

John Colyer
Unit 4, 37 Morton Street
WOLLSTONECRAFT NSW 2065

DWJ (CIS)

26 July 2019

Dear Sir/Madam,

**RE: COMPLYING DEVELOPMENT CERTIFICATE APPLICATION
NO. Z135/19 – REFUSED**
PREMISES: 37 MORTON STREET, WOLLSTONECRAFT

I refer to Complying Development Certificate Application No. Z135/19 (CDC) received by Council on 13 May 2019, seeking approval for the demolition and re-construction of a retaining wall at 37 Morton Street, Wollstonecraft.

I wish to advise that pursuant to Part 4, Division 4.5, Clause 4.28 (6b) of the *Environmental Planning and Assessment Act, 1979*, the determination of your Complying Development Certificate Application has resulted in refusal for the following reasons:

1. The proposed building works do not meet the provisions for Complying Development under the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008*.

Specifically, the assessment of the CDC has revealed that the proposed works are unable to be undertaken as Complying Development as the proposed works, specifically the proposed demolition and re-construction of the retaining wall located adjacent to the southern boundary, do not meet the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* in particular, the following provisions:

- *Part 4, Housing Alterations Code, Subdivision 2A, External Alterations to residential accommodation other than dwelling houses & ancillary development, Clause 4.4B(g & h) – Development Standards.*

As the CDC in its current form does not meet the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Council is unable to undertake any further assessment of the application.

As such, the Complying Development Certificate Application has been determined on the information before Council, resulting in refusal.

Should you require any further information on this matter, please contact the undersigned between the hours of 9.30am and 11.00am, Monday to Friday, on telephone number 9936 8100, or at any time via Council's email, council@northsydney.nsw.gov.au.

Yours faithfully,

DANE JOHNSON
SENIOR BUILDING SURVEYOR

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