

Memo

Environment

To:	Adam Richardson , Development Assessment Manager
From:	Michael French, Planner
Date:	19 April 2023
Application Number:	Mod2023/0068
Address:	Lot 50 DP 9224 , 57 Hillside Road NEWPORT NSW 2106
Proposed Modification:	Modification of Development Consent DA2022/0913 granted for Alterations and additions to a dwelling house including a swimming pool

Background

The abovementioned development consent was granted by Council on 19 September 2022 for alterations and additions to a dwelling house including a swimming pool. The subsequent Modification Application- Mod2022/0613- was approved by Council on 30 January 2023 for the Modification of Development Consent DA2022/0913 granted for Alterations and additions to a dwelling house including a swimming pool.

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.5. Policy Controls**

Consideration of error or mis-description

Council approved DA2022/0913 on 19 September 2022 for alterations and additions to a dwelling house including a swimming pool. Condition 5 of the consent requires the payment of a 7.12 contribution based on a development cost of \$485,000. Council approved the subsequent Modification Application- Mod2022/0613- on 30 January 2023 for the modification of Development Consent DA2022/0913 granted for Alterations and additions to a dwelling house including a swimming pool. This modification application reduced the extent of works and thus request was made to have *Condition 5- Policy Controls* amended to reflect the updated cost of works. The requested amendment was in error, inadvertently missed.

The applicant has provided adequate evidence in the form of a Cost Summary Report that shows the cost of works have reduced from \$485 000 to \$354 000. In this regard, *Condition no.5 Policy Controls* has been modified. Additionally, Councils Strategic and Place Planning (Development Contributions) team has supported the application, and have recommended that the above-mentioned condition reads as shown below.

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. Mod2023/0068 for Modification of Development Consent DA2022/0913 granted for Alterations and additions to a dwelling house including a swimming pool on land at Lot 50 DP 9224,57 Hillside Road, NEWPORT, as follows:

A. Modify Condition No.5 Policy Controls to read as follows:

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$3,540 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2022. The monetary contribution is based on a development cost of \$354,000.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2022 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

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

Signed



Michael French, Planner

The application is determined on 19/04/2023, under the delegated authority of:



Adam Richardson, Manager Development Assessments