

16 November 2020

Rohani Investments Pty Ltd
C/- Macphail & Sproul Architects, Po Box 1209
STRAWBERRY HILLS NSW 2012

Dear Sir/Madam

Application Number: DA2020/0744
Address: Lot 1 DP 28219 , 635 Warringah Road, FORESTVILLE NSW 2087
Proposed Development: Demolition works and construction of a Boarding House with new shared accessway

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,



Rodney Piggott
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	DA2020/0744
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Rohani Investments Pty Ltd
Land to be developed (Address):	Lot 1 DP 28219 , 635 Warringah Road FORESTVILLE NSW 2087
Proposed Development:	Demolition works and construction of a Boarding House with new shared accessway

DETERMINATION - REFUSED

Made on (Date)	11/11/2020
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Reasons for Refusal:

1. The Panel is not satisfied that the proposal will result in a boarding house development consisting of not more than 12 rooms as required by Clause 30AA of State Environmental Planning Policy (Affordable Rental Housing) 2009 by virtue of the shared common access driveway with the adjoining proposed boarding house development.
2. The Panel is not satisfied that the development is compatible with the character of the local area as required by Clause 30A of State Environmental Planning Policy (Affordable Rental Housing) 2009 due to the excessive building bulk, inability to provide its own vehicular access and lack of landscaping around the development footprint.
3. The Panel is not satisfied that the landscape treatment of the front setback area is compatible with the surrounding streetscape along Warringah Road as required to be considered under Clause 29(2) of State Environmental Planning Policy (Affordable Rental Housing) 2009.
4. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development in terms of the setback from the boundary between 633 and 635 Warringah Road, Forestville is inconsistent with the objectives of Clause B5 Side Boundary Setbacks of the Warringah Development Control Plan.
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 C4 Stormwater of the Warringah Development Control Plan.
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 C9 Waste Management of the Warringah Development Control Plan.
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 D9 Building Bulk of the Warringah Development Control Plan.

8. 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 E1 Private Property Tree Management of the Warringah Development Control Plan.
9. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the public interest.

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 Rodney Piggott, Manager Development Assessments

Date 11/11/2020