

21 July 2025



Rama Architects Pty Ltd
6/20 Avalon Parade
AVALON BEACH NSW 2107

Dear Sir/Madam,

Development Application No: DA2025/0681 for Alterations and additions to a dwelling house including a swimming pool at 2 Cecil Street FAIRLIGHT.

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

- **Insufficient information**

The following information/documentation is required to complete the assessment of the application:

1. **Section Plan through highest ridge point of the dwelling**

A section plan is required through the highest ridge point to correctly reflect the maximum building height. If the maximum building height is above 8.5m, amendments should be made to reduce the building height variation.

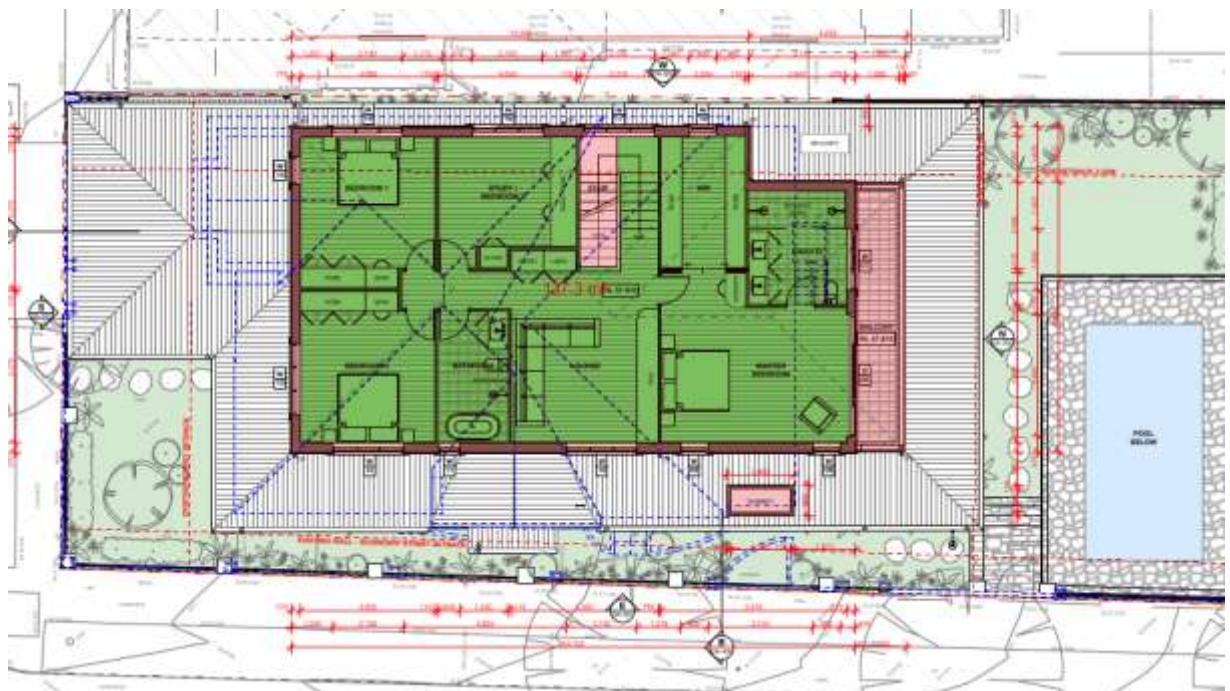
2. **FSR Calculation Plan**

The FSR Calculation Plan is inaccurate and requires clarification.

Council's calculations of the FSR are provided below in green, resulting in a FSR of 310.5sqm with a variation of 1.9% (6sqm). The FSR should be reduced to comply with Clause 4.4 *Floor Space Ratio*.



Ground floor



First floor



- **Issues**

The following is a list of the issues and concerns identified in the assessment that cannot be supported:

- 1. Ausgrid Referral Response**

Ausgrid has raised issues with the proposed development through there referral response. Please see the response below:

Ausgrid has reviewed the information provided with the development application DA DA2025/0681

Ausgrid requests that the consent authority stop-the-clock for this development and arrange for the applicant to provide the following information to enable further assessment of the application:

Architectural drawings to show new cross over and driveway.

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

Additionally, a copy of the original referral letter is located on the Council DA page <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchApplication.aspx?id=2610406> linked here:

- 2. Clause 4.1.4.1 Street Front Setbacks concerns**

The proposal results in double garage to a 0.9m front setback with the roof at a 0.2m front setback. The garage represents an 85% variation to the 6m requirement and greater compliance is required for council to support the proposed garage. It is noted that there are no recently approved double garages at this setback in the immediate frontage to Cecil Street and the proposal does not meet the desired streetscape.

- 3. Clause 4.1.4.2 Side Setbacks and Secondary Street Frontages concerns**

The proposed development results in a max 61.8% variation to the 2.1m-2.36m requirement (based on wall height) to the first floor of the western setback. Additionally, the garage service/plant area is non-compliant with the 1.16m requirement (based on wall height) and results in a variation of 17%. These variations are not supported in this instance and greater compliance is sought.

- 4. Clause 4.1.9 Swimming Pools, Spas and Water Features concerns**

The clause requires a 1m setback to the pool curtilage and 1.5m to the water from the northern and eastern side setbacks. The current development results in a 0.4m setback to the curtilage and 1.2m setback to the water on the northern and eastern side setbacks. Greater compliance is required.



5. Clause 4.1.10 Fencing concerns

Council raises concerns with the proposed fencing to the northern, southern and eastern elevations. The applicant should discuss potential fencing solutions with the Assessing Officer.

- **Objector's concerns**

You are encouraged to review the submissions that have been lodged in relation to the application and consider any design solutions that may resolve relevant concerns.

Submissions that are available online in accordance with the Northern Beaches Community Participation Plan can be viewed on Council's website at the following link, using the application number as a reference:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchApplication.aspx>

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.

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 your response by this date, Council will determine the application in its current form.

Submitting further information/amendments

Council will offer **one** opportunity to provide feedback on conceptual amendments addressing the issues raised in this letter. We strongly request that you contact the assessment officer directly for a 'without prejudice' discussion on your proposed resolution of the issues and the submission requirements **before** lodging any documentation on the NSW Planning Portal.

Conceptual amendments must be provided to Council for feedback **within 14 days of the date of this letter**. If conceptual amendments are deemed sufficient, we will then provide you with a timeframe upon which an amended application is to be lodged on the NSW Planning Portal (generally 14 days).

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. Whilst we will provide feedback on your conceptual amendments in good faith, this cannot guarantee the approval of the amended application.

As part of any amended application, it may be necessary to update your supporting documentation (e.g., BASIX certificate, bushfire report, 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 13/06/2025 and 38 days in the assessment period have now elapsed.

This letter will be released on Council's webpage as part of the application's documentation.

Should you wish to discuss any issues raised in this letter, please contact Lachlan Rose on 1300 434 434 during business hours Monday to Friday.

Yours faithfully

Lachlan Rose
Planner