

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2019/0024
Responsible Officer:	Kye Miles
Land to be developed (Address):	Lot 1 DP 545812, 43 Booralie Road TERREY HILLS NSW 2084
Proposed Development:	Modification of Development Consent DA2016/0523 granted for Demolition Works construction of a service station and signage
Zoning:	Warringah LEP2011 - Land zoned IN2 Light Industrial
Development Permissible:	No
Existing Use Rights:	Yes
Consent Authority:	Northern Beaches Council
Delegation Level:	NBLPP
Land and Environment Court Action:	No
Owner:	Eastden Pty Ltd
Applicant:	Inland Building And Construction

Application lodged:	24/01/2019
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	06/02/2019 to 23/02/2019
Advertised:	09/02/2019
Submissions Received:	7
Recommendation:	Approval

EXECUTIVE SUMMARY

This assessment report is submitted to the Local Planning Panel for the consideration of Modification Application No. Mod2019/0024, which seeks consent to modify Development Application No. DA2016/0523 to retrospectively approve the increased height of the forecourt canopy from 5.5m to 6.0m for an approved service station.

The subject site is zoned for IN2 Light Industrial and is adjoining by R2 Low Density Residential development, RE1 Public Recreation land and IN2 zoned development.

The proposed modifications are to be made to a "Service station" as defined under the Warringah Local Environmental Plan (WLEP) 2011, which is a prohibited use in the IN2 Light Industrial zone. However, the site has Existing Use Rights for the purposes of a service station as per Division 4.11 of the Environmental Planning and Assessment Act, 1979. As such, the planning controls apply in respect to

the merit assessment of the application.

The increased height of the canopy complies with the 8.5m building height control under WLEP 2011.

In relation to the Warringah Development Control Plan (WDCP) 2011, the issue of glare and nuisance from the lighting on the underside of the canopy was assessed and it revealed that there are no unreasonable impacts arising from the additional height of the canopy and associated lighting system. Suitable conditions have been imposed.

The proposal was notified and advertised and seven (7) submissions were received. The issues raised do not warrant any reduction in the height of the canopy to address any impacts on residential amenity or streetscape and do not warrant the refusal of this modification.

This report recommends that consent be granted to this application in accordance with the recommended conditions.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - Zone IN2 Light Industrial
Warringah Development Control Plan - D12 Glare and Reflection

SITE DESCRIPTION

Property Description:	Lot 1 DP 545812 , 43 Booralie Road TERREY HILLS NSW 2084
Detailed Site Description:	The site is located on a corner allotment on the south eastern corner of Booralie Road and Tepko Road. The site is irregular in shape and has a surveyed area of 1088m² with a street frontage to Booralie Road of 31.1m

and to Tepko Road of 45.3m.

Presently the site accommodates a self-service petrol station with a canopy structure, and signage.

The site is upon land zoned for IN2 Light Industrial and is bound by similarly zoned land to the south and west. North and east of the site is land zoned for R2 Low Density Residential development and accommodates residential accommodation of varying forms. A narrow strip of land zoned for RE1 Public Recreation runs along the eastern edge of the site and connects to Myoora Road. This strip of land provides a landscaped buffer between the residential and industrial zones.

The allotment is generally flat with no topographical features and does not have any significant or noteworthy vegetation.

Map:



SITE HISTORY

A review of Council records has revealed that the subject site has operated as a service station and associated uses over the past 30+ years.

DA2016/0523

Development Application No. DA2016/0523 for demolition works and construction of a service station and signage was approved by the Northern Beaches Development Assessment Panel (NBDAP) on 12 October 2016.

MOD2016/0324

Modification Application No. MOD2016/0324 sought to change the approved hours of operation and

signage illumination approved under DA2016/0523. Due to concerns in relation to impacts on surrounding residential amenity, the NBDAP refused the application.

MOD2017/0223

A second Modification Application No. MOD2017/0223 sought to change the approved hours of operation and signage illumination. The proposed hours were:

- **Monday to Friday - 5.00am - 11.00pm;**
- **Saturday - 6.00 am - 11.00pm; and**
- **Sunday and Public Holidays - 7.00am - 10.00pm**

The assessment report recommended the proposed hours be reduced and that they should be subject to a 12 month trial period. The recommended hours were:

- **Monday to Friday - 6.00am - 11.00pm;**
- **Saturday - 6.00am - 11.00pm;**
- **Sunday and Public Holidays - 7.00am - 10.00pm**

The application was approved by the NBDAP on 13 December 2017.

PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks retrospective approval for an increase in the height of the service station canopy from 5.5m to 6.0m.

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 DA2016/0523, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 96(2) of the Environmental Planning and Assessment Act, 1979, are:

Section 96(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	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 DA2016/0523.
(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 DA2016/0523 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, Warringah Local Environment Plan 2011 and Warringah Development Control Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Public Exhibition" in this report.

Section 79C Assessment

In accordance with Section 96(3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 96 the consent authority must take into consideration such of the matters referred to in section 79C(1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider Prescribed conditions of development consent. These matters have been addressed via a condition in the original consent. <u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No Additional information was requested. <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. <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 matter has been addressed via a condition in the original consent. <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.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report. (ii) Social Impact The development is not considered to give rise to any unreasonable or detrimental social impacts on the locality considering the nature of the existing land use. (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.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	This assessment has found the proposal to be consistent with the relevant requirement(s) of the WLEP 2011 and WDCP 2011 and will not result in a

Section 79C 'Matters for Consideration'	Comments
	development that would give rise to unreasonable amenity impacts or be contrary to the public interest.

EXISTING USE RIGHTS

The use of the land as a Service Station is a prohibited land use under the WLEP 2011. However, the site has Existing Use Rights for the purposes of a service station as per Division 4.11 of the Environmental Planning and Assessment Act, 1979.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited 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 7 submission/s from:

Name:	Address:
Mr Daniel Gary Cook	37 Booralie Road TERREY HILLS NSW 2084
Withheld	TERREY HILLS NSW 2084
Terrey Hills Progress Association	22 Myoora Road TERREY HILLS NSW 2084
Mrs Carol Audrey Parr	1 Jinchilla Road TERREY HILLS NSW 2084
Mr Peter Geoffrey Addison	2 Wanari Road TERREY HILLS NSW 2084
Withheld Withheld	TERREY HILLS NSW 2084
John Clark	

The following issues were raised in the submissions:

- Lighting
- Works already completed
- Landscaping
- Potential spillage
- Non-compliant height
- Sediment spillover
- Working outside of the approved construction hours
- Signage
- Potential traffics hazards

The matters raised within the submissions are addressed as follows:

- **Lighting**

The submissions raised concerns that the increased height of the the canopy will create an unreasonable light spillover to the upper bedrooms of the dwelling house at No. 37 Booralie Road.

Comment:

It is acknowledged that the proposal will raise the level of the down-lights underneath the canopy. However, the applicant has provided illumination details on the installed down-lights, which indicate that the lights are directed in a downwards manner and do not shed illumination horizontally. They also have a proud edge that limits the projection downward. Additionally, the application was reviewed by Council's Environmental Health team, who assessed the potential impacts of the down-lights and they recommended a condition to ensure compliance with AS4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.

Therefore, the concern has been addressed by information and conditions and does not warrant refusal of the application.

- **Works already completed**

Concerns have been raised that the works have already been completed and the canopy already sits at the proposed height of 6.0m.

Comment:

The works proposed under this modification have in fact been completed and this modification is seeking retrospective approval. The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the consent authority with the ability to modify a development consent and retrospectively approve works that have been completed, provided that the modified works are substantially the same development as the original approval. Overall, it is considered that the works represent a minor amendment to DA2016/0523.

Therefore, this matter does not warrant refusal of the application.

- **Landscaping**

Concerns have been received that the subject site has not provided landscaping in accordance with the approved landscape plans under DA2016/0523.

Comment:

This matter is the subject of an investigation by Council's Compliance team.

- **Potential spillage**

The submissions raised concerns that the ground levels within the bunded forecourt area do not appear to be at an adequate height to contain any spillage of petrol entering the stormwater drainage system.

Comment:

This matter is the subject of an investigation by Council's Compliance team.

- **Non-compliant height**

Concerns have been raised that the proposed canopy height does not comply with Council's maximum building height standards.

Comment:

This modification seeks approval for the increased height of the canopy to 6.0m. Council's maximum building height standard for this area is 8.5m, which complies with the relevant height control, which is addressed under the WLEP 2011 section of this report..

Therefore, this matter does not warrant refusal of the application.

- **Sediment spillover**

Concerns have been received that during the construction of the service station, there was an issue regarding sand being swept/hosed into the stormwater drain.

Comment:

This matter is the subject of an investigation by Council's Compliance team.

- **Working outside of the approved construction hours**

Concerns have been received that during the construction process of the service station there instances when construction extended beyond the approved hours.

Comment:

This matter is the subject of an investigation by Council's Compliance team.

- **Signage**

Concerns have been raised that the design of the signage on the retail shop, particular the signage that occupy's the Tepko Road facade, does not relate to the approved signage under DA2016/0523 and nor is it consistent with the character of the area.

Comment:

This matter was investigated by Council's Compliance team through the issue of a Building Certificate (BC2019/0058) and that BC requires the removal of authorised 'pie face' signage on the western façade of the service station and the repainting of the wall to comply with the Consent.

Potential traffics hazards

- A submission raised concerns that vehicles existing the subject site onto Tepko Road will create traffic hazards for vehicles turning onto this road from Booralie Road, due to the curve in the intersection and parked cars.

Comment:

Traffic related issues associated with the new service station and its access arrangements were assessed as part of DA2016/0523 and were deemed to be satisfactory. The concern should be reported to Council to allow Council's Traffic Team to investigate.

Therefore, this matter does not warrant a refusal of the application.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire	The application has been investigated with respects to aspects

Internal Referral Body	Comments
and Disability upgrades	relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below. Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.
Environmental Health (Industrial)	General Comments Existing approved DA being modified to only increase canopy height (Service Station) Light nuisance may be an issue for adjacent residences. Recommendation APPROVAL - subject to conditions
NECC (Development Engineering)	The applicant proposed to change the height of Canopy. Development Engineer has no objection to the application. No additional condition is required.

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

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

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

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

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

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

SEPP 55 - Remediation of Land

The parent application (DA2016/0523) indicated that the site has been used as a service station since at least 1970 and that it was likely the site would contain some subsurface contamination. Council's

Environmental Team completed their assessment of the original proposal and raised no objections subject to conditions.

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.

Warringah Local Environmental Plan 2011

Is the development permissible?	No
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Development Standard	Requirement	Approved	Proposed	Complies
Height of Buildings:	8.5m	5.5m (Canopy)	6.0m	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.6 Exceptions to development standards	Yes
5.3 Development near zone boundaries	Yes
5.8 Conversion of fire alarms	Yes
6.2 Earthworks	Yes

Clause	Compliance with Requirements
6.4 Development on sloping land	Yes

Detailed Assessment

Zone IN2 Light Industrial

The current use of the site as a service station is a prohibited use in the IN2 zone under the WLEP 2011, however the site has the benefit of Existing use Rights as a service station, which was confirmed as part of the assessment of the original DA.

Warringah Development Control Plan

Built Form Controls

Standard	Requirement	Approved	Proposed	Complies
B3 Side Boundary Envelope	South - 4.0m	No encroachment	No encroachment	No change
	East - 4.0m	No encroachment	No encroachment	No change
B5 Side Boundary Setbacks	South - 0.9m	0.9m	0.9m	No change
	East - 0.9m	2.0m	2.0m	No change
B7 Front Boundary Setbacks - Booralie Road	4.5m	Store - 22.5m Canopy - 3.5m	Store - 22.5m Canopy - 3.5m	No change
B7 Secondary Front Boundary Setbacks - Tepko Road	4.5m	Store - 2.0m Canopy - 2.6m	Store - 2.0m Canopy - 2.6m	No change
D1 Landscaped Open Space and Bushland Setting	40%	0.3% (34.7sqm)	0.3% (34.7sqm)	No change

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B3 Side Boundary Envelope	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C7 Excavation and Landfill	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes

Detailed Assessment

D12 Glare and Reflection

The increased height of the canopy will increase the level at which the down-lights are situated by 500mm. Within the assessment of the DA, it was found that the submitted lighting plan was reasonable, as *"the proposed lighting to be used is down-lighting from underneath the canopy and internally illuminated sign boxes. No lighting is directed toward any residential property."*

The applicant has provided information to support the current application, which indicates that the down-lights are directional and do not shed light horizontally. They also have a proud edge that limits the projection downward. Additionally, conditions have been imposed that will require compliance with AS4282-1997: *Control of the Obtrusive Effects of Outdoor Lighting*.

Overall, it is considered that the minor amendment to the canopy height will not cause unreasonable amenity impacts to adjoining residential properties, as a result of excessive glare or lighting nuisance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Council Contributions Plan 2018

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;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

The existing development contains a self-service station with a canopy structure, retail shop, concrete forecourt and associated signage. The current application seeks consent to modify Development Consent No. DA2016/0523 to retrospectively approve the increased height of the forecourt canopy from 5.5m to 6.0m.

The service station has existing use rights and so the planning controls apply in respect to the merit assessment of the application. Despite this, the increased height of the canopy complies with the 8.5m building height control under WLEP 2011 and does not raise any other matters in relation to the LEP controls.

In relation to the WDCP 2011, the issue of glare and nuisance from the lighting on the underside of the canopy was assessed and it revealed that there are no unacceptable impacts arising from the additional elevation of the canopy and associated lighting system. Suitable conditions have been imposed in this regard.

The notification of the application resulted in seven (7) submissions, which do not warrant any reduction in the height of the canopy to address any impacts on residential amenity or streetscape and do not warrant the refusal of this modification.

Overall, it is considered that the modification is reasonable and satisfactory on its merits.

Accordingly, the application is recommended for approval subject to the modified conditions. 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. Mod2019/0024 for Modification of Development Consent DA2016/0523 granted for Demolition Works construction of a service station and signage on land at Lot 1 DP 545812,43 Booralie Road, TERREY HILLS, subject to the conditions printed below:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DWG. A301 - Issue C	August 2018	Calare Civil Consulting Engineers
DWG. A302 - Issue C	August 2018	Calare Civil Consulting Engineers
DWG. A303 - Issue C	August 2018	Calare Civil Consulting Engineers
DWG. A304 - Issue C	August 2018	Calare Civil Consulting Engineers

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Modify Condition - Internal and External Lighting:

Glare from internal and external lighting is not permitted to extend beyond the limits of the building authorised by this approval, must comply with AS 4282 "Control of the obtrusive effects of outdoor lighting" and shall not cause a nuisance to any neighbouring residents.

A suitably qualified person shall certify compliance with the above requirements and submit that certification to Council within 30 days from the date of the issue of the modified consent.

Reason: To ensure there is no glare from internal or external lighting to neighbouring properties and land (DACHPBOC6)