

Memo

Environment

To:	Rodney Piggott , Development Assessment Manager
From:	Adam Mitchell, Planner
Date:	15 March 2021
Application Number:	Mod2021/0113
Address:	Lot B DP 450856 , 1129 Barrenjoey Road PALM BEACH NSW 2108 Lot C DP 450856 , 1129 Barrenjoey Road PALM BEACH NSW 2108
Proposed Modification:	Modification of Development Consent DA2020/1647 granted for alterations and additions to a dwelling house

Background

The abovementioned development consent was granted by Council on 28 January 2021 for alterations and additions to a dwelling house;

Details of Modification Application

Under Section 4.55(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. The Northern Beaches Community Participation Plan does not require the notification of Section 4.55(1) modification applications as they are considered to be of minimal environmental impact.

The application seeks to delete condition No. 9 - Survey Certificate, which reads as follows:

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

(a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.

(b) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

Consideration of error or mis-description

Condition 9 was imposed within the Development Consent in error and is not appropriate for a development of this magnitude. The condition is generally reserved for works that directly adjoin or are very close to a boundary and such is not the case for this proposal. The location and proportions of the

structure must still be constructed as approved and if they are not then the works remain open for future enforcement action.

The removal of Condition 9 results in no change to the structure as approved and it may therefore be removed.

Conclusion

It is considered that the modification is minor in nature and consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is therefore recommended for approval.

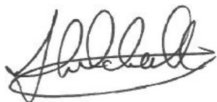
Recommendation

THAT Council as the consent authority approve Modification Application No. Mod2021/01113 for Modification of Development Consent DA2020/1647 granted for alterations and additions to a dwelling house on land at Lot B DP 450856, 1129 Barrenjoey Road, PALM BEACH, Lot C DP 450856, 1129 Barrenjoey Road, PALM BEACH, as follows:

A. Delete Condition No. 9 - Survey Certificate.

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

Signed



Adam Mitchell, Principal Planner

The application is determined on 15/03/2021, under the delegated authority of:



Rodney Piggott, Manager Development Assessments