



## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

<b>Development Application No:</b>	DA 2004/1215
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### DEVELOPMENT APPLICATION DETAILS

<b>Applicant Name:</b>	Russell Loel
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<b>Applicant Address:</b>	Por 1039 Oxford Falls Road Oxford Falls NSW 2100
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<b>Land to be developed (Address):</b>	Lot 1039, DP 752038, 0Por 1039 Oxford Falls Road Oxford Falls
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<b>Proposed Development:</b>	Construction of a 90 place Child Care Centre and associated carparking for 26 Cars
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### APPLICATION REFUSED

<b>Made on (Date):</b>	13 December 2005
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#### Reasons for refusal:

1. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal is not consistent with the Desired Future Character of the B2 – Oxford Falls Valley Locality as contained within the Warringah Local Environmental Plan 2000 as the development is not low intensity or low impact.
2. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal is not consistent with the Desired Future Character of the B2 – Oxford Falls Valley Locality as contained within the Warringah Local Environmental Plan 2000 as the development will not protect or enhance native vegetation.
3. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, and Clause 48 - Potentially contaminated land of the Warringah Local Environmental Plan 2000, the application does not provide sufficient information to demonstrate the land is not contaminated and that the site is suitable for a child care centre.



### **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 12 months after the date on which you receive this notice.

**Signed**                      on behalf of the consent authority

Signature \_\_\_\_\_  
Name                      Peter Robinson

Date                      16 December 2005