

30 June 2025



Peter Princi Architects  
Po Box 615  
FRENCHS FOREST NSW 1640

Dear Peter,

**Development Application No: DA2025/0657 for Construction of a swimming pool at 145 McCarrs Creek Road CHURCH POINT.**

I refer to your application which is under assessment by Council.

An assessment of your application has revealed a significant issue which prevents Council from accepting the application as lodged.

The issue is discussed below:

**Designated Development**

The subject site, and specifically where the proposed works is sited, is located in an area that has been mapped as being “littoral rainforest” within the provisions of Clause 2.7 of the State Environmental Planning Policy (Resilience and Hazards) 2021.

This has the result of the development being categorised as “Designated development” within the definitions of the Environmental Planning and Assessment Act 1979 (and associated Regulations).

Despite this, the application was lodged as the more common “Local” development and therefore this application has been in effect incorrectly made, as the documentation provided, public notification and fees paid on this application are irrelevant.

Designated development necessitates stringent environmental standards to be met, to be outlined in an Environmental Impact Statement (EIS), the terms of which are informed through Planning Secretary’s Environmental Assessment Requirements (SEAR). The proponent of the works must consult with the NSW Department of Planning and Environment before the EIS is prepared and the EIS must contain the information in a format specified in the Acts and its associated Regulations.

Designated development must also be reported to the Northern Beaches Local Planning Panel (NBLPP).

As such it is recommended that this application be withdrawn and correctly re-framed with the necessary information prior to re-lodgement.

**Options available to the Applicant**

Council therefore recommends the following course of action:



1. The current application be withdrawn within seven (7) days of the date of this correspondence.
2. A new application be lodged as Designated development, with the required information and necessary fees.

Should Council not receive any response by the time period specified above, Council will determine the application in its current form.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on 12 June 2025 and 18 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,



Nic England  
Planner