

22 November 2019



Peter John McAuley  
2 A West Street  
BALGOWLAH NSW 2093

Dear Sir/Madam

**Application Number:** DA2019/0191  
**Address:** Lot 22 DP 739842 , 2 A West Street, BALGOWLAH NSW 2093  
**Proposed Development:** Subdivision of one lot into two Torrens Title lots

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,



Anna Williams  
**Manager Development Assessments**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	DA2019/0191
<b>Determination Type:</b>	Development Application

### APPLICATION DETAILS

<b>Applicant:</b>	Peter John McAuley
<b>Land to be developed (Address):</b>	Lot 22 DP 739842 , 2 A West Street BALGOWLAH NSW 2093
<b>Proposed Development:</b>	Subdivision of one lot into two Torrens Title lots

### DETERMINATION - REFUSED

<b>Made on (Date)</b>	20/11/2019
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### Reasons for Refusal:

1. Pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979* as the proposed development is unsuitable for the site, specifically:

It has not been demonstrated that the site is suitable for the proposed development because:

- Having regard to the topography and vegetation of the site, it has not been established that future developments of the site will result in acceptable impacts.
- The proposed driveway to respond to the constraints of the site is within the Council road reserve and restricts reasonable access to Council's stormwater assets.

## 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.

*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



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Name                Anna Williams, Manager Development Assessments

Date                 20/11/2019