

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2020/0363
Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 21A DP 350345, 34 Beatty Street BALGOWLAH HEIGHTS NSW 2093
Proposed Development:	Modification of Development Consent DA2019/0080 granted for alterations and additions to a dwelling house including swimming pool
Zoning:	Manly LEP2013 - Land zoned E3 Environmental Management
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Delegation Level:	DDP
Land and Environment Court Action:	No
Owner:	Luke Anthony Randell Carol Ann Randell
Applicant:	Chrofi

Application Lodged:	13/08/2020
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	21/08/2020 to 04/09/2020
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

EXECUTIVE SUMMARY

The proposal is for modification of Development Consent DA2019/0080, which was granted for alterations and additions to a dwelling house including a swimming pool. Noting that DA2019/0800 was determined by the Northern Beaches Development Determination Panel (DDP) and that this application is a Section 4.55(2) Modification, the DPP retains delegation.

In particular, the modified proposal relates to a number of minor changes to the approved built form. The proposed modifications do not exacerbate the non-compliant building height and FSR that has been previously approved under DA2019/0800 and Mod2019/0623.

In relation to the MDCP 2013 controls, the proposed results in a minor further non-compliance to the side setback control to the northern boundary to allow for a BBQ area on the terrace and results in 1.6sqm reduction in landscaping to accommodate for the sculptural garden feature. Despite the numerical non-compliance, the modified development will not result in any unacceptable amenity, environmental or streetscape impacts.

The modified development was notified in accordance with the Northern Beaches Community Participation Plan and received zero (0) submissions.

It is recommended that the DDP approve the application, subject to the conditions attached to this report.

PROPOSED DEVELOPMENT IN DETAIL

Development Consent was granted under DA2019/0080 on 12 July 2019 for alterations and additions to a dwelling house including a swimming pool. This Section 4.55(2) Modification has been submitted to Council seeking to make the following amendments to the aforementioned consent:

Ground Floor Level

- Convert full height windows to full height glazed doors on the front facade.
- Re-locate external access stairs at front boundary towards the south.
- Amend front external gate to allow the gate to open inwards towards the site rather than outwards towards the foreshore.
- Include a skylight on the underground lift corridor to allow for solar access.
- Include a change room adjacent to pool area.
- Include a BBQ and gas fire place on the outdoor terrace.
- Revised cladding design on southern side elevation to replace approved brick design (also proposed on first floor).

First Floor

- New awning above the front entry door (western elevation).
- Revised cladding design on southern side elevation to replace approved brick design (also proposed on ground floor).
- Sidelight to door behind privacy screen on western elevation.

Studio Level

- Window on front (eastern) elevation of lift shaft to allow for views towards harbour.

Garden

- Sculptural garden feature.

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

Manly Local Environmental Plan 2013 - 4.3 Height of buildings

Manly Local Environmental Plan 2013 - 4.4 Floor space ratio

Manly Local Environmental Plan 2013 - 6.5 Terrestrial biodiversity

Manly Local Environmental Plan 2013 - 6.9 Foreshore scenic protection area

Manly Development Control Plan - 3.4.2 Privacy and Security

Manly Development Control Plan - 4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)

Manly Development Control Plan - 4.1.3 Floor Space Ratio (FSR)

Manly Development Control Plan - 4.1.4 Setbacks (front, side and rear) and Building Separation

Manly Development Control Plan - 4.1.5 Open Space and Landscaping

Manly Development Control Plan - 4.1.8 Development on Sloping Sites

SITE DESCRIPTION

Property Description:	Lot 21A DP 350345 , 34 Beatty Street BALGOWLAH HEIGHTS NSW 2093
Detailed Site Description:	<p>The subject site consists of one allotment located on the eastern side of Beatty Street.</p> <p>The site is irregular in shape with a frontage of 12.725m along Beatty Street and a depth of 52.2m (northern boundary) and 51.36m (southern boundary). The site has a surveyed area of 789m².</p> <p>The site is located within the E3 Environmental Management zone and accommodates a two storey dwelling house of brick construction with a metal roof, located toward the eastern (harbour) end of the allotment. There is a two storey garage/studio structure at the street frontage. An inclinator runs along the southern boundary from street level to the</p>

rear of the dwelling. There are also stairs from street level to the garden area below. It is noted that works are currently being undertaken on the site in line with recent planning approvals.

The site slopes steeply from Beatty Street down to Forty Baskets Reserve, with the majority of the change in level occurring on the western portion of the site whilst the eastern portion, containing the existing dwelling house, is relatively flat. The total fall is approximately 15.8m.

The property has an easement for services and a drainage easement running along the southern boundary. There is also a sewer pipe traversing the site.

Detailed Description of Adjoining and Surrounding Development

Adjoining the site to the east is Forty Baskets Reserve, beach and swimming baths. The surrounding area is characterised by large multi-level dwellings in landscaped settings. Sydney Harbour National Park is situated 200m to the south of the site and Welling Reserve is situated 120m to the north of the site, with both areas of public open space containing bushland.

Map:



SITE HISTORY

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

Pre-lodgement Meeting (PLM2018/0224)

On 15 November 2018, the proposed development was the subject of a Pre-lodgement meeting. Issues discussed included; non-compliant FSR, inadequate side setbacks, flooding and the stormwater easement traversing the site. It was advised that the proposal presented was not acceptable in the form presented and required some redesign prior to submission, particularly in relation to including a greater side setback to the north, as well as further analysis of potential amenity impact and response to this if required.

Relevant Previous Applications/Approvals:

On 24 July 2011, Development Application No. **10.2011.189.1** was approved for alterations and additions to an existing dwelling including ground and first floor extension, front second floor addition, swimming pool, cabana and landscaping.

On 15 March 2016, Modification Application No. **10.2011.189.2** was approved to modify approved development (changes to windows and doors, new first floor side terrace, pool level, terrace size, roof pitch, inclusion of rear detached outbuilding and modification to roof).

DA10.2011.189.1 (as modified) has been activated.

A Construction Certificate (CC) was issued for demolition and a shed has been demolished in accordance with the Consent and CC.

On 26 June 2020, Development Application **DA2019/0080** was approved for alterations and additions to a dwelling house including a swimming pool.

On 8 April 2020, Section 4.55(2) Modification **Mod2019/0623** was approved for Modification of Development Consent DA2019/0080 granted for Alterations and additions to a dwelling house including a swimming pool.

A CC and amended CC has been issued subsequent to the relevant Development Consent and Modified Consent.

Site Visits

A site visit was undertaken at the subject site on 29 September 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 DA2019/0080, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55 (2) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55 (2) - 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 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 DA2019/0080 for the following reasons:</p> <ul style="list-style-type: none"> • The modified development involves relatively minor changes to the approved and subsequently modified development, such that it does not alter the overall bulk and scale of the development, noting that the height and FSR will remain unaltered. • The modified development does not alter the approved land use of the site.
(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and	Development Application DA2019/0080 did not require concurrence from the relevant Minister, public authority or approval body.
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Northern Beaches Community Participation Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by	No submissions were received in relation to this application.

Section 4.55 (2) - Other Modifications	Comments
the development control plan, as the case may be.	

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 96 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	Manly Development Control Plan 2013 applies to the 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>Division 8A 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>Clause 92 of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application.</p> <p>Clause 98 of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This Clause is not relevant to this application.</p> <p>Clause 98 of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition in the original consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development,	<p>(i) Environmental Impact</p> <p>The environmental impacts of the proposed development on the</p>

Section 4.15 'Matters for Consideration'	Comments
including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>natural and built environment are addressed under the Manly Development Control Plan 2013 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	No submissions were received in relation to this application.
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 identified as bushfire prone land on the Northern Beaches Bushfire Prone Land Map 2020. An Bushfire Cover Letter (prepared by Bush Fire Planning Services dated 1 August 2020) was submitted with the application, which states that the modified proposal will not affect the results of the original bushfire assessment and therefore, alterations to the conditions of consent are not warranted.

The application was not referred to the NSW Rural Fire Service for comment.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 21/08/2020 to 04/09/2020 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 of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The modification application proposes to include design refinement to improve the amenity of the dwelling. In terms of the landscape outcome the modification proposal does not deviate significantly from development consent 2019/0080.</p> <p>Landscape Referral has no objections and the following development</p>

Internal Referral Body	Comments
	consent 2019/0080 conditions of consent remain: 6, 13, 17, 18, 25 and 26.
NECC (Bushland and Biodiversity)	The proposed modification has been assessed against Manly LEP Clause 6.5 (Terrestrial Biodiversity). The modification is unlikely to result in additional significant impact to native vegetation above what was approved under DA2019/0080. Original conditions are to be retained.
NECC (Coast and Catchments)	<p>The application has been assessed in consideration of the <i>Coastal Management Act 2016</i>, State Environmental Planning Policy (Coastal Management) 2018, Sydney Harbour Catchment Regional Environment Plan, 2005 and Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005. It has also been assessed against requirements of the Manly LEP and DCP.</p> <p>The application has also been assessed using Northern Beaches SREP assessment template.</p> <p>Coastal Management Act 2016 The subject site has been identified as being within the coastal zone and therefore <i>Coastal Management Act 2016</i> is applicable to the proposed development.</p> <p>The proposed development is in line with the objects, as set out under Clause 3 of the <i>Coastal Management Act 2016</i>.</p> <p>State Environmental Planning Policy (Coastal Management) 2018 As the subject site has been identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is also applicable to the proposed development.</p> <p>The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps but not been included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Clauses 13 (coastal environment area) and 14 (coastal use area) do not apply as the site is also located within the SREP area. Hence, only Clause 15 of the CM SEPP apply for this DA.</p> <p>Comment:</p> <p>On internal assessment, the DA satisfies requirements under Clause 15 of the CM SEPP.</p>

Internal Referral Body	Comments
	<p>As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.</p> <p>Sydney Regional Environment Plan (Sydney Harbour Catchment), 2005 Harbour Foreshores & Waterways Area</p> <p>The subject site is located within the Sydney Harbour Catchment and is identified as being within the Foreshores and Waterways Area. Hence Part 2, Clause 14 and Part 3, Division 2 apply in assessing this DA. On internal assessment, it is determined that the Planning Principles and Matters for Consideration of the Area have/have not been met.</p> <p>The subject site is located within/adjacent to the W2 (Environmental Protection),Zone. On internal assessment it is determined that the objectives and assessment criteria of the zone have been met.</p> <p>Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005</p> <p>The subject site is located within a foreshore area identified on the map and therefore the DCP applies to the proposed development. On internal assessment, it is determined that the proposed development satisfies the requirements of the DCP.</p> <p>Manly LEP 2013 and Manly DCP</p> <p>Foreshores Scenic Protection Area Management The subject site is also shown to be as "Manly Foreshores Scenic Protection Area" on Council's Foreshores Scenic Protection Area in Manly LEP 2013. As such, Clause 6.9 (Foreshores Scenic Protection</p>

Internal Referral Body	Comments
	<p>Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013 will apply to proposed development on the site.</p> <p>On internal assessment, the DA satisfies requirements under Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013.</p> <p>As such, it is considered that the application does comply with the requirements of the Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013.</p>
NECC (Stormwater and Floodplain Engineering – Flood risk)	The modification proposes minor alterations to approved DA 2019/0080. The proposal is compliant with Council's flood prone land development controls. There are no new flood-related conditions of consent.
Parks, reserves, beaches, foreshore	<p>The modification application proposes to include design refinement to improve the amenity of the dwelling. In terms of the foreshore reserve outcome the modification proposal does not deviate significantly from development consent 2019/0080.</p> <p>Parks Referral has no objections and the following development consent 2019/0080 conditions of consent remain: 14 and 15.</p>

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	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, 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

An amended BASIX Certificate has been submitted with the application (see Certificate No. A336749_05 dated 4 August 2020). 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. 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.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is identified within the 'Foreshores and Waterways Area' pursuant to the SREP (Sydney Harbour Catchment) 2005. Accordingly, the modified proposal is considered against the relevant provisions of this Policy as follows:

2 Aims of plan

(1) This plan has the following aims with respect to the Sydney Harbour Catchment—

(a) to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are

recognised, protected, enhanced and maintained—

- (i) as an outstanding natural asset, and*
- (ii) as a public asset of national and heritage significance,*

for existing and future generations,

- (b) to ensure a healthy, sustainable environment on land and water,*
- (c) to achieve a high quality and ecologically sustainable urban environment,*
- (d) to ensure a prosperous working harbour and an effective transport corridor,*
- (e) to encourage a culturally rich and vibrant place for people,*
- (f) to ensure accessibility to and along Sydney Harbour and its foreshores,*
- (g) to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity,*
- (h) to provide a consolidated, simplified and updated legislative framework for future planning.*

(2) For the purpose of enabling these aims to be achieved in relation to the Foreshores and Waterways Area, this plan adopts the following principles—

- (a) Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good,*
- (b) the public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores,*
- (c) protection of the natural assets of Sydney Harbour has precedence over all other interests.*

Comment:

The built form approved and subsequently modified by recent consents will remain generally consistent subsequent to the modified development. In this regard, it is not anticipated that the modified proposal will detract from the ecological, cultural and commercial values of the Sydney Harbour Catchment. Therefore, it is considered that the proposal satisfies the relevant provisions within Clause 2.

14 Foreshores and Waterways Area

The planning principles for land within the Foreshores and Waterways Area are as follows—

- (a) development should protect, maintain and enhance the natural assets and unique environmental qualities of Sydney Harbour and its islands and foreshores,*
- (b) public access to and along the foreshore should be increased, maintained and improved, while minimising its impact on watercourses, wetlands, riparian lands and remnant vegetation,*
- (c) access to and from the waterways should be increased, maintained and improved for public recreational purposes (such as swimming, fishing and boating), while minimising its impact on watercourses, wetlands, riparian lands and remnant vegetation,*

- (d) development along the foreshore and waterways should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands and foreshores,*
- (e) adequate provision should be made for the retention of foreshore land to meet existing and future demand for working harbour uses,*
- (f) public access along foreshore land should be provided on land used for industrial or commercial maritime purposes where such access does not interfere with the use of the land for those purposes,*
- (g) the use of foreshore land adjacent to land used for industrial or commercial maritime purposes should be compatible with those purposes,*
- (h) water-based public transport (such as ferries) should be encouraged to link with land-based public transport (such as buses and trains) at appropriate public spaces along the waterfront,*
- (i) the provision and use of public boating facilities along the waterfront should be encouraged.*

Comment:

The proposed works are generally cosmetic changes to the approved built form and as such, will not have an adverse impact upon the visual qualities of the Sydney Harbour Catchment. Given the modified works are confined to private property, the development will not compromise access to and along the foreshore. Suitable conditions were included under DA2019/0080 requiring sediment and erosion control measures to be in place during construction works, thereby minimising opportunities for sediments to migrate onto adjoining public and private space. Moreover, the modified proposal will not result in the removal remnant vegetation. Overall, the modified development is considered to align with the relevant provisions within Clause 14.

22 Public access to, and use of, foreshores and waterways

The matters to be taken into consideration in relation to public access to, and use of, the foreshores and waterways are as follows—

- (a) development should maintain and improve public access to and along the foreshore, without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation,*
- (b) development should maintain and improve public access to and from the waterways for recreational purposes (such as swimming, fishing and boating), without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation,*
- (c) if foreshore land made available for public access is not in public ownership, development should provide appropriate tenure and management mechanisms to safeguard public access to, and public use of, that land,*
- (d) the undesirability of boardwalks as a means of access across or along land below the mean high water mark if adequate alternative public access can otherwise be provided,*
- (e) the need to minimise disturbance of contaminated sediments.*

Comment:

As noted above, the development will not compromise access to and along the foreshore for recreational or commercial use. Moreover, the modified development will not have an adverse impact upon watercourses, wetlands, riparian lands or remnant vegetation.

23 Maintenance of a working harbour

The matters to be taken into consideration in relation to the maintenance of a working harbour are as follows—

- (a) foreshore sites should be retained so as to preserve the character and functions of a working harbour, in relation to both current and future demand,*
- (b) consideration should be given to integrating facilities for maritime activities in any development,*
- (c) in the case of development on land that adjoins land used for industrial and commercial maritime purposes, development should be compatible with the use of the adjoining land for those purposes,*
- (d) in the case of development for industrial and commercial maritime purposes, development should provide and maintain public access to and along the foreshore where such access does not interfere with the use of the land for those purposes.*

Comment:

The modified development will not impact commercial maritime activities.

24 Interrelationship of waterway and foreshore uses

The matters to be taken into consideration in relation to the interrelationship of waterway and foreshore uses are as follows—

- (a) development should promote equitable use of the waterway, including use by passive recreation craft,*
- (b) development on foreshore land should minimise any adverse impact on the use of the waterway, including the use of the waterway for commercial and recreational uses,*
- (c) development on foreshore land should minimise excessive congestion of traffic in the waterways or along the foreshore,*
- (d) water-dependent land uses should have priority over other uses,*
- (e) development should avoid conflict between the various uses in the waterways and along the foreshores.*

Comment:

As noted above, the modified proposal will not have an adverse impact upon commercial or recreational activities along the foreshore.

25 Foreshore and waterways scenic quality

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of the scenic quality of foreshores and waterways are as follows—

- (a) the scale, form, design and siting of any building should be based on an analysis of—*
 - (i) the land on which it is to be erected, and*
 - (ii) the adjoining land, and*

(iii) the likely future character of the locality,

(b) development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries,

(c) the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores.

Comment:

The height and density of the resulting built form will be compatible to the approved and subsequently modified development. As such, the modified proposal will not present with an unreasonable level of visual prominence and as such, will not detract from the scenic qualities of the foreshore area.

26 Maintenance, protection and enhancement of views

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of views are as follows—

(a) development should maintain, protect and enhance views (including night views) to and from Sydney Harbour,

(b) development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,

(c) the cumulative impact of development on views should be minimised.

Comment:

Noting that the height, envelope and footprint of the modified proposal will remain consistent to the approved and subsequently modified development, it is not anticipated that the modified proposal will compromise views towards the foreshore and harbour.

27 Boat storage facilities

The matters to be taken into consideration in relation to boating facilities are as follows—

(a) development should increase the number of public boat storage facilities and encourage the use of such facilities,

(b) development should avoid the proliferation of boat sheds and other related buildings and structures below the mean high water mark,

(c) development should provide for the shared use of private boat storage facilities,

(d) development should avoid the proliferation of private boat storage facilities in and over the waterways by ensuring that all such facilities satisfy a demonstrated demand,

(e) boat storage facilities should be as visually unobtrusive as possible,

(f) in the case of permanent boat storage, the safety and utility of the development should not be adversely affected by the wave environment, and the development should avoid adverse impacts on safe navigation and single moorings.

Comment:

No boat storage facilities are proposed.

Concluding Remarks

Having regard to the above assessment, it is concluded that the modified proposal demonstrates consistency with the relevant provisions within the SREP (Sydney Harbour Catchment) 2005. Given the scale of the proposed modification and the works proposed, referral to the Foreshores and Waterways Planning and Development Advisory Committee was not considered necessary.

SEPP (Coastal Management) 2018

The site is identified within the Coastal Environment Area and Coastal Use Area pursuant to the SEPP (Coastal Management) 2018. Accordingly, the modified proposal is considered against Clauses 13, 14 and 15 of the Policy as follows:

13 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).

Comment:

The site is identified within the 'Foreshores and Waterways Area' pursuant to the SREP (Sydney Harbour Catchment) 2005. As such, the provisions of this clause do not apply to the development.

14 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

(iv) Aboriginal cultural heritage, practices and places,

(v) cultural and built environment heritage, and

(b) is satisfied that—

(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or

(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).

Comment:

The site is identified within the 'Foreshores and Waterways Area' pursuant to the SREP (Sydney Harbour Catchment) 2005. As such, the provisions of this clause do not apply to the development.

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

Given the scale of the modified works, it is not anticipated that the development will increase the risk of coastal hazards within the locality.

Concluding Remarks

Having regard to the above assessment, it is concluded that the proposal demonstrates consistency with the relevant requirements of the SEPP (Coastal Management) 2018.

Manly Local Environmental Plan 2013

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

Standard	Requirement	Approved	Proposed	% Variation	Complies
Height of Buildings:	8.5m	9.14m (dwelling) - approved under DA2019/0080 8.5m (lift) - approved under DA2019/0080	9.14m (dwelling) 8.5m (lift)	N/A	No, however as previously approved
Floor Space Ratio	FSR: 0.4:1	FSR: 0.55:1 - approved under Mod2019/0623	FSR: 0.55:1	N/A	No, however as previously approved

Note: The subject s4.55(2) Modification does not alter the non-compliant building height and FSR that has been approved under previous applications.

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.4 Floor space ratio	Yes
4.5 Calculation of floor space ratio and site area	Yes
6.2 Earthworks	Yes
6.4 Stormwater management	Yes
6.5 Terrestrial biodiversity	Yes
6.9 Foreshore scenic protection area	Yes

Detailed Assessment

4.3 Height of buildings

The modified proposal does not exacerbate the non-compliant building height approved under DA2019/0080. Therefore, no further consideration of this clause is required for the purpose of this assessment.

4.4 Floor space ratio

The modified proposal does not exacerbate the non-compliant FSR approved under DA2019/0080 and subsequently modified under Mod2019/0623. Therefore, no further consideration of this clause is required for the purpose of this assessment.

6.5 Terrestrial biodiversity

Council's Biodiversity Officer has reviewed the modified proposal and noted as follows:

"The modified is unlikely to result in additional significant impact to native vegetation above what was approved under DA2019/0080. Original conditions are to be retained".

In this regard, the modified proposal is considered to demonstrate consistency with this clause.

6.9 Foreshore scenic protection area

The overall bulk and scale of the modified development correlates with the approved and subsequently modified development. Therefore, it is not anticipated that the modified proposal will detract from the scenic qualities of the area. Overall, the modified proposal is seen to align with the requirements of this clause.

Manly Development Control Plan

Built Form Controls

Built Form Controls - Site Area: 789m ²	Requirement	Approved	Proposed	Complies
4.1.2.1 Wall Height	North: 7.2m	7.5m	7.5m	No, however previously approved
	South: 7.5m	6.1m	6.1m	Yes
4.1.2.2 Number of Storeys	2	2-3	2-3	No, however previously approved
4.1.2.3 Roof Height	Height: 2.5m	0.7m	0.7m	Yes
4.1.4.1 Street Front Setbacks	Prevailing building line / 6m	Nil (existing garage)	Nil (existing garage)	N/A
4.1.4.2 Side Setbacks and Secondary Street Frontages	North: 1.7m - 2.5m	1m (privacy screen)	0.54m - 1m (BBQ area)	No
	South: 1.1m - 2.0m	1.525m (new flat roof)	1.525m	No, however previously approved
4.1.4.4 Rear Setbacks	8m	4.5m - 5.3m	4.5m - 5.3m	No, however previously approved
4.1.5.1 Minimum Residential Total Open Space Requirements Residential Open Space Area: OS4	Open space 60% of site area	74% (583sqm)	74% (583sqm)	Yes
	Open space above ground 25% (145.75sqm) of total open space	15.5% (90sqm)	15.5% (90sqm)	
4.1.5.2 Landscaped Area	Landscaped area 40% of	40%	39.73%	No

	open space	(233.2sqm)	(231.6sqm)	
4.1.5.3 Private Open Space	18m per dwelling	>18sqm	>18sqm	Yes
4.1.9 Swimming Pools, Spas and Water Features	1m height above ground	Ground level	Ground level	Yes
	1m curtilage/1.5m water side/rear setback	1.0m (north side)	1.0m (north side)	No, however previously approved
Schedule 3 Parking and Access	Dwelling 2 spaces	2 spaces	2 spaces	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.1 Streetscapes and Townscapes	Yes	Yes
3.1.1 Streetscape (Residential areas)	Yes	Yes
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	Yes	Yes
3.4.3 Maintenance of Views	Yes	Yes
3.7 Stormwater Management	Yes	Yes
3.8 Waste Management	Yes	Yes
3.10 Safety and Security	Yes	Yes
4.1 Residential Development Controls	Yes	Yes
4.1.1 Dwelling Density, Dwelling Size and Subdivision	Yes	Yes
4.1.1.1 Residential Density and Dwelling Size	Yes	Yes
4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)	No	Yes
4.1.3 Floor Space Ratio (FSR)	No	Yes
4.1.4 Setbacks (front, side and rear) and Building Separation	No	Yes
4.1.5 Open Space and Landscaping	No	Yes
4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)	Yes	Yes
4.1.7 First Floor and Roof Additions	Yes	Yes
4.1.8 Development on Sloping Sites	Yes	Yes
4.4.2 Alterations and Additions	Yes	Yes
4.4.5 Earthworks (Excavation and Filling)	Yes	Yes
5 Special Character Areas and Sites	Yes	Yes
5.4.1 Foreshore Scenic Protection Area	Yes	Yes

Detailed Assessment

3.4.2 Privacy and Security

The development is considered against the underlying objectives of the control as follows:

Objective 1) To minimise loss of privacy to adjacent and nearby development by:

- *appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings; and*
- *mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings.*

Comment:

Windows and doors adjoining key living areas have been appropriately positioned away from adjoining properties to ensure a reasonable level of visual privacy is maintained. The BBQ area on the outdoor terrace is sited 3.5m below the tiled patio and 1.6m below the level lawn area at 36 Beatty Street (northern adjoining property) and will be visually separated by screen planting to avoid direct overlooking. The lower levels and screen planting will further minimise acoustic privacy impacts. Overall, the modified proposal is considered to demonstrate consistency with this objective.

Objective 2) To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.

Comment:

Noting that the overall height and density of the modified proposal aligns with the previously approved and subsequently modified development, it is not anticipated that the modified development will result in unreasonable overshadowing, nor will the development compromise views towards the harbour.

Objective 3) To encourage awareness of neighbourhood security.

Comment:

The modified proposal will not preclude casual surveillance of the foreshore.

Concluding Remarks

Based on the above assessment, it is concluded that the modified proposal is consistent with this control.

4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)

The approved and subsequently modified development presented some non-compliances with the number of storeys and wall height. In assessing this Section 4.55(2) Modification, it is noted that the modified proposal does not exacerbate the above-mentioned non-compliances. Therefore, no further consideration of this control is required for the purpose of this assessment.

4.1.3 Floor Space Ratio (FSR)

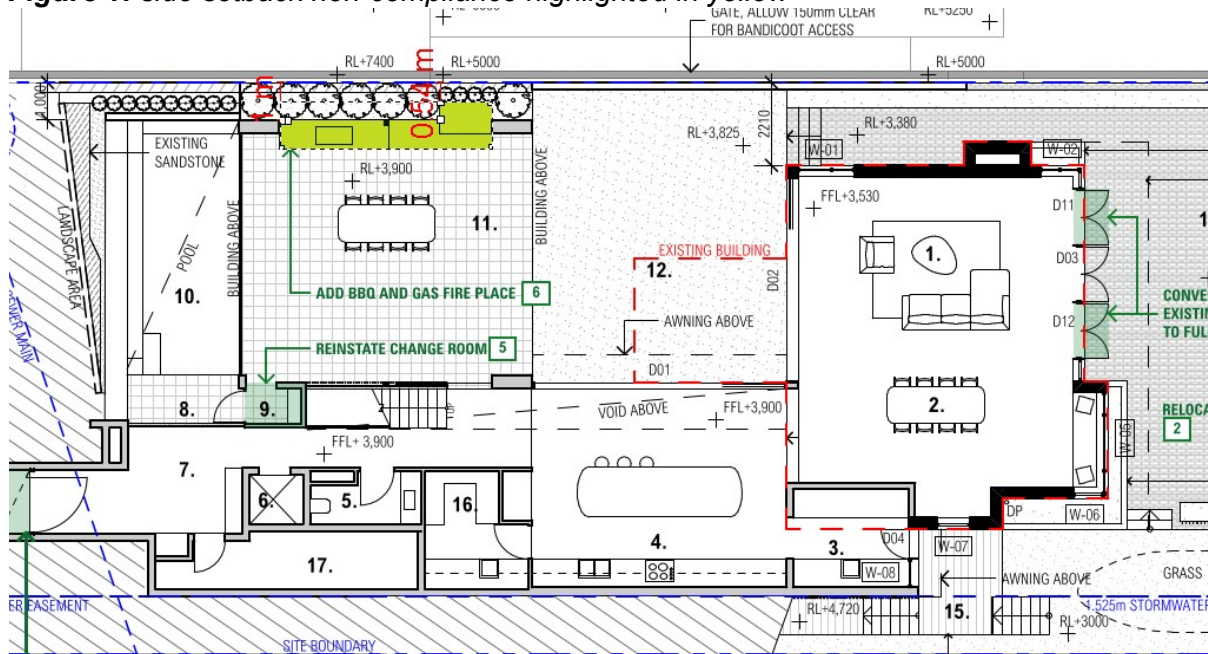
The FSR non-compliance is discussed under the section of this report relating to Clause 4.4 of the MLEP 2013. In summary, whilst numerically non-compliant with the FSR Development Standard, the modified proposal does not exacerbate the previously approved non-compliant FSR.

4.1.4 Setbacks (front, side and rear) and Building Separation

Description of non-compliance

The control requires development to be setback 1/3 of the proposed wall height. The Assessment under DA2019/0080 and Mod2019/0623 identified that development should be setback 1.7m - 2.5m from the northern side boundary and 1.1m - 2m from the southern side boundary. The BBQ area on the approved outdoor terrace is setback 0.54m - 1m from the northern side boundary, numerically non-compliant with the control. It should be noted that the previously approved and subsequently modified development has approved a reduced side building line of 1m from the northern boundary. The area of non-compliance is depicted in Figure 1 below.

Figure 1: side setback non-compliance highlighted in yellow



Merit consideration:

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

Objective 1) To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.

Comment:

The BBQ area will be concealed by the approved building footprint and landscape treatment adjacent to the terrace. Therefore, the BBQ area will not detract from the visual qualities of the streetscape or foreshore/harbour area.

Objective 2) To ensure and enhance local amenity by:

- providing privacy;
- providing equitable access to light, sunshine and air movement; and
- facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.
- defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and

- *facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.*

Comment:

The BBQ area on the outdoor terrace is sited 3.5m below the tiled patio and 1.6m below the level lawn area at 36 Beatty Street (northern adjoining property) and will be visually separated by screen planting to avoid direct overlooking. The lower levels and screen planting will further minimise acoustic privacy impacts. The modified development at large will not alter the approved height and density of the development and therefore, is not likely to result in unreasonable overshadowing impacts, nor will it compromise views towards the harbour. Overall, the modified development is seen to align with this objective.

Objective 3) To promote flexibility in the siting of buildings.

Comment:

Flexibility is afforded in this circumstance as the BBQ area has been appropriately sited to avoid unreasonable amenity or streetscape impacts.

Objective 4) To enhance and maintain natural features by:

- *accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;*
- *ensuring the nature of development does not unduly detract from the context of the site and particularly in relation to the nature of any adjoining Open Space lands and National Parks; and*
- *ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.*

Comment:

The modified proposal results in a 1.6sqm reducing in landscaping to accommodate for the sculptural garden feature. Conditions included under DA2019/0080 and Mod2019/0623 will ensure the completed development achieves a high quality landscape outcome, notwithstanding the small numerical non-compliance.

Objective 5) To assist in appropriate bush fire asset protection zones.

Comment:

A bush fire report has been provided and remains as reference documentation for the consent.

Concluding Remarks

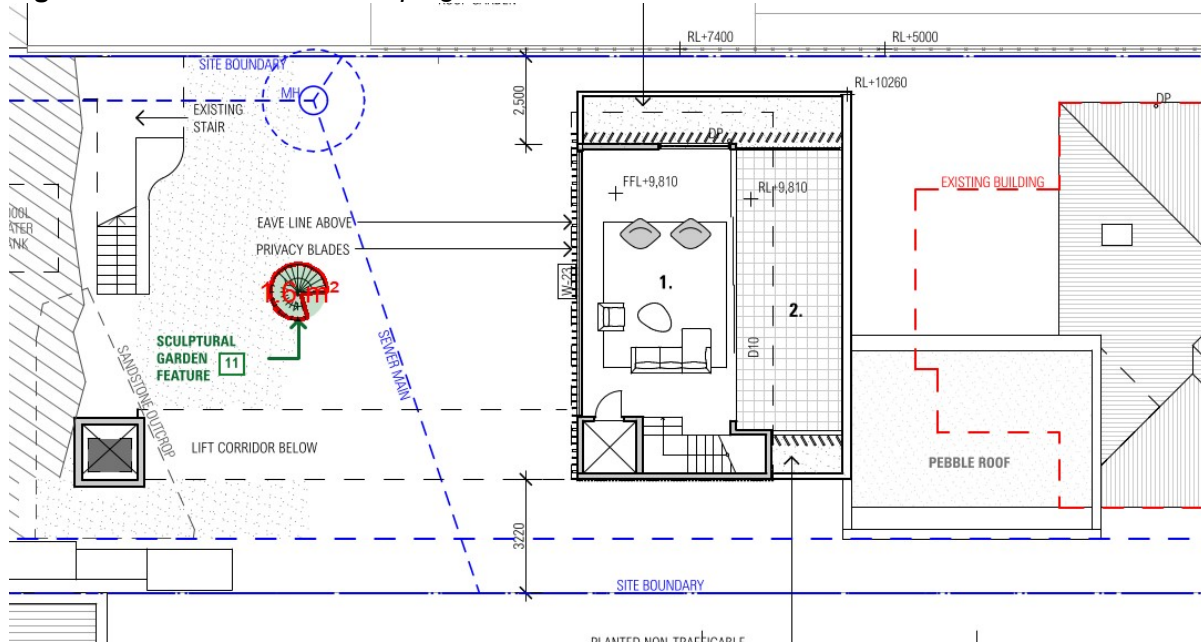
Based on the above assessment, it is concluded that the applicable objectives of the control have been achieved. Therefore, the application is supported on merit, in this particular circumstance.

4.1.5 Open Space and Landscaping

Description of non-compliance

The control requires at least 40% (233.2sqm) of the total open space to comprise landscaping. The modified proposal results 39.73% (231.6sqm) of the total open space being landscaped, which represents a 0.68% variation from the prescribed requirement. It should be noted that the modified proposal removes 1.6sqm of landscaping, which triggers the non-compliance. The reduction in landscaping is depicted in Figure 2 below.

Figure 2: reduction in landscaping outlined in red



Merit consideration:

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

Objective 1) To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.

Comment:

The modified development does not result in the removal of native vegetation or important topographic features. Tree protection measures were conditioned as part of the consent imposed under DA2019/0800.

Objective 2) To maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation and bushland.

Comment:

It is considered that the site has ample dimensions of landscaping and total open space. Conditions included under DA2019/0080 and Mod2019/0623 will ensure the completed development achieves a high quality landscape outcome, notwithstanding the small numerical non-compliance.

Objective 3) To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.

Comment:

Conditions included under DA2019/0800 and Mod2019/0632 requiring landscape planting will enhance the natural amenity of the site and ensure the built form does not present with an unreasonable level of visual prominence. As noted earlier in this report, the modified proposal has been appropriately designed to minimise unacceptable amenity impacts.

Objective 4) To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.

Comment:

The 231.6sqm of landscaping is sufficient and will assist in stormwater infiltration, thereby minimising runoff. The approved stormwater management system will ensure that stormwater is appropriately managed on site.

Objective 5) To minimise the spread of weeds and the degradation of private and public open space.

Comment:

The modified development will not lead to a significant spread of weeds.

Objective 6) To maximise wildlife habitat and the potential for wildlife corridors.

Comment:

The landscape treatments resulting from the entire development will serve as potential wildlife habitat.

Concluding Remarks

Based on the above assessment, it is concluded that the applicable objectives of the control have been achieved. Therefore, the application is supported on merit, in this particular circumstance.

4.1.8 Development on Sloping Sites

A Geotechnical Cover Letter (prepared by White Geotechnical Group dated 30 July 2020) was submitted with this application. The Letter notes as follows:

"The proposed changes are minor from a geotechnical perspective and do not alter the recommendations or the risk assessment in the original report carried out by this firm numbered J1788 and dated the 25th January, 2019".

Based on the above, it is concluded that the modified proposal is consistent with the requirements and objectives of this control.

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;
- Manly Local Environment Plan;
- Manly 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

The modified proposal relates to a number of minor changes to the approved built form. The overall height and density of the modified proposal will be consistent to the recently approved development, noting that the approved building height and FSR will remain unaltered.

The modified proposal results in small numerical non-compliances to the MDCP 2013 controls, namely exacerbating a non-compliant northern side building line and resulting in a 1.6sqm reducing in landscaping. Notwithstanding the numerical non-compliance, the modified development is considered to align with the aims and requirements of the MLEP 2013 and MDCP 2013, noting that the development will not result in any unacceptable amenity, environmental or streetscape impacts.

Therefore, the application is recommended for approval.

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. Mod2020/0363 for Modification of Development Consent DA2019/0080 granted for alterations and additions to a dwelling house including swimming pool on land at Lot 21A DP 350345, 34 Beatty Street, BALGOWLAH HEIGHTS, subject to the conditions printed below:

A. Add Condition No.1B - 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
DA-002 (Revision D) - Site Plan	15 July 2020	Chrofi
DA-101 (Revision C) - Ground Floor Plan	15 July 2020	Chrofi
DA-102 (Revision C) - First Floor Plan	15 July 2020	Chrofi
DA-103 (Revision C) - Second Floor Plan	15 July 2020	Chrofi
DA-104 (Revision C) - Existing Studio Plan	15 July 2020	Chrofi
DA-105 (Revision C) - Existing Garage Plan	15 July 2020	Chrofi
DA-106 (Revision D) - Roof Plan	15 July 2020	Chrofi
DA-201 (Revision D) - Elevations	15 July 2020	Chrofi
DA-202 (Revision D) - Elevations	15 July 2020	Chrofi
DA-301 (Revision C) - Sections	15 July 2020	Chrofi

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A336749_05	4 August 2020	ECOMODE Design

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.

B. Add Condition 29 - Compliance with Other Department, Authority or Service Requirement

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

- Ausgrid Referral Response (not dated).

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

