

31 August 2023



Planning Approvals
Level 4, 29 Kiora Road
MIRANDA NSW 2228

Dear Sir/Madam

Application Number: DA2023/0689
Address: Lot 10 DP 9561 , 7 New Street, BALGOWLAH HEIGHTS NSW 2093
Proposed Development: Demolition works and construction of a dwelling house

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,



Stephanie Gelder
Planner

NOTICE OF DETERMINATION

Application Number:	DA2023/0689
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Planning Approvals
Land to be developed (Address):	Lot 10 DP 9561 , 7 New Street BALGOWLAH HEIGHTS NSW 2093
Proposed Development:	Demolition works and construction of a dwelling house

DETERMINATION - REFUSED

Made on (Date)	31/08/2023
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Reasons for Refusal:

1. Pursuant to *Section 4.15(1)(a)(i) and (iii) of the Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of Clause 6.4 Stormwater Management of the Manly Local Environmental Plan 2013, and Clause 3.7 Stormwater Management of the Manly Development Control Plan 2013.

Particulars:

- i. The Stormwater Plans submitted (Revision C, dated 18 August 2023) do not comply with Section 9.3.3 of Northern Beaches Council's Water Management for Development Policy.
- ii. Council is not satisfied that the proposed Stormwater design will reasonably avoid adverse impacts of stormwater runoff on adjoining properties, or native bushland.

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 6 months 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

Stephanie Gelder, Planner

Date

31/08/2023