

Determination of Major Project No. 07_0117

Section 75J of the *Environmental Planning and Assessment Act 1979*

Currawong Beach, Pittwater

I, the Minister for Planning, under the *Environmental Planning and Assessment Act 1979* ("the Act") determine the major project proposal referred to in Schedule 1, by disapproving the proposal pursuant to Section 75J(1) of the Act, for the reasons outlined in Schedule 2, having considered the Director-General's Environmental Assessment Report pursuant to Section 75J(2) of the Act.



Kristina Keneally MP
Minister for Planning

Sydney,

28 April

2009

SCHEDULE 1

- Application No:** 07_0117
- Proponent:** Eco-Villages Australia Pty Limited
- Approval Authority:** Minister for Planning
- Land:** Land at Currawong Beach on the western foreshore of Pittwater comprising of Lot 10 DP 166328, Lot 4 DP 978424, and Lot 1 DP 337208.
- Local Government Area:** Pittwater
- Project Application:** Project Application for **Currawong Beach, Pittwater** comprising of:
- a 28 lot subdivision comprising:
 - 25 residential lots;
 - 1 community open space lot
 - 1 National Park dedication lot
 - Easements for inter-allotment services;
 - Upgrade and refurbishment of 'Midholme' homestead and the 9 existing holiday cabins for continued use for holiday letting;
 - Removal of the other existing facilities;
 - Environmental rehabilitation and enhancement works;
 - Creation of an 'Asset Protection Zone' and 'Riparian Management Zone';
 - Utilities and infrastructure including a centralised water reclamation plant and a community rural fire service shed;
 - Common facilities including a pool, decking and a pavilion; and
 - Pathways, walking trails and landscaping.

SCHEDULE 2

PART A – DEFINITIONS

Act, the	<i>Environmental Planning and Assessment Act 1979</i>
Council	Pittwater Council
Department, the	Department of Planning
Director-General, the	Director-General of the Department of Planning (or delegate)
EA	<i>Currawong Beach, Pittwater - Environmental Assessment Report</i> (including accompanying appendices) prepared by Architectus, dated March 2008.
Minister, the	Minister for Planning
Proponent	Eco-Villages Australia Pty Limited
PPR	<i>Currawong Beach, Pittwater - Preferred Project Report</i> , prepared by Architectus and dated August 2008.
Site	Land to which Project Application 07_0117 applies

PART B – ADMINISTRATIVE CONDITIONS

Appeals

- 1.1 In accordance with Section 75K of the Act no appeals apply to this project, as the project was the subject of a review by an Independent Hearing and Assessment Panel.

PART C – REASONS FOR REFUSAL

- 1.2 The development proposed is unacceptable as the proposal is incompatible with the overall state heritage significance of the site.
- 1.3 The development proposed is unacceptable as the proposed dwellings would be of excessive scale in the context of the historic cabins and would result in adverse impacts on the amenity of the area.
- 1.4 The development proposed is unacceptable as it is inconsistent with the aims of the *NSW Floodplain Development Manual* in that significant risks to both life and property would be associated with the development of the valley floor.
- 1.5 The development proposed is unacceptable as it is inconsistent with the objectives of *SEPP 71 – Coastal Protection* and the *NSW Coastal Design Guidelines*.
- 1.6 The development proposed is unacceptable as it has not demonstrated a sustainable arrangement for the provision of sewer services and stormwater management in a manner that is acceptable over the long term and would not result in any significant environmental impacts.
- 1.7 Approving the development would not be in the public interest.
- 1.8 The development proposed is generally contrary to the public interest since the proposal is inconsistent with planning objectives for the site, is beyond the community's expectations for the site and will result in adverse impacts on historic heritage and environmental values.