

Memo

Development Assessment

To: Northern Beaches Local Planning Panel (NBLPP)

Cc: Adam Richardson
Acting Executive Manager, Development Assessment

From: Olivia Ramage
Planner

Date: 17 August 2026

Subject: Item 4.1 – DA2025/1653 – 19A Rowan Street and 67 Elimatta Road MONA VALE

Record Number: 2026/473078

Dear Panel,

The purpose of this memo is to advise the Panel of submissions received in response to the Assessment Report being published. Submissions have been received as follows:

Name:	Address:
William and Karen Mulligan	21 Rowan Street MONA VALE
Richard Staniland	17 Rowan Street MONA VALE
Melissa and Joseph Penney	65A Elimatta Road MONA VALE
Maree Eccleston	69A Elimatta Road Mona Vale

The following issues were raised in the submissions:

Driveway

The submissions raise concerns regarding the width of the Rowan Street end of the driveway. At 4.5m wide, there is not enough space for vehicles and pedestrians walking. The submission objects to the recommendation to use the Woonerf technique in this instance.

Comment:

The Woonerf technique was a recommendation made by the Design and Sustainability Advisory Panel (DSAP). As discussed within the Assessment Report, Council's Traffic Team requires all driveways to be surfaced and sealed and landscaping is limited in height to maintain sight distances. This requires a balance to be achieved between landscaping and safety associated with the site link. As such, this recommendation has not been utilised for the purposes of ensuring traffic and pedestrian safety.

Parking

The submissions raise concerns that parking in Rowan Street and Elimatta Road is already difficult with limited availability. The proposal will add to this and create issues for delivery trucks and service vehicles.

Comment:

As discussed within the Assessment Report, Clause 172(2)(c) of the Housing SEPP requires a minimum of 1 parking space per dwelling to be provided. The proposal provides 11 resident car parking spaces and 3 visitor spaces which is in excess of the requirements of the Housing SEPP. Notably, this clause is a non-discretionary development standard which means the application cannot be refused on this matter if it complies with the requirements.

Bin Location

The submissions state that the concerns regarding the bin location have not been addressed. Concern is raised that residents will be stopping in vehicles constantly creating congestion, noise and odors. The submission suggests that residents will need to walk over 50 metres to deposit rubbish to the bins and suggests relocating closer to the dwellings.

Comment:

The bin stores have been amended to be enclosed roofed areas to mitigate odour and visual impacts. The design of the proposed bin stores and their locations have been reviewed by Council's Waste Management Team in light of Council's Waste Management Guidelines deeming it acceptable.

Objections not Addressed

The submissions raise concerns that Council has not properly addressed the concerns raised in the objections. The submissions request that the Panel consider whether the interests of existing residents, neighbourhood character and long-term community amenity have been given sufficient weight in this assessment before making its determination.

Comment:

Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 No 203 (EPA Act), requires the consent authority to consider any submissions made in accordance with the Act or the regulations. Council's Assessment Report has given consideration to all submissions received and has fulfilled its obligations in accordance with the EPA Act. Council's assessment of the application is bound by the applicable planning controls, to which it is found to be acceptable for the reasons outlined within the Assessment Report.

LMR Permissibility

The submission recounts that when the DA was lodged, the proposed use was not permissible until the amendment of the Housing SEPP on 12 December 2025. Concern is raised that this allows for a large portion of the site which is outside of the LMR zone to be development under the policy, which is unjust. Concern is raised for the implications for planning across the State.

Comment:

As acknowledge in the submission, this is a matter for the NSW State Government as it relates to provisions of the Housing SEPP.

Incorrect Description of Adjoining Property

The submissions raised concerns that the Assessment Report incorrectly describes the dual occupancy at 69A Elimatta Road as an attached secondary dwelling. The submission confirms that the dual occupancy was approved in 1989. Concern is raised that this factual error has significant bearing on the distance required for building separation.

Comment:

The Assessment Report describes the adjoining property at 69A as an attached secondary dwelling as informed by the submission received by iobject on behalf of this property. Please see the below excerpt from the submission which informed the categorisation.



Figure 3: View from the attached secondary dwelling of No. 69A (Source: iObject 2025)

Notwithstanding, the privacy and view sharing assessments still consider the impacts on both dwellings independently. Notably, the Assessment Reports states that “The proposed first floor balcony is located 6 metres from the secondary dwelling at 69A Elimatta Road and a condition is recommended requiring a privacy screen to be installed on the western edge.” Evidently, the categorisation of the adjoining property as an attached secondary dwelling compared to a dual occupancy is immaterial and would not result in a different outcome of the assessment.

Conclusion

The matters raised in the submissions have been considered above and within the Assessment Report. Ultimately, the matters raised do not alter the assessment provided within the Assessment Report.

Recommendation

The Panel determine the application in accordance with the recommendation contained within the Assessment Report.