

30 January 2025

The General Manager Northern Beaches Council
PO Box 882
MONA VALE NSW 1660

Dear Council

**APPLICATION TO MODIFY DEVELOPMENT CONSENT
SECTION 4.55 (2) ENVIRONMENTAL PLANNING & ASSESSMENT ACT**

Development Application No: DA2023/1381

Date of Determination: 04 March 2024

**Premises: 63 Whale Beach Road Avalon Beach NSW 2107.
Lot 2 DP 206960**

Proposed Development: Additions & Alterations to existing dwelling.

On behalf of Garth and Alicia Elliot, owners of the property, this submission has been prepared to assist Council in the consideration of an application pursuant to Section 4.55(2) of the Environmental Planning & Assessment Act 1979 to alter the development as approved by Development Consent DA2023/1381.

The application involves minor modifications to the form of the approved development, with the amendments detailed in the revised architectural plans prepared by GS Design, Job. 1072 - Drawing No's. Mod-01 – Mod-16, Revision A dated January 2025.

BACKGROUND

An application for consent for "*Alterations & Additions to a dwelling house*" was approved by Council by Notice of Determination dated 4 March 2024 (DA2023/1381).

PROPOSED MODIFICATIONS

The application involves minor changes to the form of the approved development.

The proposed modifications are detailed in the revised architectural plans prepared by GS Design, Drawing No's. 1072- Mod-01 – Mod-16, Revision A, dated January 2025.

The proposed modifications include the following changes, which have been highlighted on the revised architectural plans:

- New Highlight Window (W17) to North Elevation.
- New Swing Glass Door to Garage, Northern Elevation.

Construction on site is underway, the elements that are the subject of this Modification submission (new window and new door) have not been installed and fitted off.

The proposed changes do not materially alter the approved bulk and scale of the development or its relationship with the adjacent properties and the surrounding streetscape.

In support of the application, the following documentation is provided to assist Council in its deliberations:

- Revised architectural plans prepared by GS Design, Drawing No's. Mod-01 – Mod-16, Revision A dated January 2025.
- BASIX Certificate No. A496070_04.
- Geotechnical Engineers Support Letter - Ascent Geotechnical Engineers Ref: AG22480, Dated 13 Dec 2024
- Bushfire Support Letter - Building Code and Bushfire Hazard Solutions. Ref: 221067C, Dated 20 January 2025.

In my opinion, the Modification Application is substantially the same development as that which was approved within Consent No. DA2023/1381.

As the proposed modifications to the approved design will maintain the approved setbacks to side and front boundaries and the same bulk and scale when viewed from the Street or the neighbours, the modified proposal is reasonably considered to be substantially the same development as originally approved.

When viewed from Whale Beach Road or from the neighbouring properties, the development will largely present the same visual impact and appearance to that originally approved. The revised design does not introduce any significant issues for the neighbouring properties in terms of view loss or privacy.

CONCLUSION

In terms of the quantitative extent of the changes to the originally approved development, the works which are the subject of this application are minor and do not inherently alter the nature and form of the dwelling as originally approved by Council.

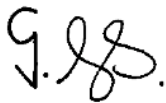
The proposed modification is justified on the basis that:

- The proposed works are generally consistent with the application as initially lodged and as detailed under the original Notice of Determination dated 4 March 2024, DA2023/1381.
- The proposal is “substantially” the same development, as defined by the Environmental Planning & Assessment Act.

Council’s support of the modification to the form of the proposed development is sought in this instance.

Please contact me on 0424 428 602 should you wish to discuss these proposed amendments.

Yours faithfully,



GRANT SEGHERS

Building Designer - MBDA - 10791
GS DESIGN, ABN: 93 370 632 963