

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR PROPOSED
ALTERATIONS AND ADDITIONS TO EXISTING DWELLING,
INCLUDING TORRENS TITLE SUB DIVISION AND
ESTABLISHMENT OF 2 SEMI DETACHED DWELLINGS**

**AT No. 41 PACIFIC PARADE, MANLY
LOT 1 IN D.P. 932637**

MARCH 2021

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PURPOSE AND FORM OF THIS DOCUMENT

This Statement of Environmental Effects ("SEE") has been prepared in support of a development application ("DA") made under Section 78A of the Environmental Planning and Assessment Act 1979 (NSW) ("EPAA") to be submitted to Northern Beaches Council ("the "Council") on or about the date of this document.

The Manly LEP (2013) and Manly DCP (2013) have been consulted during the design process.

In addition to the material prescribed in the DA Checklist, this SEE contains:

- a site and context analysis statement
- a summary of the proposed development
- an analysis of compliance with relevant requirements of the Manly LEP 2013 and the Manly DCP 2013

This SEE must be read in conjunction with the following accompanying documents prepared by Castlepeake Consulting:

	Cover Sheet & BASIX Requirements	<i>dated 31.03.21</i>	<i>issue DA</i>
DA00	Site Analysis Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
DA01	Site Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
DA02	Ground Floor Plan (Part 1)	<i>dated 31.03.21</i>	<i>issue DA</i>
DA03	Ground Floor Plan (Part 2)	<i>dated 31.03.21</i>	<i>issue DA</i>
DA04	Upper Floor Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
DA05	Roof Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
DA06	North & South Elevations	<i>dated 31.03.21</i>	<i>issue DA</i>
DA07	East, West & Street Elevations	<i>dated 31.03.21</i>	<i>issue DA</i>
DA08	Sections A & B	<i>dated 31.03.21</i>	<i>issue DA</i>
DA09	Sections C, D, E & F	<i>dated 31.03.21</i>	<i>issue DA</i>
DA10	Demolition & Waste Management Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
L01	Landscape Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
L02	Landscape & Open Space Calculation Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
F01	Schedule of Colours & Materials	<i>dated 31.03.21</i>	<i>issue DA</i>
SD01	Shadow Diagram June 9am (Existing)	<i>dated 31.02.21</i>	<i>issue DA</i>
SD02	Shadow Diagram June 12pm (Existing)	<i>dated 31.02.21</i>	<i>issue DA</i>
SD03	Shadow Diagram June 3pm (Existing)	<i>dated 31.02.21</i>	<i>issue DA</i>
EX01	Existing Ground Floor Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
EX02	Roof Plan	<i>dated 31.03.21</i>	<i>issue DA</i>
EX03	North & South Elevations	<i>dated 31.03.21</i>	<i>issue DA</i>
EX04	East, West & Street Elevations	<i>dated 31.03.21</i>	<i>issue DA</i>

BASIX Certificate for lot 1. No. A405271

BASIX Certificate for Lot 2 No. A405298

Shadow Diagram Certification

Waste Management Plan- Demolition/Excavation, Construction & Ongoing

Cost Summary Report

Statement of Heritage Impact

Accompanying documentation prepared by consultants:

- Detail, Level and Boundary Identification Survey prepared by CMS Surveyors Pty Ltd reference 19859detail and dated 07/12/20
- Draft Sub Division Plan prepared by CMS Surveyors Pty Ltd reference 19859A subdivision 2 and dated 16/03/21
- Hydraulic Documentation prepared by Quantum Engineers:

C01	Stormwater Design Plans	<i>dated 31/03/21</i>	<i>rev A</i>
C02	Stormwater Design Plans	<i>dated 31/03/21</i>	<i>rev A</i>
SW1	Sediment Control Plan	<i>dated 31/03/21</i>	<i>rev A</i>

Flood Impact Assessment – 41 Pacific Parade, Manly

- Arboricultural Impact Assessment prepared by Bluegum Tree Care & Consultancy dated February 2021

SITE & CONTEXT ANALYSIS

The site is located at 41 Pacific Parade, Manly and is identified as Lot 1 in DP 932637. The lot is a rectangular shape, 15.24m wide and 47.63m long and 725.6m² in area. It is located on the southern side of Pacific Parade.

The site currently contains a single level bungalow with a slate hipped roof, rendered walls and timber fretwork and detailing to windows and the wrap around verandah to the north and east. A faceted bay protrudes to the north west section of the streetscape facade. Currently there are no parking provisions on site.



Figure 1- Streetscape appearance of 41 Pacific Parade

A lean to is located at the rear of the dwelling, contained below a corrugated metal roof. The block slopes gently towards the front of the property, with the rear boundary bordering the junction of a cul-de-sac at the eastern end of Pine St and a pedestrian walkway leading to the east between Pacific Parade and Kangaroo Street above.

A review of SIX maps shows the dwelling in its current form on the 1943 aerial map. The character and period of the dwelling is typical of original dwellings along Pacific Parade. A considerable number of these dwellings have been renovated with either rear or upper level additions. Newer dwellings are typically contained below pitched or sloping roof forms.

The interior of the existing dwelling shows evidence of being used historically as 2 separate dwellings. There are 2 entrance doors from the front verandah and 2 corridors running internally adjacent to one another. Openings between these hallways have been created so the dwelling is currently used as a single residence.

Parking along the street is a mixture of open carports and garages built to the front boundary and hardstand parking spaces. There are currently 4 angled parking spaces in front of the subject dwelling. Heritage listed

trees located within the road surface impact on the availability of parking. Sandstone kerb and guttering is heritage listed within the street, however the kerb and guttering at the front of the subject site is constructed of concrete.

The dwelling to the east of the subject site at 39 Pacific Parade is a single level face brick dwelling with a sandstone base and tiled roof with 2 prominent gable roof forms facing the street. It has a hardstand parking space forward of the building line. The dwelling to the west at 43 Pacific Parade is on a narrower lot than the subject site and is a freestanding single level dwelling with a tiled hipped roof with a gable end facing the street, rendered walls and open porch. This dwelling has no off street parking.



Figure 2- Streetscape appearance of 39, 41 and 43 Pacific Parade

SUMMARY OF PROPOSED DEVELOPMENT

The DA proposes the following:

- 1) Subdivision of the existing lot to establish 2 torrens title lots each containing a semi detached dwelling
- 2) New driveway crossover from Pacific Parade (shared by both dwellings)
- 3) 2 new hardstand parking spaces forward of the building line (1 per dwelling), bin store and pedestrian access
- 4) Retain front section of the original cottage, with internal reconfiguration and new upper level dormer bays and gable end facing the street
- 5) Demolition of the rear lean to
- 6) New rear and upper level additions to create 2 semi detached residences of 4 bedrooms and 3 bathrooms each
- 7) Courtyards separating additions from the retained section of the existing dwelling
- 8) External works including reworking of the front fence, courtyard and rear deck
- 9) Landscaping throughout the site, including 2 new swimming pools

COMPLIANCES WITH MANLY LEP 2013 REQUIREMENTS**Manly LEP 2013 Requirements**

Zoning: R1 General Residential (MLEP 2013 Land Zoning Map 3)

The proposed subdivision and establishment of 2 semi detached dwellings is permissible with consent in the stated zoning and complies with the following objectives of the zone:

- *To provide for the housing needs of the community,*
- *To provide for a variety of housing types and densities,*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Minimum Lot Size: 250m² - Area C (MLEP 2013 Lot Size Map 3)

Existing Lot	= 725.6m ² (complies by 475.6m ²)
Proposed Lot 1	= 345.2m ² (complies by 95.2m ²)
Proposed Lot 2	= 380.4m ² (complies by 130.4m ²)

The proposed lot size achieves the minimum size requirements and complies with the following objectives of for minimum lot size:

- *to retain the existing pattern of subdivision in residential zones and regulate the density of lots in specific locations to ensure lots have a minimum size that would be sufficient to provide a useable area for building and landscaping,*
- *to maintain the character of the locality and streetscape and, in particular, complement the prevailing subdivision patterns,*
- *to require larger lots where existing vegetation, topography, public views and natural features of land, including the foreshore, limit its subdivision potential,*
- *to ensure that the location of smaller lots maximises the use of existing infrastructure, public transport and pedestrian access to local facilities and services.*

The proposed lot sizes are typical of semi detached development along Pacific Parade and in the surrounding streets and does not result in a change to the streetscape appearance of the existing dwelling as it is to be retained.

Refer to proposed subdivision plan prepared by CMS surveyors for further details.

Building Height: 8.5 metre - Area I (MLEP 2013 Height of Buildings Map 3)

Existing Maximum Building Height	= 7.6m (complies by 0.9m)
Proposed Maximum Building Height	= 7.6m (complies by 0.9m)

The proposed maximum building height occurs at the northern end of the new gable end facing the street. This is the same height as the existing ridge, therefore the existing height is not increased with the proposal. The proposal complies with the following objectives for building height:

- *to retain the existing pattern of subdivision in residential zones and regulate the density of lots in specific locations to ensure lots have a minimum size that would be sufficient to provide a useable area for building and landscaping,*
- *to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,*
- *to control the bulk and scale of buildings,*
- *to minimise disruption to the following—*
 - i) *views to nearby residential development from public spaces (including the harbour and foreshores),*
 - (ii) *views from nearby residential development to public spaces (including the harbour and foreshores),*
 - (iii) *views between public spaces (including the harbour and foreshores),*
- *to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,*
- *to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses.*

Floor Space Ratio: 0.6:1- Area F (MLEP 2013 Floor Space Ratio Map 3)

Lot 1 FSR

Site Area	= 345.2m ²
Allowable FSR	= 0.6 x 345.2
	= 207.12m ²

Proposed Floor Space Ratio

Ground	= 110.84m ²
Upper	= 78.40m ²
Total	= 189.24m ² (17.88m ² below max. FSR)

Lot 2 FSR

Site Area	= 380.4m ²
Allowable FSR	= 0.6 x 380.4
	= 228.24m ²

Proposed Floor Space Ratio

Ground	= 123.26m ²
Upper	= 79.15m ²
Total	= 202.41m ² (25.83m ² below max. FSR)

Therefore the proposed floor space complies with the MLEP 2013 requirements for floor space ratio, in addition to meeting the objectives as follows:

- *to ensure the bulk and scale of development is consistent with the existing and desired streetscape character,*
- *to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,*

- *to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,*
- *to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,*
- *to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres.*

Heritage: Pacific Parade: All Stone Kerbs (Significance Item no 12)
 Pacific Parade: Street Trees (Significance Item no 1191)
 (MLEP 2013 Heritage Map)

The proposed heritage items mentioned above are not within the property and are not affected by the proposal. There are no stone kerbs in front of the subject site. New parking provisions within the site will not affect the street tree in front of the property, refer to the attached Arboricultural Impact Assessment and Statement of Heritage Impact for further details.

Foreshore Scenic Protection: Not Applicable (MLEP 2013 Foreshore Scenic Protection Map 3)

Acid Sulfate Soils: Class 4 (MLEP 2013 Acid Sulfate Soils Map 3)

COMPLIANCES WITH MANLY DCP 2013 REQUIREMENTS**Residential Development Controls****4.1.2.1 Wall Height**

- *Maximum wall height on land with a site gradient of less than 1:4 is determined by Figure 28- Maximum Wall Height Determined by the Slope.*
- *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 structures and the like that protrude above the roof.*

East Elevation

The slope along the eastern boundary is approximately 1:20, therefore a maximum wall height of 6.8m applies. All external walls are below this height, refer to drawing DA07 East & West Elevations for further details.

West Elevation

The slope along the eastern boundary is approximately 1:30, therefore a maximum wall height of 6.7m applies. All external walls are below this height, refer to drawing DA07 East & West Elevations for further details.

4.1.2.2 Number of Storeys

- *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.*

The building is a maximum of 2 storeys in height and complies with this requirement.

4.1.2.3 Roof Height

- *Pitched roof structures must be no higher than 2.5m above the actual wall height, calculated in accordance with Figure 29.*
- *Roofs parapets may extend up to 0.6m above the actual wall height where council considers that a parapet to be appropriate to the design of the development and satisfies the objectives of this DCP and LEP.*
- *The maximum roof pitch must be generally no steeper than 35 degrees. A roof with a steeper pitch will be calculated as part of the wall height. In this regard the wall height controls at paragraph 4.1.2.1 of this plan will apply to the combined wall height and the height of the roof steeper than 35 degrees.*

The proposal exceeds the maximum 2.5m roof height above actual wall height in the location of the existing and modified pitched roof structure to the original dwelling. This is an existing non compliance and retaining the existing roof preserves the scale and character of the existing dwelling, especially when viewed within the streetscape. The overall wall height where the roof exceeds 2.5m in height is single storey, in this area the building is also well below the maximum building height. The pitch of the existing roof and any areas which marry in with it are at 34 degrees, less than the 35 degrees allowable under the DCP.

Parapet roofs are located on the eastern side of Lot 1 and the western side of Lot 2 in the location of additions to the ground levels only. The wall height in these areas is approximately 3m, well below the maximum allowable wall height.

4.1.3 Floor Space Ratio

Please refer to the analysis of the MLEP 2013 requirements for Floor Space Ratio which outlines compliance with this control.

4.1.4.1 Street Front Setbacks

- *Street front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity*
- *Where the streetscape character is predominantly single storey building at the street frontage, the street setback is to be increased for any proposed upper floor level. See also paragraph 4.1.7.1.*

The existing front setback is to be retained with the proposal. The existing minimum front boundary setback is to the entry verandah, which is 6.9m from the front boundary. This setback is established in the street and consistent with the neighbouring dwellings.

The proposed additions to the upper level are setback a minimum of 12m, in the location of the dormer bays to the east and western sides of the existing roof. The dormer bays are contained within the existing roof form of the single level dwelling.

4.1.4.2 Side Setbacks and Secondary Street Frontages

- *Setbacks between any part of a building and the side boundary must not be less than one third of the wall height of the adjacent external wall of the proposed building.*
- *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.*
- *All new windows from habitable rooms of dwellings that face the side boundary are to be setback at least 3m from side boundaries;*
- *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.*
- *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.*

East Side Boundary Setbacks to Lot 1

Please refer to elevation drawing *DA07 East & West Elevations* which identify the maximum allowable wall heights for the setbacks provided.

Ground Level

Stairwell setback	= 870mm
Allowable wall height	= 2610mm
Wall height (maximum)	= 3950mm

Actual wall height without 300mm parapet	= 3650mm (does not comply by 1040mm)
Living and Kitchen setback	= 1105mm
Allowable wall height	= 3315mm
Wall height (maximum)	= 3475mm
Actual wall height without 300mm parapet	= 3175mm (complies by 140mm)

Upper Level

Dormer in existing roof setback	= 3490mm
Allowable wall height	= 10470mm (for setback calculation purposes only)
Wall height (maximum)	= 6665mm (complies by 3805mm)
Upper level bedrooms to rear setback	= 2080mm
Allowable wall height	= 6240mm
Wall height (maximum)	= 6235mm (complies by 5mm)

There is a non compliance with the setback requirements in the location of the stairwell. This section of wall is built in the same location as the existing wall with a boundary setback of 870mm and extends for a length of 3430mm. The proposed non compliance is in the same location as an existing gable end facing the side boundary. The overall height of this gable is more than 1100mm higher than the proposed new wall, however a different profile given the gable is being replaced by a flat parapet roof. If this non compliant section of wall was to be moved further from the boundary, an awkward junction would be created with the existing verandah and roof over.

There is no environmental impact as a result of this non compliance. The proposed numerical non-compliance achieves the objectives for setbacks, as follows:

- As there are no windows in the east facing wall, no privacy issues are created.
- Only a small amount of additional overshadowing is created on the western wall of the dwelling at 39 Pacific Parade. There is no impact from overshadowing on the neighbours, given that there are no windows on the neighbouring wall in the location where the shadow is cast
- There is adequate access along the side passage, as is currently the case.
- No view loss occurs as a result of this non compliance
- There is no impact on the streetscape, given the distance from of this section of the dwelling from the front boundary

For these reasons this minor non compliance is seen as acceptable and achieves the objectives for setbacks.

West Side Boundary Setbacks to Lot 2

Please refer to elevation drawing *DA07 East & West Elevations* which identify the maximum allowable wall heights for the setbacks provided.

Ground Level

Entry setback	= 1090mm
Allowable wall height	= 3270mm
Wall height (maximum)	= 3550mm
Actual wall height without 300mm parapet	= 3250mm (complies by 20mm)
Living and Kitchen setback	= 1100mm
Allowable wall height	= 3300mm

Wall height (maximum)	= 3230mm
Actual wall height without 300mm parapet	= 2930mm (complies by 370mm)

Upper Level

Dormer in existing roof setback	= 4230mm
Allowable wall height	= 12690mm (for setback calculation purposes only)
Wall height (maximum)	= 6360mm (complies by 3805mm)
Upper level bedrooms to rear setback	= 2750mm
Allowable wall height	= 8250mm (for setback calculation purposes only)
Wall height (maximum)	= 5980mm (complies by 2270mm)

4.1.4.4 Rear Setbacks

The distance between any part of a building and the rear boundary must be not less than 8m. Rear setbacks must relate to the prevailing pattern of setbacks in the immediate vicinity to minimise overshadowing, visual privacy and view loss.

Rear Setback to Lot 1

Upper level minimum rear boundary setback	=15.15m (complies by 7.15m)
Ground level minimum rear boundary setback	=14.45m (complies by 6.45m)

Rear Setback to Lot 2

Upper level minimum rear boundary setback	=15.35m (complies by 7.35m)
Ground level minimum rear boundary setback	=14.65m (complies by 6.65m)

The proposed rear boundary setbacks exceed the minimum numerical requirements by a substantial margin.

There is no prevailing pattern of development in the immediate vicinity of the subject site in relation to rear boundary setbacks. To the west, properties front onto Pine Lane and are therefore effectively built to the rear boundary. The dwellings either side of the proposal have a similar rear boundary setback to that of the proposed.

4.1.5.1 Minimum Residential Open Space Requirements

- *Open space must be provided on site in accordance with Figure 34- Numeric Requirements for Total Open Space, Landscaped Area and Open Space Above Ground.*
- *The minimum tree numbers must be in accordance with Figure 37 - Minimum Number of Native Trees Required.*

The subject site is located in Area OS3, as identified on Map B, schedule 1 in the MDCP 2013 and therefore the following requirements apply:

Open Space Lot 1

Minimum Total Open Space	= 55% of site area
	= 0.55 x 345.2
	= 189.86m ²

Proposed Total Open Space

Rear yard	= 110.54m ²
Front yard	= 22.24m ²
Total	= 132.78m ² (38.46% of site area)

Therefore the proposal does not comply with the numerical requirements for total open space by 57.08m².

Additional area not included in calculations as width is less than 3 metres:

Courtyard (2.47m min. dimension)	= 14.04m ²
Front verandah (2.47m min. dimension)	= 23.16m ²
Total	= 37.20m ²

Open Space Lot 2

Minimum Total Open Space	= 55% of site area
	= 0.55 x 380.4
	= 209.22m ²

Proposed Total Open Space	
Rear yard	= 124.18m ²
Front yard	= 25.56m ²
Total	= 149.74m ² (39.36% of site area)

Therefore the proposal does not comply with the numerical requirements for total open space by 59.48m².

Additional area not included in calculations as width is less than 3 metres:

Courtyard (2.47m min. dimension)	= 16.30m ²
Side Entry (2.73m min. dimension)	= 25.09m ²
Total	= 41.39m ²

Despite non compliance with the numerical requirements for open space, the proposal complies with the relevant objectives of the DCP, as follows:

- *To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.*
- *To maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation and bushland.*
- *To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.*
- *To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.*
- *To minimise the spread of weeds and the degradation of private and public open space.*
- *To maximise wildlife habitat and the potential for wildlife corridors.*

The proposal exceeds the minimum soft landscape requirements by 48.21m² for lot 1 and 81.96m² for lot 2, which is seen as a more important consideration when achieving the above objectives for open space. The proposal strikes a balance between provisions for open space and parking, by only providing one parking space per dwelling (council's numerical requirement is 2), allowing more of the front setback to be used as soft landscaped area.

Stormwater is dealt with in an efficient manner and has been designed to comply with council requirements, with the inclusion of 2 large OSD tanks, which will improve the existing stormwater management on site. Refer to attached stormwater documentation prepared by Hyve Designs.

The proposal exceeds the minimum requirement for private open space, while the dwellings on lots 1 and 2 both comply with height, floor space and setback requirements (with the exception of a small setback non compliance on lot 1). This suggests that the size of the proposal is appropriate for the site and that strict compliance with the requirements for open space is of no practical benefit.

Refer to attached drawing L02 Landscape & Open Space Calculation Plan.

4.1.5.2 Landscaped Area

Landscaped Area Lot 1

Minimum Landscaped Area	= 35% of open space = 0.35×189.86 = 66.45m^2
Proposed Landscaped Area	= 114.66m^2

Therefore the proposal exceeds the minimum numerical requirements for landscaped area by 48.21m^2 .

Maximum Open Space Above Ground	= 25% of open space = 0.25×189.86 = 47.47m^2
Proposed Open Space Above Ground	= 0m^2

Therefore the proposal complies with the requirements for open space above ground.

A minimum of 1 native tree is required for site area up to 500m^2 . 3 trees are proposed, refer to attached drawings *L01 Landscape Plan* and *L02 Landscape and Open Space Calculation Plan* for details.

Landscaped Area Lot 2

Minimum Landscaped Area	= 35% of open space = 0.35×209.22 = 73.22m^2
Proposed Landscaped Area	= 155.18m^2

Therefore the proposal exceeds the minimum numerical requirements for landscaped area by 81.96m^2 .

Maximum Open Space Above Ground	= 25% of open space = 0.25×209.22 = 52.31m^2
Proposed Open Space Above Ground	= 0m^2

Therefore the proposal complies with the requirements for open space above ground.

A minimum of 1 native tree is required for site area up to 500m^2 . 3 trees are proposed, refer to attached drawing *L01 Landscape Plan* and *L02 Landscape and Open Space Calculation Plan*.

4.1.5.3 Private Open Space

Minimum area of principal private open space for a dwelling house is 18sqm.

Private Open Space Lot 1

Rear Terrace	= 15m ²
Rear Lawn	= 34m ²
Courtyard	= 14m ²

Therefore the proposal complies with DCP requirement for Private Open Space.

Private Open Space Lot 2

Rear Terrace	= 15m ²
Rear Lawn	= 37m ²
Courtyard	= 16m ²

Therefore the proposal complies with DCP requirement for Private Open Space.

4.1.6.1 Parking Design and the Location of Garages, Carports or Hardstand Areas

- *The design and location of all garages, carports or hardstand areas must minimise their visual impact on the streetscape and neighbouring properties and maintain the desired character of the locality.*
- *Garage and carport structures forward of the building line must be designed and sited so as not to dominate the street frontage. In particular:*
 - i) *garages and carports adjacent to the front property boundary may not be permitted if there is a reasonably alternative onsite location;*
 - ii) *carports must be open on both sides and at the front; and*
- *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.*

Lot 1

1 hardstand parking space is proposed forward of the building line

Lot frontage	= 7.26m
Maximum parking width	= 3.63m (50% of frontage)
Proposed parking width	= 3.61m (including pedestrian access)

Lot 2

1 hardstand parking space is proposed forward of the building line

Lot frontage	= 7.97m
Maximum parking width	= 3.98m (50% of frontage)
Proposed parking width	= 3.86m (including pedestrian access)

Therefore the proposed hardstand areas comprise less than 50% of the site frontages and comply with this requirement. This area also includes pedestrian access to the site, in addition to hardstand parking spaces.

The existing streetscape contains a mixture of garages, carports and hardstand parking spaces, predominantly built within the front setback on the front boundary. The proposed parking location has been designed to minimize the visual impact on the streetscape.

Due to the location of the existing dwelling which is to be retained, off street parking is only available on site within the front setback forward of the building line. Hardstand parking, as opposed to a garage or carport has been chosen to maintain the streetscape appearance of the existing dwelling, without creating bulky parking structures within the front setback. The front of the house and parking areas are located within a landscape setting as shown on the attached landscape plan, which enhances the streetscape contribution of the property.

There is currently a DA consent for 41 Pacific Parade (DA 30/2015) for 2 parking spaces forward of the building line. This is a similar layout to the proposal.

- *In relation to the provision of parking for dwelling houses, Council may consider the provision of only 1 space where adherence to the requirement for 2 spaces would adversely impact on the streetscape or on any heritage significance identified on the land or in the vicinity.*

A single parking space is appropriate for the subject site and is seen as appropriate given the proposed subdivision of the lot. If 2 parking spaces were required, this would take up virtually the entire width of the street frontage to lots 1 & 2 and diminish the appearance of the property within the streetscape as there would be limited room for soft landscaping.

4.1.6.4 Vehicular Access

- *All vehicles should enter and leave the site in a forward direction.*
- *Vehicular access and parking for buildings with more than 1 dwelling is to be consolidated within one location, unless an alternative layout/design would better reflect the streetscape or the building form.*
- *Vision of vehicles entering and leaving the site must not be impaired by structures or landscaping.*
- *Particular attention should be given to separating pedestrian entries and vehicular crossings for safety.*

The above mentioned DA consent also contains provision for a new driveway and crossing. The proposed driveway crossover will service a single hardstand parking space for each dwelling (2 parking spaces total) adjacent to one another to ensure the maximum amount of on street parking is retained.

There are currently 9 angled off street parking spaces in front of the properties at No.s 41, 43 and 45 Pacific Parade. The proposal will remove 2 of these parking spaces to allow for 2 off street parking spaces, so the same provisions for parking are retained. This will require the respraying of parking spaces, alternatively the current parking layout could be retained with a loss of 1 parking space. Currently, there is adequate on street parking available for residents along Pacific Parade.

Vehicular access to the rear of Lot 2 from Pine Lane was considered, however this location is not feasible given the level difference between Pine Lane and natural ground level on site. This is also an inconvenient location for parking due to the circuitous road network in the area, as any rear parking from Pine Street would be very inconvenient to the residents and require them to travel by car from their home in Manly via either Fairlight or Balgowlah in order for them to return to Manly to go to the local shops.

4.1.7 First Floor and Roof Additions

- *First floor additions must complement the architectural style of the ground floor and where possible retain existing roof forms. Notwithstanding setback provisions, the addition may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.*
- *The dwelling and the form of alterations and additions must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences or the aesthetic quality of the former Manly Council area. In this regard, it may be preferable that the addition be confined to the rear of the premises or be contained within the roof structure.*

First floor additions are proposed within the existing roof form of the dwelling. Changes to the roof include dormers within the east and west sides of the roof and a new gable end facing the street. The proposal works in with the existing architectural style of the retained section of the dwelling. The gable end works with the same roof pitch of the existing and will be detailed to match. The gable form facing the street is prevalent along Pacific Parade and therefore the proposal provides consistency with the streetscape.

The proposed dormers are set back from the new dutch gable and appear as discreet additions, maintaining the single storey appearance of the dwelling when viewed from the street. Additions to and within the existing roof space comply with requirements for building height, wall height and boundary setbacks and do not pose any significant issues with regard to privacy or overshadowing.

Two storey additions to the rear of the dwelling are setback behind the retained dwelling, divided from the existing structure by a courtyard. They are not visible within the streetscape and also comply with setback and height requirements of the DCP.

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.*
- *The setback of the outer edge of the pool/spa concourse from the side and rear boundaries must be at least 1m, with the water line being at least 1.5m from the boundary.*
- *Swimming pools and associated concourse areas must not comprise more than 30 percent of the total open space.*

Swimming pools are proposed within the rear setbacks for Lots 1 & 2. The pools are located within 1m of natural ground level as shown on the proposed sections and elevation drawings. Both pools comply with boundary setback requirements, with the exception of the western side setback to Lot 1, which adjoins lot 2 with the proposed sub division. This pool has been located towards the western boundary due to advice provided by the arborist to ensure the health of the neighbouring tree to 39 Pacific Parade, which is identified as tree T16 in the attached Arboricultural Impact Assessment. As this section of the site adjoins the neighbouring pool enclosure (to Lot 2) and is divided by a masonry wall 1.8m in height, the proposed location is seen as acceptable given there is no environmental impact.

Pool equipment is to be located within the pool enclosure, within a soundproof box, integrated into the retaining wall to the south sides of both pool. Rainwater tanks are proposed to lots 1 & 2, which will be the source of water top up for the pools.

4.1.10.1 Fencing

Freestanding walls and fences between the front street boundary and the building are to be no more than 1m high above ground level at any point.

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.

Front fences along Pacific Parade are either low masonry walls with open style fencing above, or low height timber picket fences. Landscaping within the front setback of surrounding properties is generally hedging or smaller plants where feasible. The amount of landscaping is limited by provision for off street parking and pedestrian entry ways.

The existing front boundary wall is to be demolished as part of the proposal. A new front boundary wall is proposed with a rendered and painted finish, less than 1m in height. The front boundary wall will act as a retaining wall to preserve existing levels on site, as is the case with the existing wall. The area immediately to the rear of the boundary wall will be landscaped as will the surrounds to the hardstand parking area. Refer to elevation drawings for details.

General Principles of Development

3.1.1 Streetscape

The existing dwelling is considered to currently contribute to the streetscape as an example of the original pattern of development in addition to the scale, materials and form of original houses along Pacific Parade.



Figure 4- Existing Streetscape



Figure 3- Proposed Streetscape

For this reason, the streetscape appearance of the existing dwelling is being retained largely unchanged. Minor changes include the introduction of a Dutch gable end facing the street and 2 dormer bays in the existing roof. These elements are setback from the main frontage of the house and are designed so as to reflect the existing detailing and materiality of the dwelling.

The main additions to the dwelling are setback substantially from the building frontage. Lot 1 has a single level addition in the location of the internal staircase, while lot 2 has a new entry located to the western side passage. Second storey additions to the rear are located to the south side of a courtyard which separates the retained section of the existing house from new works. These additions are setback so far as to not be visible from the street.

The addition of parking in the front setback is consistent with parking along the street. Landscaping to the front setback and hardstand parking spaces (as opposed to a parking structure) enhance the landscape quality and openness of the property when viewed within the streetscape.

3.1.1.3 Roofs and Dormer Windows

- *Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings.*
- *Roofs should be designed to avoid or minimise view loss and reflectivity.*
- *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 frontage of the building where there is no precedent in the streetscape, especially on adjoining dwellings.*

The proposal includes dormers to the east and west sides of the main roof and a new Dutch gable facing the street projected to the north at the same height as the existing ridge running in a north/south direction.

As discussed previously, the dormers are contained within the existing roof form of the single level dwelling. They appear as discreet additions, maintaining the single storey appearance of the dwelling when viewed from the street. Additions to and within the existing roof space comply with requirements for building height, wall height and boundary setbacks and do not pose any significant issues with regard to privacy or overshadowing.

3.1.1.5 Garbage Areas

Provisions for storage of garbage bins are located within the front setback adjacent to the hardstand parking areas. These have been located to the rear of the entry steps to largely conceal them from view from the street, while still providing level access to the street for collection.

3.3.1 Landscape Design

The proposal includes extensive landscaping throughout the site. Planting to the front of the site is designed to enhance the streetscape contribution of the dwelling and soften the areas surrounding the proposed hardscape off street parking spaces.

Landscaping to the courtyard areas provides a break between the new and existing sections of the building and in addition to the rear yard provides an outlook to vegetation from the living, dining and kitchen areas.

Planting to the rear boundary will enhance privacy to and from the rear lane and public pathway. The surrounds to the pool are designed to enhance the private open space for the enjoyment of the occupants.

Please refer to the Landscape Plan L01 submitted as part of this application for further details.

3.3.2 Landscape/Tree Preservation

The proposal includes the removal of a number of trees within the property, none of which are identified as being of high retention value. The removal of trees is generally due to their siting in the logical location of the building footprint or parking area of the proposal.

Exploratory excavation has been undertaken by Bluegum Tree Care and Consultancy to assess any potential impacts of the new driveway cross over on the root system of the heritage listed Camphor laurel. No tree roots were found in the area of the proposed driveway crossover slab.

The proposal exceeds the minimum number of trees per site, as outlined under 4.1.5.2 above.

Please refer to the attached Arboricultural Impact Assessment prepared by Bluegum Tree Care & Consultancy for further details.

3.4.1 Sunlight Access & Overshadowing

- In relation to sunlight to private open space of adjacent properties:

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)

- In relation to sunlight to the windows or glazed doors to living rooms of adjacent properties:

a) for adjacent buildings with an east-west orientation, the level of solar access 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)

The subject site and immediate neighbouring properties at 39 and 43 Pacific Parade have a north-south orientation. As a result, any existing or proposed shadow cast by the subject property only occur on the neighbouring property to the east (No. 39 Pacific Parade) during the morning and to the west (No. 43 Pacific Parade) during the afternoon.

The amount of additional overshadowing on private open space of adjoining properties is less than one third of the existing. There is no additional overshadowing of glazed doors or windows to living spaces, given their southern aspect.

Please refer to the attached shadow diagrams numbered SD01-SD03 for further details of winter shadows.

3.4.2 Privacy & Security

Lot 1

The proposed ground floor achieves a good level of privacy to the neighbour at 39 Pacific Parade. Both the neighbouring dwelling and the proposal have minimal openings facing the side boundary. The kitchen window achieves privacy as it has a low head height. Windows to the courtyard are setback a long way from the boundary, as are windows to the ensuite and master wardrobe.

To the upper level, dormer windows within the existing roof are located in excess of 3.4m from the boundary and do not have a line of sight to neighbouring dwellings windows or private open space.

Windows facing east from upper level bedrooms 2 & 3 are small, with the primary focus of these rooms being to the north (bedroom 3 into the courtyard) and south (bedroom 2 to the rear yard). The bathroom window is screened to achieve an acceptable level of privacy.

Lot 2

The proposed ground floor achieves a good level of privacy to the neighbour at 43 Pacific Parade. Both the neighbouring dwelling and the proposal have minimal openings facing the side boundary. The kitchen window achieves privacy as it has a low head height. Windows to the courtyard are setback a long way from the boundary, as are windows to the ensuite and master wardrobe.

To the upper level, dormer windows within the existing roof are located in excess of 4.1m from the boundary and do not have a line of sight to neighbouring dwellings windows or private open space.

Windows facing west from upper level bedrooms 2 & 3 are small, with the primary focus of these rooms being to the north (bedroom 3 into the courtyard) and south (bedroom 2 to the rear yard). The bathroom window is screened to achieve an acceptable level of privacy.

3.4.3 Maintenance of Views

There are no significant views from the site or surrounding properties and therefore this requirement is not applicable to the proposal.

3.7 Stormwater Management

Refer to attached stormwater plans prepared by Hyve Designs for further details.

3.8 Waste Management

Demolition and Construction Waste

Materials from the existing house will be recycled if possible or otherwise disposed of responsibly at a council approved facility. Waste during construction will be minimised and again disposed of correctly.

Please refer to the attached drawing *DA10 Demolition & Waste Management Plan* for further details.

Ongoing Waste Management

Garbage bins provided by council will be stored towards the rear of the hardstand parking areas within the front setback, adjacent to the stairs for lots 1 and 2.

3.9 Mechanical Plant Equipment

Air Conditioning

The external condenser unit will be located to comply with council's noise requirements.

Pool Equipment

Pool equipment is to be located within the pool enclosure, within a soundproof enclosure, integrated into the retaining wall to the south sides of both pool. Rainwater tanks are proposed to lots 1 & 2, which will be the source of water top up for the pools.

CONCLUSION

The proposal is compliant with all the major requirements of the Manly LEP, including lot size, height of buildings and floor space ratio.

The proposal has a numerical non compliances with side boundary setbacks (Lot 1) and open space (Lots 1 & 2) however as demonstrated above, the objectives of the DCP are satisfied.

The streetscape appearance of the original house is preserved, while providing better amenity for the owners with regards to parking, access to sunlight and improved landscaping. There is no impact on neighbouring properties with regards to privacy or view loss, while additional overshadowing complies with council requirements.