

Memo

Environment

To:	Steven Findlay , Development Assessment Manager
From:	Daniel Milliken, Planner
Date:	29 May 2015
Application Number:	Mod2015/0099
Address:	Lot A DP 356822 , 101 Pitt Road NORTH CURL CURL NSW 2099
Proposed Modification:	Modification of Development Consent DA2014/1191 granted for construction of a dwelling house

Background

The abovementioned development consent was granted by Council on 8 April 2015 for the construction of a dwelling house;

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. 2 - Approved Plans and Supporting Documentation, which reads as follows:

2. 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) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Sheet 1 of 11	10.07.2014	Metricon
Sheet 2 of 11	13.08.2014	Metricon
Sheet 3 of 11	13.08.2014	Metricon
Sheet 4 of 11	13.08.2014	Metricon
Sheet 5 of 11	13.08.2014	Metricon
Sheet 6 of 11	13.08.2014	Metricon

- b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.
- c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.
- d) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.
- e) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No.	Dated	Prepared By
Waste Management Plan	24.10.2014	Metricon

In the event of any inconsistency between conditions of this consent and the drawings/documents referred 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

During the assessment of the original DA, amended plans were submitted. The notice of determination referenced the wrong version of Sheet 1 of 11. The applicant has requested that the condition be corrected and the correct plan stamped. It is recommended that the above condition be corrected to read as follows:

2. 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) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Sheet 1 of 11 Amendment A	17.03.2015	Metricon
Sheet 2 of 11	13.08.2014	Metricon
Sheet 3 of 11	13.08.2014	Metricon
Sheet 4 of 11	13.08.2014	Metricon
Sheet 5 of 11	13.08.2014	Metricon
Sheet 6 of 11	13.08.2014	Metricon

- b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.
- c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

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

e) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No.	Dated	Prepared By
Waste Management Plan	24.10.2014	Metricon

In the event of any inconsistency between conditions of this consent and the drawings/documents referred 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)

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

THAT Council as the consent authority approve Modification Application No. Mod2015/0099 for Modification of Development Consent DA2014/1191 granted for construction of a dwelling house on land at Lot A DP 356822 as follows:

A. Modify Condition No. 2 - Approved Plans and Supporting Documentation to read as follows:

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Sheet 1 of 11 Amendment A	17.03.2015	Metricon
Sheet 2 of 11	13.08.2014	Metricon
Sheet 3 of 11	13.08.2014	Metricon
Sheet 4 of 11	13.08.2014	Metricon
Sheet 5 of 11	13.08.2014	Metricon
Sheet 6 of 11	13.08.2014	Metricon

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

- c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.
- d) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.
- e) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No.	Dated	Prepared By
Waste Management Plan	24.10.2014	Metricon

In the event of any inconsistency between conditions of this consent and the drawings/documents referred 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 Warrarah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.

Signed

Daniel Milliken, 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.

ATTACHMENT C

Reference Number	Document	Date
 MOD2015/0099	101 Pitt Road NORTH CURL CURL NSW 2099 - Section 96 Modifications - Section 96 (1) Misdescription	20/05/2015
 2015/142502	DA Acknowledgement Letter - Metricon Homes Pty Limited	20/05/2015
 2015/144404	application to modify a consent	21/05/2015
 2015/144409	applicant details	21/05/2015
 2015/144410	plan survey	21/05/2015
 2015/144412	plans external	21/05/2015
 2015/144413	plans - internal layout	21/05/2015
 2015/144414	plan shadow	21/05/2015
 2015/144416	plan landscape	21/05/2015
 2015/144417	plans master set	21/05/2015
 2015/146623	File Cover	25/05/2015