

Memo

Development Assessment

To: Development Determination Panel

From: Nick Keeler
Planner

Date: 23 February 2021

Subject: Mod2020/0572 – 48A Queenscliff Road QUEENSCLIFF

Record Number: 2021/143871

Dear Panel,

Please find below a further assessment of the Modification Application in accordance with Section 4.55(1A) of the *Environmental Planning and Assessment Act, 1979* (EPAA 1979). The relevant matters for consideration under Section 4.55(1A) of the EPAA 1979, are:

Section 4.55(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	<p>Yes</p> <p>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 visual impact of the exhaust riser and the landscaped terraces are minor within the context of existing buildings and structures on the site and surrounding land. • The provision of the landscaped terrace area at the southwestern corner of the building improves the visual amenity between properties by softening the bulk of the subject building near the western side boundary. • The exhaust riser and landscaped terrace area does not cause any additional impact to the existing levels

Section 4.55(1A) - Other Modifications	Comments
	of solar access, visual and acoustic privacy and view corridors of adjacent and nearby dwellings, subject to condition.
(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>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 DA2011/0360 for the following reasons:</p> <ul style="list-style-type: none"> • The external appearance of the building will be largely unchanged by the proposed modifications. • Despite the proposed modifications, the appearance of the building will be largely unchanged when viewed from surrounding sites and the public domain. • The proposed changes will not change the use of the development. • The modifications will not result in additional impacts on surrounding sites and the public domain.
<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>	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 "Notification & Submissions Received" in this report.