

Roads and Assets Referral Response

Application Number:	DA2021/2239
Date:	05/05/2022
To:	Thomas Burns
Land to be developed (Address):	Lot 170 DP 15376 , 255 Whale Beach Road WHALE BEACH NSW 2107

Reasons for referral

Works proposed by the development may impact on existing Council road assets (eg. kerb and gutter, footpath, retaining walls, landscaping) or results in new structures/encroachments being created within the road reserve. Council's Road Asset Managers are required to review the development application and if necessary liaise with Council's Development Engineering and/or Traffic Management Teams to ensure appropriate conditions are considered.

Officer comments

The hardstand area and retaining walls located on Council's public road reserve are noted. No approval of these structures could be located however they appear to have existed prior to 2000 as shown on DA N0758/00.

Former Pittwater Council sought to have the owners in 2000 lease the privatised area however it appears this matter was not progressed. The former Pittwater Policy prevents the leasing of road reserves for car parking and permanent structures. Council's policy may be reviewed in the future.

The proposed redevelopment of the property is not affecting the concrete area adjacent to the garage and retaining structures however they are not to be used for private purposes such as vehicle or trailer parking or storage of materials. Should such use be observed by Council, enforcement action may be taken to prevent such use, seek removal of the area or formalise such use through leasing subject to Council policy..

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Roads and Assets Conditions:

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Private Structures on Public Road Reserve

The retaining walls and concrete paved area on the public road reserve adjacent to the garage shall not be used for private parking of vehicles or storage unless expressly authorised by Council and subject to an appropriate agreement. The property owner shall maintain these structures in accordance with provisions of s142 of the Roads Act 1993.

Reason: To ensure public infrastructure is not used inappropriately for a private benefit and the structures are maintained by the property owner.