

22 December 2022



Vigor Master Pty Ltd  
Suite 201a 24 Thomas Street  
CHATSWOOD NSW 2067

Dear Sir/Madam

**Application Number:** REV2022/0021  
**Address:** Lot 1 DP 1199598 , 28 Stuart Street, COLLAROY NSW 2097  
**Proposed Development:** Review of Determination of Application DA2021/2566 for Demolition works and construction of a dwelling house and secondary dwelling

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,



Rodney Piggott  
**Manager Development Assessments**

## NOTICE OF DETERMINATION

Application Number:	REV2022/0021
Determination Type:	Review of Determination

### APPLICATION DETAILS

Applicant:	Vigor Master Pty Ltd
Land to be developed (Address):	Lot 1 DP 1199598 , 28 Stuart Street COLLAROY NSW 2097
Proposed Development:	Review of Determination of Application DA2021/2566 for Demolition works and construction of a dwelling house and secondary dwelling

### DETERMINATION - REFUSED

Made on (Date)	14/12/2022
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### Reasons for Refusal:

#### SUMMARY OF ASSESSMENT ISSUES

##### 1. Traffic, Access and Safety

The proposed road crossfall is not compliant with current design standards, and as such the proposal has an unacceptable impact on Council's road network.

##### Particulars:

a) 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 Clause C2 Traffic, Access and Safety of the Warringah Development Control Plan.

##### 2. Insufficient Landscape Plan

The provided Landscape Plan is insufficient, and provides inadequate detail. A detailed assessment is unable to be made due to the lack of information and detail on the accompanying Landscape Plan.

##### Particulars:

a) 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 Clause D1 Landscaped Open Space and Bushland Setting of the Warringah Development Control Plan, in that the proposal has not been supported by a detailed landscape plan and associated documentation.

##### 3. Absence of Arboricultural Impact Assessment

No Arboricultural Impact Assessment has been provided with the application prevents the assessment of the proposal, as there is a lack of information in relation to neighbouring trees, and trees on the subject site.

Particulars:

- a) 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 Clause E1 Preservation of Trees or Bushland Vegetation of the Warringah Development Control Plan.
- b) Pursuant to Section 4.14(1)(c) of the Environmental Planning and Assessment Act 1979 the impacts of the development on the natural and built environment cannot be assessed or quantified.

## 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 Rodney Piggott, Manager Development Assessments

Date 14/12/2022