



northern  
beaches  
council

18 February 2019



Planning Approvals  
PO Box 1272  
SUTHERLAND NSW 1499

**Attention: Jeremy Moy**

Dear Sir,

**Development Application No: DA2018/1886 for Demolition works and construction of a dwelling house at 10 Courtley Road BEACON HILL.**

Council has completed an assessment of your application which was received by Council on 29 November 2018 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:

**Landscaped Open Space**

There is insufficient landscaped open space to comply with the requirements of objectives of *Part D1 Landscaped Open Space* pursuant to the *Warringah Development Control Plan 2011* (DCP).

A total of 53m<sup>2</sup>, or 10% of the site area, is set aside as landscaped open space. This is significantly short of the minimum 40% of landscaped open space required for new dwellings. Areas of landscaped open space must have a dimension of at least 2 metres and have a soil depth of 1 metre.

This provides insufficient opportunity for vegetation to mitigate the visual impact of the proposed dwelling, when viewed from adjoining properties.

Sufficient areas of landscaped open space must be provided around the site, particularly adjoining the boundaries of other properties to address this issue.

**Rear Setback**

The close distance of the proposed dwelling and ancillary structures from the western boundary is insufficient to satisfy the requirements of objectives of *Part B9 Rear Boundary Setbacks* of the DCP.

Greater setbacks from this boundary, incorporating sufficient landscaped open space need to be provided to address this issue.

**Privacy**

The proposed balcony from Bedroom 1 on the 1<sup>st</sup> floor will result in an adverse impact on the privacy of the private open space and pool area of the adjoining dwelling at No.12



Courtley Road. This balcony should be deleted in order to address privacy issues it may cause and to maintain consistency with *Part D8 Privacy* of the DCP.

### **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.

You are therefore strongly encouraged to withdraw this application and resubmit a new application that addresses all of the issues listed above. However, given the length of time the application has been with Council, additional information or amendments to this current application may be accepted. This should be discussed with the officer, prior to Council's acceptance of the information.

Should you choose to withdraw this application within fourteen (14) days of the date of this letter, Council will refund **75%** of the application fees. If you have not contacted Council by **4 March 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](mailto: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.

<b>Bank</b>	
<b>Account Name</b>	
<b>BSB</b>	
<b>Account Number</b>	

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

A handwritten signature in blue ink that reads "A. Keller".

Alex Keller  
**Acting Manager, Development Assessment**