

24 August 2022

C21716-Letter-r1

Manly Central Pty Ltd
C/- Chrofi
Marina Goncalves
marina@chrofi.com

Dear Marina,

Re: 199-205 Pittwater Road, Manly – NCC/BCA and Access Consultancy

Reference is made to our engagement to provide a response to Northern Beaches Council's 'Request for Information' regarding a development proposal at the above address.

As per Council's response, they have stated, all DAs are to have regard to state and federal accessibility requirements".

As per Clause 3.6.1.1 of the Manly DCP, 'development requiring a construction certificate or complying development certificate needs to comply with the Premises Standards, unless an exception or concession under the Premises Standards applies'.

The Disability (Access to Premises) Standard 2010 (Premises Standards) is federal legislation, applying nationwide.

The Premises Standards identifies buildings to which it applies before specifying construction standards that those buildings are required to comply with.

In summary, the Premises Standards are applicable to a new building, a new part of a building, and an affected part of a building, (as is the case in this instances) and the construction standards applicable are contained within "Schedule 1 Access Code for Buildings".

It is noted the proposed works within Units 1, 2, 3, and 4 are not currently considered to trigger the "affected part" provisions of Premises Standard, being internal works only to an SOU within an existing Class 2 part:

Clause 2.1 of Disability (Access to Premises — Buildings) Standards 2010:

(2) These Standards do not apply to the following:

a) the internal parts of a sole-occupancy unit (within the meaning of the Access Code) in a Class 2 building;

b) a new Class 10 building, a new part of a Class 10 building, or an affected part of a Class 10 building if it is associated with:

(i) a Class 1a building; or

(ii) a Class 4 part of a building.

Furthermore, as it is noted that Unit 1, 2, 3 and 4 are not for short-term rental accommodation.

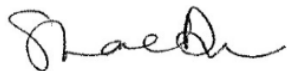
As such the proposed works within Level 1 of the building, being the residential level is not considered to trigger the requirement to provide any upgrade to the Class 2 part with regard to the Premises Standards.

It is considered that the development proposal is improving the residential units within the building, and also decreasing the number of residential units within the building.

Currently, Council's request is in conflict with the application the Premises Standards as noted within the MCP Cl.3.6.1.1, and also in conflict with the heritage value of the site.

Should you need any clarification or have any queries please do not hesitate to contact me.

Regards,



Shane Barr
Building Surveyor – Unrestricted BDC3108
Credwell Consulting Pty Ltd