



## Pre-lodgement Meeting Notes

**Application No:** PLM2022/0235  
**Meeting Date:** 9 February 2023  
**Property Address:** 53A & 53B Warriewood Road WARRIEWOOD  
**Proposal:** Development Application Prelodgement Meeting  
**Attendees for Council:** Anne-Marie Young, Principal Planner  
Adam Croft, Principal Planner  
Shivani Tapas, Flooding Engineer  
Robert Platt, Development Contributions Officer  
James Brocklebank, Transport Engineer  
Ray Creer, Waste Officer  
Bree Healy, Health Officer

### General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only.

These notes are an account of the advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the meeting.

These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority.

A determination can only be made following the lodgement and full assessment of the application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the **Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan**, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concern have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.

### SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION



<b>Proposal</b>
The proposal is for the 31-lot allotments, including 29 community residential lots, 1 community lot and 1 Community lot and 1 residual lot to be dedicated to Council.
<b>Comment:</b> There is a significant planning history relating to 53A Warriewood Road and outstanding unresolved issued related to the sub-division layout and servicing due to the constrained and narrow site. The subject proposal includes the amalgamation of 53B Warriewood Road which will help address these former issues.
<b>Response to Matters Raised by the Applicant</b>
The following key issues have been raised by the Applicant and a detailed response to each of the issues raised is provided in this report and summarised below: <ul style="list-style-type: none"> <li>• subdivision layout and number of lots – generally acceptable</li> <li>• future housing setbacks – insufficient information to confirm compliance</li> <li>• visitor parking – the layout allows for visitor parking on the streets</li> <li>• road and footpath widths – generally acceptable</li> <li>• vehicle manoeuvrability – refer to Transport comments</li> <li>• Confirmation of the documentation requirements – detailed at the end of these notes.</li> </ul>

#### PITTWATER LOCAL ENVIRONMENTAL PLAN 2014 (PLEP 2014)

PLEP 2014 can be viewed at <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0320>

<b>Part 2 - Zoning and Permissibility</b>	
<b>Definition of proposed development:</b> (ref. PLEP 2014 Dictionary)	Subdivision Roads
<b>Zone:</b>	R3 Medium Density Residential
<b>Permitted with Consent or Prohibited:</b>	Permitted with development consent

<b>Part 4 - Principal Development Standards</b>			
Standard	Permitted	Proposed	Compliance
4.1 Minimum Lot Sizes	No minimum lot size	226sqm – 381sqm	N/A
6.1 Warriewood Valley Release Area	Clause 6.1(3) of PLEP stipulates the following dwelling yield for the properties:  Buffer 1b - Not more than 24 dwellings or less than 17 dwellings Buffer 1c Not more than 18 dwellings or less than 13 dwellings Buffer 1d Not more than 1 dwelling	29 dwellings	<b>No</b> Any future DA will need to demonstrate that at least 30 lots/dwellings can be accommodated in the site while achieving compliance with the relevant built form controls. Refer to Development Contribution comments.



	Total - Not more than 43 dwellings or less than 30 dwellings		
7.1 Acid Sulfate soils	Part of the site is mapped as class 4	Subdivision and civil works	An ASS Management Plan submitted is required to be submitted if work is proposed below 2 meters of natural ground level that would lower the natural water table.
7.4 Flooding	The site is mapped as high to medium flood risk	Subdivision and civil works	Flood modelling is required and details demonstrating compliance need to be provided in the Water Management Report submitted with the DA. (Refer also to C1.1 of PDCP)
7.6 Biodiversity Protection	The site is mapped as having biodiversity values	Subdivision and civil works	A Biodiversity Assessment and Vegetation Management are required. Refer also to C6.7 of the PDCP)

Please also refer to the following Clauses: 7.2 Earthworks, 7.4 Floodplain risk management and 7.10 Essential services.

#### **PITTWATER 21 DEVELOPMENT CONTROL PLAN (P21DCP)**

P21DCP can be viewed at

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Pages/Plan/Book.aspx?exhibit=PDCP>

The following notes the identified non-compliant areas of the proposal only.

<b>Control</b>	<b>Permitted</b>	<b>Proposed</b>
<b>C4.1 Subdivision – Protection from Hazards</b>	All subdivision is to be designed such that adequate building platforms/building areas are provided that have a low risk due to hazards including flood, landslip, bushfire, coastline and estuarine hazards.  The subdivision must not have any adverse affect or provide a threat on public or private infrastructure, assets and people in the vicinity	Subdivision and civil works
<u>Comment:</u> Insufficient information submitted to confirm compliance, refer to flooding comments		
<b>C6.4 The Road System and Pedestrian and Cyclist Network</b>	A traffic analysis report and road plans and sections for the Sector, buffer area or development site, demonstrating that the outcomes within this control will be achieved, must be prepared by a suitably qualified professional and submitted with the application. The road plans must comply with the relevant	The PLM plans suggest 7.5m wide internal roads and 2.5m wide nature strips



	<p>specifications and cross sections in Council's Warriewood Valley Roads Masterplan.</p> <p>A pedestrian and cyclist network is to be provided in accordance with the Warriewood Valley Landscape Masterplan &amp; Design Guidelines (Public Domain).</p> <p>The pedestrian/cycleway link should be located off road, where practical. Where a pedestrian/cycleway link is located in: a public reserve, the minimum width is 2.5 metres; and the road verge adjacent to the road carriageway, the minimum width is 2.1 metres.</p> <p>The location of the pedestrian path/cycleway is variable within the creekline corridor to ensure connectivity with existing sections of the path and facilitate retention of vegetation so long as the pedestrian path/cycleway is 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 alignment of the pedestrian/cycleway network must provide adequate sightlines for cyclists.</p> <p>Where a pedestrian/cyclist link is identified within or adjoining a sector, buffer area or development site, the</p>	
<p><u>Comment:</u> The indicative PLM plans suggest compliance with the required road and footpath widths, refer to Transport and Landscape Officers comments.</p>		
<p><b>C4.6 Service and delivery vehicle access in subdivision</b></p>	<p>Roads and accessways within the subdivision are to be designed and constructed to accommodate access for waste, recycling, service, emergency and delivery vehicles</p>	<p>The indicative PLM plans suggest 7.5m wide internal roads</p>
<p><u>Comment:</u> The 7.5 metre wide road pavement proposed is acceptable to Waste Services</p>		
<p><b>C4.7 Amenity and Design</b></p>	<p>The control requires: -All properties, both existing and proposed, achieve/retain a level of amenity commensurate with the locality and the desired character of the area; -the impact on the environment of the completed development (including buildings to be constructed on the proposed lots) has an acceptable impact on the environment</p>	<p>No flooding information has been submitted and no indicative envelopes.</p>
<p><u>Comment:</u> Insufficient information has been submitted to confirm that there will be no unreasonable impact on the environment, including flooding or amenity.</p>		



<p><b>C6.7 Landscape Area (Sector, Buffer Area or Development Site)</b></p>	<p>Where a sector, buffer area or development site has a frontage to a creek, a minimum 35% of the site area is to be landscaped area.</p> <p>The minimum landscaped area directly impacts on site storage requirements for the overall water cycle management of a sector, buffer area or development site based on the Warriewood Valley Urban Land Release Water Management Specification (2001). This policy assumes 50% impervious area for a sector, buffer area or development site, therefore the Water Management Cycle model must account for the quantum of built upon area. Where the proposal's impervious area exceeds 50%, a reassessment of the site storage requirements should be undertaken and measures to address the difference must be clearly outlined.</p> <p>Landscaped areas are to be predominately areas of deep soil to allow the infiltration of rain water to the water table to reduce stormwater runoff, promote the healthy growth of large trees with large canopies and protect existing mature trees. Deep soil areas are areas of soil unobstructed by buildings or structures above or below the ground. The location of deep soil areas should, where possible, facilitate the retention of existing trees and vegetation.</p>	<p>Insufficient information to confirm compliance</p>
<p><b>C6.8 Residential Development Subdivision Principles</b></p>	<p>Sectors, buffer areas and development sites with an effective lot width less than 60 metres should ideally pursue opportunities for site amalgamation to facilitate orderly planning and development outcomes and the efficient use of land.</p> <p>A 'break' is to be provided between every three (3) attached/abutting dwelling of the same lot width.</p> <p>Continuous runs of garages fronting laneways are to be avoided (i.e. break up through pairing, setback variation etc.)</p> <p>Lots are to be orientated to optimise solar access for dwellings and areas of private open space. Widest or deepest lots are to be oriented with north to the front, with the narrowest orientated with north to the rear.</p> <p>Larger lots should be located on corners.</p> <p>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:</p>	<p>The applicant has acquired 53B Warriewood Road.</p> <p>No indicative building envelopes have been provided.</p>



	<p>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.</p> <p>A range of residential lot types (varying in area, frontage, depth and access) should be provided to ensure a mix of housing types and dwelling sizes. Not more than 40% of the lots created through a subdivision proposal may be of the same lot type. Lot type is determined by lot width.</p> <p>Allotments for attached and abutting dwellings are to be rear loaded, except where it can be demonstrated that rear access is not practical due to constraints arising from the shape or size of the development site.</p> <p>Where dwellings are proposed on lots with two street frontages (not corner lots), the dwellings are to present (have a street address) to the higher street classification and are to reflect the streetscape character of the higher street classification.</p> <p>The composition of attached/abutting dwellings needs to be determined at the subdivision stage to take into account the lot widths required in order for a 'break' to be provided.</p> <p>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.</p> <p>Corner lots are to be configured to allow the dwelling to address both street frontages</p>	
<p><u>Comment:</u> The amalgamation of 53B into the subject site addresses a lot of the previous access, servicing, and layout issues. The site includes 53 Warriewood Road which is owned by Council. It is acknowledged that the applicant is negotiating the purchase of this land and it is recommended that the applicant continue to liaise with Council's property team preferably with the transfer of the sale concluded before the lodgement of any future DA. If the sale has not been concluded, owners' consent will be required from Council for the lodgement of the DA.</p> <p>The plan suggests that not more than 40% of the lots created through a subdivision proposal may be of the same lot type, based on lot width.</p>		



<p>Lots exceeds 225sqm and are generally front-loaded lots except for lots 9, 10, 11 and possibly 12. Concern is expressed in respect of the ability of the development to provide “a break” to 4-7 and lots 11-15.</p>		
<p><b>C6.9 Residential Land Subdivision Approval Requirements</b></p>	<p>Proposed lots equal to or greater than 225 square metres in area, and with a lot width equal to or greater than 9 metres.</p> <p>Plan of Subdivision showing the building envelope for each lot is required. Plans of each dwelling are not required, as these will be included as part of any future Development Application or Complying Development Certificate.</p>	<p>Subdivision and civil works</p>
<p><u>Comment:</u> In accordance with C16.9 the following information is required to be submitted with any future DA:</p> <p>The Building Envelope, shown on the Plan of Subdivision, should be at a legible scale and include the following elements:</p> <ul style="list-style-type: none"> <li>• maximum permissible building envelope (including site coverage for a Complying Development Certificate), specifying setbacks, storeys and articulation zones;</li> <li>• landscaped areas and deep soil areas;</li> <li>• preferred location of private open space;</li> <li>• driveway location and location of any hardstand areas;</li> <li>• garage size (single or double) and location; and</li> <li>• zero lot line boundaries.</li> <li>• retaining walls;</li> <li>• easements;</li> <li>• for corner lots, the preferred entry/frontage;</li> <li>• frontage where vehicular access is not permitted; and</li> <li>• special fencing requirements</li> </ul>		
<p><b>C6.10 Additional Specifications for development of Buffer Area 1a to 1m</b></p>	<p>Individual buffer sectors with effective lot widths less than 60 metres should pursue opportunities for amalgamation to facilitate orderly planning and development outcomes and the efficient use of land.</p> <p>Lots suitable for housing typologies that reflect the streetscape character of existing housing on the opposite side of Warriewood Road, for example dual occupancies (attached or detached), should be sited fronting Warriewood Road.</p> <p>Lorikeet Grove extension is to traverse Buffer Areas 1a to 1l, and be: designed and constructed as a Local Road under the Warriewood Valley Roads Masterplan and comply with the specifications and cross section; and</p>	<p>The site includes amalgamation with 53B Warriewood Road.</p> <p>No access is proposed onto Warriewood Road.</p>



	<p>generally in accordance with the alignment of Lorikeet Grove on the Indicative Layout Plan below.</p> <p>A maximum of two new public roads are to directly connect to Warriewood Road and Lorikeet Grove. Each new connection road is to comply with the specifications and cross section for a Local Road under the Warriewood Valley Roads Masterplan, as amended. One road connection is to be located across the boundaries of Buffer 1g, 1h and 1i. The second road connection is to be located within Buffer 1l, adjacent to Hill Street. The traffic management device for both proposed road intersections with Warriewood Road is to be in accordance with the Indicative Layout Plan contained further within this control.</p> <p>The number of driveways along Warriewood Road is to be minimised. This can be achieved through shared driveways for dwellings that front Warriewood Road.</p> <p>All other access roads within Buffer Areas 1a to 1l must be designed with traffic calming devices to lower vehicle speeds, which may incorporate pavement treatment and enhanced landscaping. The provision of safe crossing areas is required.</p>	
<p><b>Comment:</b> The proposal addresses the amalgamation requirements, and the indicative access appears to be compliant although the number of driveways along Warriewood Road should be minimised and opportunities for rear lane and shared access encouraged. Detached dwellings should be located along the Warriewood Road frontage with denser typologies to the north-eastern side of Lorikeet Grove closer to the Creepline.</p>		
<p><b>D16.10 Private and Communal Open Space Areas</b></p>	<p>20sqm POS required minimum dimension 3m</p> <p>Dwellings are to be designed so that private open space is directly accessible from internal living areas enabling it to function as an extension of internal living areas and is to have good solar orientation (i.e. orientated to the north, north east or north west where possible). Private open space for new dwellings is not to be in positions such that it 'borrows' amenity by overlooking adjoining dwellings.</p> <p>Private open space areas should include provision of clothes drying facilities suitably screened from the street and public places. Private open space is to include gas BBQ points and external power points, where possible.</p>	<p>Insufficient information to confirm compliance.</p>





	<p>The primary orientation of balconies is to be to the street or rear boundary. Balconies are not to be fully recessed into the building form. Balconies should not form the dominant architectural expression of the building.</p>	
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## D16.6 Front Building Line

Clause D16.6 requires the following setbacks

Development	Minimum front setback to articulation zone (metres) from front boundary	Minimum front setback to garage/carport (metres) from front boundary	Minimum front setback to dwelling (metres) from front boundary
All development fronting Warrlewood Road, Garden Street and Macpherson Street	0	5.5	5.5
All other dwellings but not Residential Flat Buildings or Multi Dwelling Housing fronting all other streets	1.5	4	3*
Residential Flat Buildings or Multi Dwelling Housing fronting all other streets other than Warrlewood Road, Garden Street and Macpherson Street	0	4.5	4.5*
For corner lots, the setback to the secondary street frontage for all dwellings	1	2	2*

\*Where tandem carparking is proposed, the minimum front setback to the dwelling is to be 5.5m.

**Comment:** Insufficient information has been submitted to confirm compliance and any future application shall be supported with building envelopes.

## D16.7 Side and rear building lines

Clause D16.7 requires: The minimum side and rear building lines are subject to the incorporation of landscaping required under this DCP and adequate separation distances between buildings.

In certain circumstances, setbacks greater than the minimum requirements detailed in the table below may be necessary to retain significant vegetation or to provide acceptable separation to the adjoining existing development.

The following minimum side building lines are to apply to the following residential development:

Housing Typology (based on lot width)	Minimum side building line
Attached or abutting dwelling less than 5m wide	0m on both sides 0.5m at the end of a row of attached or abutting dwellings
Attached or abutting dwelling 5 to 14m wide	One side: 0m at ground floor and 1.5m at upper levels on zero lot line Length of zero lot line is limited to 13m (excludes detached garages on rear loaded lots, including those incorporating secondary dwellings above garage). 0.5m setback applies to remaining portion of the dwelling. Other side: 0.5m
Zero lot line dwelling less than 5m wide	One side: 0m on one side for a maximum wall length of 10m. The remaining portion of the dwelling is to be setback 0.5m. Other side: 0.5m at ground floor and 1.2m for any upper levels
Zero lot line dwelling 5 to 14m wide	One side: 0m at ground floor for a maximum wall length of 13m. The remaining portion of the ground floor dwelling is to setback 0.5m. The upper level is to be setback 1.5m. Other side: 0.5m
Detached dwelling less than 5m wide	0.5m on both sides
Detached dwelling 5 to 14m wide	However if lot is bounded by a double storey zero lot wall on the adjacent lot, the minimum setback on the bounded side is 1.2m. One side: 0.5m and 1.5m for upper level Other side: 0.5m at ground floor and 1.5m for upper level
Detached dwelling greater than 14m wide and less than 15m wide	One side: 0.5m and 1.5m for upper level Other side: 0.5m at ground floor and 1.5m for upper level
Detached dwelling greater than 15m wide	One side: 0.5m Other side: 2.5m
Residential Flat Buildings, Mixed Use Developments, Shop Top Housing, Seniors Housing and Multi Dwelling Housing	As a minimum, the side building line is to be 3m on both sides.



Comment: Insufficient information to confirm compliance as the side boundary requirements relate to housing typology and no indicative building envelopes have been provided.



## Development Contributions

53A and 53B Warriewood Road are within the Warriewood Valley Release Area. These properties are identified as Buffer Area 1b and 1c respectively on the PLEP 2014 Urban Release Area Map.

The submitted subdivision plan also incorporates 53 Warriewood Road into the development site. This is a Council-owned drainage reserve, identified as Buffer Area 1d. The applicant is encouraged to incorporate this property into their DA and should contact Council's Land Dealings Officer, Cherry Varde, to commence discussions for owner's consent and purchase of the property. [Cherry.Varde@northernbeaches.nsw.gov.au](mailto:Cherry.Varde@northernbeaches.nsw.gov.au)

Clause 6.1(3) of PLEP stipulates the following dwelling yield for the properties:

Buffer 1b Not more than 24 dwellings or less than 17 dwellings

Buffer 1c Not more than 18 dwellings or less than 13 dwellings

Buffer 1d Not more than 1 dwelling

Total Not more than 43 dwellings or less than 30 dwellings

**Clause 6.1(3) is a prohibition and cannot be varied.** The submitted subdivision plan proposes 29 residential allotments which does not meet the minimum yield. Any future DA will need to demonstrate that at least 30 lots/dwellings are achieved.

The Warriewood Development Contributions Plan Amendment 16, Revision 4 2022 (the 'Contributions Plan') applies to the land and any future development of this site. The Contributions Plan identifies the following public infrastructure to be provided within the vicinity of the subject property.

### Pedestrian and Cycle Network

Items 2B, 2C and 2D in the Pedestrian and Cyclist Network Strategy is a shared path connection from Narrabeen Creek to Macpherson Street. Council's Senior Landscape Architect will identify the required location of this shared path within the inner/outer creek corridor. The DA must allow for the provision of this shared path and identify appropriate transitions to the adjacent properties. If the applicant wishes to include the construction of this shared path in the DA, this could be the subject of a Planning Agreement for the delivery of works-in-kind. Please contact me if you require any further information regarding a potential Planning Agreement.

### Creek Corridor

The Contributions Plan requires the dedication of the inner 25m creek corridor to Council. This dedication will occur via the registration of a plan of subdivision and will result in a reduction in the monetary contribution payable to Council, consistent with Table 4 in the Contributions Plan.

The Contributions Plan also identifies the future creek reconstruction and rehabilitation of the inner 25m corridor to contain the 1% AEP. If the land is owned by Council, these works are anticipated to commence in 2026/27. Control C6.1 of the Pittwater DCP requires the submission of a Water Management Report demonstrating compliance with the Warriewood Valley Water Management Specification. This must also include detailed engineering plans depicting the creek reconstruction.

It is unclear if the future DA will include the reconstruction/rehabilitation of the inner 25m creek corridor. If the development of this site relies on the reconstruction of the inner 25m creek corridor to contain the 1%AEP, these works should be included in the DA. If these works are proposed under the DA, this could be the subject of a Planning Agreement for the delivery of works-in-kind.

### Bus Bay and Shelter

Item 5.5 in the Traffic and Transport Strategy is a bus bay and shelter on Warriewood Road. Council's Traffic Engineer has advised that this is intended to be delivered adjacent to lots 9-12. This should be included in the design for the half-road reconstruction of Warriewood Road.



## Specialist Advice

### Transport Engineer

The PLM proposal is for a 31 lot community title subdivision of 53A & 53B Warriewood Road, Warriewood. The proposal will include provision for 29 residential lots served by two internal roads of 7.5m in width.

A previous PLM for a previous 18 lot subdivision only of 53A Warriewood Road raised a number of concerns of a traffic nature. Most of those concerns appear to have been addressed by the revised proposal now under consideration for 53A & 53B

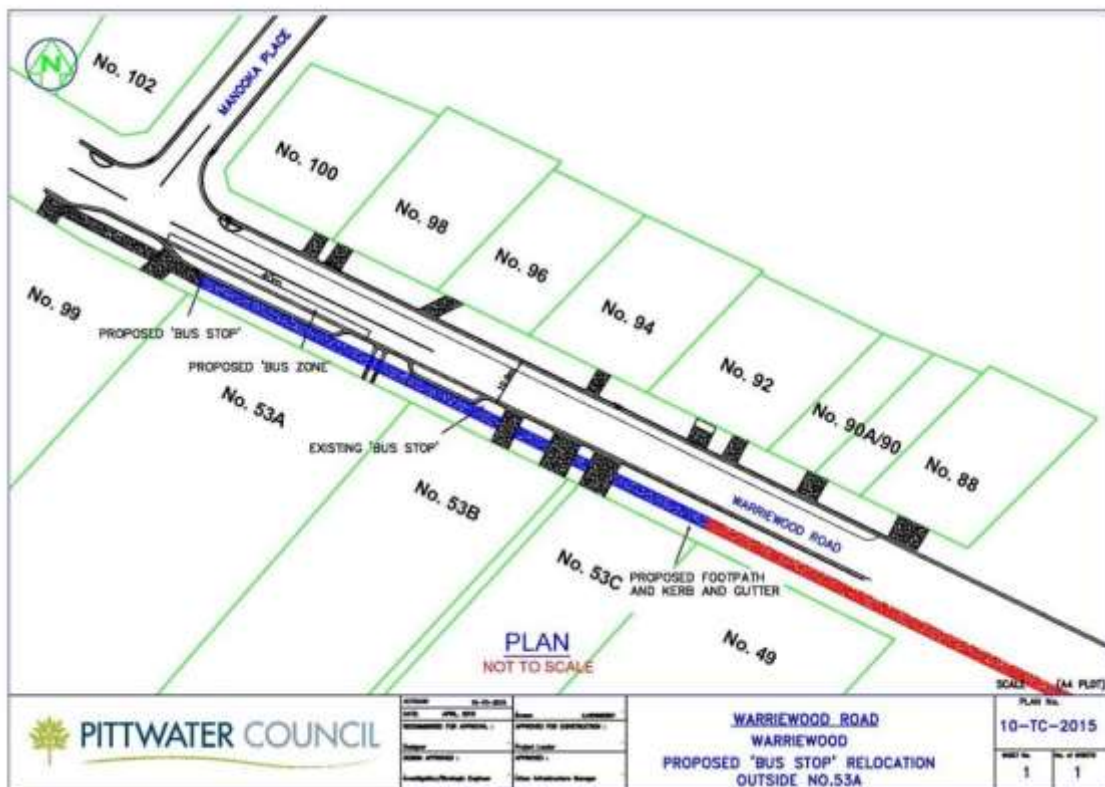
- Although the prelodgement plans are lacking in detail it is noted that the internal roads now proposed are each 7.5m in width generally with 2.5m nature strips which is consistent with widths envisaged in the Warriewood Valley Roads Masterplan (WVRM) for Access Streets. This will allow parking to occur on one side of these roads without impacting upon two way traffic flow.
- There was concern expressed at the previous PLM with regard to the inability of the narrow road proposed to accommodate parking, particularly for any visitors, the 7.5m road widths now envisaged will provide adequately for visitor parking needs associated with subdivision and this is no longer a particular concern.
- No vehicle crossings or offstreet parking have been shown on the prelodgement plans however each residential lot would be expected to have a driveway providing access to offstreet parking for 2 vehicles.
- No swept path plots have been provided to demonstrate turning of trucks at the end of road 1, provision will need to be made for turning around of 10.5m garbage trucks. Reversing back along these roads by heavy vehicles will be unacceptable from a safety perspective. The ability for turning of trucks at the junction of Road 2 and Pheasant Place may also be required given the current lack of rights of carriageway for Council over Pheasant Place.
- It is noted that there are 8 lots fronting Warriewood Road. The WVRM seeks to minimise driveway access points along Warriewood Road and where possible access should be provided from internal access roads. Lots 9-12 appear capable of being accessed from the internal roads while lots 13/14 and 15/16 could be accessed via shared driveways i.e only 2 driveways to Warriewood Road.
- The WVRM requires the provision of a 2.1m shared path along the full Warriewood Road frontage of the site. There is also a requirement for a 2.5m wide shared path along the creek boundary at the southern edge of the site (understood to be the outer creek line corridor). These shared paths will need to connect with and match widths of existing approved shared path connections through Lot 3 DP 1115877 (known as 53C Warriewood Road) and Lot 106 DP 1151062 (known as 16-22 Lorikeet Grove). It is noted that the nature strip at the north western corner of the lot narrows to 1.5m in width. This is probably to match the nature strip widths for the already constructed section of Lorikeet Grove west of the site. This may result in the shared path straddling the road reserve and the residual lot. A 1.5m wide footpath is also required along the north side of Lorikeet Grove matching the alignment of existing footpath connections on adjacent lots. Details for the above should be resolved at DA stage.
- There is an existing bus stop on Warriewood Rd in front of No.53B Warriewood Road. Council's Traffic Committee has previously approved a relocation of that bus stop to a new location in front of No.53A. See concept plan below. Item 5.5 of the Warriewood Valley Development Contributions Plan makes allowance for the provision of a Bus Bay and shelter on Warriewood Road between Manooka Place and Alameda Way. The bus bay and shelter will be sited on the frontage of No. 53A Warriewood Road and the subdivision must therefore make allowance for the westbound carriageway along the Warriewood



Road frontage of the site to be no less than 6.7m in width i.e 3.7m travel lane plus 3.0m for an indented bus bay. Provision will also be required for the 2.1m for the shared path and 1.2m of verge. 10m of Road Reserve will therefore be required south of the centreline of Warriewood Road to accommodate the above.

- The applicant will be required to design and meet the costs of installation of streetlighting to provide satisfactory illumination of the internal roads 1 and 2 and junctions with Lorikeet Grove together with the subdivision's Warriewood Road frontage. Plans for the location of all streetlighting fixtures will be required in conjunction with any DA approval to ensure that they comply with Council and Ausgrid requirements including underground service connections to properties on the opposite side of Warriewood Road.
- The applicant will also need to make provision for any new parking restriction signage i.e No Parking restrictions along one side of Roads 1 & 2 plus any necessary changes to parking restrictions on Warriewood Road (Bus Zone adjustment) or Lorikeet Grove.
- Each driveway for each lot will need to make allowance for a pedestrian sightline triangle as per AS/NZS 2890.1 at the property boundary.

A traffic and parking impact report will be required with any subsequent DA's addressing the above.



**Waste Officer**

Road Requirements

Waste collection is undertaken by three axle, 10.5 metre long, heavy rigid vehicles with the bin lifter on the left hand side only.



As there are dwellings on both sides of the proposed roadway, a two-way road circulation is required.

The 7.5 metre wide road pavement proposed is acceptable to Waste Services.

Swept path analysis must be provided showing waste collection vehicles can negotiate all corners and turns within the property and the access to/from the public road.

Waste collections will not be undertaken from the dead end section of private road that accesses lots 9, 10, 11 & 12.

#### Bin & Bulky Goods Presentation

A 2.5 metre wide footpath/nature strip has been provided which will allow for the presentation of bins and bulky.

Bins and bulky goods must be presented above the kerb. No materials or bins to be placed on the road pavement. Sufficient space is to be provided above the kerb in front of each property for 3 bins / 3 cu metres bulky goods.

Lots 9, 10, 11 & 12 are inaccessible to waste collection vehicles from the private roadway. As these four lots have a frontage to Warriewood Road waste collection services will occur from this location.

#### Under Road Infrastructure

Waste collection trucks weigh 23 tonnes. The truck has 3 axles.

All under road infrastructure (e.g. osd tanks, pipes) must be capable of withstanding the load exerted by the waste collection vehicles.

#### Overhead Clearance

Waste collection vehicles require a working clearance of 4.5 metres above the road pavement.

#### Dwellings – Onsite Bin Storage Requirements

Within each lot an area must be provided for the storage of the four waste bins provided by Council. This area must obscure the bins from view from the roadway.

The following bins will be provided by Council to each dwelling:

- 1 x 80 litre garbage bin – 450mm wide, 510mm wide & 840mm high (lid shut)
- 1 x 140 litre paper recycle bin – 535mm wide, 615mm deep & 915mm high (lid shut)
- 1 x 140 litre container recycle bin – 535mm wide, 615mm deep & 915mm high (lid shut)
- 1 x 240 litre vegetation bin – 600mm wide, 750mm deep & 1060mm high (lid shut)

#### Positive Covenant and Community Management Statement

A positive covenant must be placed on the community roadway (usually Lot 1) of the property to allow Council access to collect waste. Wording for the covenant will be provided by Council.

Council will provide clauses to be inserted into the Community Management Statement regarding access for waste collection vehicles.

#### Pheasant Place – Access for waste collection vehicles.

Council currently does not have right of access over Pheasant Place for the collection of waste.

There is currently no positive covenant for access by waste services placed on the Pheasant Place community owned roadway.



There is currently no Council approved Community Management Statement for waste services placed on the Pheasant Place Community Roadway.

The use of Pheasant Place for waste collection services by Council is integral to this proposal as it allows trucks to circulate through the proposed subdivision in both directions.

The applicant is to approach the Pheasant Place Community Association with a view to having Council's legal requirements fulfilled to allow access by the waste collection vehicles.

Council can assist if needed and will provide the necessary documentation and instructions.

### **Flooding Engineer**

The subject site is located upstream of the extent of impact from the 1% AEP flood event in Narrabeen Lagoon, but just downstream of the extent of impact from the PMF event.

The Flood Impact Assessment prepared in 2021 for the previous DA for 53A Warriewood Rd, based on Council's TUFLOW model for the Ingleside, Elanora and Warriewood Overland Flow Flood Study, will need to be updated to include 53B Warriewood Rd.

A summary of flood related requirements is as follows:

The development application needs to address the flood requirements set out in the following documents:

- Pittwater LEP 2014 – Clauses 5.21, 7.4
- Pittwater 21 DCP - Sections C6.1, B3.11, B3.12, A1.9
- Warriewood Valley Urban Land Release Water Management Specification (2001) - Section 4.5
- Water Management for Development Policy (2020)
- Considering Flooding in Land Use Planning Guideline (2021)

Flood modelling is required and details demonstrating compliance need to be provided in the Water Management Report submitted with the DA. Modelling must extend a sufficient distance upstream and downstream to accommodate any likely hydraulic influences such as potential overland flow paths from upstream areas or downstream culverts.

We recognise that there are discrepancies between the documents, which makes it complex to work out what is required for a DA. As far as flooding is concerned, Controls C6.1 and B3.12 of the Pittwater DCP and then the Section 4.5 of the Warriewood Valley Urban Land Release Water Management Specification take precedence over Control B3.11 of the Pittwater DCP, and the flood assessment requires consideration of climate change (CC).

Consideration of climate change only needs to include a 30% increase in rainfall intensity, as this property is considered to be generally upstream of the impact of Narrabeen Lagoon. Sea level rise and tailwater levels do not need to be considered.

Controls C6.1 and B3.12 of the Pittwater DCP:

Adverse impacts on flood levels: 50% AEP, 20% AEP, 1% AEP, PMF - all including CC

Adverse impacts on flood velocities: 1% AEP, PMF - both including CC

Flood Category: for 1% +CC

Flood Hazard Category: for PMF +CC

Floor levels: FPL +CC

Building platform: FPL +CC

Control C6.1 states that "The filling of land will only be permitted where it can be demonstrated within the Water Management Report that:



- there is no net decrease in the floodplain volume of the floodway or flood storage area within the property, for any flood event up to the 1% AEP flood event and the PMF event including climate change considerations for both design events; and/or
- there is no additional adverse flood impact on the subject and surrounding properties and flooding processes for any flood event up to the PMF event including climate change impacts”.

Adverse impacts are defined in Section A1.9 of the DCP and require that “the proposed development:

- Will result in less than 0.02m increase in the 1% AEP
- Will result in less than a 0.05m increase in the PMF
- Will result less than a 10% increase in PMF peak velocity
- Will have no loss in flood storage or flood way in the 1% AEP”.

For this property, where adverse impacts need to be assessed for a broader range of design floods, assessment should show that the proposed development:

- Will result in less than 0.02m increase in the 1% AEP, 20% AEP and 50% AEP – all including CC
- Will result in less than a 0.05m increase in the PMF – including CC
- Will result in less than a 10% increase in the PMF and 1% AEP peak velocities – including CC
- Will have no loss in flood storage or flood way in the 1% AEP – including CC.

Impact mapping is required for each aspect of the impact assessment.

Warriewood Valley Urban Land Release Water Management Specification, Section 4.5:

The Warriewood Valley Urban Land Release Water Management Specification was prepared in 2001. It contains no mention of climate change, as it was prepared before Council had any requirements for inclusion of climate change in flood modelling.

Climate change does not need to be included (but can be if you think it appropriate or simpler) for the design level requirements listed in Table 4.3 except where climate change needs to be considered as identified above, ie for the FPL, floor levels, and flood hazard in the PMF. The Specification calls for the 1% AEP and PMF flood extents– please map both with and without CC. If the post-development flood hazard is H3 or larger, shelter in place refuge is required above the PMF+CC level.

#### **Landscape Officer**

Reference Council Documents:

- Warriewood Valley Landscape Masterplan and Design Guidelines, August 2018 (WVLMG)
- Warriewood Valley Roads Masterplan, August 2018 (WVRM)

Subdivision and landscape plans shall document the following landscape items:

#### The Road System and Pedestrian and Cyclist Network

To satisfy the Warriewood Valley Landscape Masterplan and Design Guidelines, August 2018 and the Warriewood Valley Roads Masterplan, August 2018, the following path network is required:





#### Warriewood Rd

A 2.1m wide footpath is required along Warriewood Rd and shall be shown on subdivision plans, and shall be co-ordinated to align with the proposed 2.1m footpath for the adjoining properties.

Street tree planting is required in accordance with the Warriewood Valley Landscape Masterplan and Design Guidelines, August 2018. Where appropriate, the footpath should be aligned to abut the kerb to increase deep soil area for street tree planting.

#### Lorikeet Grove

A 1.5m wide footpath is required to one side of Lorikeet Grove and shall be shown on subdivision plans, and shall be co-ordinated to align with the proposed 1.5m footpath for the adjoining properties, and generally these are located to the side of the creekline corridor.

Street tree planting is required to both sides of Lorikeet Grove in accordance with the Warriewood Valley Landscape Masterplan and Design Guidelines, August 2018.

#### Creekline Corridor

A 2.5m wide sharepath is required within the Outer creekline corridor, and shall be shown on subdivision plans, and shall be co-ordinated to align with sharepath locations for the adjoining properties.

Within the creekline corridor, the proposal must demonstrate the location and connectivity of a 2.5m width sharepath above the 20% AEP flood level.

#### Documentation required:

##### Site Plans

To demonstrate above landscape items.

##### Aboricultural Impact Assessment

Should any existing trees occur within 5 metres of subdivision works (roadworks, service installation etc), an Aboricultural Impact Assessment is required, to document the impact upon the existing trees from the proposed development, from excavation and construction activities.

#### NOTE: other relevant information

No indicative building footprints are shown on the plans, and concerns are raised that building front setbacks to Warriewood Road will not be acceptable unless the landscape outcomes satisfy Pittwater 21 DCP, including D16.1, D16.5, D16.6, and D16.12 in particular:

##### D16.1 Character as viewed from a public place

The development facing Warriewood Road must ensure that vegetation is dominant over the built form. To achieve this, the front setback to Warriewood Rd must be sufficient in deep soil area to support large canopy trees, and it is advised that the front setback to Warriewood Road should contain mass planted gardens, and lawn areas to such small sized front setbacks are not encouraged.



Landscape treatment 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.

D16.5 Landscaped Area for Newly Created Individual Allotments and D16.6 Front Building Lines  
Proposed development is required to satisfy D16.5 Landscaped Area for Newly Created Individual Allotments, with attention to providing landscaped areas that are deep soil areas capable of supporting trees, to allow new development to blend into the streetscape.

The bulk and scale of the built form is to be minimised by landscape treatment, enhanced by tree planting within the front setback, to screen the visual impact of the built form.

#### D16.12 Fences

In all cases, vegetation is preferable over fencing to delineate the property boundary.

Fencing is not permitted forwards of the building line. Boundaries between public and private land should be delineated by vegetation such as low hedges, garden beds or the like.

### **Environmental Health**

Environmental Health have been requested to provide comment on the provided information from the proposal. As part of this referral land Contamination, sewage and Acid sulfate soils has been considered.

#### Acid Sulfate Soils

The Site is located within Class 4 and 5 Zones on the Acid Sulphate Soil map.

Given the nature of the proposal, it is considered that the proposed development will not disturb, expose or drain acid sulfate soils and cause environmental damage and will be supported by appropriate documentation in support of this.

With no ASS Management Plan submitted no works below 2meters of natural ground level to be consented to or works that would lower the natural water table.

#### Contamination

As the use of the site is changing from its existing use, previous use of chemicals or pesticides, contamination must be considered through a phase 1 contamination report. Should the phase 1 identify any concern regarding contamination then a phase 2 is to be undertaken which will guide a remediation action plan and validation of the site. Contamination reports must be completed in accordance with the EPA documents Consultants reporting on contaminated land by a consultant who meets the requirements of the EPA Contaminated Land Consultant Certification Policy.

#### Sewerage

The property does not appear to have a current connection to sewer.

Council requests a report that Sydney Water has given its approval for the development to be or able to be connected to sewer.

A Section 73 Approval under the Sydney Water Act 1994 must be obtained from Sydney Water.



### **Biodiversity Officer**

The application is to address the following relevant environmental legislation and controls, including the:

NSW Biodiversity Conservation Act 2016 (BC Act)

State Environmental Planning Policy (Resilience and Hazards) 2021

- Cl. 2.8 Development on land in proximity to coastal wetlands or littoral rainforest

Pittwater Local Environmental Plan (PLEP)

- Cl. 7.6 Biodiversity Protection

Pittwater 21 Development Control Plan

- C6.2 Natural Environment and Landscaping Principles

Under DCP clause C6.2 - Integration with Creekline Corridor and the Public Domain, the following outcome, amongst other things, is to be achieved: extensive stands of *Casuarina glauca*, and groves of *Eucalyptus robusta* with other native feature trees, indigenous understorey and ground covers, which are to comprise a minimum of 75% of the total (50m) creekline corridor area.

Flora and Fauna, Bushfire and VMPs have been prepared as part of previous development applications for the 2 separate lots. For this consolidated site, the revision and updating of these reports to cover the entire site is acceptable, and recommended. Previous comments from Council did not raise any major issues with the reports, apart from a recommendation to retain remnant native vegetation where possible. Integration and collaboration early in the design process between the Ecologist, Arborist and civil designers is recommended to maximise tree and native vegetation retention across the site and particularly within the Creekline Corridor.



### Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Building envelope plans
- Cost of works estimate/ Quote
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan, if required
- Building envelopes, refer to Clause C6.9 above
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Aborigicultural Impact Assessment
- Phase 1 contamination report
- A report that Sydney Water has given its approval for the development to be or able to be connected to sewer.
- Subdivision plan
- Landscape Plan
- Water Management Report including flood assessment
- Traffic Report

The following reports which related to 53A Warriewood Road shall be revised or updated

- A Bushfire Risk Assessment as per the requirements of NSW RFS document Planning for Bush Fire Protection
- A Vegetation Management Plan (VMP) is to be provided that encompasses as a minimum the 25 metre Inner Creekline Corridor, additional to any measures provided by the Natural Resource Access Regulator (NRAR). The VMP should as a minimum, detail measures to:
  - o Retain and protect remnant native trees and vegetation, especially species representative of the Swamp Sclerophyll Forest Endangered Ecological Community
  - o Eradicate Priority weeds from the site
  - o Revegetate the creekline corridor including details of proposed species and minimum planting densities for groundcovers, understory, mid-storey and canopy (refer to Warriewood Valley Landscape Masterplan for additional guidance)
  - o Protect downstream biodiversity values, including Coastal Wetland and Threatened Ecological Communities
  - o Details of methods for implementation of the VMP actions, including task responsibility, a costing, project milestones, monitoring measures, and a minimum five (5) year work schedule. The primary and secondary weed control and practical completion of revegetation works is to be completed prior to the issue of subdivision certificate.

#### **IMPORTANT NOTE FOR DA LODGEMENT**

Please refer to the Development Application Lodgement Requirements on Council's website (link details below) for further detail on the above list of plans, reports, survey and certificates.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-mar21.pdf>



The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

### **Concluding Comments**

These notes are in response to a pre-lodgement meeting held on 9 February 2023 to discuss the subdivision of the site into 31-lot allotments, including 29 community residential lots, 1 community lot and 1 Community lot and 1 residual lot to be dedicated to Council at 53, 53A and 53B Warriewood Road, Warriewood. The notes reference the sub-division plan prepared by YSCO Geomatics, Ref 6321/8B dated 11/11/2022.

The subdivision is supported in principle, however it is noted that a minimum of 30 residential lots are required. In summary, detailed Planning advice in respect of the built form controls setbacks and LOS requirements is limited as no indicative building envelopes have been submitted for consideration. It is recommended that any future DA is supported with a comprehensive set of plans and reports in accordance with the advice provided in these notes.

### **Port Question on these Notes?**

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.