

1 August 2025

Michael J Ludowici  
C/- Vaughan Milligan Development Consulting Pty Ltd  
Po Box 49  
NEWPORT NSW 2106

Dear Sir/Madam,

**Development Application No: DA2025/0384 for Alterations and additions to a dwelling house including the subdivision of one lot into two and construction of a hardstand parking area and passing bay at 56 & 58A Elimatta Road, Mona Vale.**

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:

### **1. Driveway Plans – Upgrade**

The application has been assessed, and the submissions have been considered as part of the assessment.

The application is for the one lot into two subdivisions with provision of suitable access to the proposed Lot 2. Lot 1 will retain the direct access from the Elimatta Road carriageway.

Additional assessment of the dwelling on proposed Lot 1 will need to consider impact on the Elimatta Road frontage of the site once the development application has been lodged.

Current application provides for two parking spaces for proposed Lot 2, a passing bay in an appropriate location along the RoW shared with 58A Elimatta Road. The existing shared driveway will need to be reconstructed to support the development and improve user safety.

The applicant is required to provide detailed engineering plans to allow a full assessment of the upgraded driveway required.

The proposal is currently not supported and additional information is required.

### **2. Updated Arboricultural Report**

The submitted Arboricultural Report would be required to be amended to assess the impacts of surrounding trees in relation to the upgraded driveway.

### **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](mailto: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 15 April 2025 and 108 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 **Brittany Harrison** on 1300 434 434 during business hours Monday to Friday.

Yours faithfully,

Brittany Harrison  
**Planner**