



Pre-lodgement Meeting Notes

Application No:	PLM2024/0009
Meeting Date:	29 February 2024
Property Address:	58 Alexander Street MANLY
Proposal:	Alterations and additions to a dwelling including new pool and carport
Attendees for Council:	Daniel Milliken (Manager, Development Assessments), Clare Costanzo (Planner), Joseph Tramonte (Landscape Officer), Chris McClean (Flood Engineer)

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	
Retention/Removal of the Port Jackson Fig	<p>The Port Jackson Fig is a native to Australia and development that is likely to cause damage to the tree cannot be supported.</p> <p>The proposed driveway in its current form is expected to have an impact on the roots of the Port Jackson Fig and therefore it cannot be supported.</p> <p>Alternative uses of material and construction methods has been discussed and explored further by Council's Landscape Officer and Development Engineers.</p> <p>Further commentary on this is included further within the prelodgement notes.</p>
Flooding	<p>The site is indicated as being within a medium flood risk precinct. The plans provided were assessed by Council's flooding engineer.</p> <p>The property is affected by the medium flood risk precinct, 1% AEP flood extent and a H5 flood hazard. The minor area of flood storage impacting the site can be disregarded as it is a modelling error. Therefore, the applicant can consider the site to be affected by the flood fringe area only. As such, flood storage on the site is not an issue.</p> <p>Minor design amendments have been recommended by Council's flooding engineer to address 5.4.3 Flood Prone Land within the Manly Development Control Plan 2013.</p> <p>Further commentary on this is included in the referral section below.</p>
Driveway construction method and materials	<p>Following the prelodgement meeting the applicant provided the following four driveway options:</p> <ol style="list-style-type: none"> 1. Concrete driveway 2. Gravel driveway 3. Bitumen driveway 4. Grass pavers <p>Council does not support the concrete or grass pavers as options for the proposed driveway as they will have a significant impact on the existing fig tree. This is discussed further within the prelodgement meeting notes.</p> <p>Option two and three are the most likely options to be supported, with two preferred.</p>



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

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
4.3 Height of Buildings	8.5m	5.2m	Yes

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>

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

Part 3: General Principles of Development
3.1.1 Streetscape (Residential areas)
<p>Comment</p> <p>The size of the proposed storage area above the carport is not supported. The storage area has an approximate area of 22sqm (not including access stairs) and Council sees scope to redesign the storage area to respond to the character of the streetscape.</p> <p>The proposed floor to ceiling height is considered excessive for a storage area and could be lowered to reduce the bulk and scale when viewed from Rolfe Lane.</p>

Part 4: Built Form Controls	
4.1.4.2 Side Setbacks and Street Frontages	
Control/Requirement	Proposed



<p>Secondary street frontage</p> <p>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.</p>	<p>Nil</p>
<p>Comment</p> <p>There is a nil prevailing setback along Rolfe Lane, with many garages presenting limited to no setback to the secondary street frontage.</p> <p>Although the carport presents a nil setback to the secondary street frontage along Rolfe Lane it could be supported subject to appropriately complementing the character of streetscape. It is recommended the size of the storage area above the proposed carport is reduced to achieve the objectives of this control.</p>	
<p>4.1.5 Open Space and Landscaping</p>	
<p>Control/Requirement</p>	<p>Proposed</p>
<p>Area OS3 55% of site area as open space (152sqm) 35% of open space (31sqm of proposed open space)</p>	<p>32% (89sqm) 35% (31sqm)</p>
<p>Comment</p> <p>The proposal presents a significant variation to the minimum open space control and will see a deficit to the existing open space on site. In this circumstance the significant variation to the open space could be supported as this proposed development is typical of this area in Manly and the site constraints of the narrow site, especially as the non-compliance is a result of a new carport.</p> <p>However deep soil areas must be maximised, all hard surfaces removed unless they are necessary and looking to incorporate the pool into the existing decking. In addition, any existing areas of AstroTurf will need to be removed and converted to deep soil.</p> <p>The proposed non-compliances could be supported subject to addressing matters raised above.</p>	
<p>4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)</p>	
<p>Control/Requirement</p>	<p>Proposed</p>
<p>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.</p> <p>Minimum car parking: 2 car parking spaces</p>	<p>5.2m or 90% of the frontage.</p> <p>One car parking space</p>



Comment

The proposed width of the carport with nil setback is likely to be supported subject to amendments to reduce the built form of the structure, specifically the extent of the upper storage level.

The proposed carport will only provide for one on site car parking space. This is an improvement on the current situation where no on site car parking is provided.

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. Given the character of the street, a variation to the control may be supported.

Specialist Advice

Landscape Referral Comments

Concerns with the proposed scheme

As presented in the pre lodgement meeting, the following concerns are raised:

- The proposed concrete driveway is in close proximity to a large endemic Port Jackson Fig that is a prominent tree of streetscape visual and physical amenity, and thus should be a constraint to development. It is considered that both the tree and any concrete driveway cannot co-exist.
- The proposed concrete driveway across the road reserve, will require excavation to an estimated minimum 300mm below existing natural ground and thus extensive root loss of tree roots of size and tree feeder roots is expected, directly under the proposed driveway area and the carport area.
- The Root Investigations - Brief of Findings 18/12/2023, indicates extensive tree roots and determines that the eastern portion of the proposed driveway includes much of the tree roots and thus proposes a cantilevered solution, however it is considered that the western portion adjacent to the existing road carriageway will also impact tree roots give the depth of excavation (see Figure 1) to at least 300mm.
- The loss of significant area of tree roots of size and tree feeder roots is likely to impact the health of the existing Port Jackson Fig in the long term.

Suggested design alternatives

- To preserve the existing Port Jackson Fig, no excavation of subgrade below existing ground is advised.
- Maintain existing natural ground access across the road reserve.
- Above existing natural ground construction methodology techniques are to be utilised ie. porous asphalt consisting of gravel base and standard bituminous asphalt in which the fines have been screened and reduced, creating void space to make it permeable to water.

NECC (Stormwater and Floodplain Engineering - Flood Risk)

Specific Flood Related Development Control Advice

B: Building Components and Structural Soundness



Specialist Advice

- B1 - All new development below the Flood Planning Level of 3.65m AHD shall be designed and constructed from flood compatible materials.
- B2 – All new development must be designed to ensure structural integrity up to the FPL level of 3.65m AHD. The forces of floodwater, debris load, wave action, buoyancy and immersion must all be considered.
- B3 - All new and existing electrical equipment, power points, wiring and connections must be located above the Flood Planning Level of 3.65m AHD, protected from flood water or have residual current devices installed to cut electricity supply during flood events.

D: Car Parking

- D3 – The car ports southern wall is to be completely open. The carport door shall be designed with a minimum of 50% open area along any straight length from the natural ground level up to the 1% AEP flood level of 3.16m AHD.

F: Fencing

- F1 - New fencing (including pool fencing, boundary fencing, balcony balustrades and accessway balustrades) shall be open to allow for the unimpeded movement of flood waters. It must be designed with a minimum of 50% open area along any straight length, from the natural ground level up to the 1% AEP flood level. Openings shall be a minimum of 75mm x 75mm.

H: Pools

- All electrical equipment associated with the pool (including pool pumps) is to be waterproofed and/or located at or above the Flood Planning Level of 3.65m AHD.
- All chemicals associated with the pool are to be stored at or above the Flood Planning Level of 3.65m AHD.
- Pool fencing shall be open to allow for the unimpeded movement of flood waters. It must be designed with a minimum of 50% open area from the natural ground level up to the 1% AEP flood level of 3.15m AHD

NECC (Development Engineering)

As the site is flood affected OSD will not be required. Stormwater from the site is to be collected and connected to Council's stormwater system in Alexander Street.

Strategic and Place Planning (Heritage Officer)

The proposal involves alterations and additions to the rear portion of the existing property, facing Rolfe Street, including a carport and storage area above the carport and a plunge pool between the property and the proposed carport. Given the proposed works are mainly confined to the rear and do not involve any works to the front façade facing Alexander Street, it is considered that there will be no impact upon the historic values of the existing building and the significance of the heritage item.

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; and
 - Sections.
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of works estimate/ Quote
- Owners consent (if required)
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway); including detailed sections and levels
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Flood Management Report

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 29 February 2024 to discuss the construction of a carport, driveway and plunge pool at 58 Alexander Street, Manly. The notes reference the plans prepared by Michael Airey dated July 2023.

Of the driveway options provided post prelodgement meeting, option 2 is preferred with option 3 also being acceptable. Options 1 and 4 would not be supported.

In addition, Council recommends the bulk and scale of the carport and storage structure is reduced and landscaping on site is maximised. It is acknowledged that full compliance is not possible given the site context, however, maximising deep soil areas will assist in reducing the built form.

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.