

15 March 2018



Michael William Williamson
21 Lancelot Street
FIVE DOCK NSW 2046

Dear Sir/Madam

Application Number: DA2017/0708
Address: Lot 8 DP 604034 , 255 Condamine Street, MANLY VALE NSW 2093
Proposed Development: Demolition Works and Construction of Boarding House made pursuant to the SEPP Affordable Rental Housing 2009

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at www.northernbeaches.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,



Anna Williams
Development Assessment Manager

NOTICE OF DETERMINATION

Application Number:	DA2017/0708
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Michael William Williamson
Land to be developed (Address):	Lot 8 DP 604034 , 255 Condamine Street MANLY VALE NSW 2093
Proposed Development:	Demolition Works and Construction of Boarding House made pursuant to the SEPP Affordable Rental Housing 2009

DETERMINATION - REFUSED

Made on (Date)	07/03/2018
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Reasons for Refusal:

1. Pursuant to Section 91 of the *Environmental Planning and Assessment Act, 1979*, the Department of Primary Industries (Water) has not granted its General Terms of Approval that are required in order for the development application to be consented to.
2. 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 (Affordable Rental Housing) 2009.
3. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, insufficient information has been submitted with the application to address the requirement of Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007.
4. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the Clause 1.2 Aims of The Plan of the Warringah Local Environmental Plan 2011.
5. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause Zone B2 Local Centre of the Warringah Local Environmental Plan 2011.
6. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of clause 4.3 Height of Buildings of the Warringah Local Environmental Plan 2011, and the consent authority is not satisfied as to the matters referred to in clause 4.6(4)(a) of the Warringah Local Environment Plan 2011.
7. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979

the proposed development is inconsistent with the provisions of Clause 6.3 Flood Planning of the Warringah Local Environmental Plan 2011 and Clause E11 Flood Prone Land of Warringah Development Control Plan.

8. 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 B2 Number of Storeys of the Warringah Development Control Plan.
9. 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 B7 Front Boundary Setbacks of the Warringah Development Control Plan.
10. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the objectives of Clause B6 and B10 Merit Assessment of Side and Rear Boundary Setbacks of the Warringah Development Control Plan.
11. 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 C9 Waste Management of the Warringah Development Control Plan.
12. 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 D9 Building Bulk of the Warringah Development Control Plan.
13. 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 E6 Retaining Unique Environmental Features and Clause E8 Waterways and Riparian Lands of the Warringah Development Control Plan.
14. 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 F1 local and Neighbourhood Centres of the Warringah Development Control Plan.
15. Pursuant to Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the public interest as the development results in adverse impacts on the built and natural environment.

Right to Review by the Council

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979 if it is NOT integrated or designated development. Any request to review the application must be made and determined within 6 months from the date of determination.

NOTE: A fee will apply for any request to review the determination.

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 6 months after the date on which you receive this notice.

Signed

On behalf of the Consent Authority



Name

Anna Williams, Manager Development Assessments

Date

07/03/2018