

12 December 2019

Department of Planning, Industry and Environment

ATTN: Lawren Drummond

Re: Section 4.55(1) modification to DA 32-1-2003 MOD 5 – Amend referenced plan of subdivision – Stage R07A

Introduction

The proposed Section 4.55(1) modification aims to correct a minor error, made by the Department of Planning, Industry and Environment (DPI&E) and Independent Planning Commission (IPC) made upon issue of DA 32-1-2003 MOD 5 (the modification instrument) provided at **(ATTACHMENT 1)** relating to the approved and referenced subdivision plans. The proposed modification is addressed in further detail below.

Proposed modification

The modification instrument, DA 32-1-2003 MOD 5, incorporated the following approved plans:

No.	Drawing Title	Issue
17036	Proposed Subdivision in a Plan of Subdivision of Lot 24 D.P.270492 Magenta Shores Magenta Stage R07A	A (10.01.19)

This plan is the incorrect subdivision plan provided to DPI&E and the IPC to assess and reference in the modification instrument as:

- The lot referenced in the Instrument (Lot 24) differs to the lot identified on the Plan (Lot 30); and
- The date referenced in the Instrument (10.01.19) differs to the date identified on the Plan (20.11.2018).

In order to correct this error in plan reference, this 4.55(1) application has been prepared. The correct subdivision plan is provided at **(ATTACHMENT 2)** and should be referenced in the modification instrument as follows:

No.	Drawing Title	Issue
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17036	Proposed Subdivision in a Plan of Subdivision of Lot 30 D.P.270492 Magenta Shores Magenta Stage R07A	A (20.11.19)
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It is noted that Lot 24 DP270492 was subdivided into Lots 28, 29 and 30. Lots 28 and 29 are R07B Stages 1 and 2. Lot 30 is R07A.

In light of the above, it is requested that Condition 7A is removed from the modification instrument, as the revised plans provided prior to approval **(ATTACHMENT 2)** incorporated the additional pocket park within the roadway at the southern end of White Haven Avenue. This condition is therefore null and void.

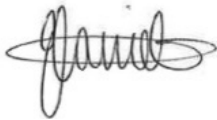
The determination of this MOD is vital to the determination of the subdivision application currently under assessment by Central Coast Council.

Conclusion

The proposed s4.55(1) modification application seeks to amend the referenced approved subdivision plan within the modification instrument, to ensure consistency with the plan provided by the proponent prior to determination of MOD 5.

Should you have any questions regarding this matter, please give me a call at any time on the number below.

Yours faithfully,



ERIN DANIEL
Senior Town Planner
BDevStud (UON)



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