

Memo

Environment

To:	Rebecca Englund , Acting Development Assessment Manager
From:	Claire Ryan, Planner
Date:	28 November 2019
Application Number:	Mod2019/0595
Address:	Lot 1 S/P 19795 , 1 / 2 Darley Street East MONA VALE NSW 2103 Lot 1 S/P 19795 , 1 / 2 Darley Street East MONA VALE NSW 2103
Proposed Modification:	Modification of Development Consent DA2018/0423 granted for alterations and additions to a dwelling

Background

On 12 October 2018, Council granted consent for alterations and additions to a dwelling at 1 / 2 Darley Street East, Mona Vale under DA2018/0423.

Details of Modification Application

Under Section 4.55(1) of the *Environmental Planning and Assessment Act 1979* ('the Act'), a consent containing an error or mis-description may be amended. Pittwater 21 Development Control Plan (P21 DCP) does not require the notification of Section 4.55(1) modification applications as they are considered to be for minor changes that do not affect the development or the amenity of adjoining properties. The application seeks to modify the development consent to refer to amended plans, which correct an error in the roof ridge height.

Consideration of Error

DA2018/0423 approved alterations and additions to a dwelling house. The assessment of DA2018/0423 relied upon the RL noted on the section plan, which (as detailed below) is established as incorrect. The roof ridge height was shown as RL 13.04 on the site analysis plan and the section, but at RL 13.34 on all other plans. This application seeks to correct a drafting error to show a roof ridge height of RL 13.34 on all plans.

The finished floor level is shown as RL 4.60. On the stamped plans under Development Consent DA2018/0423 and the amended plans submitted for this application, the distance from the finished floor level to the roof ridge is measured to be approximately 8.7m, which equates to approximately RL 13.30. This establishes that the reference to RL 13.04 is inaccurate and an error, and that RL 13.34 is correct.

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. Mod2019/0595 for Modification of Development Consent DA2018/0423 granted for alterations and additions to a dwelling on land at Lot 1 S/P 19795, 1 / 2 Darley Street East, MONA VALE, as follows:

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
DA1B Site Analysis Plan	12 November 2019	JJ Drafting
DA10B Sections AA	12 November 2019	JJ Drafting

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

Signed



Claire Ryan, Principal Planner

The application is determined on 28/11/2019, under the delegated authority of:



Rebecca England, Acting Development Assessment Manager