

21 August 2025



Rapid Plans Pty Ltd
10 Derna Crescent
ALLAMBIE HEIGHTS NSW 2100

Dear Sir/Madam,

Development Application No: DA2025/0754 for Alterations and additions to a dwelling house including a swimming pool and studio at 24 Cavill Street QUEENSCLIFF.

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:

- **Issues**

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

1. Clause D1 Landscaped Open Space

The landscaped area has been calculated at 6.3% (23.4m²) in accordance with the requirements of the Clause. This variation to the 40% minimum requirement is not supported.

When the landscaped area is increased, a revised landscape plan must be provided. The landscape plan must be prepared by a suitably qualified professional. Please see Council's Landscape Officer's response on Council's DA Tracker page regarding the landscaped plan provided.

2. Clause B7 Front Boundary Setbacks Concern

First floor addition

Council's Heritage referral response has stated that the proposal in its current form is not supported due to the excessive bulk and scale which has an unacceptable impact on the significance of the adjoining heritage item and potential heritage significance of the subject site. Specific concerns addressed include the proposed first floor addition and its location towards the front of the subject dwelling, requiring the first-floor addition to be positioned further towards the rear of the dwelling. See the Heritage referral response for greater detail on the requested materials and features to be retained.

Bin Area

The bin storage area is excessive in size and does not meet the front setback control.

Garage



The secondary frontage to Oliver Street requires a 3.5m setback.

The addition of the storage and bathroom areas into the proposed garage results in additional excavation in the frontage. These areas are not supported and are to be deleted. The garage, given the significant excavation proposed and the non-compliant setback, must be limited only to what is necessary for car parking.

Notwithstanding the above, there is a pending referral response from Council's Traffic Team. If Traffic cannot support the garage location, it will need to be deleted.

Studio

The studio/office and deck above is set back 1.9m to the secondary frontage. This structure is not currently supported, partly due to the setback non-compliance and partly due to the landscaping concerns outlined above.

Fencing

The proposed 1.8m fence located above the garage is not supported at an elevated artificial ground level. If the garage can be supported, landscaped planting in front of a lower fence should be considered as a solution.

3. Council's Referral Responses

Development Engineering and Traffic Referral Response

Council's Development Engineers are currently not supportive of the application and require the Traffic Team to provide a referral.

Council's Traffic Team have not provided a referral response and if the referral response is not supportive, I will address this immediately once received. If the referral response is supportive, I will re-refer to the Development Engineering Team for comment.

• Other matters

The following matters should be investigated to determine if an improved outcome can be achieved:

1. Please ensure all fencing works are located wholly within the property boundaries. No consent is given for boundary fencing over the property boundary to ensure consistency with the Dividing Fences Act 1991.

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 20/06/2025 and 62 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

A handwritten signature, likely of Lachlan Rose, consisting of a stylized 'L' and 'R'.