

22 May 2020

Gelder Architects  
19-23 Bridge Street  
PYMBLE NSW 2073

Dear Sir/Madam

**Application No.** DA2019/1340  
**Address:** Lot 100 DP 1023183 Lot 100/ Meatworks Avenue OXFORD FALLS  
**Description:** Demolition works and construction of additions to an approved industrial and warehouse development

Please find attached the Notice of Determination for the above Development 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,



Steve Findlay  
**Manager Development Assessment**

## NOTICE OF DETERMINATION

**Application No:** DA2019/1340

### APPLICATION DETAILS

**Applicant:** Gelder Architects  
19-23 Bridge Street  
PYMBLE NSW 2073

**Land to be developed (Address):** Lot 100 DP 1023183 Lot 100/ Meatworks Avenue  
OXFORD FALLS

**Proposed Development** Demolition works and construction of additions to an approved industrial and warehouse development

### DETERMINATION – REFUSED

**Consent Authority:** Northern Beaches Council

**Made on (Date):** 20 May 2020

### Reasons for Refusal:

1. Pursuant to Section 4.15 (1) (a) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Warringah Local Environmental Plan 2000, in that the development is inconsistent with the Desired Future Character statement in the B2 Oxford Falls Valley Locality in that the development is not limited to low intensity, low uses, and the development unacceptably impacts on the natural landscape including landforms and vegetation.
2. Pursuant to Section 4.15 (1)(a) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Warringah Local Environmental Plan 2000, in that the proposed development does not comply with the Building Height and Side Boundary Setback Built Form Controls or satisfy the objectives of clause 20(1).
3. Pursuant to Section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Warringah Local Environmental Plan 2000, in that the development is inconsistent with the following General Principles of Development Control:
  - a. Clause 43 Noise

- b. Clause 56 Retaining Unique Environmental Features
  - c. Clause 57 Development on Sloping Land
  - d. Clause 58 Protection of Existing Flora
  - e. Clause 60 Watercourses & Aquatic Habitats
  - f. Clause 63 Landscaped open space
  - g. Clause 66 Building Bulk
  - h. Clause 72 Traffic and Access and Safety
4. The proposed development provides insufficient information to properly address the following matters under Schedule 15 of Warringah Local Environmental Plan 2000:
- a. Traffic, access and safety
  - b. Geotechnical stability
  - c. Water Management
  - d. Acoustic impacts

### **Right to Review by the Council**

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning and Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

*NOTE: A fee will apply for any request to review the determination.*

### **Right of Appeal**

If you are dissatisfied with this decision Division 8.3 of the Environmental Planning and 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



Name **Steve Findlay**  
Manager, Development Assessment  
Date 22 May 2020