

Memo

Environment

To:	Rodney Piggott , Development Assessment Manager
From:	Daniel Milliken, Planner
Date:	16 March 2020
Application Number:	Mod2020/0082
Address:	Lot 3 DP 397714 , 18 Inman Road CROMER NSW 2099 Lot 6 DP 201553 , 18 Inman Road CROMER NSW 2099 Lot 7 DP 201553 , 18 Inman Road CROMER NSW 2099 Lot 8 DP 201553 , 4 Villiers Place CROMER NSW 2099 Lot 9 DP 201553 , 6 Villiers Place CROMER NSW 2099 Lot 10 DP 201553 , 7 Villiers Place CROMER NSW 2099 Lot 27 DP 28882 , 69 Middleton Road CROMER NSW 2099
Proposed Modification:	Modification of Development Consent DA2018/1300 to amend condition 61

Background

The abovementioned development consent was granted by Council on 19/12/2018 for Demolition works, excavation, stormwater infrastructure works and construction of a mixed use building containing storage premises and industrial warehouse units with associated car parking, signage, site amalgamation and stratum subdivision.

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. Northern Beaches Council CCP does not require the notification of Section 4.55(1) modification applications as they are considered to be for minor changes that do not affect the development or the amenity of adjoining properties.

The application seeks to modify condition No. 61, which reads as follows:

Required Planting

Trees shall be planted in accordance with the following schedule:

No. of Trees Required.	Species	Location	Minimum Pot Size
<i>All trees</i>	<i>As indicated on the approved Landscape Plan and as required conditions in this consent</i>	<i>As indicated on the approved Landscape Plan</i>	<i>75 litre</i>

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

Reason: To maintain environmental amenity.

The applicant seeks to amend the condition to relate to only the final occupation certificate so that the lower levels of the building, which do not contain any of the landscaping works, can be granted interim occupation certificates.

Consideration of error or mis-description

As the lower levels do not contain any of the landscaping works, there will be no adverse impacts from allowing these floors to be granted interim occupation certificates (this application was approved prior to 1 December 2019, and can therefore still be issued with an interim occupation certificate).

In this regard, it is recommended that the condition be amended to read as follows:

Required Planting

Trees shall be planted in accordance with the following schedule:

No. of Trees Required.	Species	Location	Minimum Pot Size
All trees	As indicated on the approved Landscape Plan and as required conditions in this consent	As indicated on the approved Landscape Plan	75 litre

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

Reason: To maintain environmental amenity.

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. Mod2020/0082 for Modification of Development Consent DA2018/1300 to amend condition 61 on land at Lot 3 DP 397714, 18 Inman Road, CROMER, Lot 6 DP 201553, 18 Inman Road, CROMER, Lot 7 DP 201553, 18 Inman Road, CROMER, Lot 8 DP 201553, 4 Villiers Place, CROMER, Lot 9 DP 201553, 6 Villiers Place, CROMER, Lot 10 DP 201553, 7 Villiers Place, CROMER, Lot 27 DP 28882, 69 Middleton Road, CROMER, as follows:

Required Planting

Trees shall be planted in accordance with the following schedule:

No. of Trees Required.	Species	Location	Minimum Pot Size
All trees	As indicated on the approved Landscape Plan and as required conditions in this consent	As indicated on the approved Landscape Plan	75 litre

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

Reason: To maintain environmental amenity.

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

Signed



Daniel Milliken, Principal Planner

The application is determined on 16/03/2020, under the delegated authority of:



Rodney Piggott, Manager Development Assessments