

31 May 2023



Micheal Fountain Architects Pty Ltd  
2 / 5 Narabang Way  
BELROSE NSW 2085

Dear Sir/Madam

**Application Number:** DA2022/0857  
**Address:** Lot 2 DP 246690 , 28 Goondari Road, ALLAMBIE HEIGHTS NSW 2100  
**Proposed Development:** Demolition works and construction of a dwelling house including swimming pool

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,



Alex Keller  
**Principal Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	DA2022/0857
<b>Determination Type:</b>	Development Application

### APPLICATION DETAILS

<b>Applicant:</b>	Micheal Fountain Architects Pty Ltd
<b>Land to be developed (Address):</b>	Lot 2 DP 246690 , 28 Goondari Road ALLAMBIE HEIGHTS NSW 2100
<b>Proposed Development:</b>	Demolition works and construction of a dwelling house including swimming pool

### DETERMINATION - REFUSED

<b>Made on (Date)</b>	31/05/2023
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### Reasons for Refusal:

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of the Environmental Planning and Assessment Act 1979 due to insufficient information to comply with the applicable development controls for stormwater management.
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 B5 Side Boundary Setbacks* of the Warringah Development Control Plan.
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 C4 Stormwater* of the Warringah Development Control Plan.
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 D8 Privacy* of the Warringah Development Control Plan.
5. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the public interest due to inadequate information to comply with Council's policies for residential development control.

## 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 must be lodged on the NSW Planning portal 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



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Name                        Alex Keller, Principal Planner

Date                         31/05/2023