



northern  
beaches  
council

29 July 2025



S F Mona Vale Pty Ltd ATF SF Mona Vale Trust  
PO Box 3  
LIVERPOOL NSW 1871

Dear Sir/Madam,

**Development Application No: DA2025/0419 for Alterations and additions to a medical centre at 1791 Pittwater Road MONA VALE.**

An assessment has been undertaken of your application and I apologise for the delay in response.

The assessment has found that it is unsatisfactory in its current form for the reasons identified below:

**Overdevelopment of the site**

The proposal represents an overdevelopment of the site, in regard to the non-compliances with the relevant development controls that apply to the site.

Of significant concern are the size and layout of the proposed storage rooms (and the associated hallway).

Also of concern are the potential use of the proposed additional floor space. These rooms could be alternatively used as additional consultation rooms, in conjunction with the existing approved medical centre.

This results in a development that is of a scale and intensity that is not consistent with the R2 Low Density Residential zone that the land is located within under the Pittwater Local Environmental Plan (PLEP 2014) In this zone, any development other than residential needs to be of a low intensity and scale.

The component issues of overdevelopment include:

**Front Building Line**

The proposed works are located at a distance of 3m from the primary front boundary of the site, being Pittwater Road.

The Pittwater21 Development Control Plan 2011 (P21 DCP) specifies a minimum 10m front building line from the boundary with Pittwater Road. The secondary frontage to Mona Street would require a minimum front building line of 50% of the primary control, or 5m.

The proposed works cannot comply with either of these controls and in respect to the Pittwater Road frontage, represents a significant non-compliance with the control.



A non-compliance of this magnitude cannot be supported, as it is contrary to the objectives of the control, particularly those which seek to ensure that:

- Vegetation is retained and enhanced to visually reduce the built form; and
- To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

### **Landscaped Open Space**

An estimated total of 240m<sup>2</sup>, or 37% of the site, is set aside as landscaped open space.

This is a significant shortfall based on the current control of P21 DCP, which requires 50% of site be set aside.

The site is already in deficit in respect to landscaped open space and any further loss cannot in principle be supported, as it will be contrary to the objectives of the control that requires that:

- The bulk and scale of the built form is minimised; and
- Vegetation is retained and enhanced to visually reduce the built form.

### **Car Parking**

As discussed above, the potential for the storage area to be used alternatively as consulting rooms in the existing medical centre, would represent an increase in parking demand that cannot be accommodated on the site.

Council cannot rely on the stated use of these rooms controlling any future potential activity, when the potential for adverse public impact would be present in their design. Conditions for use would be ineffective once the building is already enlarged.

Based on NSW Roads and Maritime Services guidelines, of 1 space per 25m<sup>2</sup> of gross floor area, the proposed additions would require 1.6, or 2 additional car spaces.

The site is already in deficit of 2 car spaces, with the potential deficit increasing to 4 as part of the proposal.

This represents an increased development intensity on the site that fails the parking requirements and objectives of P21 DCP.

### **Summary of Assessment**

The site is constrained by its small size and location and any additional floorspace, irrespective of it being used for storage or otherwise, will result in significant non-compliances with Council's control that cannot be supported.

The site is located in a residential zone and any proposed non-residential land use must meet the objectives and requirements of this zone to be worthy of support.

### **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 5 May 2025 and 85 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 me on 1300 434 434 during business hours Monday to Friday.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Nick England'. The signature is stylized and is placed over a light blue rectangular background.

Nick England  
Planner