

5 February 2020

The General Manager
Northern Beaches Council
725 Pittwater Road
DEE WHY NSW 2099

Attention: Anna Williams - Manager Development Assessment

BY COURIER

Dear Ms Williams

DA2019/0887– SUBDIVISION OF LAND INTO 24 COMMUNITY TITLE LOTS COMPRISING 22 RESIDENTIAL LOTS AND 2 RESIDUE LOTS AT 2 MACPHERSON STREET, WARRIEWOOD.

Further to your letter dated 5 November 2019, this letter provides supplementary information to support our development application for the subdivision of land at the above site. It specifically provides a response to the matters raised during the assessment of the DA as outlined in your letter. The letter should be read in conjunction with the plans and technical reports attached. The plans accompanying this letter replace the plans lodged with the original application and all subsequent revisions provided to Council.

1. Building Envelope

As requested, the building envelope plan has been revised to more clearly define the extent of the future building envelopes achievable on each lot. The revised plan is included at **Attachment 1**. In summary, the building envelope allows each lot to accommodate a single, free standing two-storey dwelling house to a maximum height of 8 metres (measured from existing ground level in accordance with the LEP definition), with minimum setbacks to the property boundary of 0.9m at ground level and 1.5m above. The changes to the plan are as follows:

- The size of the proposed development lots has been adjusted to reflect the widening of the access lane to the rear of Lots 2, 3, 22 and 23 and to ensure that these lots are adequately sized to accommodate future dwellings. The proposed subdivision plan, civil drawings, and landscape plan have similarly been amended to reflect the change.
- 1.5m upper level setback requirement is clearly shown on each lot.
- Section drawing added illustrating the 8-metre maximum height limit.

2. Flood Levels

An updated flood report, based on the civil works and subdivision layout approved under N0398/17 is included at **Attachment 2**.

3. Section 7.12 Contributions

We have been unable to view the comments provided by Council's Contribution Officer as these are not available on Council's website. In the absence of this information, we maintain that the calculations outlined in the SEE are correct. The *Warriewood Valley Development Contributions Plan* (August 2018) identifies that land within the site (identified as Buffer 1m) is to be dedicated for the creek line corridor. The area required is estimated to be 6,751sqm but the plan recognises that the exact area is subject to the final plan of subdivision. In this instance, the final subdivision plan provides for a total of 8,764sqm of land to be dedicated for the creek line corridor.

We request a copy of Council's calculations to further respond on this matter. Notwithstanding, we do not believe that this matter should hold up the determination of the DA and anticipate that the relevant contribution requirement will be addressed in the consent conditions.

4. Stormwater Detention

The need for on-site detention on the site was extensively assessed under development approval N0398/17. This included consideration of flood modelling undertaken by Cardno, the results of which confirmed that OSD would serve no benefit for the site and as such was unnecessary in this case.

The information submitted in respect of N0398/17, together with a letter from the project civil engineers, AT&L which reviews the findings of the flood modelling for the site with reference to the current subdivision proposal, are included at **Attachment 3**. Consistent with their earlier advice, AT&L's analysis confirms that on-site detention is not required for the development; any such provision would be superfluous as it would provide no flood benefit.

5. Traffic Engineering

The rear accessway to Lots 2, 3, 22 and 23 has been increased in width to 5.6m. Revised plans are included at **Attachment 1** and **5** reflecting this change.

The plans have been assessed by the project traffic consultants Arup who have confirmed that the concepts allow for compliance with AS/NZS 2890.1:2004. Refer to **Attachment 4**.

6. Biodiversity & Landscape

All works associated with the rehabilitation of the creek, vegetation management on the site and public domain works are being implemented in connection with N0398/17. These works are underway. The physical works proposed as part of DA2019/0887 are limited to kerb to lot boundary treatments (footpaths, driveways, grass verges and tree planting) associated with the future development lots as shown on the Landscape Plans at **Attachment 5**.

7. 6.1 Threatened Species Assessment Report

Council has requested clarification as to why there are differences in the extent of areas mapped as native vegetation within the Conacher July 2017 report (submitted as part of the DA package for N0398/17) and the 2019 report lodged with the current DA. Information in both reports was based on site surveys undertaken at the time of writing. During this period, consent has been granted to N0398/17 resulting in a change in on-site conditions, buildings have been demolished and vegetation clearance has been undertaken in accordance with that consent and the associated (approved) Vegetation Management Plan.

The extent of existing vegetation on site identified in the current report was confirmed by site inspection (16 October 2019) and aerial photograph analysis (Nearmap Imagery), and was mapped in accordance with the current vegetation mapping requirements established under the *Biodiversity Conservation Act 2016*.

6.2 Riparian Corridor Vegetation Management Plan

As noted above, works have commenced on site pursuant to development consent N0398/17 and the Vegetation Management Plan (VMP) approved in connection with that application (Ref. 9051V5 April 2019). Vegetation clearance has commenced on site consistent with the approved VMP.

We are concerned that the further changes being sought by Council to this approved document will have negative implications on the implementation of N0398/17. The changes now required by Council will directly conflict with works already underway on the site; the changes require amendments to planting species which will result in inconsistency and incompatibility with the approved VMP and the approved landscape plan (for which a construction certificate has already been issued). Further, we note that the requirements are inconsistent with the *Warriewood Valley Landscape Masterplan and Design Guidelines for Creek line Corridor Plantings*. No changes have been made to the VMP and works on site are proceeding in accordance with the approved VMP.

7.3 Landscape Plan

The Landscape Plan has been updated to reflect the revised lot layout. As noted above, all works associated with the rehabilitation of the creek, vegetation management on the site and public domain works are being implemented in connection with N0398/17. These works are underway. The physical works proposed as part of DA2019/0887 are limited to kerb to lot boundary treatments (footpaths, driveways, grass verges and tree planting) associated with the future development lots.

Revised landscape plans dated 30 January 2020 (L000 revision B) are included at **Attachment 5**.

6.3.1 Riparian Zone Offset Area

The 25m riparian buffer zone is identified on our original landscape plan by a green dashed line. The landscape plan has been updated to more clearly identify the full extent of Lot 24 as "Riparian Zone Offset Area". Refer to **Attachment 5**.

6.3.2 Landscape Early Works Package

A copy of the construction certificate drawings for the landscape works approved under N0398/17 (previously referred to throughout DA2019/0887 as the "Landscape Early Works Package") is included at **Attachment 6**. The plans show the landscaping works to be undertaken within Lot 24 in connection with the works approved under N0398/17. These works do not form part of the current DA and are shown for information only. The annotation on the landscape plans has been updated to more clearly show this.

The landscape plans approved under N0398/17 have been used as the base for the landscape plans provided for the current subdivision application and include all trees to be retained across the site. No additional trees are proposed to be removed by this DA.

To provide greater clarity around which trees are to be removed and which are to be retained on the site, the Arborist Report has been updated (refer to **Attachment 7**). Additionally, the legend for the Landscape Plan has been updated to assist to more clearly illustrate which trees are to be retained and which are to be removed.

6.3.3 Macpherson Street Trees

The landscape treatments, including proposed tree removal, to Macpherson Street are shown on the construction certificate drawings included at **Attachment 6**. These works are being undertaken in connection with N0398/17 and do not form part of the current application.

We trust that the information provided satisfies Council's requirements and that the assessment of the DA may now proceed to a positive determination.

Yours sincerely

KARIMBLA CONSTRUCTIONS SERVICES (NSW) PTY LTD



Walter Gordon
Head of Planning & Development

Encls.

Attachment 1: Revised subdivision & building envelope plans

Attachment 2: Flood report

Attachment 3: Civil works plans & report

Attachment 4: Traffic statement

Attachment 5: Proposed landscape plan

Attachment 6: Approved construction certificate plans (landscape) associated with N0398/17

Attachment 7: Arborist report