

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2017/0126
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Responsible Officer:	Isaac Toledano
Land to be developed (Address):	Lot 29 DP 366454, 16 Melwood Avenue FORESTVILLE NSW 2087
Proposed Development:	Modification of Consent to DA2015/0653 granted for construction of a dwelling house and detached gym / workshop
Zoning:	LEP - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	James Roy Ross
Applicant:	James Roy Ross

Application lodged:	19/05/2017
Application Type:	Local
State Reporting Category:	Residential - Single new detached dwelling
Notified:	01/06/2017 to 16/06/2017
Advertised:	Not Advertised, in accordance with A.7 of WDCP
Submissions:	0
Recommendation:	Approval

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (upto the time of determination) by the applicant, persons who have made submissions regarding the application and any advice provided by relevant Council / Government / Authority Officers on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - All other land under R2

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Warringah Development Control Plan - C4 Stormwater

Warringah Development Control Plan - C9 Waste Management

Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting

Warringah Development Control Plan - D8 Privacy

SITE DESCRIPTION

Property Description:	Lot 29 DP 366454 , 16 Melwood Avenue FORESTVILLE NSW 2087
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the northern/southern/eastern/western side of Melwood Avenue.</p> <p>The site is regular in shape with an average frontage of 18.9m along Melwood Avenue and a depth of 48.77m. The site has a surveyed area of 921m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates a two storey detached dwelling house and detached garage.</p> <p>Surrounding development consists of single to two storey detached dwelling houses. Across the street is Forestville Public School and to the south is Forestville RSL.</p> <p>The site is characterised as predominantly flat topography with no unique topographical features.</p> <p>The site vegetation is predominantly landscaping with a tree in the rear and shared vegetation along the southern boundary.</p>

Map:



SITE HISTORY

A search of Council's records has revealed the relevant applications for this site.

DA2015/0653

The application approved on 15/09/2015 for the construction of a dwelling house and detached gym / workshop.

The land has been used for residential purposes for an extended period of time.

PROPOSED DEVELOPMENT IN DETAIL

The proposed modification seeks the following alterations:

Gym:

External

- Roof of gym changed from hipped gable to full gable with raked ceilings.
- Windows to adjoin new roof at South / North Elevations.
- External finish changed to all cladding versus half rendered and cladding.

Internal

- Bathroom door changed to sliding door.
- Ducted air condition within roof.
- Office added via internal reconfiguration.

Dwelling House:

North Elevation

- Ground floor windows changed to sliding door.
- Fixed louvers attached to first floor windows adjoining.

External:

- Modify stormwater detention system to be modified reducing the basin size - additional offset with increased rainwater capacity. (please see Clause C4 Stormwater and Development Engineers Referral for further details).

Additionally, the application seeks to delete Condition 2 of DA2015/0653*

***[Request for Information]** - Applicant confirmed the modification of Condition 2 of DA2015/0653 rather than the deletion. Replace "Changes to windows and Openings" relating to the first floor window on the northern elevation that adjoins Bedroom 1.

- To provide a privacy screen rather than a minimum sill height of 1.65 metres (please see Clause D8 Privacy of the assessment report for further detail).

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated

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- regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2015/0653, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 96(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 96(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	Yes The modification, as proposed in this application, is considered to be of minimal environmental impact.
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	The development, as proposed, has been found to be such that Council is satisfied that the proposed works are substantially the same as those already approved under DA2015/0653.
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Warringah Local Environment Plan 2011 and Warringah Development Control Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Public Exhibition" in this report.

Section 79C Assessment

In accordance with Section 96(3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 96 the consent authority must take into consideration such of the matters referred to in section 79C(1) as are of relevance to the development

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the subject of the application.

The relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider Prescribed conditions of development consent. These matters have been addressed via a condition in the original consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No Additional information was requested.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition in the original consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition in the original consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition in the original consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition in the original consent.</p>
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts	(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report. (ii) The proposed

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Section 79C 'Matters for Consideration'	Comments
on the natural and built environment and social and economic impacts in the locality	development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Warringah Development Control Plan.

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Development Engineers	<p>Development Engineers have reviewed the proposed MOD and raise no objections to the proposal subject to :</p> <ol style="list-style-type: none"> 1.Deletion of condition 8 of Development Consent DA2015/0653 2.Insertion of the following condition in the Modified Consent <p>On-site Stormwater Detention Compliance Certification</p> <p>Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's “On-site Stormwater Detention Technical Specification” and the concept drawing by Michal Korecky, drawing number 17044, SW - 1 and 2 dated 15 May 2017.</p> <p>Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.</p>

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Internal Referral Body	Comments
	Reason: To ensure appropriate provision for the disposal of stormwater

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. 580714S_06 dated 17 May, 2017).

The BASIX Certificate indicates that the development will achieve the following:

Commitment	Required Target	Proposed
Water	40	40
Thermal Comfort	Pass	Pass
Energy	40	40

A condition has been included in the recommendation of this report requiring compliance with the commitments indicated in the BASIX Certificate.

Warringah Local Environment Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes

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zone objectives of the LEP?	Yes
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Principal Development Standards

Development Standard	Requirement	Approved	Proposed	Complies
Height of Buildings (Dwelling)	8.5m	7.5m	8.4m	Yes
Height of Buildings (Gym)	8.5m	4.4m	4.6m	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

Standard	Requirement	Approved	Proposed	Complies
B1 Wall height (Dwelling)	7.2m	6m	5.8m	Yes [No change]
B1 Wall height (Gym)	7.2m	2.74m	3m	Yes
B3 Side Boundary Envelope (Dwelling)	4m North	No encroachment	No encroachment	Yes [No change]
	4m South	No encroachment	No encroachment	Yes [No change]
B3 Side Boundary Envelope (Gym)	4m North	No encroachment	No encroachment	Yes
	4m South	No encroachment	No encroachment	Yes
B5 Side Boundary Setbacks (Dwelling)	0.9m North	3.1m	2.84m	Yes [No change]
	0.9m South	1.1m	1.07m	Yes [No change]
B5 Side Boundary Setbacks (Gym)	0.9m North	2.3m	2.69m	Yes [No change]
	0.9m South	1.1m	1.4m	Yes [No change]
B7 Front Boundary Setbacks	6.5m	6.5m	6.5m	Yes [No change]
B9 Rear Boundary Setbacks (Dwelling)	6m	16.9m	16.9m	Yes [No change]
B9 Rear Boundary Setbacks (Gym)	6m	3m	3m	Yes [No change - allowed under exception]
D1 Landscaped Open Space and Bushland Setting	40% (376.8sqm)	40.1% (377sqm)	40.1% (377sqm)	Yes [No change]

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Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	Yes	Yes
B3 Side Boundary Envelope	Yes	Yes
R2 Side Boundary Envelope Exceptions	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
Side Setbacks - R2	Yes	Yes
Side Setback Exceptions - R2	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
R2 - All other land in R2 Zone	Yes	Yes
Front Boundary Exceptions - R2	Yes	Yes
B9 Rear Boundary Setbacks	Yes	Yes
All other land under R2	No	Yes
Rear Boundary Exceptions - R2	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	No	No
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Private Property Tree Management	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

All other land under R2

The outbuilding is located within the rear boundary setback area and was approved under the original application. This is allowed under exception and no changes are proposed to the rear boundary setback of the gym / workshop.

C4 Stormwater

The proposed modification includes alteration of the approved stormwater detention system, reducing the basin size and additional offset with increased rainwater capacity. Accordingly, the application was referred to Council Development Engineers who have reviewed the proposed modification and completed an assessment. The original condition included in DA2015/0653 read as follows:

8. On-site Stormwater Detention Compliance Certification

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Ibrahim Stormwater Consultants, drawing number E5546-17822, Sheets 1 and 2 dated 17 May 2015.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development. (DACENC03)

Council Development Engineers have recommended approval subject to conditions. They have recommended that the above condition be deleted and replaced with:

8A. On-site Stormwater Detention Compliance Certification to read as follows:

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Michal Korecky, drawing number 17044, SW - 1 and 2 dated 15 May 2017.

Details demonstrating compliance are to be submitted to the Certifying Authority to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater. (DACENC03)

Therefore, a condition has been included to reflect this replacement, ensuring that stormwater is disposed via the appropriate systems.

C9 Waste Management

A condition has been included in the original application, requiring the provision of a detailed waste management plan.

D1 Landscaped Open Space and Bushland Setting

Condition 2 had required the deletion of concrete areas surrounding the approved gym area for the purposes of meeting the Landscaped Open Space requirement. The modification has included plans that have demonstrated compliance with the Landscaped Open Space requirement and therefore, it is considered that the condition has been satisfied.

D8 Privacy

Introduction

A condition was included in the consent of DA2015/0653, which specifically in part required: "the windows on the northern elevation of the balcony off bedroom 1 ... to be modified to have a minimum lower sill height of 1.65m when measured from the finished upper floor level." In essence, the purpose of this section of the condition is to ensure that the occupants and neighbours are able to retain a high level of visual privacy. The subject MOD2017/0126 seeks to modify this part of the condition. Condition #2 in its entirety reads as:

2. Amendments to the approved plans

The following amendments are to be made to the approved plans:

Landscape Plan LPDA 15 - 403 / 1B

- *The paving and hard surface areas on the northern, southern and western elevations of the Workshop/Gym are to be deleted and replaced with deep soil landscaped open space and/or plantings,*
- *The proposed concrete path and paving located on the southern boundary of the site is to be deleted.*
- *A 1.5m wide hard surface landing is to be retained adjacent to the laundry to allow for access and placement of the rain water tank and air-conditioning unit on the southern elevation.*
- *All references to the "Swimming Pool" are to be deleted from the plans.*

Changes to windows and Openings

- ***The windows on the northern elevation of the balcony off bedroom 1 are to be modified to have a minimum lower sill height of 1.65m when measured from the finished upper floor level,***
- *The windows servicing the bathroom on the upper floor western and southern elevations are to be of opaque glazing.*

Workshop/Gym

- *The door on the western elevation of the proposed Workshop/Gym is to be deleted.*

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts in accordance with WLEP2011 and WDCP. (DACPLB02)

Proposed

The subject modification seeks to substitute the highlighted part of the condition with the provision of a louver privacy screen rather than requiring a minimum sill height.

Assessment

The proposed privacy screen is considered to result in consistency with the intention of the aforementioned section of

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the original condition. The occupants would retain full sized windows increasing the level of solar access to the balcony area and the adjoining Bedroom 1, whilst simultaneously protecting the level of privacy enjoyed by the neighbours and the occupants.

Recommendation

It is recommended that the condition should be modified to read as [with particular attention to the highlight section]:

2. Amendments to the approved plans

The following amendments are to be made to the approved plans:

Landscape Plan LPDA 15 - 403 / 1B

- *The paving and hard surface areas on the northern, southern and western elevations of the Workshop/Gym are to be deleted and replaced with deep soil landscaped open space and/or plantings,*
- *The proposed concrete path and paving located on the southern boundary of the site is to be deleted.*
- *A 1.5m wide hard surface landing is to be retained adjacent to the laundry to allow for access and placement of the rain water tank and air-conditioning unit on the southern elevation.*
- *All references to the "Swimming Pool" are to be deleted from the plans.*

Changes to windows and Openings

- ***A privacy screen is to be erected to a minimum RL132-97 for the entire length of the outermost northern edge of the balcony windows located off Bedroom 1 as shown on the approved plans titled "DWG No. A21173 | Issue G, pg.5 of 13 - East Elevation / North Elevation - dated 12/04/17 drawn by HS". The privacy screen shall be of fixed panels or louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development.***
- *The windows servicing the bathroom on the upper floor western and southern elevations are to be of opaque glazing.*

Workshop/Gym

- *The door on the western elevation of the proposed Workshop/Gym is to be deleted.*

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts in accordance with WLEP2011 and WDCP. (DACPLB02)

Conclusion

The condition as modified is considered consistent with the provisions of the Warringah Development Control Plan 2011, Clause D8 Privacy.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

Section 94 contributions were levied on the Development Application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval Modification Application No. Mod2017/0126 for Modification of Consent to DA2015/0653 granted for construction of a dwelling house and detached gym / workshop on land at Lot 29 DP 366454, 16 Melwood Avenue, FORESTVILLE, subject to the conditions printed below:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By

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DWG No. A21173, Pg.1 of 13, Issue G - Site Analysis / Site Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.2 of 13, Issue G - Ground Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.3 of 13, Issue G - Ground Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.4 of 13, Issue G - First Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.5 of 13, Issue G - East / North Elevation	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.6 of 13, Issue G - West / South Elevation	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.7 of 13, Issue G - Section A-A	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.8 of 13, Issue G - Slab Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.9 of 13, Issue G - Gym / Workshop Floor Plan Slab Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.10 of 13, Issue G - South / East / West / North Elevation	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.11 of 13, Issue G - Section A-A	12 April 2017	HS - Eden Brae Homes

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

B. Modify Condition 2 - Amendments to the approved plans to read as follows:

The following amendments are to be made to the approved plans:

Landscape Plan LPDA 15 - 403 / 1B

- The paving and hard surface areas on the northern, southern and western elevations of the Workshop/Gym are to be deleted and replaced with deep soil landscaped open space and/or plantings,
- The proposed concrete path and paving located on the southern boundary of the site is to be deleted.
- A 1.5m wide hard surface landing is to be retained adjacent to the laundry to allow for access and placement of the rain water tank and air-conditioning unit on the southern elevation.
- All references to the "Swimming Pool" are to be deleted from the plans.

Changes to windows and Openings

- A privacy screen is to be erected to a minimum RL132-97 for the entire length of the outermost northern edge of the balcony windows located off Bedroom 1 as shown on the approved plans titled "DWG No. A21173 | Issue G, pg.5 of 13 - East Elevation / North Elevation - dated 12/04/17 drawn by HS". The privacy screen shall be of fixed panels or louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development.
- The windows servicing the bathroom on the upper floor western and southern elevations are

to be of opaque glazing.

Workshop/Gym

- The door on the western elevation of the proposed Workshop/Gym is to be deleted.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts in accordance with WLEP2011 and WDCP. (DACPLB02)

C. Delete Condition 8 - On-site Stormwater Detention Compliance Certification to read as follows:

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Ibrahim Stormwater Consultants, drawing number E5546-17822, Sheets 1 and 2 dated 17 May 2015.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development. (DACENC03)

D. Add Condition 8A - On-site Stormwater Detention Compliance Certification to read as follows:

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Michal Korecky, drawing number 17044, SW - 1 and 2 dated 15 May 2017.

Details demonstrating compliance are to be submitted to the Certifying Authority to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater. (DACENC03)

I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.

Signed

Isaac Toledano, Planner


The application is determined under the delegated authority of:

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Anna Williams, Development Assessment Manager

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ATTACHMENT A

Notification Plan	Title	Date
 2017/141001	Plan - Notification	19/05/2017

ATTACHMENT B

Notification Document	Title	Date
 2017/175893	Notification Map	01/06/2017

ATTACHMENT C

Reference Number	Document	Date
 2017/141010	Plans - Master Set	18/04/2017
 2017/137205	DA 2015/0653	17/05/2017
 2017/141002	Report - Statement of Modification	19/05/2017
 2017/141003	Report - BASIX Certificate	19/05/2017
 2017/141007	Plans - Stormwater Drainage	19/05/2017
 MOD2017/0126	16 Melwood Avenue FORESTVILLE NSW 2087 - Section 96 Modifications - Section 96 (1a) Minor Environmental Impact	19/05/2017
 2017/140535	DA Acknowledgement Letter - James Roy Ross	19/05/2017
 2017/140999	Application to Modify a Consent	19/05/2017
 2017/141000	Applicant Details	19/05/2017
 2017/141009	Plans - External	19/05/2017
 2017/141008	Plans - Internal	19/05/2017
 2017/141001	Plan - Notification	19/05/2017
 2017/141004	Plans - Shadow Diagram	19/05/2017
 2017/175884	Notification Letter - Mod - 23	01/06/2017
 2017/175893	Notification Map	01/06/2017
 2017/175902	ARP Map & previous DA map	01/06/2017
 2017/194846	Site Photos	19/06/2017
 2017/222984	Working Plans	11/07/2017
 2017/235954	RE: Clarity of Details Regarding the Modification to Condition #2 of DA2015/0653	18/07/2017
 2017/244627	Development Engineering Referral Response	21/07/2017