

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

BC No: BC0152/06

26 June 2008

PATRICIA ANNE POGSON
WAYNE MALCOLM GARNIER
PO BOX 1370
MONA VALE NSW 2103

Dear Sir/Madam

**Building Certificate Application for Unauthorised front yard land fill at
4A ORANA ROAD MONA VALE NSW 2103.**

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
BUILDING SURVEYOR

Encl

REFUSAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION OF A BUILDING CERTIFICATE

Applicant's Name and Address:

**PATRICIA ANNE POGSON, WAYNE MALCOLM GARNIER, PO BOX 1370, MONA VALE
NSW 2103**

Being the applicant in respect of Building Certificate No BC0152/06.

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

Unauthorised front yard land fill

At:

4A ORANA ROAD MONA VALE NSW 2103

Decision:

The Building Certificate has been refused for the following reasons:

- 1. *Inadequate provision for satisfactory drainage and disposal of surface and subsoil water.***
- 2. *Unsatisfactory and inappropriate use of a brick dividing fence as a retaining wall.***

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