

Waste Referral Response

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| Application Number: | DA2024/1079 |
| Proposed Development: | Community title subdivision into five (5) lots and civil works |
| Date: | 26/03/2025 |
| To: | Adam Richardson |
| Land to be developed (Address): | Lot 3 DP 1115877 , 53 B Warriewood Road WARRIEWOOD NSW 2102 Lot 2 DP 1115877 , 53 A Warriewood Road WARRIEWOOD NSW 2102 Lot 3 DP 942319 , 53 Warriewood Road WARRIEWOOD NSW 2102 |

Reasons for referral

This application seeks consent for the following:

- new residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- mixed use developments containing three or more residential dwellings. or
- new subdivisions of three or more lots. (Private road and public road subdivisions) or

And as such, Councils Waste Management Officers are required to consider the likely impacts on drainage regimes.

Officer comments

Developer has amended Community Management Plan to include Waste as requested. However, Appendices not attached to response to request so unable to confirm detail as specified in the response.

Response to Request for Additional Information 24/3/2025

Proposed Community Title Subdivision - 53, 53a and 53b Warriewood Rd, Warriewood DA2024/1079

7. Owner's Consent

This proposal seeks to provide vehicular access to and from residential Lots 3, 4, and 5 via Pheasant Place and will also extend Pheasant Place. As Pheasant Place is privately owned by multiple parties, consent is required from each owner to grant legal access for the development and to permit the proposed roadwork.

The proponent is working with the Pheasant Place Community Association 270946 to raise Positive Covenant for 'Waste Services Vehicles' and obtain owners consent for the development. See attached letter from the Pheasant Place Community Association (Appendix 4).

12. Community Management Plan

The community management plan is to be updated and provide details on the maintenance schedule, including funding for maintenance of the private infrastructure (water management facilities, outer 25m

creek line corridor land, internal roads 1 and 2, and Pheasant Place) proposed as a part of this development including details in the event of conflict.

The community management plan is to be updated to include a positive covenant for waste services to be provided within the community road lot of Pheasant Place and the property at Pheasant Place. Additionally, the community management plan must contain a clause that considers "Council Waste Collection".

The Community Management Statement (CMS) has been updated to include the matters identified by the Council including right of Council for Council Waste Collection. (Appendix 8). The Positive Covenant for Pheasant Place Community Association will be placed on their title through NSW Land Registry Services therefore separate process than the CMS.

Subject to sighting Appendix 4 and Appendix 8 would support this subdivision.

Waste Management Assessment
Unsupported - the proposal is unacceptable

Advice on Legal Requirements

Council Waste Services cannot support this proposal until such time as it can be demonstrated or proven that the legal requirements (positive covenant and Community Management Statement) have been agreed to and placed upon the community road lot of Pheasant Place, Warriewood.

A positive covenant will also be required to be placed upon 14 Pheasant Place as this proposal includes a dead end section of road to be located within this property. The placement of the positive covenant upon this property will need to be demonstrated or proven to Council Waste Services for support of this proposal.

Without the placement of the Positive Covenant for Waste Services upon the above two properties the proposed truck circulation for waste collection becomes unworkable.

The Positive Covenant for Waste Services is required to be placed upon the community road lot of this proposal.

Community Management Statement (CMS)

The CMS must contain the clauses provided by Council with regards to "Council Waste Collection".

Proposed Road Design

The proposed road pavement width of 7.5 metres is compliant with Council waste requirements

The proposed footpath/ naturestrip widths are compliant with Council waste requirements.

The proposed swept path diagrams show compliance with Council waste requirements.

It is noted that the applicant has indicated that the road pavement, and any under road infrastructure, is able to withstand the forces exerted by a 23 tonne waste collection vehicle.

It is noted that the applicant has indicated that the required clearance above the road pavement for waste collection will be adhered to.

Conclusion

The road design is fully compliant with Waste Design Requirements.

Approval from Waste Services is conditional upon the Positive Covenants for Waste Services being placed upon the community road lot of Pheasant Place and 14 Pheasant Place Warriewood. It is suggested that this be done as a priority as refusal to proceed with placement of the positive covenant from either property owner/s will result in the proposal being unworkable for waste collection purposes.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Waste Conditions:

Nil.