

Memo

Environment

To:	Adam Richardson , Development Assessment Manager
From:	Anaiis Sarkissian, Planner
Date:	30 June 2025
Application Number:	Mod2025/0324
Address:	Lot G DP 396772 , 19 Waterview Street MONA VALE NSW 2103
Proposed Modification:	Modification of Development Consent DA2025/0196 granted for Construction of a secondary dwelling

Background

Development consent DA2025/0196 was granted by Council on 1 May 2025 for construction of a secondary dwelling.

In relation to the above development application, architectural plans were submitted through the NSW Planning Portal on 25 February 2025. An updated set of architectural plans were subsequently submitted through the Portal on 28 February 2025, prior to the application being deemed formally lodged on 10 March 2025.

However, as a result of human admin error associated with the sorting and renaming of files uploaded from the Planning Portal, only one set of architectural plans appeared in Council's system, being the superseded plans submitted on 25 February 2025, and these were labelled 'Master Set'. Consequently, the notification and assessment of the application was based entirely on the superseded plan set. As such, this modification application seeks to rectify Council's error by re-assessing the application based on the updated plans.

It was determined that this modification application is not required to be notified or referred internally or externally as the updated architectural plans do not materially change the proposed development nor affect the outcomes of the assessment previously undertaken by the referral officers. As evident at Figures 1 and 2 below, it is considered that the updated design provides an overall lesser environmental impact than the superseded design due to the provision of less glazing to the northern and western elevations, and the removal of the sauna and rear deck. The updated design maintains the same footprint, siting and finished floor level as the superseded design, with the exception of the removal of the deck, resulting in a greater landscaped area and setback to the rear boundary.

Figure 1: Superseded floorplan



2000L
H2O tank
under deck

outdoor
shower
& tap

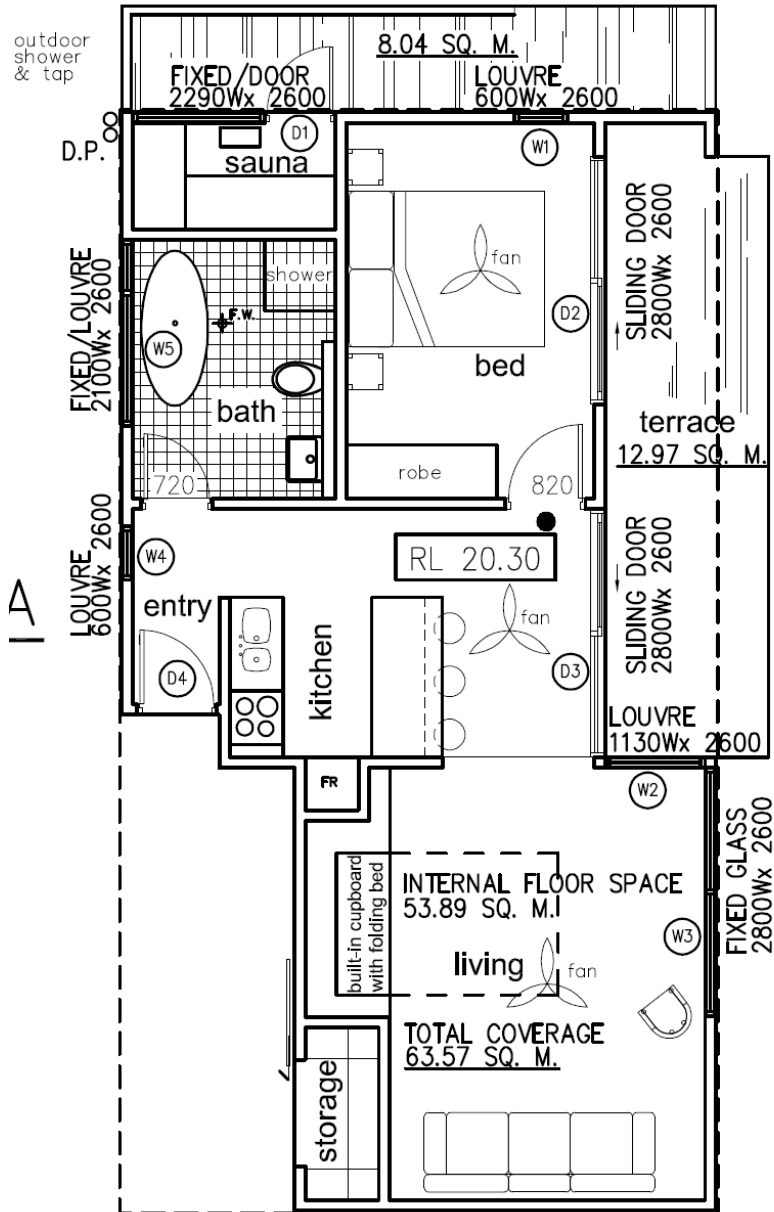
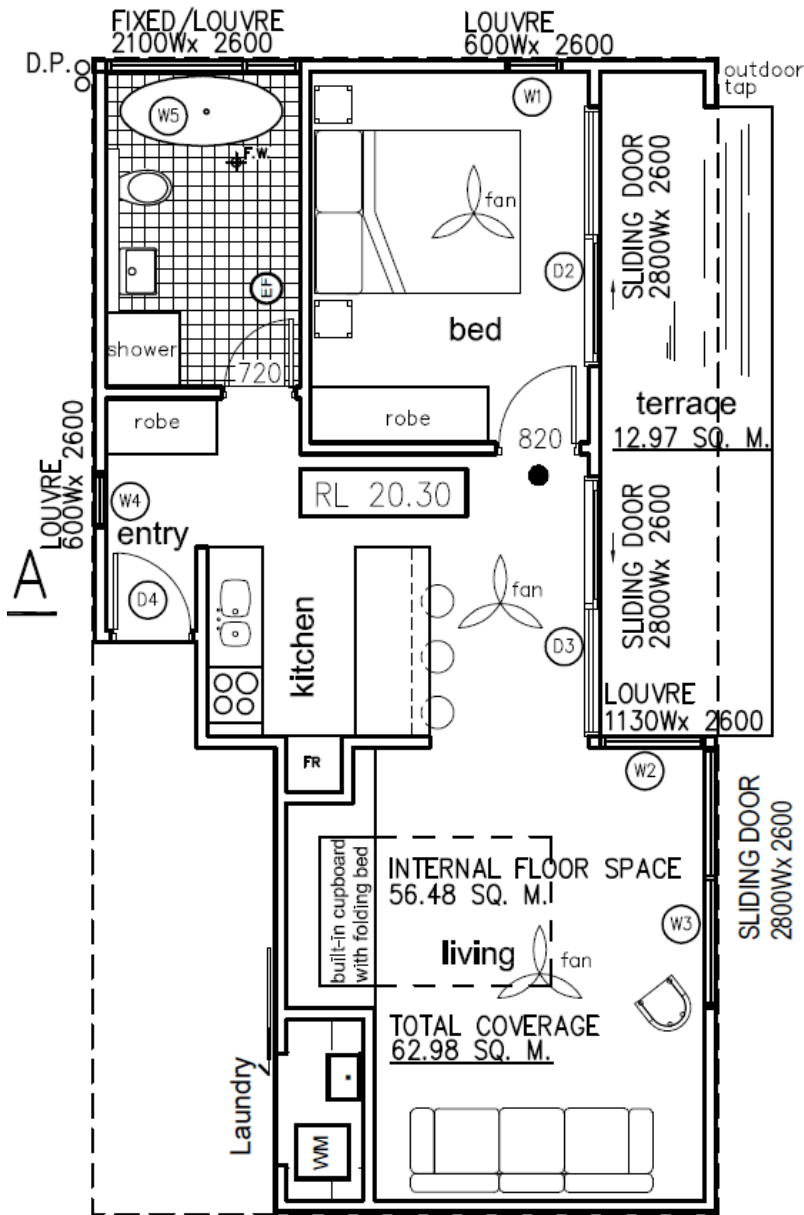


Figure 2: Updated footprint

H2O tank



Details of Modification Application

Under Section 4.55(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. The Northern Beaches Community Participation Plan does not require the notification of Section 4.55(1) modification applications as they are considered to be of minimal environmental impact.

The application seeks to modify condition 1, which reads as follows:

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
A-167 (Sheet 1)	-	Working Drawings - site- & roof plan w. storm water, floor plan, elevations & section	AH DESIGN	3 February 2025

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Arboricultural Impact Assessment Report	1	Heartwood Tree Consulting	24 February 2025
Waste Management Plan Report	-	Author Unknown	n.d.
NatHERS Certificate	0011690070-01	Terry Chapman	25 February 2025
SED-167 - Sedimentation Drawing	-	AH DESIGN	February 2025
BASIX Certificate	1782017S_02	Chapman Environmental Services Pty Ltd	25 February 2025
Schedule of Colours and Materials	-	AH DESIGN	n.d.
Waste Management Plan	-	Author Unknown	n.d.
D.03 - Stormwater Plan	B	SK Building Solutions Expertise Pty Ltd	2 April 2025
D.04 - RWT and Stormwater Details	B	SK Building Solutions Expertise Pty Ltd	2 April 2025
D.05 - Absorption Trench Plans	B	SK Building Solutions Expertise Pty Ltd	2 April 2025

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

Consideration of error or mis-description

The submitted architectural plans demonstrate that the updated design is of lesser environmental impact than the design assessed by Council under DA2025/0196 and does not change the outcome of the previous assessment. The modification of the above condition to reflect the correct architectural plans accordingly rectifies the abovementioned Council error. A separate assessment of the proposal against the matters for consideration prescribed by Section 4.15 of the Act has been undertaken, with the proposal on merit, found to be acceptable.

Conclusion

It is considered that the modification is minor in nature and consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is therefore recommended for approval.

Recommendation

THAT Council as the consent authority approve Modification Application No. Mod2025/0324 for Modification of Development Consent DA2025/0196 granted for Construction of a secondary dwelling on land at Lot G DP 396772, 19 Waterview Street, MONA VALE, as follows:

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
MOD2025/0324 PAN-545452	The date of this notice of determination	Modification of Development Consent DA2025/0196 granted for Construction of a secondary dwelling Modify Condition 1 - Approved Plans and supporting documentation

Modified conditions

A. Modify Condition 1 - Approved Plans and supporting documentation, to read as follows:

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
A-167 (Sheet 1)	-	Working Drawings - site- & roof plan w. storm water, floor plan, elevations & section	AH DESIGN	18 February 2025

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Arboricultural Impact Assessment Report	1	Heartwood Tree Consulting	24 February 2025
Waste Management Plan Report	-	Author Unknown	n.d.
NatHERS Certificate	0011690070-01	Terry Chapman	25 February 2025
SED-167 - Sedimentation Drawing	-	AH DESIGN	February 2025
BASIX Certificate	1782017S_03	Chapman Environmental Services Pty Ltd	16 June 2025
Schedule of Colours and Materials	-	AH DESIGN	n.d.
Waste Management Plan	-	Author Unknown	n.d.
D.03 - Stormwater Plan	B	SK Building Solutions Expertise Pty Ltd	2 April 2025
D.04 - RWT and Stormwater Details	B	SK Building Solutions Expertise Pty Ltd	2 April 2025

D.05 - Absorption Trench Plans	B	SK Building Solutions Expertise Pty Ltd	2 April 2025
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In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Anais Sarkissian, Planner

The application is determined on 30/06/2025, under the delegated authority of:



Adam Richardson, Manager Development Assessments