



northern
beaches
council

16 September 2019



JJ Drafting
174 Garden Street
NORTH NARRABEEN NSW 2101

Dear Sir/Madam,

Development Application No: DA2019/0829 for Demolition works and construction of a dwelling house at 34 Whale Beach Road AVALON BEACH.

Council has completed a preliminary assessment of your application which was received by Council on 02/08/2019 and has identified a number of areas of non-compliance that will not allow Council to support the application in its current form.

These matters are as follows:

Front Building Line

The proposed development does not comply with Part D1.8 Front building line of the Pittwater 21 Development Control Plan. On sites that have secondary frontages, a minimum setback from this frontage is 3.25m, or the established building line.

The established building line along Alexander Road is in excess of 3.25m, hence this numerical standard applies to the proposed development.

The proposed setback of 2.5m (2m if the awnings are included) are insufficient to meet the Outcomes of this control, specifically:

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Put simply, the east elevation of the proposed dwelling is too close to the frontage of the street and will have an adverse visual impact.

Building Envelope

The upper level of the proposed dwellings west elevation does not comply with Part D1.11 Building envelope of the Pittwater 21 Development Control Plan.

This level is at least 2.1m outside of the envelope, for its entire length along the western boundary.

This fails the following Outcomes of the control:

- *To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*
- *The bulk and scale of the built form is minimised.*



Advice for the Applicant

The extent of the issues outlined above, result in Council being unable to support the proposal in its current form.

In summary, the upper level of the proposed dwelling creates an adverse visual impact to both the street frontage and adjoining residential properties. This level needs to be significantly redesigned.

You are therefore strongly encouraged to withdraw this application and resubmit a new application that addresses all of the issues listed above. Council will not accept any additional information or amendments to this current application.

Should you choose to withdraw this application within seven (7) days of the date of this letter, Council will refund **75%** of the development application fee. If you have not contacted Council by 23 September 2019, Council will assume that you are not withdrawing this application. In this case, no fees can be refunded and the application will be assessed and determined in its current form.

Should you agree to withdraw and in order for Council to process the request, confirmation must be received in writing to council@northernbeaches.nsw.gov.au. To speed up the processing of your refund, please supply bank details using the table provided below, otherwise your refund will be forwarded by way of cheque.

Please note that bank details supplied should match the name listed on the top line of your tax invoice receipt for the application. If bank details supplied do not match this name, then the refund will be forwarded by way of cheque. Council cannot be held responsible if the bank account details provided by you are incorrect.

Bank	
Account Name	
BSB	
Account Number	
Email Address	

If you have not contacted Council by the aforementioned date, Council will assume that you are not withdrawing this application. No fees will be refunded and we will assess this application in its current form.

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.

Yours faithfully

Anna Williams
Manager, Development Assessment