

Memo

To: Northern Beaches Local Planning Panel (NBLPP)
Cc: Rodney Piggott – Manager Development Assessments
From: Jordan Davies – Principal Town Planner
Date: 14 November 2022
Subject: Item 4.2 Late submission – DA2021/1914

Dear Panel Members,

This memo is in response to a further late submission received regarding Item 4.2-DA2021/1914 Subdivision of 6 Lots into 4 Torrens Title Lots, including demolition works and tree removal.

The late submission is on Behalf of the property 8A Palm Avenue, the immediately adjoining property to the west of the site. The submission has been provided to the NBLPP and Council staff.

The property 8A Palm Avenue gains access off Palm Avenue via a 4.5m wide right-of-way through the south-western lot of the subject development site (Lot 45 DP 12578, 8 Palm Avenue). The right-of-way is described in DP1053924 and is marked as (E) right-of-way 4.5m wide. The submission raises concern with changes to the driveway width, landscaping and pedestrian access contained within the right-of-way providing access to 8A Palm Avenue.

The right-of-way is shown to be retained in the subdivision plan submitted to Council, see extract below:

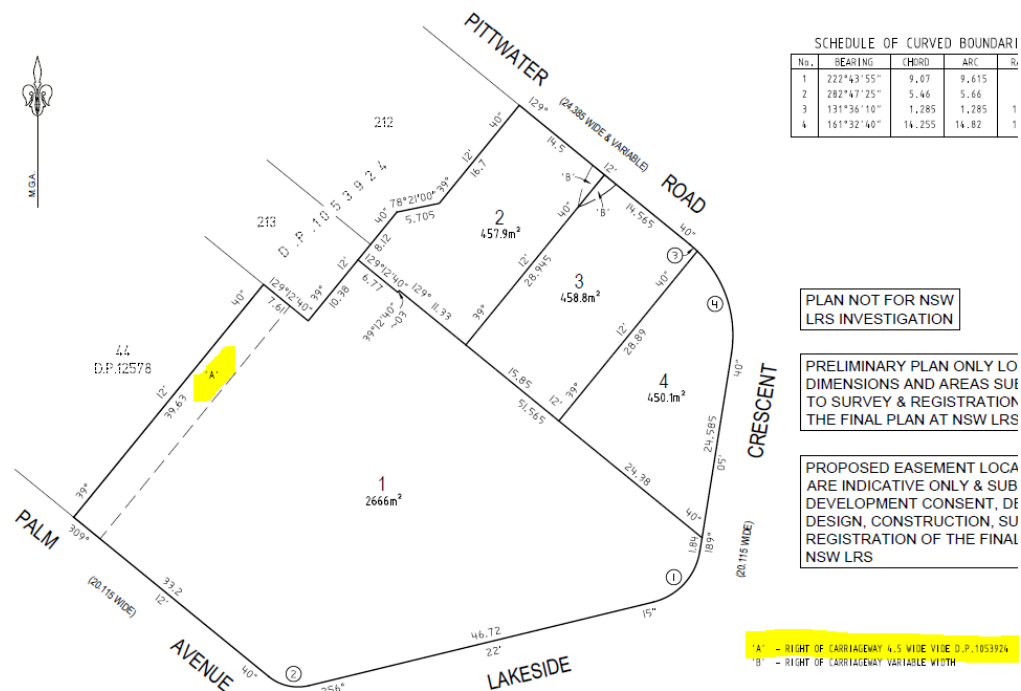


Figure 1 - Extract of proposed subdivision plan showing 4.5m wide right of way

One of the plans submitted with the application (DA0101 Issue G dated 17/05/22) shows works to the carparking area and driveway to the west of the community health centre within and adjacent to the right-of-way (within proposed Lot 1). Despite what is shown on this plan, the applicant has confirmed that these works are not proposed to be undertaken via DA2021/1914 and any changes to the western parking area of driveway within the right-of-way is sought under a separate application DA2021/1912 (yet to be determined).

To ensure this occurs and to avoid any ambiguity with the submitted plans, it is recommended the NBLPP include the following condition in any consent issued:

Condition 4a – No works approved to the park and access driveway within Proposed Lot 1

This application does not grant consent to any changes to the existing carpark or changes to the access driveway within proposed Lot 1 or any works within the existing right of carriageway within proposed Lot 1.

Any changes to the access driveway or carpark within proposed Lot 1 are subject to a separate development consent.

Reasons: To ensure the approval is consistent with the works sought via the application and to avoid any changes to the existing access way without consent being obtained first.

If the panel has any queries, please do not hesitate to contact Jordan Davies – Principal Planner.



Rodney Piggott

Manager Development Assessments