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Environment

To:	Matthew Edmonds , Development Assessment Manager
From:	Georgia Quinn, Planner
Date:	1 April 2020
Application Number:	Mod2020/0120
Address:	Lot 1 DP 538888 , 77 Myola Road NEWPORT NSW 2106
Proposed Modification:	Modification of Development Consent DA2018/0449 granted for construction of a secondary dwelling

Background

The abovementioned development consent was granted by Council on 12 July 2018 for the construction of a secondary dwelling;

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 delete condition(s) No. 22 Sydney Water, which reads as follows:

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the website www.sydneywater.com.au <<http://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 Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure compliance with the statutory requirements of Sydney Water.
(DACPLF08)

Consideration of error or mis-description

Pursuant to Sydney Water's fact sheet titled '*Our Section 73 requirements for secondary dwellings*', a



Sectic Compliance Certificate is not required if the secondary dwelling has been approved by council unless it is within a Priority Sewerage or Pressure Sewer Scheme.

The subject site has reticulated sewerage, therefore the site is not located within a priority sewerage or pressure sewer scheme. In turn, the deletion of Condition No. 22 is supported as it was imposed in error. The applicant is therefore not required to obtain a Section 73 Compliance Certificate.

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. Mod2020/0120 for Modification of Development Consent DA2018/0449 granted for construction of a secondary dwelling on land at Lot 1 DP 538888,77 Myola Road, NEWPORT, as follows:

A. Delete Condition No. 22 Sydney Water

Reason: The requirements of such condition are not applicable to the development application.

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

Signed

A handwritten signature in cursive script that reads "G Quinn".

Georgia Quinn, Planner

The application is determined on 01/04/2020, under the delegated authority of:

A handwritten signature in cursive script that reads "Matthew Edmonds".

Matthew Edmonds, Manager Development Assessments