

Development Consent No. 201/18

Notice of Determination

Section 4.18 of the Environmental Planning and Assessment Act 1979 (“the Act”)
Clause 100 of the Environmental Planning and Assessment Regulation 2000 (“the Regulation”)

Applicant’s Name

Jan Taljaard
C/- Fragar Planning & Development
PO Box 7228
LEURA NSW 2780

Land to which this applies

5 Little Wonga Road, Cremorne
Lot No.: 4, SP: 18845

Proposal

Additions and alterations to the existing dwelling including excavation for a rumpus room and new garage, a new lift, a new balcony at second storey level, replacement of the existing balcony at third storey level, and a new rear deck.

Determination of Development Application

The development application was considered by the North Sydney Local Planning Panel (NSLPP) on 3 October 2018. Subject to the provisions of Section 4.17 of the Environmental Planning and Assessment Act 1979, the subject application has been refused for the reasons stated below.

Reasons for refusal

- Lack of detail about Owners’ Corporation consent, in particular the use of the common property for the exclusive use and benefit of the applicant.
- Insufficient detail, adequacy and information provided in the submitted plans and supporting documentation including: survey and identification of trees on the subject site that may be impacted by construction; structural and geotechnical engineering methodology; the extent of excavation; and the amenity of the excavated rumpus room.

How were public submissions taken into account

The original application was notified to adjoining properties and Willoughby Precinct between 13 July and 27 July 2018.

The amended proposal was notified to the properties to each side of the site between 6 and 18 September 2018.

Further revised plans were submitted to Council to increase the size of the light well adjacent to the below ground level rumpus room to comply with the NCC. It was considered unnecessary to renotify this set of plans because the light well would not be visible from the adjoining property (7-9 Little Wonga Road) given its below ground level location.

The submissions received by Council were addressed in the NSLPP report (see Council's website: https://www.northsydney.nsw.gov.au/Council_Meetings/Meetings/NSLPP/2018/3_October_2018)

Review of determination and right of appeal

Within 6 months after the date of determination, a review of this determination can be requested under Division 8.2 of the Act or an appeal to the Land and Environment Court made pursuant to the provisions of Section 8.7 of the Act. If a review is contemplated, it should be lodged within two months of the date of this determination to enable the six month period, which includes Council's review to be met.

DATE

Signature on behalf of consent authority
ROBYN PEARSON
TEAM LEADER (ASSESSMENTS)