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14 October 2025

The General Manager  
Northern Beaches Council  
PO Box 82  
MANLY NSW 1655

Dear Sir/Madam,

**DEVELOPMENT APPLICATION NO. 2025/0257**  
**5 ADINA ROAD, CURL CURL**

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**Introduction**

I refer to your correspondence addressed to the Applicant in relation to the abovementioned matter dated 11 August 2025. I also refer to our meeting held on 30 September 2025.

As you are aware, the proposed development comprises alterations and additions to the existing dwelling house and conversion to a dual occupancy (attached).

I note that you have identified a number of issues requiring further consideration. The Applicant has subsequently made some adjustments to the proposed development, and the purpose of this submission is to respond to your correspondence on the basis of the amended Architectural Plans prepared by *Garcia Negrette, Architecture & Design*, dated October 2025.

**Car Parking**

The off-street car parking within the existing basement level has been reconfigured and swept path diagrams have been prepared to demonstrate all vehicles will be able to enter and exit in a forward direction

## Basement Storage

The amended Architectural plans include internal reconfiguration of the existing basement, and the space identified in the south-eastern corner of the basement (to the rear of the stairs) is an enclosed understorey.

## Private Open Space – Dwelling 2

Part D2 of the Warringah Development Control Plan (DCP) 2011 specifies a minimum area of private open space (for a dual occupancy with 1 or 2 bedrooms) of 35m<sup>2</sup> with a minimum dimension of 3 metres.

The private open space for Dwelling 2 is located at the first floor level and has an area of approximately 19m<sup>2</sup> with a minimum dimension of 4.2 metres.

Section 3.42 of the *Environmental Planning and Assessment Act 1979* specifies that the provisions of a DCP “are not statutory requirements”.

Further, Section 4.15(3A)(b) specifies that the consent authority “is to be flexible in applying” the provisions of a DCP, and “allow reasonable alternative solutions that achieve the objectives of those standards for dealing with that aspect of the development”.

In that regard, the objectives of the controls relating to private open space are expressed as follows:

- *To ensure that all residential development is provided with functional, well located areas of private open space.*
- *To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.*
- *To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.*
- *To ensure that private open space receives sufficient solar access and privacy.*

The proposed development comprises the adaptive re-use of the existing dwelling house and there is no practical means of increasing the area of private open space.

The private open space is ideally located in terms of solar access (being orientated to the north) and enjoys expansive views to the north and north-east towards *North Curl Curl Beach* and the surrounding foreshore areas.

The private open space is directly accessible from the main living rooms and the continuous bi-fold glass doors along both sides of the balcony effectively integrate the indoor and outdoor spaces. Further, sliding glass doors continue along the full length of the northern façade which further improves the relationship between the indoor and outdoor spaces.

The adjoining dwelling house to the east (No. 3 Adina Road) includes a balcony at the first floor level with a similar outlook towards the north and north-east. In that regard, the main part of the private open (where a table and chairs are typically located) is located on the far (eastern) side of the balcony and effectively screened by the solid wall along the western wall of the living room.

Fiinally the private open space of Dwelling 2 is almost twice the size of the required balcony for a 2-bedroom apartment, and in my opinion, the balcony will contribute to a very good level of overall amenity for Dwelling 2.

### **Privacy Dwelling 2/POS Dwelling 1**

The amended Architectural Plans include a 1.7 metre high privacy screen along the southern façade at the first floor level. The privacy screen consists of opaque glass and fixed horizontal louvres within an aluminum frame.

The privacy screen is located on the outer edge of the balcony and has been carefully designed to prevent downward overlooking from the bedrooms and study of Dwelling 2 towards the private open space of Dwelling 1 (and vice versa) whilst maintaining a good quality outlook towards the south.

### **Site Facilities**

The amended Architectural Plans include the addition of two (2) wall mounted clotheslines on the rear balcony at the first floor level.

### **Conclusion**

I trust this submission is of assistance, and should you require any further information or clarification please do not hesitate to contact the writer.

Yours Sincerely,



James Lovell  
Director  
James Lovell and Associates Pty Ltd