

11 August 2025



Anthony Brooks
5 Adina Road
CURL CURL NSW 2096

Dear Sir/Madam,

Development Application No: DA2025/0257 for Alterations and additions and change of use to dual occupancy (attached) including strata subdivision at 5 Adina Road CURL CURL.

An assessment has been undertaken of your application. The assessment has found that it is unsatisfactory in its current form for the reasons identified below:

- **Insufficient information**

The following information/documentation is required to complete the assessment of the application:

- 1. C3 Car Parking**

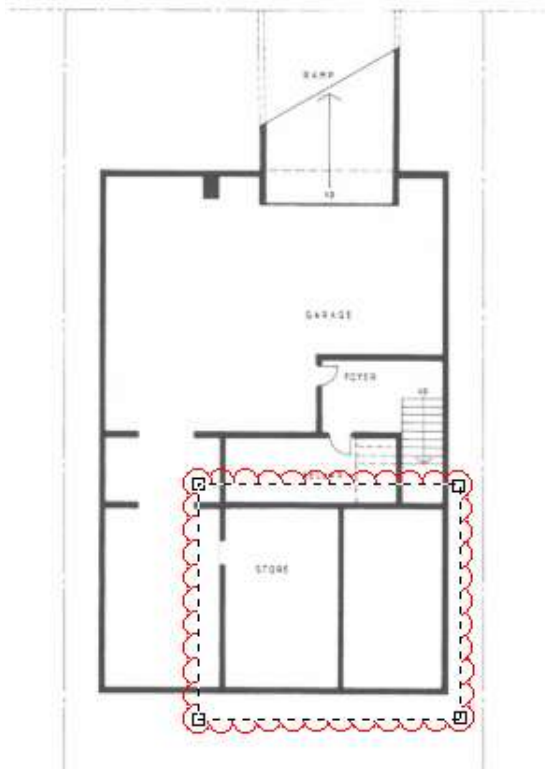
While the development proposal is compliant in terms of the quantum of parking (2 spaces per dwelling), clause C3 of the Warringah DCP also requires that carparking is to be provided which enables vehicles to enter and leave the site in a forward direction.

It is unclear how vehicles will access spaces 1 & 2 and it is unclear how vehicles will turn around within the site to egress in a forward direction from all parking spaces when other spaces are occupied. As such, swept path plots are to be provided to demonstrate how a B85 vehicle will enter and exit each space in a forward direction without encroachment into other parking spaces consistent with DCP requirements and as per AS/NZS 2890.1

- 2. Basement Storage**

There is a discrepancy between the submitted plans and the survey plan around the area of the 'store' in the basement. The proposed basement plan shows fully enclosed built form in the location behind the storage area but this is not shown on the survey plans (see extract below).

It is unclear whether new building works are required to enclose this area and what purpose it will be for. Please provide clarification on this area.



- **Issues**

The following is a list of the issues and concerns identified in the assessment that cannot be supported:

1. D2 Private Open Space – Dwelling 2

While the overall Landscaped Open Space for the existing detached dwelling house is unchanged, the provided private open space (POS) for proposed Dwelling 2 is inconsistent with the minimum requirements for 2-bedroom dual occupancy dwellings. In addition, the POS is located within the front setback of the site. The location and quantum of the private open space is not considered to meet the requirements of the Clause D2 of the Warringah DCP for Dual Occupancy dwellings and is therefore not supported.

2. D8 Privacy – Dwelling 2 / POS Dwelling 1

The rear facing bedrooms from proposed dwelling 2 directly overlook the proposed private open space for proposed dwelling 1 and conversely that space looks directly into the bedrooms. The spaces need to demonstrate how the proposed separation of private open space and dwelling bedrooms will be achieved to ensure the privacy of both dwelling occupants.

The lack of privacy between the private open spaces and dwelling bedrooms is not considered to meet the requirements of Clause D8 and is therefore not supported.



3. D14 Site Facilities

It is unclear how Dwelling 2 has been provided with adequate facilities for clothes drying. Given the only proposed private open space is located on the front balcony on level 1, and this space is undersized, this will result in the occupants having to dry clothes in a location not screened from public view. Clothes drying in this location will impact further on the provision of useable open space and may impact on neighbourhood amenity. The lack of adequate site facilities for proposed dwelling 2 (clothes drying) is not considered to meet Clause D14 and is therefore not supported.

Options available to the Applicant

Council is providing you with two (2) options to progress your application:

1. Prepare and submit further supporting information/amendments to address the above issues. Please carefully read the below advice if you choose this option.
2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application.

Please advise of your selected option by responding **within 7 days of the date of this letter** by email sent to council@northernbeaches.nsw.gov.au marked to the attention of the assessment officer. Should Council not receive your response by this date, Council will determine the application in its current form.

Submitting further information/amendments

Council will offer **one** opportunity to provide feedback on conceptual amendments addressing the issues raised in this letter. We strongly request that you contact the assessment officer directly for a 'without prejudice' discussion on your proposed resolution of the issues and the submission requirements **before** lodging any documentation on the NSW Planning Portal.

Conceptual amendments must be provided to Council for feedback **within 14 days of the date of this letter**. If conceptual amendments are deemed sufficient, we will then provide you with a timeframe upon which an amended application is to be lodged on the NSW Planning Portal (generally 14 days).

Please ensure that the amended/additional information submitted on the NSW Planning Portal is a genuine attempt to resolve the issues as Council will generally not seek any further information/amendments after that point. Council will proceed to assess and determine the application based on the submitted information without further consultation. Whilst we will provide feedback on your conceptual amendments in good faith, this cannot guarantee the approval of the amended application.

As part of any amended application, it may be necessary to update your supporting documentation (e.g., BASIX certificate, bushfire report, geotechnical report, etc.). Failure to do so may affect Council's ability to determine the application favourably.

Please ensure that any amendments are accompanied by a summary/schedule of amendments cover sheet.



Council reserves its right under section 37 of the *Environmental Planning and Assessment Regulations 2021* not to accept any information/amendment if it is not considered to be a genuine attempt to resolve the issues. In which case, Council will inform you that the changes have not been accepted and the application will proceed to be determined.

This process has been established to ensure an efficient and responsible level of service which meets the requirements of the Department of Planning and Environment's *23A Guidelines on withdrawal of Development Applications 2023*, Ministerial Orders *Statement of Expectations 2021* and the *Development Assessment Best Practice Guide 2017*.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on 17 April 2025 and 116 days in the assessment period have now elapsed.

This letter will be released on Council's webpage as part of the application's documentation.

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

Yours faithfully

Adriana Bramley
Principal Planner