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31 August 2021

General Manager  
Northern Beaches Council  
725 Pittwater Rd  
Dee Why NSW 2099

Attention: Rodney Piggott  
Manager Development Assessments

RE: **MODIFICATION OF DEVELOPMENT CONSENT  
ALTERATIONS & ADDITIONS to  
1184-1186 PITTWATER ROAD NARRABEEN  
DA 2008/1216  
MOD 2121/0092**

Dear Sir

We refer to Councils' letter of 18 August 2021 regarding this application. On behalf of the applicant Yadev Holdings Pty Ltd (Yadev), we submit further supporting information addressing the issues raised, as follows below.

#### **Section 4.55 (2)- Other Modifications**

GSA Planning have provided an updated Modification of Application Planning Report in letter format dated 30 August 2021. Section 3 of this report addresses the issue of whether the modification is substantially the same development as approved and assesses the application regarding **Moto Projects (No. 2) Pty Ltd v North Sydney Council [1999] NSWLEC 280** and **Hrsto v Ku-Ring-Gai Council [2011] NSWLEC 1169**. GSA Planning conclude:

***"As the proposal is quantitatively, qualitatively and essentially substantially the same as approved development, the modifications can be considered under Section 4.55."***

#### **B9 Rear Boundary Setbacks**

GSA Planning have provided further justification for the rear boundary set out proposed for the basement level walls. Refer **6.5.2 on page 18** of the updated Modification of Application Planning Report in letter format dated 30 August 2021.

#### **Building Colours and Materials**

GSA Planning have provided further information regarding building colours and materials proposed for the seawall. Refer **6.5.6 on page 19** of the updated Modification of Application Planning Report in letter format dated 30 August 2021.

#### **Coastal Engineering**

Woolacotts have provided additional information in response to the issues raised. Please refer to the following additional and/or revised Woolacotts documents:

- **Construction Management Program Revision F 25 August 2021**
- **Drawing CM 1 Issue F**
- **Drawing CM 2 Issue D**
- **Seawall Basis of Design Statement 21 August 2021**

### **Survey**

Byrne & Associates Consulting Surveyors & Engineers have provided an up-to-date level and detail survey. Refer drawing **AO-9467D4 Issue D 13 May 2021**. We note this was previously lodged and available via the Planning Portal.

### **Landscaping**

Greenland Design have provided an amended landscape design that addresses the extension of the basement to the eastern boundary, amended seawall and relocation of stormwater dispersion trench. Refer Greenland Design drawings **2429.GD.01, 02 & 03 Issue A**.

### **Architectural Drawings**

B+A have also completed some minor revisions to the architectural drawings, including a modification of the northeast corner set out of the proposed replacement seawall in order to provide a better transition between the subject property and the land to the seaward side of Clarke Street. Please refer to the following additional and/or revised B+A drawings:

- **Cover sheet** with drawing list
- **DA 01 Issue Q**
- **DA 02 Issue T**
- **DA 03 Issue U**
- **DA 16 Issue D**

Should you require any further information to complete your assessment of this application please contact the undersigned. We look forward to the favourable determination of our application.

Regards



Geoff Bonus  
Architect 4034  
CC Robert Wiggins via email