

14 August 2025



Shona A Adamo
1 Birdwood Avenue
COLLARROY NSW 2097

Dear Sir/Madam,

Development Application No: DA2025/0869 for Alterations and additions to a dwelling house at 1 Birdwood Avenue COLLARROY.

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. Detailed Stormwater Asset Investigation

Council's records indicate that the subject property is burdened by a Council stormwater pipeline. To demonstrate compliance with Council's Water Management for Development Policy, the following details shall be submitted:

- Accurately locate, confirm dimensions including depth and plot to scale Council's public drainage system and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided).

If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline (see Appendix 5 of the Water Management for Development Policy).

- All structures are to be located clear of any Council pipeline, pit or easement and comply with minimum vertical and horizontal clearances.
- Footings of any structure adjacent to an easement and pipeline are to be designed in accordance with the above-mentioned policy.
- Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted.



- **Issues**

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

1. Building Height

The proposed development has a maximum building height of 9.373m, which is 0.873m (10.27%) above the maximum permitted height of 8.5m.

While it is acknowledged that the site has been excavated in the past, which causes an accentuated building height breach, parts of the development exceed the maximum building height when calculated from an extrapolation of the former natural ground level.

Council considers the proposed development should not exceed the maximum 8.5m building height based on the extrapolated natural ground level. The applicant shall revise the design of the proposed development accordingly.

2. Wall Height

The proposed development has a maximum wall height of 9.3m on the eastern elevation, which is 2.1m (29.2%) above the maximum permitted wall height of 7.2m.

While some variation to the wall height control requirement maybe considered in this case, Council considers the proposed wall height breach excessive and inconsistent with the prevailing character of development in the locality.

It is noted the adjacent residential flat building at No. 3 Birdwood Ave has a wall height of approximately 8.4m along its western elevation. The design of the proposed development should be revised to better reflect the prevailing bulk and scale of built form in the locality.

- **Objector's concerns**

You are encouraged to review the submissions that have been lodged in relation to the application and consider any design solutions that may resolve relevant concerns.

Submissions that are available online in accordance with the Northern Beaches Community Participation Plan can be viewed on Council's website at the following link, using the application number as a reference:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchApplication.aspx>



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 7 July 2025 and 38 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 Nick Keeler on 1300 434 434 during business hours Monday to Friday.

Yours faithfully

Nick Keeler
Principal Planner