
From: Paul Mosley
Sent: 26/02/2025 2:28:26 PM
To: Council Northernbeaches Mailbox
Subject: TRIMMED: Modification of Development Consent DA2023/1780. Application MOD2025/0063. Attention: ANAIIS
Attachments: DA20231780. Modification Application MOD20250063.doc;

Attention: ANAIIS

Hello Anaiis,

I understand that you are assigned to consider the subject Modification Application. I am the owner of the property adjacent to the subject property.

Please find the attached letter detailing my concerns regarding one of the many proposed Modifications to the Development Consent.

Kind regards,
Paul Mosley.

87A Marine Parade,
Avalon Beach,
NSW 2107.

26.02.2025

The General Manager,
Northern Beaches Council,
PO Box 52
Manly, NSW 1655

Re: Section 4.55 (1a) Modification of Development Consent
DA2023/1780. Application Number MOD2025/0063

Dear Sir,

I refer to the above Application to Modify Development Consent DA2023/1780 submitted by Vaughan Milligan Development Consulting Pty. Ltd. on behalf of Ms. Jennifer Hempton and Annabelle Chapman (Architect).

The application with respect to the, “minor amendment to the Upper Ground Floor vergola” is, in parts, both factually incorrect and misleading. The application states, “the proposed modifications to the dwelling are wholly within the existing approved building footprint.” With respect to the Upper Ground Floor vergola, this is incorrect. The building footprint is being increased in an easterly direction to accommodate the increased size of the vergola.

The application further states that, “the extent of works within the foreshore area will not change in terms of the built footprint as compared to the approved building extent.” This statement is also incorrect and misleading – the increased size of the vergola to the east results in parts of it encroaching beyond the Foreshore Building Line (LEP Control).

The size and easterly projection of the Upper Ground Floor vergola was the subject of an objection by myself when the DA application was first submitted to Council. I was represented in the matter by Anna Williams at Blackwattle Planning. Subsequent to my objection, amended plans bringing the easterly projection of the vergola behind the required Foreshore Building Line were submitted and approved by Council.

The Application to Modify Development Consent, if successful, will result the Upper Ground Floor vergola once again encroaching on the Foreshore Building Line to the point where a part of it will fail to comply with the required setback. Any encroachment on the Foreshore Building Line in a development of this size, on such a generous block of land, is entirely unnecessary. It impacts adversely on, not only the amenity and views from my own property, but also on the enjoyment of those using the public reserve. It also sets a precedent which Council might find difficult to control in future Development Applications.

It is my belief that Council has already formed the same opinion as myself and ruled on the issue by requiring the original application to be modified. I therefore request that the application with respect to the Upper Ground Floor vergola be refused.

I can be contacted anytime by return email or at [REDACTED].

Yours faithfully,

Paul Mosley.