

2 July 2018



Space Landscape Designs Pty Ltd
PO Box 4178
NORTH CURL CURL NSW 2099

Dear Sir/Madam

Application Number: DA2017/1376
Address: Lot 5 DP 17704 , 16 Cabarita Road, AVALON BEACH NSW 2107
Proposed Development: Construction of a new boat shed

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,



Tyson Ek-Moller
Planner

NOTICE OF DETERMINATION

Application Number:	DA2017/1376
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Space Landscape Designs Pty Ltd
Land to be developed (Address):	Lot 5 DP 17704 , 16 Cabarita Road AVALON BEACH NSW 2107
Proposed Development:	Construction of a new boat shed

DETERMINATION - REFUSED

Made on (Date)	29/06/2018
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Reasons for Refusal:

1. Pursuant to Section 79C(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 Pittwater Local Environmental Plan 2014.
2. The proposed development is not an extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area. Further, the proposed development does not constitute a type of development specified by Clause 7.8(2)(b) of Pittwater Local Environment Plan 2014 that is permitted within the foreshore area. The proposed development is therefore prohibited in the foreshore area, and consent cannot be granted pursuant to Clause 7.8(2) of Pittwater Local Environment Plan 2014.
3. The proposed development would not satisfy the controls and outcomes of Section D1.14 (Landscaped Area - Environmentally Sensitive Land), in that the proposal does not provide sufficient landscaped area and does not provide adequate landscaped areas at the rear of the site to minimise the visual impact of the proposed development,
4. The applicant has not addressed the provisions of Section D15.15 (Waterfront Development) of Pittwater 21 Development Control Plan. The size, and appearance and use of the proposed structure would be inconsistent with development controls applying to boat sheds, and the outcomes of the controls would not be satisfied, as the size of the proposed development would be excessive and would result in adverse visual outcomes when viewed from waterway areas.

Right to Review by the Council

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979 if it is NOT integrated or designated development. Any request to review the application must be made and determined within 6 months from the date of determination.

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

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 6 months after the date on which you receive this notice.

Signed On behalf of the Consent Authority



Name Tyson Ek-Moller, Planner

Date 29/06/2018