

Memo

Environment

To:	Anna Williams , Development Assessment Manager
From:	Nick England, Planner
Date:	15 September 2020
Application Number:	Mod2020/0398
Address:	Lot 3 DP 6033 , 748 Pittwater Road BROOKVALE NSW 2100 Lot 1 DP 739249 , 744 Pittwater Road BROOKVALE NSW 2100
Proposed Modification:	Modification of Development Consent DA2019/1232 granted for demolition works and construction of a Hungry Jacks restaurant and take away food premise, and associated car parking and signage

Background

The abovementioned development consent was granted by Council on 2 April 2020 for Demolition works and construction of a Hungry Jacks restaurant and take away food premise, and associated car parking and signage.

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.23 Kerbside Parking Restrictions, which reads as follows:

23. The parking restrictions along the site frontage shall be reviewed to reinstate the parking spaces along the redundant driveway and install a 12m No Stopping restriction on the northern side of the proposed driveway. The above changes will be subject to the Local Traffic Committee approval which shall be obtained prior to the construction certificate. Suitably prepared plans shall be submitted to Council for Council review and Traffic Committee approval. The Traffic Committee meetings are held on a monthly basis and hence adequate time should be allowed for this process.

Reason: To minimise the adverse impact of the proposed vehicular access on the adjacent intersections (DACTRCPC2)

Consideration of error or mis-description

The applicant seeks to amend the 2nd sentence of the condition, to require that the restrictions be in place prior to works commencing. Council's Traffic Engineer has advised that this should have been the

original wording of the consent and the requirement to have the works in place before the Construction Certificate was in error.

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. Mod2020/0398 for Modification of Development Consent DA2019/1232 granted for demolition works and construction of a Hungry Jacks restaurant and take away food premise, and associated car parking and signage on land at Lot 3 DP 6033,748 Pittwater Road, BROOKVALE, Lot 1 DP 739249,744 Pittwater Road, BROOKVALE, as follows:

B. Modify Condition No.23 Kerbside Parking Restrictions to read as follows:

The parking restrictions along the site frontage shall be reviewed to reinstate the parking spaces along the redundant driveway and install a 12m No Stopping restriction on the northern side of the proposed driveway. The above changes will be subject to the Local Traffic Committee approval which shall be obtained prior to works commencing. Suitably prepared plans shall be submitted to Council for Council review and Traffic Committee approval. The Traffic Committee meetings are held on a monthly basis and hence adequate time should be allowed for this process.

Reason: To minimise the adverse impact of the proposed vehicular access on the adjacent intersections (DACTRCPC2)

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

Signed



Nick England, Planner

The application is determined on 15/09/2020, under the delegated authority of:



Anna Williams, Manager Development Assessments