

17 October 2025



Bridget E Hall
18 Rock Bath Road
PALM BEACH NSW 2108

Dear Sir/Madam,

Development Application No: Mod2025/0572 for Modification of Development Consent DA2023/0894 granted for Demolition works and construction of a dwelling house including swimming pool at 18 Rock Bath Road, Palm Beach.

Modification Application Type

Development Application (DA2023/0894) for the demolition of existing buildings, construction of a dwelling, driveway and swimming pool and landscaping, was granted consent by the Land and Environment Court (LEC) on the 19 April 2024.

All modifications to this development consent will need to be made thereafter pursuant to Section 4.56 of the *Environmental Planning and Assessment Act 1979*, as the consent is Court issued. Council does not have the ability to assess the proposed works under a Section 4.55 Modification Application.

Council requires written confirmation from the Applicant with an agreement to change the application type from a Section 4.55 (1a) to a Section 4.56.

Options available to the Applicant

Council is providing you with two (2) options to progress your application:

1. Prepare and submit further supporting information/amendments to address the above issues. Please carefully read the below advice if you choose this option.
2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application.

Please advise of your selected option by responding **within 7 days of the date of this letter** by email sent to council@northernbeaches.nsw.gov.au marked to the attention of the assessment officer. Should Council not receive your response by this date, Council will determine the application in its current form.

Council reserves its right under section 37 of the *Environmental Planning and Assessment Regulations 2021* not to accept any information/amendment if it is not considered to be a genuine attempt to resolve the issues. In which case, Council will inform you that the changes have not been accepted and the application will proceed to be determined.

This process has been established to ensure an efficient and responsible level of service which meets the requirements of the Department of Planning and Environment's 23A



Guidelines on withdrawal of Development Applications 2023, Ministerial Orders Statement of Expectations 2021 and the Development Assessment Best Practice Guide 2017.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on 9 October 2025 and 8 days in the assessment period have now elapsed.

This letter will be released on Council's webpage as part of the application's documentation.

Should you wish to discuss any issues raised in this letter, please contact **Brittany Harrison** on 1300 434 434 during business hours Monday to Friday.

Yours faithfully,

Brittany Harrison
Planner