

## Memo

### Development Assessment

**To:** Northern Beaches Local Planning Panel

**From:** Ben Price  
Assessment Officer

**Date:** 27 November 2019

**Subject:** Missing Reason for refusal of DA2019/0730 – 71 and 71A  
Queenscliff Road

### Reasons for Refusal

The application is recommended is also recommended for refusal on the Basis of SEPP 65 and the Apartment design guide and the rear boundary setback. This reason for refusal is missing from the assessment report. I request the following reason for refusal be added to the recommendation:

*Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of State Environmental Planning Policy 65 - Design Quality of Residential Flat Development and the associated Apartment Design Guide.*

*Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause B9 Rear Boundary Setbacks of the Warringah Development Control Plan.*

Under Section 4.15 Matters for Consideration (4.15(1)(c)) The assessment report state that the site is suitable for the proposed development. This statement is with regard to the re-development of the site with a residential flat building generally. This should be amended to

### Site Suitability

The redevelopment of the site for a residential flat building is suitable in the locality. However, the significant non-compliances and inconsistencies with the relevant legislation and policies result in the overdevelopment of the site. The subject site is **not suitable** for the proposed development and the following reason for refusal should be included:

*Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 the proposed development is and the numerous noncompliances and inconsistencies with relevant legislation and policies will result in a development that is not suitable for the site.*