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PRELODGE MENT ADVICE

Application No: PL45/2017
Meeting Date: 29 September 2017
Property Address: 46 Francis Street, Manly
Proposal: Alterations and additions to the existing dwelling house
Attendees for Council: Rodney Piggott- Manager Development Assessment
Max Duncan- Development Assessment Officer
Attendees for applicant: Claire Meller (Architect)
Anna Williams (Designer)
Chris Spalding and Tanya Ward (Owners)

General Comments/Limitations of these Notes

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

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

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



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SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council Response
<p>First floor addition</p> <p><u>Relevant MDCP/MLEP Clauses</u></p> <p><i>Clause 4.1.7 First Floor and Roof Additions</i></p>	<p>The Pre-lodgement discussed the modulation of the proposed first floor. In order for the first floor addition be supported the first floor should achieve a 1.5m setback from the ground floor. This is to allow for development to be consistent with the streetscape and to reduce the visual bulk of the proposal.</p>
<p>Streetscape</p> <p><u>Relevant MDCP/MLEP Clauses</u></p> <p><i>Clause 4.1.6.1- Parking Deign and location of Garages, Carports or Hardstand Areas.</i></p> <p><i>Clause 4.1.4: Setback (front, side and rear)</i></p>	<p>The proposed double garage on the front setback is not supported by Council. In order for off-street parking to be supported by Council, the parking should be a double carport open on at least three sides including the front to allow for consistency with the streetscape and to break up the building mass on site.</p>
<p>Lease Agreement</p>	<p>The pre-lodgement discussed the potential for the corner splay on Francis Street being leased out to the owners of the subject site. The following comment was provided by Council's Administration officer.</p> <p><i>"With regard to any leasing or purchasing of the area, as discussed, Council would not support your proposal as the corner splay is required for sightlines, which includes the bus route for the 142 STA service."</i></p> <p>As such the leasing of the corner splay or any works proposed for the corner splay are not supported.</p>



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Comments from Traffic Officer	<p>Parking facilities should be designed to comply with Australian Standards relating to access, manoeuvring, ramp grades and dimensions. According to Australian Standards AS2890.1 access to domestic driveways shall not be provided within 6m from the Tangent Point of the Kerb.</p> <p>Therefore the proposed driveway does not comply with the Australian Standard and cannot be supported.</p>
Arboricultural Report <u>Relevant MDCP Clause</u> <i>Clause 4.4.5.1- General works</i>	<p>The proposed driveway to the front of the subject site is in close vicinity to the Heritage listed trees along Francis street. Works near canopy of any of the listed heritage trees will only be permitted providing its long-term survival and stability is not jeopardised. Such excavation must be supported by an Arborist report.</p>

MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)

Note: MLEP 2013 can be viewed at the [NSW Government Legislation website](#).

Zoning and Permissibility	
Definition of proposed development: (ref. MLEP 2013 Dictionary)	Dwelling House
Zone:	R1 General Residential
Permitted with Consent or Prohibited:	Permitted with consent.

Principal Development Standards:	
Clause 4.3 Height of Buildings	
Standard	Proposed
8.5m	9.1m
Comment <p>The plans indicate a non-complaint building height. The breach of this standard will require a request to vary a development standard in accordance with Clause 4.6 of the Manly LEP, 2013. The variation will be supported subject to views being satisfactory and a setback provided at the western upper floor level.</p> <p>Note: Building heights are measured from existing ground level.</p>	



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Clause 4.4 Floor Space Ratio	
Standard	Proposed
0.6:1 (204.06m ²)	0.55:1 (187m ²)
Comment The plans indicate a compliant Floor Space Ratio.	

MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)

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

Part 3: General Principles of Development
Streetscape
Comment Provided the issues discussed are taken into consideration and the plans are revised to express this, the proposal would be consistent the streetscape objectives and would be supported by Council.
Heritage Considerations
Comment The proposed driveway to the front of the subject site is in close vicinity to the Heritage listed trees along Francis street. Works near canopy of any of the listed heritage trees will only be permitted providing its long-term survival and stability is not jeopardised. Such excavation must be supported by an Arborist report.
Amenity
Sunlight Access and Overshadowing
Comment The development is adequately designed to maintain reasonable levels of solar access to the subject site and adjoining properties.
Privacy and Security
Comment The development is adequately designed to maintain the privacy of the neighbouring properties.

Part 4: Built Form Controls	
4.1.4.1 Street Front Setbacks	
Control/Requirement	Proposed
6m of Streetscape	0m



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Comment	
No. This non-compliance is not supported. An open style carport is be provided to replace the proposed double garage.	
4.1.4.2 Side Setbacks and Street Frontages	
Control/Requirement	Proposed
2.47m (South)	1.24m
2.4m (North)	1.7m
Comment	
No. These variations are supported providing the application sufficiently demonstrates compliance with the objectives of Clause 4.1.4 of the Manly DCP 2013.	
4.1.4.4 Rear Setbacks	
Control/Requirement	Proposed
8m	9.2m
Comment	
The proposal complies with the clause.	
4.1.5.1 Minimum Residential Total Open Space Requirements	
Control/Requirement	Proposed
55% of site area = 187.05m ²	134.81m ²
Comment	
No. These variations are supported providing the application sufficiently demonstrates compliance with the objectives of Clause 4.1.5 of the Manly DCP 2013.	
4.1.5.2 Landscaped Area	
Control/Requirement	Proposed
35% of Total Open Space= 47.18m ²	39m ²
Comment	
No. These variations are supported providing the application sufficiently demonstrates compliance with the objectives of Clause 4.1.5 of the Manly DCP 2013 and the proposal meets numerical compliance in regards to endemic tree planting.	

Specialist Advice	
Referral Body	Comments
Administration	With regard to any leasing or purchasing of the area, as discussed, Council would not support your proposal as the corner splay is required for sightlines including the bus route for the 142 STA service.



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Traffic Officer	<p>Parking facilities should be designed to comply with Australian Standards relating to access, manoeuvring, ramp grades and dimensions. According to Australian Standards AS2890.1 access to domestic driveways shall not provide within 6m from the Tangent Point of the Kerb.</p> <p>Therefore the proposed driveway is not compliant with the Australian Standard and cannot be supported.</p>
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Documentation to accompany the Development Application

- Electronic copies (USB)
- Statement of Environmental Effects
- Request to vary a development standard
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan
- Elevations and sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Waste Management Plan (Construction & Demolition)
- Certified Shadow Diagrams
- BASIX Certificate
- Schedule of colours and materials
- Arboricultural Impact Assessment Report
- Swimming Pool Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist

Please refer to Development Application Checklist for further detail.

Concluding Comments

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

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