

Memo

Environment

To:	Matthew Edmonds , Development Assessment Manager
From:	Thomas Burns, Planner
Date:	24 July 2020
Application Number:	Mod2020/0324
Address:	Lot 200 DP 11497 , 28 Woodbine Street NORTH BALGOWLAH NSW 2093
Proposed Modification:	Modification of Development Consent DA2019/1136 granted for alterations and additions to a dwelling house

Background

Development Consent was granted by Council on 12 November 2019 under **DA2019/1130** for alterations and additions to a dwelling house.

Details of Modification Application

Under Section 4.55(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act), 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 applicant seeks to modify condition No. 14, which reads as follows:

The Applicant is to construct one vehicle crossing 3.5 metres wide at layback and 5.0 metres wide at boundary in accordance with Northern Beaches Council Drawing No A4-3330/5 EL and the driveway levels application approval. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

Consideration of error or mis-description

The aforementioned condition was imposed by Council as an error. The Stamped Plans under **DA2019/1130** allowed for a 6.2 metre wide vehicle crossing at the western boundary (Kalau Street), whilst the aforementioned condition restricted the vehicle crossing to 5 metres at the western boundary, thereby resulting in discrepancies between the consent and stamped plans.

The Assessing Officer has discussed with matter with the Manager of Development Engineering, where it was agreed that the error be corrected via a Section 4.55(1) Modification.

Conclusion

It is concluded that the modification is consistent with the provisions of Section 4.55(1) of the EP&A Act and therefore, it is recommended that the condition be amended to read as follows:

The Applicant is to construct one vehicle crossing 3.5 metres wide at layback and 6.2 metres wide at boundary in accordance with Northern Beaches Council Drawing No A4-3330/5 EL and the driveway levels application approval. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

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. Mod2020/0324 for Modification of Development Consent DA2019/1136 granted for alterations and additions to a dwelling house on land at Lot 200 DP 11497,28 Woodbine Street, NORTH BALGOWLAH, as follows:

Delete Condition No. 14 Vehicle Crossings

The Applicant is to construct one vehicle crossing 3.5 metres wide at layback and 5.0 metres wide at boundary in accordance with Northern Beaches Council Drawing No A4-3330/5 EL and the driveway levels application approval. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property

Add Condition No. 14a Vehicle Crossings

The Applicant is to construct one vehicle crossing 3.5 metres wide at layback and 6.2 metres wide at boundary in accordance with Northern Beaches Council Drawing No A4-3330/5 EL and the driveway levels application approval. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property

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

Signed



Thomas Burns, Planner

The application is determined on 24/07/2020, under the delegated authority of:



Matthew Edmonds, Manager Development Assessments