

Memo

Environment

To:	Steven Findlay , Development Assessment Manager
From:	Mitchell Drake, Planner
Date:	31 January 2017
Application Number:	Mod2017/0008
Address:	Lot 1 DP 1208984 , 1320 Pittwater Road NARRABEEN NSW 2101
Proposed Modification:	Modification of Development Consent DA2016/0850 granted for Alterations and additions for shop top housing including basement carparking and strata subdivision

Background

The abovementioned development consent was granted by Council on 18/11/2016 for "Alterations and additions for shop top housing including basement carparking and strata subdivision";

Details of Modification Application

Under Section 96(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. Warringah DCP (A7 Notification) does not require the notification of Section 96(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.1 - Approved Plans and supporting Documentation which reads as follows:

1 Approved Plans and supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Drawing No.	Dated	Prepared By
a2001ilssue - ai	31 October 2016	RFA Architects
a2101ilssue - ai	31 October 2016	RFA Architects
a2002ilssue - ai	31 October 2016	RFA Architects
a3001ilssue - ai	31 October 2016	RFA Architects
a3002ilssue - ai	31 October 2016	RFA Architects
a4001ilssue - ai	31 October 2016	RFA Architects
12160Cstg1 Strata 1 Sheet 1 of 5 Location Plan Levels 1 and 2 Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 2 of 5 Location Plan Level 3 and Above Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 3 of 5 Level 1 Issue 2	16 September 2016	C.M.S Surveyors

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12160Cstg1 Strata 1 Sheet 4 of 5 Level 2 Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 5 of 5 Level 3 Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 1 of 6 Levels 1 & 2 Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 2 of 6 Levels 3 and above Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 3 of 6 Level 1 Basement Level Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 4 of 6 Level 2 Ground Floor Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 5 of 6 Level 3 First Floor Issue 2	16 September 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 6 of 6 Level 4 Second Floor Issue 2	16 September 2016	C.M.S Surveyors

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
Flood Risk Management Report	11 December 2015	Northern Beaches Consulting Engineers
Geotechnical Investigation	20 November 2015	D. Katauskas Consulting Geotechnical Engineer
BCA Fire Safety Assessment Report	23 July 2015	GRS Building Reports
Access Review	26 July 2016	Wall to Wall Design and Consulting

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

c) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

In the event of any inconsistency between conditions of this consent and the drawings/documents deferred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

Consideration of error or mis-description

Council has stamped the incorrect Strata Subdivision Plans and included the plans within the conditions of consent. This is an administrative error and is appropriately addressed by the provisions of Section 96(1) of The Act.

Conclusion

It is considered that the modification is minor in nature and consistent with the provisions of section 96 (1) of the EPA Act 1979 and is therefore recommended for approval.

Recommendation

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THAT Council as the consent authority approve Modification Application No. Mod2017/0008 for Modification of Development Consent DA2016/0850 granted for Alterations and additions for shop top housing including basement carparking and strata subdivision on land at Lot 1 DP 1208984, 1320 Pittwater Road, NARRABEEN, as follows:

A. Modify Condition No.1 - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

1 Approved Plans and supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Drawing No.	Dated	PreparedBy
a2001iIssue - ai	31 October 2016	RFA Architects
a2101iIssue - ai	31 October 2016	RFA Architects
a2002iIssue - ai	31 October 2016	RFA Architects
a3001iIssue - ai	31 October 2016	RFA Architects
a3002iIssue - ai	31 October 2016	RFA Architects
a4001iIssue - ai	31 October 2016	RFA Architects
12160Cstg1 Strata 1 Sheet 1 of 5 Location Plan Levels 1 and 2 Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 2 of 5 Location Plan Level 3 and Above Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 3 of 5 Level 1 Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 4 of 5 Level 2 Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 5 of 5 Level 3 Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 1 of 6 Levels 1 & 2 Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 2 of 6 Levels 3 and above Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 3 of 6 Level 1 Basement Level Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 4 of 6 Level 2 Ground Floor Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 5 of 6 Level 3 First Floor Issue 3	20 December 2016	C.M.S Surveyors
12160Cstg1 Strata 1 Sheet 6 of 6 Level 4 Second Floor Issue 3	20 December 2016	C.M.S Surveyors

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Report No. / Page No. / Section No.	Dated	Prepared By
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b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

In the event of any inconsistency between conditions of this consent and the drawings/documents deferred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.

Signed

Mitchell Drake, Planner

The application is determined under the delegated authority of:

Steven Findlay, Development Assessment Manager

ATTACHMENT A






No notification plan recorded.

ATTACHMENT B

No notification map.

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ATTACHMENT C

Reference Number	Document	Date
 MOD2017/0008	1320 Pittwater Road NARRABEEN NSW 2101 - Section 96 Modifications - Section 96 (1) Misdescription	30/01/2017
 2017/025719	DA Acknowledgement Letter - Volcano Pty Ltd	30/01/2017
 2017/026105	Modification Application Form	30/01/2017
 2017/026106	Applicant Details	30/01/2017
 2017/026108	Plans SP - Strata Plans	30/01/2017