

22 August 2018

Momentum Project Group
Suite3 Level 3 273 Alfred Street
NORTH SYDNEY NSW 2060

Dear Sir/Madam

Application Number: Mod2018/0222
Address: Lot CP SP 31058 , 11 Victoria Parade, MANLY NSW 2095
Lot 1 DP 77358 , 9 Victoria Parade, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA0220/2013 granted for
demolition works, construction of a mixed use development and
strata subdivision

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,



Rodney Piggott
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2018/0222
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Momentum Project Group
Land to be developed (Address):	Lot CP SP 31058 , 11 Victoria Parade MANLY NSW 2095 Lot 1 DP 77358 , 9 Victoria Parade MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA0220/2013 granted for demolition works, construction of a mixed use development and strata subdivision

DETERMINATION - REFUSED

Made on (Date)	15/08/2018
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Reasons for Refusal:

1. The Panel is not satisfied that the engineering report submitted with the modification application provides sufficient justification for the demolition of a significant portion of a building.
2. The building is a listed heritage item under the Manly Local Environment Plan 2013 and was required to be retained under the original Development Consent approval from the Court.
3. The rebuilding of this portion of the building, which faces the street, to be a replica of the original with the incorporation of some original elements such as windows is not an appropriate heritage outcome on the basis of the information submitted with the application (engineering report dated 8 February 2018) to justify its demolition.

Important Information

This letter should therefore be read in conjunction with DA220/2013 determined 12 August 2015.

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

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

Signed On behalf of the Consent Authority



Name Rodney Piggott, Manager Development Assessments

Date 15/08/2018