



Warringah Council

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: 2004/0943

DEVELOPMENT APPLICATION DETAILS

Applicant Name: Architrade Pty Ltd

Applicant Address: 18 Findlay Avenue Roseville NSW 2069

Land to be developed (Address): Lot 1, DP 220220, 816 Pittwater Road Dee Why

Proposed Development: Construction of 5 Storey (plus loft) Mixed Retail and Residential Flat Building, Containing 5 Retail Shops, 32 Residential Units and Strata Subdivision

APPLICATION REFUSED

Made on (Date): 28 November 2006

Reasons for Refusal:

1. Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act 1979 the proposed development is considered to be inconsistent with Clause 30(2)(b) of State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development in that the development is inconsistent with the following Design Principles:
 - Principle 4 – Density (Clause 12); and
 - Principle 7 – Amenity (Clause 15).
2. Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act 1979 the proposed development is considered to be inconsistent with the provisions of State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development - Residential Flat Code Design Code as follows:
 - Natural Ventilation;
 - Visual Privacy;
 - Acoustic Privacy;
 - Apartment Layout;
 - Balconies;
 - Internal Circulation;
 - Daylight access to living rooms and private open spaces; and
 - Distance of windows to the back of kitchens.

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3. Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with Clause 12(1)(a) of Warringah Local Environment Plan 2000 (as amended) in that the development is inconsistent with the General Principles of Development Control as detailed as follows:
- Clause 64 - Private Open Space.

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the consent authority

Signature _____
Name Peter Robinson – Manager Major Projects
Date 30 November 2006