

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/0339
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Responsible Officer:	Rebecca Englund
Land to be developed (Address):	Lot 25 DP 5464, 2 Macpherson Street WARRIEWOOD NSW 2102
Proposed Development:	Community Title subdivision of 1 lot into 24 lots, inclusive of 22 lots for future dwelling houses
Zoning:	R3 Medium Density Residential
Development Permissible:	No
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Karimbla Properties (NO. 32) Pty Ltd
Applicant:	Karimbla Constructions Services (NSW) Pty Ltd

Application lodged:	06/03/2018
Integrated Development:	Yes
Designated Development:	No
State Reporting Category:	Subdivision only
Notified:	23/03/2018 to 11/04/2018
Advertised:	24/03/2018
Submissions Received:	3
Recommendation:	Refusal

Estimated Cost of Works:	\$ 0.00
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ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;

- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Assessment - Strategic and Place Planning (S94 Warriewood Valley)
 Pittwater Local Environmental Plan 2014 - 6.1 Warriewood Valley Release Area
 Pittwater Local Environmental Plan 2014 - 7.10 Essential services
 Pittwater 21 Development Control Plan - A4.16 Warriewood Valley Locality
 Pittwater 21 Development Control Plan - C6.1 Integrated Water Cycle Management
 Pittwater 21 Development Control Plan - C6.2 Natural Environment and Landscaping Principles
 Pittwater 21 Development Control Plan - C6.4 The Road System and Pedestrian and Cyclist Network
 Pittwater 21 Development Control Plan - C6.5 Utilities, Services and Infrastructure Provision
 Pittwater 21 Development Control Plan - C6.7 Landscape Area (Sector, Buffer Area or Development Site)
 Pittwater 21 Development Control Plan - C6.8 Residential Development Subdivision Principles
 Pittwater 21 Development Control Plan - C6.9 Residential Land Subdivision Approval Requirements
 Pittwater 21 Development Control Plan - C6.10 Additional Specifications for development of Buffer Area 1a to 1m
 Pittwater 21 Development Control Plan - D16.5 Landscaped Area for Newly Created Individual Allotments
 Pittwater 21 Development Control Plan - D16.6 Front building lines
 Pittwater 21 Development Control Plan - D16.7 Side and rear building lines
 Pittwater 21 Development Control Plan - D16.10 Private and Communal Open Space Areas

SITE DESCRIPTION

Property Description:	Lot 25 DP 5464 , 2 Macpherson Street WARRIEWOOD NSW 2102
Detailed Site Description:	<p>The site is legally described as Lot 25, Section C, Deposited Plan 5464, and is commonly referred to as 2 Macpherson Street, Warriewood ('the site'). The site is irregular in shape, with a 126.96m wide frontage to Macpherson Street to the south and a total area of 2.327 Hectares. The site adjoins Narrabeen Creek, the centreline of which forms the northern and eastern boundaries of the site.</p> <p>The site was formerly used for the purpose of a market garden; however the site has recently been cleared and is currently free of development. Whilst the central portion of the site appears to have been built up over time and is generally level (3.28 - 3.71m AHD), the perimeter of the site falls away in each direction towards the creekline, the western side boundary and the street.</p> <p>Macpherson Street is a two-lane roadway that was recently</p>

upgraded to alleviate impacts associated with flooding, and as a result, the roadway and adjacent footpath is elevated above natural grounds levels at a minimum RL of 4.16m AHD. Two access driveways have been constructed to provide vehicular and pedestrian access to the site.

A Sydney Water Sewerage Treatment Plant is located opposite the site on the southern side of Macpherson Street, with a seniors housing development currently under construction to the east, medium density residential to the north and an existing dwelling to the west. The site is identified as Buffer Area 1M of the Warriewood Valley Release Area, as shown on the Warriewood Valley Release Area Map of PLEP 2014.

Map:



SITE HISTORY

On 27 November 2014, Development Application N0431/14 was lodged with Council, seeking consent for the construction of thirty semi-detached dwelling houses and associated infrastructure at the subject site.

On 18 December 2014, Development Application N0431/14 was refused by Council for the following reasons:

1. *The proposed development is inconsistent with the objectives of clause 6.1 of Pittwater Local Environmental Plan 2014, specifically the need for development to be undertaken in accordance with the Warriewood Valley Strategic Review, which identifies that the subject site has no capacity for residential development. The “no dwellings” yield prescribed by clause 6.1(3) of Pittwater Local Environmental Plan 2014 prohibits residential development on the site, and cannot be varied pursuant to clause 4.6 of Pittwater Local Environmental Plan 2014.*

On 24 December 2014, the Applicant lodged a Class 1 Appeal with the Land and Environment Court of NSW in regards to the refusal of Development Application N0431/14. The proceedings were ultimately listed for a separate 'question of law' hearing to address the following:

Is the "no dwellings" specification for 'Buffer area 1m' in the table to clause 6.1(3) of the Pittwater Local Environment Plan 2014 ("PLEP") a 'development standard' to which clause 4.6 of the PLEP applies?

On 21 May 2015, the Justice Pain found in favour of Council and agreed that the "no dwellings" specification for the site in clause 6.1(3) of PLEP 2014 was in fact a prohibition and not a development standard.

On 17 November 2016, the Applicant lodged a Planning Proposal (PP0003/16), which seeks to amend the provisions of clause 6.1(3) of PLEP 2014 to provide for 22 dwellings on the subject site.

On 31 January 2017, Council resolved not to support the Planning Proposal for the following reasons:

1. *It is inconsistent with the relevant strategic study being the 'Warriewood Valley Strategic Review Report (2013)', endorsed by the former Director General of the Department of Planning and Infrastructure on 26 June 2013 and adopted by Pittwater Council on 12 June 2013.*
2. *It has not demonstrated adequate strategic merit or site-specific merit in line with the 'NSW Planning & Environment's Planning Proposals: A guide to preparing planning proposals (2016)'.*
3. *The information submitted to support the planning proposal for 2 Macpherson Street, Warriewood is substantially deficient.*
4. *It is inconsistent with Local Planning Direction '4.3 Flood Prone Land' (issued under Section 117 (2) of the Environmental Planning and Assessment Act 1979) and insufficient justification has been provided to support the inconsistency.*

On 10 March 2017, Council received notice that a request for a Rezoning Review had been submitted for consideration by the Sydney North Planning Panel.

On 12 April 2017, the Sydney North Planning Panel determined that the Planning Proposal should proceed to Gateway Determination.

On 30 June 2017, Council received notice from the delegate of the Greater Sydney Commission that the Planning Proposal should proceed, subject to condition in the Gateway Determination.

On 18 August 2017, Development Application N0398/17 was lodged with Council, seeking consent for the construction of a roadway and associated civil works at the subject site.

On 6 March 2018, the subject Development Application DA2018/0339 was lodged with Council.

On 4 July 2018, the Sydney North Planning Panel determined to recommend to the Minister that the proposed instrument (the Planning Proposal) should be made.

On 8 August 2018, the applicant lodged an appeal with the NSW LEC against the deemed refusal of N0398/17.

At the time of concluding this assessment report, N0398/17 had not been determined by the NSW LEC and the Planning Proposal had not been gazetted.

PROPOSED DEVELOPMENT IN DETAIL

The application seeks consent for the Community Title subdivision of the site into:

- 22 lots for future residential dwellings (Lots 2-23),
- 1 Community Lot (Lot 1), and
- 1 lot to be dedicated to Council (inner creekline corridor) (Lot 24).

The proposal is essentially a paper subdivision, with no physical works proposed. Rather, the proposal is entirely reliant upon the road and civil works proposed under a separate application (N0398/17), which is currently undetermined and is the subject of a deemed refusal appeal before the NSW LEC. The uncertainty associated with the works proposed as part of N0398/17 has significant ramifications upon the suitability of the proposed development, and Council cannot approve the subject application without certainty of the works anticipated/approved by N0398/17. Nonetheless, the application has also been considered and assessed on the assumption that the works proposed by N0398/17 will proceed in the form currently proposed.

It is noted that page 2 of the SOEE states that the "DA has been lodged in accordance with Division 2A Clause 83B of the Environmental Planning and Assessment Act 1979". The former clause 83B of the EP&A Act related to staged development applications, currently referred to as concept development applications in clause 4.22 of the EP&A Act. With the exception of a reference to the lodgement of a future DA for dwellings, the application does not explain or clarify this statement in any further detail, and does not provide whether the subject application is made in relation to the first stage of development, or how many further stages should be anticipated. As such, the application has not been considered as a staged or concept development application.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	Planning Proposal PP0003/16, which seeks to amend the dwelling yield prescribed for the site by clause 6.1(3) of PLEP 2014, is relevant to the subject application. See discussion further in the report.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development

Section 4.15 Matters for Consideration'	Comments
Assessment Regulation 2000 (EP&A Regulation 2000)	<p>consent. These matters can be addressed via a condition of consent.</p> <p>Clause 98 of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter can be addressed via a condition of consent.</p> <p>Clause 98 of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter can be addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	Noting that the proposed development is prohibited, the site is considered unsuitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	This assessment has found the proposal to be contrary to the relevant provisions of PLEP 2014 and P21 DCP and will result in a development which will create an undesirable precedent such that it would undermine the desired future character of the area and be contrary to the expectations of the community. In this regard, the development, as proposed, is not considered to be in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 3 submission/s from:

Name:	Address:
Warriewood Residents Association Incorporated	25 Utingu Place BAYVIEW NSW 2104
Mr Michael Bucknell	136/79-91 Macpherson Street WARRIEWOOD NSW 2102
Mr Richard John McIntyre	4 Macpherson Street WARRIEWOOD NSW 2102

The matters raised within the 3 submissions received are addressed as follows:

- **Potential for future residential flat building**

Comment: A submission was received which states that "Meriton don't build houses", with a suggestion that if approved, the development would be further intensified to provide for residential flat buildings. The application before Council is for a community title subdivision to provide for 22 dwelling houses. If the Applicant was to obtain development consent, and the intent for the site was to change, a subsequent development application would be required and the public would be notified.

- **Maintenance of the land as open space**

Comment: A submission was received which requested that the land remain free of development for open space and playing areas. The land is zoned R3 Medium Density Residential, privately owned and the land owner has chosen to seek consent to develop the land. Whilst dwellings are prohibited on the site, the land may be developed for a number of other permissible land uses.

- **Flood Impacts**

Comment: A submission has been received which raises concerns regarding the potential flood impacts associated with developing the site, with particular concern expressed in regards to the amount of fill necessary to build up the site to the relevant flood planning levels. The subject application does not propose any earthworks, but rather relies upon a separate development application (N0398/17) which proposes to fill the central portion of the site to the Flood Planning Level (FPL). These works are being separately considered as part of the current LEC proceedings in relation to N0398/17.

However, neither the separate civil works application nor the subject subdivision proposal has considered the potential impacts upon flood storage associated with future dwellings. This is discussed further in regards to clause C6.1 of P21 DCP.

- **Inconsistencies in information**

Comment: Concern has been raised regarding a number of inconsistencies in the information provided. The inconsistencies in the information presented by the applicant are acknowledged.

- **Access to Macpherson Street**

Comment: A submission has been received in objection to the maintenance of access to Macpherson Street, with a claim that it is inconsistent with the provisions of clause C6.24 of P21 DCP. It appears that this is an incorrect reference to the control and the relevant clause is C6.10 of P21 DCP. The location of the roadway and the entrances to Macpherson Street has been considered under a separate development application to which this application relies. Clause C6.10 provides that no new access driveways shall be permitted, and the application seeks to

rely upon existing driveways constructed by Council.

- **Land to be dedicated to Council**

Comment: A submission was received which states that Council should not provide a S94 offset for the dedication of the creekline corridor, as the land is unusable for a building. Whilst the creekline corridor land is unsuitable for residential development, Council has an adopted strategy, as outlined in the *Warriewood Valley Development Contributions Plan*, to ensure the rehabilitation and reconstruction of creeklines and the dedication of creekline land to Council. One way to ensure consistency with the adopted strategy, is to offset the value of the creekline against any contributions payable to Council. The value of this offset is also prescribed by the *Warriewood Valley Development Contributions Plan*, and is standard throughout the Release Area, irrespective of what the land is currently used for.

- **Compliance with development controls**

Comment: A submission was received which states that Council should request the applicant to demonstrate that future development can comply with the prescribed building envelope, being a plane projected at 45 degrees from a height of 3.5m from the side boundary. The building envelope development control does not apply to land in Warriewood Valley. The same submission also makes reference to 3 other built form controls that are not applicable to the subject site. A detailed assessment of the relevant development controls is provided further in this assessment report, below.

- **Privacy**

Comment: A submission was received regarding the 6m setbacks between the proposed indicative building footprints. This is discussed further with regards to the side and rear building line control prescribed by clause D16.7 of P21 DCP.

- **Dwelling yield**

Comment: A submission was received regarding the proposals inconsistency with the "no dwelling" yield prescribed by clause 6.1(3) of PLEP 2014. This is discussed in further detail in the report, below.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments	
Environmental Health (Contaminated Lands)	Was sufficient documentation provided appropriate for referral?	YES
	Is the site potentially contaminated?	YES
	Are the reports undertaken by a suitably qualified consultant?	YES
	Do the reports reflect the requirements of	YES



Internal Referral Body	Comments	
	SEPP 55 & Guidelines for Assessing Contaminated Sites?	
	Have you considered the list of potential contamination sites where phase 1 is required under SEPP55?	N/A
	Does the information submitted, and/or imposition of conditions, allow the the site to be validated safe for its intended use?	YES
	<p>General Comments</p> <p>Subject to compliance with Environmental Health comments in DA N0398/17, Environmental Health has no objections to this proposal</p> <p>Recommendation</p> <p>APPROVAL - subject to the</p> <p>Comments completed by: Mary Shimon</p> <p>Date:28 June 2018</p>	
NECC (Bushland and Biodiversity)	Council's Biodiversity Officer has no objection to the proposed paper subdivision, noting that the impacts were more appropriately considered against the separate civil works development application.	
NECC (Development Engineering)	<p>Reference is made to a separate Development Application (Council ref. N0398/17) for civil works including the construction of a private road and associated drainage works. Development Engineers have issued conditions for the above application requiring the construction of on-site stormwater detention system as the applicant failed to demonstrate that the removal of the on-site stormwater detention system would not be detrimental to the development.</p> <p>In light of the above Development Engineers have reviewed the proposal and advise the proposal cannot be supported due to the following reason.</p> <p>1.Insufficient details to demonstrate compliance with the Warriewood Valley Urban Land Release Water Management Specification with regards to onsite stormwater detention system.</p> <p>Not supported for approval due to lack of information to address:</p> <ul style="list-style-type: none"> • Stormwater drainage for the development in accordance with Northern Beaches Council's - Pittwater DCP21. 	
NECC (Riparian Lands and Creeks)	There are no water quality or riparian issues with the proposed subdivision. Sufficient space for the water management facilities exists in the private buffer to the creek area.	



Internal Referral Body	Comments
NECC (Stormwater and Floodplain Engineering – Flood risk)	<p>The site is subject to high hazard flooding conditions. Future subdivision of the property relies on civil works to fill the future lots to above the Flood Planning Level and cutting to offset this and not impact flooding for neighbouring properties. These works are the subject of a separate Development Application. The civil works as outlined in Development Application number N0398/17 are not sufficient to maintain compliance with Section C6.1 of the Pittwater 21 Development Control Plan. The subdivision plan depicts that the future allotments will not be wholly located above the Flood Planning Area as required in Section C6.1. As a result the application is recommend for refusal.</p>
Strategic and Place Planning (Urban Design)	<p>The proposal in its current form cannot be supported for the following reasons;</p> <p>The issue of setting a ‘zero lot boundary’ and the proposed boundary setbacks are generally not consistent of the detached dwelling character of the existing land use pattern and subdivision in the area.</p> <p>More information is required to assess; building bulk, scale, building envelope, amenity (visual and acoustic), landscape and private open space allocations.</p> <p>The following context and site analysis issues need to be addressed as follows;</p> <ul style="list-style-type: none"> - Responding to context - Site Planning and Design - Impacts on the streetscape - Impacts on neighbours - Internal Site Amenity
Traffic Engineer	<p>Proposal is to subdivide the subject site into 22 residential lots and 2 residual lots.</p> <p>The new proposed road will enter and exit onto Macpherson Street.</p> <p>Macpherson Street is a local collector road which falls under Council's ownership.</p> <p>The proposed circulating road is intended to be a private road. As this road will only be servicing the lots within, Traffic raise no objection to the road remaining in private ownership. Appropriate means to ensure this is documented appropriately will need to be managed by planners.</p> <p>The Traffic team will require that applicant submit a signage plan that will need to properly notify of the 'one-way' configuration, and additionally the applicant will need to ensure that the entry treatments are undertaken in such a way as to differentiate between private and public road reserves.</p> <p>The frontage of the current site along Macpherson Street will require</p>

Internal Referral Body	Comments
	<p>the formalisation of the kerb and gutter and Footpath. These are to be constructed in accordance with Council's DCP and Public Domain technical manuals. Council's development engineer should review the requirements to ensure compliance.</p>
Waste Officer	<p>Waste services referral</p> <p>Further information is required from the applicant to determine whether permission will be given to Council to drive on the private road.</p> <p>If the the intention is for Council to drive on the road to provide a waste service, the road will need to be designed to support a heavy rigid vehicle and accompanied with engineering diagrams to demonstrate swept paths. In addition, indemnity applied to Lot 1 (the road) and any other relevant lots for Council and its waste contractors to drive on. A neighborhood management statement may also be required. Each dwelling will be provided individual bin sets under this arrangement.</p> <p>If the intention is the waste will be collected from Macpherson street, the applicant will need to allocate a lot for the design and location of a bin room where the waste bin will be stored and collected from. Under this arrangement the dwellings will be provided a shared service.</p>

External Referral Body	Comments
Integrated Development – NSW Rural Fire Service (Subdivisions and Special Fire Protection Purposes under Section 100B of Rural Fires Act)	General Terms of Approval were provided by the NSW RFS.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site had been previously used as a market garden. Whilst this former use could have posed a risk of contamination, the subject application is reliant upon a separate civil works development application (N0398/17), which includes the remediation of the site. Should N0398/17 be approved, it is considered that the site will ultimately pose no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55. Without reliance upon N0398/17, the subject application will need to separately demonstrate that the site is suitable for the residential subdivision proposed.

Pittwater Local Environmental Plan 2014

Is the development permissible?	No
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	No
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	-	N/A	N/A

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
2.6 Subdivision - consent requirements	Yes
6.1 Warriewood Valley Release Area	No
7.1 Acid sulfate soils	Yes
7.6 Biodiversity protection	Yes
7.10 Essential services	No

Detailed Assessment

6.1 Warriewood Valley Release Area

The subdivision of land is permissible with consent under the provisions of clause 2.6 of PLEP 2014, and dwelling houses are permissible with consent within the R3 Medium Density zone. However, the proposed development to accommodate 22 dwelling houses is prohibited by virtue of clause 6.1(3) of PLEP 2014, which limits the dwelling yield of the site to "no dwellings". The dwelling yield prescribed by clause 6.1(3) of PLEP 2014 was confirmed to be a prohibition by the Land and Environment Court of NSW when the Applicant previously challenged council's position in relation to this site in the matter of *Karimbla Constructions (NSW) Pty Ltd v Pittwater Council*.

The applicant has lodged a planning proposal to increase the dwelling yield of the site from 0 to 22 dwellings (consistent with this proposal). Pursuant with section 3.39 of the Act, nothing in the Act prevents the making of a development application for consent to carry out development that may only be carried out if the LEP is appropriately amended, or the consideration of such application by the consent authority. Furthermore, the draft LEP must be considered pursuant to the provisions of s4.15 of the Act.

Whilst the application was considered by the SNPP on 4 July 2018, who determined *"to recommend to the Minister that the proposed instrument should be made"*, the amendments are yet to be made or publically gazetted. Council is also unaware as to what form the amendments will take, and in particular, whether there will be any transitional or savings provisions that may affect the application.

At this point in time, the proposed development remains prohibited, and despite the SNPP's recommendation to adopt the proposed amendments, Council cannot be certain that the amendment will be made or whether it will provide the mechanism to permit the proposed development in the context of the subject development application. With this in mind, the proposal is recommended for refusal in this regard.

7.10 Essential services

Clause 7.10 of PLEP 2014 provides that Council must be satisfied that all essential services are available on the site, or that adequate arrangements have been made to ensure that they will be available when required. The proposal fails in this regard, as follows:

- The proposal was not supported by correspondence from Sydney Water or the relevant energy provider to confirm that the additional load associated with 22 residential lots can be accommodated by the existing infrastructure.
- The application was not supported by civil engineering or subdivision plans demonstrating the provision of all necessary services to each individual lot,
- The application does not propose stormwater management infrastructure associated with the 22 residential lots, and does not detail how the stormwater associated with the site as a whole will be managed.
- The application does not demonstrate suitable vehicular access arrangements to each lot.

Council cannot be satisfied that adequate arrangements have been made to ensure that all essential services are available to the individual lots, and as such, the proposal is recommended for refusal in this regard.

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	Macpherson Street: 6.5m	6.5m	-	Yes
	Internal Road: 4m to garage and 5.5m to dwelling	4m	27%	No
Rear building line	4m	3m	33%	No
Side building line	Zero lot line (limited to 13m) then 0.9m	Zero lot line (22m)	69%	No



	0.9m (ground) 1.5m (upper level)	2.5m	-	Yes
Landscaped area (individual lots)	35% & 4m wide	42.2% - 49%, 3m wide	33%	No
Private Open Space	20m ² - 24m ² & 4m wide	area unknown, 3m wide	33%	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.16 Warriewood Valley Locality	No	No
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
B3.2 Bushfire Hazard	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.11 Flood Prone Land	Yes	Yes
B3.12 Climate Change (Sea Level Rise and Increased Rainfall Volume)	Yes	Yes
B3.13 Flood Hazard - Flood Emergency Response planning	Yes	Yes
B4.15 Saltmarsh Endangered Ecological Community	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	No	No
C6.1 Integrated Water Cycle Management	No	No
C6.2 Natural Environment and Landscaping Principles	No	No
C6.4 The Road System and Pedestrian and Cyclist Network	No	No
C6.5 Utilities, Services and Infrastructure Provision	No	No
C6.7 Landscape Area (Sector, Buffer Area or Development Site)	No	No
C6.8 Residential Development Subdivision Principles	No	No
C6.9 Residential Land Subdivision Approval Requirements	No	No
C6.10 Additional Specifications for development of Buffer Area 1a to 1m	Yes	Yes
D16.1 Character as viewed from a public place	Yes	Yes
D16.5 Landscaped Area for Newly Created Individual Allotments	No	No
D16.6 Front building lines	No	No
D16.7 Side and rear building lines	No	No
D16.10 Private and Communal Open Space Areas	No	No

Detailed Assessment

A4.16 Warriewood Valley Locality

The desired future character statement for Warriewood Valley is prescribed by clause A4.16 of P21 DCP, which provides that the area is to be developed in accordance with the adopted planning strategy. The adopted planning strategy is outlined in the *Warriewood Valley Strategic Review Report* and the

Warriewood Valley Strategic Review Addendum Report, in addition to the provisions of PLEP 2014 and P21 DCP. The proposed subdivision to enable the provision of 22 dwellings is inconsistent with the adopted planning strategy, which prescribes that dwellings are prohibited on the site. Furthermore, the proposal is inconsistent with the majority of the applicable provisions of PLEP 2014 and P21 DCP, as highlighted by this report. As such, the proposal is also inconsistent with the desired future character of the locality.

C6.1 Integrated Water Cycle Management

Water Management

The application does not provide any stormwater infrastructure associated with the proposed intensification of the subject site, inconsistent with the requirements of clause C6.1 of P21 DCP and the *Warriewood Valley Urban Land Release Water Management Specification* ('Water Management Specification'). Without such necessary infrastructure, or details that such necessary infrastructure will be available when required, Council cannot be satisfied that run off associated with any resultant dwelling house development will be appropriately managed, or that the peak flood levels and flowrates in Narrabeen Creek will not exacerbated by the considerable increase in impervious surfaces associated with future dwelling house development. As the resultant sites could be developed under the provisions of SEPP (Exempt and Complying), Council cannot be satisfied that such essential water management infrastructure will ultimately be provided with any subsequent dwelling house, and as such, it is essential to provide infrastructure as part of the subdivision application.

See further discussion above from Council's Development Engineers.

Creepline Corridor

Clause C6.1 of P21 DCP provides that a 50m creepline corridor is to be provided on either side of the centreline of the creek, comprised of an inner 25m corridor to be dedicated to Council and an outer 25m corridor to be maintained in private ownership. The proposal is inconsistent with the requirements of clause C6.1 of P21 DCP in relation to the outer creepline corridor, as follows:

- the development control prescribes that no parts of residential lots are permitted within the outer creepline corridor, yet 9 or the 22 lots for future dwellings extend within the outer creepline corridor.
- the proposal does not include any landscape detail for the outer creepline corridor, and consistency with the requirement for 75% of the outer creepline corridor to contain "extensive strands of *Casurina glauca*, groves of *Eucalyptus robusta* with other native trees, an indigenous understorey and groundcovers" has not been demonstrated.

Overall, the application has not demonstrated adequate consideration of or consistency with the following outcomes of this control:

- *Development is designed with an integrated approach to water management and conservation, addressing water quality and quantity, watercourse and creepline corridors, stormwater and groundwater, and minimises the risk posed by flooding and adapts to climate change impacts.*
- *Establish a network of multi-functional living creepline corridors particularly Narrabeen Creek, Fern Creek and Mullet Creek for flood conveyance, environmental flows, flora and fauna habitat, water quality improvement, cyclist and pedestrian access, and drainage, linking the Warriewood Escarpment with the Warriewood Wetlands and Narrabeen Lagoon, and facilitates the long-term environmental protection of the receiving waters including the Warriewood Wetlands and Narrabeen Lagoon.*
- *Remnant native vegetation along creepline corridors, escarpment vegetation, and the Warriewood Wetlands, including stands of Swamp Mahogany, Forest and Swamp Oaks, and*

Angophora Woodlands are conserved and restored to provide linkages and stepping stones for wildlife movement.

- *A range of aquatic habitats within the creeks are protected and restored as natural creekline and wildlife corridors with riparian vegetation, providing a functioning habitat for birds and diverse native flora.*
- *Landscaping enhances the required functions of the creekline corridor and reduces the impact of utilitarian drainage structures on the open space.*

Flooding

The application is reliant upon a separate development application which proposes an internal loop road and civil works to raise the centre of the site to the FPL (4.29m AHD). However, whilst these works may be suitable for a non-residential form of permissible development, the applicant has not demonstrated that these works enable the suitability of the site for residential development. The internal loop road proposed in the separate application is at varied levels, generally ranging between 3.5m AHD - 4.0m AHD. The land in the centre of the site is then battered from the edge of this internal road, to reach a level of 4.29m AHD across the majority of the centre of the site. As the subject subdivision layout does not provide the required road verge, being 2.5m on either side of the roadway, the proposed residential allotments immediately adjoin the road pavement, and as a result, portions of the proposed lots fall below the FPL. The applicant has not demonstrated that a suitable dwelling footprint can be provided on each lot above the FPL, as required by the provisions of the Water Management Specification, and clause C6.1 of P21 DCP.

Furthermore, whilst the civil works application may be able to demonstrate that the vacant site (filled up to the FPL) would not have an unreasonable impact upon flood storage in both the FPL and PMF events, the subject application has not demonstrated that future works below the FPL and dwellings below the PMF will not have an unreasonable impact upon flood storage in FPL and PMF event, inconsistent with the provisions of clause C6.1 of P21 DCP.

C6.2 Natural Environment and Landscaping Principles

A landscape plan has not been provided to support the application. Whilst landscaping of the inner creekline corridor is proposed as part of the separate road and civil works development application (N0398/17), the remainder of the site will be free of vegetation and with no new landscaping proposed, the site will not achieve consistency with the requirements and outcomes of this development control.

C6.4 The Road System and Pedestrian and Cyclist Network

A new internal private road is proposed as part of a separate application (N0398/17). As part of N0398/17, the consideration of a "road reserve" and compliance with the *Warriewood Valley Roads Masterplan* was not required as the road was in effect a driveway within one large lot. However, the circumstances differ in the subject application, whereby consent is sought to subdivide the road from the residential allotments. The resultant road is non-compliant with the *Warriewood Valley Roads Masterplan*, and fails to provide the necessary road verge to accommodate a footpath or street trees which are otherwise provided throughout the Warriewood Valley Release Area. Overall, the proposal is inconsistent with the following objectives of this development control:

- *Safe, convenient and direct access by non-motorised means from residences to public transport, employment areas, adjoining sectors, open space, community facilities and other services.*
- *Provision of roads, including ones fronting areas of public open space, that accommodate public utilities, drainage systems and substantial street tree planting within the street network providing an attractive and spacious streetscape that includes a sense of address, where dwellings front*

onto a street.

C6.5 Utilities, Services and Infrastructure Provision

The development application does not provide any detail on how any of the resultant lots will be serviced, or who will be responsible for the maintenance of individual or communal infrastructure and services, resulting in non-compliance with the provisions of clause C6.5 of P21 DCP.

C6.7 Landscape Area (Sector, Buffer Area or Development Site)

The application has not provided sufficient detail to determine compliance with this control, noting that the one plan provided to support the application is limited to indicative building footprints and does not provide any detail regarding the provision of driveways, footpaths, areas of private open space or onsite detention systems.

C6.8 Residential Development Subdivision Principles

Clause C6.8 of P21 DCP provides a series of criteria to be addressed in relation to the subdivision of residential land. The SOEE has not addressed the provisions of this development control, and the indicative building envelope plan provided to support the application fails to demonstrate the following:

- that a suitable housing product can be provided on the site, with adequate consideration of necessary canopy tree plantings, the provision of private open space, vehicular access, car parking, rain water tanks and stormwater management facilities,
- that suitable titling arrangements are in place for the ownership and maintenance of essential services and infrastructure, and
- that zero lot lines are limited in length to 13m, and that suitable legal arrangements are in place between the burdened and benefiting properties proposed to allow for ongoing maintenance.

Without such information, the suitability and reasonableness of the proposed subdivision cannot be accurately determined, and Council cannot ensure that a high level of amenity is achieved for the individual allotments.

C6.9 Residential Land Subdivision Approval Requirements

Clause C6.9 of P21 DCP provides a series of approval pathways for the subdivision of residential land in the Warriewood Valley Release Area. The proposal is consistent with 'Pathway 1', being a proposal for subdivision of land only, with no dwellings proposed. However, the application fails to provide the necessary information, as outlined by this development control, including a building envelope plan which demonstrates the following:

- maximum permissible building envelope (including site coverage for a dwelling under the provisions of SEPP Exempt and Complying), specifying setbacks, storeys and articulation zones,
- landscaped areas and deep soil areas,
- preferred location for private open space,
- driveway location and location of any hardstand areas,
- garage size and location,
- any necessary easement, and

- primary street frontages for lots with dual/multiple frontages.

Without such information, Council cannot be satisfied that the proposed subdivision will provide for future dwelling house development that is consistent with the provisions of P21 DCP or a development outcome that reflects the desired future character of the Warriewood Valley Locality.

C6.10 Additional Specifications for development of Buffer Area 1a to 1m

Clause C6.10 of P21 DCP prescribes that no new vehicular access is permitted to Macpherson Street. The proposal relies upon existing driveway crossings to the site, which are proposed to be retained under the separate civil works application currently under assessment (N0398/17). The application does not propose any new driveways to Macpherson Street, and as such, the proposal is consistent with this development control.

D16.5 Landscaped Area for Newly Created Individual Allotments

Landscaped Area

As discussed with regard to clause C6.7 of P21 DCP, the application has not provided sufficient detail to determine compliance with this control, noting that the one plan provided to support the application is limited to indicative building footprints and does not provide any detail regarding the provision of driveways, footpaths, areas of private open space or onsite detention systems.

Landscaped Treatment

The application has not addressed any of the landscaping requirements of this development control, with no landscaping works proposed.

D16.6 Front building lines

The proposed indicative building footprints comply with the 6.5m minimum setback requirement to Macpherson Street and the 4m minimum setback requirement for garages fronting new internal roads. However, the 4m setback for garages to the internal road assumes that a double garage will be provided on site, when the provisions of clause D16.1 of P21 DCP limit the proposed lots to single garages with tandem parking arrangements. As such, the minimum front setback is increased to 5.5m to allow a car to park forward of a single garage.

Furthermore, the 4m and 5.5m minimum front setback to the internal road assumes consistency with the *Warriewood Valley Roads Masterplan*, which requires a 2.5m wide landscaped verge on either side of the road pavement to accommodate a pedestrian footpath and street trees. The proposed subdivision does not provide a 2.5m wide verge, with only a 1m (average) setback between the road pavement and the front property boundaries, with no landscaping proposed.

Overall, the application has not demonstrated consistency with the minimum front building line setbacks applicable for the proposed lots, or that the proposed subdivision will provide the spatial separation and landscaped outcome anticipated by the collective provisions of P21 DCP.

D16.7 Side and rear building lines

The proposed development is inconsistent with the requirements for zero lot lines to be limited to 13m in length and for a minimum 4m rear setback to be provided on the ground floor. Of primary concern is the non-compliant 3m rear setback, which will result in inadequate spatial separation between dwellings, the inability to provide the 4m wide area of private open space required by clause D16.10 of P21 DCP, and the inability to provide appropriate landscaping to ensure consistency with the following

outcomes of this development control:

- *The bulk and scale of the built form is minimised and the impact of the proposed development on the adjoining properties is minimised.*
- *To create usable curtilage areas around buildings for viable access, landscaping and open space.*
- *Vegetation and natural features of the site is retained and enhanced within the development site design to screen the visual impact of the built form.*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.*

D16.10 Private and Communal Open Space Areas

Whilst the subdivision plan provided does not indicate the likely provision of private open space (as required by clause C6.9 of P21 DCP), the indicative building footprints are located at a distance of 3m from the rear property boundaries such that the 4m minimum dimension for private open space required by this clause cannot be achieved.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Pittwater Local Environment Plan;
- Pittwater Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, in this regard the application is not considered to be acceptable and is recommended for refusal.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Inconsistent with the objectives of the DCP
- Inconsistent with the zone objectives of the LEP
- Inconsistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs

- Inconsistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development does not satisfy the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION


THAT Council, as the consent authority REFUSE Development Consent to Development Application No DA2018/0339 for the Community Title subdivision of 1 lot into 24 lots, inclusive of 22 lots for future dwelling houses on land at Lot 25 DP 5464,2 Macpherson Street, WARRIEWOOD, for the reasons outlined as follows:

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the Clause 1.2 Aims of The Plan of the Pittwater Local Environmental Plan 2014.
2. The proposed 24 lot Community Title subdivision development, to enable 22 future dwellings at the subject site, is prohibited by virtue of the "no dwellings" dwelling yield prescribed by clause 6.1(3) of *Pittwater Local Environmental Plan 2014*.
3. The application does not demonstrate that all proposed allotments will be adequately serviced by essential infrastructure and insufficient information has been provided with regard to the future ownership and maintenance of such essential infrastructure, inconsistent with the provisions of clause 7.10 of *Pittwater Local Environmental Plan 2014* and clauses C6.1 (Integrated Water Cycle Management) and C6.5 (Utilities, Services and Infrastructure Provision) of *Pittwater 21 Development Control Plan*.
4. The proposed residential subdivision fails to achieve consistency with the requirements and outcomes of clause C6.1 (Integrated Water Cycle Management) of P21 DCP and the *Warriewood Valley Water Management Specification*, as the application:
 - fails to provide an integrated water management solution for the site,
 - does not provide on-site detention to ensure that peak flood levels and flowrates are not exacerbated by the future development of the 22 residential lots,
 - fails to provide new residential lots that are flood free in the FPL event or demonstrate that all future dwelling houses will be located at or above the FPL,
 - has not considered the impact upon flood storage associated with 22 future residential dwellings in both the FPL and PMF events.
5. The application does not have any regard for the development controls of *Pittwater 21 Development Control Plan*, and fails to demonstrate that the resultant residential lots can be developed with a high level of amenity, in accordance with the relevant provisions of *Pittwater Local Environmental Plan 2014* and *Pittwater 21 Development Control Plan*. In particular, the proposed development does not provide for the landscaped outcome prescribed by clause C6.2 (Natural Environment and Landscaping Principles) of *Pittwater 21 Development Control Plan*, and the indicative dwelling footprints cannot accommodate a dwelling that is consistent with the built form and amenity controls prescribed by Part D16 (Warriewood Valley Locality) of *Pittwater 21 Development Control Plan*.
6. Reliance upon works proposed within a separate, undetermined Development Application is considered to be unreasonable in the circumstances where the outcome of the separate application is not imminent or certain. Furthermore, Council cannot be satisfied that the the

subject proposal could proceed in isolation, without the works proposed in the separate application. Overall, the application is not considered to represent the orderly development of the land.

























ATTACHMENT A

Notification Plan	Title	Date
 2018/185121	Plan - Notification	22/02/2018

ATTACHMENT B

No notification map.

ATTACHMENT C
















Reference Number	Document	Date
 2018/185137	Report - Flood	04/11/2016
 2018/185136	Report - Flood Addendum	27/02/2017
 2018/185130	Report - Contamination	16/08/2017
 2018/185139	Report - Flora and Fauna	17/08/2017
 2018/185129	Report - Bushfire	17/08/2017
 2018/185142	Report - Vegetation Management Plan	17/08/2017
 2018/185133	Report - DCP Assessment Table	01/11/2017
 2018/185121	Plan - Notification	22/02/2018
 2018/185123	Plans - External	22/02/2018
 2018/185124	Plans - Master Set	22/02/2018
 2018/185117	ASIC Company Extract	01/03/2018
 DA2018/0339	2 Macpherson Street WARRIEWOOD NSW 2102 - Development Application - Subdivision	06/03/2018
 2018/157403	DA Acknowledgement Letter - Karimbla Constructions Services (NSW) Pty Ltd	06/03/2018
 2018/196379	Internal advice regarding advertising	20/03/2018
 2018/196408	CONFIDENTIAL - Manager instruction on assessment of application	20/03/2018
 2018/185140	Report - Statement of Environmental Effects	20/03/2018
 2018/185116	Applicant Details	20/03/2018
 2018/185118	Development Application Form	20/03/2018
 2018/185119	Fee Form	20/03/2018
 2018/185120	File Note - Reports	20/03/2018
 2018/185132	Report - Cover Letter	20/03/2018
 2018/185127	Report - RFS Integrated Cheque Cover Letter	20/03/2018
 2018/185479	DA Acknowledgement Letter (integrated) - Karimbla Constructions Services (NSW) Pty Ltd	20/03/2018
 2018/185497	Development Application Advertising Document - Karimbla Constructions Services (NSW) Pty Ltd	20/03/2018
 2018/185594	Referral - Integrated Cheque Letter - NSW Rural Fire Service (Subdivisions and Special Fire Protection Purposes under Section 100B of Rural Fires Act)	20/03/2018
 2018/196469	Confirmation that strategic planning referral to be provided	21/03/2018
 2018/188577	Notification Letter Integrated Dev RFS	21/03/2018
 2018/189205	Waste Referral Response	21/03/2018
 2018/192530	Referral - Development Application - DA2018/0339 - 2 Macpherson Street WARRIEWOOD	22/03/2018



	2018/198183	Email to the applicant requesting confirmation once the notification sign is erected	26/03/2018
	2018/207476	Online Submission - Bucknell	28/03/2018
	2018/220986	Online Submission - McIntyre	06/04/2018
	2018/225484	Submission - Warriewood Residents Association	10/04/2018
	2018/225949	Update to DA manager regarding task completion for councillor enquiry	10/04/2018
	2018/228032	Confirmation of notification signage	10/04/2018
	2018/228028	Response to applicant acknowledging info regarding sign	11/04/2018
	2018/236856	Strategic Planning response (including additional manager comments)	13/04/2018
	2018/242663	Follow up on water management referral	17/04/2018
	2018/242667	Follow up on S94 referral	17/04/2018
	2018/242652	Follow up on engineering and biodiversity referrals	17/04/2018
	2018/242656	Follow up on flooding referral	17/04/2018
	2018/242659	Follow up on traffic referral	17/04/2018
	2018/242645	Disregard	17/04/2018
	2018/246521	Update from water management regarding referral comments	18/04/2018
	2018/246523	Biodiversity comments	18/04/2018
	2018/246532	S94 officer comments	18/04/2018
	2018/249573	Natural Environment Referral Response - Riparian - 2 Macpherson Street	20/04/2018
	2018/253832	Development Engineering Referral Response	24/04/2018
	2018/287461	Internal floodplain engineering comments	01/05/2018
	2018/290896	NSW Government - NSW Rural Fire Service - External Referral Comments - DA2018/05339 - 2 Macpherson Street Warriewood	14/05/2018
	2018/292256	Site inspection photos	14/05/2018
	2018/304057	Update on Planning Proposal 0003/16 at 2 Macpherson Street, Warriewood	14/05/2018
	2018/293405	Natural Environment Referral Response - Flood	14/05/2018
	2018/312465	Reallocation letter for 2 Macpherson Street DA2018.0339	23/05/2018
	2018/331191	Urban Design Referral Response	30/05/2018
	2018/354091	Traffic Engineer Referral Response	12/06/2018
	2018/392466	Environmental Health (Contaminated Lands) - Assessment Referral - DA2018/0339 - 2 Macpherson Street WARRIEWOOD NSW 2102	26/06/2018
	2018/395847	DDP Plans - Subdivision	28/06/2018
	2018/399077	Environmental Health Referral Response -	29/06/2018



contaminated lands

	2018/402401	Natural Environment Referral Response - Flood	03/07/2018
	2018/403181	2 Macpherson Street - Request for more detailed flooding comments	03/07/2018
	2018/407778	Natural Environment Referral Response - Flood	05/07/2018
	2018/409264	Request for Withdrawal of Development Application - Karimbla Constructions Services (NSW) Pty Ltd	05/07/2018
	2018/470954	L8154: Email to Scott Nash providing brief to advise - 23 July 2018 RE: Urgent Brief to Advise - 2 Macpherson Street Warriewood	23/07/2018
	2018/471054	L8154: Email from Scott Nash re: availability - 24 July 2018 Re: L8154: Urgent Brief to Advise - 2 Macpherson Street	23/07/2018
	2018/467993	L8154: Scott Nash email confirming conflict, 23 July 2018, RE: Urgent Brief to Advise - 2 Macpherson Street	23/07/2018
	2018/468209	L8154: Email to Scott Nash re conflict RE: Urgent Brief to Advise - 2 Macpherson Street Warriewood	24/07/2018
	2018/470916	L8154: Email to Scott Nash re available Counsel to take brief - 25 July 2018 - RE: L8154: Urgent Brief to Advise - 2 Macpherson Street Warriewood	25/07/2018
	2018/469903	L8154: Brief to Advise to Fenja Berglund, Counsel - 2 Macpherson Street	25/07/2018
	2018/469895	L8154: Email to Fenja Berglund re: Urgent Brief to Advise, 25 July 2018, 2 Macpherson Street	25/07/2018
	2018/471033	L8154: Email from Fenja Berglund accepting brief to advise - 25 July 2018 - RE: Urgent Brief to Advise - 2 Macpherson Street	25/07/2018
	2018/470354	Email - Walter Gordon - 2 Macpherson Street Warriewood	25/07/2018
	2018/471012	L8154: Email from Fenja Berglund confirming meeting time - 25 July 2018 - RE: Urgent Brief to Advice - 2 Macpherson Street	25/07/2018
	2018/549269	Letter from Karimbla Constructions - Response to Council's letter requesting the withdrawal of the application	29/08/2018
	2018/559678	Internal Legal Instruction - Request Form - 2 Macpherson Street, Warriewood - DA2018/0339	29/08/2018

PANEL PLANS

No plans titled 'DDP Panel Plans' found in TRIM.