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## SNPP BRIEFING NOTE

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<b>APPLICATION NUMBER:</b>	DA2023/0976
<b>PROPERTY ADDRESS:</b>	20-22 Macpherson Street, Warriewood
<b>PROPOSAL:</b>	Demolition works, civil and infrastructure works, subdivision into 53 lots and one community title road, the construction of 53 dwellings and associated works.
<b>APPLICATION LODGED:</b>	19 July 2023
<b>APPLICANT:</b>	Urbis
<b>OWNER:</b>	Green Kingswood
<b>COST OF WORKS:</b>	\$35,900.000.00
<b>NOTIFICATION PERIOD:</b>	1 August 2023 to 29 August 2023
<b>NO. OF SUBMISSIONS:</b>	30
<b>DETERMINATION AUTHORITY:</b>	SNPP
<b>REASON FOR REFERRAL:</b>	Over \$30 million CIV

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### SITE DESCRIPTION

The site is zoned R3 Medium Density Residential under the provisions of Pittwater Local Environmental Plan 2014 and the proposed development is permissible with consent.

The site abuts Narrabeen Creek to the rear, an area in which there is a creek line corridor prescribed by the Pittwater 21 DCP.



Figure 1: Site Map (Site outlined in blue)

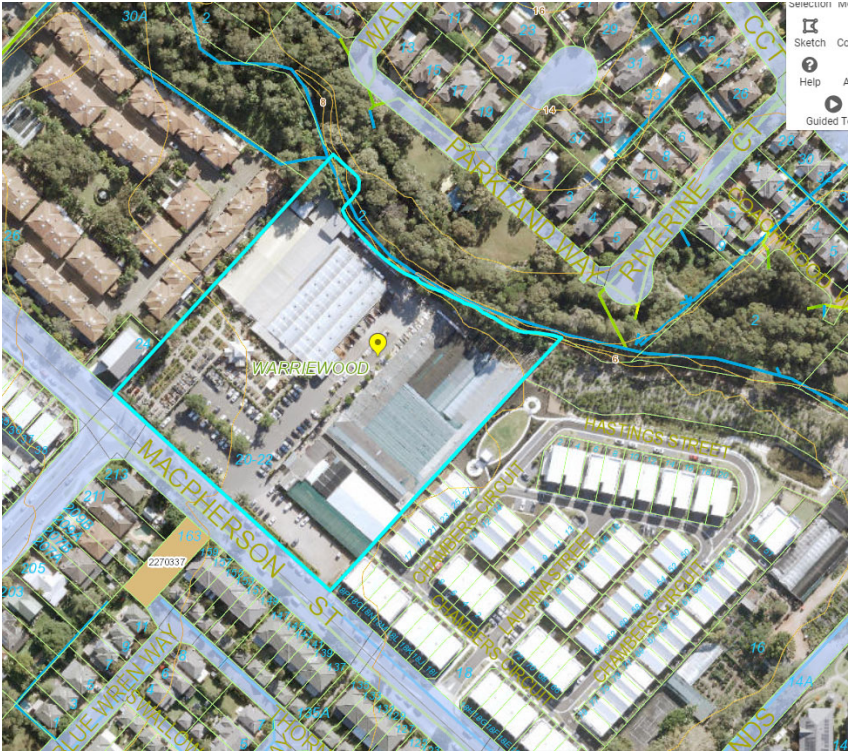


Figure 2: Aerial View

**PROPOSED DEVELOPMENT**

The application proposes the subdivision of land to provide 53 new lots and a mix of single dwellings (attached and detached).

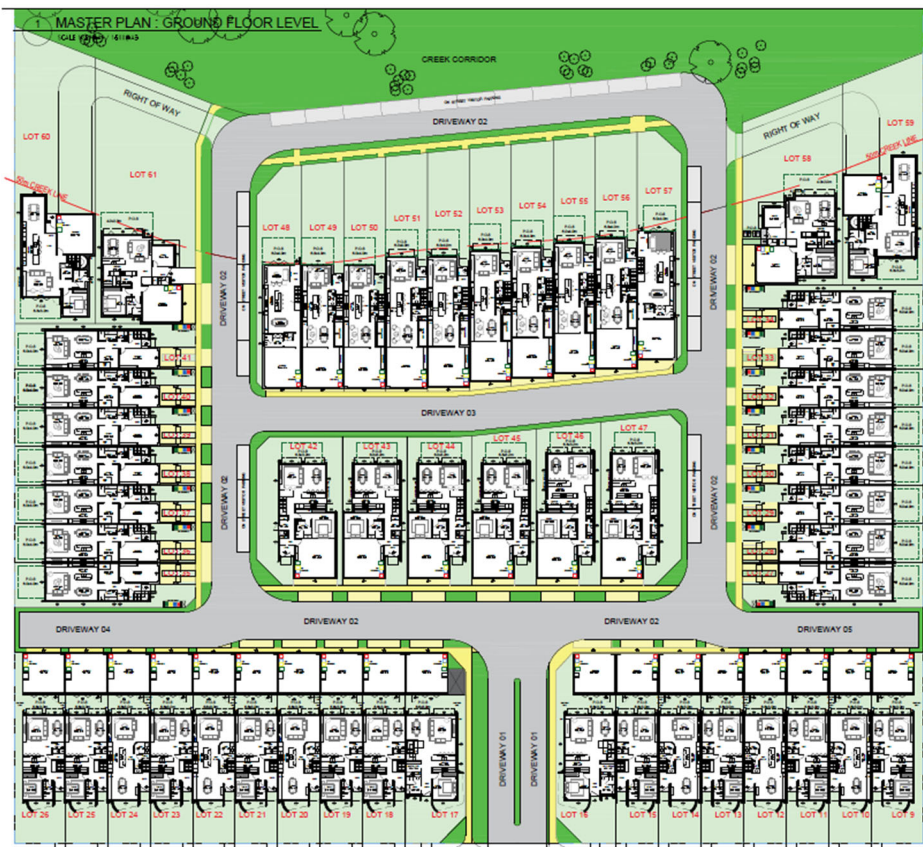


Figure 3 – Site Plan

## **RELEVANT BACKGROUND**

### **Design and Sustainability Advisory Panel (DSAP) Report - 23 March 2023 - PLM2023/0032**

A DSAP Pre-DA meeting was held for the site involving the same concept.

The follow-up Pre-lodgment meeting to be held with Council was cancelled by the applicant.

The DSAP report raised the following overarching issues:

- *DCP 6.8 - Lots less than 225m<sup>2</sup> in size or less than 9m wide are to be rear loaded. Pedestrian linkage diagram in the structure plan does not provide this lots facing north on Driveway 03*
- *Poor shared domain interfaces to double garage frontages to the Macpherson Street frontage and Creek Corridor frontage dwellings. Lot widths minimum 7.5m should be considered*
- *Max 16% tree canopy in the shared domain*
- *R.O.W 's in the outer creek corridor*
- *No winter solar access to the living areas of dwellings facing 18 Macpherson Street / Chambers Cct. Boundary*
- *Undersize rear courtyards to Macpherson Street boundaries*
- *Detached dwelling with poor ground floor bedroom aspects*

PLM2021/0344



A previous pre-lodgement meeting was held for this site, and this involved a similar scheme, being subdivision for 53 lots.

The following concluding comments were provided:

*“Whilst the overall road and lot layout is considered satisfactory, the lot sizes and lack of diversity pose room for improvement as discussed above.*

*To be considered, the application will need to be submitted as integrated.*

*Key to the application will be how the Creeklane Corridor is accommodated for, to ensure harmony between the wildlife and new development.”*

**NOTIFICATION / ADVERTISING**

29 Submissions have been received following the notification period. These submissions include the following concerns:

- *Excessive built form density*
- *Lack of open space and green space*
- *Congestion*
- *Traffic*
- *Site coverage*
- *Inappropriate design*
- *Lack of natural character*
- *Excessive Bulk and Scale*
- *Impact on natural environment*

**EXTERNAL REFERRAL ISSUES**

External referrals	Comments
<p><b>DSAP</b></p>	<p>The DSAP has raised a number of concerns with the proposed design and recommendations for change to the design in meetings held on 23 March 2023 and again on 28 September.</p> <p>These issues include:</p> <ul style="list-style-type: none"> <li>• <i>Lack of response to Outer Creeklane corridor control</i></li> <li>• <i>Lack of merit to the current roadway and lot design in the corridor</i></li> <li>• <i>Lack of compliance for Lots 11-17, 38-45 to be rear loaded and no on street parking – poor streetscape outcome</i></li> <li>• <i>Straight physical and visual links should be provided between Macpherson Street and the Creek corridor.</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Consideration be given to larger lots and greater variation in housing typology.</i></li> <li>• <i>A lack of tree canopy, suggesting the greener development guide prescribes 30%</i></li> <li>• <i>Provision of a local park should be considered.</i></li> <li>• <i>Lack of amenity for Type A1 and A2 lots with lack of light and ventilation to the ground floor study</i></li> </ul>
<b>Ausgrid</b>	No objection, subject to conditions
<b>Integrated Development - Referral to WaterNSW</b>	General Terms of Approval have been issued

### **INTERNAL REFERRAL ISSUES**

<b>Internal referrals</b>	<b>Comments</b>
<b>Environmental Health (Acid Sulphate Soils)</b>	<b>Not supported</b> <ul style="list-style-type: none"> <li>• ASS Plan required</li> </ul>
<b>Environmental Health (Contaminated Lands)</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Detailed site investigation required.</li> <li>• Remediation Action plan required.</li> <li>• Hazardous Buildings materials assessment required</li> </ul>
<b>Landscape Officer</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Lack of landscape treatment for outer Creekline corridor</li> <li>• Not in support of “traditional yards” in corridor</li> <li>• Lack of appropriate design for street tree planting</li> </ul>
<b>NECC (Bushland and Biodiversity)</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Lack of information regarding inner Creekline corridor</li> <li>• Lack of appropriate design for natural environment in the outer Creekline corridor</li> <li>•</li> </ul>
<b>NECC (Riparian Lands and Creeks)</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Lack of support for encroachment to Outer Creekline corridor</li> </ul>

	<ul style="list-style-type: none"> <li>• Lack of information regarding corridor</li> </ul>
<b>NECC (Development Engineering)</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• More information required regarding OSD</li> <li>• Internal Road design issues – further information requires</li> </ul>
<b>NECC (Flooding)</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Adverse impacts</li> <li>• Lack of information with filling and earthworks across the site to assess levels.</li> <li>• Various further information required</li> </ul>
<b>Heritage</b>	<b>Not yet received</b>
<b>NECC (Water Management)</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Various further information required</li> </ul>
<b>Strategic and Place Planning</b>	<b>Not yet received</b>
<b>Traffic Engineer</b>	<b>Not yet received</b>
<b>Waste Officer</b>	<b>Not Supported</b> <ul style="list-style-type: none"> <li>• Concerns with Waste access</li> <li>• Concern with road design</li> <li>• Concern with on-street parking</li> <li>• Concern with bin presentation</li> </ul>

### **PLANNING ASSESSMENT ISSUES**

- **Clause C6.1 Integrated Water Cycle Management and Clause 6.2 Natural Environment and Landscape issues.**

The proposal does not comply with the Outer Creekline corridor control which follows:

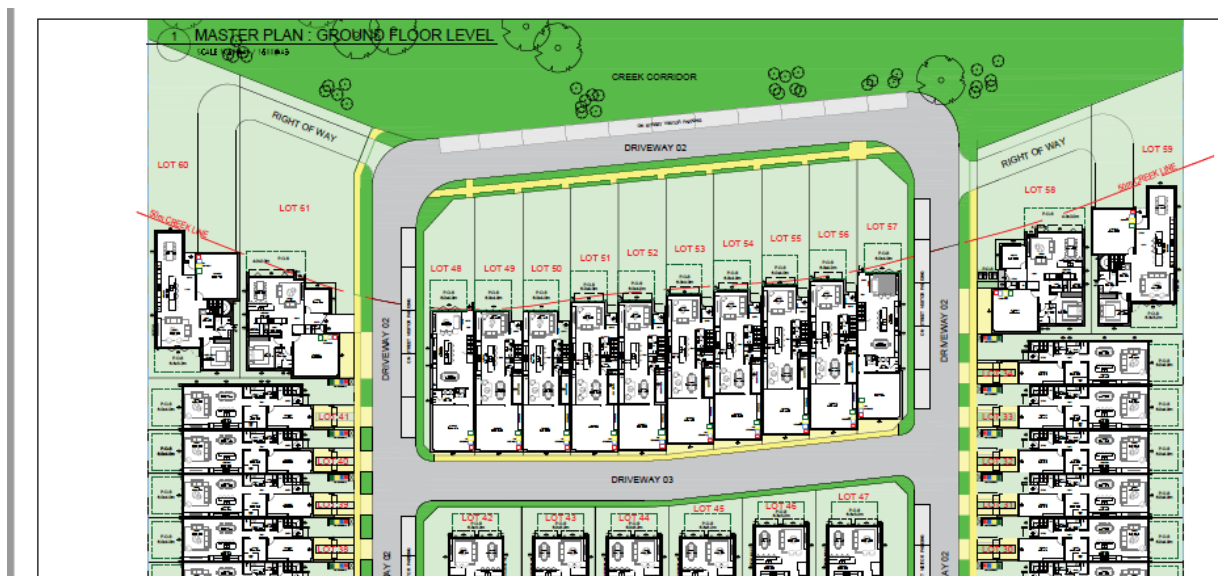
*“The 25 metre Outer Creekline Corridor (commonly known as the ‘private buffer strip’) to be provided on each side of the Inner Creekline Corridor is to be retained in private ownership and is to perform the functions of part water quality control and a fauna/flora corridor (Lawson & Treloar, 1998). The private buffer strip is to be a multifunctional corridor, appear to be part of the public domain, and may contain:*

*-the pedestrian path/cycleway sited above the 20% AEP flood level to reduce the incidence of flood damage to a manageable level and achieve a satisfactory safety level for regular use. The location of the pedestrian path/cycleway is variable to ensure connectivity with existing sections of the path and retention of vegetation. The*

*alignment of pedestrian paths/cycleways and associated landscaping must provide adequate sightlines for cyclists;*  
*-water quality control ponds;*  
*-other water quality treatment measures; and/or roads and other impervious areas traditionally sited in the public domain, for up to 25% of the outer Creekline Corridor area subject to merit assessment.”*

*Any part of residential lots, dwellings, garages, fences and other vertical built structures (wholly or in part) must not encroach into the 25 metre wide Outer Creekline Corridor.”*

The proposal is shown below (with the red line representing the outer edge of the Creekline corridor):



Over 80% of the outer corridor area contains features that are not permitted by the control.

This includes private lots, roads, and rights of way.

This does not provide a design that integrates well with the creek by appearing visually as a natural extension to the creek area.

- **Clause 6.8 – Residential Development Subdivision Principles**

Lots 35-41 and Lots 27-34 do not meet the following control:

*Lots less than 225m<sup>2</sup> in size or less than 9m wide are to be rear loaded, except where it can be demonstrated that:*

*-rear access is not practical due to the size or shape of the development site; or*  
*-there will be no adverse impact on streetscape amenity and on-street parking.”*

A variation to this control may be accepted on merit. However, this would be subject to an appropriate streetscape outcome being provided for the above lots. The proposed design involves a lack of planting, open space, and minimisation in the presentation of built form for these lots.

There is also a lack of response the following control:

*“A ‘break’ (i.e. a larger lot width, an indentation in the dwelling with a width and depth of 1.5m on both levels, a housing product of a different width, a detached housing product) is to be provided between every 3 attached/abutting dwellings of the same lot width.”*

This provides a situation in which built form is overbearing and does not sufficiently integrate Landscaped area.

- **D16.1 Character as viewed from public places**

The proposal does not meet the following controls:

*Walls without articulation shall not have a length greater than 8 metres to any street frontage.*

*The bulk and scale of buildings must be minimised.*

*Landscaping is to be integrated with the building design to screen and soften the visual impact of the built form. The height and scale of the landscaping in the setback area to the public place must be proportionate to the height and scale of the building.*

The overall design does not meet desired future character as built form predominates the visual aspect from most of the site. Greater landscaping and articulation of built form is required across the site.

- **D16.7 – Side and rear building lines**

Lots 48-57 do not comply with 6m setback for upper level. This provides a poor streetscape outcome with excessive presentation of built form and a lack of tree planting/ integration of natural features. This is shown below:



