minor reduction in landscaping (less than 15m² or 0.9% of the open space) this is not visible from the street or harbour. It includes one minor tree and creating a walkway the existing garden bed which are used as vegetable patches. There is enough trees on site with a number of mature natural gum trees.

As the impact on the existing landscape is so minor in context of the site a Landscape Plan has not been prepared.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- Objective 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.*
- Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.*

It is suggested that the works will achieve these objectives as:

- The proposal provides for the lift to be integrated with the existing garage and has no significant effect on its current appearance.
- The proposed lift and walkway will have no impact on adjoining property views.
- The materials and finishes of the lift will match existing finishes of the garage.
- The proposed additions do not diminish the existing level of privacy provided to the adjoining properties.
- The proposed additions do not result in any additional shadowing to the adjoining properties internal areas as the adjoining property dwellings are located at the top of their respective sites.
- The proposal does not eliminate more than one third of the existing

sunlight access to private open space of adjoining properties.

- The additions do not significantly alter the area of private open space.

Clause 3.5 - Sustainability

A BASIX Certificate has been prepared to support the new works and confirm that the resultant dwelling will achieve the appropriate thermal performance criteria.

Clause 3.7 – Stormwater Management

Stormwater from the new path will be connected to the existing stormwater system.

Part 4

The following numerical provisions of **Part 4** are considered relevant to the proposal:

Clause/ Design Element	DCP Requirement	Compliance/Comments
Residential Density & Subdivision	Density Area D9 – 1 dwelling per 1,150m ²	Yes Site area is 1,733m ² .
Floor Space Ratio	Refer to LEP 0.40:1	Yes Proposal provides for an FSR of 0.17:1.
Wall Height	Height – 10.5m (Area L with a gradient of 1:4)	Yes – 6.03m
Number of Storeys	Three Storeys	Yes
Roof	2.5m above wall height	Yes
Height Parapet	600mm above wall height	Not applicable
Maximum Roof Pitch	35°	Not applicable
Building Setbacks	Front Setback – Min. 6.0 metres.	Yes
	Side Setback – 1/3 of the height of wall.	Yes
	Rear Setback	Yes

Landscaping / Open Space	Open Space Area 4: Minimum 60% of site area	Yes
	Minimum Soft Open of 40%	Yes

There are no other provisions of the Manly DCP that apply to the proposed development

6. Impacts of the Development

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

The proposed works are in keeping with the form of the existing garage and house with similar materials being used. The proposed lift is integrated with the existing garage and the new walkway is not visible from the street and will have no detrimental impact on the character of the area.

The lift and walkway will have no adverse impacts to the neighbouring properties in terms of aesthetics, privacy or overshadowing.

The site is located in the Foreshore Scenic Protection Area and the proposed development cannot be seen from the harbour or foreshore and will have no detrimental impact to the visual amenity of harbour or coastal foreshore.

The proposal does not result in the removal of any significant vegetation. The design of the proposal is such that they do not result in any unreasonable loss of privacy or views.

The Suitability of the Site for the Development

The subject site is zoned Zone C3 Environmental Management and the construction of a lift adjoining the existing garage and walkway to an existing dwelling house in this zone are permissible with the consent of the Council. The resultant development is of a bulk and scale that is consistent with existing surrounding developments.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for additions to an existing dwelling that are consistent with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of a lift and walkway to improve access from the existing garage to the existing dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. The proposal meets the numerical requirements for FSR, landscaping, unbuilt upon area, setbacks and height. The proposed works will not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed of lift and walkway upon land at **No. 22 Abernethy St, Seaforth** is worthy of the consent of Council.

Edwin Hardy
April 2024