

Development Application No. 160/15

Section 4.55 Application

Applicant's Name

Giselle and Paul Chadwick
C/- Weir Phillips Architects
Level 19, 100 William Street
WOOLLOOMOOLOO NSW 2011

Land to which this applies

21 Shellcove Road, Kurraba Point
Lot No.: 1, DP: 841318

Proposal

Modification of consent for alterations and additions to dwelling including a new double garage.

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. **160/15** and registered in Council's records as Application No. **160/15/3** relating to the land described as **21 Shellcove Road, Kurraba Point**.

Your request for the modification of the Development Consent as set out in Notice of Determination dated 21 September 2015, has been refused for the following reasons: -

Reasons for refusal

1. The proposal is considered not substantially the same development as the development for which consent was originally granted, in relation to bulk and scale, site coverage, impact on the Kurraba Point Conservation Area, loss of original fabric, landscaped area, landscape quality, streetscape impact and built form character.
2. The proposed modifications are unsatisfactory with regard to the reasons for the grant of consent. It is likely that the proposed bulk and scale, impact on the Kurraba Point Conservation Area and landscaping would not have been supported by Council if they were proposed in the original development application.
3. The proposal is considered unsatisfactory with regard to bulk and scale, site coverage, impact on the Kurraba Point Conservation Area, loss of original fabric, landscaped area, landscape quality, streetscape impact and built form character.

Any variation to the Development Consent can only be made with the written approval of the Council. Major variations will require a new or amended Development Consent.

Pursuant to Section 8.2, an applicant is able to request Council to review its determination. An application for a review under Section 8.2 of the Act must be made no later than 28 days after the date on which the application for the modification of the development consent was determined.

Section 4.55 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court pursuant to Section 8.7 of the Environmental Planning and Assessment Act, 1979.

DATE

Signature on behalf of consent authority
GEORGE YOUHANNA
EXECUTIVE PLANNER