



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2018/0100

Meeting Date: 17/05/2018 11:30:00 AM

Property Address: 72 Frenchs Forest Road SEAFORTH

Proposal: Demolition Works and construction of a dwelling house

Attendees for Council: Adam Croft
Max Duncan

Attendees for applicant: Servan Mayer

General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Manly LEP 2013 and Manly DCP 2013 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council Response
<p>Sandstone outcrop</p> <p>The development as currently proposed would result in significant alteration/damage to the existing sandstone outcrop on the site.</p> <p><u>Relevant MDCP/MLEP Clause</u></p> <p><i>DCP Clause 3.3.1 Landscaping Design</i></p>	<p>As per Objective 2 of Manly DCP Clause 3.3.1, any alteration to the existing sandstone outcrop on the site should be minimised. As such, the proposed new dwelling and any associated deck/terrace should not extend over/onto the sandstone feature. This may require the dwelling to be moved further toward the front boundary.</p>
<p>Building height</p> <p>The proposed dwelling appears to be non-compliant with Clause 4.3 of the Manly LEP</p> <p><u>Relevant MDCP/MLEP Clause</u></p> <p><i>LEP Clause 4.3</i></p>	<p>No section drawing was provided with the application. However, the elevation drawings indicate that the dwelling likely exceeds 8.5m. Based on the relatively flat topography of the proposed building footprint, there is not sufficient justification to exceed the 8.5m height control.</p>
<p>First floor balcony</p> <p>The proposed first floor balcony extends past the eastern side wall.</p> <p><u>Relevant MDCP/MLEP Clause</u></p> <p><i>LEP Clause 4.3</i></p>	<p>The proposed eastern setback to the dwelling is sufficient. However, the rear first floor balcony extends into the eastern setback and should be cut back to the line of the first floor dwelling wall in order to minimise overlooking of the adjoining property.</p>
<p>Stair access to lower yard</p> <p>Applicant raised issue of access to rear yard.</p> <p><u>Relevant MDCP/MLEP Clause</u></p> <p><i>LEP Clause 4.3</i></p>	<p>During the pre-lodgement meeting the applicant raised the issue of provision of formal access to the lower area of the rear yard beyond the sandstone outcrop.</p> <p>It is considered acceptable in this circumstance to impact the small rock feature that contains the existing handrail for the purpose of providing access, subject to no further impact to the primary rock feature/overhang.</p>

MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)

Note: MLEP 2011 can be viewed at [Council's website](#).

Zoning and Permissibility	
Definition of proposed development: (ref. MLEP 2013 Dictionary)	Construction of a dwelling house.
Zone:	R2 Low Density Residential



Permitted with Consent or Prohibited:	Permitted with consent
--	------------------------

Principal Development Standards:	
Clause 4.3 Height of Buildings	
Standard	Proposed
8.5m	8.9m (approx.)
Comment No section drawing was provided with the application. However, the elevation drawings indicate that the dwelling likely exceeds 8.5m. Long and cross sections of the proposed dwelling are required to be submitted with a Development Application. As discussed above exceeding the 8.5m height control is not supported.	
Note: Building heights are measured from existing ground level.	
Clause 4.4 Floor Space Ratio	
Standard	Proposed
0.45:1 (278.9m ²)	0.32:1 (196.26m ²)
Comment Proposed FSR is compliant.	

MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)

Note: The MDCP 2013 can be accessed via [Council's website](#).

Part 3: General Principles of Development
Streetscape
Comment The proposed front setback is compliant and the development is consistent with the existing streetscape.
Heritage Considerations
Comment No heritage issues.
Landscaping
Comment No landscape plan is provided. Landscaped area on the site should be maximised, and any impact to the sandstone outcrops on the site should be minimised.
Amenity



Sunlight Access and Overshadowing

Comment

The proposal appears to comply with this clause. However, no shadow diagrams have been provided for assessment. Full shadow diagrams (in plan and elevation forms) are to be provided at lodgement to demonstrate compliance. The room use of any affected window/s should be labelled on the shadow diagrams.

Privacy and Security

Comment

The proposal is generally consistent with this Clause. The proposed first floor windows are appropriately designed and set back to maintain the privacy of the adjoining properties. The proposed first floor balcony should be set back in line with the dwelling wall as noted above.

Maintenance of Views

Comment

The proposal is unlikely to unreasonably impact any views. However, it is recommended that neighbours be consulted prior to lodgement of any application.

Part 4: Built Form Controls

4.1.2.1 Wall Height

Control/Requirement	Proposed
Eastern – 6.8m (Gradient 1:19)	6.4m
Western – 6.9m (Gradient 1:14)	6.8m

Comment

Proposal complies.

4.1.4.1 Street Front Setbacks

Control/Requirement	Proposed
6m	7.978m

Comment

Proposal complies.

4.1.4.2 Side Setbacks and Street Frontages

Control/Requirement	Proposed
Eastern – 2.1m	Garage – 3.42m Dining – 4.595m Balcony – 3.395m
Western – 2.27m	Study – 1.35m Family/kitchen – 2.59m



Comment

The proposed non-compliances can be supported by Council. Despite the compliant side setback, the elevation of the first floor balcony is unlikely to provide a reasonable level of privacy to the adjoining property and is not supported as it is currently proposed.

4.1.4.4 Rear Setbacks

Control/Requirement	Proposed
8m	Dwelling – 14.314m

Comment

Proposed complies.

4.1.5.1 Minimum Residential Total Open Space Requirements

Control/Requirement	Proposed
55% (340.8m ²)	67% (415m ²) Approx.

Comment

Proposal complies.

4.1.5.2 Landscaped Area

Control/Requirement	Proposed
35% (145.25m ²)	N/A

Comment

No landscape plan provided

Specialist Advice

Referral Body	Comments
Development Engineering	<p>Stormwater: The subjected site is located on the stormwater Zone 1. Please refer to section 4 of Council's "Manly Specification for On –site stormwater Management 2003" when designing the stormwater plan.</p> <p>Driveway: 3 m wide driveway shall be built on the road reserve in accordance with one of the Council's standard profile.</p>

Relevant Council Policies

You are advised of the following (but not limited to all) Council's policies available at [Council's website](#):

- Manly Specification for on-site stormwater Management 2003

Documentation to accompany the Development Application



- Electronic copies (USB)
- Statement of Environmental Effects
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan
- Elevations and sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Certified Shadow Diagrams
- BASIX Certificate
- Schedule of colours and materials
- Landscape Plan and Landscape Design Statement
- Swimming Pool Plan (for any proposed pool)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Geotechnical Report

Please refer to Development Application Checklist for further detail.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 17 May 2018 to discuss Demolition Works and construction of a dwelling house at 72 Frenchs Forest Road. The notes reference preliminary plans submitted with the Pre-lodgement application form.

The proposal is not acceptable and requires redesign prior to submission.

Based upon the above comments you are advised to satisfactorily address the matters raised in these notes prior to lodging a development application.