

Memo

Environment

To:	Lashta Haidari , Acting Development Assessment Manager
From:	Thomas Prosser, Planner
Date:	6 August 2021
Application Number:	Mod2021/0562
Address:	Lot 7 DP 1020015 , 49 Frenchs Forest Road East FRENCHS FOREST NSW 2086
Proposed Modification:	Modification of Development Consent DA2019/1419 granted for the construction of a Health Services Facility, being a Medical Centre (Cancer Treatment Centre) with basement parking, signage and landscaping

Background

The abovementioned development consent was granted by Council on 29 April 2020 for Construction of a Health Services Facility, being a Medical Centre (Cancer Treatment Centre) with basement parking, signage and landscaping. The proposal was also modified under MOD2021/0077.

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 modify condition(s) No. Condition 2 to delete the first row of the table in the condition below. The condition currently reads as follows:

Condition 2 - Compliance with Other Department, Authority or Service Requirements to read as follows:

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

Other Department, Authority or Service	EDMS Reference
Water NSW	IDAS1121680
Water NSW	S961135520

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

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

Consideration of error or mis-description

The applicant states the following:

"The Notice of Determination for Modification Application 2021/0077 revises Condition 2 to reference the new and relevant Water NSW General Terms of Approval letter S961135520. We note however that the original Water NSW General Terms of Approval Letter IDAS1121680 remains in this condition. This previous Water NSW GTA IDAS1121680 is superseded by the new GTA S961135520. The previous GTA conflicts with the new GTA and as such the previous GTA should not be referenced."

It is agreed that the General Terms of approval under IDAS1121680 (1 April 2020) are outdated and superseded by the General Terms of Approval under S961135520 (25 June 2021). As such it is recommended the outdated GTA are removed from the condition.

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. Mod2021/0562 for Modification of Development Consent DA2019/1419 granted for the construction of a Health Services Facility, being a Medical Centre (Cancer Treatment Centre) with basement parking, signage and landscaping on land at Lot 7 DP 1020015,49 Frenchs Forest Road East, FRENCHS FOREST, as follows:

A. Modify 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
Roof Plan, DA-050, Rev 5	12/2/2021	Team 2 Architects
Elevations - Sheet 1, DA-200, Rev 6	12/2/2021	Team 2 Architects
Elevations - Sheet 2, DA-201, Rev 6	12/2/2021	Team 2 Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Structural Engineering Statement	16/9/2020	TTW
Hydrogeological Investigation and Analysis	3/8/2020	JK Geotechnics
Preliminary Groundwater Quality Screening	12/8/2020	JK Geotechnics
Geotechnical and Hydrogeological Opinion	23/2/2021	JK Geotechnics
Fire Services Letter	19/2/2021	Acor Consultants

c) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of

this consent as approved in writing by Council.

d) 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. Modify Condition 2 - Compliance with Other Department, Authority or Service Requirements to read as follows:

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

Other Department, Authority or Service	EDMS Reference
Water NSW	S961135520

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

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

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

Signed



Thomas Prosser, Planner

The application is determined on 06/08/2021, under the delegated authority of:



Lashta Haidari, Acting Development Assessment Manager