



## Pre-lodgement Meeting Notes

**Application No:** PLM2025/0027  
**Meeting Date:** 17 April 2025  
**Property Address:** 9 Greenwood Avenue NARRAWEENA  
**Proposal:** Construction of a dual occupancy (attached)  
**Attendees for Council:** Nick Keeler, Planner  
Daniel Milliken, Manager Development Advisory Service  
Uma Shanmugalingam, Senior Development Engineer

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### General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only.

These notes are an account of the advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the meeting.

These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority.

A determination can only be made following the lodgement and full assessment of the application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concern have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.



## WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

WLEP 2011 can be viewed at <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2011-0649>

Part 2 - Zoning and Permissibility	
<b>Definition of proposed development:</b> (ref. WLEP 2011 Dictionary)	Dual occupancy (attached)
<b>Zone:</b>	R2 Low Density Residential
<b>Permitted with Consent or Prohibited:</b>	Permitted with consent under Chapter 6 of Housing SEPP

### Clause 4.6 - Exceptions to Development Standards

Clause 4.6 enables the applicant to request a variation to the applicable Development Standards listed under Part 4 of the LEP pursuant to the objectives of the relevant Standard and zone and in accordance with the principles established by the NSW Land and Environment Court.

A request to vary a development Standard is not a guarantee that the variation would be supported as this needs to be considered by Council in terms of context, impact and public interest and whether the request demonstrates sufficient environmental planning grounds for the variation.

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
<b>4.3 Height of Buildings</b>	8.5m	7.3m	Yes

## WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

WDCP 2011 can be viewed at <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP>

The following notes the identified non-compliant areas of the proposal only.

Part B Built Form Controls		
Control	Permitted	Proposed
<b>B3 Side Boundary Envelope</b>	45 degrees from 4m above ground level at side boundary	<b>Not compliant</b> E: 0.8m to 2.9m breach along whole elevation (14.3% to 64.4% variation)
		<b>Not compliant</b> W: 0.7m to 2.6m breach along whole elevation (12.5% to 57.8% variation)



## Part B Built Form Controls

### Comment:

Council does not support the proposed side building envelope non-compliances along both side elevations.

As the proposal involves the construction of a new building, Council expects the design of the new building to comply with this control.

Minor non-compliances may only be accepted on the lowest corner of the site where it may be impractical to demonstrate a fully compliant design due to the slope of the land.

To address this issue, Council recommends the upper floor of the building be reconfigured with the side setbacks increased to ensure no encroachment beyond the permitted building envelope. Stepping the building down with the slope of the land would also assist.

<b>B5 Side Boundary Setbacks</b>	0.9m	<b>Not compliant</b> Front articulation: 0.5m (44.4% variation)
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### Comment:

Council does not support the front façade articulation area encroaching into the side setback area.

While the articulation is a positive feature of the design, it needs to comply with the minimum 0.9m side setback control.

Stepping in the upper level will likely allow this element to be retained while remaining compliant with the built form controls (side setback and side envelope).

<b>B7 Front Boundary Setbacks</b>	6.5m	6.5m
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### Comment:

While the development as proposed demonstrates compliance with the front boundary setback requirement, the proposed parking arrangement is not acceptable (as discussed below). This will likely mean the second parking space for each dwelling is provided on the driveway in the front setback area. The provision of a hardstand parking space in the front setback area is a non-compliance.

As such, the applicant must demonstrate the hardstand parking space achieves consistency with the control objectives as that it will not unreasonably impact the amenity and quality of the streetscape, allowing sufficient landscaped open space capable of establishing meaningful vegetation.

## Part C Siting Factors

Control	Permitted	Proposed
<b>C3 Parking Facilities</b>	2 spaces per dwelling	1 space garaged 1 space hardstand

### Comment:

Council does not support the proposed parking arrangement or separated driveways. The parking for each dwelling must utilise a single shared driveway and crossover.

The hardstand parking spaces do not comply with minimum hardstand parking dimensions, i.e. 2.4m wide by 5.4m long.

The garaged parking space does not comply with the minimum internal dimensions, i.e. 3m wide by 5.4m long with an opening width of at least 2.4m.



### Part C Siting Factors

At a minimum, the applicant must demonstrate that each parking space can comply with the minimum parking dimensions set out in AS2890.1:2004. Vehicle manoeuvring paths must also be shown to demonstrate that the spaces for each dwelling can be accessed without impacting each other.

Where a tandem parking arrangement is provided with one space garaged and the other space on the driveway hardstand, the applicant must demonstrate the hardstand parking space has a maximum gradient of 1:20 (5%).

### Part D Design

Control	Permitted	Proposed
<b>D1 Landscaped Open Space and Bushland Setting</b>	Minimum 40% site area (288.9m <sup>2</sup> )	<b>Not compliant</b> 35.5% (256.4m <sup>2</sup> )

#### Comment:

Council does not support a variation to the minimum LOS requirement for new dual occupancy developments. The lot for each dwelling must be able to support a minimum 40% LOS with 2m dimensions. Above ground or on slab landscaping does not count towards the LOS calculation.

### D9 Building Bulk

#### Comment:

Due to non-compliance with several development controls as outlined above, the proposed development presents a building bulk that is excessive and incompatible with the subject site. The proposed development is inconsistent with the objectives of this control.

Overall, a dual occupancy is possible on this site, it will just need to be much smaller than what is currently proposed.

### Specialist Advice

#### Development Engineering

- The vehicular access to both dwelling shall be via one shared driveway. As a strata subdivision is proposed and ROW is not required the crossing is to be limited to 4.5m at the kerb and splayed to 5.5m at the boundary.
- The driveway crossing is to be in accordance with one of Council's Vehicular Crossing standard profile available on Council's [web page](#). Transitions are to comply with current standards.
- Dimensions of parking areas to be in accordance with AS2890.1. The proposed single enclosed garages are to have internal widths of minimum 3.0m with minimum 2.4m wide doorways.
- The second hardstand space shown in front of the front door is not supported.
- If a tandem parking space is proposed in front of the garage, the gradients of the parking areas are to be 5% maximum.
- Where tandem parking is proposed, applicant is to provide swept path analysis to demonstrate independent movements of vehicles from the parking spaces of each unit.
- The method of stormwater disposal is to be in accordance with Council's Water Management for Development Policy. OSD will be required in accordance with Section 9.3.2.5 of the policy. The policy is available in Council's [web page](#).
- As the proposal is not for a single residential dwelling offset of rainwater take volume from the calculated OSD volume will not be supported.



## Specialist Advice

### Landscape

#### **Landscape comments**

- Any new lot shall meet the 40% landscaped area (or landscaped open space) requirement individually. Refer to part D1 (WDCP) for what can be included in the calculations and to the definition of landscaped area under the WLEP,
- If any prescribed trees will be impacted by the works (including trees within 5 metres of works in neighbouring properties) an Arboricultural Impact Assessment will be required (see below for further information).

#### **General Comments**

The Statement of Environmental Effects shall include commentary of relevant landscape clauses of the DCP, and in this instance the following:

- D1 Landscaped Open Space and Bushland Settings
- E1 Preservation of Trees or Bushland Vegetation

The land is zoned R2 Low Density Residential and as such the objectives of the zone shall be satisfied.

#### D1 Landscaped Open Space and Bushland Settings

A **Landscape Plan** is required to demonstrate that the proposed development satisfies the DCP clause, including (but not limited to):

- Enable planting to maintain and enhance the streetscape,
- Establishment of low-lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building,
- Provide privacy between buildings and/or provide privacy to private open spaces.

Submit an appropriate Landscape Plan prepared by a suitably qualified professional (i.e. Landscape Architect or Landscape Designer). Please refer to Northern Beaches Council's Development Application Lodgement Requirements for what is required of the Landscape Plan(s).

Note: Landscaped area is defined under the WLEP as "*means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area*".

#### E1 Preservation of Trees or Bushland Vegetation

The SEE shall include discussion on the trees and vegetation within the site and within adjoining properties. Should all trees and vegetation be 5 metres or less in height or exempt species, no Arboricultural Impact Assessment is required, and this is to be reported in the SEE.

For prescribed (protected) trees under the DCP, i.e. 5 metres and over, excluding Exempt Species, An Arboricultural Impact Assessment is required to provide clarification on which trees are to be retained, including tree protection measures, and which trees are to be removed. Regardless, should a report be prepared exempt species should be identified as a matter of course to assist



### **Specialist Advice**

Council in determining a development application and the landscape outcome in terms of retention or removal.

The Arboricultural Impact Assessment report shall indicate the impact of development upon the existing trees within the site, and for any existing tree on adjoining properties located 5 metres from the site (including but not limited to impacts from building and/or associated excavation or fill zones).

The report shall be prepared by a qualified Arborist AQF Level 5 and shall cover assessment of excavation and construction impacts upon the SRZ and TPZ, tree protection requirements, and recommendations. Recommendations shall include the setback distance from each tree where no construction impact is to occur to ensure the long-term retention of the tree.

Any development impact shall be outside of the structural root zone, and impact to the tree protection zone, for trees retained, shall be limited to satisfy AS4970-2009.

Existing trees and vegetation within adjoining property and within the road verge is not permitted to be impacted upon. Council does not support the removal of street trees unless the street tree is proven to present an arboricultural risk.

No impact to existing trees and vegetation within adjoining properties is acceptable, regardless of species type.

As a general principle, the site planning layout shall be determined following arboricultural investigations and recommendations. Any proposal to remove existing trees of moderate to high retention value will not be supported by Council if an alternative design arrangement is available, as assessed by Council.

### **Documentation to accompany the Development Application**

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
  - Site Plan;
  - Floor Plans;
  - Elevations; and
  - Sections.
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Estimated Development Cost (EDC) Report
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Landscape Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan



- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Arboricultural Impact Assessment Report (if removal or works within 5m of prescribed tree)
- BASIX Certificate

#### **IMPORTANT NOTE FOR DA LODGEMENT**

Please refer to the [Development Application Lodgement Requirements](#) for further detail on the above list of plans, reports, survey and certificates.

The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

#### **Concluding Comments**

These notes are in response to a pre-lodgement meeting held on 17 April 2025 to discuss construction of a dual occupancy (attached) at 9 Greenwood Avenue NARRAWEENA. The notes reference the plans prepared by JDC Architect.

Due to significant non-compliance with the side building envelope control requirement and insufficient landscaped open space, Council cannot support the proposed development in its current form.

If the applicant wishes to lodge a development application for a dual occupancy development on this site, a fundamental redesign and reduction of building bulk and scale of the development is recommended. Reconfiguration of the proposed parking to demonstrate compliant dimensions and a single driveway and crossover is also required.

Any new development must appropriately address and integrate into the spatial and topographical constraints of the subject site.

#### **Question on these Notes?**

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.