

Memo

Environment

To:	Rodney Piggott , Development Assessment Manager
From:	Grace Facer, Planner
Date:	3 May 2023
Application Number:	Mod2023/0200
Address:	Lot 1 DP 571975 , 50 Lawrence Street FRESHWATER NSW 2096
Proposed Modification:	Modification of Development Consent DA2021/0744 granted for Demolition works and construction of shop top housing

Background

The abovementioned development consent was granted by the Northern Beaches Local Planning Panel on 1 December 2021 for Demolition works and construction of shop top housing;

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 modify condition(s) No.85 - Parking, which reads as follows:

Condition - Parking No.85

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.

Manoeuvring areas must be kept clear of obstructions at all times. Vehicles must not be required to queue on public roads at any time.

Reason: To ensure the appropriate management of parking on site.

Consideration of error or mis-description

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. The applicant argues that 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 and proposes the wording of the condition to be changed to read "*Where a stacked parking arrangement is proposed, both spaces must be allocated to the same Lot.*"

The application has been referred to Council's Traffic Engineer who raised no objection to the rewording of the condition as proposed by the applicant.

Conclusion

It is considered that the modification is minor in nature and consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is therefore recommended for approval.

Recommendation

THAT Council as the consent authority approve Modification Application No. Mod2023/0200 for Modification of Development Consent DA2021/0744 granted for Demolition works and construction of shop top housing on land at Lot 1 DP 571975, 50 Lawrence Street, FRESHWATER, as follows:

A. Modify Condition No.85 - Parking to read as follows:

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 Lot.

Manoeuvring areas must be kept clear of obstructions at all times. Vehicles must not be required to queue on public roads at any time.

Reason: To ensure the appropriate management of parking on site.

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

Signed



Grace Facer, Planner

The application is determined on 02/05/2023, under the delegated authority of:



Rodney Piggott, Manager Development Assessments