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2 November 2018

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

Attention: Ryan Cole  
Team Leader Development Assessments

RE: **ALTERATIONS & ADDITIONS to  
1184-1186 PITTWATER ROAD NARRABEEN (03 14)  
DA 2008/1216**

Dear Sir

On behalf of the applicant Yadev Holdings Pty Ltd, and pursuant to the provisions of S4.55 of the EP&A Act we wish to apply for modification of the above development consent.

This development application was approved 15 September 2009. The consent has been modified on two occasions previously.

A Construction Certificate, CC 448/14, was issued 10 September 2014 and an Interim Occupation Certificate, IOC 564/16, for the completed Stage 1 works was issued 20 October 2016.

This application to modify the consent includes the following:

### **Staging**

A construction Certificate for Stage 1 works was issued 10 September 2014. Following the severe storm event which occurred in June 2016, the landowners constructed the seawall and other coastal protection works permissible under a previous S96 modification of the consent and subject to the Construction Certificate. The works, now completed, form Stage 1 of the approved works. This S4.55 application seeks to approve the construction of the balance of the works in two stages, as follows:

- Stage 2- Construction of Unit 5 including basement level car parking works and subdivision on completion of the stage 2 works thereby creating two parcels of land known as 1184 Pittwater Road and 1186 Pittwater Road respectively.
- Stage 3- The balance of the approved works.

### **Increase in Floor Area**

Increase the area of ground and first floor level by relocation of the eastern wall of the proposed development 3m seawards. The location of eastern wall of the proposed development was

previously determined by the requirements of Warringah Local Environmental Plan 2000 under which construction seawards of the Limit of Wave Action was limited.

Under the provisions of the current planning instrument, Warringah Local Environmental Plan 2011, and specifically Clause 6.5 Coastline Hazards, development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- (a) " will not significantly adversely affect coastal hazards, and*
- (b) will not result in significant detrimental increases in coastal risks to other development or properties, and*
- (c) will not significantly alter coastal hazards to the detriment of the environment, and*
- (d) incorporates appropriate measures to manage risk to life from coastal risks, and*
- (e) avoids or minimises exposure to coastal hazards, and*
- (f) makes provision for relocation, modification or removal of the development to adapt to coastal hazards and NSW sea level rise planning benchmarks."*

Following completion of the Stage 1 works, the subject property benefits from a seawall providing protection from coastal hazards in the manner required by WLEP 2011 Clause 6.5 (3)(a) to (f) inclusive.

Accordingly, Council as the consent authority can now consent to these additional works under the provisions of WLEP 2011 Clause 6.5 (4) which states:

*"Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the foundations of the development have been designed to be constructed having regard to coastal risk."*

We have obtained an advice from a Coastal Engineering consultant, Royal HaskoningDHV. The Coastal Engineering advice has addressed each of the matters of consideration required in WLEP 2011 Clause 6.5 (3) (a) to (f) and supports the modifications proposed by this application.

Should you require any further information to assist you in your assessment of this application please contact Geoff Bonus of this office.

Regards



Geoff Bonus  
Architect 4034  
CC Robert Wiggins via email