

2 November 2021



Geoffrey A P Krix  
39 Stella Street  
COLLARROY PLATEAU NSW 2097

Dear Sir/Madam,

**Development Application No: DA2021/1800 for Demolition works and construction of a dwelling house at 39 Stella Street COLLARROY PLATEAU.**

I refer to your Application which is under assessment by Council.

The assessment of your application has revealed a number of issues which prevent Council from supporting the proposal in its current form.

The following is a list of the issues identified:

**Front Setback**

The proposed dwelling is located 4.5m from the front boundary of the site, which is short of the 6.5m minimum specified under Part B7 of Warringah Development Control Plan 2011 (WDCP 2011). In the context of the proposed works being an entirely new development, the proposal should comply with WDCP 2011, to reflect Council's minimum expectations for new development. The primary objectives relevant are to set structures off front boundary and minimise visual impact and provide opportunities for landscaped open space that enhances the streetscape. The proposal fails to meet these objectives.

**Car Parking Requirements**

Under the provisions of Part C3 / Appendix 1 Car Parking Requirements of WDCP 2011, a minimum of two (2) car spaces is required for any new dwelling house, irrespective of the number of bedrooms. Only (1) space is provided. The Statement of Environmental Effects submitted with the application refers to a standard for 2 bedroom dwellings that only applies to apartment buildings, not dwelling houses. Hence, the 1 space provided is insufficient to meet Council's policies. Providing sufficient off-street parking for new development in low-density residential areas is the objective of this control and relying on the on-street supply of parking for any additional demand is not supported.

**Landscaped Open Space**

The proposal sets aside 29% of site as landscaped open space, which is well short of the minimum 40% specified in Part D1 of WDCP 2011. A primary objective of this control is to mitigate visual impact of new structures and in the context of the proposal not



complying with the front setback control, this clearly demonstrates that too much of the site is occupied by existing and proposed structures to reasonably comply with these objectives.

### **Side Setback**

The carport aspect of the proposed dwelling is located 270mm from the south (side) boundary, which is short of 0.9m minimum setback required in Part B5 of WDCP 2011. Whilst this standard may be varied for structures like carports, the fact that the proposal is not compliant with the front setback exacerbates the visual impact. Hence, the non-compliance with the side setback is not supported.

### **Preservation of Trees**

Council's Landscape Officer has provided detailed commentary on the proposal, which can be read on the following link:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/LoadAppPropDoc.ashx?id=K2qQnFdIASwV0A60ki4OEg%253d%253d>

In summary, the stormwater management system may result in adverse impacts on the existing vegetation on the site. A re-design of this system will be required.

### **Advice To Applicant**

In summary, whilst we acknowledge that the principle is to largely replace the existing dwelling and carport, the proposal makes no reasonable effort to comply with key development controls that regulate the visual impact of new development. This is especially relevant on the Stella Street frontage, where greater setbacks and more opportunities for landscaped open space need to be provided.

Council is providing you with three options to progress the handling of your application:

1. Prepare and submit amended plans addressing the issues by 16 November 2021 (14 days); or
2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application; or
3. Withdraw the application from Council, which may include the refund of a portion of the application fees. Please note, that should this be your preferred option, Council will require additional information and will request this under separate cover.

Please advise of your selected option by responding to this letter by 16 November 2021 at [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au) and marked to the attention of the assessment officer. Should Council not receive your response and selected option by this date,



Council will assume that you are not withdrawing this application and it will be determined in its current form.

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

Yours faithfully

A handwritten signature in blue ink, appearing to be 'R. Piggott'.

Rod Piggott  
**Manager, Development Assessment**