

Memo

Environment

To:	Rodney Piggott , Development Assessment Manager
From:	Kye Miles, Planner
Date:	23 April 2021
Application Number:	Mod2021/0194
Address:	Lot 10 DP 14040 , 14 Ellen Street CURL CURL NSW 2096 Lot 101 DP 1224100 , 16 Ellen Street CURL CURL NSW 2096 Lot 102 DP 1224100 , 2 Wyadra Avenue FRESHWATER NSW 2096
Proposed Modification:	Modification of Development Consent DA2020/0147 granted for consolidation of 3 lots into one lot and re sub-division into 3 Torrens Title lots

Background

The abovementioned development consent was granted by Council on 18 November 2020 for Consolidation of 3 lots into one lot and resubdivision into 3 Torrens Title lots;

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(s) No. 14, which reads as follows:

14. Section 88E instrument relating to turntable

The applicant is to include a Section 88E instrument on the title permitting Council to provide direction as to the repair/maintenance of the approved turntable.

Reason: To ensure the mechanical services are maintained in a serviceable state at all times.

Consideration of error or mis-description

This condition was imposed by Council's Development Engineer division, who confirmed that the wording of the concerned condition was incorrect;

Condition 14 of DA2020/0147 was incorrectly worded as "88E instrument". It should have been "88B instrument".

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.

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. Mod2021/0194 for Modification of Development Consent DA2020/0147 granted for consolidation of 3 lots into one lot and re sub-division into 3 Torrens Title lots on land at Lot 10 DP 14040, 14 Ellen Street, CURL CURL, Lot 101 DP 1224100, 16 Ellen Street, CURL CURL, Lot 102 DP 1224100, 2 Wyadra Avenue, FRESHWATER, as follows:

A. Modify Condition 14 - to read as follows:

Section 88B instrument relating to turntable

The applicant is to include a Section 88B instrument on the title permitting Council to provide direction as to the repair/maintenance of the approved turntable.

Reason: To ensure the mechanical services are maintained in a serviceable state at all times.

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

Signed



Kye Miles, Planner

The application is determined on 23/04/2021, under the delegated authority of:



Rodney Piggott, Manager Development Assessments