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Reference: 2017/368848
Enquiries: Development Assessment

Susan and Andrew Scott
146 Atchinson Street
CROWS NEST NSW 2065

Dear Sir/Madam

Re: Pre-Lodgement Meeting

Property: 13 Laurence Street, Manly

Proposal: Demolition works and construction of a dwelling house

Thank you for arranging a meeting with Council on 19 September 2017 concerning your development proposal. Council's Planning Officer has viewed the site and surrounding area and has completed a preliminary assessment of the documentation you submitted. Assessment has been undertaken having regard to relevant Planning Instruments and Development Control Plans.

The site is within:

- The Zone, Residential R1
- Density Subzone: D3 - 1 dwelling per 250m²
- Building Height: 8.5m
- Class 5 of Acid Sulphate Soils
- Foreshore Scenic Protection Area
- Heritage in vicinity: I161 Group of Dwellings
- Sydney Harbour REP Catchment area

Plan No. / Title	Issue/ Revision & Date
Basement Plan	12 July 2017
Ground Floor Plan	12 July 2017
First Floor Plan	12 July 2017
South and east elevations	2 August 2017
North, east and west elevations	7 August 2017
Survey Prepared by Frank M Mason & Co Pty Ltd	N.D.



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ISSUES

The following issues are raised:

Manly LEP 2013 - Part 4. Principal Development Standards

Issues to be addressed:

4.3 Building Height: The building height is 8.3m measured from the south elevation. A section must be submitted with the development application that clearly demonstrates natural ground levels and the maximum height of the building.

4.4 FSR Requirement 0.6:1 348.36m². The Floor Space Ratio measured from the plans is 0.596:1 with a total gross floor area of 346.076m². This is compliant with Clause 4.4 of the Manly LEP 2013. Any variation to the development standard will be subject to a separate assessment in accordance with Clause 4.6 of the Manly LEP 2013.

Manly LEP 2013 – Part 5 Miscellaneous Provisions

Issues to be addressed:

5.10 Heritage Conservation:

Councils Heritage Officer raised concerns with the development due to the heritage items on Margaret Street. The Heritage Officer recommended to modify the roof form and materials, so as to be more sympathetic and more compatible with the heritage context.

Planning Comments

The development will not be visible from Margaret Street. Many of these heritage items have also been redeveloped at the rear to retain the heritage significance of the Margaret Street frontage. The development will not result in any unreasonable impacts on the heritage items.

Manly LEP 2013 – Part 6 Local Provisions

Issues to be addressed:

6.1 Acid Sulphate – The development is within Class 5 Acid Sulfate Soils. As the excavation works are above 5m AHD, no report is required.

6.2 Earthworks: A geotechnical report will be required as the development involves excavation greater than 1m below natural ground level for a basement or basement car parking area. Natural ground level is to be maintained within 900mm of the side boundary. The proposed the driveway is to have a minimum 900mm setback to the southern boundary.

6.9 Foreshore Scenic Protection Area [see also *Manly DCP 2013* Clause 5.4.1]: The application should demonstrate how these clauses have been addressed.

Manly Development Control Plan 2013

Issues to be addressed:

3.1 Streetscapes and Townscapes



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The proposed front setback is in-consistent with the streetscape. The two storey built form will impose on the streetscape. A minimum 4.5m setback is to be provided to the street front boundary.

3.2 Heritage Considerations:

Council's Heritage Officer recommended amended plans due to the impacts on the heritage items located on Margaret Street. The development will not be visible from Margaret Street. Many of these heritage items have also been redeveloped at the rear to retain the heritage significance of the Margaret Street Frontage. The development will not result in any unreasonable impacts on the heritage items.

3.5 Amenity (View, Overshadowing, Overlooking / Privacy, Noise):

Overshadowing of properties [*Manly DCP 2013* Clause 3.4.1] – the DCP requires a minimum of 2 hours sunlight to Living Room windows of the properties on either side in this orientation. At least 1/3 of existing sunlight to adjoining property's private open space is to be retained.

Privacy [*Manly DCP 2013* Clause 3.4.2] – The development is adequately designed for privacy provided the spa and its curtilage are setback a minimum of 1m from the side boundary.

View loss [*Manly DCP 2013* Clause 3.4.3] – this is difficult to assess at pre-DA stage. It is recommended neighbours be approached and their views photographed to establish an extent of development which does not significantly obscure their view. A view loss analysis will be required to be submitted for this development.

Part 4 - Development Controls

Site Area: 580.6m ²	Permitted/ Required	Proposed	Complies Yes/No
Wall height North side	6.5m	6.5m	Yes
South side	6.5m	7.1m	No. This non-compliance is supported.
Number of Storeys	2	2 storeys + Basement	Yes
Roof height	Max. 2.5m	1.3m	Yes
Setback Front	Streetscape 6.5m	3m	No. This non-compliance is not supported. A minimum 4.5m setback is to be provided.
North setback side	Ground Floor 1m	Ground Floor 2.67m	Compliant
	First Floor 2.1m	First Floor 2.2m	Compliant



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Site Area:	580.6m²	Permitted/ Required	Proposed	Complies Yes/No
		Cabana 0.8m	Cabana 0.5m- 3.3m	Non-compliance is supported provided there is no unreasonable view loss from the neighbouring property.
South setback side	Ground Floor 1.3	Ground Floor 2.6m	Compliant	
	First Floor Rear 2.1m – Front 2.3m	First Floor Rear 1.3m Front 2.6m	No. Non-compliance is supported.	
Setback Rear	8.0m	Cabana 5.5m Dwelling 12m	No. The cabana is set below properties to the rear and will not result in any unreasonable privacy impacts. Provided there is no unreasonable view loss, the non-compliance is supported.	
Open space - total	Min. 55% of Site Area (319.3m²)	52% (302.41m²)	Non-compliance is supported.	
Open space - landscaped	Min. 35% of Total Open Space (105.8m²)	49% (150.02m²)	Yes	
Open space - above ground	Max. 25% of Total Open Space (75.6m²)	11.4m²	Yes	
Private Open Space	18m²	76.3m²	Yes	
Car Parking – Residents	2 spaces	3 spaces	Yes. Driveway is to provide a minimum 900mm setback to the side boundary and incorporate landscaping. Vehicle manoeuvrability is to be demonstrated on the submitted plans.	



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Site Area:	580.6m ²	Permitted/ Required	Proposed	Complies Yes/No
Swimming pool	height	1m	Swimming Pool 1.35m Spa 0.5m	No. Non-compliance is supported.
Swimming pool setbacks pool concourse / deck		1m	Swimming Pool 0.965m Spa 0.8m	The swimming pool non-compliance is supported. The spa and decks are to be setback a minimum of 1m from the side boundary.
Swimming pool setbacks water's edge		1.5m	Swimming Pool 2.1m Spa 0.8m	No. The spa is to be setback a minimum of 1m from the side boundary.
Excavation		Generally 1m Dilapidation or Geotechnical report	2.3m excavation for basement parking.	The driveway setback is not supported. Natural ground levels should be maintained within 900mm of the southern side boundary. A Geotechnical report is required to be submitted with the application.

4.1.9 Swimming Pools, Spas and Water Features [see also *Manly DCP 2013* clause 4.1.5 Open Space and Landscaping]

Pump locations - Swimming pool equipment and rainwater tank pumps are to be centrally located on the site within a sound attenuated enclosure to prevent noise nuisance to neighbours.

5.4.1 Foreshore Scenic protection Area:

The development will be consistent with the additional matters for consideration within clause 5.4.1 Foreshore Scenic Protection Area of the *Manly DCP 2013*.

Additional Comments:

Any potential neighbour issues should be addressed in the submission. It might be helpful to discuss the plans with them before submitting.

Note

- Submitted plans were not to scale
- No landscaping plan included in this submission
- No shadow diagrams included in this submission



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- No sections were included in this submission

SUBMISSION

Refer to development application form and checklist on the Northern Beaches Council website for detailed information on requirements.

DRAWINGS:

- **Plans, sections and elevations** at 1:100 showing all proposed levels (RLs) and including existing levels and extent and location of adjoining properties. Please show boundaries and adjoining buildings, with window/door openings, on all levels of plans. An **excavation plan** detailing the extent of excavation including existing levels and proposed is to be included with the submission. The location of any **solar hot water service** should be shown on roof plans and elevations (if proposed or required by BASIX). *Ensure all drawings are **printed to scale** as errors occur when “shrink to fit” is activated.*
- **Shadow diagrams** for 0900, 1200 and 1500 hours (2^{1st} June) are required [Refer to Clause 2.1.4]. Shadow diagrams showing **existing** and **proposed** in plan AND elevation where there are effects on an adjoining dwelling/s are required. Adjoining properties' room uses are to be identified on the drawings. The information regarding windows (heights/locations/sizes) and boundaries of adjoining properties etc are to be provided by a Registered Surveyor.
- **A Landscape Plan** prepared by a landscape designer or landscape architect (Refer to Clause 2.1.3).
 - An arborist report should be supplied for removal of significant trees.
 - Four (3) endemic trees are required. Refer to *Manly DCP 2013*, Schedule 4 – Part B for Native Trees.
 - BASIX and or RFS requirements for landscaping if required
- **Site Analysis Plan** required (refer to Clause 2.1.2).
- **A Survey plan** prepared by a registered Surveyor with levels to Australian Height Datum is required noting existing buildings, ridge and gutter heights, spot levels, boundaries, services etc. Boundaries being 'located' are useful for when construction commences and essential where works are proposed close or on boundaries (Refer to Clause 2.1.1.2).
- **A Driveway Concept Plan** to AS2890.1 2004 or later. Council Engineers (9976 1561) require at last one long section with dimensions, grades etc at 1:25 scale. Refer to Council's Driveway Specification also.
- If **new fencing** is proposed on the front boundary, fence and gate details are required, compliant with Clause 4.4 of the Residential DCP
- **A colour board** showing proposed materials and indicative colours, taking care when selecting roofing materials to reduce impacts for properties overlooking the site. Generally 'Very Light' in the BCA solar absorptance scale of colours in metal roofing cause glare issues – therefore colours should be selected from 'Light' onwards.



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Appropriate colours for the streetscape/Foreshore Scenic Protection Area should be shown.

REPORTS & INFORMATION

- **Owners' Consent** of all owners of the subject site and for works on or affecting the adjoining site.
- **Statement of Environmental Effects** is required. This is to explain and justify (in terms of meeting the DCP Objectives) *minor* non-compliances and explain the design intent.
- **BASIX Certificate** for a new dwelling if required.
- **Geo-technical report** is required. Dilapidation reports for adjoining properties may also be required. These are to be prepared by a suitably qualified engineer. The dilapidation reports are required at Construction Certificate stage.
- **Stormwater Management Plan** On Site Detention calculations (pervious areas etc) and an **On-Site Detention Plan** might be required. Submission of existing plans/landscaping (as found on survey) as well as proposed would be helpful to demonstrate changes (if any) in pervious area. For more information, please refer to the *Manly Specification for Stormwater Drainage 2003* and the *Manly Specification for On-site Stormwater Management 2003* (both available on the Council website: <http://www.manly.nsw.gov.au/sp/PlanningDocs.aspx?PageID=518>). Further queries relation to the Specifications should be referred to Council's engineers (Tel: 9976 1561).
- **Sediment Control Plan and Waste plan** would be required at Construction Certificate stage. For this proposal it might be helpful to submit with the Development Application.
- For works over or adjacent to **Sydney Water assets**, it is recommended a preliminary investigation be made as to a suitable solution and whether this is at feasible cost. A Sydney Water-stamped copy of approved plans will be required for Construction Certificate submission.
- **Electronic Lodgement USB** (or Council charges a minimum \$100 to do one on your behalf)

Reference made (but not limited) to the following:

- Building Code of Australia
- *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulations 2000*
- SREP (Sydney Harbour Catchment) 2005
- State Environmental Planning Policy [SEPP] BASIX 2004
- Manly Local Environment Plan 2013
- Manly Development Control Plan 2013
- Manly Specification for Stormwater Drainage 2003



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- Manly Specification for On-site Stormwater Management 2003
- Relevant Australian Standards
- Manly Specification: Construction of Concrete Vehicular Crossings by Private Contractors

Please refer to Development Application and Checklist for more information

The proposal as it has been submitted **could not be recommended for approval** and **requires revisions** before this is submitted. Please feel free to contact the writer again should you wish to have a quick discussion about amended plans.

It is suggested that you meet with Council's Duty Planner when lodging the formal development application to ensure all documentation is complete to enable efficient processing of the application.

If you have any further questions please contact Ben Price on 9976 1493.

Yours Faithfully

Ben Price
Development Assessment Officer
Land Use & Sustainability Division
Disclaimer

Council provides this service for guidance purposes only, and any comments contained in this letter or made at the meeting may and can only be used for assistance only during the design phase. Matters discussed and comments offered by Council will in no way fetter Councils discretion as the Consent Authority.