

**Statement of Environmental Effects**

**for a**

**Two Storey Dwelling House**

**at**

**23 Wakehurst Parkway**

**Seaforth**

**Prepared for Fowler Homes**

**Planning Outcomes Pty Ltd**

**November 2022**

**0417 467 509**

**Property: 23 Wakehurst Parkway Seaforth-**  
**Lot 35 Sec 1 DP 13750**  
**Proposal: Two storey dwelling house**  
**Local Government Area: Northern Beaches**  
**Manly LEP 2013; Manly DCP**

---

## **1. Description of Proposal**

Proposal is for the construction of a new two storey dwelling at 23 Wakehurst Parkway Seaforth that will include:

### **Ground Floor**

Double garage and workshop, patio, entry, guest suite with powder room, separate toilet, study, laundry, internal staircase, open kitchen with butler's pantry, family room, dining room and outdoor retreat.

### **First Floor**


Master bedroom with walk-in robe, ensuite and rear balcony, three bedrooms with built-in robes, bathroom with separate toilet, walk-in linen press, leisure room and front balcony.

## **2. Site Analysis**



Subject Site: 23 Wakehurst Parkway Seaforth

<b>Site Area and Frontage</b>	<b>Site Area – 654.3m<sup>2</sup>.</b> <b>Splayed 15.24m frontage.</b> <b>Site narrows towards the rear. The rear splayed boundary width is 8.815m.</b> <b>Maximum length: 62.185m</b> <b>Wakehurst Parkway is a classified road.</b>
-------------------------------	---

	The S10.7 Planning Certificate states that the site is not affected by any road widening proposals.
Orientation and Slope	<p>The site has a fall of approximately 4m from the front boundary to the rear boundary.</p> <p>The site is located on the eastern side of Wakehurst Parkway and has a generally east-west orientation.</p>
Existing Structures	The site contains an existing dwelling house and detached garage which are to be demolished as part of a separate application.
Trees	There is one large tree in the rear yard and a number of trees on the road reserve in front of the subject site. The proposal retains the driveway crossing in a similar location to the existing crossing and the tree in the rear yard will be retained.
 <p>Trees on road reserve – 23 Wakehurst Parkway Seaforth</p>	
Environmental Affection Bushfire/Flooding/Biodiversity	<p>Not located in Potential Geotechnical Landslip Hazard Areas.</p> <p>The land is not bushfire prone.</p> <p>The land is not flood affected.</p> <p>The land is not biodiversity certified land.</p>
<b>3 State Policies</b>	
<b>3.1 SEPP (Resilience and Hazards) 2021 - Chapter 4 - Remediation of Land</b>	The site is located in a residential release area and it is considered that the site is unlikely to be contaminated. For this reason, no further investigation is considered necessary.

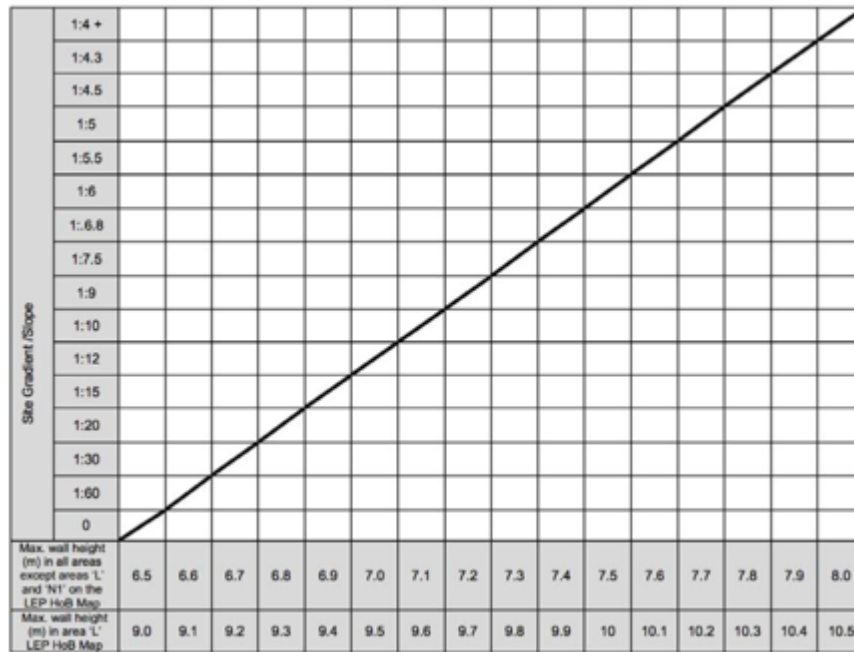
3.2 BASIX	A BASIX Certificate has been lodged with the development application.
3.3 State Environmental Planning Policy (Transport and Infrastructure) 2021	<p><i>Section 2.119 Impact of road noise or vibration on non-road development</i></p> <p><i>(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:</i></p> <p><i>(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</i></p> <p><i>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i></p> <p>The site adjoins Wakehurst Parkway – an SP2 Classified</p> <p>Internal noise levels will be required to comply with the above requirements of Section 2.119(3) of the SEPP.</p>
<b>4.Manly LEP 2013</b>	
Minimum Lot Size	<p>Minimum Site Area: 500 m<sup>2</sup></p> <p><i>Actual Site Area: 654.3m<sup>2</sup></i></p>
Height	<p>Maximum height limit 8.5m</p> <p><i>Proposed height: 8.45m. Complies.</i></p>
Zoning	R2 Low Density Residential



Zoning: R2 Low Density Residential

Floor Space Ratio	<p>Maximum 0.45:1 = 294.44m<sup>2</sup></p> <p><i>Proposed 0.39:1 = 249.72m<sup>2</sup></i></p> <p>Calculated excluding the thickness of external walls, double garage, unenclosed areas and voids at the first floor level. Complies.</p>
Heritage	<p>The site is not in the vicinity of any heritage items.</p> <p>The site does not contain a heritage item and is not located in a heritage conservation area.</p>
<b>5. Manly DCP</b>	
Height	<p>Maximum Wall height – 6.5m.</p> <p>On land with a slope of 1 in 4 or greater the maximum wall height is 8m.</p> <p>Maximum wall height on land with a gradient of less than 1 in 4 is determined by the graph below.</p> <p><i>The slope across the building platform is 1:15.</i></p> <p><i>Maximum wall height permitted: 6.8m.</i></p> <p><i>Proposed wall height: maximum 6.8m (northern elevation).</i></p> <p><i>Proposed wall height on southern elevation is 6.4m (southern elevation)</i></p>

Wall Heights on Sloping Sites



Dwelling Density

DCP – Density Area – D5 – 1 Dwelling per 500m<sup>2</sup>.  
Complies

Front Setbacks

Same as prevailing building line but has to be large enough for turning bay so cars can exit the site in a forward direction (as shown on the site plan).

*Adjoining Setbacks: 7.334m and 7.769m*

*Proposed Front Setback: 7.67m. Complies.*

*A turning bay is provided so that vehicles can exit the site in a forward direction.*

Side Setbacks/Building Envelope

Setbacks between any part of a building and the side boundary must not be less than one third of the height of the adjacent external wall.

For sloping sites, maximum wall height is determined by the slope of land under the proposed wall. Where slope is defined as slope of the land (at natural ground level) along the full length of the proposed wall expressed as a ratio – see details under 'Height' above.

*Proposed wall height: maximum 6.8m (northern elevation).*

*Proposed wall height on southern elevation is 6.4m (southern elevation)*

*Required: minimum side setback: 2.26m on northern elevation and 2.13m on southern elevation.*

	<p><i>Proposed side setback (northern elevation) wall height is 6.8m and side setback: 1.592m.</i></p> <p><i>Proposed side setback (southern elevation) wall height is 6.4m and side setback is 1.2m.</i></p> <p><b>4.1.4 Setbacks (front, side and rear) and Building Separation</b></p> <p><b>Note:</b> This section addresses the buildings' setback from its various property boundaries.</p> <p>Relevant DCP objectives to be met in relation to this part include:</p> <p>Objective 1) To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.</p> <p>Objective 2) To ensure and enhance local amenity by:</p> <ul style="list-style-type: none"> <li>• providing privacy;</li> <li>• providing equitable access to light, sunshine and air movement; and</li> <li>• facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.</li> <li>• defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and</li> <li>• facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.</li> </ul> <p>See also objectives at paragraph 3.4 Amenity.</p>
--	---

	<p>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, <a href="#">solar access</a> and general amenity of adjoining and nearby properties including noise and vibration impacts.</p> <p>Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</p> <p><u>Designing for Amenity</u></p> <p>a) Careful design consideration should be given to minimise loss of sunlight, privacy, views, noise and vibration impacts and other nuisance (odour, fumes etc.) for neighbouring properties and the development property. This is especially relevant in higher density areas, development adjacent to smaller developments and development types that may potentially impact on neighbour's amenity such as licensed premises.</p> <p>b) Development should not detract from the scenic amenity of the area. In particular, the apparent bulk and design of a development should be considered and assessed</p>
--	---



	<p>from surrounding public and private viewpoints.</p> <p>The use of material and finishes is to protect amenity for neighbours in terms of reflectivity. The reflectivity of roofs and glass used on external walls will be minimal in accordance with industry standards. See also Council's Administrative Guidelines regards DA lodgement requirements for materials and finishes.</p> <p>c)</p>
	<p>Objective 3) To promote flexibility in the siting of buildings.</p> <p>Objective 4) To enhance and maintain natural features by:</p> <ul style="list-style-type: none"> <li>• accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;</li> <li>• ensuring the nature of development does not unduly detract from the context of the site and particularly in relation to the nature of any adjoining Open Space lands and National Parks; and</li> <li>• ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.</li> </ul> <p>Objective 5) To assist in appropriate bush fire asset protection zones.</p>
	<p><u>Planning Justification</u></p> <p><i>The subject site is an irregular shape and narrows towards the rear. For this reason it is difficult to achieve the minimum required side setbacks of one third of the</i></p>

	<p><i>maximum wall height. The rear boundary of the site is only 8.815m wide.</i></p> <p><i>The building maintains side setbacks of a minimum of 1.2m and 1.592m for the two storey walls.</i></p> <p><i>The building has been designed to minimise building bulk and overshadowing impacts by reducing the area of the first floor relative to the area of the ground floor.</i></p> <p><i>The overshadowing caused to the adjoining property to the south is reasonable given the orientation of the site.</i></p> <p><i>At the first floor side facing windows are for bedrooms and bathrooms only with first floor balconies facing towards the front or rear of the site with privacy screens at their side elevations.</i></p> <p><i>There is only one living area on the first floor that faces towards the street.</i></p> <p><i>In conclusion the proposal is considered to be consistent with the objectives of the controls for setbacks, notwithstanding the numerical non-compliance due to site constraints.</i></p>
Rear Setback	<p>Minimum 8m</p> <p><i>Proposed rear setback: 21.106m.</i></p>
Minimum Landscaped Area/Open Space	<p>Area O3 on Open Space Map</p> <p>Minimum open space to comprise 55% of the site area. Of the 55% Open Space Area, 35% of this area is to be soft landscaping.</p> <p>To be included in minimum open space, area must have minimum width 3m and minimum area 12m<sup>2</sup></p> <p>Up to 25% of open space may be provided above ground level (i.e. balcony, terraces etc).</p> <p>Note: 3 Native trees to be planted.</p> <p><i>Required Open Space: 55% = 359.87m<sup>2</sup></i>  <i>Proposed Open Space 56.41% = 369.08m<sup>2</sup></i></p> <p><i>Required Landscaped Area: 35% of Open Space Area = 125.97m<sup>2</sup>.</i>  <i>Proposed Landscaped Area: 343.53m<sup>2</sup>.</i></p>

Design/Garages	<p>Minimum 2 space/dwelling.</p> <p>Garage and carport structures forward of the building line must be designed and sited so as not to dominate the street frontage. In particular:</p> <ul style="list-style-type: none"> <li>• Garages and carports adjacent to the front property boundary may not be permitted if there is a reasonably alternative onsite location;</li> <li>• Carports must be open on both sides and at the front; and</li> <li>• The maximum width of any garage, carport or hardstand area is not to exceed a width equal to 50% of the frontage, up to a maximum width of 6.2m. (n.b. width measured at front street elevation).</li> </ul> <p><i>The garage is recessed behind the building line and does not dominate the façade. The garage has a width at the front façade of 5.76m which is less than 6.2m and 38% of the frontage width.</i></p>
Site Orientation/Overshadowing	<p>Generally -east-west orientation.</p> <p>For an existing adjacent building with an east-west orientation:</p> <ul style="list-style-type: none"> <li>• The level of solar access presently enjoyed must be maintained to windows or glazed doors of living rooms for a period of at least 2 hours from 9am to 3pm on 21 June.</li> <li>• Where solar access to windows or glazed doors of a living room of an adjacent building is less currently less than 2 hours, no reduction in solar access to this window will be permitted.</li> </ul> <p>New developments are not to eliminate more than 1/3 of the available existing sunlight to adjacent properties from 9am to 3pm at the winter solstice (21 June). Where there is no winter sunlight available to adjacent properties, the calculations will relate to the equinox in March and September from 9am to 3pm.</p> <p>A minimum of 6 hours solar access is to be retained to solar collectors on neighbouring properties and clothes drying areas.</p> <p><i>The shadow diagrams are prepared at hourly intervals. More than two hours of solar access will be available to</i></p>

	<p><i>eastern rear facing windows and part of the northern facing side wall/windows during mid-winter.</i></p> <p><i>The amount of overshadowing is considered reasonable given the orientation of the site.</i></p>
Privacy and Noise	<p>New developments should be designed to minimise loss of privacy to adjacent properties.</p> <p>In areas of high street noise, double-glazing on windows is encouraged, to allow for street surveillance, rather than constructing high fences or walls.</p> <p>Use windows that are narrow, translucent or obscured to maximize privacy where necessary.</p> <p>If building close to boundaries, windows must be off set from those on the adjacent building.</p> <p>Architectural or landscape screens must be provided to balconies and terraces.</p> <p>Architectural screens must be fixed in position and suitably angled to protect visual privacy.</p> <p>Recessed design of balconies and terraces can also be used to limit overlooking and maintain privacy.</p> <p><i>At the first floor side facing windows are for bedrooms and bathrooms only with first floor balconies facing only towards the front or rear of the site.</i></p> <p><i>There is only one living area on the first floor that faces towards the street.</i></p> <p><i>Privacy screens are proposed for the side elevations of first floor balconies.</i></p> <p><i>Noise</i></p> <p><i>The site adjoins Wakehurst Parkway – an SP2 Classified Road.</i></p> <p><i>Internal noise levels will be required to comply with the above requirements of Section 2.119(3) of the SEPP.</i></p>
Cut and Fill	<p>The natural ground level must be maintained within 900mm of a side and rear boundary.</p>

	Cut and fill limited to 1m above and below natural ground level.  <i>Complies.</i>

**5. Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment (Amendment) Act, 1997**

**(a) the provisions of:**

- (i) any environmental planning instrument;**
- (ii) any draft environmental planning instrument**
- (iii) any planning agreement**
- (iv) any development control plan;**
- (v) any matters prescribed by the regulations**
- (vi) any coastal management plan**

**that apply to the land to which the development application relates.**

The proposed new dwelling house at 53 Wakehurst Parkway Seaforth is zoned R2 Low Density Residential Zone and is a permissible use under the provisions of the *Manly Local Environmental Plan 2013*. The proposed dwelling complies with the main development standards contained in the *Manly Local Environmental Plan 2013* and with the guidelines for development contained in the *Manly Development Control Plan*. Any departure from the guidelines contained in the DCP are considered to be minor and are justified in the table above.

**(b) the likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.**

- it is considered that the proposed development will not have an adverse impact on the environment.
- stormwater will be disposed to rear lane, in according to Council requirements and sedimentation, and will be appropriately controlled during construction.
- it is considered that the potential impact of the proposed dwelling in terms of privacy and solar access to adjoining residences is minimal and reasonable;
- the social and economic impacts of the development are considered acceptable due to the size of the development proposal.

**(c) the suitability of the site for the development**

The site is considered suitable for redevelopment.

**(d) any submissions made in accordance with this Act or the regulations**

The development will be subject to Council's Notification Policy.

**(e) the public interest**

The proposal is fully recognizing predominant streetscape qualities, such as building form, scale, patterns, materials and colours and vegetation which contributes to the existing character of the local area. The proposed development will make a positive contribution to the existing housing stock and is recommended for approval.

**7. Conclusions**

Construction of a new dwelling house with garage is a suitable development for the subject site.

The design of the proposed dwelling has architectural merit, complies with the key applicable development standards and objectives in the *Manly Local Environmental Plan 2013* and in the *Manly Development Control Plan*, and is responsive to the site opportunities and constraints.

For these reasons, the proposal is in the interest of the public and worthy of full support from Council.



*Front Perspective*