



statement of environmental effects



ALTERATIONS & ADDITIONS TO AN EXISTING DWELLING

11A MONASH CRESCENT
CLONTARF NSW 2093

July 2025

Prepared by Rebecca Englund
B Arch Studies | M Plan | MPIA

Director | Northern Beaches Planning

Phone: 0472 65 74 74

Web: www.northernbeachesplanning.com.au

Email: rebecca@northernbeachesplanning.com.au



Disclaimer

This report has been prepared on the basis of information available at the date of publication. Whilst attempts have been made to ensure the accuracy of the information in this document, Northern Beaches Planning accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance on information in this publication or referenced in this publication. Reproduction of this report (or part thereof) is not permitted without prior permission from Northern Beaches Planning.

introduction

This statement of environmental effects has been prepared by Northern Beaches Planning on behalf of Courtney Smith & Dan Brooks to accompany the lodgement of a development application for alterations and additions to an existing dwelling at 11A Monash Crescent, Clontarf (**site**).

This statement is informed and accompanied by the following documentation:

- Detail and Boundary Survey by Waterview Surveying Services
- Architectural Plans by Corben Architects
- Geotechnical Investigation and Stability Report by JK Geotechnics
- Coastal Engineering Risk Management Report by Horton Coastal Engineering
- Landscape Plans by Secret Gardens
- Arboricultural Impact Assessment by Peake Arboriculture
- BASIX Certificate by Corben Architects
- Waste Management Plan by Corben Architects
- Clause 4.6 Request by Northern Beaches Planning

site details

The site is legally identified as Lot 52 in Deposited Plan 9745 and is commonly referred to as 11a Monash Crescent, Clontarf. The site is located on the south-western side of Monash Crescent and immediately adjoins Clontarf Beach. The site is rectangular in shape, with a 12.19m wide frontage to Monash Crescent, a maximum depth of 39.31m, and a total area of 478.9m².

An existing two storey dwelling is located centrally on the site, with a basement below the front portion of the dwelling, a detached garage and sauna at the street frontage and a swimming pool in the rear yard. Vehicular and pedestrian access is gained from Monash Crescent, with pedestrian access also available to Clontarf Beach at the rear. The site is generally flat, with an average level of 2.92m AHD. There are no trees of significance and very little vegetation on the site. However, a significant street tree is present within the adjacent road reserve.

Due to its proximity to Clontarf Beach and the harbour, the rear of the site is burdened by the foreshore building line. The site is also located within a scenic protection area, as it is visible from the waterway and the surrounding foreshores.

Monash Crescent is characterised by large dwelling houses. The south-western side of the street comprises a run of garage structures with nil setbacks to the front boundary, and dwellings that are primarily oriented towards available views to the rear. Monash Crescent is a two-lane local road, with on-street parking restricted to the north-eastern side of the street (only).

Aerial images of the site and its surrounds are provided in Figures 1 and 2 on the following page. Images of the site and the streetscape are also provided (Figure 3-6).

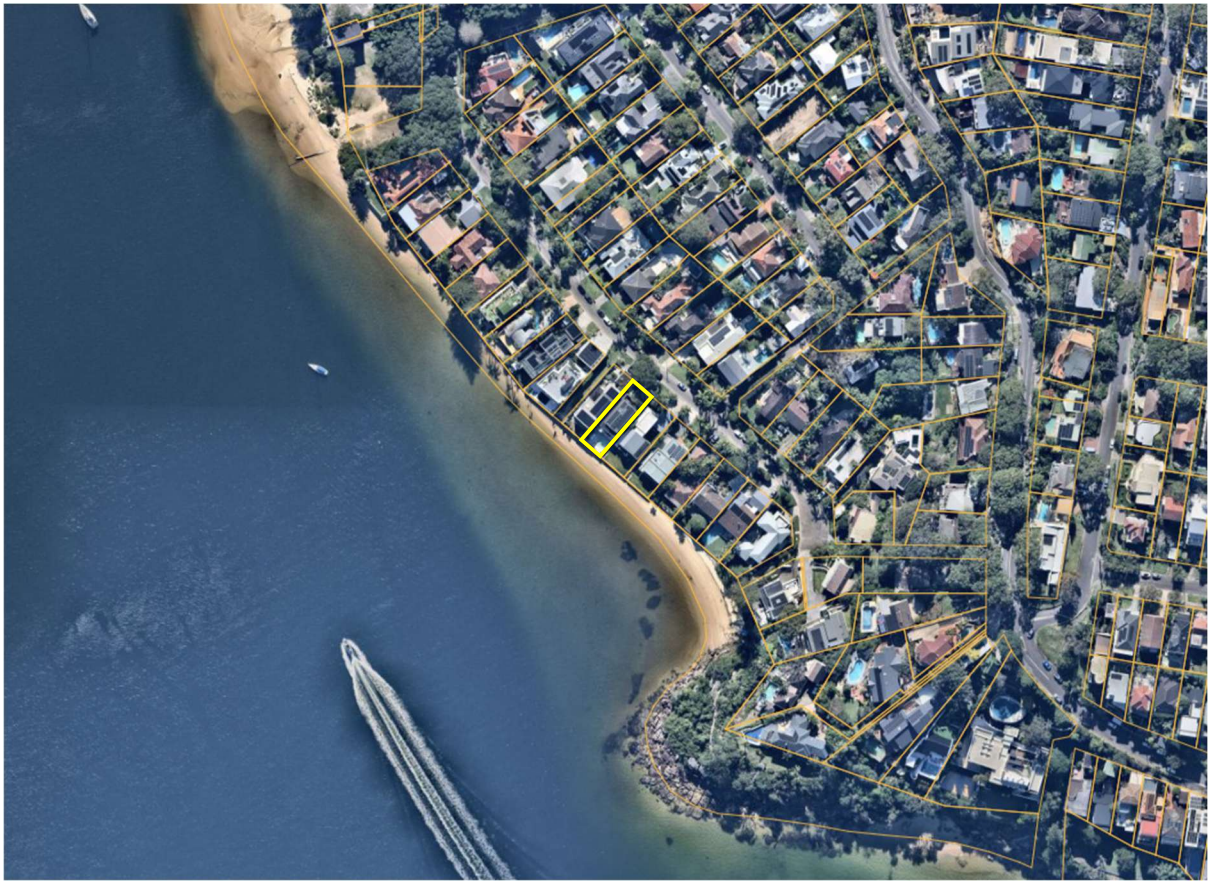


Figure 1 – Aerial image with site bordered in yellow
Source: Nearmap



Figure 2 – Aerial image (zoom) with site bordered in yellow
Source: Nearmap



Figure 3 – The existing dwelling as seen from the Monash Crescent
Source: NBP



Figure 4 – Existing streetscape of Monash Crescent with existing dwelling in the distance
Source: NBP



Figure 5 – The front courtyard with the existing sauna (left)
Source: NBP



Figure 6 – The rear yard and views available in a south-westerly direction
Source: NBP

proposed development

The application seeks consent for alterations and additions to the existing dwelling, as depicted in the architectural plans prepared by Corben Architects that accompany this application. Specifically, the works include:

- Replacement of the existing garage and sauna and addition of a new bin store,
- Alterations and additions to the ground floor to facilitate an open plan kitchen/living/dining area, butlers pantry, relocated internal stairs, two bedrooms with ensuites, entrance hall,
- Alterations and additions to level 1 to facilitate three bedrooms (each with an ensuite and one with a WIR), rear terrace, relocated internal stairs,
- Alterations and additions to the basement to facilitate relocated internal stairs,
- Alterations to windows and balustrades,
- Refinement of parapet details and altered materiality/finishes,
- Minor adjustments to the roof,
- Alteration to the existing seawall and beach access stairs, and
- Landscaping.

legislation, plans and policies

The following relevant state and local policies are applicable to the proposed development:

- Environmental Planning and Assessment Act (**EP&A Act**)
- Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
 - Foreshores and Waterway Area
- State Environmental Planning Policy (Resilience and Hazards) 2021
 - Coastal Use Area
 - Coastal Environment Area
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Manly Local Environmental Plan 2013 (**MLEP 2013**):
 - Lot Size Map: 750m²
 - Land Zoning Map: C3 Environmental Management
 - Height of Buildings Map: 8.5m
 - Floor Space Ratio Map: 0.4:1
 - Foreshore Building Line Map: Foreshore Area
 - Terrestrial Biodiversity Map: Biodiversity
 - Scenic Protection Land Map: Scenic Protection
 - Acid Sulfate Soils: Classes 3 & 5
- Manly Development Control Plan 2013 (**MDCP 2013**)
 - Open Space Area: Area OS4
 - Potential Geotechnical Landslip Hazard Areas: Area G3

environmental planning and assessment act

The matters prescribed by section 4.15(1) of the EP&A Act are considered, as follows:

Clause	Provision	Comment
(a)	<i>the provisions of—</i> <i>i. any environmental planning instrument, and</i> <i>ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i> <i>iii. any development control plan, and</i> <i>iv. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i> <i>v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i> <i>that apply to the land to which the development application relates,</i>	The relevant provisions of MLEP 2013, all relevant SEPPs, and MDCP 2013 have been considered and addressed in this statement. A LEP Planning Proposal for the new comprehensive Northern Beaches Local Environmental Plan has received gateway determination. However, the draft instrument required significant amendment and has not been the subject of public consultation. As such, it is not required to be considered in this development application.
(b)	<i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The likely impacts of the proposed development have been addressed with respect to relevant plans and policies in this statement. The proposed development will not result in any unacceptable impacts upon the natural or built environment, or any social or economic impacts in the locality.
(c)	<i>the suitability of the site for the development,</i>	The subject site is suitable for the proposed development.
(d)	<i>any submissions made in accordance with this Act or the regulations,</i>	The application will be notified to all neighbouring properties, with any submissions received to be considered by Council.
(e)	<i>the public interest.</i>	The proposed development is in the public interest, in so far as it is consistent with the objectives and outcomes of MLEP 2013 and MDCP 2013.

state environmental planning policy (biodiversity and conservation)

Vegetation in Non-Rural Areas

The provisions of Chapter 2 of this policy are applicable to all non-rural land across the state and aim to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural areas through the preservation of trees and other vegetation.

The proposal does not involve the removal of any protected trees and works within the vicinity of the significant street tree are to be undertaken in accordance with the recommendations of the project arborist, as outlined in the accompanying Arboricultural Impact Assessment by Peake Arboriculture. As such, the proposed development is considered to be consistent with the relevant requirements and objectives of Chapter 2 of SEPP (Biodiversity and Conservation).

Foreshores and Waterways Area

The site is identified as being within the Foreshores and Waterways Area of the Sydney Harbour Catchment and is subject to the provisions of Part 6.3 of Chapter 6 of SEPP (Biodiversity and Conservation) 2021.

An assessment of the proposal against the relevant aims of the chapter has been undertaken, and the consent authority can be satisfied of the matters prescribed by clause 6.28(2) of this policy, specifically that the unique visual qualities of the Foreshores and Waterways Area will be enhanced, protected or maintained, including views and vistas to and from the Foreshores and Waterways Area, and public places, landmarks and heritage items.

state environmental planning policy (resilience and hazards)

Coastal Hazard

The site is identified as land in the:

- coastal environment area on the Coastal Environment Area Map, and
- coastal use area on the Coastal Use Area Map,

The provisions of Chapter 2 of SEPP (Resilience and Hazards) are applicable in relation to the site and this proposal.

Development on land in the coastal environment area

In accordance with clause 2.10(3) of this policy, this clause does not apply as the land is within the Foreshores and Waterways Area.

Development on land in the coastal use area

In accordance with clause 2.11(2) of this policy, this clause does not apply as the land is within the Foreshores and Waterways Area.

Coastal Zone

The application is accompanied by a Coastal Engineering Risk Management Report by Horton Coastal Engineering to confirm that the proposed development is not likely to cause increased risk of coastal hazards on the land or other land, and the consent authority can be satisfied with respect to section 2.12 of this policy.

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land. Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. The site has been used for residential purposes for an extended period of time, with no known prior land uses. The site is not identified on the public register of contaminated sites and is not located in the vicinity of any. Council can be reasonably satisfied that there is no contamination risk.

state environmental planning policy
(sustainable buildings)

The proposed works constitute 'BASIX affected development', as defined by the EP&A Regulation. The application is accompanied by a BASIX Certificate demonstrating that the proposed development can meet relevant performance criteria.

local environmental plan

The site is identified on the Land Application Map of MLEP 2013 and the provisions of this policy are applicable in relation to the site and the proposed development. The relevant provisions of MLEP 2013 are considered, as follows:

Clause	Standard	Proposal	Compliance
Clause 2.3 Zone objectives and Land Use table			Yes
Clause 2.7 Demolition requires development consent			Yes
Zone C3 Environmental Management			Yes See discussion
4.3 Height of buildings	8.5m	8.05m	Yes
4.4 Floor space ratio	0.40:1	Existing: 0.57:1 Proposed: 0.57:1	No See discussion
4.6 Exceptions to development standards			Yes
6.1 Acid sulfate soils			Yes
6.2 Earthworks			Yes
6.4 Stormwater management			Yes
6.12 Essential services			Yes

Zone C3 Environmental Management

The site is zoned C3 Environmental Management under the provisions of MLEP 2013. Pursuant to the land use table in Part 2 of this instrument, dwelling houses (and alterations and additions thereto) are permissible with consent. In accordance with clause 2.3 of MLEP 2013, the consent authority must have regard for the objectives of the zone for which the development is to occur.

The objectives of the C3 Environmental Management zone are as follows:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*

- *To protect tree canopies and provide for low impact residential uses that 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.*

The obligation imposed by clause 2.3 of the LEP was described in *Codling v Central Coast Council* [2019] NSWLEC 1158 as follows:

It is clear from the terms of clause 2.3(2) that there is no requirement for development within the zone to comply with, or to achieve, each of the objectives of the zone. Nevertheless, the clause requires that the consent authority “have regard to” those objectives. They are therefore a mandatory consideration in the assessment process and a proposed development ought not be antipathetic to those objectives.

Council can be satisfied that the proposed development is not inconsistent with the objectives of the C3 Environmental Management zone, for the following reasons:

- The proposal seeks to refine and contemporise the external appearance of the existing dwelling, with no adverse or readily perceptible change to the bulk or scale of the dwelling,
- The height of the building remains generally unchanged, albeit reduced in some locations by virtue of the removal of unnecessary parapets,
- The low density nature of the dwelling remains unchanged,
- The proposal does not negatively impact on the adjacent foreshore, with the proposed reduction to the height of the seawall ensuring cohesion with neighbouring seawalls, and
- The proposal seeks to increase the area of permeable surfaces on the site, combined with an enhancement to the landscaped treatment of the site.

Clause 4.4 Floor space ratio

The proposed development has a floor space ratio of 0.57:1, in excess of the 0.4:1 floor space ratio prescribed by clause 4.4 of MLEP 2013. However, the proposed FSR is generally the same as that of the existing dwelling, with only a minor increase in the gross floor area of 4.15m².

Clause 4.6 of MLEP 2013 provides the mechanism to vary the maximum floor space ratio development standard. A request made pursuant to clause 4.6 of MLEP 2013 accompanies this application, which relies in part upon the expressed variation of clause 4.1.3 of MDCP 2013 to allow the calculation of FSR to be made with respect to a 750m² lot size, noting the undersized nature of the subject site.

development control plan

MDCP 2013 is applicable to the site and the proposed development. The relevant provisions of MDCP 2013 are considered, as follows:

Clause	Control	Proposal	Compliance
3.1.1.1 Complementary Design and Visual Improvement	Development in the streetscape should be designed to complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality.	The proposed additions have been designed to sensitively respond to the existing dwelling and the character of the Monash Crescent streetscape. In particular, the proposed new garage is appropriately responsive to the alignment and form of garages along the south-western side of the street and is generally consistent with the existing garage at the site.	Yes
3.1.1.2 Front Fences and Gates	The siting, height and form of boundary fences and walls should reflect the fencing characteristic of the locality, particularly those of adjacent properties.	The proposal seeks to replace the existing front fence and pedestrian access gate. The fence and access gate are setback from the front boundary, behind landscaping, to provide articulation along the streetscape.	Yes
3.2 Heritage considerations	The impact on the setting of a heritage item or conservation area is to be minimised	The site does not contain an item of heritage significance, is not within a heritage conservation area and is not in the immediate vicinity of any.	N/A
3.3.1 Landscaping Design	The design, quantity and quality of open space should respond to the character of the area.	The proposal seeks to increase the quality and quantity of landscaping on the site, as demonstrated on the accompanying Landscape Plans by Secret Garden.	Yes
3.3.2 Preservation of Trees or Bushland Vegetation	Authority to clear a tree or other vegetation, is regulated in this plan in accordance with	The application does not seek consent for the removal of any trees, with	N/A

Clause	Control	Proposal	Compliance
	SEPP (Biodiversity and Conservation).	trees to be removed limited to exempt species.	
3.4.1.1 Overshadowing Adjoining Open Space	New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June).	The bulk of the dwelling remains generally unchanged, with minor reductions to the upper parapet roof. As such, the proposed development will not result in any additional overshadowing of neighbouring properties.	Yes
3.4.1.2 Maintaining Solar access into Living Rooms of Adjacent Properties	The level of solar access presently enjoyed must be maintained to north-facing windows or glazed doors of living rooms for a period of at least 4 hours from 9am to 3pm on the winter solstice (21 June).	The proposal will not alter levels of solar access to north-facing windows of the adjoining property.	Yes
3.4.2.2 Balconies and Terraces	Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties. Architectural screens must be fixed in position and suitably angled to protect visual privacy.	Existing 1.8m high privacy screens are to be replaced with integrated, full height privacy screens that are consistent with the colour and material palette proposed.	Yes
3.4.3 Maintenance of Views	The design of any development, including the footprint and form of the roof is to minimise the loss of views from neighbouring and nearby dwellings and from public spaces.	The proposed additions will not result in any adverse impacts upon views, with no change to the general mass/volume of the existing building.	Yes
3.5 Sustainability	To ensure the principles of ecologically sustainable development are taken into consideration within a consistent and integrated planning framework that achieves environmental, economic and social sustainability in the short, medium and long term.	A BASIX Certificate accompanies the application.	Yes

Clause	Control	Proposal	Compliance
3.7 Stormwater Management	All developments must comply with Northern Beaches Council's 'Water Management for Development Policy'.	The application is supported by Stormwater Management Plans demonstrating a suitable stormwater management solution for the site.	Yes
3.8 Waste Management	All development must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	The application is supported by a Waste Management Plan.	Yes
3.10 Safety and Security	The principle of 'safety in design' is to be considered for all development in relation to the design and assessment of DAs to ensure developments are safe and secure for residents, all other occupants and visitors.	The existing beach access stairs run parallel to the foreshore and are screened from view from the site by the existing seawall. The proposal realignment improves casual surveillance of the beach stairs, allowing occupants of the property to see people approaching and leaving the site.	Yes
4.1.2.1 Wall Height		No change.	Yes
4.1.2.2 Number of Storeys	Buildings must not exceed 2 storeys.	No change.	Yes
4.1.2.3 Roof Height	Pitched roof structures must be no more than 2.5m above the actual wall height.	Minor reduction to the height of the upper parapet.	Yes
4.1.4.1 Street Frontage Setbacks	Street front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.	600mm, consistent with the alignment of neighbouring buildings.	Yes
4.1.4.2 Side Setbacks and Secondary Street Frontages	West: 1/3 of average wall height (2.8m) = 0.95m	Garage: No change. Dwelling: Nil .	No See discussion
4.1.4.4 Rear Setbacks	8.0m	No change.	Yes

Clause	Control	Proposal	Compliance
4.1.5.1 Minimum Residential Total Open Space Requirements	Total Open Space: 60%	Existing: 44.9% Proposed: 41.8%	No See discussion
4.1.5.2 Landscape Area	Landscaped Area: 40% of actual TOS	Existing: 10.8% Proposed: 36%	No See discussion
4.1.5.3 Private Open Space	Minimum area: 18m ²	>18m ² No change.	Yes
4.1.6.1 Parking Design and Location of Garages, Carports or Hardstand Areas	The maximum width of any garage, carport or hardstand area is not to exceed a width equal to 50 percent of the frontage, up to a maximum width of 6.2m. 2 spaces (minimum).	6.0m 2 spaces.	Yes
4.1.8 Development on Sloping Sites	Area G3	The application is supported by a Geotechnical Investigation and Stability Report by JK Geotechnics.	Yes
4.1.9 Swimming Pools, Spas and Water Features	Swimming pools and spas must be built on or in the ground and not elevated more than 1m above natural ground level. Swimming pools and spas must not be located within the front setback i.e. between the front boundary of the lot and the building line.	No change.	N/A
4.1.10 Fencing	In relation to open/ transparent fences, height may be increased up to 1.5m where at least 30 percent of the fence is open/ transparent for at least that part of the fence higher than 1m.	The proposed front fence and access gate exceed 1.5m in height and have been designed to extend to the underside of the entrance roof, similar to that at 15 Monash Crescent.	No

Clause 4.1.4.2 Side Setbacks and Secondary Street Frontages

The proposal seeks to replace the existing double garage with a slightly wider double garage, consistent with contemporary dimensions (6m x 6m), to accommodate the two large family vehicles owned by the residents of the dwelling. To achieve the additional width, the application proposes a nil setback along the south-eastern side boundary. Whilst non-compliant with the 950mm setback prescribed by clause 4.1.4.2 of MDCP 2013, the nil setback is considered reasonable in light of the following:

- There is an existing 2.0m high masonry wall along the entire length of the south-eastern boundary, such that the reduced setback will not be readily perceived from the streetscape or the neighbouring property.
- Nil side setbacks to garages are common along Monash Crescent, most notably on the adjoining property to the north-west at 13 Monash Crescent.
- The proposal is consistent with the variation provisions at clause 4.1.4.3 of MDCP 2013, which allows for nil setbacks in Density Areas D3 to D9 (the site is within Density Area D7) when limited to 3m in height, on one side only, with no windows.

Clauses 4.1.5.1 Minimum Residential Total Open Space Requirements and 4.1.5.2 Landscaped Area

The proposed expansion of the existing garage and sauna, combined with the incorporation of a new bin store, results in an increase to the building footprint of approximately 24m². However, as a result of the siting of the additional enclosed space, with setbacks less than 2m to a boundary, the total open space calculation is reduced by 30.8m².

Despite the proposed reduction in total open space, the functionality of the proposed front setback is far superior to that which currently exists, and the minor intensification of the existing non-compliance is offset by a significant enhancement in landscaped area and landscaping, improving water infiltration across the site and softening the visual impact of the development. In particular, the proposal increases the landscaped area calculation of the site by approximately 300%, from 23.25m² or 9.8% of existing total open space to 74.5m² or 36% of proposed total open space.

As such, the proposal is consistent with the objectives of the control, and a variation is reasonably supportable.

conclusion

The proposal is a well resolved and considered design solution for the site. The proposal will not result in any unreasonable impacts upon adjoining properties or the surrounding natural environment and appropriately reflects the desired character of the residential locality.

The relevant provisions of MLEP 2013, all relevant SEPPs, and MDCP 2013 have been considered and addressed in this statement. The proposal involves minor additions to the existing dwelling that have been skilfully designed to maximise the functionality and amenity of the existing dwelling, without adversely increasing the visual impact of the development.

The proposal remains non-compliant with the floor space ratio development standard prescribed by clause 4.4 of MLEP 2013. However, the gross floor area of the dwelling is generally consistent with that of the existing dwelling and the development remains consistent with the variation afforded by clause 4.1.3 of MDCP 2013.

The proposal will intensify existing areas of non-compliance in relation to the side setback of the garage and total open space control of MDCP 2013. However, the development remains consistent with the character of the streetscape, with additional landscaping to soften and enhance the landscaped character of the site compared that that which currently exists.

As such, the application warrants Council's support, with no jurisdictional or merit impediment to the granting of development consent.



Rebecca Englund

B Arch Studies | M Plan | MPIA

Director | Northern Beaches Planning