

13/10/2021

Gareth David
Northern Beaches Council
PO Box 82
Manly NSW 1655

Dear Gareth,

RE: RESPONSE TO REQUEST FOR INFORMATION FOR DA2021/1529 AT 45 WARRIEWOOD ROAD WARRIEWOOD

On behalf of the applicant Metricon Homes Pty Ltd, please find below response and attached additional documentation in response to the request for additional information received by council dated 07/10/2021.

Council Request:

Terms of Easement and Positive Covenant

The subject lot is burdened by a number of easements and restrictive covenants in the Section 88B Instrument for DP1206507. Such easements affecting the property include:

- *Easement for electricity*
- *Easement for water supply*
- *Easement for access and drainage*
- *Right of Carriageway*

The proposed dwelling would be built upon and has the potential to impact these easements. As such it must be demonstrated that all the easements which burden the subject site (and will be impacted by the proposal) will be extinguished and the corresponding services are not in operation or if they are can be relocated accordingly. Owners consent from the bodies which benefit from these easements must also be supplied to Council.

Applicants Response:

Right of Carriageway – Please refer to attachments “Request lodgement with attachments” & “NSW Image - Dealing AQ412199”. Northern Beaches Council confirmed that the Right of Carriageway was extinguished in August, 2020. **Please refer to Pages 4 & 5 (Certificate of Title dated 20/03/2019) noting Right of Carriageway & then refer to “HODGES 200714 – NSW Title” dated 26/03/2021 confirming that the Right of Way has been removed.**

Easement for electricity – The proposed construction does not impact this easement. The owner had the construction plans designed around these after the attached variation of easement was rejected.

Easement for water Supply 2.5 – Please refer to attachments “Lot 7 – cancellation of easement documents” & **Pages 4 & 5 (Certificate of Title dated 20/03/2019)** – “Request lodgement with attachments” - **Please refer to Pages 4 & 5 (Certificate of Title dated 20/03/2019) noting Easement for water supply 2.5 & then refer to “HODGES 200714 – NSW Title” dated 26/03/2021 confirming that the water supply 2.5 has been removed.**

Easement for access and drainage 2.5 - Please refer to attachments “Lot 7 – cancellation of easement documents” & **Pages 4 & 5 (Certificate of Title dated 20/03/2019)** – “Request lodgement with attachments” - **Please refer to Pages 4 & 5 (Certificate of Title dated 20/03/2019) noting Easement**

for access & drainage 2.5 & then refer to "HODGES 200714 – NSW Title" dated 26/03/2021 confirming that the easement for access and drainage 2.5 has been removed.

Council Request:

Pittwater Local Environmental Plan 2014 - Clause 4.3 (2F) Height of buildings

(2F) Despite subclause (2), development on land identified as "Area 6" on the Height of Buildings Map must not exceed 8.5 metres within the area that is 12.5 metres measured from the boundary of any property fronting Orchard Street, Macpherson Street, Warriewood Road or Garden Street.

The proposed dwelling would be 8.64m in height which would not comply with the requirements of this control. Please provide amended plans which ensure the proposed dwelling meets this 8.5m height development standard.

Applicants Response:

The proposed building height has been amended accordingly and now represents a height of 8.3m. Please refer to the attached updated architectural plans.

Please do not hesitate to contact the undersigned on the below details for further discussion.

Kind regards,



Will Thompson *BUrbanEnvPlan*
Town Planner
Platinum Planning Solutions

M: 0428 636 784

E: will@platinumplanning.com.au

W: www.platinumplanning.com.au