



northern
beaches
council

23 March 2020



Newport Homes
Attn: Rebecca Saphier
103/2-8 Brookhollow Avenue
NORWEST NSW 2153

Dear Sir/Madam,

Development Application No: DA2019/1338 for Demolition of existing dwelling and construction of detached dual occupancy dwelling and strata sub-division at 14 Gladstone Street NEWPORT.

Council has completed an assessment of your application which was received by Council on 26/11/2019 and has identified a number of areas of non-compliance and insufficient information that will not allow Council to support the application in its current form.

These matters are as follows:

Minimum Lot Size for Strata Subdivisions

The proposed Strata subdivision of two (2) lots represents a (43)% variation with the minimum lot size that relates to the land. This standard is specified by Clause 4.2A of the Pittwater Local Environmental Plan 2013 (PLEP 2013), and relates specifically to where Strata subdivision is proposed in conjunction with dual occupancies.

No written request has been provided with your application to vary this standard. Therefore, the application is also inconsistent with Clause 4.6 of the PLEP 2013. Whilst a written request was provided in regard to Clause 4.1B (the minimum lot size for the construction of a dual occupancy), no information was provided to justify the variation as result of the proposed Strata lots.

Flood Plain Management

Council's Flood Plain Manager has reviewed the application and provided the following comments:

"The proposed development is for a dual occupancy development in area identified as being subject to high risk flooding in a 1% AEP event in the Newport Flood Study, 2019. To ensure the development does not impact the flood regime, the development is required to comply with Clause F2 of Clause B3.11 of the Pittwater Development Control Plan this states that the entire subfloor area must be of an open design and that 50-75% of the perimeter of the underfloor area must be of an open design.

The current proposal has areas of the subfloor which are proposed to be blocked/slab-on-ground construction. Further the openings in the perimeter walls facing the direction of flow need to be further maximised with the west elevation of Lot A needing additional



openings below the Porch/Dining/Kitchen area. As a result of the above the development is recommended for refusal."

Stormwater Management

Council's Development Engineer has provided the following comments:

"The proposed inter-allotment drainage system for the two lots proposes a disposal drainage system by a level spreader system in Lot A is not supported for two dwellings. The inter-allotment drainage(sic) must be free flowing to Council's drainage system. All roof stormwater drainage from the two dwellings are to be collected and connected via the rain water tank and discharged to Council's piped drainage system in Bishop Street.

Council's Stormwater and Floodplain officer have not supported the application. This may result in amendments to proposed floor levels alteration to the design of the dwelling which may have an impact on access to the proposed lots.

As result of in adequate information the proposed development cannot be supported."

Advice for the Applicant

Please accept Council's sincere apologies for the delay in this correspondence.

Unfortunately, due to the extent of the issues outlined in this correspondence, Council is unable to support the proposal in its current form.

The application will need to be re-designed in the following manner:

- Modify the subfloor area of the dwellings to ensure this area is completely open and permits adequate flow of water during a storm event; and
- Re-design the inter-allotment drainage scheme to ensure connection to the Council drainage system on Bishop Street.

However, a detailed justification for the non-compliance with the minimum lot size will need to be provided and this must demonstrate why it is both: unnecessary and unreasonable to expect full compliance with the standard.

Should you wish to discuss any issues raised in this letter, please contact Nick England on 1300 434 434 between 8.30am to 5.00pm Monday to Friday, within (7) days of the date of this letter.

Yours faithfully

Anne-Marie Young
A / Manager, Development Assessment