

24 November 2022



Outlook Planning & Development
Po Box 8
BERESFIELD NSW 2322

Dear Sir/Madam

Application Number: DA2022/0303
Address: Lot 2 SP 19670 , 2 / 98 Old Pittwater Road, BROOKVALE NSW 2100
Lot 3 SP 19670 , 3 / 98 Old Pittwater Road, BROOKVALE NSW 2100
Lot 4 SP 19670 , 4 / 98 Old Pittwater Road, BROOKVALE NSW 2100
Lot 5 SP 19670 , 5 / 98 Old Pittwater Road, BROOKVALE NSW 2100
Lot CP SP 19670 , 98 Old Pittwater Road, BROOKVALE NSW 2100
Proposed Development: Earthworks and structural works to existing buildings

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,



Olivia Ramage
Planner

NOTICE OF DETERMINATION

Application Number:	DA2022/0303
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Outlook Planning & Development
Land to be developed (Address):	Lot 2 SP 19670 , 2 / 98 Old Pittwater Road BROOKVALE NSW 2100 Lot 3 SP 19670 , 3 / 98 Old Pittwater Road BROOKVALE NSW 2100 Lot 4 SP 19670 , 4 / 98 Old Pittwater Road BROOKVALE NSW 2100 Lot 5 SP 19670 , 5 / 98 Old Pittwater Road BROOKVALE NSW 2100 Lot CP SP 19670 , 98 Old Pittwater Road BROOKVALE NSW 2100
Proposed Development:	Earthworks and structural works to existing buildings

DETERMINATION - REFUSED

Made on (Date)	24/11/2022
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Reasons for Refusal:

1. Public Interest

Due to conflicting information, it is unknown what approval is sort and therefore, approval of the application is not in the public's interest.

Particulars:

a) The application relies upon conflicting plans and as siuch it is not known what works approval is sort. Accordingly approval to development that is uncertain is not within the Public's Interest, contrary to Section 4.15(1)(e) of the Environmental Planning and Assessment Act, 1979.

2. Inadequate information

The development application contains conflicting and incomplete information.

Particulars:

a) The amended architectural plans to which the application relies indicates that underpinning is located within the public road reserve. Such works are not supported by Council' Development Engineer and Road Reserve Officer, nor has the application been supported by land owners

consent for such works on land under its control.

b)

The amended structural engineering plans to which the application relies detail that the extent o

c) Given the conflicting information to which the application relies and that works may or may not be proposed in Council's road reserve, the site is not considered suitable for the proposed development, contrary to Section 4.15(1)(c) of the Environmental Planning and Assessment Act, 1979.

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 Olivia Ramage, Planner

Date 24/11/2022