

31st October 2025

The CEO
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Olivia Ramage – Planner

Dear Mr Burnes,

**Development Application DA2025/1101
Issues Response/ Supplementary Statement of Environmental Effects
Demolition works, construction of multi-dwelling housing (terraces) and
subdivision of one lot into 3 lots
12 Nailon Place, Mona Vale**

Reference is made to Councils issues letter of 2nd October 2025 in which a number of issues were raised. This supplementary statement of environmental effects details the considered response to the issues raised and is to be read in conjunction with the following amended/additional plans and documentation:

- Amended Architectural plans Revision C prepared by Gartner Trovato Architects.
- Amended landscape plans Revision D prepared by Sym Studio.

The amendments can be summarised as follows:

DA-00

- 3D images updated to reflect plan changes

DA-01

- No Change

DA-02

- No Change

DA-03

- No Change

DA-04

- Site plans updated to reflect revised setbacks
- Pop up roof on TH 01 removed
- Landscape updated

DA-05

- Plans updated to reflect revised setbacks
- Lift Location revised TH 2+3
- Garage layouts revised TH 2+3

DA-06

- Plans updated to reflect revised setbacks
- Lift location revised TH 2+3
- Floor plan layouts revised Unit 1+2+3
 - Family room removed TH 01
 - Family room now a study TH 02

DA-07

- Elevations updated to reflect plan changes
- Materials updated

DA-08

- Elevations updated to reflect plan changes
- Materials updated

DA-09

- Elevations updated to reflect plan changes
- Materials updated

DA-10

- Sections updated to reflect plan changes

DA-11

- Landscape Calculations updated to reflect plan changes

DA-12:

- FSR Calculations updated to reflect plan changes

DA-13:

- No Change

DA-14:

- Shadow diagrams updated to reflect plan changes

We respond to the various issues as follows.

Insufficient information

1. Landscape Plan

Response: The accompanying landscape plans been amended to address the concerns raised in relation to landscape works nominated within the road reserve and proximity of proposed trees to existing trees. This issue has been resolved.

2. Low and Mid-Rise Housing Area

Response: We confirm that the entire property is located within 693 metres walking distance of land identified as Mona Vale Town Centre on the indicative LMR map as detailed below. Accordingly, the Chapter 6 LMR provisions of SEPP Housing are applicable to development on the land.

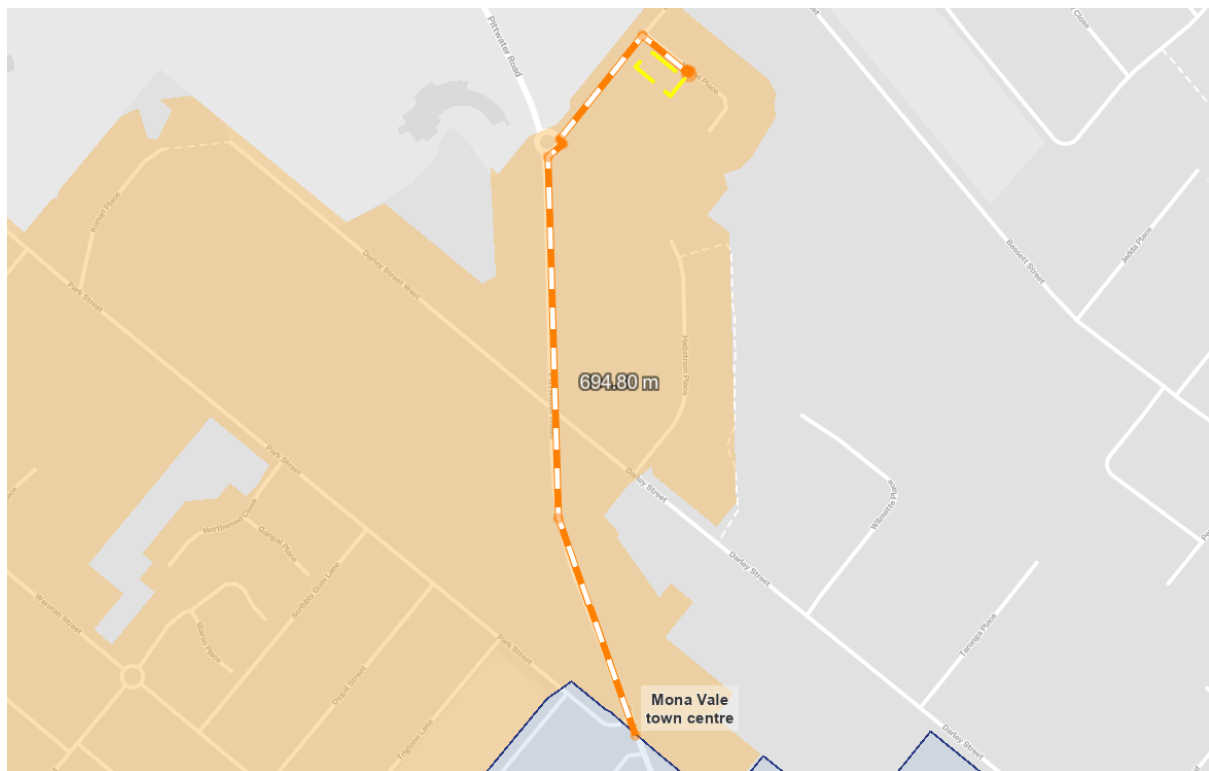


Figure 1 - LMR indicative mapping tool showing maximum 693 metres walking distance from the site along public footpaths to land identified as Mona Vale Town Centre.

This issue has been resolved.

Assessment issues

1. Landscaping

Response: As depicted on amended architectural plan DA11(C) the plans have been amended to achieve in excess of 20% deep soil area with a minimum dimension of 3 metres to each of the proposed strata lots as required by the Tree Canopy Guide. This issue has been resolved.

2. Floor Space Ratio

Response: We hereby seek to formally amend the application pursuant to clause 37 of the Environmental Planning and Assessment Regulation, 2021 (the Regs). The amendment involves changing the proposed subdivision typology from Torrens Title to Strata Title.

The amended plans nominate a proposed FSR of 0.64:1 across the development site which is well below the clause 172(3)(d) SEPP Housing non-discretionary FSR development standard of 0.7:1. Further, we note that the non-discretionary subdivision development standards at clause 173 of SEPP Housing do not apply to Strata subdivision and accordingly the development satisfies these provisions.

This issue has been resolved.

3. Pittwater 21 Development Control Plan – C7 Design Criteria for Low and Mid-Rise Housing Areas

Setbacks

Response: The proposed two storey building form has an average wall height of approximately 7 metres when measured above ground level (existing) and 6.7 metres when measured above the flood planning level (FPL) of RL 2.70m. Based on the minimum side boundary setback calculation formula a minimum upper-level setback of 4.25m is required from both side boundaries based on ground level (existing).

A setback of only 3 metres is required where the wall plane has a height of less than 3 metres.

The desired stated outcomes of this control are as follows:

- O1 *To provide a variety of low-scale housing types that enhance diversity and choice, while ensuring alignment with the desired future character of the locality.*
- O2 *To ensure developments are designed to provide privacy, solar access and building separation.*

- O3 *To minimise building bulk and scale and enhance existing streetscapes through building articulation, materials, and setbacks.*
- O4 *To enhance the landscape setting, soften the visual impact of built form and increase canopy cover by including trees in deep soil areas.*
- O5 *To ensure high-quality design with a clear sense of address, featuring well-defined dwelling entries, casual surveillance along the street frontage, while also supporting safe pedestrian movement and integrated vehicular access.*

In relation to the south-western boundary the proposal, as amended, maintains variable ground floor setbacks of between 3m and 4.6m with a variable first floor setback of between 4 and 4.6m.

In relation to the south-eastern boundary the proposal, as amended, maintains variable ground floor setbacks of between 3m and 3.125m with a variable first floor setback of between 3.8m and 4.5m as depicted on the elevations. We note that all wall elements sit comfortably within the 4.2 m/45° boundary envelope when measured above the FPL prescribed at clause D9.9 P21DCP.

Whilst not strictly in accordance with the setback provisions the acceptability of the setbacks when assessed against the outcomes of the control is as follows:

- O1 *To provide a variety of low-scale housing types that enhance diversity and choice, while ensuring alignment with the desired future character of the locality.*

Response: The desired future character statement for the Mona Vale Locality states that existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Whilst the development contains dwellings rather than dwelling houses and obtains its permissibility from the LMR provisions the development is appropriately categorised as low-rise housing.

In this regard, we note that the development is two stories in any one place and sits within a numerically compliant landscaped setting containing canopy trees in accordance with the Tree Canopy Guide for low and midrise housing.

Proposed setbacks do not compromise the development's ability to be consistent with the desired future character statement for the Mona Vale Locality as outlined. This desired outcome is achieved.

O2 To ensure developments are designed to provide privacy, solar access and building separation.

Response: We confirm the first-floor side boundary facing fenestration has been minimised to ensure the maintenance of appropriate privacy to the two immediately adjoining properties with the upper-level setbacks coupled with minimised overall building height ensuring the maintenance of compliant solar access to the living and private open space areas of both immediately adjoining dwelling houses. Contextually appropriate building separation is maintained having regard to the wall heights proposed and the juxtaposition of adjoining development including the driveway and garage arrangement at 9 Mona Street. This desired outcome is achieved.

O3 To minimise building bulk and scale and enhance existing streetscapes through building articulation, materials, and setbacks.

Response: The Mona Street facing building façade maintains a compliant 6.5 m setback to this street frontage with a variable setback of between 3.5m and 5.25m maintained to the secondary Nailon Place frontage. We note that clause D9.6 of P21DCP states that Council may accept a minimum building setback to a secondary street of half the front building line, being 3.25m, where the outcomes of this control are achieved.

In this regard, we are satisfied that the secondary street setbacks:

- Achieve the desired future character of the locality.
- Do not result in adverse public or private view affectation.
- Do not result in the removal of any significant trees or vegetation nor compromise the ability to provide additional landscape screening to this frontage.
- Provide appropriately for off-street carparking and the provision of driveway access to all townhouses.
- Provide a building form which will enhance the existing streetscape with a transitional setback achieved to the existing dwelling house at 11 Nailon Place.
- Will not detract from an attractive streetscape.
- Provide for setbacks which respond to, reinforce and sensitively relate to the spatial characteristics of the existing urban environment including the setback established at 11 Nailon Place.

The secondary street setbacks achieve the outcomes of the control and accordingly are appropriate having regard to the secondary street frontage provisions of the DCP.

The side boundary facing building façades are appropriately articulated and modulated to provide visual interest with cladding introduced to the upper-level to provide a variety of materiality. The proposal achieves this desired outcome notwithstanding the side boundary setback variations proposed.

O4 To enhance the landscape setting, soften the visual impact of built form and increase canopy cover by including trees in deep soil areas.

Response: All side boundary setbacks achieve the minimum 3m dimension requirement for deep soil landscaping. The accompanying landscape plans depict the implementation of an enhanced site landscape regime including perimeter plantings which will soften and screen the development in the round. The proposal complies with the LMR deep soil and Tree Canopy Guide requirements. This desired outcome is achieved.

O5 To ensure high-quality design with a clear sense of address, featuring well-defined dwelling entries, casual surveillance along the street frontage, while also supporting safe pedestrian movement and integrated vehicular access.

Response: This desired outcome is achieved.

As it can be demonstrated that the proposal satisfies the objectives/outcomes of the control strict compliance is unreasonable and unnecessary having regard to clause 4.15(3A)(b) of the Act which requires Council to apply DCP provisions with a degree of flexibility where the objectives of the control are satisfied.

Vehicle Access, Parking Design and Electric Vehicle (EV) Charging

Response: Each garage contains a large under stair storage area capable of accommodating a bicycle. We consider it unreasonable and unnecessary to impose a requirement for EV charging given the scale of the development proposed. If Council disagrees with this position this matter can be appropriately resolved by way of condition.

4. Solar Access

Response: The development incorporates greater side boundary setbacks ensuring compliance with the solar access provisions at clause C14 of P 21DCP. This issue has been resolved.

5. Privacy

Response: As previously indicated, the first-floor side boundary facing fenestration has been minimised to ensure the maintenance of appropriate privacy to the two immediately adjoining properties. This issue has been resolved.

Objector's concerns

The objectives concerns can be summarised as follows:

- Inadequate parking

- Traffic congestion
- Overshadowing
- Privacy
- Drainage
- Construction impacts
- Impact on neighbourhood character
- Flood risk
- Policy compliance

Having reviewed the objections we are satisfied that they have either been addressed in the documentation submitted in support of the development application or within this response document.

Having given due consideration to the matters pursuant to Section 4.15(1) of the Environmental Planning and assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to the subject development application in this instance.

Please not hesitate to contact me to discuss any aspect of this submission.

Yours faithfully

Boston Blyth Fleming Town Planners

A handwritten signature in black ink, appearing to read 'Greg Boston', with a stylized flourish at the end.

Greg Boston

B Urb & Reg Plan (UNE) MPIA
Director