

**Sebastian Tauni - RE: Section 96 Modification (DA 462-11-2003) – Lot 11 DP 1091149 319 Grassy Head Rd, Grassy Head**

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**From:** "Peter Hadlow" <Peter@hadlowdesign.com.au>  
**To:** "Sebastian Tauni" <Sebastian.Tauni@planning.nsw.gov.au>  
**Date:** 9/12/2013 8:03 AM  
**Subject:** RE: Section 96 Modification (DA 462-11-2003) – Lot 11 DP 1091149 319 Grassy Head Rd, Grassy Head  
**CC:** "Julie Saravanos" <jsaravanos@gmail.com>

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Sebastian.

1. The purpose of the modification is to utilize a space below part of the dwelling (west end) as a private garage, and in turn to delete the adjoining proposed carport.
2. Justification is provided in that the ground slope at the site allows the provision of a better and more secure undercover carparking space for the Owners, and the ability to have a rear access to be able to travel down the existing track to the lower site level area. Less building footprint, more security, more usability, no impact on elevations or neighbours.
3. The proposed modification is very minor – no increase in heights, no change to living areas or number of bedrooms, no change to location, and a smaller footprint. The environmental impact is minimal to nil.
4. The Owners have provided me an undertaking that the development (as proposed to be modified) will remain exactly the same as the development that was originally approved, being a two lot subdivision and development of a caretaker's residence, and restaurant and tourist information centre.
5. I have assessed the proposed modification under Section 79C of the Environmental Planning and Assessment Act. There are no matters within the modification that are considered relevant (by way of impact) to any environmental planning instrument, any draft environmental planning instrument, any development control plan, or any regulations. The proposed modification will have no impacts on either the natural or built environments, and no social or economic impacts in the locality. The site remains suitable for the development. I am aware of no submissions made in relation to this modification application. The public interest remains served by the provision of an approval to the minor modification to permit the Owners to complete the project.
6. I have reviewed Clause 256M of the Regulation and Section 96 of the Act. The application is of a minor nature, will have no environmental impact, and does not involve any relevant matters under Section 79C of the Act. The Owners applied for and received a modified development approval in 2012 – DA462 – 11 – 203 MOD 2, on 28<sup>th</sup> November 2012. The fee paid for this slightly more complex 2012 modification application (when compared to the current modification application) was assessed by the Department of Planning at \$645.00, and that was the figure paid.

I trust the above responses are adequate for you to finalize this matter, and thank you for your cooperation.

**Peter Hadlow**  
**HADLOW DESIGN SERVICES**  
**Ph: 02 6566 7688**

**Fax: 02 6566 7644**

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**From:** Sebastian Tauni [mailto:Sebastian.Tauni@planning.nsw.gov.au]  
**Sent:** Thursday, 5 September 2013 5:21 PM  
**To:** Info  
**Cc:** Sally Munk  
**Subject:** Section 96 Modification (DA 462-11-2003) – Lot 11 DP 1091149 319 Grassy Head Rd, Grassy Head

Hadlow Design Services  
Attn: Mr Peter Hadlow  
[info@hadlowdesign.com.au](mailto:info@hadlowdesign.com.au)

Dear Hadlow

Further to our telephone this afternoon I refer to your application under section 96(1A) of the *Environmental Planning and Assessment Act 1979* (the Act) to modify development consent DA 462-11-2003, relating to proposed changes to the design of the approved building at 319 Grassy Head Rd, Grassy Head.

Before your application can be assessed and determined, the following additional information is required.

### **1) Description of modification**

In accordance with the provisions of clause 115 of the *Environmental Planning and Assessment Regulation 2000* (Regulation), your application should clearly address the matters set out in items (d), (e), (f) and (g).

In particular your application should:

- Explain the purpose of the modification;
- Provide justification for the modification and each of the proposed changes to the building,
- Advise of any expected impacts of the modification, including why you consider the application is of minimal environmental impact and should be considered under section 96 (1A) rather than section 96(2) of the Act;
- Provide an undertaking to the effect that the development (as proposed to be modified) will remain substantially the same as the development that was originally approved, a 2 lot subdivision and development of a caretakers residence, restaurant and tourist information centre; and
- Assess the proposed modification having regard to the relevant matters for consideration under section 79C of the Act.

### **2) Applicable fees**

It is noted that a cheque for \$645.00 has been provided with the application. Clause 256M of the Regulation outlines fees associated with modification applications. Before the application can be assessed, further information demonstrating how the \$645.00 sum has been calculated is

required.

You are requested to provide this information within 21 working days. If you have any questions regarding any of the above, please contact Sebastian Tauni, Planning Officer on 02 9228 6348.

Sincerely

Sebastian

**Sebastian Tauni**  
**Planning Officer**  
**Major Projects Assessment**  
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