

Memo

Environment

To:	Steven Findlay , Development Assessment Manager
From:	Lashta Haidari, Planner
Date:	21 October 2020
Application Number:	Mod2020/0531
Address:	Lot 7 DP 1020015 , 49 Frenchs Forest Road East FRENCHS FOREST NSW 2086
Proposed Modification:	Modification of Development Consent DA2019/1419 granted for construction of a Health Services Facility, being a Medical Centre (Cancer Treatment Centre) with basement parking, signage and landscaping

Background

The abovementioned development consent was granted by Sydney North Planning Panel (SNPP) on 22/04/2020 for construction of a Health Services Facility, being a Medical Centre (Cancer Treatment Centre) with basement parking, signage and landscaping;

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 No.12 Works within Existing Easements, which reads as follows:

The Applicant is to ensure that written consent has been given for works within the existing easements, Rights of Carriageway and Rights of Access by all benefiting parties.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure protection of existing easements and rights.

Consideration of error or mis-description

Condition 12 was not a matter considered at the SNPP meeting, presented in the draft conditions of consent which were provided to the public nor available for comment by the applicant. In addition, the matter of the works within the easement and the requirement for the consent of benefitted parties was dealt with expressly during the SNPP meeting and was confirmed not to be required.

Condition 12 has been imposed in error it should therefore be deleted.

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. Mod2020/0531 for Modification of Development Consent DA2019/1419 granted for construction of a Health Services Facility, being a Medical Centre (Cancer Treatment Centre) with basement parking, signage and landscaping on land at Lot 7 DP 1020015,49 Frenchs Forest Road East, FRENCHS FOREST, as follows:

A. Delete Condition 12 - Works within Existing Easements - to read as follows:

The Applicant is to ensure that written consent has been given for works within the existing easements, Rights of Carriageway and Rights of Access by all benefiting parties.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure protection of existing easements and rights.

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

Signed



Lashta Haidari, Principal Planner

The application is determined on 21/10/2020, under the delegated authority of:



Steven Findlay, Manager Development Assessments