

Statement of Environmental Effects

Alterations to Dwelling House Including Internal Reconfiguration, Window Changes and Landscaping Works



120 Seaforth Crescent
Seaforth

December 2023

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1.0 INTRODUCTION

This Statement of Environmental Effects accompanies a development application to undertake alterations to a dwelling house and landscaping works to a property at 120 Seaforth Crescent, Seaforth. Many of the proposed works could be undertaken as Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) if the property was not located in an environmentally sensitive area by reason of it being within the proximity area for littoral rainforest.

This application is for minor internal and external alterations to an existing dwelling including reconfiguration of walls and doorways, change doors accessing rear patio area, provide new patio to west of garage, and alterations to front stair and entry porch. Landscaping works include landscape terracing and stairs within the front setback, extension of paving in the south-east corner of the site together with required retaining walls, changes to location of pool fencing, and relocation of pedestrian entry from Seaforth Crescent to Ponsonby Parade.

The proposal results in a minor increase in floor space (1.4m²) and does not alter height, setbacks, natural landscaped area, or any other principal development standards.

2.0 THE SITE AND LOCALITY

2.1 The Site

120 Seaforth Crescent, Seaforth (Lot 114 in DP 4889) is a 1084.9m² site located on the south-eastern corner of Seaforth Crescent and Ponsonby Parade. Existing development is a 2-storey dwelling house with a detached double garage at the front and a swimming pool in the rear yard. Alterations to the dwelling were undertaken in 2012 which included ground floor extensions and internal alterations. The development has a total floor space of 298m² with 40% of the site (434m²) being naturally landscaped.

The site is zoned R2 – Low Density Residential under Manly Local Environmental Plan 2013 in which single dwelling houses are a permissible use.

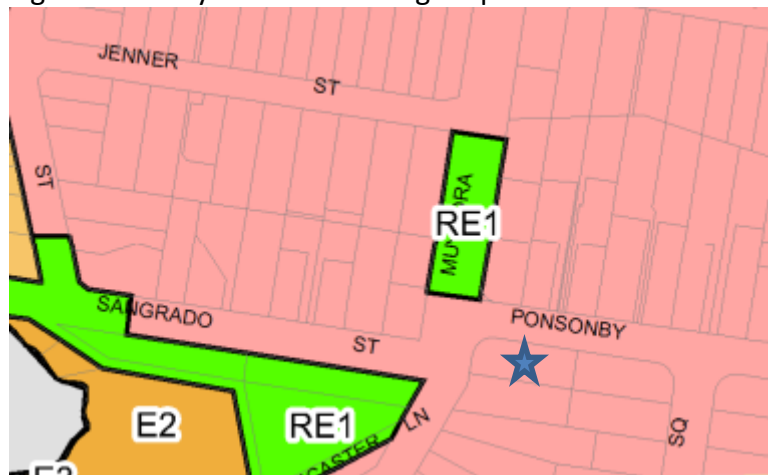
The site has a fall of approximately 5.5m from the rear (eastern) boundary to the Seaforth Crescent frontage of the property (western boundary). A 1m high retaining wall supports a garden bed approximately one metre wide adjacent to the rear boundary and wider in the south-eastern corner. The location of the house and pool is relatively level with a fall of approximately 1.5m between the pool surrounds to the west and the driveway to the east of the dwelling. There is

a further 1m fall between the driveway and the front garden which then has a gradual fall of approximately 2m to the Seaforth Crescent frontage.

2.2 The Locality

As with the subject site, surrounding properties are zoned R2 – Low Density Residential and are developed with single storey and two storey dwelling houses. To the south-west of the site, on the corner of Seaforth Crescent and Sangrado Street is the Sangrado Park Bushland Reserve. The area of the reserve in closest proximity to the site is turfed for recreational use and includes children’s play equipment and a scout/guide hall. The reserve is zoned RE1 – Public Recreation as is an area to the north-east of the site on the opposite side of Ponsonby Parade with the intersection of Munoorra Street and Jenner Street.

Figure 1: Manly LEP 2013 Zoning Map



3.0 THE PROPOSAL

The works for which consent is being sought are:

Ground Floor

- Enlarge entry hall by relocation of wall between entry hall and Bedroom 4 and altering wall between entry hall and Bedroom 5.
- Remove wall between kitchen and family room.
- Extend family room in the north-eastern corner to provide bench seat.
- Reconfigure kitchen/pantry/laundry/service hall.
- Alter configuration of wall and door opening between lounge and dining.
- Reconfigure garage and store to provide garage/ home gym, bathroom, sauna and storage.

First Floor

- Reconfigure master suite by:
 - removing wall between master bedroom and bedroom 4,
 - relocate door to bedroom, and
 - reconfigure existing ensuite and walk-in robe to create larger ensuite.
- Provide linen cupboard to hallway.

External

- Realign retaining wall in south-eastern corner and expand paved pool surround/ BBQ area.
- Provide retractable awning over rear patio off dining and family room.
- Demolish front porch and stair and replace with new porch and stair.
- Provide new entry gate and path to Ponsonby Parade.
- Increase driveway/ hardstand area to better align with western wall of garage.
- Remove entry gate to Seaforth Crescent and replace with fencing to match existing.
- Re-landscape front yard including removal of existing path, circular feature and stair and replace with new stair access between driveway, lawn and decking.
- Provide new terrace off western side of garage with sliding door opening between garage and terrace.
- Provide sliding doors from increased openings from dining and family room to rear patio.
- Remove doors from lounge room to rear yard and replace with wall and windows.
- Relocate door and provide window to external bathroom off BBQ/ pool area.

Works to be undertaken at the same time under exempt development provisions (Codes SEPP):

- Replace windows and doors to formal dining, casual dining and family room with sliding glass doors and other windows throughout building in existing openings.
- Fitout of Bedroom 4 for walk-in robe.
- Relocate pool fencing and gate.
- Provide bench seating around pool.
- Reduce paving/ increase landscaping between house and northern boundary.
- Replace existing pool surround paving.
- Retile pool.

- Refurbish existing bathrooms including change to layout.
- Refurbish kitchen including change to layout.
- Install air conditioning to lower level.
- Replace existing pergola to BBQ area.

4.0 ASSESSMENT

4.1 Relevant Controls and Compliance

	Control	Compliance
SEPP		
(Biodiversity and Conservation) 2021	Chapter 6 – Development in regulated catchments Chapter 10 – Sydney Harbour Catchment	Consistent with objectives and provisions of SEPP.
(Resilience and Hazards) 2021	Chapter 2 – Coastal Management Chapter 4 – Remediation of Land	The proposed development will not impact the biophysical, hydrological or ecological integrity of the nearby littoral rainforest (Sangrado Reserve) nor will it impact the quantity and quality of surface and ground water flow. The subject site has had a longstanding residential use. There is nothing to suggest the site is subject to contamination.
(Sustainability Buildings) 2022	BASIX Certificate required	BASIX Certificate provided.
Manly LEP 2013		
cl.2.1 – Zoning	R2 – Low Density Residential	Dwelling houses are a permissible use within the zone.
cl.4.3 – Height	8.5m	No change
cl.4.4 – FSR	0.4:1	299.4m ² (0.28:1)
cl.5.21 – Flood Affectation	Built upon area subject to 1% AEP event.	Flood Information Certificate confirms no flood study required.
cl.6.4 – Stormwater Management	Maximise permeable surfaces, include, if	Permeable surface area is provided in excess of DCP

	practical on-site stormwater retention and avoid adverse impacts to neighbouring properties.	requirements. The application is supported by a Hydraulic Services Report the recommendations of which have been incorporated into the design works to provide appropriate drainage of the site and ensure no adverse impacts to neighbouring properties.
cl.6.9 – Foreshore Scenic Protection Area	Site located within Foreshore Scenic Protection Area	No detrimental impact to the amenity or scenic qualities of the harbour, foreshore or coastal area.
Manly DCP 2013		
cl.3.1.1.2 – Front Fences and Gates	To be compatible with area	Changes to boundary fencing and gates are infill only and are consistent with the existing fencing.
cl.3.1.1.4 – Garages, Carports and Hard stand Areas	Compatible with streetscape	The minor increase in the driveway area is screened from the streetscape by existing plantings.
cl.3.3 – Landscaping	Compatible with landscaping of area	No significant trees impacted by development. New plantings consistent with character of area. Landscape plan provided.
cl.3.4 – Amenity	Protect amenity of existing and future residents	External changes are minimal and are designed to improve amenity for the residents of the dwelling with no significant impacts for neighbouring residents.
cl.3.5 – Sustainability	Apply ecologically sustainable design principles	The application is accompanied by a BASIX Certificate and the development has been designed to maximise solar access, cross ventilation and water efficiency.

cl.3.7 – Stormwater Management	Comply with Northern Beaches Council's <i>Water Management for Development Policy</i> .	Drainage is provided by gravity to Council's drainage system. Sediment and erosion control measures will be provided during construction. As the site is within the 1% AEP flood plain OSD is not required (cl.9.2 <i>Water Management for Development Policy</i>).
cl.4.1 – Residential Development Controls	4.1.1 – Dwelling Density and Size 4.1.2 – Height of Building 4.1.3 – Floor Space Ratio 4.1.4 – Setbacks	Minor change (1.4m ²) to the building envelope by provision of bench seat to family room.
cl.4.1.5.1 – Open Space	Total Open Space (TOS) – 55% of site area (of which 25% can be above ground) Landscaped Area (LA) – 35% of total open space	624.1m ² (57.5%) 348m ² (55.7% of TOS)
cl.4.1.5.3 – Private Open Space	18m ²	Complies, >150m ² provided in rear yard.
cl.4.1.10 – Fencing	1.5m where 30% open / transparent	Complies. Existing fencing retained with infill to replace existing gate to Seaforth Cres and provision of new gate to Ponsonby Pde.
cl.5.4.1 Foreshore Scenic Protection Area	Protect visual aesthetic amenity and views both to and from Sydney Harbour, the Pacific Ocean and the Manly foreshore.	The minimal works proposed do not alter the visual amenity and views to and from the site from the waterways.
cl.5.4.3	Built upon area subject to 1% AEP event.	Flood Information Certificate confirms no flood study required.

5.0 ASSESSMENT OF PROPOSED WORKS

5.1 Internal Changes

The proposed internal changes as outlined in Part 3.0 of this report (above) do not satisfy exempt provisions under cl.2.52 of the Codes SEPP as they involve the reconfiguration of rooms. Further, Complying Development cannot be

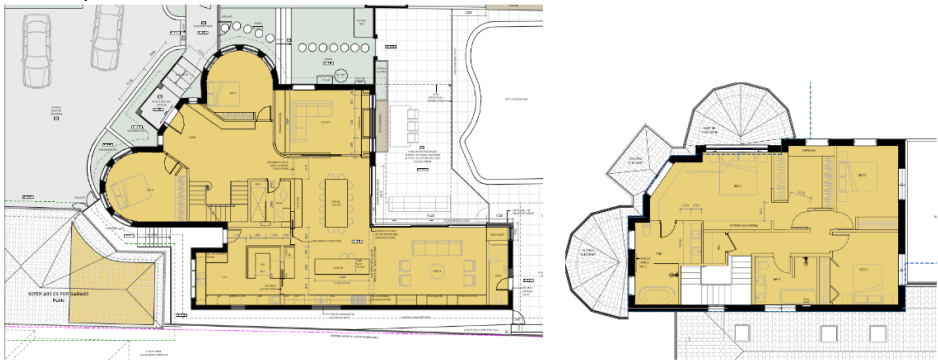
undertaken on this property as the site is located within an environmentally sensitive area by reason of it being in proximity to littoral rainforest (cl.1.17A(1)(e) of the Codes SEPP). For this reason, development consent is required for the internal changes proposed.

Reconfiguration of the rooms provides a more practical and functional layout for the occupants of the dwelling without resulting in any external impacts or safety concerns. The changes do not intensify the dwelling use, retaining 5 bedrooms with the conversion of the Living Room on the Ground Floor to a bedroom and Bedroom 4 on the First Floor to a dressing room.

A small increase in floorspace (1.4m²) is proposed by providing a window bench seat in the northeastern corner of the family room adjacent to the external bathroom. The proposed total floorspace on site (299.4m²) remains compliant with the maximum permissible floorspace of 0.4:1 (see table below).

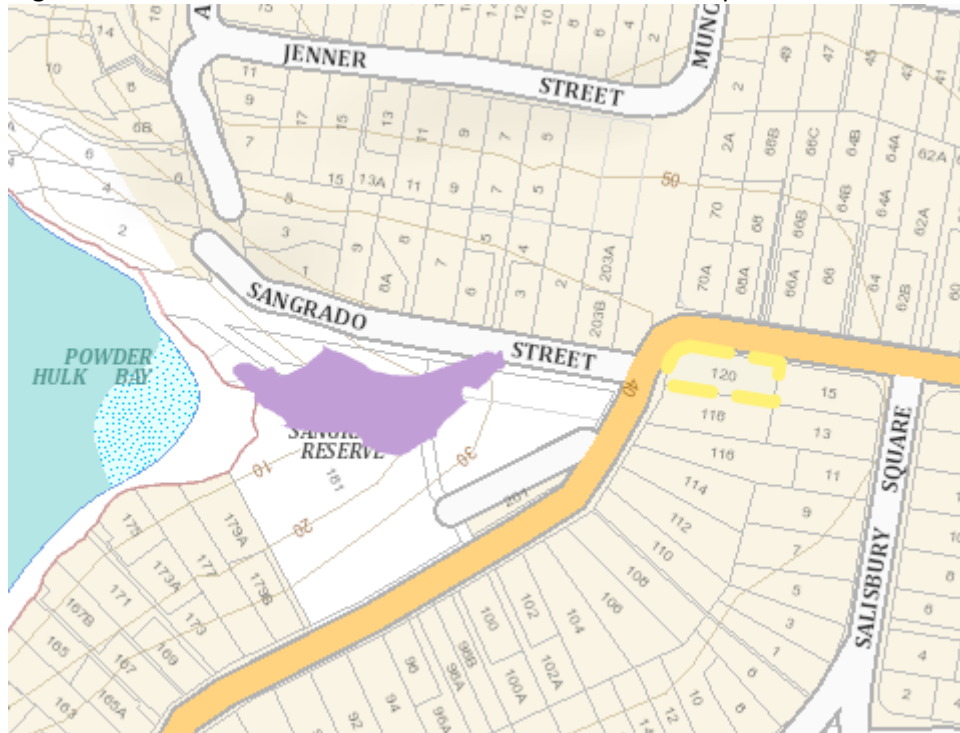
	Existing	Proposed	MLEP	Complies
Site Area (m ²)	1084.9	1084.9	N/A	N/A
Total F'space (m ²)	298	299.4	433.9	Yes
Floor Space Ratio	0.27:1	0.28:1	0.4:1	Yes

Floor Space Calculation Plan



If not for the fact that the site is within proximity of littoral rainforest (being portion of land within Sangrado Reserve – see Figure 2 below) the proposed internal changes could be undertaken as Complying Development as they satisfy all other Complying Development provisions.

Figure 2: Coastal Wetlands and Littoral Rainforests Area Map



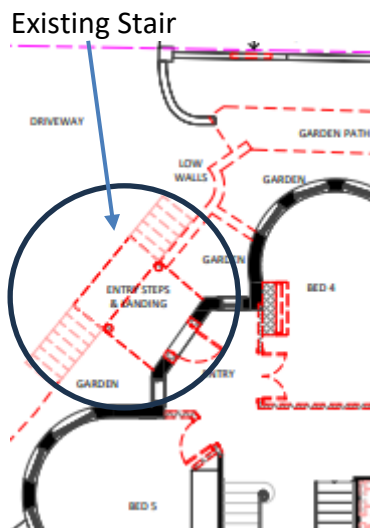
5.2 External Changes to Building

It is proposed to demolish the existing front porch and stair access and construct a new porch and stair to access a new pedestrian entry gate to Ponsonby Parade. The proposed porch and stair do not satisfy the provisions of cl.2.12 and 2.74B of the Codes SEPP, being more than 1m above the existing ground level and as such development consent is required.

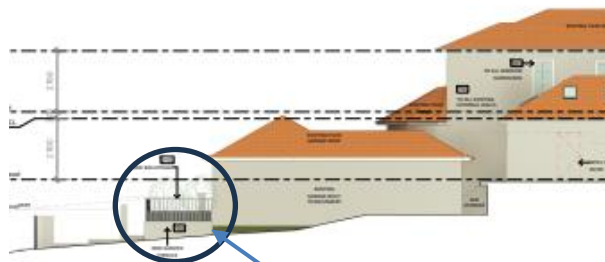
The proposed change provides separation between the pedestrian and vehicular entries to the site and enables identifiable and convenient access to the front door of the dwelling from Ponsonby Parade. It reduces the extent of the site occupied by the stair and porch providing further opportunity for landscaping in this part of the site. (see Section 5.3 below).



Source: Google Streetview



A new terrace proposed off the western end of the garage with sliding glass door access sits significantly lower than the adjoining dwelling to the south (118 Seaforth Crescent). Planting at the southern end of the proposed terrace will ensure mutual privacy is achieved between the elevated balcony at 118 Seaforth Crescent and the proposed terrace.



Southern elevation showing proposed terrace



Google Streetview showing relative height of neighbouring balcony

A retractable awning proposed off the rear dining and family rooms will enable appropriate climate control improving amenity and usability for the residents of the dwelling. Whilst visible from Ponsonby Parade it is in the rear yard and will not detract from the streetscape appearance of the site.

Changes to window and door openings are at ground level and do not result in any further overlooking or privacy concerns for neighbouring properties nor do they detract from the streetscape appearance of the building.

5.3 Landscaping Works

5.3.1 Fencing and Gates

It is proposed to remove the existing gate to Seaforth Crescent and replace with infill fencing to match existing. A new pedestrian entry gate is proposed to Ponsonby Parade adjacent to the existing driveway entry. As the site is identified as a flood control lot the proposed works cannot be carried out under the exempt provisions contained in cl.2.33 and 2.34 of the Codes SEPP.



Source: Google Streetview

The location of both the existing gate and proposed gate are outside of that part of the site affected by the 1% Annual Exceedance Probability (AEP) as evident in the Northern Beaches Flood Hazard Map (see Figure 3 below). As such, the only criteria not satisfied for the fencing to be classified exempt development (flood affectation) is not impacted or worsened as a result of the fencing changes.

Figure 3: Northern Beaches Flood Hazard Map



The fencing and gate are of a palisade form (the fence with masonry base) consistent with the style and form of the existing fencing. The open nature of the palisade form, with landscaping behind, is compatible with the character of the area enabling landscaping to be the primary means of privacy and the main presentation to the streetscape.

5.3.2 Side and Rear Yard

An existing retaining wall, approximately 1.5m high is located between the pool and rear (eastern) boundary of the site and continuing in a curved form around the south-eastern corner. It is proposed to square the corner of the retaining wall to extend the paved area for the pool/ BBQ area.

The realigned retaining wall remains outside of the canopy and primary root zone of a tree in the rear yard of the adjoining property to the south and as such will not impact its health or stability. The proposed changes have no impact on the nearby littoral rainforest in Sangrado Reserve.



The extended paved area is compensated by the reduction in paving between the house and northern boundary. The overall open space and landscaped area calculations are as shown in Figure 4 under Section 5.3.3 below are well in excess of the minimum permissible.

5.3.3 Front Yard

The front yard is proposed to be relandscaped by the removal of the existing front path, steps and circular feature and replacement with turf, decking and terraced planting with stair connecting the front garden with the driveway/ forecourt area making the front garden both more usable and more attractive. Existing hedge planting to the Seaforth Crescent and Ponsonby Parade frontages will be retained and supplemented to fill gaps. Other existing plantings, mainly consisting of

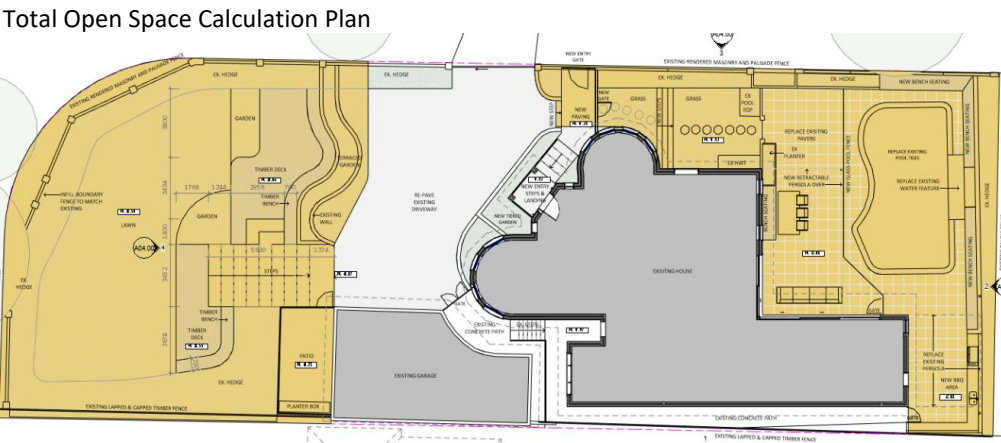
succulents will be removed and replaced with a combination of indigenous and introduced species consistent with the garden character of the area.



No significant trees are impacted by the landscape changes. New plantings include trees to improve canopy cover and complement the character of the Foreshore Scenic Protection Area. The front yard is located entirely outside the 1% Annual Exceedance Probability (AEP) as evident in the Northern Beaches Flood Hazard Map (see Figure 3).

The additional hard surface area provided in the forecourt, together with decking, terrace and wider stairs is compensated by the removal of the existing paths and steps within the front and side yards. The proposal complies with both the total open space and landscaped area requirements contained in cl.4.1.5.1 – Open Space of *Manly Development Control Plan 2013*.

	Existing	Proposed	MDCP	Complies
Site Area (m ²)	1084.9m ²	1084.9m ²	N/A	N/A
Total Open Space (m ²)	636.5m ²	624.1m ²	55% of site area (596.7m ²)	Yes
Total Landscaped Area (m ²)	434m ²	348m ²	35% of total open space (218.4m ²)	Yes



This detailed site plan illustrates the proposed development at 10000 Highway 101. The plan shows a large building footprint with multiple sections, including a central 'EXHIBITION HALL' and various smaller rooms and offices. Surrounding the building are extensive parking areas, including a 'PARKING LOT' and a 'PARKING GARAGE'. The plan also shows the 'HIGHWAY 101' and 'HIGHWAY 101' interchange, as well as the '10000 HIGHWAY 101' and '10000 HIGHWAY 101' interchange. The plan includes a north arrow and a scale bar.

SECTION 4.15 EVALUATION

(1)(a)(i) Any Environmental Planning Instrument	The site is zoned R2 – Residential under Manly LEP 2013 and is located within a Foreshore Scenic Protection Area. The provisions of Manly LEP 2013 have been addressed elsewhere throughout this Statement.
(1)(a)(ii) Any Draft Environmental Planning Instrument	There are no known Draft EPIs applicable to the site.
(1)(a)(iii) Any Development Control Plan	Manly DCP 2013 has been addressed elsewhere in this Statement.
(1)(a)(iiia) Any Planning Agreement	There is no Planning Agreement applicable to the site or development.
(1)(a)(iv) The Regulations	Not applicable in the assessment of this application.
(1)(b) The Likely Impacts	The proposed works will have limited, if any impacts on surrounding properties. The changes, particularly in respect to improvements to landscaping are likely to have a positive impact on the character of the area generally.
1)(c) The Suitability of the Site	The proposal is appropriate for the site improving the amenity for the residents of the dwelling and integrating with the landscaped character of the area.
(1)(d) Any Submissions	This will be determined following notification of the application once lodged.
(1)(e) The Public Interest	The proposal improves amenity for the occupants of the dwelling whilst having limited, if any impact on the amenity of surrounding properties and as such is considered to be in the public interest.

7.0 CONCLUSION

This Statement of Environmental Effects supports an application for alterations and landscaping works to property 120 Seaforth Crescent, Seaforth. The site is within an environmentally sensitive area under *SEPP (Coastal Management) 2018* being within proximity to littoral rainforest (Sangrado Reserve) and as such works cannot be undertaken as complying development under the Codes SEPP.

The proposed works include internal changes which are not exempt development under the Codes SEPP as they involve the reconfiguration of rooms including removal of existing walls. These internal changes improve the functionality of the home in a manner suitable to the existing occupants while having no detrimental impacts to surrounding properties or the area generally.

External changes include changes to entry porch, pathways, entry gates, retaining walls, terrace, decking and plantings. These works do not impact the health or stability of existing significant trees and improve the overall landscape character of the site.

The proposed works are assessed as an appropriate development for the site having regard to the evaluation criteria specified in Section 4.15 of the *Environmental Planning and Assessment Act, 1979* including the specific provisions contained in *Manly Local Environmental Plan 2013* and *Manly Development Control Plan 2013*.