

Roads and Assets Referral Response

Application Number:	Mod2023/0206
Proposed Development:	Modification of Development Consent DA2009/0800 granted for construction of 32 units for older people or people with a disability and sub-division.
Date:	18/09/2023
To:	Alex Keller
Land to be developed (Address):	Lot 806 DP 752038 , 8 Lady Penrhyn Drive BEACON HILL NSW 2100

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

Additional comment 18/09/2023

As advised by the planner, the mod only applies to pathway X, building part x stairs X and nothing else on the plan whether shown or clouded or not shown or annotated.

No objections to the proposal for relocation of the accessible ramp subject to the approval of the minor encroachment application, noting however, that the ramp has not been constructed in accordance with the design and must be modified to be compliant together with the requirement to actually construct a connecting path. The landscaping of the verge on Willandra Road adjacent to the driveway has not received Road Authority approval.

Additional information provided by applicant email 29.8.2023:

"I'd like to provide a response to some of the referrals that have been provided before you make a determination.

- Water Management - the extent of the proposed changes relate to an inconsequential increase in the footprint of Building 8 and a very modest increase in hard surfaces through some additional footpaths. We do not feel it would be logical to require a water quality model for the entire site to adequately assess the water quality impact of this very limited proposed modification;*
- Roads and Assets - The MOD does not propose to alter the driveway from the most recent consent in any way. The MOD does propose to remove the approved accessible footpath to Willandra Rd in favour of the existing footpath. We recognise that this may perhaps only be possible if the BIC and minor encroachment application is determined favourably. Please let me know if it's possible to reserve decision on this matter following the determination of the*

BIC or minor encroachment application if this would be an obstacle to this MOD being determined positively;

- *Natural Environment and Landscape - This MOD does not propose to deviate from the approved landscape plans. Whether any of the existing landscape elements are able to be retained will be a matter to be determined through the parallel BIC process.*

Please let me know if you require any further information to assist you in your determination."

Planning Comment

Please revise the referral response to address and add conditions as necessary to only those matters **clouded in red on the plans**.

Original Referral Comments

The plans show the originally proposed driveway access to Lady Penrhyn Dr which was subsequently relocated to the south. It is unclear based on the modified plans whether the applicant intends to keep/construct the originally proposed driveway to Lady Penrhyn Dr in addition to the existing (not shown on plans). An additional driveway access is not supported.

The modification also indicates a pedestrian pathway from the existing access ramp (the ramp construction is currently subject to a retrospective Minor Encroachment Application). The Original L&C Approval required among other infrastructure, a footpath from the driveway to the "dwelling" on Lot 2 was to be constructed to Willandra Road. The modification would appear to seek amendment to that condition of approval and limit the construction of a footpath from the access ramp to Willandra Road. This is reduction in the scope of works in relation to the footpath is not supported.

The applicant must comply with the conditions of L&C approvals namely:

Under DA2009/1221 for:

- the construction and use of:
 - (i) a pedestrian path comprising a 1.8 metre wide elevated timber deck (approximately concrete ramps (at 1:14 grade) cut into existing ground, between retaining walls.
 - (ii) a 6.5 metre wide meandering asphalt driveway with 750mm wide drive over landscaped zones (SDZ), no raised kerbs, a services trench and a 1.8 metre wide concrete footpath
 - (iii) a 450mm diameter underground stormwater pipe.
- to the extent development consent is necessary, to carry out works within Willandra Road and Lady Penrhyn Drive, for
 - (iv) the installation of a pedestrian path within Lady Penrhyn Drive between Lot 12 and Lady Penrhyn Drive and Willandra Road.
 - (v) upgrade the existing pedestrian refuge and crossing point on the northern arm of the Macintosh Road and Willandra Road to satisfy Council's engineering design standards
 - (vi) modification of the gradient of a 40 metre section of footpath along the northern side of Willandra Road and Parr Parade to satisfy Council's engineering design standards.

41. Footpath Construction

The applicant shall construct a 1.2 metre wide concrete footpath between the southern driveway of the existing dwelling and the proposed eastern pram ramp adjacent to the roundabout along the Lady Penrhyn Drive frontage. The works shall be in accordance with the following:

- (a) All footpath works are to be constructed in accordance with Council's minor works policy
- (b) Council is to inspect the formwork prior to pouring of concrete to ensure the works are in accordance with Council's specification for footpath.

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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:

Nil.