

28 August 2023

Crawford Architects Pty Ltd
Level 3 Suite 3.01 80 Mount Street
NORTH SYDNEY NSW 2060

Dear Sir/Madam

Application Number: Mod2022/0518
Address: Lot 4 DP 14048 , 26 Ralston Road, PALM BEACH NSW 2108
Lot 5 DP 14048 , 26 Ralston Road, PALM BEACH NSW 2108
Proposed Development: Modification of Development Consent DA2020/0096 granted for
Demolition of a dwelling house and construction of two dwelling
houses

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,



Steven Findlay
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2022/0518
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Crawford Architects Pty Ltd
Land to be developed (Address):	Lot 4 DP 14048 , 26 Ralston Road PALM BEACH NSW 2108 Lot 5 DP 14048 , 26 Ralston Road PALM BEACH NSW 2108
Proposed Development:	Modification of Development Consent DA2020/0096 granted for Demolition of a dwelling house and construction of two dwelling houses

DETERMINATION - REFUSED

Made on (Date)	27/08/2023
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Reasons for Refusal:

- Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of the Part C1.3 of the Pittwater 21 DCP in that:
 - The proposed increase height will adversely affect the sharing of views with 8 Ebor Road, Palm Beach.
- Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of the Part D12.8 of the Pittwater 21 DCP in that:
 - The proposed increase in building height will result in excessive built form that is unable to be satisfactorily screened and softened.

Request a review of the determination

If you are dissatisfied with this determination, you may request a review of the determination:

- You do not have the right to request a review of the determination under section 8.3 of the EP&A Act if you are excluded from those developments listed under Section 8.2(2) of the EP&A Act.
- You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 28 days from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

Objector's right of appeal against the determination

An objector who is dissatisfied with the consent authority's determination to grant consent, in relation to Designated Development only has the right to appeal to the Court against the determination under section 8.8 of the EP&A Act within 28 days after the date that the objector was notified of the determination appealed against.

Dictionary

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Signed

On behalf of the Consent Authority



Name

Steven Findlay, Manager Development Assessments

Date

27/08/2023