



# Statement of Environmental Effects

NEW CARSPACE AND DRIVEWAY FOR A SEMI  
~ 28 GEORGE ST, MANLY ~

Sheralee Hogan | Site Specific Designs | Dec 2024  
For Neil Phipps & Julia Sutcliffe

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This Statement of Environmental Effects report has been prepared on behalf of Neil Phipps & Julia Sutcliffe to form part of the Development Application for a new driveway, hardstand/car space at 28 George Street, Manly. The documents used as a reference in preparing this report include the Architectural Drawings DA01-DA10 prepared by Julia Sutcliffe, and the Survey Plan 23740detail prepared by CMS Surveyors Pty Ltd, 28/8/2024.

The Statement of Environmental Effects describes the site, its surroundings and how the proposal addresses and satisfies the objectives and standards of the Manly LEP 2013 and MDCP 2013.

## PROPOSED DEVELOPMENT

It is proposed to complete the following:

- Removing existing paving
- Remove 3m of the front wall for new car access
- Remove part of the front deck and external brick skin below the window for new 'small car' hardstand
- Construct new driveway and crossing from street
- Retain street tree in the Road Reserve for the new driveway –tree less than 5m high, multi stem, 100mm diameter.
- Install new solar system with potential for battery and EV charging station



Street front elevation, 28 George St, Manly

### Site Description - Lot 1 DP 90346 , 28 George St, Manly

The site is standard rectangular shape with a width of 6.145m and depth of 30.43m. The site rises up from the street by 0.3m to the house, then along the house it falls approximately 600mm to the rear Boundary.

The house is a semi-detached dwelling with the site being number 28 George St, sharing a common brick party wall along the boundary with number 30 George Street, Manly.

The site is located approximately 50m downslope of the busy Sydney Road, which has retail shops and public transport. There are Heritage listed items across the street from the semi -detached dwelling.



19-21 George St, Manly, Heritage Item I155

17 George St, Manly, Heritage Item I155





7 George St, Manly

## LOCALITY

George Street is a narrow street in Manly, it runs from Sydney Road, South downhill to Fairlight Street. The locality has a variety of Architectural styles and dwellings within it, from smaller semi-detached dwellings, early century homes, along with more dense Duplex and multi storey apartments.

There are scattered Heritage listed dwellings around the locality with some two storey terraces, villas, and mansions located along the Western side of George Street. Many of the homes were built in the early 1900's before cars were available and were not constructed with garages or carparking spaces, so the area relies heavily on street parking.

## PROPOSED DEVELOPMENT

The proposal includes removing part of the existing front deck, and the external skin of brick work below the window to create enough depth within the front yard for a small car, car space compliant with AS/NZS 2890.1, 2004. The front yard is predominantly paved, and it is proposed to remove this paving to construct a new concrete hard stand. The front wall will be partially demolished to be able to provide a 3m wide access for this new car space. The detailed front roof, two verandah posts and filigree will all be retained with the proposal.

There is a street tree in the Road reserve that can be retained for this new driveway access. The proposal also includes the addition of a new solar system, capable of electric vehicle charging and addition of a battery to store any excess power created.

## CHARACTER AS VIEWED FROM A PUBLIC SPACE

The front of the semi-detached dwelling will predominantly stay the same with only part of the front verandah removed. Part of the front wall will be removed, however the pedestrian access point, and side bin enclosure parts of the wall will remain to preserve the existing streetscape. Removing a 3m section of the existing boundary wall will expose the language of the home to the street, contributing to the George Street, streetscape.

## MANLY LEP AND DCP NUMERIC CONTROLS SUMMARY TABLE

<b>ZONE R1</b>	<b>LOW DENSITY RESIDENTIAL</b>		
<b>Codes</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
Density	1 unit/250m <sup>2</sup>	187m <sup>2</sup>	No
Floor Space Ratio (FSR)	0.75(Area 1)	96.9m <sup>2</sup> =0.52:1	Yes(ex) unchanged
Building Height	11m	6.7m	Yes
Wall Height	6.65m	4.24m	Yes
Front Setback	6.0m	4.595m(ex)	Yes(ex) unchanged
Side Setback	0.9m	0.925m	Yes(ex) unchanged
Rear Setback	8.0m	4.04m(ex)	Yes(ex) unchanged
Landscaping(OSA)	50% (Area 2) 30% Soft	Ex. 45.4m <sup>2</sup> , new 37.6m <sup>2</sup> (20%) 2.7m <sup>2</sup> (7%)	No
Carparking	2	1	No
Acid Sulphate	Class 5	-	Yes
Bush Fire	Not zoned	-	Yes
Landslip	G4 assessment	Schedule 11, no report required see 4.1.8	Yes

# MANLY LOCAL ENVIRONMENT PLAN 2013 & DEVELOPMENT CONTROL PLAN - DISCUSSION

## Manly Local Environmental Plan 2013

Manly Local Environmental Plan 2013 (MLEP) came into force in 2013 and is the primary EPI applying to the Proposal.

The applicable Clauses of the MLEP 2013 are:

- Clause 2.1 – Zone objectives and land use table
- Clause 5.10(5) – Heritage Assessment
- Clause 6.9 – Foreshore Scenic Protection Area

### Clause 2.1 – Land Use Zoning and Permissibility

The site is zoned R1 General Residential pursuant to the MLEP, The proposal is for a new parking space to meet the needs of the residents which complies with the objectives of the clause

### LEP Clause 5.10(5)-Heritage Assessment

Requires that Council consider the effect of proposed development on heritage significance of a heritage item or heritage conservation area. LEP Clause 5.10(5)(c) further requires that the development of land in the vicinity of Heritage Items or Conservation Areas may require further assessment into the effect on the heritage significance of the item/area.

### Clause 6.9 – Foreshore Scenic Protection Area

Covered in MDCP 5.4.1 to protect the views from and to Sydney Harbour,

*Development in the Foreshore Scenic Protection Area must not detrimentally effect the 'visual or aesthetic amenity of land in the foreshore scenic area nor must the development similarly effect the views of that land, including ridgelines, [tree](#) lines and other natural features viewed from the Harbour or Ocean from any road, park or land in the LEP for any open space purpose or any other public place.*

The proposal is for a new parking space that retains the existing street trees and reduces the built form of the front fence, complies with the requirements.

## GENERAL PRINCIPLES

### 3.2.1 Consideration of Heritage significance

This section applies to:

- Heritage Items and Conservation Areas listed in the LEP;
- development in the vicinity of heritage; and
- other development which may have potential heritage significance. If the property has merit as a potential heritage item the heritage controls and considerations of this plan will apply.

#### 3.2.1.1 Development in the vicinity of heritage items, or conservation areas

**Response** - Within the vicinity are 2 Heritage items listed in Schedule 5 of the Manly Local Environment Plan 2013

Item I155, 17, 19-21 George St Manly. Local Heritage information summarised from Manly Local Library Studies Trim MC/12/105554.

*The west side of George street originally was part of the 'Fairview Estate' with lots auctioned in 1885, and 1886. George Street first appeared in the Sands Directory in 1888 and had four householders listed, T.J Moore, William Perdrican, Henry Woods and Charles Francis a builder. It is believed that Charles Francis was probably responsible for the two storey terraces (19-21 George St), and the two-storey Italianate Mansion 'Hazeldeen'(17 George St). The development of George street slowed due to the depression of the 1890's, but in the early 1900's house names began to appear more regularly. Many Federation villas were built on both sides of George Street during 1910-20. In 1914 there were 21 occupied houses in George Street, with 'Hazeldeen' still a dominate feature on the streetscape. By 1920 many of the householders were female due to the Great war, and became boarding homes to support the owners. The first residential flat buildings in George Street were also built during this period, the Chatham and the Hamilton Flats. More flats were built in the 1930's and by the 1940's most had tenants. Apart from the large developments at the lower end of the street, a lot of the George Street, streetscape has stayed intact.*

The semi-detached house at number 28 George Street, is not listed by the Heritage Council under the NSW Heritage Act on the State Heritage register as heritage items of State significance, it is not in a Heritage Conservation area and it is not listed on Schedule 5 of the Manly Local Environment Plan 2013 as a heritage item

The proposed changes to the front fence for the car space and driveway is appropriate in form and designed as to not detract from the Heritage significance of the items across the street. The infrastructure is visibly compatible in the proposal as 19-21 George Street also have hardstands for carparking at the street front. The curtilage around neighbouring heritage items is not changed by the works, nor are the views or vistas from the houses at 17, 19 or 21 George Street. The public will still be able to view and appreciate the Heritage items.

### **3.3.1 Landscaping Design**

Relevant DCP objectives to satisfy in relation to this part include the following:

- Objective 1) To encourage appropriate tree planting and maintenance of existing vegetation.*
- Objective 2) To retain and augment important landscape features and vegetation remnant populations of native flora and fauna.*

### **Proposal**

There is no increase to hard surface areas and the proposal has no impact to the existing established vegetation on the site.

### **3.4.1 Sunlight Access and Overshadowing**

See Council's Administrative Guidelines for DA lodgement requirements for shadow diagrams.  
See paragraph 4.1.5.3.b.iii for sunlight requirements to private open space with boarding houses.

Relevant DCP objectives to be met in relation to this part include the following:



- Objective 1) To provide equitable access to light and sunshine.*
- Objective 2) To allow adequate sunlight to penetrate:*
- *private open spaces within the development site; and*
  - *private open spaces and windows to the living spaces/ habitable rooms of both the development and the adjoining properties.*
- Objective 3) To maximise the penetration of sunlight including mid-winter sunlight to the windows, living rooms and to principal outdoor areas by:*
- *encouraging modulation of building bulk to facilitate sunlight*
  - *penetration into the development site and adjacent properties; and*
  - *maximising setbacks on the southern side of developments to encourage solar penetration into properties to the south.*

## **Proposal**

The proposal is for a new hardstand area and so will create no new overshadowing to the site, or to neighbouring homes.

### **3.4.2 Privacy and Security**

**Note:** Consideration of privacy are typically balanced with other considerations such as views and solar access. The degree of privacy impact is influenced by factors including the use of the spaces where overlooking occurs, the times and frequency these spaces are being used, expectations of occupants for privacy and their ability to control overlooking with screening devices.

Relevant DCP objectives to satisfy in relation to this part include the following:

- Objective 1) To minimise loss of privacy to adjacent and nearby development by:*
- *appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings;*
  - *mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings.*
- Objective 2) To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.*
- Objective 3) To encourage awareness of neighbourhood security.*

## **Proposal**

The existing front wall and slab is to be partially removed, retaining two timber posts and filigree, and the common boundary wall kept to maintain privacy between neighbours.

### **3.4.3 Maintenance of Views**

Relevant DCP objectives to be satisfied in relation to this paragraph include the following:

- Objective 1) To provide for view sharing for both existing and proposed development and existing and future Manly residents.*
- Objective 2) To minimise disruption to views from adjacent and nearby development and views to and from public spaces including views to the city, harbour, ocean, bushland, open*

- space and recognised landmarks or buildings from both private property and public places (including roads and footpaths).*
- Objective 3)** *To minimise loss of views, including accumulated view loss 'view creep' whilst recognising development may take place in accordance with the other provisions of this Plan.*
- 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.*
  - 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.*
  - c) Templates may be required to indicate the height, bulk and positioning of the proposed development and to assist Council in determining that view sharing is maximised and loss of views is minimised.*

## **Proposal**

The proposal is for ground works and so will not impact any views from or across the site. Any neighbouring views across the site will remain, as will the views from the site itself with the proposal.

## **3.7 Stormwater Management**

See also NSW Road and Maritime Services standard requirements for the management of stormwater in relation to development near the foreshore.

Relevant objectives to satisfy relation to this part include the following:

- Objective 1)** *To manage urban stormwater within its natural catchments and within the development site without degrading water quality of the catchments or cause erosion and sedimentation.*
- Objective 2)** *To manage construction sites to prevent environmental impacts from stormwater and protect downstream properties from flooding and stormwater inundation.*
- Objective 3)** *To promote ground infiltration of stormwater where there will be no negative (environmental) impacts and to encourage on-site stormwater detention, collection and recycling*
- Objective 4)** *To make adequate arrangements for the ongoing maintenance of stormwater facilities.*

## **Proposal**

The road is 0.5m below the proposed new hardstand, so there will be no issue with falling the stormwater down to the street. The proposed hard surface area is for the new hardstand and replaces the paving within the front yard, and it will actually benefit the stormwater on the site by being able to collect and direct the water to the street, rather than creating increased surface flows across the site. There will be no change to infiltration on the site, or towards neighbouring properties. The works are all at the front of the site, and no works are proposed to the existing roof or stormwater systems/connections from the house.

### 3.8 Waste Management

**Note:** This plan requires the lodgement of Waste Management Plans that demonstrate sound waste management practices that will reduce, reuse and recycle resources.

Relevant objectives to satisfy in relation to this paragraph include the following:

- Objective 1) *To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).*
- Objective 2) *Encourage environmentally protective waste management practices on construction and demolition sites which include:*
- *sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities;*
  - *adoption of design standards that complement waste collection and management services offered by Council and private service providers;*
  - *building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and*
  - *appropriately designed waste and recycling receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area.*
- Objective 3) *Encourage the ongoing minimisation and management of waste handling in the future use of premises.*
- Objective 4) *To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.*
- Objective 5) *To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.*
- Objective 6) *To minimise any adverse environmental impacts associated with the storage and collection of waste.*
- Objective 7) *To discourage illegal dumping.*

#### **Proposal**

The proposal includes a waste management plan, consistent with the controls required.

## DEVELOPMENT CONTROLS

### 4.1.1 Dwelling Density, Dwelling Size and Subdivision

**Note:** In addition to the minimum subdivision lot size standards at LEP clause 4.1, the density controls in conjunction with other controls in this plan are also important means of prescribing the nature and intended future of the residential areas of the former Manly Council area.

*Relevant DCP objectives to be satisfied in relation to this part include:*

- Objective 1) To promote a variety of dwelling types, allotment sizes and residential environments in Manly.*
- Objective 2) To limit the impact of residential development on existing vegetation, waterways, riparian land and the topography.*
- Objective 3) To promote housing diversity and a variety of dwelling sizes to provide an acceptable level of internal amenity for new dwellings.*
- Objective 4) To maintain the character of the locality and streetscape.*
- Objective 5) To maximise the use of existing infrastructure.*

**The Control is 1 lot per 250m<sup>2</sup>**, it is one semi detached dwelling proposed with a site area of 187m<sup>2</sup>, it is undersized, but existing and unchanged, therefore complies.

### 4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)

**Note:** While the LEP contains Height of Buildings development standard and special height provisions, these paragraphs control the wall and roof height and the number of storeys within and in support of the LEP provisions in relation to residential development.

LEP objectives for the Height of Buildings at clause 4.3 are particularly applicable to controls at paragraph 4.1.2 of this DCP.

#### **Proposal**

The existing semi-detached House is under the 11m requirement, at 6.7m. With the new work proposed for a car space, no additional height or bulk is proposed.– therefore complies.

### 4.1.3 Floor Space Ratio (FSR)

**Note:** FSR is a development standard contained in the LEP and LEP objectives at clause 4.4(1) apply.

In particular, Objectives in this plan support the purposes of the LEP in relation to maintaining appropriate visual relationships between new development and the existing character and landscape of an area as follows:

- Objective 1) To ensure the scale of development does not obscure important landscape features.*
- Objective 2) To minimise disruption to views to adjacent and nearby development.*

*Objective 3) To allow adequate sunlight to penetrate both the private open spaces within the development site and private open spaces and windows to the living spaces of adjacent residential development.*

### **Proposal**

The existing semi-detached is under the 0.75 requirement, at 0.52. There are no additions or alterations to the existing interior or floor area of the house, so it remains unchanged.

#### **4.1.4.1 Street Front setbacks**

*Objectives;*

- a) Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.*
- 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 façade to retain significant trees and to maintain and enhance the streetscape.*
- c) 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.*
- 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.*

**Street Front setback response-** Being an established residential building with existing front façade walls and roof being retained, the setback is consistent with the existing streetscape and established setback pattern that forms part of the fabric of the street. The proposed works are to the front yard for carparking, and comply with the objectives by not obscuring landscape features, not impacting neighbours amenity and not proposing any projections into the front setback other than the hardstand.

#### **4.1.4.2 Side setbacks and secondary street frontages**

*Objectives;*

- a) Setbacks between any part of a building and the side boundary must not be less than one third of the height of the adjacent external wall of the proposed building.*
- 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.*
- c) All new windows from habitable dwellings of dwellings that face the side boundary are to be setback at least 3m from side boundaries;*
- d) For secondary street frontages of corner allotments, the side boundary setback control will apply unless a prevailing building line exists. In such cases the prevailing setback of the neighbouring properties must be used. Architecturally the building must address both streets.*
- e) 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.*
- f) In relation to the setback at the street corner of a corner allotment the setback must consider the need to facilitate any improved traffic conditions including adequate and safe levels of visibility at the street intersection. In this regard Council may consider the need for building works including front fence to be setback at this corner of the site to provide for an unobstructed splay. The maximum dimension of this triangular shaped splay would be typically up to 3m along the length of the site boundaries either side of the site corner.*

### Side setbacks response-

The existing south facing walls are to be retained with no proposed changes. The proposed new hardstand is 1.9m away from the side boundary. The side path that runs along the southern boundary is retained to allow for external access, as well as property maintenance. The maximum wall height here is 4.24m, and although only has a 0.94m setback is existing and unchanged. The Northern boundary wall is a party wall to the adjoining semi, so has no setback.



Aerial Map View of 28 George St, Manly (NB Council)

#### 4.1.4.4 Rear Setbacks

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

**Response** – The existing house has a rear setback of 4.04m to the external wall. If you look at the satellite image above, you will see that the setback is consistent with neighbouring setback pattern. The backyard provides the open space for the house and has a landscaped edge complying with the objectives of the control.

#### 4.1.5 Open Space and Landscaping

Relevant DCP objectives to be met in relation to these paragraphs include the following:

- Objective 1) To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.*
- Objective 2) To maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation and bushland.*
- Objective 3) To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.*
- Objective 4) To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.*
- Objective 5) To minimise the spread of weeds and the degradation of private and public open space.*
- Objective 6) To maximise wildlife habitat and the potential for wildlife corridors.*

#### Response

The open space requirement for the site is 50% being in Area 2. The site itself is undersized, less than 250m<sup>2</sup>, and has an existing semi-detached dwelling already occupying the site, and not proposed to be altered. The proposal results in 28.7m<sup>2</sup>(15.3%) of private open space to be retained predominantly in the backyard. The soft landscaping component of the open space is only in the backyard and is 9.7% of this open space.

All the new works are over existing hard surface areas being the paved front courtyard, with no additional coverage produced and so has minimal impact the soft landscaping on the site. The above objectives of maintaining existing vegetation, enhancing the amenity of the site, retaining water infiltration on the site, minimizing the spread of weeds, and maximizing wildlife habitat, have all been met with the proposal.



*Frontyard of No.28 George Street*

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

*a) 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.*

*b) 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*

*c) 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.*

*d) 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.*

#### Response

The existing site has no carparking, and it is proposed to remove paving from the front yard to provide 1 off street carparking space for a small car to AS 2890.1,2004, being 2.7 x 5.0m. It is also proposed to add a new solar system to the home capable of electric vehicle charging on site. As you can see in the photographs below, there are a variety of homes with driveways and hardstands in front of the homes, including the neighbouring homes at number 8,10,14 George street and across the road at 19-21 George Street. The driveway access at 3m is the minimum allowance, and retains the existing street trees.

As previously mentioned, the era these homes were constructed were car free, and so many of the homes had no off street parking when originally constructed. In current times most households have at least 1 car, and many are now purchasing electric or hybrid vehicles. This small car space with electric charging ability is a sign of the current times and our reliance on cars.

The proposal meets the objectives for parking design being low impact visually with just a hardstand, retaining a portion of the front wall and street landscaping to minimize built forms from the street, and keeping the width of access less than 50% of the street frontage. Providing two car spaces would take up the entire frontage, adversely impact the streetscape, and not comply with the objectives of the control.



8-10 George Street, Manly





14 George Street, Manly

#### 4.1.6.4 Vehicular Access

- a) *All vehicles should enter and leave the site in a forward direction.*
- b) *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.*
- c) *Vision of vehicles entering and leaving the site must not be impaired by structures or landscaping.*
- d) *Particular attention should be given to separating pedestrian entries and vehicular crossings for safety.*
- e) *Vehicular access will not be permitted from pedestrianized areas in Manly Town Centre.*

#### **Response**

The new proposed car space retains an open view and site lines from the car space. Pedestrian access has been kept separated on the site already, for safety.

#### 4.1.8 Development on Sloping Sites

Relevant DCP objectives to be met in relation to these paragraphs include:

Objective 1) To ensure that the Council and community are aware of and appropriately respond to all identified potential landslip and subsidence hazards.

Objective 2) To provide a framework and procedure for identification, analysis, assessment, treatment and monitoring of landslip and subsidence risk and ensure that there is sufficient information to consider and determine Das on land which may be subject to slope instability.

Objective 3) To encourage development and construction that is compatible with landslip hazard and to reduce the risk and costs of landslip and subsidence to existing areas.

**Note:** Development on sloping sites often require geological survey to consider the stability of the slope and the suitability of the proposed design for that slope.

*D) Area G4 -Potential Hazard Requirements*

*i) Geotechnical assessment may be required depending on location and nature of development and man-made cut and fill.*

*ii) Residential footings are to be in accordance with AS2870.*

*iii) Potential hazards for this land include rock falls & minor slumping of soil and fill materials from top of unsupported cuts onto public and private pathways, roadways and building platforms. There is little to moderate typical consequences of failure involving damage of some or part of structures (for example, to a dwelling or roadway), with part of site requiring some stabilisation works.*

*Large scale stabilisation works are unlikely to be required in Area G4.*

**Response**

Following schedule 11 MDCP,

Does the site or adjacent properties have a history of slope instability – No

Are excavations or fills >2m depth proposed – No

Site Inspection, Developed Site – Is fill >1m in depth present – No

Are cuts or excavations >2m high present – No

**Following schedule 11, flow chart – Geotechnical report is not required**

**4.1.10 Fencing**

**See also paragraph 3.1 Streetscapes and Townscapes and paragraph 3.2.3 Fences for Heritage.**

*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.*

*4.1.10.1 Exceptions to maximum height of Fences*

*a) In relation to stepped fences or walls on sloping sites (see paragraph 4.1.8), the fence and/or wall height control may be averaged.*

*b) 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.*

*c) In relation to development along busy roads:*

i) *where a development will be subjected to significant street noise, Council may consider exceptions to the permitted fence height where the use of double glazing or thicker glazing for the residence is not available. The use of double glazing for windows in the development is the preferred means of noise reduction. See also paragraph 3.4.2.4 Acoustical Privacy.*

ii) *fences to the southern side of French's Forest Road, Seaforth may achieve a maximum height of 1.5m with 'solid' fencing.*

## **Response**

The fence proposed along George Street is a reduced form of the existing with a 3m length removed in the centre for car access and the rest remaining for privacy and security on the site.

## **4.4.5 Earthworks (Excavation and Filling)**

Relevant DCP objectives in this plan in relation to these paragraphs include:

- Objective 1) *To retain the existing landscape character and limit change to the topography and vegetation of the Manly Local Government Area by:*
- *Limiting excavation, "cut and fill" and other earthworks;*
  - *Discouraging the alteration of the natural flow of ground and surface water;*
  - *Ensuring that development not cause sedimentation to enter drainage lines (natural or otherwise) and waterways; and*
  - *Limiting the height of retaining walls and encouraging the planting of native plant species to soften their impact.*

## **Proposal**

The excavations are minimal and at the front of the site where the new hardstand is proposed. The area in the Road reserve will be retained as close to existing levels as possible.

## **BUILDING COLOURS AND MATERIALS**

The selection of colours and finishes are consistent with the neighbouring homes and locality, and will compliment the existing home, harmonizing with the landscape, and enhancing the existing streetscape. The requirement for consistency with the existing fabric of the streetscape is reflected in the selection of colours and finishes supplied with the application.

## **CONCLUSION**

The proposal is for the partial demolition of the front verandah and wall, and construction of a new hardstand, and driveway. The proposal is consistent with Northern Beaches Councils MLEP, and MDCP controls and although not numerically compliant due to the existing structures, we believe it achieves the aims and objectives of the controls and so is suitable for approval on town planning principles.