

30 July 2025



Matt Elkan
Suite 1 / 6 Waratah Street
MONA VALE NSW 2103

Dear Matt,

Development Application No:DA2025/0817 for alterations and additions to a dwelling house, including a detached studio at No.38 King Street MANLY VALE.

An assessment has been undertaken of your development application (DA). The assessment has found that it is unsatisfactory in its current form for the reasons identified below:

1. Stormwater Design

The existing onsite drainage system shall be investigated by a licensed plumber and details shown (annotated) on the stormwater plans. The part of the existing onsite drainage system, servicing the existing dwelling to be retained, must not be impacted by the proposed development and the new stormwater system, or otherwise a replacement stormwater system shall be provided to include the existing dwelling.

A cross-section plan of the absorption trenches must be shown on the stormwater plans. Drainage calculations with any 'DRAINS' model shall be submitted demonstrating that the absorption trenches systems are designed up to 2% AEP storm events. If the absorption trenches servicing the main dwelling and the studio can accommodate up to 1% AEP storm events, then level spreaders are not required. The proposal is currently not supportable pursuant to clause 3.7 *Stormwater Management* of the *Manly Development Control Plan* (DCP).

2. Site Access and Parking

The existing driveway to be retained which will be used as tandem parking spaces for the site has gradient of more than 5%, which is unacceptable and shall be amended to be no more than 5% in accordance with AS/NZS 2890.1:2004. The proposal is currently not supportable pursuant to clause 4.1.6 *Parking, Vehicular Access and Loading* of the *Manly DCP*.

Options available to the Applicant

Council is providing you with two (2) options to progress your application:

1. Prepare and submit further supporting information/amendments to address the above issues. Please carefully read the below advice if you choose this option.



2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application (if not otherwise withdrawn for a partial DA refund).

Please advise of your selected option by responding within 7 days of the date of this letter by email sent to council@northernbeaches.nsw.gov.au marked to the attention of the assessment officer. Should Council not receive the required information and amended plans within 21 days of the date of this letter then council will proceed with the assessment in order to determine the application, in its current form.

Submitting further information/amendments

Please ensure that the amended/additional information submitted on the *NSW Planning Portal* is a genuine attempt to resolve the issues as Council will generally not seek any further information/amendments after that point. Council will proceed to assess and determine the application based on the submitted information without further consultation.

As part of any amended application, it may be necessary to update your supporting documentation (e.g. BASIX certificate, geotechnical report, etc.). Failure to do so may affect Council's ability to determine the application favourably. Please ensure that any amendments are accompanied by a summary/schedule of amendments cover sheet.

Council reserves its right under section 37 of the *Environmental Planning and Assessment Regulations 2021* not to accept any information/amendment if it is not considered to be a genuine attempt to resolve the issues. In which case, Council will inform you that the changes have not been accepted and the application will proceed to be determined.

This process has been established to ensure an efficient and responsible level of service which meets the requirements of the Department of Planning and Environment's *23A Guidelines on withdrawal of Development Applications 2023*, Ministerial Orders *Statement of Expectations 2021* and the *Development Assessment Best Practice Guide 2017*.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on 30 June 2025 and more than 30 days in the assessment period have now elapsed.

Should you wish to discuss any issues raised in this letter, please contact Council on 1300 434 434 during business hours Monday to Friday. This letter and Referral responses are released on Council's webpage as part of the application's documentation.

Yours faithfully

A handwritten signature in dark ink that reads "A. Keller".

Alex Keller
Principal Planner