

Original signed by: Stephen Beattie Dated:.....24/05/2022

David Rahme  
Unit 1 64 Dickson Avenue  
ARTARMON NSW 2064

D333/19  
SJB (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED**  
**SECTION 4.55 APPLICATION 333/19.4 – REFUSAL**

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**Development Consent Number:** 333/19/4

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**Land to which this applies:** 182 Kurraba Road, Kurraba Point  
Lot No.: 0, SP: 14129

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**Applicant:** David Rahme

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**Proposal:** Modifications to a consent for alterations and additions to convert a duplex into a residential flat building with strata subdivision.

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The 4.55 application was considered by the **North Sydney Local Planning Panel (NSLPP)** on 15 June 2022.

Pursuant to Section 4.55 of the Act notice is hereby given of the determination by the consent authority of your request for a modification to Development Consent No. **333/19** and registered in Council's records as Application No. **333/19/4** relating to the land described as 182 Kurraba Road, Kurraba Point.

Your request for the modification of the Development Consent as set out in Notice of Determination dated 15 April 2020, has been determined in the following manner: -

The Panel determined to refuse the modification.

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**Reason for Refusal:**

The Panel determined that due to a lack of detailed information that clarifies the rectification works and the proposed new work, and with the existing and future levels surveyed and clearly marked, it was not in a position to make a definitive decision on this proposed modification. Any future modifications need to clearly identify the full scope of works, differentiation between demolition and construction and identify what has already been constructed to provide certainty in the assessment and the final built form.

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**How community views were considered:**

The submissions received by Council were addressed in the NSLPP report (see Council's website: [https://www.northsydney.nsw.gov.au/Council\\_Meetings/Meetings/NSLPP/2022/15\\_June\\_2022](https://www.northsydney.nsw.gov.au/Council_Meetings/Meetings/NSLPP/2022/15_June_2022) and inform the panels reasons for determination.

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**Review of Determination and right of appeal**

Within six months after the date of notification of the decision, a review of this determination can be requested under Division 8.2 of the Act or an appeal to the Land and Environment Court made pursuant to the provisions of Section 8.7 of the Act. A review of determination should be lodged as soon as possible, and preferably no later two months after the date of notification of the decision to enable the review to be completed within the six-month period.

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The plans and conditions attached to the original consent for Development Application No. 333/19/1 as modified by Application No DA 333/19/2 still apply.

**Endorsed for and on behalf of North Sydney Council**

**24 June 2022**

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DATE

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Signature on behalf of consent authority  
**Stephen Beattie**  
**MANAGER, DEVELOPMENT SERVICES**