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**Sent:** 2/12/2019 8:47:00 AM  
**Subject:** DA2019/1154 at 1 / 12 George Street Manly for Alterations and additions to an existing dual occupancy  
**Attachments:** Request for Withdrawal of Development Application - Melita Anne Powys.DOCX;

Dear Melita,

An assessment of your application has been completed.

Please find a letter attached that requests your development application be withdrawn for enclosed said reasons.

Any questions please call to discuss.

Kind Regards

**Kevin Short**  
Planner

Development Assessment  
t 02 9942 2143 m 0409 363 865  
kevin.short@northernbeaches.nsw.gov.au  
northernbeaches.nsw.gov.au





29 November 2019



Melita Powys  
1/12 George Street  
MANLY NSW 2095

Dear Melita,

**Development Application No. DA2019/1154 for Alterations and additions to an existing dual occupancy at 1/12 George Street Manly**

Council has completed a preliminary assessment of your application which was received by Council on 21 October 2019 and has identified a number of areas of non-compliance and insufficient information that will not allow Council to support the application in its current form.

These matters are as follows:

**Manly Local Environmental Plan 2013 (MLEP)**

cl. 4.4 Floor space ratio (FSR): Existing FSR is calculated at 0.9:1 which does not comply with the standard, being 0.75:1. The proposal will increase the FSR non-compliance to 0.97:1 (22sqm).

Your Clause 4.6 application for an exception to a development standard is not supported given the adverse neighbour impacts generated by the location of the balcony, including privacy and view loss on No. 10 & 14 George Street.

The adverse impacts are a design consequence in which the first floor level balcony unnecessarily breeches the rear and side setback requirements. This is further detailed below.

**Manly Development Control Plan 2013 (MDCP)**

cl. 4.1.4.2 Side Setbacks and Secondary Street Frontages & cl. 4.1.4.4 Rear Setbacks: The first floor level balcony breeches the side (3.4m & 2.9m) and rear setback (8m) requirements of the control and will cause adverse amenity impacts on the adjoining property, including view sharing and privacy.

cl. 3.4.2 Privacy and Security & cl. 3.4.3 Maintenance of Views: The first floor addition non-compliances described above will generate unnecessary privacy and view loss impacts to adjoining properties.

**North Elevation**

Whilst it is shown on submitted drawings as an existing part of the dwelling, the far eastern end of the proposed first floor level on the northern elevation of the Dining room, has extended by approximately 0.3m to the east. This part of the wall should align with the ground floor level glass doors.



### **Advice to Applicant**

The extent of the issues outlined above, result in Council being unable to support the proposal in its current form.

You are therefore strongly encouraged to withdraw this application and resubmit a new application that addresses all of the issues listed above. Council will not accept any additional information or amendments to this current application.

Should you choose to withdraw this application within seven (7) days of the date of this letter, Council will refund **75%** of the development application fee. If you have not contacted Council by 13 December 2019, Council will assume that you are not withdrawing this application. In this case, no fees can be refunded and the application will be assessed and determined in its current form.

Should you agree to withdraw and in order for Council to process the request, confirmation must be received in writing to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au). To speed up the processing of your refund, please supply bank details using the table provided below, otherwise your refund will be forwarded by way of cheque.

Please note that bank details supplied should match the name listed on the top line of your tax invoice receipt for the application. If bank details supplied do not match this name, then the refund will be forwarded by way of cheque. Council cannot be held responsible if the bank account details provided by you are incorrect.

<b>Bank</b>	
<b>Name on Receipt</b>	
<b>BSB</b>	
<b>Account Number</b>	
<b>Email Address</b>	

If you have not contacted Council by 13 December 2019, Council will assume that you are not withdrawing this application. No fees will be refunded and we will assess this application in its current form.

Should you wish to discuss any issues raised in this letter, please contact Kevin Short (Planner) on 9942 2143 between 9.30am to 3.30pm Monday to Friday.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'R. Piggott'.

Rodney Piggott



## **Manager, Development Assessment**