

4 December 2020

Morson Group Architects
PO Box 170
POTTS POINT NSW 1035

Dear Sir/Madam

Application Number: DA2019/1475
Address: Lot 3 DP 86034 , 22 Victoria Parade, MANLY NSW 2095
Proposed Development: Demolition of building and construction of a new hotel

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,



Lashta Haidari
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	DA2019/1475
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Morson Group Architects
Land to be developed (Address):	Lot 3 DP 86034 , 22 Victoria Parade MANLY NSW 2095
Proposed Development:	Demolition of building and construction of a new hotel

DETERMINATION - REFUSED

Made on (Date)	18/11/2020
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Reasons for Refusal:

1. Pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 4.3 and 4.4 of Manly Local Environmental Plan 2013 as the applicant's written requests under Clause 4.6 has failed to adequately address and demonstrate that:
 - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case
 - b) there are sufficient environmental planning grounds to justify the contraventions.
2. Pursuant to Section 4.15(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 Manly Local Environmental Plan 2013.
3. Pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the following provisions of Manly Development Control Plan:
 - Clause 4.1.1.1 Residential Density and Dwelling Size
 - Clause 4.1.2.1 Wall Height
 - Clause 4.1.2.2 Number of Storeys
 - Clause 4.1.3 Floor Space Ratio
 - Clause 4.1.4.1 Street Front Setbacks
 - Clause 4.1.4.2 Side Setbacks and Secondary Street Frontages
 - Clause 4.1.4.4 Rear Setbacks
 - Clause 4.1.5.1 Minimum Residential Total Open Space Requirements
 - Clause 4.1.4.2 Landscaped Area
 - Clause 4.4.5 Earthworks
 - Schedule 3 Parking and Access
 - Clause 6.12 Essential services

4. Pursuant to Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the local public interest.

Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

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

Right of Appeal

If you are dissatisfied with this decision Division 8.3 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 Lashta Haidari, Manager Development Assessments

Date 18/11/2020