



northern
beaches
council

MEMORANDUM

DATE: 29 July 2020
TO: Northern Beaches Local Planning Panel
CC: Rodney Piggott, Manage Development Assessments
FROM: Claire Ryan, Principal Planner
SUBJECT: MOD2020/0175 – 80-84 Mona Vale Road, Mona Vale and 22 Jubilee Avenue, Warriewood

Dear Panel,

The Applicant of MOD2020/0175 has provided representations to Council to amend the recommended wording of Condition 10 to allow greater time before a modification application to extend the consent period to five years is due to be lodged.

The current recommended wording of the relevant condition (Condition 10) sets the expiry of the trial period to be 21 months after commencement of operation of the markets, which would be 1 June 2021, unless a modification application is lodged to extend the consent period by no later than 16 months after the date of commencement, being 1 January 2021 (and the modification application is thereafter approved).

Consideration of the amendment has concluded that the request is reasonable. based on the current COVID pandemic and uncertainty around when uses such as this may be able to function at all and at full capacity. Accordingly, no objection to the condition being amended.

If the Panel is of a mind to extend the trial period, Condition 10 may be reworded as follows:

Condition 10 Trial Period

This consent expires in 30 months from the date of commencement of operation of the market on site unless, by no later than 6 months before that date, the applicant lodges a modification application to extend the expiry date to 5 years and Council thereafter approves the modification.

Reason: To monitor the operation of the consent to ensure no adverse impact on any adjoining land or the amenity of the neighbourhood and the temporary use of the land in accordance with the consent.

This would extend the trial period to end on 1 March 2022, unless a modification application to extend the consent period to five years is lodged by 1 September 2021 (and is thereafter approved). This allows for a period of over 12 months from present day in which to prepare a future modification application.

Claire Ryan
Principal Planner
Planning and Place