

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2020/0490
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Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 9 DP 1142062, 6 Ross Street SEAFORTH NSW 2092
Proposed Development:	Modification of Development Consent DA2019/0544 granted for Alterations and additions to a dwelling house
Zoning:	Manly LEP2013 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Louis Thomas Carroll Christine Anne Carroll
Applicant:	JL Building Pty Ltd

Application Lodged:	12/11/2020
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	23/11/2020 to 07/12/2020
Advertised:	Not Advertised
Submissions Received:	2
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

Development Consent was granted on 16 September 2019 under DA2019/0544 for alterations and additions to a dwelling house.

Subsequent to this consent, a Section 4.55(1A) Modification was lodged to Council seeking to amend the proposal (additional glazing). This application (Mod2020/0236) was approved by Council on 16 June 2020.

This Section 4.55(1A) Modification has been lodged to Council seeking retrospective consent for an amendment to the roof form which was constructed to a height of RL81.83, which is 50mm higher than the approved plans under DA2019/0544, which was approved at RL81.78. This height has been confirmed via a survey.

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

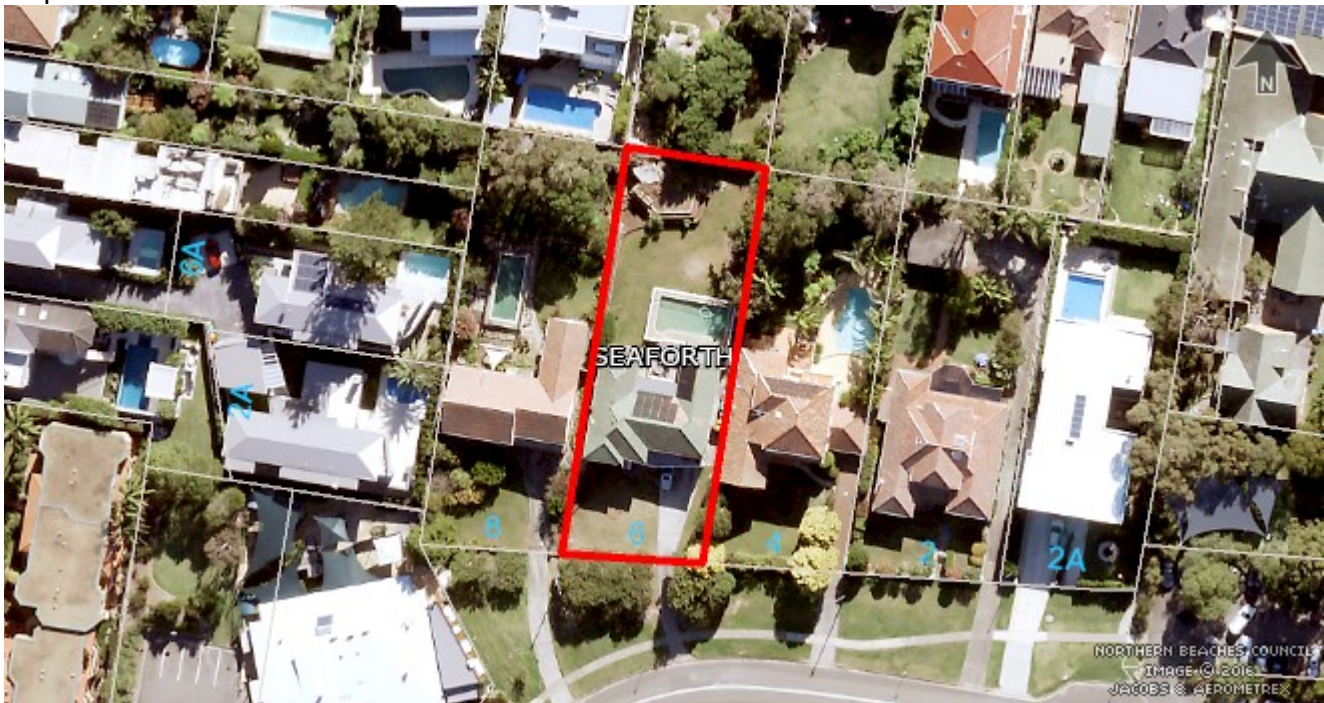
Manly Development Control Plan - 3.4.3 Maintenance of Views

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

SITE DESCRIPTION

Property Description:	Lot 9 DP 1142062 , 6 Ross Street SEAFORTH NSW 2092
Detailed Site Description:	<p>The subject site consists of one allotment located on the northern side of Ross Street.</p> <p>The site is regular in shape with a frontage of 20.18m along Ross Street and a depth of 57.99m. The site has a surveyed area of 1146.5m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates an existing dwelling house.</p> <p>The site slopes approximately 5.4m from rear (north) to front (south).</p> <p>The site contains shrubs and planted vegetation. There are no significant trees on the site.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by detached dwellings. A number of commercial and community uses are also located in close proximity.</p>

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:

- Development Application **DA2019/0544** for alterations and additions to a dwelling house approved by Council on 16 September 2019.
- Construction Certificate **CC2019/1198** for alterations and additions to a dwelling house approved by Council on 19 November 2019.
- Section 4.55(1A) Modification **Mod2020/0236** for modification of development consent DA2019/0544 granted for alterations and additions to a dwelling house approved by Council on 16 June 2020.

Application History

The Assessment Officer undertook a site visit at the subject site and examined the site's surrounds on 11 February 2021.

The Assessment Officer undertook a site visit at 11 Ellery Parade (located to north-west) in response to the submission raising concern of the view impacts of the modified roof form.

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 DA2019/0544, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	<p>Yes</p> <p>The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <ul style="list-style-type: none"> • The perceived height and density of the approved structure will remain consistent subsequent to this modification. • The view impacts of the 50mm increased roof line are considered to be negligible and acceptable.
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The development, as proposed, has been found to be such that Council is satisfied that the proposed works are substantially the same as those already approved under DA2019/0544 for the following reasons:</p> <ul style="list-style-type: none"> • The material impacts of the modified development will be consistent to the approved development. • The modified development does not change the approved land use for the site.
<p>(c) it has notified the application in accordance with:</p> <p>(i) the regulations, if the regulations so require, 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 and Northern Beaches Community Participation Plan.</p>

Section 4.55(1A) - Other Modifications	Comments
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Notification & Submissions Received" in this report.

Section 4.15 Assessment

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

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

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Manly Development Control Plan 2013 applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider Prescribed conditions of development consent. These matters have been addressed via a condition in the original consent.</p> <p><u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition in the original consent.</p>

Section 4.15 'Matters for Consideration'	Comments
	<p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition in the original consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition in the original consent.</p> <p><u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the 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	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 23/11/2020 to 07/12/2020 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 process council is in receipt of 2 submission/s from:

Name:	Address:
Mr Robert Canvin Bakewell	11 Ellery Parade SEAFORTH NSW 2092
Mr John Michael Tiller	9 Ellery Parade SEAFORTH NSW 2092

2 submissions were received in response to the public exhibition period. The following issues were raised in the submission and each have been addressed below as follows:

View Impact

Concern was raised that the modified roof form would have an unacceptable view impact on 11 Ellery Parade.

Comment:

This matter is discussed in detail within the section of this report relating to Clause 3.4.3 of the MDCP 2013. In summary, the modified roof form has an insignificant view impact on 11 Ellery Parade in the context of views currently available from the site. The view impact is therefore reasonable.

Builder Should Amend Roof Line to correlate with Levels approved under DA2019/0544

Concern was raised that the builder should amend the roof form to correlate with the levels approved under DA2019/0544

Comment:

The modified development has been assessed on its merits and found to be acceptable, noting that the development does not result in an unreasonable environmental planning outcome. There is precedence within the NSW Land and Environment Court that a Section 4.55 Modification can retrospectively approve construction works prior to consent being granted.

Concluding Remarks

The matters raised in the submissions have been appropriately addressed above. The concerns do not warrant refusal of the application.

REFERRALS

Internal Referral Body	Comments
NECC (Development Engineering)	<p>The proposed modification does not alter the original assessment of the application by Development Engineering.</p> <p>No objection to approval with no additional or modified conditions of consent recommended.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

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	8m (RL81.78)*	8.05m (RL81.83)	-	Yes
Floor Space Ratio	FSR: 0.45:1 (515.9sqm GFA)	FSR: 0.34:1 (385.5sqm GFA)	FSR: 0.34:1 (385.5sqm GFA)	-	Yes

***Note:** The proposed development originally included a gable roof at the front of the addition, which contained a maximum height of 8.8m. Council's Assessment Officer did not agree with the applicant's Clause 4.6 written request for the height breach and deemed that there were not sufficient environmental planning grounds to vary exceed the 8.5m statutory height limits. Accordingly, a condition was included with under Development Consent DA2019/0544 requiring the front gable roof to be amended to a hipped roof form, which brought the proposal into compliance with the Height of Buildings Development Standard.

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.4 Floor space ratio	Yes
6.1 Acid sulfate soils	Yes
6.4 Stormwater management	Yes
6.12 Essential services	Yes

Manly Development Control Plan

Built Form Controls

Built Form Controls - Site Area: 1146.5sqm	Requirement	Approved	Proposed	Complies
4.1.2.1 Wall Height	East: 7.3m	1F (Library): 8.3m	1F (Library): 8.3m	No, however variation supported on merit under DA2019/0554
	West: 6.9m	1F: 6.4-7.1m	1F: 6.4-7.1m	No, however variation supported on merit under DA2019/0554
4.1.2.2 Number of Storeys	2 storeys	3 storeys	3 storeys	No, however variation supported on merit under DA2019/0554
4.1.2.3 Roof Height	Height: 2.5m	1.3m (before amended via condition)	1.21m	Yes
	Pitch: maximum 35 degrees	less than 35 degrees	less than 35 degrees	Yes
4.1.4.1 Street Front Setbacks	Prevailing building line / 6m	Stair: 7.5m Dwelling: 12.01m	Stair: 7.5m Dwelling: 12.01m	Yes
4.1.4.2 Side Setbacks and Secondary Street Frontages	East (GF): 1.7m	2.2m	2.2m	Yes
	East (1F-Library): 2.77m	3.1m	3.1m	Yes
	East (1F-Stair): 2.66m	2.4m	2.4m	Yes
	West (GF): 1.3m	2m	2m	Yes
	West (1F): 2.37m	2.9m	2.9m	Yes
4.1.4.4 Rear Setbacks	8m	26.01m	26.01m	Yes
4.1.5.1 Minimum Residential Total Open Space Requirements Residential Open Space Area: OS3	Open space 55% of site area 630.575sqm	65.6% 751.8sqm	65.6% 751.8sqm	Yes
	Open space above ground 25% of total open space 157.6m ²	3% 19.2sqm	3% 19.2sqm	
4.1.5.2 Landscaped Area	Landscaped area 35% of open space 220.7sqm	94.6% 596.6sqm	94.6% 596.6sqm	Yes

	4 native trees	> 4 trees	> 4 trees	Yes
4.1.5.3 Private Open Space	18sqm per dwelling	> 18sqm	> 18sqm	Yes
4.1.6.1 Parking Design and the Location of Garages, Carports or Hardstand Areas	Maximum 50% of frontage up to maximum 6.2m	6m	6m	Yes
Schedule 3 Parking and Access	Dwelling 2 spaces	2 spaces	2 spaces	Yes
4.1.10 Fencing	1m / 1.5m transparent	1.4m	1.4m	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
3.3.2 Preservation of Trees or Bushland Vegetation	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
3.5 Sustainability - (Greenhouse Energy Efficiency, Thermal Performance, and Water Sensitive Urban Design)	Yes	Yes
3.7 Stormwater Management	Yes	Yes
3.10 Safety and Security	Yes	Yes
4.1 Residential Development Controls	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)	Yes	Yes
4.1.4 Setbacks (front, side and rear) and Building Separation	Yes	Yes
4.1.5 Open Space and Landscaping	Yes	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

Detailed Assessment

3.4.3 Maintenance of Views

Council received one submission from the owners of 11 Ellery Parade (located to the north-west) raising concern of the view impacts resulting from the modified roof form.

In response to the submission, the Assessment Officer undertook a site visit at the nearby property on 11 February 2021. The Assessment Officer and one of the owner's of the site were in attendance.

Merit Consideration

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

Objective 1) To provide for view sharing for both existing and proposed development and existing and future Manly residents.

Objective 2) To minimise disruption to views from adjacent and nearby development and views to and from public spaces including views to the city, harbour, ocean, bushland, open space and recognised landmarks or buildings from both private property and public places (including roads and footpaths).

Objective 3) To minimise loss of views, including accumulated view loss 'view creep' whilst recognising development may take place in accordance with the other provisions of this Plan.

Comment:

In determining the extent of potential view loss to adjoining and nearby properties, the four (4) planning principles outlined within the Land and Environment Court Case of *Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140*, are applied to the proposal.

1. Nature of the views affected

"The first step is the assessment of the views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured".

Comment:

The views from No. 11 are land views of Mosman in addition to water views of Middle Harbour including land-water interface from Chinamans Beach to Balmoral and Middle Head. All views from No. 11 are considered to be whole views.

2. What part of the affected property are the views obtained

"The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic".

Comment:

Views from No. 11 are obtained across a side and rear boundary primarily from the rear deck, in addition to the rear living areas. These views are available to varying extents from a sitting or standing position. Land views of Mosman and water views of Middle Harbour can be obtained from a standing and sitting position, whilst the views that include the land-water interface from Chinamania Beach are only obtained from a standing position. Land-water interface views of Balmoral and Middle Head can be obtained from standing and sitting positions. The views in questions are depicted in Figures 1 and 2 below.

Figure 1: standing views



Figure 2: sitting views



3. Extent of impact

“The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating”.

Comment:

The amended ridge line sits 50mm higher than what was approved under DA2019/0544 and is located centrally on the roof. The amended roof form results in a minor loss of water views in front of Chinamans Beach when standing. There is not additional loss of water views when sitting. The extent of the additional impact of the modified roof form is highlighted in red on Figure 3 below.

Figure 3: extent of the view impact



Based on the above, the qualitative extent of the view impact for the entire site is considered to be negligible.

4. Reasonableness of the proposal that is causing the impact

“The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

Comment:

The modified roof form causing the view impact sits 8.05m above the existing ground line, which complies with the 8.5m statutory height limit. Given the modified roof results in extremely minor loss of water views when standing and that the more expansive views are unobstructed, the view impact is considered to be reasonable.

Concluding Remarks

The information submitted with the application, in conjunction with site visits at the subject site and 11 Ellery Parade, has allowed Council to accurately consider the extent of the view loss for surrounding properties. Council is satisfied that the development achieves consistency with the objectives of this control and the planning principles outlined within the NSW Land and Environment Court Case of

Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140.

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

The resulting development maintains non-compliance with the MDCP 2013 wall height and number of storeys control, which was supported on merit under DA2019/0544. However, the modified development pertains to an amended roof line and does not exacerbate the wall height or number of storey height non-compliance. Therefore, no further consideration of this control is required for the purpose of this assessment.

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

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. Mod2020/0490 for Modification of Development Consent DA2019/0544 granted for Alterations and additions to a dwelling house on land at Lot 9 DP 1142062,6 Ross Street, SEAFORTH, 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
2 Site Plan (Revision I)	11/11/2020	b+w
3 Ground Floor Plan (Revision I)	11/11/2020	b+w
4 First Floor Plan (Revision I)	11/11/2020	b+w
5 Basement Floor Plan (Revision I)	11/11/2020	b+w
6 Section A-A (Revision I)	11/11/2020	b+w
7 North/East Elevations (Revision I)	11/11/2020	b+w
8 South/West Elevations (Revision I)	11/11/2020	b+w

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.

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

Signed



Thomas Burns, Planner

The application is determined on 19/02/2021, under the delegated authority of:



Rodney Piggott, Manager Development Assessments