

16 August 2019



Michael William Williamson
21 Lancelot Street
FIVE DOCK NSW 2046

Dear Sir/Madam

Application Number: DA2018/0849
Address: Lot 16 DP 23317 , 10 Naree Road, FRENCHS FOREST NSW 2086
Proposed Development: Demolition works and construction of a Boarding House development

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

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

Regards,



Anna Williams
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	DA2018/0849
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Michael William Williamson
Land to be developed (Address):	Lot 16 DP 23317 , 10 Naree Road FRENCHS FOREST NSW 2086
Proposed Development:	Demolition works and construction of a Boarding House development

DETERMINATION - REFUSED

Made on (Date)	07/08/2019
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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 *State Environmental Planning Policy (Affordable Rental Housing) 2009* ("SEPP ARH 2009"). In particular, the proposal does not provide a satisfactory urban design response to the character of the local area, carparking, landscaping, solar access, amenity and built form requirements.
2. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the Clause 1.2 Aims of The Plan of the Warringah Local Environmental Plan 2011.
3. 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 objectives for the *Zone R2 Low Density Residential* of the *Warringah Local Environmental Plan 2011*. In particular, the overall design does not demonstrate a sufficient landscape setting that is in harmony with the low density residential environment, including the effective screening of building bulk, wide and well landscaped setbacks or a high standard of amenity for occupants and adjoining land.
4. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the Objectives of the *Warringah Development Control Plan 2011*. In particular in relation to design considerations to relating to streetscape, setbacks, landscaping, building bulk and form to maintain and enhance residential amenity.
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 and objectives of *Clause B1 Wall Heights* of the *Warringah Development Control Plan 2011*.
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 and objectives of *Clause B3 Side*

Boundary Envelope of the Warringah Development Control Plan 2011.

7. 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 B7 Front Boundary Setbacks* of the *Warringah Development Control Plan 2011*.
8. Pursuant to Section 79C(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the objectives of *Clause B9 Rear Boundary Setbacks* of the *Warringah Development Control Plan 2011*.
9. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the objectives of *Clause C2 Traffic, Access and Safety* of the *Warringah Development Control Plan 2011*. In particular sufficient information detailing safe egress and impacts on existing service infrastructure located at driveway interface with Naree Road.
10. 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 C3 Parking Facilities* of the *Warringah Development Control Plan 2011*.
11. 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 2011*. In particular insufficient details are submitted to demonstrate stormwater disposal in compliance with Council's drainage policy and Council infrastructure.
12. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the objectives of *Part D1 Landscaped Open Space and Bushland Setting* of the *Warringah Development Control Plan 2011*.
13. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the objectives of *Clause D2 Private Open Space* of the *Warringah Development Control Plan 2011*.
14. 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 2011*.
15. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the objectives of *Clause D9 Building Bulk* of the *Warringah Development Control Plan 2011*.
16. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the objectives of *Clause D11 Roofs* of the *Warringah Development Control Plan 2011*.
17. For the above reasons and 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 inconsistencies with applicable planning controls intended to achieved desirable built form outcomes expected by community in managing local development.

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 Anna Williams, Manager Development Assessments

Date 07/08/2019