



Warringah Council

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: 2007/0010

DEVELOPMENT APPLICATION DETAILS

Applicant Name: George John Macri

Applicant Address: 3 Caribbean Place, Mount Colah 2079

Land to be developed (Address): 200 Forest Way, Belrose

Proposed Development: Alterations and additions to an existing part commercial two storey building within a retail plant nursery to accommodate a café, gift shop, sales/display area and administration area including landscape works

APPLICATION REFUSED

Made on (Date): 27 November 2007

Reasons for Refusal:

1. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 and Clause 12 (3)(b) of Warringah Local Environmental Plan 2000 the proposed development is inconsistent with the Desired Future Character of the C8 – Belrose Locality.
2. Pursuant to Section 79C(1)(a)(b) of the Environmental Planning and Assessment Act 1979 the proposed development constitutes an overdevelopment of the site and an unacceptable intensification and expansion of an existing Category 3 use.
3. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the following provisions of Warringah Local Environmental Plan 2000;
 - Clause 75 - Design of Car parking Areas
4. Pursuant to Section 79C(1)(a)(c) of the Environmental Planning and Assessment Act 1979 the proposed development is not considered to be suitable for the site, particularly in terms of vehicular access and safety, parking and loading arrangements, and an unacceptable intensification and expansion of an existing Category 3 use.
5. Pursuant to Section 79C (1)(a)(e) of the Environmental Planning and Assessment Act 1979 the proposed development is not in the public interest.



Warringah Council

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the consent authority

Signature _____

Name Phillip Hoffman
Senior Team Leader, Development Assessments

Date 4 December 2007