



6th December 2024

The General Manager
Northern Beaches Council

**SECTION 4.55(2) APPLICATION
LOT B DP 316404, 231 WHALE BEACH ROAD, WHALE BEACH NSW**

Dear Sir/Madam,

Please find attached application for a Section 4.55(2) Modification to amend REV2021/0034 and subsequent modifications for a Shop Top Housing Development at Lot B DP 316404, 231 Whale Beach Road, WHALE BEACH NSW 2107.

This application seeks to modify Consent REV2021/0034 and subsequent modifications.

The modification consists of numerous small changes to the development, largely due to design development and the requirements of the structural and services engineers. Modifications required by the Conditions of Consent for REV2021/0034 have also been included in this application.

All the changes both individually and jointly have either negligible or minimal environmental impact.

Attached to this letter is a Schedule of Modifications. Accompanying this application are the following updated consultants' reports:

- Architectural plans
- Statement of Environmental Effects
- Access Report
- BCA Design Compliance Report
- Landscape Plans
- Traffic Statement of Compliance
- Basix Certificate
- Addendum to Geotechnical Report
- Public Domain Stormwater Works
- Public Domain Civil Works
- Arboricultural Report

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Acoustic and Coastline Risk reports which formed part of the original consent are unaffected by the proposed amendments.

Please do not hesitate to contact the office if you have any queries.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Richard Cole', with a stylized flourish at the end.

Richard Cole
RICHARD COLE ARCHITECTURE

SCHEDULE OF MODIFICATIONS

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
1	Overland Flow Path	Southern Boundary	The 1.0m wide overland flow path along the Southern Boundary has been reduced in width to 0.6m. The setback between the overland flow path and the southern elevation has been increased by 0.4m.	Condition of Consent #19	Minimal
2	Footpath / parking bays	Surf Road	The location of the footpath on Surf Road adjacent to the driveway to the basement has been adjusted to accommodate 4 compliant indented parking spaces	Traffic engineer's requirements	Minimal
3	Lift	All Levels	The northern wall of the lift has moved 100mm north to accommodate the required size of the lift and lift shaft.	Vertical Transport Engineer's requirements	Minimal
4	Stairs & Lift Lobby	All Levels	The fire stairs have been modified to accommodate fire hydrants, fire hose reels and sprinkler pipes.	Fire Services Engineer's requirements	Minimal increased excavation
5	AC Condensers	Basement	The AC condensers located on the southern wall of the parking bays have been deleted. Three have been relocated adjacent to a new aluminium framed ventilation screen to the southern wall of the driveway. One has been relocated to the northern wall of the parking bays. A new top venting condenser has been added with a new ventilation shaft opening to a Level 1 vent set within the landscaped area. The balance of the	Mechanical Services Engineer's requirements	Minimal impact on landscape area. Landscape area requirements remain compliant.

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
			condensers have been located on the roof within the service area.		
6	Wall to Bike Parking Area	Basement	A new internal return wall has been added to the bike parking area.	Structural Engineer's requirements	None
7	Store Room	Basement	A storeroom has been added to the northwestern corner wholly within the existing footprint of the approved building to provide increased storage capacity and amenity for the apartment owners.	Occupant amenity	Minimal increased excavation
8	Lift to Outdoor Seating	Ground Floor	The raised outdoor seating area has been extended to accommodate a platform lift in accordance with AS1428. Stairs have been added adjacent to the lift. Total outdoor seating area remains the same.	Compliance with AS1428.1 Design for access and mobility	Minimal impact on landscape area. Landscape area requirements remain compliant.
9	Northern Retaining Wall	Ground Floor	The northern retaining wall adjacent to the residential garbage room has been revised to accommodate piling. The garbage room doors have changed from sliding to swing.	Structural Engineer's requirements and design development	Minimal
10	Window G02	Ground Floor	Window WG02 has reduced in size to accommodate the adjacent reinforced concrete supporting wall.	Structural Engineer's requirements	Minimal
11	Window R102	Ground Floor	Window R102 has reduced in size to accommodate the adjacent reinforced concrete supporting wall.	Structural Engineer's requirements	Minimal
12	Concrete Columns	Ground Floor	New reinforced concrete columns have been added to Retail 1.	Structural Engineer's requirements	None

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
13	Retail 1 Layout	Ground Floor	Walls to Retail 1 have been modified	To facilitate the Fire Sprinkler Pump room requirements and developed design of restaurant.	None
14	Retail 1 Fire Hose Reel	Ground Floor	A fire hose reel has been added to Retail 1.	Fire Services Engineer's requirements	None
15	Fire Sprinkler Pump Room Access	Ground Floor	The access and configuration of the fire sprinkler pump room has been revised.	Fire Services Engineer's requirements	None
16	Electrical & Comms Room	Ground Floor	The access and configuration of the electrical and comms room has been revised.	Electrical Engineer's requirements	None
17	Tank Room & Store	Ground Floor	A tank room and store has been added to the northwestern corner wholly within the existing footprint of the approved building.	Hydraulic and Mechanical Engineer's requirements	Minimal increased excavation
18	Steel to Glass Balustrade to Driveway	Ground Floor	The steel balustrade to the northern wall of the driveway has been revised to frameless glass balustrading.	Durability and consistency	Minimal
19	Store Room	Level 1	A storeroom has been added to the northwestern corner of Apartment 2 (lower level) wholly within the existing footprint of the approved building. The tank room to the ground floor requires excavation of this area.	To provide increased storage capacity and amenity for occupants.	Minimal increased excavation
20	Excavation	Level 1	The area of excavation adjacent to the Apartment 1 bedrooms has been extended east to the point where the excavated level	Condition of Consent #19	Minimal

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
			meets existing ground level.		
21	Entry, Bathroom & Bedroom Plan	Level 1	The entry door, bathroom, ensuite and access to the storeroom, laundry and two adjacent bedrooms in Apartment 1 have been reconfigured	To provide better amenity, storage capacity and circulation to the occupants	None
22	WA103, 104, 105 and paving	Level 1	The sill levels of window W A103-105 have been lowered to ground level and a new paved area provided.	To facilitate level access to landscaped areas, a clothesline and private open space and provide increased cross ventilation and natural daylighting.	Minimal impact on landscape area. Landscape area requirements remain compliant.
23	Ventilation Shaft	Level 1	A shaft for the AC condenser in the basement has been provided within the landscaped area.	Mechanical Services Engineer's requirements	Minimal impact on landscape area. Landscape area requirements remain compliant.
24	Drainage Void	Level 1	The drainage void has been extended around the southern wall of Apartment 1 store room and laundry.	Structural Engineer's and waterproofing requirements	Minimal
25	Deletion of BBQ Bench	Level 1	The built in BBQ bench and BBQ have been deleted from the terrace of Apartment 1.	Owner request	None
26	Concrete Wall	Level 1	A reinforced concrete column has been added to the southern wall of the terrace to Apartment 1.	Structural Engineer's requirements to support balconies over	Minimal
27	Planter Bed return wall	Level 1	The southern wall of the northern planter bed on	Waterproofing requirements	Minimal

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
			Apartment 2 terrace has been moved away from the junction with window W A202.		
28	Planter Box & Privacy Screen	Level 2	The planter box to the southern elevation of the terrace to Apartment 3 has been continued along the entire length of the terrace. A fixed aluminium framed privacy screen to a min. height of 1.7m above FFL of the terrace has been incorporated on the inside face of the planter bed and runs a minimum of 3m from the eastern façade of the external wall. Aluminium screen to match screens on Level 4.	Condition of Consent #19 Note: Timber screen not permitted due to flammability.	Minimal
29	Kitchen, Bar, Bedroom and Bathroom Plan	Level 2	The plan and layout of a bedroom, ensuite bathroom and kitchen to Apartment 2 (upper) has been reconfigured and a bar and storage unit has been added to the entry.	To provide improved amenity and access to the occupants	None
30	Northwestern Wall	Level 2	The internal corner has been curved and the northwestern retaining wall has been realigned with W A216.	Structural Engineer's requirements	Minimal
31	Sprinkler Pump Tank	Level 2	An underground sprinkler pump tank has been added to the western side of level 2, located adjacent to the Fire Sprinkler Booster Assembly on Level 3.	Fire Services Engineer's requirements	Minimal increased excavation
32	Laundry, Bathroom, Bedroom, Entry and Ensuite Plan	Level 2	The entry door, bathroom, ensuite and access to the rumpus room, laundry and two adjacent bedrooms in Apartment 3 have been reconfigured.	To provide better amenity, storage capacity and	None

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
				circulation to the occupants	
33	WA303 & 304 & Clothesline & Balustrade	Level 2	Window W A304 (previously W311) has been reconfigured to provide access to the adjacent landscaped terrace and a clothesline adjacent to Apartment 3 laundry. W303 (previously W312) has been changed from one fixed panel and one louvre panel to full louvre panel for increased ventilation to the rumpus room. A fixed glazed balustrade has been added to the eastern edge of the planter bed.	To facilitate level access to landscaped areas, a clothesline and private open space and provide increased cross ventilation and natural daylighting.	Minimal
34	Glass Balustrade to Terrace	Level 2	Apartment 2 (upper) and Apartment 3 terrace balustrades have been revised to fully glazed with sections of brickwork deleted.	Consistency of design and access to views.	Minimal
35	Planter Box & Privacy Screen	Level 3	The planter box to the southern elevation of the terrace to Apartment 4 has been continued along the entire length of the terrace. A fixed aluminium framed privacy screen to a min. height of 1.7m above FFL of the terrace has been incorporated on the inside face of the planter bed and runs a minimum of 3m from the eastern façade of the external wall. Aluminium screen to match screens on Level 4.	Condition of Consent #19 Note: Timber screen not permitted due to flammability.	Minimal
36	Concrete columns	Level 3	Additional reinforced concrete columns have been added to the	Structural Engineer's requirements	Minimal

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
			northern elevation of Apartment 4 and Retail 2.		
37	Level 3 Retail 2 Bathroom	Level 3	One accessible bathroom has been removed from Retail 2 and the entrance to the remaining accessible bathroom reconfigured to allow access from the level 3 lift lobby.	Accessibility consultant's review and AS1428.1 Design for access and mobility	None
38	Level 3 Retail 3 Bathroom	Level 3	The accessible bathroom has been removed from Retail 3.	Accessibility consultant's review and AS1428.1 Design for access and mobility	None
39	Fire Hose Reel Retail 2 & 3	Level 3	Fire hose reels have been added to Retail 2 & Retail 3.	Fire Services Engineer's requirements	None
40	Substation Revisions	Level 3	The substation has been lowered and rotated to maintain required clearances. A level platform to provide access by a Franna crane has been provided at street level maintaining the overland flow path below. The garden bed to the north of the substation has been revised and pedestrian access stairs have been added to the northern and eastern corner of the area. New frameless glass balustrading has been added to the eastern and western sides of the substation.	Ausgrid and Level 3 Electrical Engineer's requirements	Minimal impact to streetscape and landscaped areas. Landscape area requirements remain compliant.
41	Fire Sprinkler Booster Assembly,	Level 3	In accordance with the fire services engineer's requirements, a Fire Sprinkler Booster Assembly has been	Fire Services Engineer's requirements	Minimal

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
			located adjacent to the northwestern corner of the site.		
42	Access Ramp and Planter Bed	Level 3	The approved access ramp has been revised and a new planter bed has been introduced along the western boundary adjacent to Whale Beach Road.	Accessibility consultant's review and AS1428.1 Design for access and mobility	Minimal impact to streetscape and landscaped areas. Landscape area requirements remain compliant.
43	Glass Balustrade to Terrace	Level 3	The balustrades to Apartment 4 terraces have been revised to fully glazed.	Consistency of design and access to views.	Minimal
44	Spa	Level 4	The spa on the Level 4 terrace has been deleted.	Condition of Consent #19	Minimal
45	BBQ Bench	Level 4	The built in BBQ bench has been deleted from the Apartment 5 Terrace.	Owner request	None
46	Awning Roof Whale Beach Road	Level 3/4	The awning roof has been revised	To provide access to rainwater and sunlight for the planter bed adjacent to Whale Beach Road on Level 3. Cover to the communal open space to the entry area is retained.	Minimal
47	Timber Privacy Screens	Level 4	The timber privacy screens to W A504, 508, 510, 513, & 514 have been revised to aluminium framed privacy screens.	Fire Services Engineer's and NCC requirements	Minimal
48	Concrete Column	Level 4	A new internal reinforced concrete column has been added to the northeastern corner of Apartment 5.	Structural Engineer's requirements	None

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
49	Services Riser deleted	Level 4	The services riser to the southern end of the kitchen in Apartment 5 has been deleted.	Mechanical Services Engineer's requirements	None
50	Primary Bedroom Wall relocation	Level 4	The northern wall and door has been moved approximately 450mm north to align with the approved stair wall and allow the reconfiguration of the bed and bedhead joinery. Adjacent windows to the eastern wall have been reconfigured to align.	Owner request	None
51	Number of Solar Panels	Roof	Additional photovoltaic panels have been provided on the roof	Electrical Services Engineer and BASIX requirements	Minimal
52	Air Conditioning Condenser Location	Roof	Six air conditioning condensers have been located within the service area on the roof and aluminium framed ventilation screens adjacent to the condensers have been integrated into the walls of the service area.	Mechanical Services engineer's requirements	Minimal
53	Skylight Revisions	Roof	An additional skylight SK-01 has been added to the northern side of the service core. The approved skylight SK-02 has been revised and reduced in size.	To facilitate improved daylighting to the hallway in Apartment 5	Minimal
54	Satellite Dish Location	Roof	A digital satellite dish has been located adjacent to the services area on the roof.	Electrical Services Engineer's requirements	Minimal
55	Roof Access	Roof	An access ladder and roof access hatch has been added to provide access from the fire stair.	BCA consultant's requirements to comply	Minimal

No.	TYPE	LOCATION	DESCRIPTION	REASON FOR CHANGE	ENVIRONMENTAL IMPACT
			The roof access stair has been removed from the room adjacent to the Level 4 Apartment 5 lift lobby.	with Section D2D3 of the BCA	
56	Awning construction	Level 3 and Roof	The western awning to Level 3 and the eastern awning to the roof have been changed to concrete framed to accommodate drainage requirements	Hydraulic engineer's requirements	Minimal
57	Awning construction and window	Level 3	The awning above the Level 3 terrace has had minor amendments including thickening of the structure and the addition of supporting struts above the roof. The highlight window (WA413) above the awning has been deleted.	Structural and hydraulic engineer's requirements	Minimal
58	Driveway	Basement and Ground Floor	Widening of the garage door and minor realignment of the northern driveway wall.	Traffic consultant's requirements	Minimal