



## Pre-lodgement Notes - Written Advice Only

**Application No:** PLM2022/0167  
**Date:** 24 August 2022  
**Property Address:** 7 New Street BALGOWLAH HEIGHTS  
**Proposal:** Development Application Pre-Lodgement Meeting  
**Applicant:** Planning Approvals  
**Responsible Officer:** Penny Wood (Planner)

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### General Comments/Limitations of this Advice

These Written Only notes have been prepared by Council's Development Advisory Services Team on the basis of information provided by the applicant. Council provides this service for guidance purposes only. These notes are an account of the advice on the specific issues nominated by the Applicant.

***These notes are confined to planning advice only and are based on the information provided and only address the specific issue(s) nominated by the Applicant.***

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 application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Manly Local Environmental Plan 2013 and Manly Development Control Plan 2013, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concerns have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.



Applicants Issue(s) and Planning Comment(s)	
Issue	
<p>Clause 4.1.5.1 Minimum Residential Total Open Space Requirements OS4 – at least 60% of the site and in particular</p> <ul style="list-style-type: none"> <li>(i) horizontal dimension of at least 3m in any direction; and</li> <li>(ii) a minimum unbroken area of 12sqm</li> </ul> <p>The control requires at least 40% of the total open space to be dedicated as landscaped area – 189.6sqm.</p>	
Comment	
<p>The subject site is identified as being located within Area OS4 under the Residential Open Space Areas at DCP Schedule 1 – Map B.</p> <p>The proposal is to demonstrate the proposal can achieve the following objectives:</p> <ul style="list-style-type: none"> <li><i>Objective 1) To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.</i></li> <li><i>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.</i></li> <li><i>Objective 3) To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.</i></li> <li><i>Objective 4) To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.</i></li> <li><i>Objective 5) To minimise the spread of weeds and the degradation of private and public open space.</i></li> <li><i>Objective 6) To maximise wildlife habitat and the potential for wildlife corridors.</i></li> </ul> <p>The development proposes the demolition and construction of a single storey dwelling which will provide 324sqm (41%) of total open space. The proposal results in a shortfall of 150sqm creating a 46% variation to the control.</p> <p>The development does however provide 294sqm of landscaped area which sits well above the required area of 189.6sqm.</p> <p>Given the landscaped area proposed, Council can accept a variation to the total open space control.</p> <p>This is provided the landscaped area proposes deep soil planting zones within both the front and rear setback. The soil depth is to be at least 1m for all landscaped areas either in ground or above ground in raised planter beds.</p> <p>It is noted that the subject site is located on bushfire prone land and any proposed landscaping is to be in accordance with the recommendations provided in the Bush Fire Report submitted with any future development application.</p>	



Council would support the landscaped strip along the western boundary as a result of re-locating the driveway.

### **Additional Advice to the Applicant**

#### **(a) Planning Controls**

You are advised to familiarise yourself with the full suite of planning controls that apply to your proposal by viewing the relevant Local Environmental Plan and Development Control Plan as follows:

#### **MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)**

MLEP 2013 can be viewed at <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0140>

#### **MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)**

MDCP 2013 can be viewed at <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Pages/Plan/Book.aspx?exhibit=MDCP>

#### **(b) Development Application Lodgement Requirements**

You are advised to familiarise yourself with Council's Development Application Lodgement Requirements to ensure you submit the required plans, reports and other documentation for your proposal and site (see website for details).

#### **Documentation to Accompany the Development Application**

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
  - Site Plan
  - Floor Plans
  - Elevations
  - Sections
  - Existing dwelling outline to be shown on all relevant plans
  - Setbacks, building height, wall height and side boundary envelopes to be shown on all plans as per the relevant LEP and DCP to demonstrate compliance
  - Schedule of Colours and Finishes
- Landscape Plan (including schedule of species to be planted)
- Landscaped Area Calculation Plan (as per relevant DCP requirements)
- Floor Space Ratio Calculation Plan (as per relevant LEP requirements)
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of works estimate/ Quote
- Survey Plan (including Boundary Identification by Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)



#### **Documentation to Accompany the Development Application**

- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Bushfire Report
- Council's Checklist for Preliminary Assessment of Site Conditions (site is located in Area G4)

#### **Conclusion on Applicants Issues**

A review of the proposed development based on the specific issues raised in the pre-lodgement application has been carried out and you are advised that the proposed development is generally supported.

As mentioned above, any future development application is to be accompanied by a detailed landscape plan. The landscape plan is to ensure soft landscaping is maximised with deep soil zones provided to allow substantial vegetation within the site.

The application proposes to re-locate the driveway which will create a landscaped strip along the western boundary adjacent to the driveway. Council supports and encourages the inclusion of additional landscaping within the front setback.

#### **Question on this advice?**

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.