

16 December 2022



Altre Partners
Suite 110 350 George Street
SYDNEY NSW 2000

Dear Sir/Madam

Application Number: DA2021/2039
Address: Lot 808 DP 752038 , 70 A Willandra Road, NARRAWEENA NSW 2099
Proposed Development: Construction of a dwelling house including a 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

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:	DA2021/2039
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Altre Partners
Land to be developed (Address):	Lot 808 DP 752038 , 70 A Willandra Road NARRAWEENA NSW 2099
Proposed Development:	Construction of a dwelling house including a swimming pool

DETERMINATION - REFUSED

Made on (Date)	07/09/2022
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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 application has insufficient information to address the WLEP 2000 with respect to being part of an “existing parcel” and the likely impact and consequences of granting approval to the subject Lot 808 whereby the single dwelling entitlement is shared with other adjacent and adjoining lots. Given the natural characteristics of the site and housing density limitations the proposal has not comprehensively addressed the housing density and development implications on the whole of the “existing parcel”.

2. Pursuant to Section 4.15(1) (a) (i) and (b) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of Clause 12 of the *Warringah Local Environmental Plan 2000* in that the proposal is inconsistent with the Desired Future Character (DFC) Statement of the B2 Oxford Falls Valley Locality. In particular, the proposal does not satisfy DFC requirements for a “Category 2” development to conform with:
 - i. *Low impact characteristics;*
 - ii. *Protecting and enhancing natural landforms;*
 - iii. *Protecting and enhancing the natural vegetation;*
 - iv. *Fencing that does not detract from landscape vistas; and*
 - v. *Ensuring ecological values of natural watercourse are maintained.*

3. Pursuant to Section 4.15(1) (a) (i) and (b) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of the *Warringah Local Environmental Plan 2000* in that the proposal is inconsistent with the 'General Principles of Development Control'. In particular, the proposal does not satisfy the requirements by sufficient information to comply with:

- i. *Clause 42 Construction sites.*
- ii. *Clause 51 Front fences and walls.*
- iii. *Clause 56 Retaining unique environmental features on sites.*
- iv. *Clause 57 Development on sloping land.*
- v. *Clause 58 Protection of existing flora.*
- vi. *Clause 63 Landscape open space.*
- vii. *Clause 60 Watercourses and aquatic habitat.*
- viii. *Clause 61 Views.*
- ix. *Clause 66 Building Bulk (with particular reference to visual impact).*
- x. *Clause 76 Management of stormwater.*
- xi. *Clause 77 Landfill.*
- xii. *Clause 78 Erosion and sedimentation*

4. Pursuant to the Biodiversity Conservation Act there is insufficient information to determine the biodiversity impacts of the entire development, particularly with respect to works ancillary to the development, and with respect to the known and potential presence of threatened species and communities.

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.

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



Name Rodney Piggott, Manager Development Assessments

Date 07/09/2022