

NORTHERN BEACHES COUNCIL

27 July 2017



Optus Mobile Pty Limited
C/- Urbis Pty Ltd Gpo Box 5278
SYDNEY NSW 2001

Dear Sir/Madam

Application Number: DA2017/0298
Address: Lot 7356 DP 1167221 , 7356 / 1167221 Huston Parade, NORTH CURL CURL NSW 2099
Lot 7356 DP 1167221 , Huston Parade, NORTH CURL CURL NSW 2099
Lot 7356 DP 1167221 , Carrington Parade, CURL CURL NSW 2096
Lot 7356 DP 1167221 , Carrington Parade, CURL CURL NSW 2096
Proposed Development: Installation of a Telecommunications Facility (Monopole) with associated equipment shelter

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 eServices website at www.warringah.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 (02) 9942 2111 or via email quoting the application number, address and description of works to council@warringah.nsw.gov.au

Regards,

Lashta Haidari, Acting Development Assessment Manager

NOTICE OF DETERMINATION

Application Number:	DA2017/0298
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Optus Mobile Pty Limited
Land to be developed (Address):	Lot 7356 DP 1167221 , 7356 / 1167221 Huston Parade NORTH CURL CURL NSW 2099 Lot 7356 DP 1167221 , Huston Parade NORTH CURL CURL NSW 2099 Lot 7356 DP 1167221 , Carrington Parade CURL CURL NSW 2096 Lot 7356 DP 1167221 , Carrington Parade CURL CURL NSW 2096
Proposed Development:	Installation of a Telecommunications Facility (Monopole) with associated equipment shelter

DETERMINATION - REFUSED

Made on (Date)	19/07/2017
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Reasons for Refusal:

1. Pursuant to Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development will have unacceptable impacts with regard to the natural and built environments and the social impacts in the locality.
2. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the Clause 115(3) of SEPP (Infrastructure) 2007 - (Guidelines).
3. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Clause D4 Electromagnetic Radiation of the Warringah Development Control Plan 2011.
4. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Clause D7 Views of the Warringah Development Control Plan 2011.
5. Pursuant to Section 79C(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 2011.
6. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Clause E7 Development

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on Land Adjoining Public Open Space of the Warringah Development Control Plan 2011.

7. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of State Environmental Planning Policy No 71 – Coastal Protection.
8. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the Aims of the Warringah Local Environmental Plan 2011.
9. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the Objectives of the RE1 – Public Recreation zone under the Warringah Local Environmental Plan 2011.
10. Pursuant to Section 79C(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 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

Signature

Name **Lashta Haidari, Acting Development Assessment Manager**

Date 19/07/2017