

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2020/0722
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Responsible Officer:	Lashta Haidari
Land to be developed (Address):	Lot 3B DP 164259, 62 Beaconsfield Street NEWPORT NSW 2106 Lot 4A DP 159498, 11 Queens Parade NEWPORT NSW 2106 Lot 3A DP 164259, 9 Queens Parade NEWPORT NSW 2106 Lot 2 DP 209106, 7 Queens Parade NEWPORT NSW 2106 Lot 5A DP 158658, 13 Queens Parade NEWPORT NSW 2106 Lot 4B DP 159498, 60 Beaconsfield Street NEWPORT NSW 2106
Proposed Development:	Modification of Development Consent DA2019/1280 granted for demolition works and construction of a multi unit housing development with associated carparking and landscaping
Zoning:	R3 Medium Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Adcock Group Management Pty Ltd Stable Innovations Pittwater Shores Pty Ltd
Applicant:	Stable Innovations Pittwater Shores Pty Ltd

Application Lodged:	14/01/2021
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	29/01/2021 to 19/02/2021
Advertised:	29/01/2021
Submissions Received:	2
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

The modification application as lodged sought approval for the following modifications:

- Addition of a bedroom window to Townhouses 1, 2, 3, 9(A), 10(A), 11, 16(A) and 17(A) and addition of one window to the walk-in-robe in Townhouse 8;
- Provision of light well and ventilation louvres to Townhouse 11 garage;
- Replacement of bay window and bath with a window in Townhouse 11;
- Provision of solar panel roofing material on approved rooftop pergolas;
- Addition of basement pump room;
- Stair from basement car park straightened;
- Pedestrian gate to Townhouse 15(A) on Beaconsfield Street relocated;
- Enclosure of approved services areas adjacent to driveway and pedestrian access on Beaconsfield Street;
- External stair 2 from basement garage deleted;
- Wall to Townhouse 11 extended;
- Planter on roof over driveway to Queens Parade reduced;
- Roof over eastern pedestrian entry to garage deleted;
- Provide 1.5m wide footpaths to Beaconsfield Street and Queens Parade; and
- Modify Condition 12(1) and (6) to replace the words "2.5 metres" with "1.5 metres".

Amendments to the Application

It is noted that the applicant no longer wishes to proceed with changes to Condition 12 in relation to pedestrian footpaths. Also, the changes to the approved building height through the provision of light weight rooftop structures on the approved terraces are no longer being sought. Amended plans have been submitted which reflect those changes.

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 the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Pittwater 21 Development Control Plan - D10.8 Side and rear building line (excluding Newport Commercial Centre)

SITE DESCRIPTION

<p>Property Description:</p>	<p>Lot 3B DP 164259 , 62 Beaconsfield Street NEWPORT NSW 2106 Lot 4A DP 159498 , 11 Queens Parade NEWPORT NSW 2106 Lot 3A DP 164259 , 9 Queens Parade NEWPORT NSW 2106 Lot 2 DP 209106 , 7 Queens Parade NEWPORT NSW 2106 Lot 5A DP 158658 , 13 Queens Parade NEWPORT NSW 2106 Lot 4B DP 159498 , 60 Beaconsfield Street NEWPORT NSW 2106</p>
<p>Detailed Site Description:</p>	<p>The subject site consists of six (6) individual lots, which are to be amalgamated. The amalgamated lots are located on the northern side of Beaconsfield Street and extends through to the southern side of Queens Parade.</p> <p>The site is irregular in shaped with total site area of 3,928m², and frontage of 62.385m to Beaconsfield Street to the south and another frontage of 80.465m to Queens Parade to the north. The eastern side boundary is irregular and has a total length of 85.155m. The western side boundary has a length of 46.355m.</p> <p>The site is currently occupied by a 40-place child care centre plus 2 x 2-bedroom dwellings on 7 Queens Parade, and five dwelling houses on the remaining allotments. The existing buildings are 1 and 2 storeys in height. The area around the buildings is landscaped and the site contains a number of mature trees.</p> <p>The immediate surrounding area contains a mix of residential development in the form of single dwellings, multi-storey residential flat buildings and townhouses with each building typology varying significantly in terms of height, massing and design.</p> <p>Neighbouring development consists a local shopping centre to the west, and a townhouse development and a dwelling house adjoins the site to the east.</p> <p>Other adjoining development within the Locality consists of:</p> <ul style="list-style-type: none"> • Newport Arms Hotel (on Kalinya Street to the west) • Newport Public School (100m to the east) • Automotive repairs (on the north-eastern corner of Kalinya Street and Queens Parade) • Metro Mirage Hotel (on the north-western corner of Kalinya Street and Queens Parade) • Trafalgar Park (100m to the north-east) • Dearin Reserve (100m to the north-west) • Newport Anchorage Marina (on Beaconsfield Street to the south)

Map:



SITE HISTORY

The land has been used for residential and commercial purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

- DA2019/1280 - On 23 April 2020, Northern Beaches Local Planning Panel approved demolition works and construction of a multi-unit housing development with associated carparking and landscaping.

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 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 DA2019/1280, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and

Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
<p>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:</p>	
<p>(a) it is satisfied that the proposed modification is of minimal environmental impact, and</p>	<p>Yes The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <ul style="list-style-type: none"> • The proposed modifications are minor within the context of the approved development and will not adversely impact on the physical or natural environment beyond what was approved under the development for which consent was originally granted. •
<p>(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</p>	<p>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 DA2019/1280 for the following reasons:</p> <ul style="list-style-type: none"> • Qualitatively and quantitatively, the proposed amendments do not significantly alter any element of the approved development that is essential to its characterisation or assessment. • The amendments do not alter the approved use, being for the purposes of a multi-unit housing development with associated carparking and landscaping. <p>This assessment 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.</p>
<p>(c) it has notified the application in accordance with:</p> <p>(i) the regulations, if the regulations so require,</p> <p>or</p> <p>(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</p>	<p>The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Pittwater Local Environment Plan 2014 and Pittwater 21 Development Control Plan.</p>

Section 4.55(1A) - Other Modifications	Comments
(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 “Notification & Submissions Received” in this report.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (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>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. No additional information was requested in this case.</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</p>

Section 4.15 'Matters for Consideration'	Comments
	<p>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 clause is not relevant to this application.</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> <p><u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.</p>
<p>Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</p>	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
<p>Section 4.15 (1) (c) – the suitability of the site for the development</p>	<p>The site is considered suitable for the proposed development.</p>
<p>Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs</p>	<p>See discussion on “Notification & Submissions Received” in this report.</p>
<p>Section 4.15 (1) (e) – the public interest</p>	<p>No matters have arisen in this assessment that would justify the refusal of the application in the public interest.</p>

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 29/01/2021 to 19/02/2021 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 2 submission/s from:

Name:	Address:
Ms Lisa Lee Butler	9 / 14 Queens Parade NEWPORT NSW 2106
Ms Wendy Anne Batchelor	5 / 75 Beaconsfield Street NEWPORT NSW 2106

Two (2) submissions were received by nearby property owners. It is noted one (1) submission was submitted on behalf of several property owners. The following issues were raised in the submissions and each have been addressed below:

- The provision of a footpath at 1.5m in width;
- Increase to the building height; and
- Parking of trailers and boats in the area.

The matters raised within the submissions are addressed as follows:

- **The provision of a footpath at 1.5m in width**

Comment:

The applicant has requested the deletion of this component of the application. The provision of 1.5m wide footpath along Queens Parade and Beaconsfield Street will no longer form a part of the subject application and will not be approved as part of this application, therefore satisfying the objector's concerns.

- **Increase to the approved building height**

Comment:

As above, the proposal no longer includes an increase to the building height. The building height will remain unchanged from the approved development, therefore satisfying the objector's concerns.

- **Parking of trailers and boats in the area**

Comment:

This is not a matter which can be considered under this assessment.

REFERRALS

Internal Referral Body	Comments
Landscape Officer	The modification application to development consent DA2019/1280 includes the following works relevant to Landscape Referral: inclusion of a light well and pump room within landscape garden, minor

Internal Referral Body	Comments
	<p>adjustment in size and alignment of planters and gardens, and the replacement of landscape area along the front western boundary with 2 metre high walling as part of a separate pathway entrance into the site.</p> <p>The pump room addition is located against the existing carpark boundary wall of property No.5 Kalinya Street, and planter soil is included above to provide for the proposed planting in accordance with the DA landscape documents.</p> <p>The removal of screen planting against the Beaconsfield Street frontage adjoining property No.5 Kalinya Street and replacement with a pathway and 2 metre high wall raises no objections as the one wall is located against the existing blank wall of the adjoining building and one wall on the other side of the pathway is adjacent to 1.2m high planters with associated planting.</p>
NECC (Development Engineering)	<p>The proposal to modify the width of the footpath from 2.5m to 1.5m is not supported. Discussion with the Traffic engineers has confirmed that there is a proposal for a shared path along Queens Parade and Beaconsfield Street. As such there are no changes to Condition 12 of DA2019/1280.</p> <p>Additional Information Received 24/02/2021 Amendment to remove the change in the width of the footpath and maintain the 2.5m width of the shared path is noted. No objections to approval and no changes to conditions as per DA2019/1280.</p>
Road Reserve	<p>Development Engineering comments are supported.</p> <p>Amended regarding removal of change in width noted and retention of shared path width. No objection.</p>

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	<p>The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.</p>

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. 1054289M_02 dated 18 December 2020). The BASIX Certificate is supported by an ABSA Assessor Certificate (see Certificate No. 0005532180 dated 18 December 2020).

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

Commitment	Required Target	Proposed
Water	40	41
Thermal Comfort	Pass	Pass
Energy	50	63

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

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. A response was received stating that Ausgrid raised no objection to the proposal subject to special care being taken to ensure that driveway and any other construction activities within the footpath area do not interfere with the existing cables in the footpath.

Pittwater Local Environmental Plan 2014

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

Principal Development Standards

Development Standard	Requirement	Approved	Proposed	% Variation	Complies
Height of Buildings:	8.5m	9.6m	Unchanged	N/A	No
Density controls for certain residential accommodation	1 dwelling per 200m ²	1 dwelling per 218.2m ²	Unchanged	N/A	No

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.5A Density controls for certain residential accommodation	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.10 Essential services	Yes

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Approved	Proposed	Complies
Front building line	6.5m (Queens Parade)	3m - 6.5m	Unchanged	No
	6.5m (Beaconsfield Street)	3m	Unchanged	No
Rear building line	6.5m	N/A	N/A	N/A
Side building line	3.95m - 4.4m (east)	4.1m	Unchanged	No
	4.25m - 4.8m (west)	2m - 3m	Nil setback	No
Building envelope	4.2m (east)	Within envelope	Unchanged	Yes
	4.2m (west)	Outside envelope	Unchanged	No
Landscaped area	50%	50.5% (including impervious areas <1m in width)	51%	Yes
Density controls	Frontage minimum one-third the length of the longest side boundary	Frontages (62.385m and 80.465m) are greater than one-third the length of the longest boundary (85.155m)	Unchanged	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.10 Newport Locality	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B2.5 Dwelling Density and Subdivision - Medium Density Residential	Yes	Yes
B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land	Yes	Yes
B5.15 Stormwater	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
C1.1 Landscaping	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
D10.1 Character as viewed from a public place	Yes	Yes
D10.3 Scenic protection - General	Yes	Yes
D10.4 Building colours and materials	Yes	Yes
D10.7 Front building line (excluding Newport Commercial Centre)	Yes	Yes
D10.8 Side and rear building line (excluding Newport Commercial Centre)	No	Yes
D10.11 Building envelope (excluding Newport Commercial Centre)	Yes	Yes
D10.12 Landscaped Area - General	Yes	Yes
D10.16 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

Detailed Assessment

D10.8 Side and rear building line (excluding Newport Commercial Centre)

The proposed pump room is to be sited to the western boundary with a nil setback adjacent to the garage servicing Unit 11. Previously the side setback to the western boundary was approved at 2m under the parent consent.

An assessment against the outcomes of the control is provided below:

- *To achieve the desired future character of the Locality*

The proposed pump room will not detract nor impact on the desired future character of the

Newport Locality. The structure will not be visible from any public or private place, being screen from Beaconsfield St and the adjacent property to the west.

- *The bulk and scale of the built form is minimised.*

The bulk and scale of the room is largely minimal. As above, the room will be integrated into the building design as well as being screened from view from a public or private place. Further, the pump room

- *Equitable preservation of views and vistas to and/or from public/private places.*

The pump room will be sited at ground level and below the approved building height, therefore not ensuring an equitable preservation of views and vistas from any public or private place.

- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

As above, view sharing will not be impacted.

- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

In addition to being sited at ground level with minimal bulk and scale, the pump room is non-habitable and will not pose any impact on privacy, amenity or solar access to the development site or adjoining sites.

- *Substantial landscaping, a mature tree canopy and an attractive streetscape.*

Landscaping will continue to be provided in accordance with the approved landscape plan, providing a mature tree canopy and an attractive streetscape to Beaconsfield St and Queens Pde.

- *Vegetation is retained and enhanced to visually reduce the built form.*

As above, approved landscaping will be provided to visually reduce the built form.

- *To ensure a landscaped buffer between commercial and residential zones is established.*

A landscape buffer will continue to be provided along the western boundary adjoining the commercial zone.

Notwithstanding the non-compliance, the proposal remains reasonable within the context of the site and approved development. The pump room is located at ground level and will not pose any adverse impact on the amenity of adjoining properties.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect 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

Northern Beaches Section 7.12 Contributions Plan 2019

Section 7.12 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;
- Pittwater Local Environment Plan;
- Pittwater 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 to Modification Application No. Mod2020/0722 for Modification of Development Consent DA2019/1280 granted for demolition works and construction of a multi unit housing development with associated carparking and landscaping on land at Lot 3B DP 164259,62 Beaconsfield Street, NEWPORT, Lot 4A DP 159498,11 Queens Parade, NEWPORT, Lot 3A DP 164259,9 Queens Parade, NEWPORT, Lot 2 DP 209106,7 Queens Parade, NEWPORT, Lot 5A DP 158658,13 Queens Parade, NEWPORT, Lot 4B DP 159498,60 Beaconsfield Street, NEWPORT, 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
10708_DA003 Issue L (Site Plan / Roof Plan)	25.02.2021	nettletontribe
10708_DA004 Issue P (Beaconsfield St Ground Level Plan)	25.02.2021	nettletontribe
0708_DA005 Issue N (Beaconsfield Level 1 Plan & Queens Parade Basement Level Plan)	25.02.2021	nettletontribe
10708_DA006 Issue M(Beaconsfield Level 2 Plan & Queens Parade Ground Level Plan)	25.02.2021	nettletontribe
10708_DA007 Issue K (Beaconsfield Roof Plan & Queens Parade Level 1 Plan)	25.02.2021	nettletontribe
10708_DA020 Issue J (Elevations – Sheet 1)	25.02.2021	nettletontribe
10708_DA021 Issue H (Elevations – Sheet 2)	25.02.2021	nettletontribe
10708_DA030 Issue K (Sections)	25.02.2021	nettletontribe
10708_DA062 Issue D (Western Boundary Detail)	25.02.2021	nettletontribe
10708_DA075 Issue F (Landscape Area Plan)	25.02.2021	nettletontribe

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate (1054289M_03)	03.03.2021	Eco Certificates Pty Ltd
NATHERS Certificate (0005742680)	03.03.2021	Eco Certificates Pty Ltd
Arboricultural Report	30.01.2020	Footprint Green Pty Ltd

c) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

d) 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.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed

Lashta Haidari
Lashta Haidari, Principal Planner

The application is determined on 04/03/2021, under the delegated authority of:



Steven Findlay, Manager Development Assessments