

3 February 2021



Lendlease Retirement Living Holding Pty Ltd  
Level 14 Tower 3, International Towers Sydney Exchange Place 300 Barangaroo Avenue  
BARANGAROO NSW 2000

Dear Sir/Madam

**Application Number:** Mod2020/0431  
**Address:** Lot 100 DP 1114910 , 207 Forest Way, BELROSE NSW 2085  
Lot 7 DP 807906 , 199 Forest Way, BELROSE NSW 2085  
**Proposed Development:** Modification of Development Consent DA2018/1332 granted for  
demolition works and construction of seniors living, including self  
contained dwellings and a new residential care facility on a  
neighbouring lot

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](http://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](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Peter Robinson  
**Executive Manager Development Assessment**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2020/0431
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Lendlease Retirement Living Holding Pty Ltd
<b>Land to be developed (Address):</b>	Lot 100 DP 1114910 , 207 Forest Way BELROSE NSW 2085 Lot 7 DP 807906 , 199 Forest Way BELROSE NSW 2085
<b>Proposed Development:</b>	Modification of Development Consent DA2018/1332 granted for demolition works and construction of seniors living, including self contained dwellings and a new residential care facility on a neighbouring lot

### DETERMINATION - REFUSED

<b>Made on (Date)</b>	27/01/2021
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### Reasons for Refusal:

1. Pursuant to Section 4.15 (1) (a) of the Environmental Planning and Assessment Act, 1979 and Clause 12(3) (b) of Warringah Local Environment Plan 2000 (as amended), the proposed modification is inconsistent with the Desired Future Character statement for the B2 Oxford Falls Valley Locality as it relates to the impact of the development on the Environmental Features and Ecological values of the site.
2. Pursuant to Section 4.15(1)(a) of the Environmental Planning and Assessment Act, 1979 and Clause 12(1)(a) of Warringah Local Environment Plan 2000, the development is inconsistent with the following General Principles of Development Control as follows:
  - Clause 56 Retaining Unique Environmental Features
  - Clause 58 Protection of Existing Flora
  - Clause 60 Watercourses & Aquatic Habitats
  - Clause 76 Management of Stormwater

### Important Information

This letter should therefore be read in conjunction with DA2018/1332, dated 10 August 2018.

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

## 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.

## Right of Appeal

Section 8.10 of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

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

**Signed**                      On behalf of the Consent Authority



Name                      Peter Robinson  
                                 **Executive Manager Development Assessment**  
Date                        27/01/2021

**NOTE:** Signed by Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979 and EP&A Regulation 2000 as determined by the Sydney North Planning Panel on 27/01/2021.