

Our Ref: DA2018/0513

23 September 2019

PBD Achitects
Suite 309, 405 Sussex St
SYDNEY NSW 2000

Dear Sir/Madam

Development Application No: DA2018/0513
Property Address: 186-190 Princes Highway, Beverley Park and 2-6 Lacey Street, KOGARAH BAY NSW 2217
Proposed Development: Demolition works, retention of heritage item and construction of a seven storey residential flat building and two levels of basement

Please find attached Council's formal notice of determination of the above application.

If you would like more information on the determination please contact the undersigned on 9330 6400 between 9.00am -11.00am.

Yours faithfully



Larissa Ozog
Development Assessment Officer

Attachment: Development Application Determination

Development Application DA2018/0513

Environmental Planning and Assessment Act 1979

Pursuant to Section 4.18(1)(a) of the Act, notice is hereby given of the determination of a Development Application by the consent authority, as follows:

D.A. No.	DA2018/0513
Issued to:	PBD Achitects Suite 309, 405 Sussex St SYDNEY NSW
Land to be Developed:	Lot 8, 9 & 10 DP 17618 186-190 Princes Highway, Beverley Park and 2-6 Lacey Street, KOGARAH BAY NSW 2217
Proposed Development:	Demolition works, retention of heritage item and construction of a seven storey residential flat building and two levels of basement
Authority:	Local Planning Panel
Development Determination:	REFUSED
Date of Determination:	23 September 2019

The Development Application has been determined by way of REFUSAL.

Reason(s) for Refusal - The reason(s) for refusal are:

1. The proposed tower building will have an unacceptable impact upon the heritage significance of the heritage item and its setting due to its overwhelming scale and failure to provide adequate setbacks to the heritage item.
2. The bulk, scale and length of the Lacey Street's building façade is excessive in terms of impact on the street and surrounding properties. It is inconsistent with the principles of the Apartment Design Guideline.
3. The proposed development would set an undesirable precedent in terms of relationship to the heritage item for future site planning of neighbouring properties.

4. The proposed development has an inappropriate transition in bulk and scale from the R3 zoned land to the R2 zoned land to the south east which results in unacceptable impacts such as overshadowing and visual impact.

If you are not satisfied with this determination, you may:

- (a) Apply for a Review of a Determination under Section 8.2 of the Environmental Planning and Assessment Act 1979. A request for review and the decision by Council of that request must be made within six (6) months of the date of this Notice of Determination and be accompanied by the relevant fee. If your development application was lodged with a consent authority prior to 28 February 2011, that request for a review and decision by Council must be made within twelve (12) months of this Notice of Determination. You must ensure that an application for review of determination gives Council a reasonable period in which to review its decision having regard to the relevant issues and complexity of the application

OR

- (b) Appeal to the Land and Environment Court within six (6) months after the date on which you receive this Notice of Determination, under Section 8.7 of the Environmental Planning and Assessment Act 1979. If your development application was lodged with a consent authority prior to 28 February 2011, an appeal to the Land and Environment Court must be made within twelve (12) months of this Notice of Determination.

(Section 8.2 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.)

On behalf of the consent authority Georges River Council.



Larissa Ozog
Development Assessment Officer