

24 March 2021

Shed Architects Pty Ltd  
Ground Floor 113-115 Oxford Street  
DARLINGHURST NSW 21010

Dear Sir/Madam

**Application Number:** DA2020/1162  
**Address:** Lot 33 DP 11462 , 27 Bellevue Avenue, AVALON BEACH NSW 2107  
**Proposed Development:** Demolition works and construction of three senior's living apartments with parking

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Lashta Haidari  
**Manager Development Assessments**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	DA2020/1162
<b>Determination Type:</b>	Development Application

### APPLICATION DETAILS

<b>Applicant:</b>	Shed Architects Pty Ltd
<b>Land to be developed (Address):</b>	Lot 33 DP 11462 , 27 Bellevue Avenue AVALON BEACH NSW 2107
<b>Proposed Development:</b>	Demolition works and construction of three senior's living apartments with parking

### DETERMINATION - REFUSED

<b>Made on (Date)</b>	17/03/2021
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### Reasons for Refusal:

1. Pursuant to Section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the following provisions of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2014:

Clause 29 Character/Clause 31 Design of in-fill self-care housing/ Clause 32 Design of residential development/ Clause 33 Neighbourhood Amenity and streetscape  
There is insufficient information in regard to the landscape plan to show integration of landscaped features with built form to complement character of the area.

Clause 38 Accessibility

The proposal for access from basement garage to the footpath is unacceptable due to pedestrian and vehicular conflict.

The proposal provides insufficient information to show the ability for occupants to sufficiently access infrastructure and transport links.

The proposed car stackers do not provide a convenient or appropriate type of parking for this type of development.

Clause 39 Waste Management

The location of bin storage, away from the front setback and in the basement, is not acceptable for this type of development.

2. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause B6.2 Internal Driveways of the Pittwater 21 Development Control Plan.

The design for driveway access is unacceptable due to conflict between pedestrian movements and vehicular movements.

The proposal provides insufficient information for Council's Development Engineer to assess based on the redesign required to address issues raised by Councils Traffic Engineer and Landscape Officer.

3. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause C1.1 Landscaping of the Pittwater 21 Development Control Plan.

There is insufficient information in regard to the landscape plan to show integration of landscaped features with built form to complement character of the area.

4. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause C1.12 Waste and Recycling Facilities of the Pittwater 21 Development Control Plan.

The location of bin storage, away from the front setback and in the basement, is not acceptable for this type of development.

5. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause C1.21 Seniors Housing of the Pittwater 21 Development Control Plan.

There is insufficient information in regard to the landscape plan to show integration of landscaped features with built form to complement character of the area.

6. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause D1.8 Front building line of the Pittwater 21 Development Control Plan.

There is insufficient information in regard to the landscape plan to show integration of landscaped features with built form to complement character of the area.

## Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

*NOTE: A fee will apply for any request to review the determination.*

## Right of Appeal

If you are dissatisfied with this decision Division 8.3 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

**Signed**                      On behalf of the Consent Authority



Name                      Lashta Haidari, Manager Development Assessments

Date                      17/03/2021