

untapped **PLANNING**

Statement of Environmental Effects

“Alterations and Additions to existing Dwelling”

38 Judith Street, Seaforth

Lot 261 DP 11162

Prepared for: Arclab
Date: May 2022

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1. Executive Summary

1.1 Introduction

Untapped Planning has been commissioned by Arclab to prepare a Statement of Environmental Effects for the alterations and additions to an existing dwelling on Lot 261 DP 11162 at 38 Judith Street, Seaforth.

1.2 Site Details

The subject site comprises Lot 261 DP 11162 with a street address of 38 Judith Street, Seaforth.

The site has a total combined area of 581.1m², with a street frontage of 13.64m to Judith Street.

The site is zoned R2 – Low Density Residential under the Manly Local Environmental Plan (LEP) 2013.

Development for the purposes of a Dwelling is permissible within the zone, with the consent of Council.

The following plan shows the site location in the context of the local area.

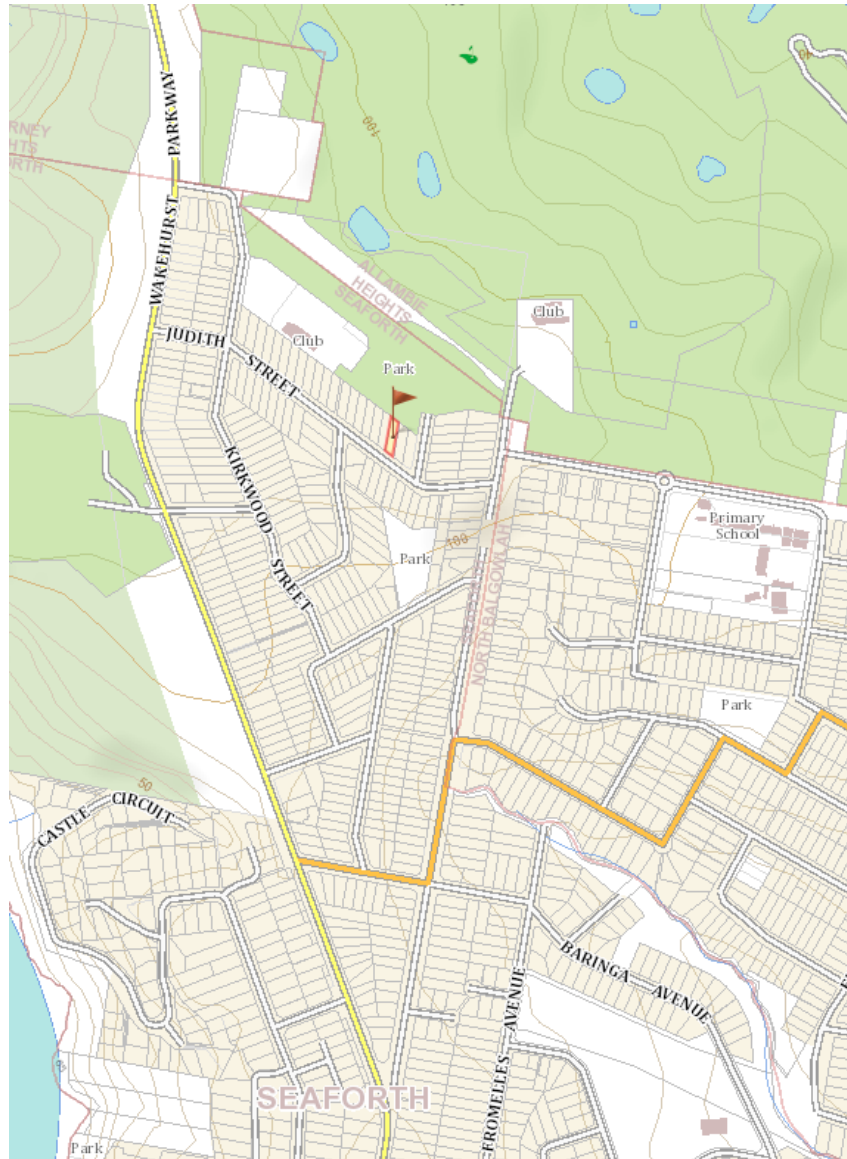


Figure 1: Locality of the subject site.

1.3 Purpose of the Report

This Statement of Environmental Effects (SoEE) has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act and accompanying Regulation.

Its purpose is to:

- describe the proposed development;
- identify and summarise the relevant controls which guide assessment of the proposal;
- provide information on the site and its context; and
- review the key issues associated with the proposal to aid in assessment by the Consent Authority and other relevant authorities.

Consideration has been given to the Council's guidelines in preparing this Statement of Environmental Effects as well as the full range of other relevant legislation and development guidelines.

2. Proposed Development

2.1 Proposal Objectives

The objective of the proposed development is to seek approval for the alterations and additions to the existing dwelling on the subject allotment.

2.2 Summary of Development

The proposed development involves the rear alterations addition to an existing dwelling.

This extension will facilitate a new open plan living area and covered outdoor area accessed through new bi-fold doors.

Internally a window is proposed to be filled in to facilitate a gas fire place and modifications are proposed to the laundry and pantry.

3. Characteristics of the Site and Locality

3.1 The Site

The subject site comprises Lot 261 DP 11162, and is known as 38 Judith Street, Seaforth.

The site has a combined total area of 581.8m², with a street frontage of approximately 13.64m to Judith Street.

The site rises towards the rear boundary, with the area of the proposed extension being generally level.

The site contains light vegetation contained within the front and rear setbacks. Standing on the site is a three storey residence..



Figure 2: Judith Street Frontage

3.2 The Locality

The subject site is located on the northern side of Judith Street. To the rear of the site is Bantry Reserve.

The immediate locality is characterised by a mix of new and older single dwellings. The area is moderately vegetated.

The following figure shows the location of the subject site within its immediate local context.



Figure 3: Aerial View of Subject Site.

3.3 Land Uses

The subject site currently contains a three storey residence.

On site parking consists of a two car garage located on the lower ground floor of the dwelling.

The site is lightly vegetated and vegetation will be retained through the development.

3.4 Topography

The site can generally be considered to be having a gentle slope from the street frontage raising to the sites rear.

The fall along the site is generally uniform and consistent. The area of the proposed extension is level.

3.5 Contamination and Geotechnical Considerations

3.5.1 Contamination

The site is not known to have any past contaminating uses.

3.5.2 Acid Sulfate Soils

The subject site is not identified as containing potential Acid Sulfate Soils.

The development will not lower the water table, nor will it result in the disturbance of Acid Sulfate Soils and as such no further assessment of Acid Sulfate Soils is considered necessary.

3.6 Vegetation

The site is lightly vegetated within the front and rear building setbacks. Vegetation consists of a mix of large mature native vegetation and gardens.

The proposed dwelling additions will not require the removal of any vegetation.

3.7 Bushfire

The development site is not noted as being bushfire prone.

No further Bushfire Assessment is required.

3.8 European and Aboriginal Archaeological Heritage

The site is not known to contain any items of European heritage significance, nor is it located within a heritage conservation area.

The site is not known to contain any items of Aboriginal archaeological significance. Though again, given that the proposal is for the purpose of a boundary adjustment it is considered that any possible Aboriginal relics located on the site will not be affected.

3.9 Traffic, Access and Road Network

The site is located with a frontage and vehicular access off Judith Street.

No change to the existing vehicular and pedestrian access is proposed and the site density will remain unchanged.

Given the minor scale of the development and the fact that no modification to the existing site access is required, it is not anticipated that there will be any adverse impacts to traffic levels in the locality as a result of the proposal.

3.10 Coastal Zone

The development site is not subject to the provisions of the NSW Coastal Policy.

3.11 Services and Utilities

The site is currently serviced with both reticulated water and sewer.

4. Planning Controls

4.1 State Planning Controls

Environmental Planning and Assessment Act 1979

Section 91

The development is not considered to constitute integrated development under the provisions of Section 91 of the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policies

The development is not reliant upon any State Environmental Planning Policy.

4.2 Local Planning Controls

The development site is currently controlled by the provisions of the Manly Local Environmental Plan 2013.

Manly Local Environmental Plan 2014

Under the Manly Local Environmental pan 2013, the site is zoned R2 – Low Density Residential. An excerpt of the Manly Local Environmental Plan 2013 zoning map is shown in Figure 4.



Figure 4: Site Zoning under Manly Local Environmental Plan 2013

The provisions for the R2 zone state;

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: The alterations are considered to be consistent with the objectives of the R2 – Low Density Residential Zone.

The alterations of an existing dwelling will not result in an intensification of the site use. The proposal is consistent with development in the general locality.

The scale of the development and its siting, with unaltered façade, is integrated with the landform which enables the existing character and landscape to be maintained.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Shop top housing; Signage; Tank-based aquaculture; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3

Comment: Under subclause 3, Dwellings and ancillary development such as pools are permissible with Consent.

Part 4 - Principal Development Standards

Clause 4.3 Height of Buildings.

The subject site is mapped as having a maximum building height of 8.5m. The proposed single storey alteration and new roof structure complies with this requirement having a maximum height of 4.523m.

Clause 4.4 Floor Space Ratio

The site is mapped as having a maximum floor space ratio of 0.45:1.

No additional floor space is being created and the existing FSR will remain unchanged.

Part 7 - Additional Local Provisions

Clause 7.1 Acid Sulfate Soils

The subject site is not identified as containing potential Acid Sulfate Soils.

The development will not lower the water table, nor will it result in the disturbance of Acid Sulfate Soils and as such no further assessment of Acid Sulfate Soils is considered necessary.

Clause 7.10 Essential Services

The subject site is serviced by reticulated water and sewer.

Mainly Development Control Plan 2013

The following relevant controls have been considered in the preparation of the subject application.

The development is considered to be compliant with the DCP controls.

Part 3	
3.1.1 Streetscape (Residential Areas)	
3.1.1.1 Complementary Design and Visual Improvement	
a) Development in the streetscape (including buildings, fences and landscaping) should be designed to:	The development will not be visible from the street and will have no impact on the existing streetscape.
i. complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;	The development will be consistent in scale to adjacent dwellings in the area.
ii. ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 <i>Amenity</i>) when viewed from surrounding public and private land;	The proposed height will have no impact on adjoining properties being single storey in nature.
iii. maintain building heights at a compatible scale with adjacent development particularly at the street <u>frontage</u> and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;	
iv. avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 <i>Development on Sloping Sites</i> and paragraph 4.1.9 <i>Swimming Pools, Spas and Water Features</i> ;	
v. address and compliment the built form and style any heritage property	

<p>in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 <i>Heritage Considerations</i>;</p> <p>vi. visually improve existing streetscapes through innovative design solutions; and</p> <p>vii. incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 <i>Building Construction and Design</i>.</p> <p>b) In lower density areas including LEP Zones R2, E3 & E4, setbacks should be maximised to enable open space to dominate buildings, especially on the foreshore. See also paragraph 3.3 <i>Landscaping</i> and paragraph 4.1.5 <i>Open Space and Landscaping</i>.</p>	
<p>3.1.1.2 Front Fences and Gates</p>	
<p>a) Notwithstanding maximum height provisions for fencing at paragraph 4.1.10; the siting, height and form of boundary fences and walls should reflect the fencing characteristic of the locality, particularly those of adjacent properties. All fencing and wall materials must be compatible with the overall landscape character and the general appearance of the building and the streetscape.</p> <p>b) Boundary fences or walls must not be erected where they would conflict with the local character.</p> <p>c) Front fences and gates must be constructed in materials that complement the architectural style and period of the dwelling and improve the streetscape. In particular, fencing adjacent to a public road or place must</p>	<p>No alteration is proposed to the existing street frontage including fencing and gates.</p>

<p>not be constructed in metal cladding, powder coated or otherwise.</p> <p>d) Gates must not encroach on public land when opening or closing.</p>	
3.1.1.3 Roofs and Dormer Windows	
<p>a) Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings.</p> <p>b) Roofs should be designed to avoid or minimise view loss and reflectivity.</p> <p>c) Dormer windows and windows in the roof must be designed and placed to compliment the roof structure and reflect the character of the building. In particular, such windows are not permitted on the street <u>frontage</u> of the building where there is no precedent in the streetscape, especially on adjoining dwellings.</p>	<p>The proposed roof over the addition will complement the existing structure without adversely impacting upon adjacent properties.</p> <p>The roof will be of low reflectivity and will have no impact on views</p> <p>Complies.</p>
3.1.1.4 Garages, Carports and Hardstand Areas	
<p>a) Garages, carports and hardstand areas must be designed and sited in a manner that does not to dominate the street <u>frontage</u> by:</p> <ul style="list-style-type: none"> i. its roof form, material choice and detailing by being subservient to the associated dwelling; and ii. being compatible with the streetscape and the location in relation to front setback criteria. <p>b) Exceptions to setback criteria referred to in this paragraph may be considered where parking structures are a positive element of the streetscape.</p>	<p>No modifications are proposed to the existing garage.</p>

3.1.1.1.5 Garbage Areas	
<ul style="list-style-type: none"> a) not visible off site b) integrated into the building design; c) unobtrusive and blend in with the design of front fences and walls when forward of the building; and d) located and designed with consideration given to the amenity of adjoining properties 	<p>No modification is proposed to the existing garbage storage areas.</p>
3.3 – Landscaping	
3.3.1 Landscaping Design	
<ul style="list-style-type: none"> a) The design, quantity and quality of open space should respond to the character of the area. In particular: <ul style="list-style-type: none"> i. In low density areas: (including LEP Zones R2 Low Density, E3 Environmental Management and E4 Environmental Living) open space should dominate the site. Setbacks of buildings from open space should also be maximised to enable open space to dominate buildings, especially when viewed to and from Sydney Harbour, the Ocean and the foreshore. ii. In higher density areas: the provision of adequate private open space and landscaped areas are to maximise residential amenity. Site works must be minimised to protect natural features. iii. In areas adjacent to native vegetation: the design of development should be sympathetic to the natural environment in order to protect and enhance the area as habitat for native fauna. iv. In areas of habitat for the long-nosed bandicoot: (see paragraph 5.4.2), landscape design must include native plant 	<p>The existing landscaped areas in the front and the rear of the site will be retained.</p> <p>No modification is proposed to these areas.</p>

species to provide new and/or improved low dense clumping habitat to provide for potential foraging and nesting.

b) .

- i. Landscaped Areas must be capable of supporting new native tree species that are typically expected to reach a mature height of 10m notwithstanding the minimum dimension requirements at paragraph 4.1.5.2 of this plan.
- ii. The use of locally occurring native plant species is preferred to assist in providing habitat for local fauna; and preserve threatened native plants.
- iii. Trees should be positioned in locations that minimise significant impacts on neighbours in terms of:
 - blocking winter sunlight to either living rooms, private open space or solar collectors; or
 - where the proposed location of the tree may be otherwise positioned to minimise any significant loss of views.

Undercroft Areas

- c) Undercroft areas must be presented as a positive space and integrated into the design of the building by use of appropriate landscaping and/or the retention of natural features and vegetation where possible, having regard to the volume of the space and its orientation. In relation to sloping sites (see also paragraph 4.1.8) and in lower density areas, any supporting undercroft structures must be minimised.

3.3.2 Preservation of Trees or Bushland Vegetations	
	No trees or bushland vegetation will be removed
3.3.3 Footpath Tree Planting	
	No footpath trees are proposed.
3.4 Amenity	
3.4.1 Sunlight Access and Overshadowing	
3.4.1.1 Overshadowing Adjoining Open Space	
<p>In relation to sunlight to private open space of adjacent properties:</p> <ul style="list-style-type: none"> a) 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) ; or b) Where there is no winter sunlight available to open space of adjacent properties from 9am to 3pm, the calculations for the purposes of sunlight will relate to the equinox in March and September from 9am to 3pm. 	The single storey addition will contribute no additional overshadowing of any adjacent private open space areas.
3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties	
<ul style="list-style-type: none"> a) for adjacent buildings with an east-west orientation, the level of <u>solar access</u> presently enjoyed must be maintained to windows or glazed doors to living rooms for a period of at least 2 hours from 9am to 3pm on the winter solstice (21 June); b) for adjacent buildings with a <u>north-south</u> orientation, the level of <u>solar access</u> presently enjoyed must be maintained to 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); 	<p>The adjacent buildings have a north-south orientation.</p> <p>The development will not reduce sunlight to less than 4 hours on any adjacent north facing window.</p>

c) for all adjacent buildings (with either orientation) no reduction in <u>solar access</u> is permitted to any window where existing windows enjoy less than the minimum number of sunlight hours specified above.	The development is compliant.
3.4.1.3 Overshadowing Collector Systems	
A minimum of 6 hours <u>solar access</u> be retained to solar collectors on neighbouring properties	The single storey addition will have no impact on any solar collectors.
3.4.1.4 Overshadowing Clothes Drying Areas	
A minimum of 6 hours <u>solar access</u> be retained to a suitable clothes drying area.	The existing clothes drying area at the rear of the property is north facing and will comply with this requirement.
3.4.1.5 Excessive Glare or Reflectivity Nuisance	
See also Council's Administrative Guidelines in relation to the lodgement of appropriate details of building material and finishes. All external material and finishes incorporated into the development must consider and mitigate any excessive glare or reflectivity nuisance.	All external finishes are consistent with the existing dwelling and will not result in excessive glare or reflectivity nuisance.
3.4.2 Privacy and Security	
3.4.2.1 Window Design and Orientation	
a) Use narrow, translucent or obscured glass windows to maximise privacy where necessary. b) When building close to boundaries, windows must be off-set from those in the adjacent building to restrict direct viewing and to mitigate impacts on privacy.	The only new windows proposed are north facing bi-fold doors to the rear of the living area. This will facilitate enhanced solar access and natural lighting of the dwelling.
3.4.2.2 Balconies and Terraces	
a) Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties. Architectural screens must	No balcony or terrace is proposed.

<p>be fixed in position and suitably angled to protect visual privacy.</p> <p>b) Recessed design of balconies and terraces can also be used to limit overlooking and maintain privacy.</p>	
3.4.2.3 Acoustical Privacy	
<p>a) Consideration must be given to the protection of acoustical privacy in the design and management of development.</p> <p>b) Proposed development and activities likely to generate noise including certain outdoor living areas like communal areas in Boarding Houses, outdoor open space, driveways, plant equipment including pool pumps and the like should be located in a manner which considers the acoustical privacy of neighbours including neighbouring bedrooms and living areas.</p> <p>c) Council may require a report to be prepared by a Noise Consultant that would assess likely noise and vibration impacts and may include noise and vibration mitigation strategies and measures. See particular requirements for noise control reports for licenced premises below at paragraph g) below.</p>	<p>The development will have no impact in terms of acoustic privacy.</p> <p>No noise generating plant will be sited adjacent to living areas.</p> <p>It is not considered that a noise report is warranted by this development.</p>
3.4.3 Maintenance of Views	
<p>a) 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.</p> <p>b) Views between and over buildings are to be maximised and exceptions to side boundary setbacks, including zero setback will not be considered if they contribute to loss of primary views from living areas.</p> <p>c) Templates may be required to indicate the height, bulk and positioning of the proposed development and to assist</p>	<p>Being a rear single storey addition, no views will be impacted upon.</p> <p>The development sits below the existing ridge height.</p>

<p>Council in determining that view sharing is maximised and loss of views is minimised. The templates are to remain in place until the application is determined. A registered surveyor will certify the height and positioning of the templates.</p>	
3.7 Stormwater Management	
<p>a) In support of the purposes of LEP clause 6.4(3), all developments must comply with the Council's 'Stormwater Control Policy' (see Council Policy Reference S190). The standards to achieve the controls contained in the Stormwater Control Policy are provided in Council's "Specification for On-site Stormwater Management 2003" and "Specification for Stormwater Drainage". Stormwater management measures are to be implemented and maintained in accordance with the Specification for Stormwater Management;</p> <p>b) Stormwater disposal systems must provide for natural drainage flows to be maintained;</p> <p>c) Pervious surfaces and paving will be used for driveways, pathways and courtyards where practical;</p> <p>d) Notwithstanding the prevailing BASIX water conservation targets, the collection of rainwater/run-off for non-potable uses exceeding the target is encouraged; and</p> <p>e) A qualified drainage/hydraulic engineer will design all stormwater controls, devices and water storage systems; and;</p> <p>f) In relation to development in the LEP Zone B6 Enterprise Corridor, Burnt Bridge Creek runs through this land. Land in this locality is also generally low-lying. In this regard stormwater</p>	<p>The new roof area is minor in size being 29m². It is considered that the existing stormwater system on site is adequate to handle any stormwater collected in this area.</p> <p>Other than the connection to the existing stormwater system, no stormwater upgrades are proposed.</p>

<p>runoff from new developments in these LEP zones must be limited to that currently existing for the site for a 1 in 5 year storm or 40 litres per second whichever is the least, unless the drainage system is demonstrated to be sufficient for unimpeded discharge for a fully developed catchment area. Developers should assess whether their land warrants additional drainage considerations because of its location. The NSW Government Floodplain Development Manual may be useful in this assessment.</p>	
Part 4	
4.1 Residential Development Controls	
4.1.1 Dwelling Density, Dwelling Size and Subdivision	
4.1.1.1 Residential Density and Dwelling Size	
<p>a) The maximum permissible <u>residential density</u> control at Figure 24 - Minimum <u>Residential Density</u> applies to land identified in <u>Residential Density Areas</u> on the Minimum <u>Residential Density Map</u> at Schedule 1 - Map A in this plan.</p> <p>Figure 24 - Minimum <u>Residential Density</u> determines the maximum number of dwellings that may be achieved on any one development site. This figure indicates the minimum site area required for every dwelling contained on a site. For example, if a density control of 300sqm per dwelling applies to a site with a site area of 600sqm the density control would allow for a maximum of 2 dwellings.</p> <p>b) For the purposes of calculating the <u>residential density</u> control for battle-axe lots, the area of the <u>access handle</u> is excluded from the site area, consistent with the provisions for minimum subdivision lot size in LEP clause 4.1(3A).</p>	<p>The proposal will not alter the existing residential density of the site.</p>

<p>c) Notwithstanding the minimum <u>Residential Density</u> in Figure 24, no more than 2 dwellings may be constructed on lots 29, 30, 31 and 32 in Section 5 of DP 939916, known as 15 - 17 Suwarrow Street Fairlight.</p> <p>d) Dwellings are required to have the following minimum internal areas:</p>	
4.1.2 Height of Buildings	
<p>a) LEP Zones where numeric height controls in this DCP apply</p> <p>Height controls under paragraph 4.1.2 of this plan apply to development in LEP Zones R1, R2, R3, E3 and E4. This part of the DCP does not apply to development of other lands subject to the LEP Height of Building standard identified on the LEP Height of Building Map.</p> <p>See also paragraph 4.2 of this plan in relation to height controls and considerations in the LEP Business Zones.</p> <p>b) Exceptions to Height</p> <p>Where an existing building exceeds the maximum height controls in this plan or the height of building standards in the LEP, any alterations and/or additions to the building must not increase the overall height of the existing building. See also paragraph 4.1.7.2 <i>Habitable Rooms in the Roof Structure</i>.</p>	<p>Height is discussed in the LEP section of this report.</p> <p>The single storey addition is compliant with the height controls.</p>
4.1.2.1 Wall height	
<p>a) Within the LEP Height of Buildings development standard, the maximum external wall height is calculated based on the slope of the land under the proposed wall. Figures 26, 27 and 28 provide guidelines for determining the maximum height of external walls based on the particular slope of the land along the length of these proposed walls. The maximum wall height control will also vary from one building,</p>	<p>No wall proposed will exceed the maximum wall height. The addition is single story with of 4.21m wall height</p>

<p>elevation or part elevation to another depending on the slope of land on which the wall is sited. Within the range of maximum wall heights at Figures 26 and 28, the permitted wall height increases as the slope of the land increases up to a gradient of 1 in 4, at which point the permitted maximum wall height is capped according to Figure 26.</p>	
<p>4.1.2.2 Number of Storeys</p>	
<p>a) Buildings must not exceed 2 storeys, except on land in areas 'L' and 'N1' on the LEP Height of Building Map and notwithstanding the wall and roof height controls in this plan.</p> <p>b) Buildings on land in areas 'L' and 'N1' on the LEP Height of Building Map Buildings must not exceed 3 storeys notwithstanding the wall and roof height controls in this plan.</p> <p>c) Variation to the maximum number of storeys may be considered:</p> <ul style="list-style-type: none"> i. where specific physical site constraints warrant an exception to this requirement. In these circumstances the development must still fully comply with other numeric height controls and development standards; and ii. to allow an additional understorey where that storey satisfies the meaning of basements in the LEP. 	<p>The proposed addition is single storey and will not change the number of storeys in the existing dwelling.</p>
<p>4.1.2.3 Roof Height</p>	
<p>a) Pitched roof structures must be no higher than 2.5m above the actual <u>wall height</u> *, calculated in accordance with Figure 29.</p> <p>b) Roof parapets may extend up to 0.6m above the actual wall height where Council considers that a parapet is considered to be appropriate to the design of the development and satisfies the objectives of this DCP and the LEP. For example, a parapet roof should not result in the appearance of lift</p>	<p>No component of the roof will be more than 2.5m above the wall height.</p> <p>No roof parapet is proposed.</p>

structures and the like that protrude above the roof.	
4.1.3 Floor Space Ratio	
FSR is a development standard contained in the LEP and LEP objectives at clause 4.4(1) apply.	Floor space ratio is discussed in the LEP section of this report. The LEP requires a maximum of 0.45:1, the development is compliant being 0.2:1.
4.1.4 Setbacks (front, side and rear) and Building Separation	
4.1.4.1 Street Front Setbacks	
<p>a) Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.</p> <p>b) Where the street front building lines of neighbouring properties are variable and there is no prevailing building line in the immediate vicinity i.e. where building lines are neither consistent nor established, a minimum 6m front setback generally applies. This street setback may also need to be set further back for all or part of the front building <u>façade</u> to retain significant trees and to maintain and enhance the streetscape.</p> <p>c) Where the streetscape character is predominantly single storey building at the street <u>frontage</u>, the street setback is to be increased for any proposed upper floor level. See also paragraph 4.1.7.1.</p> <p>d) Projections into the front setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, chimneys, meter boxes and the like, where no adverse impact on the streetscape or adjoining properties is demonstrated to Council's satisfaction.</p>	No change is proposed to the existing street front setback. The building façade is not proposed to be altered.
4.1.4.2 Side Setbacks and Secondary Street Frontages	
a) Setbacks between any part of a building and the side boundary must not be less than one third of the height	<p>The existing side setbacks are;</p> <ul style="list-style-type: none"> - Eastern boundary – 905mm - Western Boundary – 935mm

<p>of the adjacent external wall of the proposed building.</p> <p>b) Projections into the side setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, and the like, if it can demonstrate there will be no adverse impact on adjoining properties including loss of privacy from a deck or balcony.</p> <p>c) All new windows from habitable dwellings of dwellings that face the side boundary are to be setback at least 3m from side boundaries;</p> <p>d) Side setbacks must provide sufficient access to the side of properties to allow for property maintenance, planting of vegetation and sufficient separation from neighbouring properties. See also paragraph 4.1.4.3.b.vi.of this plan.</p>	<p>These setbacks are to be retained.</p>
4.1.4.4 Rear Setbacks	
<p>a) The distance between any part of a building and the rear boundary must not be less than 8m.</p> <p>b) Rear setbacks must allow space for planting of vegetation, including trees, other landscape works and private and/or common open space. The character of existing natural vegetated settings is to be maintained. See also paragraph 3.3 Landscaping.</p> <p>c) On sloping sites, particularly where new development is uphill and in sensitive foreshore locations, consideration must be given to the likely impacts of overshadowing, visual privacy and view loss</p> <p>d) Rear setbacks must relate to the prevailing pattern of setbacks in the immediate vicinity to minimise overshadowing, visual privacy and view loss.</p>	<p>The rear setback of 17.283m complies with this clause.</p> <p>The rear setback contains existing vegetation that is to be retained by the development.</p> <p>The single story addition will not contribute to view loss or overshadowing.</p> <p>The proposed rear setback is consistent with the prevailing rear setback pattern.</p>
4.1.5 Open Space and Landscaping	

4.1.5.1 Minimum Residential Total Open Space Requirements.	
<p>a) Open Space must be provided on site in accordance with Figure 34 - <i>Numeric Requirements for <u>Total Open Space</u>, <u>Landscaped Area</u> and <u>Open Space Above Ground</u></i>.</p> <p>b) <u>Total Open Space</u> (see Dictionary meanings including landscape area, <u>open space above ground</u> and principal private open space) must adhere to the following minimum specifications:</p> <ul style="list-style-type: none"> i. horizontal dimension of at least 3m in any direction; and ii. a minimum unbroken area of 12sqm. iii. A variation to the minimum specifications in i) and ii) above may only be considered for Above Ground Open Space where it can be demonstrated that lesser dimensions or areas will better serve to minimise amenity impacts on neighbours. A lesser areas of above ground open space may be included or calculated under the minimum requirements in the circumstances of the case. In all other cases open space that does not comply with the minimum specification is not included or calculated under the minimum requirements for <u>total open space</u>. 	<p>A total of 170m² is available at the rear of the site as open space, this area excludes an additional 65m² in the pool area.</p> <p>The provided open space is compliant with the requirements of the DCP in that it contains a minimum unbroken area of 12m² and dimensions exceeding 3m.</p>
4.1.5.2 Landscaped Area	
<p>a) Landscaped Area must be provided on site in accordance with above Figure 34 - <i>Numeric Requirements for <u>Total Open Space</u>, <u>Landscaped Area</u> and <u>Open Space above Ground Level</u></i>. The minimum landscaped area requirement is a percentage of the actual* <u>total open space</u> onsite.</p> <p>*Note: 'Actual' space refers here to proposed (or existing where no change</p>	<p>The site contains approximately 240m² of landscaped area or 41% of the site.</p> <p>The rear awning addition will not occupy any existing landscape area so the pre and post development landscaping will remain unchanged.</p> <p>The site landscaping is compliant with the requirements of the DCP.</p>

<p>proposed), rather than the minimum requirement for open space in this plan.</p> <p>b) Minimum dimensions and areas must provide for the following:</p> <ul style="list-style-type: none"> i. soil depth of at least 1m for all landscaped areas either in ground or above ground in raised planter beds; and ii. a minimum horizontal dimension of 0.5m measured from the inner side of the planter bed/ box, wall or any other structure which defines the landscaped area and incorporating an appropriate drainage and irrigation regime. <p>c)</p> <ul style="list-style-type: none"> i. The minimum <u>tree</u> numbers must be in accordance with Figure 37 - <i>Minimum Number of Native Trees Required</i>. ii. The minimum <u>tree</u> requirement may include either existing established native trees or new native trees planted at a pot/container size to be at least 25 litres capacity and being a species selected in accordance with Schedule 4 Part B - <u>Native Tree Selection</u>. iii. The required minimum number of native trees required under this paragraph must be planted in a deep soil zone as defined in this plan's Dictionary. <p>d) Driveways alongside boundaries will be sufficiently setback to provide a landscaped area at least 0.5m wide between the driveway area and side boundary for the length of the driveway. Any parking hard stand area or carport associated with the driveway should also be similarly setback unless requiring a greater setback elsewhere under this plan.</p>	
<p>4.1.5.3 Private Open Space</p>	

<p>a) Principal private open space is to be provided in accordance with the following minimum specifications:</p> <ul style="list-style-type: none"> i. Minimum area of principal private open space for a dwelling house is 18sqm; and ii. Minimum area of principal private open space for residential accommodation with more than 1 dwelling on the site is 12sqm for each dwelling. 	<p>The private open space to the rear of the property exceeds the required 18m². Some 176m² (excluding the pool area) is available at the rear of the site as private open space.</p> <p>This space is directly accessible from living areas and will be enhanced by the new bi-fold doors.</p>
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5. Conclusion

This proposal is for the alterations and additions to an existing Dwelling on an R2 – Low Density Residential zoned parcel of land.

The proposal is considered to be consistent with the provisions of the Manly Local Environmental Plan 2013 and Development Control Plan 2013.

Furthermore, the proposal is considered to have no adverse impacts upon the environment or the general locality or surrounding properties.

Councils support to the proposal is therefore requested.