

29 January 2024

259 Aumuna Rd, Terrey Hills 2084

Modification under Section 4.55(2) to

Development Consent DA2022/0888 and Mod2023/0088

1. Summary

Land to be developed (Address)	Lot 259 DP 752017 259 Aumuna Rd, Terrey Hills 2084
Proposed Development	Alterations and additions to a dwelling house including a shed and carport
Zoning	RU4 Primary Production Small Lots
History of Development	DA2022/0888 (granted 27/07/2022) Section 4.55 Modification Mod2023/0088 Construction Certificate CC2024/0019
Development Permissible	Yes
Consent Authority	Northern Beaches Council

2. Introduction

DA2022/0888 approved alterations and additions to a dwelling house including a garage, shed and carport on 27 July 2022.

Mod2023/0088 approved relocation of the shed / garage, reconfiguration of the shed and removal of the carport.

Construction Certificate was granted on 22nd December 2023 and the construction commenced on 19th January 2024.

The modification is requested to implement minor adjustments to the finished floor levels of the proposed shed and home gym, along with associated landscape work. These changes are intended to optimize the construction of new foundations.

The Development Application is accompanied by:

1. Building Plans - prepared by Blue Sky Building Designs "Section 4.55 Level Adjustment" Issue 1 dated 22.01.2024
2. Letter prepared by Bushfire Consultancy Australia dated 30/01/2024
3. Preliminary Geotechnical Assessment prepared by White Geotechnical Group dated 29/01/2024
4. Basix Certificate – the original certificate A426499_03 dated 7 March 2023 , which is consistent with the development

In preparation of this document, consideration has been given to the following:

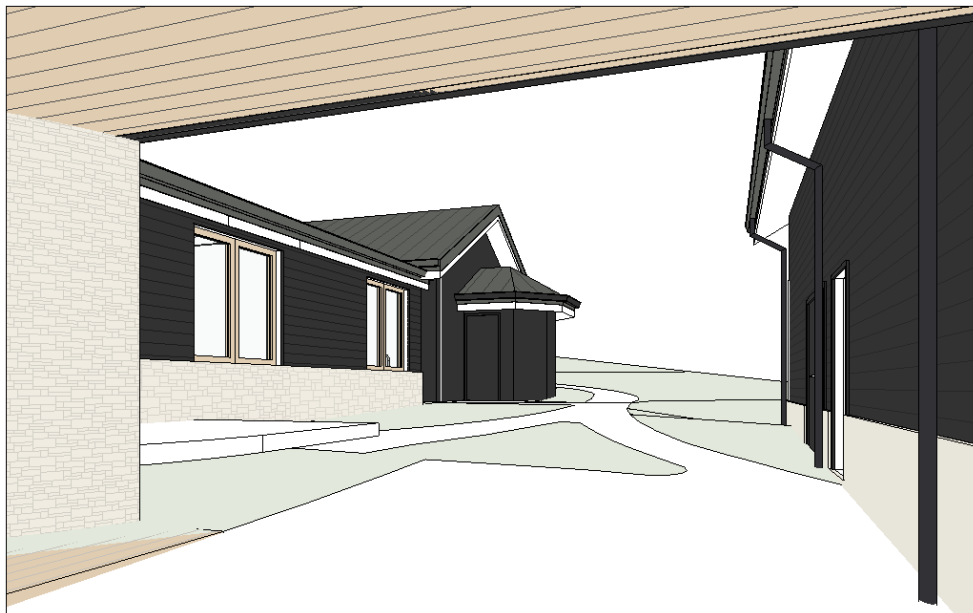
- Environmental Planning and Assessment Act (EPAA) , 1979
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan

3. Proposed Development in Detail

Key aspects of the proposed development include:

- Shed – proposed reduction on the entire structure’s elevation by 400mm. The finished floor level is expected to transition from RL169.40 to RL169.00, and the roof ridge from RL177.31 to RL176.91. This alteration in relative levels aims to enhance the efficiency of the earthworks in the perimeter of the proposed shed.
- Associated construction of the retaining wall on the NE side of shed.
- Gym – lowering the finished floor level from RL172.46 to RL172.17, a reduction of 290mm. This modification is intended to ensure that only one step is required between the existing garage and the proposed gym.
- Gym – concrete path in perimeter or the new extension to facilitate safe and stable access to the external toilet.
- Gym – associated construction of the retaining wall.
- Entry – extension of the roof over the carport connecting the existing garage/gym to the main dwelling involves an approximate 3m extension and a 0.4m increase in height.

Visual representation of changes around the entry & gym area:



As approved under DA2022/0888



Proposed under current modification.

4. Compliance Assessment

The proposed modification has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated regulations. The modification request pertains to Section 4.55 (2), being modification involving minimal environmental impact.

4.1. Warringah Local Environmental Plan 2011 (WLEP)

Part 2 - Land Use Table

The property is zoned RU4 and is permitted with the consent.

Part 4.3 - Height of the building.

The proposed modification maintains compliance with the development standard.

4.2. Bushfire Prone Land

The site is within a bushfire prone area and subject to the provisions of the Rural Fires Act 1997. The proposed is accompanied and supported by a letter prepared by Bushfire Consultancy Australia dated 30/01/2024

4.3. Warringah Development Control Plan

B1 – Wall Heights

Shed – no changes to the wall height are proposed.

Garage – West Elevation – no changes to the wall height are proposed.

Gym – as indicated on the East Elevation (A111), the proposed 290mm increase in wall height will still maintain the wall height below the permissible limit of 7.2 meters.

B5 Side Boundary Setbacks

No changes to the setbacks are proposed.

B6 Front Boundary Setbacks

No changes to the front boundary setbacks are proposed.

B9 Rear Boundary Setbacks

No changes to the rear boundary setbacks are proposed.

D1 – Landscaped Open Space

The proposed 38m² increase in hard surface, specifically the concrete area around the gym, will lead to a marginal 0.2% reduction in the landscaped area.

E10 – Landslip Risk

The application is accompanied by a letter from the geotechnical engineer.

5. Conclusions

The proposed modifications to Development Consent DA2022/0888 and Mod2023/0088 for Lot 259 Aumuna Rd, Terrey Hills represent appropriate changes within the scope of Section 4.55(2).

The modified development is substantially the same as the originally granted consent. The assessment concludes that the proposed modifications are satisfactory.

Given that construction is already underway, we kindly request the council to streamline the assessment process to prevent delays in construction.