



Wednesday 29 February 2012

MR GORDON EDGAR
PITTWATER COUNCIL
PO Box 882
MONA VALE 1660

MODIFICATION OF CONSENT FOR DA N0567/10
13A OCEAN RD PALM BEACH
FAHEY DWELLING [09_154]

Dear Mr Edgar

With reference to the consent (DA N0567/10) for the construction of a single dwelling house on the lot known as 13a Ocean Rd the owner Woniara Investments seeks to modify the consent in accordance with the provisions of Section 96A of the Environmental Planning and Assessment Act 1979. The application consists of the following documents that describe proposed modification:

- Completed application form including owners consent
- This letter including a list of proposed changes (3 copies)
- Amended Statement of Environmental Effects (3 copies)
- Amended detailed drawings (6 colored copies)
- The prescribed fee
- Letters from consultants stating no changes to their original reports (3 copies)
- Notification drawings (12 copies)

The proposed amendments generally include:
The reduction in the amount of existing dwelling to be demolished namely to the new northern extension and deck. The relocation of the spa to the northern boundary and the projection of one wall to the first floor bathroom.

BACKGROUND AND CONSENT TO BE MODIFIED

Development Application [DA N0567/10] to construct Alterations and Additions to an existing dwelling was approved with conditions on 25/08/2011.

PROPOSED AMENDMENTS

- 1 Reduction of the amount of existing house to be demolished
- 2 Reduction to the size of the proposed first floor northern deck and bedroom under
- 3 Projecting wall (500mm) and associated 500x500 window with sill height 1750 above floor level to first floor bathroom
- 4 Delete proposed sliding door to proposed reduced northern deck at first floor level

ARCHITECTURE

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- 5 Relocated spa to northern boundary
- 6 Reduction of the amount of existing curved roof to be demolished

CONSIDERATION OF SECTION 79C

Section 96(3) requires a consent authority to take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application. The discussion below addresses only the issues of consequence to the modification of the consent.

Compliance summary

DEVELOPMENT CONTROL PLAN

CL	STANDARD	APPROVED	PROPOSAL	COMMENT
D12.6	SIDE SETBACK	2.5M	0 M	The proposal seeks to modify Northern setback for the spa only. The spa is 1m above ground level and has no adverse impact on adjacent dwellings.

CONCLUSION

As the amendments are consistent with the objectives of the Residential Zone 2a the nature of the changes have minimal environmental impact.

- Are not near existing adjacent dwellings.

- Proposed alterations are generally to reduce the amount of proposed extensions therefore its effects on the environment.

Therefore the proposed amendment is substantially the same development as previously approved by Council.

We trust this information satisfies Council's requirements in determining this matter however should further information be required please do not hesitate to contact the undersigned on 9699 1600.

Yours sincerely
SMITH & TZANNES

Christian Glyde