

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2023/0224
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Responsible Officer:	Thomas Bershtein
Land to be developed (Address):	Lot 22 DP 19657, 16 Stephen Street BEACON HILL NSW 2100
Proposed Development:	Modification of Development Consent DA2020/0231 granted for Alterations and additions to a dwelling house including a swimming pool
Zoning:	Warringah LEP2011 - 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:	Susan Jane Zicat
Applicant:	JJ Drafting Australia Pty Ltd

Application Lodged:	03/05/2023
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	10/05/2023 to 24/05/2023
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks to modify the approved consent for alterations and additions to an existing dwelling, including a swimming pool. Specific modifications are outlined below:

- Raising the approved garage floor level
- Redesign to driveway and reconfiguration of front setback landscaping
- Garage concrete slab extended to form new room for rainwater tank/pool pump beneath paved pool area
- Removal of external bathroom door, replacement with window
- Approved swimming pool reduced in size
- Approved spa reduced in size
- Existing steps on terrace replaced

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

Warringah Development Control Plan - B5 Side Boundary Setbacks
 Warringah Development Control Plan - B9 Rear Boundary Setbacks
 Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting
 Warringah Development Control Plan - D22 Conservation of Energy and Water
 Warringah Development Control Plan - E4 Wildlife Corridors
 Warringah Development Control Plan - E8 Waterways and Riparian Lands
 Warringah Development Control Plan - E10 Landslip Risk

SITE DESCRIPTION

Property Description:	Lot 22 DP 19657 , 16 Stephen Street BEACON HILL NSW 2100
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the northern side of Stephen Street.</p> <p>The site is regular in shape with a frontage of 15.24m along Stephen Street and a depth of 30.48m. The site has a surveyed area of 464.4m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates a dwelling house, a raised outdoor entertaining area and an in-ground swimming pool.</p> <p>The site is largely flat, without any significant slopes.</p>

The site is vegetated lightly, predominately with lawns and low lying shrubs.

Detailed Description of Adjoining/Surrounding Development

Adjoining and surrounding development is characterised by one and two storey dwelling houses on the northern and southern sides of Stephen Street. Land to the east is zoned RE1 Public Recreation, consisting of heavily vegetated areas hosting wildlife.

Map:



SITE HISTORY

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

- DA2010/0521 - Alterations and additions to a dwelling house, approved 25 June 2010
- DA2012/0583 - Alterations and additions to a dwelling house, withdrawn 16 July 2012
- DA2012/1038 - Alterations and additions to a dwelling house, approved 13 November 2012
- MOD2013/0242 - Modification of Development Consent DA2012/1038 granted for Alterations and additions to a dwelling house, approved 10 February 2014
- DA2020/0231 - Alterations and additions to a dwelling house including a swimming pool, approved 20 April 2020

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 DA2020/0231, 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
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 modification reduces the scale of the development • Notwithstanding the minor reduction in calculable landscaping, the proposal includes no net reduction in vegetation on site
(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 consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2020/0231 for the following reasons:</p> <ul style="list-style-type: none"> • The development retains the site's use as a dwelling house within a low density residential setting • The modification relates to changes proposed for elements approved within the previous consent
<p>(c) it has notified the application in accordance with:</p> <p>(i) the regulations, if the regulations so require,</p>	<p>The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021, and the Northern Beaches Community Participation Plan.</p>

Section 4.55(1A) - Other Modifications	Comments
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	
(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.	No submissions were received in relation to this application.

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	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 29</u> of the EP&A Regulation 2021 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 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The</p>

Section 4.15 'Matters for Consideration'	Comments
	<p>Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 62</u> and/or 64 of the EP&A Regulation 2021 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 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</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>(i) Environmental Impact 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.</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>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (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.

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 10/05/2023 to 24/05/2023 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

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

REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The application is for modification to development consent DA2020/0231 as described in reports and as illustrated in plans.</p> <p>A Landscape Concept Plan is submitted indicating new areas of landscape area and the modification does not impact on the landscape outcomes of the development consent, and as such no Landscape Referral concerns are raised, for modified landscape works as indicated on the Landscape Concept Plan.</p> <p>All Landscape Referral conditions under development consent DA2020/0231 remain.</p>
NECC (Bushland and Biodiversity)	<p>The proposal seeks approval for modifications to DA2020/0231. The comments in this referral relate to the following applicable controls and provisions:</p> <ul style="list-style-type: none"> • Planning for Bushfire Protection 2019 • Warringah DCP E2 Prescribed Vegetation • Warringah DCP Clause E4 Wildlife Corridors • Warringah DCP Clause E6 Retaining unique environmental features <p>The proposal does not require the removal of native vegetation and is unlikely to impact native fauna. No additional conditions will apply.</p> <p>No native vegetation or fauna habitat would be impacted, the development is designed, sited and will be managed to avoid any significant adverse environmental impact.</p>
NECC (Development Engineering)	<p>All existing engineering conditions of consent should be retained.</p> <p>ADDITIONAL conditions of consent for the modification are provided.</p>
Parks, reserves, beaches, foreshore	<p>The application is for modification to development consent DA2020/0231 as described in reports and as illustrated in plans.</p> <p>Following review of the reports and plans, Parks Reserves and Foreshores Referral raise no concerns.</p> <p>All Parks Reserves and Foreshores Referral conditions under</p>

Internal Referral Body	Comments
	development consent DA2020/0231 remain.
External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	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.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs 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 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 (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. A493749, dated 14 April 2023). A condition has been included in the recommendation of this report requiring compliance with the commitments indicated in the BASIX Certificate.

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 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 who raised no objections.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 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 sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

Warringah Local Environmental 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
zone objectives of the LEP?	Yes

Principal Development Standards

Development Standard	Requirement	Approved	Proposed	% Variation	Complies
Height of Buildings:	8.5m	4.6m	4.7m	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.6 Exceptions to development standards	Yes
5.3 Development near zone boundaries	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	7.2m	3.6m	3.4m	Yes
B3 Side Boundary Envelope	4m	E: Within envelope	Within envelope	Yes
	4m	W: Within envelope	unaltered	Yes
B5 Side Boundary Setbacks	0.9m	E: 0m (garage and pool coping) 1.2m (swimming pool) 2.6m (awning)	unaltered (garage and pool coping) 1.5m (swimming pool) 2m (metal roof)	No
	0.9m	W: 9.8m (garage and	unaltered (all	Yes

		pool coping) 11.2m (swimming pool)	elements)	
B7 Front Boundary Setbacks	6.5m	9.8m (garage)	unaltered	Yes
B9 Rear Boundary Setbacks	6m	0m (pool coping) 3.1m (swimming pool)	unaltered (coping) 4m (pool)	No
D1 Landscaped Open Space and Bushland Setting	40%	21.6% (100.5m ²)	21.5% (99.9m ²)	No

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
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B9 Rear Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	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	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	No	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
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D16 Swimming Pools and Spa Pools	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

Clause	Compliance with Requirements	Consistency Aims/Objectives
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	No	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B5 Side Boundary Setbacks

The WDCP requires development in the locality to maintain setbacks of 0.9m from each of the side boundaries of the subject site. The original assessment approved a nil setback of the pool coping and garage to the eastern side boundary, which is not proposed to be altered through the modification. It is further noted that the approved setback (and compliant) setback of the swimming pool to the boundary has been increased through the modification. All altered elements within the proposal are compliant with the control, satisfying the requirements and objectives of B5 Side Boundary Setbacks.

B9 Rear Boundary Setbacks

The original consent provided approval for a variation on the rear boundary setback control, to accommodate the location of the pool coping and a portion of the swimming pool/spa within the rear setback area. It is noted that the modification maintains the setback breach, but increases the setback of the pool from the boundary through the reduction in size of the structure. It is considered that the reduced footprint of the structure maintains and enhances the sense of openness identified within the original assessment report. No adverse impacts are considered likely with respect for deep soil landscaping opportunities, public/private amenity, privacy or visual continuity as observed from the street.

D1 Landscaped Open Space and Bushland Setting

The WDCP requires development in the area to maintain 40% of the total site area for the purposes of landscaped open space. It is noted that the original consent approved a non-compliant landscaping arrangement that included 21.6% of the site, totaling 100.5m². By contrast, the modification marginally reduces the landscaping percentage to 21.5%, totaling 99.9m².

The modification differs from the original consent by shifting front setback landscaping towards the western boundary and away from the east, in order to accommodate the modified driveway. Further, the reduced size of the swimming pool reduces the calculable landscaping by virtue of the WDCP's allowance of water surfaces to be included within landscaping calculations. Notwithstanding, the modification does not reduce the allocation of vegetation on site and is considered acceptable in light of the objectives of the control.

D22 Conservation of Energy and Water

Alterations are proposed to reduce the scale of both the pool and spa, as well as to replace the existing external bathroom door with a window. A valid BASIX Certificate has been supplied with the application,

suggesting the proposal is designed to facilitate positive outcomes with respect to all relevant sustainability factors.

E4 Wildlife Corridors

The majority of the site is included on Council's mapping of wildlife corridors in the former Warringah area. It is noted that the proposed modification does not include changes to 50m² or more of vegetation, native or otherwise. As such, the proposal is considered minor and therefore do not require any additional measures or documentation in support of the application.

E8 Waterways and Riparian Lands

Description of non-compliance:

Clause E8 of the WDCP requires developments that take place on waterways and riparian lands to submit a Waterways Impact Statement (WIS) in support of their proposal. It is noted that the site is included by virtue of a small part of the south-eastern corner being included in Council mapping, where the vast majority of the site is not considered to be a riparian area or waterway. Notwithstanding, no WIS was submitted with the modification, presenting a technical non-compliance with the control. Further, it is considered that the proposed works are minor and effectively reduce the scale of development on site, creating a preferred outcome and reducing the risk of adverse impacts on nearby watercourses.

Given the non-compliance, the proposal is assessed on merit against the objectives below:

Merit consideration:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *Protect, maintain and enhance the ecology and biodiversity of waterways and riparian land.*

Comment:

The approved development is considered to have little to no impact on waterways and riparian land. The proposed modification reduces the scale of development on site and therefore reduces any remnant risks further.

- *Encourage development to be located outside waterways and riparian land.*

Comment:

No works are proposed within the waterways or nearby riparian ecosystems.

- *Avoid impacts that will result in an adverse change in watercourse or riparian land condition.*

Comment:

The development is minor in scale and is sited appropriately to avoid adverse impacts on riparian lands and watercourses.

- *Minimise risk to life and property from stream bank erosion and flooding by incorporating appropriate controls and mitigation measures.*

Comment:

The development is considered to have appropriately minimised risks to life and property.

- *Maintain and improve access, amenity and scenic quality of waterways and riparian lands.*

Comment:

Despite the proximity to the RE1 zoned land, the development is out of view from accessible public open space and therefore will have no impact on the amenity or scenic quality of the area. Access will similarly be unimpacted due to the nature of the proposed works.

- *Development on waterways and riparian lands shall aim to return Group B and Group C creeks to a Group A standard (as described in Warringah Creek Management Study, 2004) through appropriate siting and development of development.*

Comment:

No development is proposed on the waterway or riparian lands.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

E10 Landslip Risk

The site is categorised within Area B on Council's mapping of landslip risk within the local government area. Notwithstanding, the applicant provided a report supporting the original consent advising that the development could be undertaken with low risk to property and an acceptable risk to life, provided it was done in accordance with the provided recommendations. A letter supporting the modification suggests that the modified proposal has not changed the findings of the previously submitted report.

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 2022

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 2021;
- 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 to Modification Application No. Mod2023/0224 for Modification of Development Consent DA2020/0231 granted for Alterations and additions to a dwelling house including a swimming pool on land at Lot 22 DP 19657, 16 Stephen Street, BEACON HILL, 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
MOD.01 - Site Plan, Rev B	31/03/2023	JJ Drafting
MOD.02 - Garage Floor Plan, Rev B	31/03/2023	JJ Drafting

MOD.03 - Ground Floor Plan, Rev B	31/03/2023	JJ Drafting
MOD.04 - First Floor Plan, Rev B	31/03/2023	JJ Drafting
MOD.05 - South and North Elevation, Rev B	31/03/2023	JJ Drafting
MOD.06 - East and West Elevation, Rev B	31/03/2023	JJ Drafting
MOD.07 - Section and Driveway Profile, Rev B	31/03/2023	JJ Drafting

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate	14/04/2023	JJ Drafting
Geotechnical Letter	12/04/2023	AscentGeo
Bushfire Assessment Letter	12/04/2023	Bushfire Planning Services 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.

f) The development is to be undertaken generally in accordance with the following:

B. Add Condition 15A - Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans to read as follows:

The recommendations of the Geotechnical Report prepared by Ascent Geotechnical Consulting dated 18th December 2019 are to be incorporated into the construction plans. Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

C. Add Condition 24A - Retaining Wall to read as follows:

The retaining wall works shall be certified as compliant with all relevant Australian Standards and Codes by a Structural Engineer. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: Public and Private Safety

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

Signed



Thomas Bershtein, Planner

The application is determined on 14/06/2023, under the delegated authority of:



Rodney Piggott, Manager Development Assessments