

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2017/0253
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Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot 100 DP 1015283, 145 Old Pittwater Road BROOKVALE NSW 2100 Lot 2741 DP 752038, 2741 / 9999 Condamine Street MANLY VALE NSW 2093 Lot 2 DP 600059, 75 Old Pittwater Road BROOKVALE NSW 2100 Lot 2742 DP 752038, 2742 / 9999 Condamine Street MANLY VALE NSW 2093 Lot 30 DP 204107, 30 / 0 Old Pittwater Road BROOKVALE NSW 2100
Proposed Development:	Modification of Development Consent DA2008/1742 granted for Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works
Zoning:	LEP - Land zoned B3 Commercial Core LEP - Land zoned IN1 General Industrial LEP - Land zoned IN1 General Industrial LEP - Land zoned RE1 Public Recreation LEP - Land zoned RE1 Public Recreation LEP - Land zoned RE1 Public Recreation
Development Permissible:	Yes - Zone B3 Commercial Core Yes - Zone IN1 General Industrial Yes - Zone RE1 Public Recreation
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	AMP Warringah Mall Pty Ltd Scentre Management Ltd
Applicant:	Scentre Management Ltd

Application lodged:	28/09/2017
Integrated Development:	No
Concurrence Required:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	Not Notified
Advertised:	Not Advertised, in accordance with A.7 of WDCP

Submissions Received:	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 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 - C2 Traffic, Access and Safety
Warringah Development Control Plan - G4 Warringah Mall

SITE DESCRIPTION

Property Description:	<p>Lot 100 DP 1015283 , 145 Old Pittwater Road BROOKVALE NSW 2100</p> <p>Lot 2741 DP 752038 , 2741 / 9999 Condamine Street MANLY VALE NSW 2093</p> <p>Lot 2 DP 600059 , 75 Old Pittwater Road BROOKVALE NSW 2100</p> <p>Lot 2742 DP 752038 , 2742 / 9999 Condamine Street MANLY VALE NSW 2093</p> <p>Lot 30 DP 204107 , 30 / 0 Old Pittwater Road BROOKVALE NSW 2100</p>
Detailed Site Description:	<p>The subject site is a large allotment that is commonly known was the Warringah Mall shopping centre which has been existing on the site since 1963.</p> <p>The site is irregular in shape, has multiple street frontages</p>

and has a total area of approximately 170,600m². The site is bound by Pittwater Road and Condamine Street to the west, Old Pittwater Road to the west and Cross Street to the north.

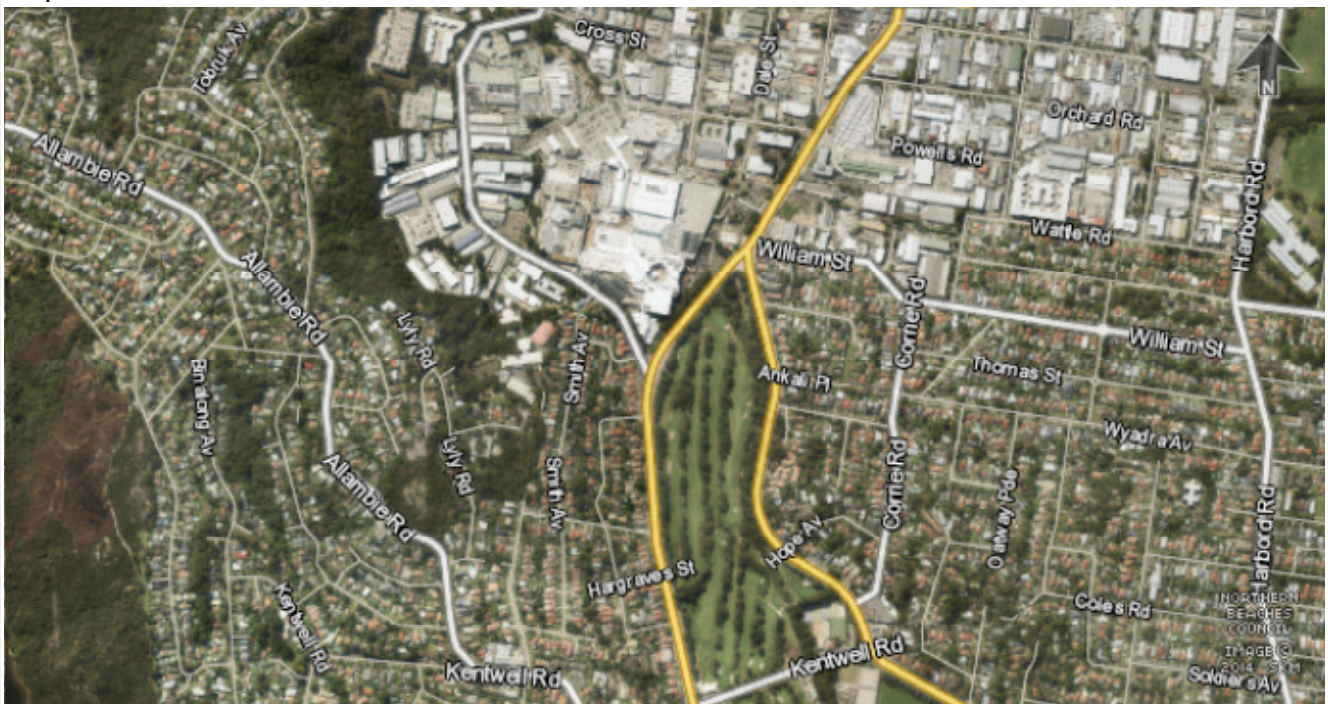
Warringah Mall has recently undergone major renovations to increase to GFA, GLFA and the provision of car parking. The shopping centre emphasises an open-air concept and internal landscaping to reflect the locality of the Northern Beaches.

The shopping centre is considered to be a major destination within the Northern Beaches Council LGA.

The portion of the site specific to this application is the strip of land located between at-grade car parking and the Condamine Street/Pittwater Road frontage. This frontage accommodates a major arterial bus stop which connects the northern suburbs to Manly and the Sydney City CBD. Across Pittwater Road from the bus stop is a large, multi-level health centre and car park which is under construction. Further south-east of the site is the Warringah Golf Course which has a perimeter of mature native landscaping.

The portion of the site subject of this development could subject to additional amendments in the future in order to facilitate RMS road works.

Map:



SITE HISTORY

The Warringah mall shopping centre has recently undergone an extensive renovation which expanded

the GFA, GFLA and car parking on site. The site has been subject to many development applications and modification applications regarding these works.

This specific modification is subsequent of **DA2008/1742** granted for:

Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works.

Since the approval of the parent DA, two subsequent s96 applications have been to the lodged and approved.

MOD2014/0285 was lodged and proposed an alternative design to modify the culvert design underneath Condamine Street where it connects to the existing drainage infrastructure. The application was approved in May 2015.

MOD2015/0247 was for the removal of 41 trees along the Pittwater Road / Condamine Street frontage. The tree removal was required in order to necessitate the diversion of existing sewer infrastructure around the approved stormwater augmentation works of DA2008/1742.

A Prelodgement Meeting (PLM2016/0110) was held between Council and the application on 15 December 2016 to discuss the Stage 2 development plan for the site. Inter alia other discussions, it was raised that the site may benefit from exotic species plantings rather than native plantings.

Specifically, Council's Landscape Officer made the following comments:

Proposed landscaping should provide a lush, verdant, relaxing character to the site.

*As such, liberal use of tropical feel plants such as *Livistona australis*, *Howea fosteriana* and *Lu**

The use of green walls to carpark façade may be considered to assist in softening the building

The lodgement of this current s96(1A) application is subsequent of this discussion.

PROPOSED DEVELOPMENT IN DETAIL

This modification application pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979 seeks amendment to the approved MOD2015/0247 which was approved by Council on 31 March 2016 for the removal of 41 trees and replacement planting in order to facilitate the construction of approved stormwater augmentation works and necessitate the diversion of the existing sewer infrastructure.

Specifically, this current application seeks to change the species of plants selected as replacement planting from native species to exotic species.

The accompanying landscape plans Plant Schedule indicate that the aforementioned removal of 41 trees (already removed) will be replaced with 6,422 plants including:

- 38 large trees of varying species and of mature planting
- 684 palm trees of varying species;
- 1,727 shrubs of varying species;
- 3,973 groundcovers and shade tolerant plants of varying species.

The Applicant has been in consultation with Transport for NSW with regards to the B-Line bus service to ensure that the proposed provision of landscaping is compatible with any future required bus bays.

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 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 DA2008/1742, MOD2014/0285 and MOD2015/0247, 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 DA DA2008/1742.

Section 96(1A) - Other Modifications	Comments
<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, Warringah Local Environment Plan 2011 and Warringah Development Control Plan.</p>
<p>(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.</p>	<p>The S96(1A) Modification Application was not re-notified in accordance with Cl. A.7 of the DCP as the works proposed will not impact on any adjoining properties, are substantially the same development and are of no greater or lesser environmental impact.</p>

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 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)(iiia) – 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)	<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.

Section 79C 'Matters for Consideration'	Comments
	<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>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>Section 79C (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 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>
<p>Section 79C (1) (c) – the suitability of the site for the development</p>	<p>The site is considered suitable for the proposed development.</p>
<p>Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs</p>	<p>Refer to Section 96(1A) (d) as above.</p>
<p>Section 79C (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.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application was not notified.

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
Landscape Officer	No objections to the proposed modification.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

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 19 - Bushland in Urban Areas

The provisions of the SEPP require that a person shall not disturb bushland zoned or reserved for public open space purposes without the consent authority considering the aims and objectives of the SEPP.

In this regard, consideration is given as follows:

(1) The general aim of this Policy is to protect and preserve bushland within the urban areas referred to in Schedule 1 because of:

- (a) its value to the community as part of the natural heritage,
- (b) its aesthetic value, and
- (c) its value as a recreational, educational and scientific resource.

(2) The specific aims of this policy are:

- (a) to protect the remnants of plant communities which were once characteristic of land now within an urban area,

- (b) to retain bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term,
- (c) to protect rare and endangered flora and fauna species,
- (d) to protect habitats for native flora and fauna,
- (e) to protect wildlife corridors and vegetation links with other nearby bushland,
- (f) to protect bushland as a natural stabiliser of the soil surface,
- (g) to protect bushland for its scenic values, and to retain the unique visual identity of the landscape,
- (h) to protect significant geological features,
- (i) to protect existing landforms, such as natural drainage lines, watercourses and foreshores,
- (j) to protect archaeological relics,
- (k) to protect the recreational potential of bushland,
- (l) to protect the educational potential of bushland,
- (m) to maintain bushland in locations which are readily accessible to the community, and
- (n) to promote the management of bushland in a manner which protects and enhances the quality of the bushland and facilitates public enjoyment of the bushland compatible with its conservation.”

Comment:

The modification application seeks to change the approved species of plants on a portion of the land which are yet to be planted. All trees and vegetation which were previously approved for removal have been removed and as such, this application does not require the removal of any addition vegetation.

The modified vegetation species will enhance the site and surrounding area in longevity, provide habitats for wildlife and will contribute to mitigating the height, bulk and planar concrete surfaces of the development beyond.

Based on the above, it is considered that the development would result in consistency with the aims of the plan.

Warringah Local Environment Plan 2011

Is the development permissible?	Zone B3 : Yes Zone IN1: Yes Zone RE1: 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	Complies
Minimum subdivision lot size:	N/A	N/A	N/A	N/A
Height of Buildings:	N/A	N/A	N/A	N/A
Rural Subdivision:	N/A	N/A	N/A	N/A
No Strata Plan or Community Title Subdivisions in certain	N/A	N/A	N/A	N/A

rural and environmental zones:

Compliance Assessment

Clause	Compliance with Requirements
5.3 Development near zone boundaries	Yes
5.5 Development within the coastal zone	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.3 Flood planning	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

The applicable Built Form Controls for the site are contained within Part G Special Area Controls - G4 Warringah Mall of the DCP.

Refer to section G4 - Warringah Mall of this report for an assessment.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	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	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
D14 Site Facilities	Yes	Yes
D18 Accessibility	Yes	Yes
D20 Safety and Security	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
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes
G4 Warringah Mall	Yes	Yes

Detailed Assessment

C2 Traffic, Access and Safety

The changes in plant species will not give rise to any unreasonable or unacceptable traffic, access or safety impacts both on Pittwater Road and in the internal car parks of Warringah Mall.

G4 Warringah Mall

This DCP applies to Lot 100, DP 1015283, 145 Old Pittwater Road, Brookvale which is commonly referred to as 'Warringah Mall Shopping Centre.'

The objectives of this DCP are as follows:

- *To guide future development within the Warringah Mall Shopping Centre (Warringah Mall) site to 2021.*
- *To ensure development responds to the characteristics of the site and surrounds, and the amenity of the surrounding neighbourhood.*
- *To encourage and facilitate high quality urban design, landscaping, external finishes and signage.*

Comment:

This application seeks to change the approved species of vegetation along the south-eastern street frontage to Condamine Street and Pittwater Road. The application introduces exotic species into the planting schedule, rather than wholly native species.

The introduction of exotic species is consistent with existing landscaping located internally within the mall, and is complementary to the preliminary design concepts viewed for future 'Stage Two' developments of the site. Exotic species of planting will create a lush, vibrant and verdant streetscape which will contrast appropriately with the mature native landscaping which borders the Warringah Golf Course to the south east.

The schedule of plantings and sheer number of plants will have an enormous positive benefit on the streetscape, particularly given the large number of infrastructure projects being built within the immediate vicinity. The landscaping will contribute to tying the Warringah Mall frontage into the Pittwater Road bus stop and the multi-storey health facility being built directly opposite.

Warringah Development Control Plan – G4 Warringah Mall

The proposed development’s consistency with the objectives and requirements of the applicable controls within the *Warringah Development Control Plan – G4 Warringah Mall* are considered in detail below. Note: only applicable controls have been assessed.

Building Setbacks and Street Frontages	
<p>Objectives</p> <ul style="list-style-type: none"> To protect and enhance the visual quality of streetscapes and public domain spaces. To ensure an appropriate interface with adjoining and surrounding land uses and streets is provided. To allow for the existing site landscaping to be retained and enhanced. <p><u>Comment:</u> The application does not propose any building works, but does propose amendment to the landscape treatment of the primary street frontage of the Warringah Mall site, thereby triggering this clause to be relevant.</p> <p>It is considered that the change of planting species and increase in the overall quantum of plants will significantly enhance the surrounding vicinity, given the prominence and scale of the street frontage. The Pittwater Road/Condamine Street area around the subject site is reliant upon this particular site in providing a suitable landscaped treatment to soften the street frontage, as no other surrounding sites are of the scale to provide such a benefit (with the exception of the Warringah Golf Course to the south east). As such, the lush nature of the landscaping will provide an appropriate interface and interaction with the streetscape, surrounding developments and adjacent major bus stop and will enhance the site for pedestrians and drivers within the vicinity.</p> <p>This current application does not seek for the removal of any additional landscaping that has not been previously approved.</p>	
Requirements	Complies
11. Setbacks are to be consistent with those shown in Figure 2 (refer to the attached G4 - Warringah Mall DCP). Note: The calculation of the setback dimensions along the Green Street and Cross Street frontages (west of Green Street) excludes projections for architectural features and car park ramps which may project into the setback area as identified on Figure 2.	Yes
12. In the event that there is a change to the current title boundary, the setback as nominated in Figure 2 is to be measured from the new boundary alignment.	Yes
16. Corner of Cross Street and Green Street Future development at the corner of Cross Street and Green Street	Yes

is to be designed to strongly and positively identify this location as a key “Gateway” entry to the centre. An illustrative example of possible future development outcomes at this location is shown at Figure 7 (refer to the attached G4 - Warringah Mall DCP).

Amenity	
Landscaping	
<p>Objectives</p> <ul style="list-style-type: none"> To allow for existing landscaping to be retained and enhanced. To create landscaping zones along the eastern boundary of the site adjoining Pittwater Road and Condamine Street to soften views to the site. To ensure landscaping is integrated into the design of development. To ensure landscaping is in scale with and provides for the softening and screening of the building form. To ensure landscaping provides a high quality aesthetic. <p><u>Comment:</u> The proposed changes to the landscape species along the Pittwater Road and Condamine Street frontages is considered to provide a modern, lush and visually appealing perimeter to the Warringah Mall site. This modification to change the planting species from native to exotic species will allow for a greater spectrum of colour, texture and variety in the streetscape which will provide visual interest that is compatible with the extensive mature native plantings located south east around the perimeter of the Warringah Golf Course.</p> <p>To date, no application has been made to Council for a 'Stage Two' development of the shopping centre, however from a review of preliminary sketches shown to Council in early 2017, the proposed exotic plantings will be compatible and integratable with the desired design aesthetic for Stage Two of the shopping centre which will present to the Condamine Street and Pittwater Road frontage.</p> <p>The proposed landscaping is of varying heights, scale, colours and textures which will soften the built form and provide relief from the vast hard-surfaces to the east.</p>	
Requirements	Complies
20. Landscaping is to be retained and enhanced and provided generally in the zones shown in Figure 8.	Yes
21. The existing mature landscaping at the junction of Pittwater Road/Condamine Street is to be retained where practical and functional for the future design of this precinct. An illustrative example of possible future development outcomes at this location is shown at Figure 9 (refer to the attached G4 - Warringah Mall DCP).	Yes
22. New development along Condamine Street and Pittwater Road	Yes

is to incorporate landscaping that screens or softens non-active facades or building elements.	
23. Landscaping treatments are to be integrated into the design of new entries to the centre.	Yes
24. Recycled water or harvested rainwater is to be used, where possible, to irrigate new landscaped areas.	Yes
25. Water efficient plants and/or, locally indigenous vegetation should be used to minimise water consumption.	Yes

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. Mod2017/0253 for Modification of Development Consent DA2008/1742 granted for Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works on land at Lot 100 DP 1015283,145 Old Pittwater Road, BROOKVALE, Lot 2741 DP 752038,2741 / 9999 Condamine Street, MANLY VALE, Lot 2 DP 600059,75 Old Pittwater Road, BROOKVALE, Lot 2742 DP 752038,2742 / 9999 Condamine Street, MANLY VALE, Lot 30 DP 204107,30 / 0 Old Pittwater Road, BROOKVALE, subject to the conditions printed below:

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
DEM-710301 Rev. F	24 August 2017	DEM
DEM-710701 Rev. F	24 August 2017	DEM
DEM-710702 Rev. F	24 August 2017	DEM
DEM-711101 Rev. F	28 August 2017	DEM
DEM-711102 Rev. F	24 August 2017	DEM

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)

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


Signed

Adam Mitchell, Planner

The application is determined under the delegated authority of:

Rodney Piggott, Manager Development Assessments









ATTACHMENT A

Notification Plan	Title	Date
 2017/384309	Plan - Notification	09/10/2017

ATTACHMENT B

No notification map.

ATTACHMENT C

Reference Number	Document	Date
 MOD2017/0253	Warringah Mall 145 Old Pittwater Road BROOKVALE NSW 2100 - Section 96 Modifications - Section 96 (1a) Minor Environmental Impact	28/09/2017
 2017/370548	DA Acknowledgement Letter - Scentre Management Ltd	28/09/2017
 2017/384224	Modification Application Form	09/10/2017
 2017/384226	Applicant Details	09/10/2017
 2017/384242	Report - Statement of Environmental Effects	09/10/2017
 2017/384309	Plan - Notification	09/10/2017
 2017/384312	Plans - Master Set	09/10/2017
 2017/473794	Landscape Referral Response	22/11/2017