

Memo

Development Assessment

To: Northern Beaches Local Planning Panel (NBLPP)
From: Dean Pattalis – Planner
CC – Steve Findlay – Manager Development Assessment
Date: 6 May 2025
Subject: DA2024/1376 - 7 Cooleena Road ELANORA HEIGHTS

The purpose of this memo is to provide a written response to the additional submission lodged to the panel on 06/05/2025 by Planning Progress, on behalf of the owners of 5A Cooleena Road, Elanora Heights.

It is noted that the majority of the issues raised in this submission to the panel have been generally responded to in the 'submissions' section of the assessment report.

Notwithstanding, the issues raised are addressed as follows:

- **The proposal has failed to overcome the reasons for refusal from the prior applications, primarily pertaining to geotechnical and stormwater management**

Comment

It is highlighted within the 'Site History' section of the assessment report that the additional information provided with the new proposal was deficient in prior proposals. The assessment report has discussed in depth that the applicant has submitted significantly more detailed information with this new proposal, including detailed indicative architectural plans, to overcome the prior contentions. It is considered the indicative plans have adequately demonstrated that the respective allotments are able to demonstrate reasonable compliance with the built form and amenity controls of P21 DCP, which was absent from the prior refused applications.

It is acknowledged that the proposal remains numerically non-compliant with the 30% slope control as discussed via merit assessment under Clause B2.2, therefore a restricted development area is provided at the rear of Lot 2 to ensure a suitable future development in the context of the existing topography, whilst it is demonstrated via indicative plans that the developable area of Lot 2 is able to accommodate a suitable dwelling house that provides an acceptable built form and amenity outcome for the occupants and surrounding locality.

Additional geotechnical reporting has been submitted with the new proposal accompanied by Forms 1 and 1A of Council's Geotechnical Risk Management Policy for Pittwater stating that no geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of the report and good engineering and building practice. The report has been reviewed by Council's Development Engineer who is supportive of the proposal.

An addendum letter was also submitted with the report stating that the indicative development for proposed Lot 2 is suitable for the site, whilst additional geotechnical reporting will also be required to be included with any future application for development on Lot 2.

The additional detailed information has also satisfied the internal referral sections, including Development Engineering, Traffic Engineering, Water Management and Landscape referrals, who were previously unsupportive to the prior proposals.

- **Visual Privacy**

Comment

The proposed visual privacy arrangement is discussed via merit assessment under Clause C1.5 in the Assessment Report.

The indicative dwelling on proposed Lot 2 is considered to result in an adequate privacy arrangement, as the windows on the first floor of the eastern elevation towards 5A, adjoin low-traffic areas (bedrooms and bathrooms).

The proposed principal private open space area on Lot 2 is also not considered to be unreasonably overlooked by the existing neighbouring dwelling to the east (No.5A), as the western elevation of No.5A consists of low-traffic areas including a garage, bedrooms and bathrooms.

- **Landscaped Area**

Comment

The submission disagrees with the landscaped area calculations submitted with the applicant's architectural plans. Notwithstanding, Council's assessment has reviewed the proposed landscaped area and considered that adequate compliance is achieved.

Conclusion and Recommendation

Based on the above additional assessment, there are no changes required to the conclusion and recommendation contained in the Assessment Report on the NBLPP agenda.