

Memo

Environment

To:	Matthew Edmonds , Development Assessment Manager
From:	Thomas Prosser, Planner
Date:	9 February 2021
Application Number:	Mod2020/0610
Address:	Lot 11 DP 1216827 , 49 Lauderdale Avenue FAIRLIGHT NSW 2094
Proposed Modification:	Modification of Development Consent DA2018/0880 granted for construction of a dwelling house and a secondary dwelling

Background

The abovementioned development consent was granted by Council on 4 December for Construction of a dwelling house and a Secondary dwelling;

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 change the description of development to be "Installation of a manufactured dwelling house and the construction of a Secondary Dwelling." Along with this, it is sought that the consent be modified to allow for a Section 68 approval for a manufactured home

Consideration of error or mis-description

The application does not provide any evidence of an error of mis-description in accordance with Section 4.55(1) of the Environmental Planning and Assessment Act. Further to this, the original application did not request that a Section 68 approval be requested as part of the consent.

As such, this modification 4.55(1) is recommended for refusal.

Conclusion

It is considered that the modification is not an error or mis-description and is therefore not consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is recommended for refusal.

Recommendation

THAT Council as the consent authority refuse Modification Application No. Mod2020/0610 for Modification of Development Consent DA2018/0880 granted for construction of a dwelling house and a secondary dwelling on land at Lot 11 DP 1216827, 49 Lauderdale Avenue, FAIRLIGHT, for the below reasons:

1. **Assessment - Environmental Planning and Assessment Act 1979 - Section 4.55(1)**
Pursuant to Section 4.55(1) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of the Environmental Planning and Assessment Act 1979

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

Signed



Thomas Prosser, Planner

The application is determined on 09/02/2021, under the delegated authority of:



Matthew Edmonds, Manager Development Assessments