

24 April 2018



Domenico Morello
16 Connaught Street
NARRAWEENA NSW NSW 2099

Dear Sir/Madam

Application Number: Mod2017/0316
Address: Lot 2 DP 217340 , 26 Beatty Street, BALGOWLAH HEIGHTS NSW 2093
Proposed Development: Modification of Development Consent DA0085/2016 granted for demolition of existing structures and construction of a new dwelling

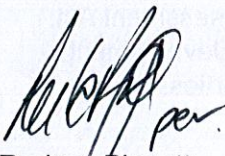
Please find attached the Notice of Determination for the above mentioned Application.

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
Development Assessment Manager

NOTICE OF DETERMINATION

Application Number:	Mod2017/0316
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Domenico Morello
Land to be developed (Address):	Lot 2 DP 217340 , 26 Beatty Street BALGOWLAH HEIGHTS NSW 2093
Proposed Development:	Modification of Development Consent DA0085/2016 granted for demolition of existing structures and construction of a new dwelling

DETERMINATION - REFUSED

Made on (Date)	28/03/2018
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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 does not comply with the building height control under the Manly Local Environmental Plan 2013.
2. Pursuant to Section 4.15 (1) (a) (iii) and (b) of the Environmental Planning and Assessment Act, 1979, the proposed development is inconsistent with the provisions of the Manly Development Control Plan 2013 in relation to inconsistency with the visual character of development in the area.
3. Pursuant to Section 4.15 (1) (a) (iii) and (b) of the Environmental Planning and Assessment Act, 1979, the proposed development is inconsistent with the provisions of the Manly Development Control Plan 2013 in relation to impacts on adjoining and nearby residential properties, particularly in relation to privacy, views and outlooks.
4. Pursuant to Section 4.15 (1) (c) of the Environmental Planning and Assessment Act, 1979, the proposed development is not suitable on the subject site.

Important Information

This letter should therefore be read in conjunction with DA85/2016.

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



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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

A handwritten signature in black ink, appearing to read 'Rodney Piggott', followed by a horizontal line and the word 'per.'.

Name

Rodney Piggott, Manager Development Assessments

Date

28/03/2018