

31 March 2022

Northern Beaches Council
PO Box 82
Manly, NSW 1655

Attention: To Whom It May Concern

RE: DA2020/0921, 7 BOWER STREET, MANLY NSW 2095

STATEMENT OF MINOR MODIFICATIONS

Dear Sir/Madam,

We are writing on behalf of our clients and owners of the abovementioned property, Jurgen Spangl and Karin Mundesperger, to apply for a Section 4.55 Modification to the Development Application **DA2020/0921** which was approved on 25 September 2020.

Please find enclosed the following:

- Notice of Determination
- Revised Architectural Plans in A3
- Revised Landscape Plans
- Revised BASIX Certificate

For your information, the project is currently under construction and some modifications were made for compliance purposes and buildability. Despite the modifications being minor, we were advised by our Principal Certifying Authority to submit a Section 4.55 application to the Council for urgent approval to avoid any delays to the construction programme. We would greatly appreciate it if this application were assessed and determined as soon as practicable.

This application includes required modifications as per conditions of consent and proposed minor modifications to the approved design. The modifications are listed in the following page, and refer to the annotations in **magenta** and **red** in architectural drawing set.

REQUIRED MODIFICATIONS AS PER CONDITION (7) OF CONSENT

Note that these modifications has been undertaken and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate.

1. The fire pit shown on Landscape Plan removed.
2. The external cladding amended to vertical timber boards with charred finish (also known as Shou Sugi Ban). Boundary setbacks are marginally amended due to a different wall system thickness. External steel finishes (steel planters, awnings, spiral staircase) amended to align with updated external cladding.
3. 1.6m high privacy screen installed along the north-east edge of the elevated garden above the office.

PROPOSED MINOR MODIFICATIONS

Garage Floor

- a) Plant Room and Rainwater Tank repositioned, and footprint amended to allow for better access and greater storage capacity as required for electrical, mechanical and plumbing services, rainwater storage and plant equipment (e.g. hot water system, pool equipment, heat pump tanks and condenser units). Garage internal layout reconfigured accordingly. Additional 2 openings in the Plant Room for air discharged as per manufacturer's request.
 - **Impact and compliance:** No adverse impact or compliance issues as the Plant Room and Rainwater Tank structure is behind and below the side boundary fence and is not visible from the street and neighbouring property.
- b) North-eastern garage wall openings reduced to 3 smaller openings. This allows the concrete wall to function as a retaining wall for the side path and provide room to conceal necessary electrical, mechanical and plumbing services without adversely impacting the structural integrity of the load-bearing wall.
 - **Impact and compliance:** No adverse impact or compliance issues. Reducing openings improves privacy for neighbour at No. 5 Bower Street.
- c) Structural reconciliation amendments including amalgamating 2 single openings on the south-western garage wall, and additional foundation wall structure and columns under the Living Room.
 - **Impact and compliance:** No adverse impact or compliance issues.

- d) Entry gate design refined to include a side panel for intercom, light, and house number.
 - Impact and compliance: No adverse impact or compliance issues.
- e) Concrete flooring replaced with natural pavers.
 - Impact and compliance: No adverse impact or compliance issues.
- f) Landscaping refinement including relocation of the bin store at the front garden and reduced size. Also refer to landscape plans prepared by Duncan Gibbs.
 - Impact and compliance: No adverse impact or compliance issues. Improved streetscape to Bower Street.

Ground Floor

- g) Landscaping refinement as per below. Also refer to landscape plans prepared by Duncan Gibbs.
 - i. Replace glazed cover above garage entry pond with garden bed
 - ii. Natural paving to front balcony and walkway to Home Office. Floor structure amended accordingly for buildability.
 - iii. Replace daybed platforms with garden beds
 - iv. Rock garden layout refined to reflect actual site condition
 - Impact and compliance: No adverse impact or compliance issues.
- h) Design refinement to balustrades and pool barriers including glass balustrade behind spiral staircase for fall prevention.
 - Impact and compliance: No adverse impact or compliance issues.
- i) South-western screened wall at Outdoor Sitting made solid with 4 openings for improved weather protection and privacy.
 - Impact and compliance: No adverse impact or compliance issues. Privacy improved by preventing overlooking from and to upper-level terrace at No.9 Bower Street.
- j) Home Office layout slightly reconfigured. No changes to external elevation.
 - Impact and compliance: No adverse impact or compliance issues.

First Floor and Roof

- k) Minor adjustments to the position, size and type of windows for buildability and BASIX compliance. Glazing colour refinement to WF1 and WG6 at North-western façade.
 - Impact and compliance: No adverse impact or compliance issues.

- l) In/Out Deck balustrade design refinement.
 - **Impact and compliance:** No adverse impact or compliance issues.

- m) Design refinement to Green Canopy/Pergola structure for buildability, improved privacy and solar control.
 - **Impact and compliance:** No adverse impact or compliance issues. This structure is not visible from Bower Street. Privacy to No.5 Bower Street improved.

- n) Pebble roof at the front to be replaced with sheet metal roofing for improved stormwater management and waterproofing.
 - **Impact and compliance:** No adverse impact or compliance issues.

- o) Natural pavers added to the Sitting Garden. Floor structure amended to concrete for buildability and improved waterproofing.
 - **Impact and compliance:** No adverse impact or compliance issues.

We appreciate you would kindly approve our abovementioned requests considering the modifications are for compliance purposes and buildability, they also have minimal impact with improvement in some areas for the neighbours. The proposed development will be substantially the same as the development that was originally approved. We would also greatly appreciate if the assessment process can be expedited considering the project is currently under construction and cannot afford any delays. We are open to discussing the modifications with the council planner in detail if that assist with the assessment process. Should you have any queries or require further clarification, please do not hesitate to contact us.

Yours sincerely,

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