

# Memo

## Environment

<b>To:</b>	Rodney Piggott , Development Assessment Manager
<b>From:</b>	Lashta Haidari, Planner
<b>Date:</b>	11 May 2022
<b>Application Number:</b>	Mod2022/0219
<b>Address:</b>	Lot 103 DP 1247294 , 145 Old Pittwater Road BROOKVALE NSW 2100
<b>Proposed Modification:</b>	Modification of Development Consent DA2021/2226 granted for Alterations and additions to Warringah Mall including four (4) new retail premises, reconfiguration of an existing loading dock and car park, landscaping works and signage

### Background

The abovementioned development consent was granted by Council on 30th March 2022 for “Alterations and additions to Warringah Mall including four (4) new retail premises, reconfiguration of an existing loading dock and car park, landscaping works and signage.

### 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 No. 1, to refer to the correct drawing revision reference and date for the Level 1 and 2 plans which was an error in the Notice of Determination. In order to rectify this error, it is proposed that the description of the approved plans within Condition 1 be amended as follows:

Drawing No.

01.0804 – PROPOSED PLAN – LEVEL 1 MEZZ

01.0805 – PROPOSED PLAN – LEVEL 2

Dated

~~Revision C – 12/5/2021~~

Revision D – 25/2/2022

### Consideration of error or mis-description

Section 4.55(1) modification to D/2021/2226 to correct an error in the approved plans by appropriately describing the drawing revision for Level 1 and Level 2 for 145 Old Pittwater Road (Warringah Mall).

Section 4.55(1) of the EP &A Act can be utilised to modify a development consent “to correct a minor error, misdescription or miscalculation”.

### 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. Mod2022/0219 for Modification of Development Consent DA2021/2226 granted for Alterations and additions to Warringah Mall including four (4) new retail premises, reconfiguration of an existing loading dock and car park, landscaping works and signage on land at Lot 103 DP 1247294, 145 Old Pittwater Road, BROOKVALE, 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
01.0804 – PROPOSED PLAN – LEVEL 1 MEZZ 01.0805 – PROPOSED PLAN – LEVEL 2	Revision D – 25/2/2022	Scentre Group

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

d) The development is to be undertaken generally in accordance with the following:

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

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

**Signed**



**Lashta Haidari, Principal Planner**

The application is determined on 11/05/2022, under the delegated authority of:



**Rodney Piggott, Manager Development Assessments**