

Memo

Environment

To:	Anna Williams , Development Assessment Manager
From:	Renee Ezzy, Planner
Date:	30 October 2017
Application Number:	Mod2017/0257
Address:	Lot 131 DP 12315 , 5 Waimea Street NORTH BALGOWLAH NSW 2093
Proposed Modification:	Modification of Development Consent DA2015/0859 granted for Demolition works and Construction of a dwelling house

Background

The abovementioned development consent was granted by Council on 23 December 2015 for demolition works and construction of a new 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 delete condition(s) No. 31, which reads as follows:

31. **Sydney Water**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au <<http://www.sydneywater.com.au>> then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLF08)

Consideration of error or mis-description

This condition was placed on the consent in error and is no longer a requirement for rebuilding a

dwelling on an existing site.

Conclusion

It is considered that the modification is minor in nature and consistent with the provisions of Section 96 (1) of the EP&A Act 1979 and is therefore recommended for approval.

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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. Mod2017/0257 for Modification of Development Consent DA2015/0859 granted for Demolition works and Construction of a dwelling house on land at Lot 131 DP 12315,5 Waimea Street, NORTH BALGOWLAH, as follows:

A. Delete Condition <31. - Sydney Water >

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

Signed

Renee Ezzy, Principal Planner

The application is determined under the delegated authority of:

Anna Williams, Manager Development Assessments

ATTACHMENT A

No notification plan recorded.

ATTACHMENT B

No notification map.

ATTACHMENT C

Reference Number	Document	Date
 MOD2017/0257	5 Waimea Street NORTH BALGOWLAH NSW 2093 - Section 96 Modifications - Section 96 (1) Misdescription	09/10/2017
 2017/387085	Modification Application Form	10/10/2017
 2017/387086	Applicant Details	10/10/2017
 2017/387095	E-mail - Condition 31 - Sydney Water	10/10/2017
 2017/387138	DA Acknowledgement Letter - Classic Country Cottages - Charlotte Sarah Gee	10/10/2017