

14<sup>th</sup> April 2023

The CEO  
Northern Beaches Council  
PO Box 82  
Manly NSW 1655

Dear Sir/ Madam,

**Statement of Environmental Effects  
Modification of Consent DA2021/0744  
Demolition works and construction of shop top housing  
50 Lawrence Street, Freshwater**

We refer to the above development consent involving the construction of shop top housing on the subject allotment. Condition 84 of the consent requires the following:

**84. Parking**

The development is to maintain the following parking allocation for the life of the development:

- 12 x residential parking spaces marked with the number of the respective unit,
- 1 x residential visitor space marked "visitor",
- 4 x retail parking spaces marked "retail",
- 1 x service bay marked "service vehicles only".

All spaces must be line-marked and identified accordingly.

Where a stacked parking arrangement is proposed, both spaces must be allocated to the same residential unit.

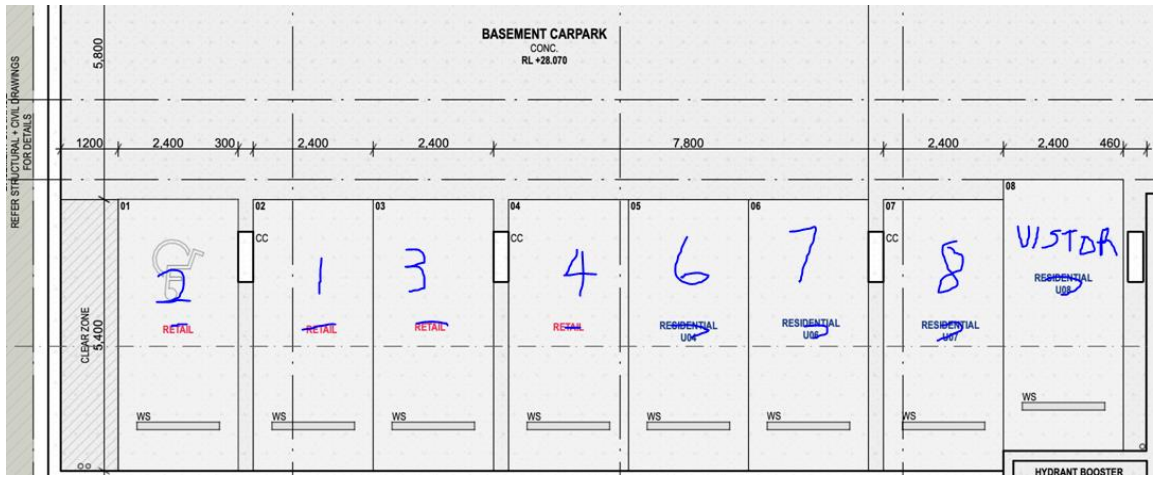
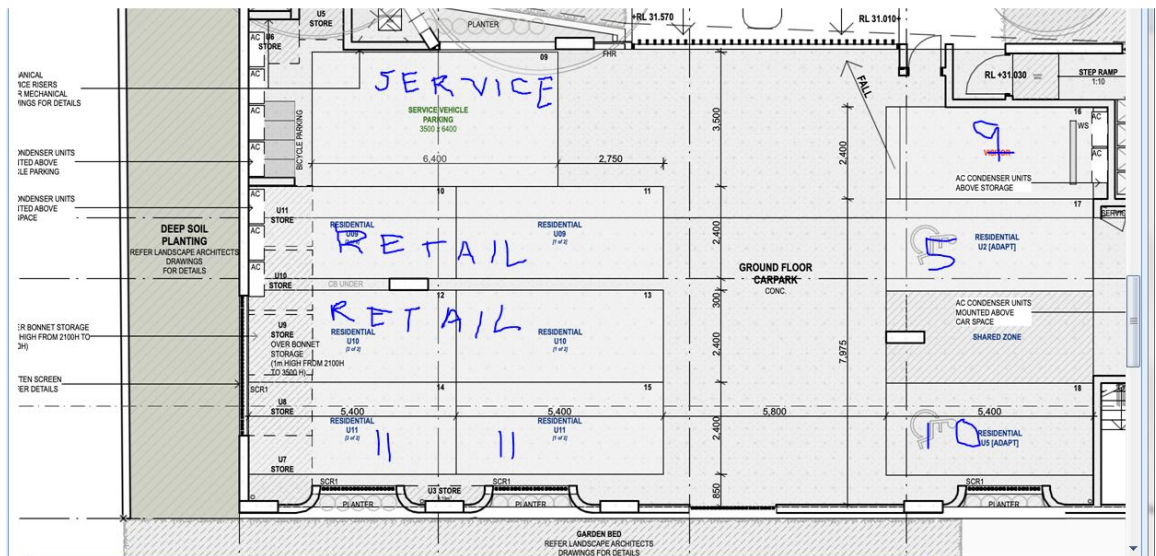
The condition as drafted would suggest that the 6 x approved stacked parking spaces must be allocated to the same residential unit, that is, all stacked parking spaces are to be residential. If this were the case, not all residential apartments would be allocated car parking space.

The application proposes to utilise 4 x stacked parking spaces for retail parking and 2 x stacked spaces for a single residential unit.

To remove any doubt as to the intention of the condition we request that it be modified such that the last sentence reads:

*“Where a stacked parking arrangement is proposed, both spaces must be allocated to the same Lot.”*

The intended car parking allocation is depicted in the images at Figure 1.



**Figure 1 - Intended carparking allocation**

In our opinion, the condition as drafted represents a minor error/ misdescription to which section 4.55(1) of the Environmental Planning and Assessment Act 1979 (the Act) would apply. As such, we respectfully request that the consent be modified as detailed within this submission.

Please do not hesitate to contact me to discuss any aspect of this submission.

Yours sincerely

**BOSTON BLYTH FLEMING PTY LTD**

**Greg Boston**  
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 Director