



## Pre-lodgement Meeting Notes

**Application No:** PLM2024/0024  
**Meeting Date:** 9 April 2024  
**Property Address:** 'Manly National' 22 Central Avenue MANLY  
**Proposal:** Development Application Pre-lodgement Meeting  
Infill apartment within breezeway core space of an existing mixed use residential apartment building.  
**Attendees for Council:** Daniel Milliken - DAS Manager  
Alex Keller – Principal Planner  
Ray Creer – Waste Services  
Dominic Chung – Urban Design

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### General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team 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 advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the 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 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 concern 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.



## SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

### Response to Matters Raised by the Applicant

1. The site is adjacent the heritage conservation area.  
Heritage study will not be required for the HCA. It is concurred the proposal will not have an adverse impact to the conservation area as the works are not readily visible and are situated in the centre (breezeway core) of the multistorey building.
2. No parking noting the location within Manly Town Centre and proximity to public transport options.  
It is concurred that no additional parking is required. However, if the existing building has a 'redundant space' in the main carpark no issue is raised with the allocation of 1 space to the new unit. Note that such a space should be checked to ensure clearance / dimensions / head height.
3. Split level residential unit.  
No objection is raised to the split-level design provided 2.7m can be achieved across habitable floor areas. Some sections may be 2.1m for cabling / pipes / vents, bulkhead over kitchen bench, bathroom ducting etc.
4. Application of Clause 6.13 of MLEP.  
Proposal should address 6.13 however it is not considered that the minor infill would need to demonstrate "design excellence". Solar access, ceiling heights, balcony space, storage, room dimensions, ventilation, fire safety, BCA compliance are sufficient.
5. SEPP Housing and the Apartment Design Guide.  
The SEPP and ADG applies however proposal only needs to address applicable elements. Eg. balcony dimensions, non-reflective glazing, storage, building appearance.  
The works are a substantial redevelopment of the breezeway space in the building and the work are therefore performance based for the new dwelling against the SEPP and ADG. Relevant sections only need be applied / addressed.  
  
The apartment is intended to be retained as part of the building assets for the body corporate and not 'sold out'.
6. Use of Clause 4.6  
The new dwelling works are above the height limit and FSR therefore clause 4.3 and clause 4.4 should be addressed.



## 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>

Part 2 - Zoning and Permissibility	
<b>Definition of proposed development:</b> (ref. MLEP 2013 Dictionary)	Mixed use. (Alterations and additions for an additional apartment within the existing building)  'Manly national' building has ground level shops with a multi-storey carpark and apartments above.
<b>Zone:</b>	E1 Local Centre
<b>Permitted with Consent or Prohibited:</b>	Permitted with consent.

### Clause 4.6 - Exceptions to Development Standards

Clause 4.6 enables the applicant to request a variation to the applicable Development Standards listed under Part 4 of the LEP pursuant to the objectives of the relevant Standard and zone and in accordance with the principles established by the NSW Land and Environment Court.

A request to vary a development Standard is not a guarantee that the variation would be supported as this needs to be considered by Council in terms of context, impact and public interest and whether the request demonstrates sufficient environmental planning grounds for the variation.

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
<b>Height</b>	25m	(show overall building height on elevations)	To be shown on elevations
<b>FSR</b>	3:1	9,847.78sqm – FSR 3.54:1	Existing GFA: 3:47:1 (9,644sqm)



## 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>

SEPP Housing (2021) prevails over the DCP controls.

The following notes the identified non-compliant areas of the proposal only.

DCP Part		
Control	Permitted	Proposed
<b>Part 3</b>		
3.1 Streetscaped and Townscapes – no significant change. Balcony position to be setback so it does not protrude. Walls to follow wall articulation pattern and appearance. 3.3 Landscaping – no change – no need for planter boxes as they are not a feature of existing balconies. 3.4 Amenity (views overshadowing overlooking) – will not change overall views, overshadowing or overlooking elements of the building. 3.5 Sustainability – Basix certificate will address this		
<b>Part 4</b>		
4.2 Development in business centres – FSR, building height, setbacks parking. 4.25 Manly Town Centre and Surrounds – parking, works are within the existing building envelope. Minimal impact on townscape.		
<b>Part 5.1</b>		
Manly town centre heritage – minimal impact. Heritage impact report not required.		

Specialist Advice
<p><b>Waste Services</b></p> <p>No waste management issues are raised for the proposal as the building has sufficient bin capacity.</p>
<p><b>Urban Design</b></p> <ol style="list-style-type: none"> <li>1. Building Façade change strategy – The applicant should consider a systematic approach to the DA application/construction sequence as this will affect the existing façades of the building. There is concern about the ad-hoc approach to the DA applications i.e. manager’s unit previously at bottom slot and now new residential unit at the second highest slot. There should be an order, e.g. bottom up approach, to adding these infill unit(s) in the future so that the addition does</li> </ol>



### Specialist Advice

- not look like an afterthought and 'tagged-on-element' on the existing building facades.
2. The extent of the new balconies, windows and floor slabs proposed will affect the existing building façades. It is important to maintain the existing look of the deep middle slot of the Eastern façade and the consistency of depth of the openings on the Western facade.
  3. New windows for cross-ventilation to be provided at the lift foyer now that the void space is filled in.
  4. Amenity impacts of the additional apartment to the adjacent apartments and surrounding developments should be considered and mitigated e.g. Visual and noise privacy

### Planning

Set back of the balcony / wall alignment with adjacent fenestration of building should be adjusted so that the new apartment or balcony does not protrude forward. A minor recess is recommended rather than being flush with the outer nib of the dividing wall. Suitable balcony size can be achieved by adjusting / shifting the internal room space slightly. Colours and materials should suit the existing character of the building to conceal the appearance that the apartment is "original" and not a building anomaly to the overall structure.

### Traffic Engineering

The PLM proposal is for addition of a two-bedroom unit within the existing envelope of the Manly national Building. Under the Manly DCP the creation of a two-bedroom apartment would attract a requirement for one additional parking space. It is not proposed to provide any additional parking and consideration could be given to allowing this given the proximity of the location to high frequency public transport, shops and services and noting the level topography at street level with good access to pedestrian and cycle facilities. A condition of consent would however be applied to any consent restricting residents of the unit from eligibility for resident parking permits as waiving of the parking requirements is on the basis that residents would have little need for private car ownership.

### Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects, Clause 4.6 (FSR and height) DA likely to be referred to NBLPP due to height and change to FSR). (show overall building height on elevations)
- Scaled and dimensioned plans:
  - Site Plan;
  - Floor Plans;
  - Elevations; and
  - Sections.



- Montage
- Certified Shadow Diagrams (shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of works estimate/ Quote
- Survey Plan (Boundary Identification Survey / Strata plan only for proposed no space allocation within strata)
- SEPP Housing 2021 (Chapter 4 / Sch 9) and ADG report (limited to the alterations and additions)
- Site Analysis Plan
- Demolition Plan
- BCA report
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Consent of the Strata Body Corporate (notation within Minutes of meeting)

#### **IMPORTANT NOTE FOR DA LODGEMENT**

Please refer to the Development Application Lodgement Requirements on Council's website (link details below) for further detail on the above list of plans, reports, survey and certificates.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-mar21.pdf>

The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

#### **Concluding Comments**

These notes are in response to a pre-lodgement meeting held on 9 April 2024 to discuss alterations and additions to an existing Mixed-Use development for addition of a split-level residential apartment within the existing building envelope, at No.22 Central Avenue, Manly. The notes reference the plans prepared by *Urbaine Architecture*, received 15.3.2024.

Council is supportive of the proposal and recommends that the advice above be incorporated into any DA submission.

#### **Question on these Notes?**

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.