

Memo

Environment

To:	Matthew Edmonds , Development Assessment Manager
From:	Nick Armstrong, Planner
Date:	26 September 2018
Application Number:	Mod2018/0503
Address:	Lot 1 DP 121833 , 13 A Ocean Road PALM BEACH NSW 2108
Proposed Modification:	Modification of Development Consent N0373/17 granted for construction of a secondary dwelling

Background

The abovementioned development consent was granted by Council on 27/03/2018 for the construction of a secondary dwelling;

Details of Modification Application

Under Section 96(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. Pittwater 21 DCP does not require the notification of Section 96(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 delete condition No. C3, which reads as follows:

- C3 The applicant is to consult with Sydney Water to establish whether there are any Section 73 Compliance Certificate requirements for this proposal, under the provisions of the *Sydney Water Act 1994*. A copy of any notice of requirements is to be provided to the Private Certifying Authority with the Construction Certificate application.

Application must be made through and authorised Water Servicing coordinator. Please refer to the Building and Plumbing section of the web site www.sydneywater.com.au then refer to 'Water Servicing Coordinator' under Developing your land or telephone 13 20 92 for assistance.

Following application a 'Notice of Requirements' will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Consideration of error or mis-description

The standard condition for Section 73 Certificates for development, is only applicable to secondary dwellings with a floor space greater than 60m². The approved secondary dwelling's floor space was calculated at 59.76m². As the secondary dwelling was calculated at below this floor space, the condition is not applicable in this instance.

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. Mod2018/0503 for Modification of Development Consent N0373/17 granted for construction of a secondary dwelling on land at Lot 1 DP 121833,13 A Ocean Road, PALM BEACH, as follows:

A. Delete Condition C3 to read as follows:

Deleted.

Reason: Section 73 Certificate not relevant to subject development

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

Signed



Nick Armstrong, Planner

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



Matthew Edmonds, Manager Development Assessments





ATTACHMENT A

No notification plan recorded.

ATTACHMENT B

No notification map.

ATTACHMENT C

Reference Number	Document	Date
 MOD2018/0503	13A Ocean Road PALM BEACH NSW 2108 - Section 96 Modifications - Section 96 (1a) Minor Environmental Impact	19/09/2018
 2018/606325	DA Acknowledgement Letter - Maccormick & Associates Architects	19/09/2018
 2018/609178	Modification Application Form	19/09/2018
 2018/609179	Applicants Details	19/09/2018