



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: DA 2005/1140

DEVELOPMENT APPLICATION DETAILS

Applicant Name: Retirement By Design Pty Ltd

Applicant Address: Level 4 The Bond 30 Hickson Road Millers Point
NSW 2000

Land to be developed (Address): Lot 122, DP 752017, 42 Myoora Road Terrey Hills &
Lot 37, DP 752017, 44 Myoora Road Terrey Hills

Proposed Development: Demolition of existing structures and the construction
of a 75 dwelling retirement village with associated
community facility and car parking.

APPLICATION REFUSED

Made on (Date): 23/05/2006

Reasons for Refusal:

1. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 and Clause 4(1)(a) of State Environmental Planning Policy (Seniors Living) 2004, the Policy does not apply to the land the subject of the proposed development. In this regard, the site is not zoned primarily for urban purposes and the site does not adjoin land zoned primarily for urban purposes.
2. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 and Clause 12(2)(b) of Warringah Local Environmental Plan 2000, the proposed development does not comply with the front and side building setback controls for the A4 – Myoora Road Locality.
3. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 and Clause 12(1)(a) of Warringah Local Environmental Plan 2000, the proposed development is not consistent with the Landscape Open Space requirements under Clause 63 of WLEP 2000.

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 Peter Robinson

Date 25 May 2006