

Business Hours:
8.00am to 5.30pm, Monday to Thursday
8.00am to 5.00pm, Friday

BC No: BC0076/15

20 January 2016

ANDREW MARTIN
42 BYNYA ROAD
PALM BEACH NSW 2108

Dear Sir/Madam

**Building Certificate Application for a panel and masonry northern side boundary wall and panel wall front fence at
42 BYNYA ROAD PALM BEACH NSW 2108.**

I regret to advise that after due consideration, it has been decided to refuse this application. The Notice of Refusal is attached.

The matter has been referred to Council's Compliance Business Unit which will shortly commence the statutory process to have these non-compliances rectified. If there is any aspect of the decision that you are uncertain or unclear about, you should contact me.

Yours faithfully

Wal Dover
SENIOR BUILDING SURVEYOR

REFUSAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION OF A BUILDING CERTIFICATE

Applicant's Name and Address:

**ANDREW MARTIN & THEO CHAMBERS
42 & 44 BYNYA ROAD
PALM BEACH NSW 2108**

Being the applicant in respect of Building Certificate No BC0076/15.

Pursuant to section 149(D) of the Act, notice is hereby given of the determination by Pittwater Council of the Building Certificate for:

a panel and masonry northern side boundary wall and panel wall front fence

At:

42 BYNYA ROAD PALM BEACH NSW 2108

Decision:

The Building Certificate has been refused for the following reasons:

The side boundary fence and masonry wall and the front boundary panel fence do not meet the height and design requirements of Part 12.11 of Pittwater 21 Development Control Plan.

In addition, the front boundary panel fence encroaches onto Council's road reserve area by up to 1.65m.

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) Section 149F of the Act confers on the applicant who is aggrieved with Council's refusal to issue a Building Certificate a right of appeal to the court exercisable within 12 months of receipt of this notice.

Mark Ferguson
GENERAL MANAGER

per:

Date: 20 January 2016