

21 August 2025

Michael B Mangan
C/- Vaughan Milligan
Development Consulting
PO Box 49
NEWPORT NSW 2106

Dear Sir,

Development Application No: DA2025/0928 for Demolition works, alterations and additions to a dwelling house including a first floor addition, detached garage, swimming pool and cabana at 15 Chisholm Avenue AVALON BEACH.

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. Stormwater

Council's Development Engineering Team have provided the following referral comments:

The proposed development is on a site which cannot drain to the street and is thus classified as a Low Level Property. Stormwater management on the site needs to comply with Section 5.5 of the Water Management for Development Policy. The applicant is required to undertake the following sequential steps:

- 1) *Attempt to obtain a stormwater drainage easement from one of the two adjoining downstream properties utilising Appendix 2 of the Water Management for Development Policy. If an easement is gained then on-site detention is required in accordance with Section 9.3.1 Onsite Stormwater Disposal Requirements Region 1 – Northern Catchments of the Policy.*
- 2) *If a drainage easement is rejected, the applicant is required to investigate the feasibility of an Absorption trench using Appendix 3 of the Policy. This will require a permeability test.*
- 3) *If an absorption trench is not feasible, an on-site detention system and level spreader is required in accordance with Appendix 4. The on-site*



detention system must be designed to attenuate the run-off from all roof areas of development (first storey addition, garage, cabana) back to the 20% AEP State of Nature Event (0% impervious) for all storm events up to the 1% AEP post development storm event. Refer to Appendix 4.

4) *Provide a DRAINS model to Council for perusal with amended plans.*

2. Biodiversity

Council's Bushland and Biodiversity Team have provided the following referral comments:

Portions of the site are identified on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

The proposed development involves tree removal work within an area of the site identified on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map). The development is likely to trigger entry into the Biodiversity Offsets Scheme via the removal of native vegetation. Therefore, a suitably qualified ecologist (preferably an Accredited Assessor under the Biodiversity Assessment Method) is to be engaged to determine whether a Biodiversity Development Assessment Report (BDAR) is required. If the ecologist determines that a BDAR is not required, a concise letter report should be submitted with the DA explaining why the BAM does not apply.

If the ecologist confirms that a BDAR is required, Council will need to be added as a case party on the Biodiversity Offsets and Agreement Management System (BOAMS).

The Biodiversity and Landscape Referral will recommence upon receipt of the additional information.

3. Architectural Plans

Further information is required to be shown on the plans in accordance with the DA Lodgement Requirements. The floor plans are required to show boundary locations and dimensioned distances of the new works in relation to site boundaries. Additionally, a Landscape Calculation Plan which identifies all areas included in the calculation as per the definition of landscaped area under the P21DCP.

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 by **4 September 2025 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 18 July 2025 and 34 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 Olivia Ramage on 1300 434 434 during business hours Monday to Friday.

Yours faithfully

Olivia Ramage
Planner

A handwritten signature in cursive script, reading "Olivia Ramage". The signature is written in a dark ink and is positioned below the printed name.