

**REFUSAL
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)
NOTICE TO APPLICANT OF DETERMINATION
OF A DEVELOPMENT APPLICATION**

Applicants Name and Address:

HOUSED PTY LTD
PO BOX 275
AVALON BEACH NSW 2107

Being the applicant in respect of Development Application No N0565/16

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Northern Beaches Council, as the consent authority, of Development Application No **N0565/16** for:

Alterations and additions to dwelling.

At: **7 PACIFIC ROAD, PALM BEACH NSW 2108 (Lot 401 DP 19651)**

Decision:

The Development Application has been refused for the following reasons:

1. The proposal does not comply with C1.3 View Sharing as there is an unreasonable impact on view sharing for adjoining neighbours.
2. The proposal does not comply with D12.8 Building Envelope as the extension of the roof falls outside of the envelope parameters.
3. The proposed roof form over the terrace extends beyond the minimum height limit of 8.5m and therefore does not comply with Cl 4.3 Height of Buildings under the *Pittwater Local Environmental Plan 2014*.
4. The slope of the site where the proposed building footprint is situated is not over 30%. The proposal has not included a Clause 4.6 Statement to justify the breach of the height limit.

NOTES

1. This determination was taken under delegated authority on behalf of the elected Council pursuant to Section 377 of the Local Government Act 1993.
2. An applicant may under Section 82A of the Act, apply to council to review this determination.
3. Section 97 of the Act confers on the applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land & Environment Court exercisable within 6 months after receipt of this notice.
4. Any person who contravenes this notice of determination of the abovementioned development application shall be guilty of a breach of the Environmental Planning & Assessment Act, 1979, and shall be liable to a monetary penalty and for a restraining order which may be imposed by the Land and Environment Court.

Mark Ferguson
INTERIM GENERAL MANAGER
Per:

Date: 08-Mar-2017