

Statement of
Environmental Effects
7a Carlton St, MANLY NSW 2095

Table of Contents

1. Introduction
2. Site description
3. Proposal description
4. Relevant planning controls
5. Issues
6. Summary
7. Appendices

1. Introduction

The proposal comprises alterations and additions to an existing 2 level duplex building and includes conversion to a Class 1a single residence

This report is to be read in conjunction with other supporting documentation comprising the Development Application

And application of the relevant State and local planning controls specific to the site and proposed use

Council's current advice is that for proposed residential projects under an estimated construction value of \$1 million lodgement without undergoing a pre DA meeting is preferred, and if required amendments to the application will be permitted

Some pre lodgement heritage consultation with Janine Formica one of Council's heritage planners has occurred and the design has been modified in consideration of their feedback

We believe the proposal is an appropriate design to achieve the desired planning objectives

2. Site Description



Fig 2.1- Birds eye view of the site and context

The property legal description is Lot B DP 159861 and site area is 358.2 sqm by survey

The site is located on the western end and southern side of Carlton St that crosses Pittwater Road

The adjacent property to the east is a 2 storey local heritage item No 77 Pittwater Road

Immediately to the west is a row of single and part 2 storey terraces

Opposite the site is a group of small shops with frontage to Pittwater Road

The north and street boundary is 12.740m, the east 25.540m, south 14.055m and the west boundary 28.5m

The site is ostensibly flat with existing concrete paths and driveway strips, some lawn areas and planted garden beds

Vehicular and pedestrian access is from Carlton St



Fig 2.2- Street view of the existing building and adjoining terraces



Fig 2.3- No 77 Pittwater Rd cnr Carlton St

On the site there is an existing 2 storey brick and tile duplex probably built in the 1950s with a side access driveway and a brick garage at the rear, there is also a small external shared laundry

The building is largely intact- the external walls are double skin face brickwork with painted timber trim- VIZ window and door joinery, fascias etc

There are 2 external concrete stairs, one at the front NW corner and one to the rear both with metal balustrades- these are narrow and unsafe as well as being exposed to the weather

The ground floor is timber frame construction and the mid floor suspended concrete, the roof is terracotta tile

The existing front setback is about 5m, the existing side setbacks vary between 2 & 3m, and the rear setback varies between 7.2 & 8.2 m

Existing garage to the rear has side and rear setbacks of 150 mm & 400 mm

3. Proposal Description



Fig 3.1- Photomontage

The proposal is an alteration and additions to an existing duplex including conversion to a single residence with new landscape planting

Summary in point form

- *Remove external concrete stairs and laundry outbuilding to rear, retain existing garage*
- *Construct a verandah on the ground and first floor, with new lean to roof over*
- *New brick front elevation to fill in the north-western front of the house*
- *Add new stairs to the NE corner*
- *Bay window style addition to upper level main bedroom to NW corner*
- *Reconfigure the interior layout of the individual residences to create a single dwelling*
- *Build a balcony on the first floor to the rear of the dwelling*
- *Install new doors to the rear elevation*
- *Construct a carport at the north west of the house at the side*
- *Construct new window openings along the northern and southern side elevation*
- *Close up some existing wall openings*

- *Integrate new doors to the garage to convert it into a cabana*
- *Integrate three sky lights into the roof*

The design features

- *New verandah is positioned behind the permitted front setback*
- *Proposed carport is setback from the building front*
- *Separation between adjoining buildings are largely maintained*
- *Appropriate and considered building design, scale and form to both streetscape and conservation area*
- *Design attempts to address the existing narrow and featureless front facade which makes neutral contribution to the streetscape and the PRCA*
- *Similarly the new front fencing and landscaping*
- *consideration given to finishes and colours- some face and some painted brickwork, natural materials VIZ exterior timber trim, zinc cladding, metalwork etc (note as work to the existing face brickwork is likely to look patched after building it is proposed to paint- repairs to lintels, removal or services, new openings etc)*
- *Generally a good adaptive reuse of the existing building*

4. Relevant Planning Controls

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been prepared for the proposal and accompanies the Development Application

Manly Local Environmental Plan 2013 (MLEP 2013)

Manly LEP2013 - Land zoned R1 General Residential

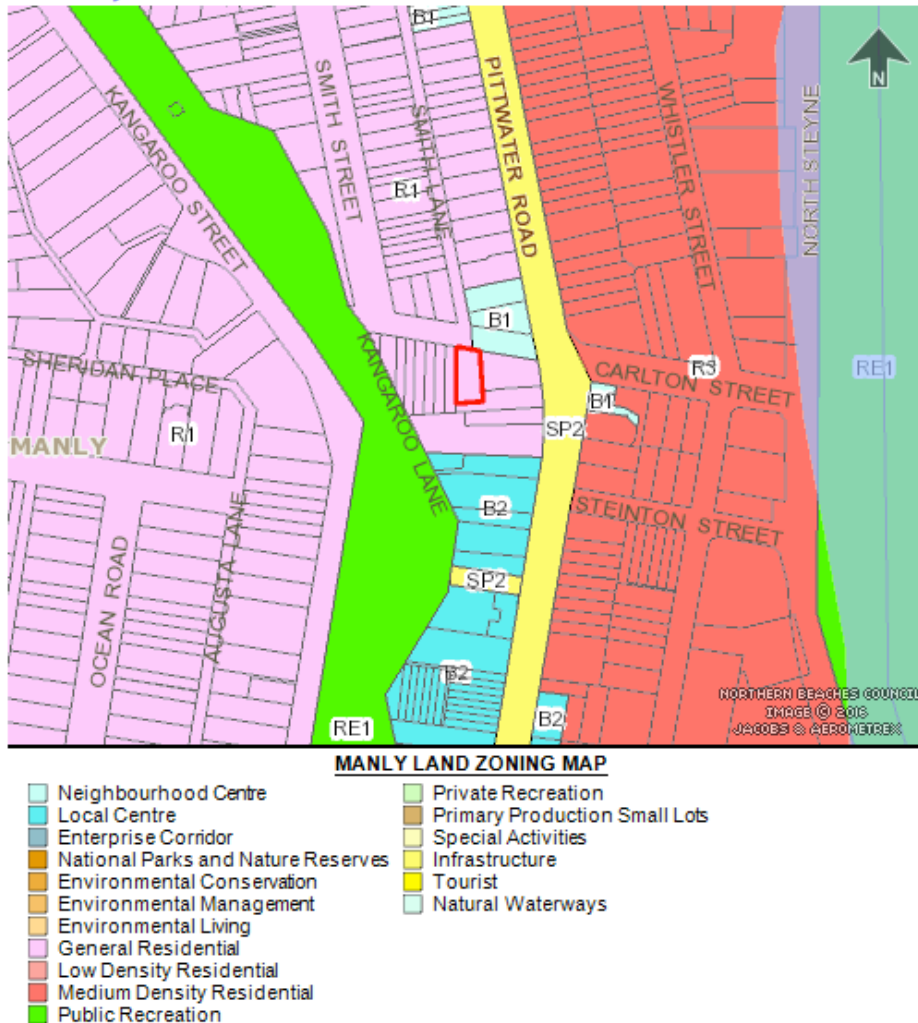


Fig 4-1 Land Use Map

Site is zoned R1 General Residential- dwellings houses are a permitted use with consent

Objectives of this Zone (1) are

- *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*

The proposal is consistent with the above stated objectives

Table 4-2 some principal LEP development standards

Map or Clause	Control	Comment
4.1 Lot Size	250 sqm	Existing compliance
4.3 Height of Buildings	8.5m	Existing compliance Overall building height is unchanged
4.4 Floor Space Ratio	0.6:1	Non compliance Refer area schedule on architectural drawings and CI 4.6 objection letter for justification
5.10 Heritage	Pittwater Road Conservation Area	Refer accompanying Heritage Impact Statement
6.1 Acid Sulphate Soils & Landslip	Class 4	Proposed works don't exceed 2m below natural ground surface not requiring an ASS Management Plan Refer attached Schedule 11
6.2 Earthworks		Excavation is limited to depth for any new footings < 1m

Manly Development Control Plan 2013 (Amendment 11)

Table 4-3 some development principals and built form controls

General Principles of Development	Control	Comment
3.1.1.2 Front Fences and Gates		Fence compliments character of locality and adjoining properties Is compatible with the architectural style of the dwelling Height matches adjoining property fences
3.1.1.4 Garages and Carports		Carport is setback from the building front The design is visually recessive and does not dominate or adversely impact streetscape
3.2 Heritage Considerations		Refer Heritage Impact Statement which addresses heritage issues Refer Finishes and Colour Schedule
3 & 3.5.5 Landscaping		Refer Landscape Plan
3.4 Amenity		Consideration has been given to privacy, views, overshadowing and amenity
3.4.3 Sunlight Access and Overshadowing		Refer Shadow Drawings SH01 thru 03 AM 21 June solar access is reduced by about 20 min into No 7 kitchen window (this is currently screened) NOON 21 June there is no additional overshadowing onto adjoining properties 3 PM 21 June some additional overshadowing onto No 77 Pittwater Rd but this a driveway & entry
3.4.2 Views		There are no loss of views
3.5 Sustainability		Refer BASIX and Waste Management Plan
3.7 Stormwater Management		Refer Stormwater Management Plan A04
3.8 Waste Management		Refer Waster Management Plan WMP
Part 4 Built Form Controls (where applicable)	Control	Comment
4.1.1 Residential Density and Dwelling Size	D3 250 sqm	Site area exceeds min Dwelling size exceeds min
4.1.2.1 Wall height	6.5m	Compliant
4.1.2.3 Roof Height	8.5m 2m + wall height	Compliant
4.1.4.1 Front Setback	average of adjoining properties	Compliant
4.1.4.2 Side Setback	1/3 wall height	Generally compliant Minor non compliance to NE stair addition- 50 mm Carport non compliant see comments in Issues Carport setback matches former existing garage
4.1.4.4 Rear Setback	8m	Existing non compliance

4.1.5.1 Total Open Space	Area OS3 55% of Site Area or 197 sqm	Existing non compliance An improvement on existing OS- refer area schedule on architectural drawings and comments in Issues
4.1.5.2 Landscape Area	35% of Open Space Or 68 .9 sqm	Compliant Refer area schedule on drawing OS&LAC & Site Plan A01 Refer landscape drawing
4.1.5.3 Private Open Space	18 sqm	Compliant
4.1.6 Parking	2 spaces	Existing non compliance
4.1.8		Preliminary assessment of site conditions demonstrate no geotechnical report is required see attached Schedule 11
4.1.10.1 Front Fences	30% transparency above 1m height	Compliant
4.4.5.2	Excavation	(a) Excavation < 1m
4.4.5.3	Filling	(a) Fill < 1m

5. Issues

Heritage considerations have been addressed in the accompanying heritage impact statement prepared by Weir & Phillips

The Floor Space Ratio non compliance is addressed in the accompanying Clause 4.6 variation request letter- we suggest the improvements to the existing building, and it's contribution to the Pittwater Road Conservation Area outweigh the fact that we have not met the development standard

We exceed the floor space control by 9% or 19.5 sqm

Also the cabana formerly the rear garage contributes nearly 90% of the non compliance and this outbuilding does not impact building bulk and scale as viewed from public spaces

Open Space is an existing non compliance but has been marginally improved by about 9 sqm- refer area schedule on the architectural drawings and OS&LAC- shortfall from the control is about 44 sqm

There is a minor 50 mm encroachment of the side setback where the control is 1/3 wall height at the northern end of the new stair- this wall is positioned to match the existing masonry wall and as the boundary is not quite parallel to the wall part of the upper wall encroaches the side setback

DCP Clause 3.1.1.4 (b) *Exceptions to setback criteria referred to in this paragraph may be considered where parking structures are a positive element of the streetscape*

Objective 1) To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.

DCP Clause 4.1.4.3 does allow nil setbacks in D3 Density Areas to allow for wall openings at 90°

Whilst the proposed carport is not that configuration but we suggest it does satisfy CI 4.1.4.3 (b) viz

- ii) be constructed to one side boundary only
- iii) limit height to 3m
- iv) limit length to 35 percent of the adjoining site boundary
- vii) satisfy the objectives for setback in this plan and the applicant can demonstrate no disadvantage to the adjacent allotment through increased overshadowing, or loss of view and no impediment to property maintenance

Proposed carport height is slightly above 3m perhaps by about 50mm

The side driveway arrangement is existing and parking provision can't really be located elsewhere- and we are simply proposing a side setback similar to the existing rear garage

The rear 8m setback non compliance is existing- the proposed upper level balconies do not extend beyond the existing stair landing

The balconies have been limited in size as well as the access door widths from the bedrooms- a privacy screen added to the eastern side to minimise overlooking

We believe the built form control non compliances, where not existing have been managed to minimize adverse impacts

6. Summary

This statement has outlined and addressed the requirements of the relevant and applicable legislation

It is a permitted use or activity with consent

We believe the objectives of the planning controls have been satisfied

Impacts have been discussed and the proposal does not create unacceptable or adverse impacts

The proposal is orderly, economic and development and should be supported

7. Appendices

Northern Beaches Council Planning Certificate – Part 2&5

Applicant: InfoTrack
GPO Box 4029
SYDNEY NSW 2001

Reference: 210294
Date: 24/06/2021
Certificate No. ePLC2021/5011

Address of Property: 7A Carlton Street MANLY NSW 2095
Description of Property: Lot B DP 159861

Planning Certificate – Part 2

The following certificate is issued under the provisions of Section 10.7(2) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149). The information applicable to the land is accurate as at the above date.

1. Relevant planning instruments and Development Control Plans

1.1 The name of each environmental planning instrument that applies to the carrying out of development on the land:

1.1a) Local Environmental Plan

Manly Local Environmental Plan 2013

1.1b) State Environmental Planning Policies and Regional Environmental Plans

State Environmental Planning Policy 19 – Bushland in Urban Areas
State Environmental Planning Policy 21 – Caravan Parks
State Environmental Planning Policy 33 – Hazardous and Offensive Development
State Environmental Planning Policy 50 – Canal Estate Development
State Environmental Planning Policy 55 – Remediation of Land
State Environmental Planning Policy 64 – Advertising and Signage
State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)
State Environmental Planning Policy (Affordable Rental Housing) 2009
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

1.2 Draft Environmental Planning Instruments

The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the Council that the making of the proposed instrument has been deferred indefinitely or has not been approved):

1.2 a) Draft State Environmental Planning Policies

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Amendment to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55)

1.2 b) Draft Local Environmental Plans

1.3 Development Control Plans

The name of each development control plan that applies to the carrying out of development on the land:

Manly Development Control Plan 2013

2. Zoning and land use under relevant Local Environmental Plans

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

2.1 Zoning and land use under relevant Local Environmental Plans

2.1 (a), (b), (c) & (d)

The following information identifies the purposes for which development may be carried out with or without development consent and the purposes for which the carrying out of development is prohibited, for all zones (however described) affecting the land to which the relevant Local Environmental Plan applies.

ZONE R1 GENERAL RESIDENTIAL

(b) Land use for land within Zone R1 that can be carried out without development consent:

Home-based child care; Home occupations.

(c) Land uses for land within Zone R1 that can be carried out only with development

consent :

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

(d) Land uses for land within Zone R1 that are prohibited:

Advertising structures; Water treatment facilities; Any development not specified in items (b) and (c)

Additional permitted uses

Additional permitted uses, if any, for which development is permissible with development consent pursuant to Clause 2.5 and Schedule 1 of the relevant Local Environmental Plan:

Refer to Schedule 1 of Manly Local Environmental Plan 2013.

(e) Minimum land dimensions

The *Manly Local Environmental Plan 2013* contains no development standard that fixes minimum land dimensions for the erection of a dwelling house on the land.

(f) Critical habitat

The land does not include or comprise critical habitat.

(g) Conservation areas

This land lies within the Pittwater Road Conservation Area under the *Manly Local Environmental Plan 2013*.

(h) Item of environmental heritage

The land does not contain an item of environmental heritage.

2.2 Draft Local Environmental Plan - if any

For any proposed changes to zoning and land use, see Part 1.2 b)

Please contact Council's Strategic and Place Planning unit with enquiries on 1300 434 434.

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* does not apply to the land.

3. Complying Development

The extent to which the land is land on which complying development may or may not be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

a) Housing Code

Heritage Conservation Area

For the purposes of clause 1.19 (1) (a) and (5) (a), complying development may not be carried out on that part of the land that lies within the Pittwater Road Conservation Area under *Manly Local Environmental Plan 2013*. The restriction applies unless the complying development is for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

b) Rural Housing Code

Heritage Conservation Area

For the purposes of clause 1.19 (1) (a) and (5) (a), complying development may not be carried out on that part of the land that lies within the Pittwater Road Conservation Area under *Manly Local Environmental Plan 2013*. The restriction applies unless the complying development is for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

c) Low Rise Housing Diversity Code

Heritage Conservation Area

For the purposes of clause 1.19 (1) (a) and (5) (a), complying development may not be carried out on that part of the land that lies within the Pittwater Road Conservation Area under *Manly Local Environmental Plan 2013*. The restriction applies unless the complying development is for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

d) Greenfield Housing Code

Complying Development under the Greenfield Housing Code may not be carried out on all of the land.

e) Housing Alterations Code

Complying Development under the Housing Alterations Code may be carried out on all of the land.

f) General Development Code

Complying Development under the General Development Code may be carried out on all of the land.

g) Commercial and Industrial Alterations Code

Complying Development under the Commercial and Industrial Alterations Code may be carried out on all of the land.

h) Commercial and Industrial (New Buildings and Additions) Code

Heritage Conservation Area

For the purposes of clause 1.19 (1) (a) and (5) (a), complying development may not be carried out on that part of the land that lies within the Pittwater Road Conservation Area under *Manly Local Environmental Plan 2013*. The restriction applies unless the complying development is for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

i) Container Recycling Facilities Code

Complying Development under the Container Recycling Facilities Code may be carried out on all of the land.

j) Subdivisions Code

Complying Development under the Subdivisions Code may be carried out on all of the land.

k) Demolition Code

Complying Development under the Demolition Code may be carried out on all of the land.

l) Fire Safety Code

Complying Development under the Fire Safety Code may be carried out on all of the land.

m) Inland Code

Complying Development under the Inland Code does not apply to the land.

Note: Pursuant to clause 3D.1 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Inland Code only applies to 'inland local government areas'. Northern Beaches local government area is not defined as an 'inland local government area' by *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

4. 4A (Repealed)

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner of the land (or any previous owner) has not consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

5. Mine Subsidence

The land has not been proclaimed to be a mine Subsidence (Mine Subsidence) district within the meaning of section 15 of the *Mine Subsidence (Mine Subsidence) Compensation Act, 1961*.

6. Road widening and road realignment

- (a) The land is not affected by a road widening or re-alignment proposal under Division 2 of Part 3 of the *Roads Act 1993*.
- (b) The land is not affected by a road widening or re-alignment proposal under an environmental planning instrument.
- (c) The land is not affected by a road widening or re-alignment proposal under a resolution of Council.

7. Council and other public authority policies on hazard risk restriction

- (a) Council has adopted a number of policies with regard to various hazards or risks which may restrict development on this land. The identified hazard or risk and the respective Council policies which affect the property, if any, are listed below (other than flooding – see 7A):

Acid Sulfate Soils - Class 4

This land is identified as Acid Sulfate Soils Class 4 on the Acid Sulfate Soils Map of the *Manly Local Environmental Plan 2013* (MLEP 2013). Restrictions apply to the carrying out of works on this land under Clause 6.1 of the MLEP 2013.

Geotechnical Risk (Landslip)

Development on all of the land is affected by Clause 4.1.8 - *Manly Development Control Plan 2013*.

Contaminated Lands

Council has adopted a contaminated land policy which may restrict the development of land. This policy is expressed to apply when zoning or land use changes are proposed on lands which are considered to be contaminated, or on lands which have been remediated for a specific use.

- (b) The following information applies to any policy as adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in a planning certificate issued by the Council. The identified hazard or risk and the respective Policy which affect the property, if any, are listed below:

Nil

7A. Flood related development control Information

- (1) Development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
- (2) Development on the land or part of the land for any other purpose is subject to flood related development controls.

8. Land reserved for acquisition

Environmental planning instrument referred to in Clause 1 does not make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

9. Contribution plans

The following applies to the land:

Northern Beaches Section 7.12 Contributions Plan 2019

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016* (includes land certified under Part 7AA of the repealed *Threatened Species Conservation Act 1995*).

10. Biodiversity Stewardship Sites

The Council has not been notified by the Chief Executive of the Office of Environment and Heritage that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* (includes land to which a biobanking agreement under Part 7A of the repealed *Threatened Species Conservation Act 1995* relates).

10A. Native vegetation clearing set asides

Council has not been notified by Local Land Services of the existence of a set aside area under section 60ZC of the *Local Land Services Act 2013*.

11. Bush fire prone land

Bush Fire Prone Land

The land is not bush fire prone land.

12. Property vegetation plans

The Council has not been notified that the land is land to which a vegetation plan under the *Native Vegetation Act 2003* applies.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of the existence of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

14. Directions under Part 3A

There is not a direction by the Minister in force under section 75P(2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (a) There is not a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.
- (b) No condition of consent applies to the property that limits the kind of people who may occupy the premises/ development. This refers only to consents granted after 11 October 2007 with conditions made in accordance with clause 18(2) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

16. Site compatibility certificates for infrastructure, schools or TAFE establishments

There is not a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land.

17. Site compatibility certificate and conditions for affordable rental housing

- (a) There is not a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.
- (b) There are not terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

18. Paper subdivision information

There is no current paper subdivision, of which council is aware, in respect of this land according to Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is no current site verification certificate, of which council is aware, in respect of the land according to Part 4AA of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

20. Loose-fill asbestos insulation

The residential dwelling erected on this land has not been identified in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.

This clause applies to residential premises (within the meaning of Division 1A of part 8 of the Home Building Act 1989) that are listed in the register that is required to be maintained under that Division.

Contact NSW Fair Trading for more information.

21 Affected building notices and building product rectification orders

- 1) There is not an affected building notice of which the council is aware that is in force in respect of the land.
- 2) There is not a building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and
- 3) There is not a notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

Additional matters under the Contaminated Land Management Act 1997

Note. The following matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) the land to which the certificate relates is not significantly contaminated land within the meaning of that Act
- (b) the land to which the certificate relates is not subject to a management order within the meaning of that Act
- (c) the land to which the certificate relates is not the subject of an approved voluntary management proposal within the meaning of that Act
- (d) the land to which the certificate relates is not subject to an ongoing maintenance order within the meaning of that Act
- (e) the land to which the certificate relates is not the subject of a site audit statement

If contamination is identified above please contact the Environmental Protection Authority (EPA) for further information.

Planning Certificate – Part 5

ePLC2021/5011

The following is information provided in good faith under the provisions of Section 10.7(5) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149) and lists relevant matters affecting the land of which Council is aware. The Council shall not incur any liability in respect of any such advice.

Persons relying on this certificate should read the environmental planning instruments referred to in this certificate.

Company Title Subdivision

Clause 4.1 of the *Pittwater Local Environmental Plan 2014*, *Warringah Local Environmental Plan 2011* or *Manly Local Environmental Plan 2013* provides that land may not be subdivided except with the consent of the Council. This includes subdivision by way of company title schemes. Persons considering purchasing property in the Northern Beaches local government area the subject of a company title scheme are advised to check that the land has been subdivided with the consent of the Council.

District Planning

Under the Greater Sydney Regional Plan – A Metropolis of Three Cities 2018, the Greater Sydney Commission sets a planning framework for a metropolis of three cities across Greater Sydney which reach across five Districts. Northern Beaches is located within the 'Eastern Harbour City' area and is in the North District which forms a large part of the Eastern Harbour City. The North District Plan sets out planning priorities and actions for the growth of the North District, including Northern Beaches. Northern Beaches Council's Local Strategic Planning Statement gives effect to

the District Plan based on local characteristics and opportunities and Council's own priorities in the community. The Local Strategic Planning Statement came into effect on 26 March 2020.

Council Resolution To Amend Environmental Planning Instrument

The following instrument or resolution of Council proposes to vary the provisions of an environmental planning instrument, other than as referred to in the Planning Certificate – Part 2:

Planning Proposal - Rear of 88 Bower St, Manly

Applies to: Lot 1, DP 1244511

Outline: Proposed amendment to MLEP 2013 to:

- rezone the site from RE1 Public Recreation to E4 Environmental Living
- introduce a 500m² minimum lot size for the site
- introduce a maximum building height of 8.5m
- introduce a maximum floor space ratio of 0.45:1.

Council resolution: 15 December 2020

Additional Information Applying To The Land

Additional information, if any, relating to the land the subject of this certificate:

Nil

General Information

Termites

You are advised that Australian Standard 3660.1 - Protection of Buildings Against Subterranean Termites, recommends that buildings are inspected and maintained in order to achieve total termite control. In the regard, you should contact a licensed pest control contractor to ensure all necessary termite controls are achieved.

Flood

Information available to Council indicates properties within the catchments of Manly Ocean Beach, North Head, North Harbour, Manly Lagoon and Middle Harbour, may be flood affected. This includes parts of the suburbs of Balgowlah Heights, Clontarf, Manly, Manly Vale, Fairlight, Balgowlah and Seaforth. It is important to note this information may be used by Council for development assessment purposes. Please contact Northern Beaches Council for further information.

Climate Change

Recent evidence indicates that climate change as a result of global warming is occurring much more rapidly than previously expected. Climate change will vary in its effects across Australia. As well as affecting homes, climate change may affect infrastructure, commercial and industrial buildings and other physical assets. Climate change may affect coastal areas, in particular, through sea-level rise, increased temperatures, and changed storm events. The effects of climate change may impact on the future use and development potential of the land that is the subject of this certificate.



Ray Brownlee PSM
Chief Executive Officer
24/06/2021

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ISSN 1635-5992

10. 11. 2019

REGISTERED SURVEYORS UNDER SURVEYORS ACT 1949
 SPECIALIST OF THE PROFESSION OF SURVEYING

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JOURNAL OF CLIMATE 17, 1064–1067 (2004)

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65 YORK STREET

SYDNEY, N.S.W. 2000 21st March, 1973

Hessers, Dunhill Morgan,
[re Hamilton & Orm. from Edes]

Carlton Street,
MAYE.

We have made a survey of Lot 3 in Miscellaneous Plan of Subdivision (O.S.) Registered No. 9861, being part of Lot 74 of Section 9 of the Brighton Estate and being the whole of the land described in the annexed description marked "A", situated at Manly in the Municipality of Manly and report as follows:-

A two storey brick building, roofed with tiles, known as No. 74 Carlton Street and containing two flats, together with brick garage, stands wholly within the boundaries of the land.

The land has 41'50" frontage to Carlton Street. The remaining dimensions and positions of buildings are shown upon the sketch below.

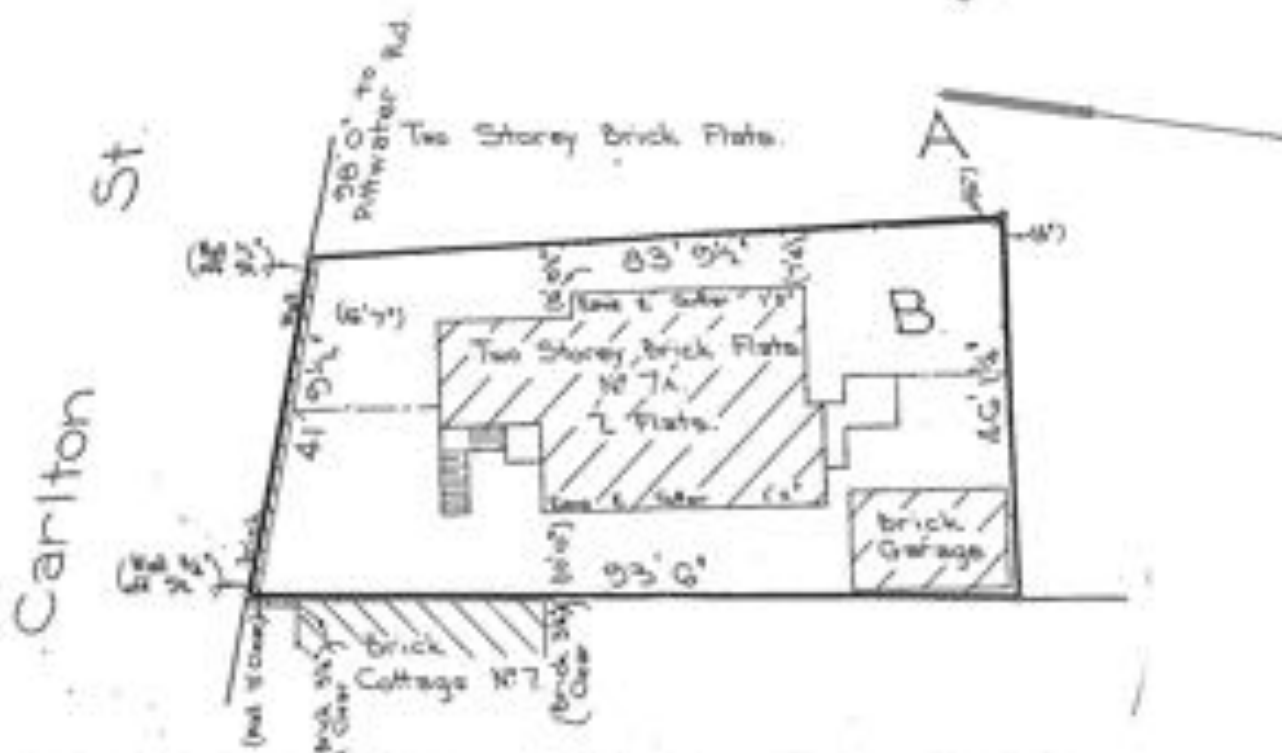
With the exception that the North Eastern wall of subject building stands from 6'5 1/2" to 7'4 1/2", instead of 7'6", from the North Eastern boundary, and the eaves and gutter along this wall stand from 4'10 1/2" to 5'5 1/2", instead of 5'7 1/2", from the boundary, subject building complies with the Local Government (Regulation of Flats) Act 1940, as regards area occupied and distance of walls from the side boundaries and also complies with the Local Government Act Ordinance relating to distance of eaves and gutters from the side boundaries.

The brick wall along the frontage stands from 8" to 8" off the street. The fence along the North East encroaches from 0" to 6" on subject land. The fence across the rear encroaches from 0" to 4" on subject land.

There are no other encroachments by or upon this property.

NADINE BISHY & TYSON

Per. *Lucy Blakey*



Sewer Service Diagram

Application Number: 8000837805

METROPOLITAN WATER SEWERAGE AND DRAINAGE BOARD
DIAGRAM OF SANITARY DRAINAGE
Municipality of *Manly* **SEWER AVAILABLE** Diagram No. *341181*

SYMBOLS AND ABBREVIATIONS			
□ Boundary Trap	■ R.V. Reflux Valve	I.P. Induct Pipe	Bsn. Basin
■ Pit	○ C.E. Cleaning Eye	M.F. Mica Flap	Shr. Shower
■ G.I. Grease Interceptor	○ V.P. Vertical Pipe	T. Tube	W.I.P. Wrought Iron Pipe
■ Gully	○ V.P. Vent. Pipe	K.S. Kitchen Sink	C.I.P. Cast Iron Pipe
■ P.T. P. Trap	○ S.V.P. Soil Vent. Pipe	W.C. Water Closet	F.W. Floor Waste
■ R.S. Reflux Sink	○ D.C.C. Down Cast Cowl	B.W. Bath Waste	W.M. Washing Machine

Existing drainage shown by black lines. Scale: 40 Feet to an Inch New drainage shown by full blue lines

This diagram is the property of the Owner and is to be returned to him on completion of the work

Certificates for drainage and sanitary plumbing will be issued to the owner when the work is completed and passed by the Board's Inspector.

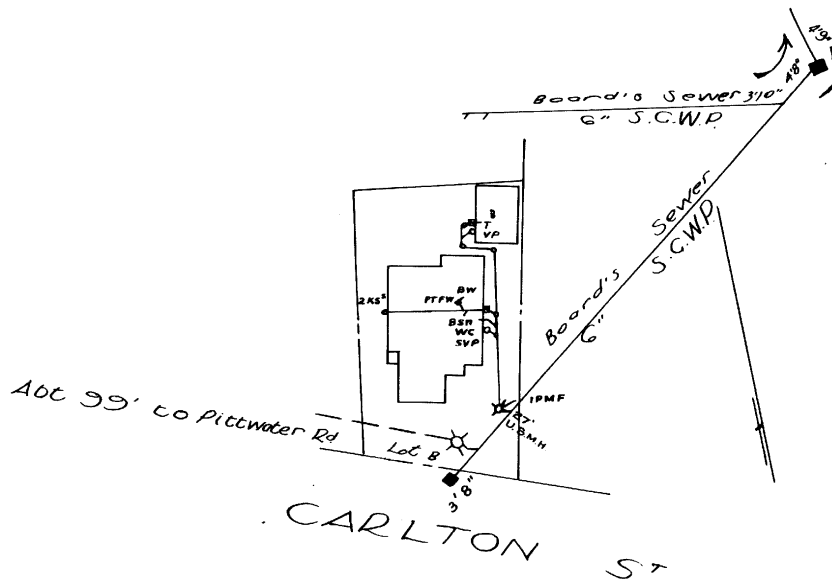
~~The Board accepts no responsibility for the suitability of the diagram in relation to the eventual position of the Board's sewer~~
~~When the sewer becomes available it will be necessary to apply for a revised diagram.~~

This work must be carried out in accordance with the Board's By-laws and Regulations.

(4" dia. pipes may be used in lieu of 6" dia pipes as shown on this diagram if the property owner so desires, provided that the relative levels of the sewer and house fixtures will permit of the pipes being laid with regulation grades and cover. For further information consult Board's Inspector.)

This work will be tested from

Broken lines denote assumed position of drainage



SHEET No 2508

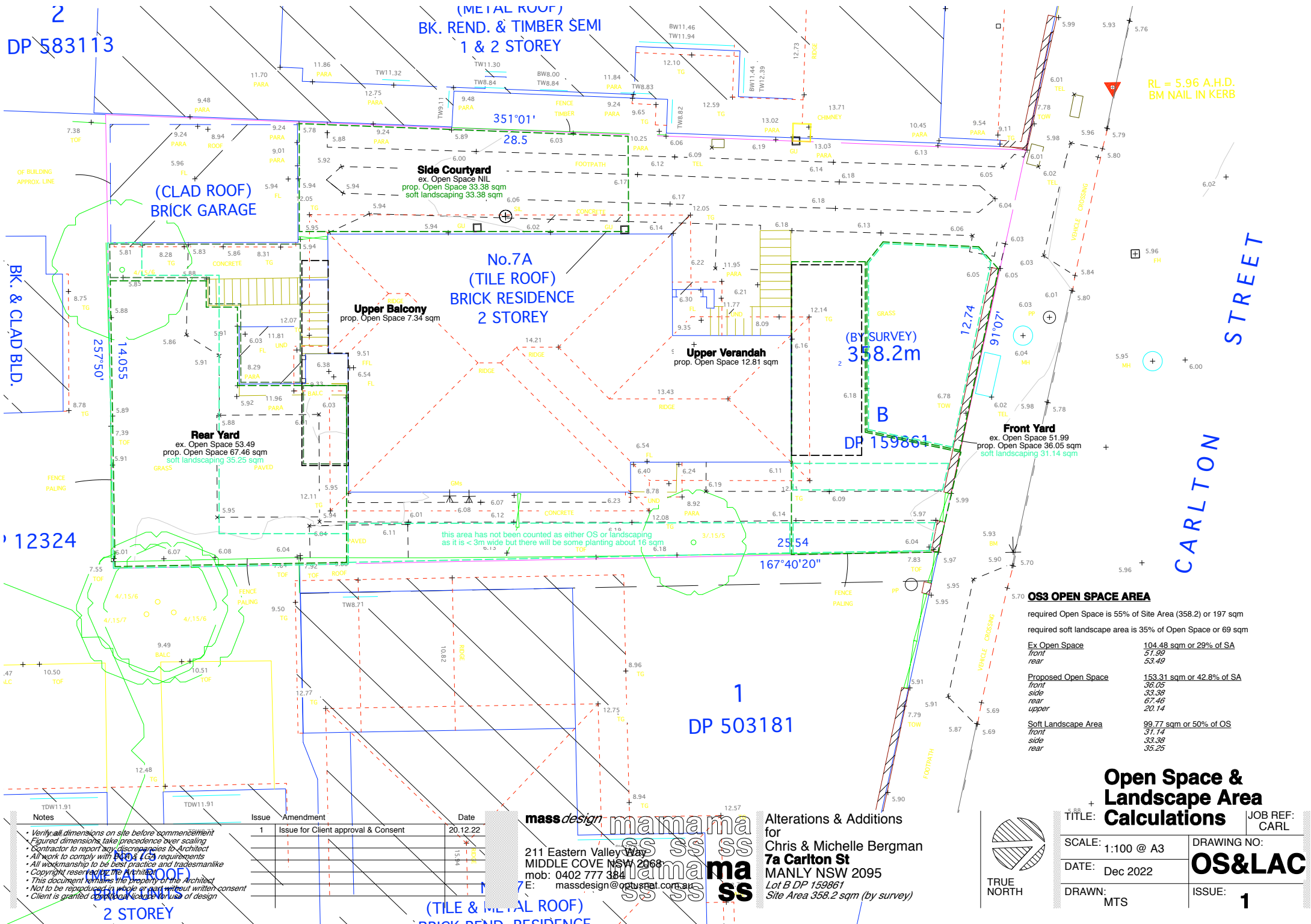
For Engineer-in-Chief

OFFICE USE ONLY			
W.C.	Designed by	Date	Inspector
Bth.	Inspector	1/1	
Shr.	Examined by		Date
Bsn.	Chief Inspector	1/1	
Sk.			Outfall
Ts.			Drainer
Plg.			Boundary Trap required
Dge.Int.			
Dge.Ext.			
DESIGN		SUPERVISION	

Document generated at 30-06-2021 09:10:59 AM

Disclaimer

The information in this diagram shows the private wastewater pipes on this property. It may not be accurate or to scale and may not show our pipes, structures or all property boundaries. If you'd like to see these, please buy a **Service location print**.



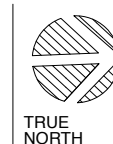
RL = 5.96 A.H.D.
BM NAIL IN KERB

CARLTON STREET

OS3 OPEN SPACE AREA	
required Open Space is 55% of Site Area (358.2) or 197 sqm	
required soft landscape area is 35% of Open Space or 69 sqm	
Ex Open Space	104.48 sqm or 29% of SA
front	51.99
rear	53.49
Proposed Open Space	153.31 sqm or 42.8% of SA
front	36.05
side	33.39
rear	67.46
upper	20.14
Soft Landscape Area	99.77 sqm or 50% of OS
front	31.14
side	33.39
rear	35.25

Open Space & Landscape Area Calculations

TITLE:	SCALE:	DRAWING NO:	JOB REF:
1:100 @ A3	1:100 @ A3	OS&LAC	CARL
DATE:	DATE:	ISSUE:	
Dec 2022	Dec 2022	1	
DRAWN:	DRAWN:		
MTS	MTS		



Alterations & Additions for
Chris & Michelle Bergman
7a Carlton St
MANLY NSW 2095
Lot B DP 159861
Site Area 358.2 sqm (by survey)

mass design
211 Eastern Valley Way
MIDDLE COVE NSW 2068
mob: 0402 777 384
E: massdesign@optusnet.com.au

Notes	Issue	Amendment	Date
1. Verify all dimensions on site before commencement 2. Figured dimensions take precedence over scaling 3. Contractor to report any discrepancies to Architect 4. All work to comply with Council requirements 5. All workmanship to be best practice and tradesmanlike 6. Copyright reserved to the Architect 7. This document remains the property of the Architect 8. Not to be reproduced in whole or part without written consent 9. Client is granted copyright license for use of design	1	Issue for Client approval & Consent	20.12.22

Schedule 11 - Suggested Checklist for Preliminary Assessment of Site Conditions in relation to the preparation of Site Stability Reports

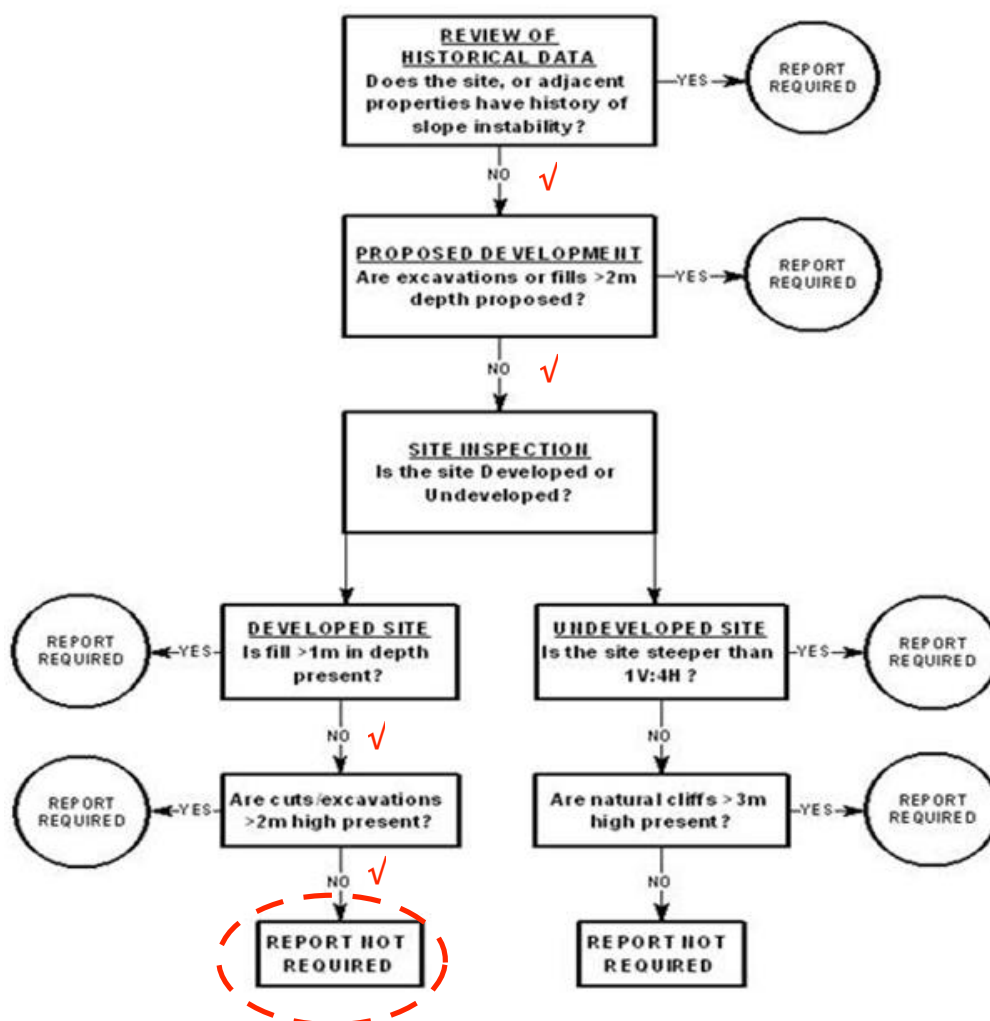
1. Site Location (Street and Position in street - above or below; Site dimensions - block shape & size):
2. Geotechnical Area in which the site is located):
3. Proposed development (general description, including maximum excavation depths, maximum fill depths, and proximity to existing structures):
4. Existing site: description eg. topography, slope angles (in degrees), exposures of rock and soil, existing site development, evidence of possible slope instability:
5. Recommendations: based on the above items, and the flowchart below that indicates the principal factor(s) considered in the assessment, it is recommended that:
 - geotechnical assessment is required; or
 - geotechnical assessment is not required.
 - other comments:

DATE OF ASSESSMENT : **6 Jan 2023**

ASSESSMENT BY : *Alfred*

Architect ARB NSW Reg 5801

CHECKLIST FOR COUNCIL'S ASSESSMENT OF SITE CONDITIONS AND NEED FOR GEOTECHNICAL REPORT



Existing terracotta
tile roof

Natural zinc
standing seam cladding,
joinery to match

COLORBOND Shale Grey

DULUX natural white
painted walls & joinery,
including timber trim

metal work
natural galvanised

Face brickwork
AUSTRAL Porcelain

metal paling fence & gates
natural galvanised

Face brickwork
AUSTRAL Porcelain

FINISHES & COLOURS

7a Carlton St MANLY NSW 2095