

## STATEMENT OF MODIFICATION

### Section 1 – Modification Application Submission Details

Property:	18 - 20 Sturdee Lane, Lovett Bay, NSW, 2105
Legal description:	Lot 1 in DP 1132852
Site area:	2,358m <sup>2</sup>
Type of development:	Local development
Development description:	Demolition of an existing detached studio building and replacement with pavilions comprising a guest bedroom suite and games room.
Type of Modification:	Under Clause 4.55 (1A) of the Environmental Planning and Assessment Act 1979 as amended
Development consent:	DA2022/1527 issued 07/11/2022
Applicant:	James de Soyres & Associates Pty Ltd (Telephone - 02 9979 1823 / Email: <a href="mailto:james@jdesa.com.au">james@jdesa.com.au</a> )
Owner:	Fiona Robin Loader
Our reference:	1708b
Date of Submission	21 December 2022

### **Documents comprising the development application:**

1. A statement of modification, this document, prepared by James de Soyres & Associates.
2. An amended BASIX certificate A404869\_04 issued on 21 December 2022
3. An Addendum to the Arboricultural Impact Statement (September 2021) by Bluegum Tree Care & Consultancy dated 16 December 2022
4. A Bushfire Assessment Report letter reviewing the proposed modifications in relation to the Bushfire Risk Assessment dated 27 August 2021 prepared by Bushfire Planning Service Pty Ltd dated 21 December 2022
5. A Geotechnical Assessment letter reviewing the proposed modifications in relation to the Geotechnical Site Investigation report dated August 2021 prepared by Crozier Geotechnical Consultants dated 14<sup>th</sup> December 2022
6. A copy of an email from Amy Peet of Crown Lands dated 20 December 2022 confirming that a revision or reissue of the landowner's consent granted by Department of Planning and Environment – Crown Lands Ref:16/00193#01 dated 06 June 2022 is not required for the proposed modification.

7. The following architectural drawings prepared by James de Soyres & Associates Pty Ltd and dated 1 December 2022

Drawing Number	Drawing Title
1708b DA-01 A	Location, Site and Site Analysis Plan
1708b DA-04 A	Shadow Diagrams
1708b DA-05 A	Water Management Plan
1708b DA-10 A	Proposed House Ground Floor Plan
1708b DA-12 A	Proposed House First Floor Plan
1708b DA-14 A	Proposed House Roof and Second Floor Plan
1708b DA-15 A	Proposed Roof Plan
1708b DA-20 A	North Elevation from Pittwater
1708b DA-21 A	South Elevation
1708b DA-22 A	West Elevation
1708b DA-23 A	East Elevation
1708b DA-24 A	Photomontage and Exterior Finishes Schedule
1708b DA-30 A	Section A-A
1708b DA-31 A	Section B-B
1708b DA-32 A	Section X-X

## Section 2 – Proposed Modifications

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The proposed modification comprises the following elements:

- 1 Retaining walls**

The timber crib retaining wall and gravity stone retaining walls behind the dwelling are to be replaced with an engineered reinforced concrete block retaining wall.

To create access for machinery to auger the foundation piers for the approved rear extension and timber crib retaining wall replacement the existing stone retaining wall and access deck on the southern side of the house will be demolished and rebuilt once the footings and walls have been completed.

When reconstructing the retaining wall, the location of the will be moved South adjacent to the existing deck to create a small raised herb garden adjacent to the kitchen. There will be no change to the landscaped area as a result of this relocation.
- 2 Ground Floor**

The timber framed doors on the northern and western elevation are to be replaced with aluminium framed doors.

The timber framed door on the East elevation is to be replaced with aluminium framed louvred windows.

The kitchen and WC are to be rearranged and extended into the existing service corridor area behind the dwelling and a pantry

added. The laundry will be relocated to the first floor.

The lounge will be extended into the existing service corridor area behind the dwelling

The existing winder stairs are to be replaced with a straight staircase.

- 3 First Floor The existing ensuite and walk-in-robe will be rearranged including a new projecting bay window area on the western side of the dwelling and a small outcrop on the southern side.

Internal wall layouts and windows are to be adjusted.

The existing timber framed windows to the three projecting bay windows on the northern side are to be replaced with aluminium framed units with greater resistance to bushfire.

The clear glass roof over the ground floor kitchen is to be replaced with a profiled steel roof.

- 4 Second Floor Bed 3 is to be extended 200mm to the East to meet the new roof hip line

Minor adjustment to windows.

- 5 Exterior Replacement of the compressed board cladding material with dark metal cladding and painted fibre-cement weatherboards.

- 6 Roofs The approved roof pitches are to be adjusted to allow for an increase in the number of solar panels that can be placed on the favourable North aspect. This will lower the perceived ridgelines of the dwelling when viewed from the waterway.

The skylights will be reconfigured to suit the new internal layout.

- 7 Pergola An opening roof pergola is proposed for the western side of the house. The area is currently decked and can be shaded by a retractable awning.

The pergola is a lightweight open structure, set back from the front of the dwelling and painted in a dark recessive colour to minimise visibility from the water.

### Section 3 – Crown Lands

It is our view that the proposed modification is consistent with the owner's consent Ref: 16/00193#01 dated 06 June 2022

Owner's consent was granted for *“replacement of an existing roof (and installation of solar panels) overhanging the DMHWM with a new roof structure of lower pitch but equal plan dimensions, over Crown waterway adjoining freehold Lot 1 DP 1132852, Parish: Broken Bay, County: Cumberland”*

The terms of the consent specify that *“If any modifications are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the modified development remains consistent with this landowner's consent.”*

James de Soyres & Associates Pty Ltd

Nominated Architect: James de Soyres / NSW Architects Registration Board No 6769

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The replacement of the roof covering over the three bay windows was approved under DA DA2022/1527 and the owner's consent Ref: 16/00193#01 dated 06 June 2022. No change to this work is proposed as part of this modification.

We have discussed the proposed modifications with Crown Lands Metro (Amy Peet on 14.12.22) and have confirmed that Crown Lands owner's consent is not required for non-structural works including the replacement of windows and cladding. Written confirmation has been provided in the email from Amy Peet dated 20 December 2022 which forms part of this application.

The proposed modification submitted here remains consistent with the described works over Crown Land as approved and further referral to Department of Planning and Environment – Crown Lands is not required.

#### Section 4 – Comment

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- The proposed works are within the footprint of the existing development so there will be no change to the landscaped area and no increased incursion into the Foreshore Building Line.
- There will be no change to the number of bedrooms or potential bedrooms in the development and no change to the loading of the approved wastewater system under construction.
- The proposed roof ridge levels will be maintained.
- The proposed works will improve the bushfire resistance of the existing structures by upgrading the construction of the entire dwelling to the specified AS3959 standards.

It is our view that the proposed modification:

- Is substantially the same development as the development for which the consent was originally granted under consent DA2020/0033, and
- Does not compromise the policy compliance of the approved scheme.
- Does not increase the height of the building

We trust Northern Beaches Council will endorse the proposed modification and we look forward to receiving a modified consent in the near future.