

3 December 2020



Karimbla Constructions Services (NSW) Pty Ltd  
Attn: Walter Gordon Level 11 528 Kent Street  
SYDNEY NSW 2000

Dear Sir/Madam

**Application Number:** Mod2020/0458  
**Address:** Lot 25 DP 5464 , 2 Macpherson Street, WARRIEWOOD NSW 2102  
**Proposed Development:** Modification of Development Consent Modification of Development Consent DA2019/0887 granted for subdivision of land into 24 community title lots comprising 22 residential lots and 2 residue 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,



Lashta Haidari  
**Manager Development Assessments**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2020/0458
<b>Determination Type:</b>	Development Application

### APPLICATION DETAILS

<b>Applicant:</b>	Karimbla Constructions Services (NSW) Pty Ltd
<b>Land to be developed (Address):</b>	Lot 25 DP 5464 , 2 Macpherson Street WARRIEWOOD NSW 2102
<b>Proposed Development:</b>	Modification of Development Consent Modification of Development Consent DA2019/0887 granted for subdivision of land into 24 community title lots comprising 22 residential lots and 2 residue lots

### DETERMINATION - REFUSED

<b>Made on (Date)</b>	03/12/2020
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### Reasons for Refusal:

1. The proposal is contrary to Section 7.11(6) of the Environmental Planning and Assessment Act 1979 which sets out provisions for the imposition of conditions requiring contributions towards the provision or improvement of amenities and services. The proposal is contrary to the Warriewood Valley Development Contributions Plan, Amendment 16, Revision 3 2018 which requires a monetary contribution of \$1,320,770.41 payable to Northern Beaches Council for the provision of local infrastructure and Services.
  
2. The proposal to be contrary to Section 4.15(1) (iii) of the EPA Act in that the proposed development will have a detrimental economic impact on the locality in that the proposed development seeks to reduce the amount of contributions payable for the provision of local infrastructure and services. As such, the proposal is not in the public interest.

## 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                Lashta Haidari, Manager Development Assessments

Date                 03/12/2020