

FINAL S96
DA
PROCESSED
AND
SCANNED
REFUSED

Business Hours:

8.00am to 6.00pm, Monday to Thursday

8.00am to 5.00pm, Friday

S96 No: N0209/16/S96/1

13 March 2017

ROBERT & JENNIFER RAINE

C/- VAUGHAN MILLIGAN DEVELOPMENT CONSULTING PTY LTD

PO BOX 49

NEWPORT NSW 2106

Dear Sir/Madam

N0209/16/S96/1 Modification to consent N0209/16 for alterations and additions to existing dwelling, including new first floor and new carport at 56 CENTRAL ROAD AVALON BEACH NSW 2107.

I regret to advise that after due consideration, it has been decided to refuse this application.

The Notice of Refusal is attached. If there is any aspect of the decision that you are uncertain or unclear about, you should contact me.

Yours faithfully



Nick Armstrong
PLANNER

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

Applicants Name and Address:

R AND J RAINE
C/- VAUGHAN MILLIGAN DEVELOPMENT CONSULTING P/L
PO BOX 49
NEWPORT NSW 2106

Being the applicant in respect of S96 Modification Application No N0209/16/S96/1

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Northern Beaches Council, as the consent authority, of S96 Modification Application No **N0209/16/S96/1** for:

Modification to consent N0209/16 for alterations and additions to existing dwelling, including new first floor and new carport

At: 56 CENTRAL ROAD, AVALON BEACH NSW 2107 (Lot 33A DP 359416)

Decision:

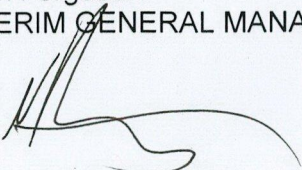
The Development Application has been refused for the following reasons:

1. The deletion of Condition B13 of the original development consent and the extension of the privacy screen along the western elevation of the first floor decking leads to an excessive building envelope non-compliance which directly contributes to the loss of views from the neighbouring property.

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: 09/03/2017