

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

Applicants Name and Address:

VAUGHAN MILLIGAN DEV CNST
PO BOX 49
NEWPORT
NSW 2106

Being the applicant in respect of Development Application No N0185/15

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0185/15** for:

Alterations and additions to existing dwelling including deck and studio.

At: 1 B THE SERPENTINE, BILGOLA BEACH NSW 2107 (Lot 1 DP 232164)

Decision:

The Development Application has been refused for the following reasons:

1. Pittwater Local Environmental Plan 2014 zones the site SP2 Infrastructure and prohibits residential development upon the site. The existing dwelling was constructed between 1951 and 1961, however the application has not shown that dwelling houses were permissible upon the site at this time. As such, the application has not established existing use rights and the proposed alterations and additions to the existing dwelling is prohibited development.

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
GENERAL MANAGER
Per:

Date: