

Memo

Environment

To:	Anna Williams , Development Assessment Manager
From:	Nick England, Planner
Date:	7 August 2020
Application Number:	Mod2020/0176
Address:	Lot 2 DP 1133931 , 18 Myoora Road TERREY HILLS NSW 2084
Proposed Modification:	Modification of Development Consent DA2019/1496 granted for use of premises as a cafe

Background

The abovementioned development consent was granted by Council on 2 March 2020 for Use of premises as a cafe;

Condition No.10 Mechanical Ventilation certification was applied on the recommendation of Council's Environmental Health Officer, which stated:

"Prior to the issuing of any interim / final occupation certificate, certification is to be provided from the installer of the mechanical ventilation system that the design, construction and installation of the mechanical ventilation system is compliant with the requirements of AS1668 The use of mechanical ventilation.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that the mechanical ventilation system complies with the design requirements."

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 the aforementioned Condition No.10 of the consent.

Consideration of error or mis-description

The application was referred to Council's Environmental Health Officer for consideration, who advised that the condition need not be applied. Under the circumstances, the condition is considered to be applied under error and may 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. Mod2020/0176 for Modification of Development Consent DA2019/1496 granted for use of premises as a cafe on land at Lot 2 DP 1133931, 18 Myoora Road, TERREY HILLS, as follows:

C. Delete Condition No.10 Mechanical Ventilation certification

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

Signed



Nick England, Planner

The application is determined on 07/08/2020, under the delegated authority of:



Anna Williams, Manager Development Assessments