

Memo

Environment

To:	Rodney Piggott , Development Assessment Manager
From:	Adam Croft, Planner
Date:	9 October 2023
Application Number:	Mod2023/0534
Address:	Lot A DP 373783 , 11 Beatty Street BALGOWLAH HEIGHTS NSW 2093
Proposed Modification:	Modification of Development Consent DA2021/2393 granted for Construction of a dwelling house including a swimming pool

Background

Development Consent Mod2023/0396 was granted by Council on 19 September 2023 for Modification of Development Consent DA2022/1929;

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 correct various mis-descriptions and incorrect references to the approved development consent, as below. The corrected wording/descriptions are indicated in *italics*.

1. Mod2023/0396 was incorrectly described as "Modification of Development Consent DA2022/1929 granted for Alterations and additions to a dwelling house."

The correct description of Mod2023/0396 is "Modification of Development Consent *DA2021/2393 granted for Construction of a dwelling house including a swimming pool.*"

2. The Modification Summary Table included in the Notice of Determination for Mod2023/0396 read as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
PAN-351140 - Mod2023/0396	The date of this notice of determination	Modification of Development Consent DA2022/1929 granted for Alterations and additions to a dwelling house

		Add Condition No.1A - Modification of Consent - Approved Plans and supporting documentation Add Condition No. 1B Geotechnical Certification Prior to Occupation Certificate Add Condition No. 1C Bushfire Report Certification Prior to Occupation Certificate
--	--	---

The Modification Summary Table should read as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
PAN-351140 - Mod2023/0396	The date of this notice of determination	Modification of Development Consent <i>DA2021/2393 granted for Construction of a dwelling house including a swimming pool.</i> Add Condition No.1A - Modification of Consent - Approved Plans and supporting documentation Add Condition No. 1B Geotechnical Certification Prior to Occupation Certificate Add Condition No. 1C Bushfire Report Certification Prior to Occupation Certificate

3. The Important Information notice included in the Notice of Determination for Mod2023/0396 read as follows:

"This letter should therefore be read in conjunction with DA2021/2393 dated 30 May 2022 and MOD2022/0239 dated 10 May 2023."

The Important Information notice should read as follows:

"This letter should therefore be read in conjunction with DA2021/2393 dated 30 May 2022 and MOD2022/0629 dated 10 May 2023."

Consideration of error or mis-description

The above items were mis-descriptions included in Development Consent Mod2023/0396 and may be modified as proposed.

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. Mod2023/0534 for Modification of Development Consent DA2021/2393 granted for Construction of a dwelling house

including a swimming pool on land at Lot A DP 373783, 11 Beatty Street, BALGOWLAH HEIGHTS, as follows:

Modification Summary

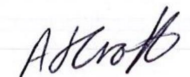
The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
PAN-375802 Mod2023/0534	The date of this notice of determination	Modification of Development Consent DA2021/2393 granted for Construction of a dwelling house including a swimming pool. Amend description of Modification Application Mod2023/0396. Amend Modification Table Summary in reference to Mod2023/0396. Amend Important Information Notice in reference to Mod2023/0396.
PAN-351140 - Mod2023/0396	19 September 2023	Modification of Development Consent DA2021/2393 granted for Construction of a dwelling house including a swimming pool. Add Condition No.1A - Modification of Consent - Approved Plans and supporting documentation Add Condition No. 1B Geotechnical Certification Prior to Occupation Certificate Add Condition No. 1C Bushfire Report Certification Prior to Occupation Certificate

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

Signed



Adam Croft, Planner

The application is determined on 06/10/2023, under the delegated authority of:



Rodney Piggott, Manager Development Assessments