

Memorandum

To: Northern Beaches Local Planning Panel (NBLPP)

Cc: Peter Robinson, Executive Manager Development Assessment

From: Maxwell Duncan, Principal Planner

Date: 6 February 2023

Subject: Item 4.3 – 4/43A Ethel Street, Seaforth – DA2023/0275

Record Number: 2024/082266

The purpose of this memo is to inform the Panel that strata subdivision, which the applicant applied for as part of their application, due to an administrative error, was not included description of development as exhibited, in the assessment report, or conditions.

A development application for strata subdivision is not required to be publicly exhibited under the Northern Beaches Council Community Participation Plan (CPP). Therefore, the amendment of the proposal description to include strata subdivision does not necessitate renotification.

In reviewing the application in light of proposed strata subdivision, only the following condition should have been imposed for this application to address the strata subdivision:

Compliance with Relevant Legislation

Prior to the issue of the Strata Plan of Subdivision (including any Stratum), all relevant matters pertaining to this Plan, are to be satisfied to the satisfaction of the Certifying Authority, and evidence provided that the Plan complies with clause 17 Strata Schemes Development Regulation 2016 and the relevant parts of Section 58 Strata Schemes Development Act 2015.

Reason: To ensure compliance with the Consent issued, compliance with relevant legislation, and to ensure adequate provision is made, where required for fire safety, occupant safety, egress, access and appropriate facilities in the premises for building occupants.

RECOMMENDATION

- It is recommended that Condition **48 – Compliance with Relevant Legislation** be included as part of the recommended conditions of consent for DA2023/0275 as follows:

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clause 17 Strata Schemes Development Regulation 2016 and the relevant parts of Section 58 Strata Schemes Development Act 2015.

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