

Memo

Environment

To:	Phil Lane , Acting Development Assessment Manager
From:	Claire Ryan, Planner
Date:	14 March 2022
Application Number:	Mod2022/0113
Address:	Lot 1 DP 202857 , 7 Trentwood Park AVALON BEACH NSW 2107
Proposed Modification:	Modification of Development Consent DA2019/0394 granted for Construction of a dwelling house

Background

The abovementioned development consent was granted by Council on 13 September 2019, and modified under Mod2021/0986 on 2 March 2019.

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. 22 Tree Removal, which reads as follows:

22. Tree Removal

This consent approves the removal of the following tree(s) within the property (as recommended and identified in the Arboricultural Impact Assessment prepared by Tree Wise Men, dated August 2017, and the Abridged Arboricultural Impact Assessment dated 6 February 2022):

- T11, T17A, T18, and T26.
- T27 is not approved for removal.

A qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

Consideration of error or mis-description

Trees T13 and T25 were intended to be approved for removal under Mod2021/0986. In preparing the modified conditions of consent for Mod2021/0986, the Assessing Officer erroneously omitted trees T13 and T25 in the relevant condition. Condition 22 Tree Removal is recommended to be amended to include reference to Trees T13 and T25.

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. Mod2022/0113 for Modification of Development Consent DA2019/0394 granted for Construction of a dwelling house on land at Lot 1 DP 202857,7 Trentwood Park, AVALON BEACH, as follows:

A. Modify Condition Condition 22 Tree Removal to read as follows:

This consent approves the removal of the following tree(s) within the property (as recommended and identified in the Arboricultural Impact Assessment prepared by Tree Wise Men, dated August 2017, and the Abridged Arboricultural Impact Assessment dated 6 February 2022):

- T11, T13, T17A, T18, T25 and T26.
- T27 is not approved for removal.

A qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

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 14/03/2022, under the delegated authority of:



Phil Lane, Acting Development Assessment Manager