



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2018/0067

Meeting Date:

Property Address: 6 and 6A Orchard Street, 9 Fern Creek Road and 13 Fern Creek Road, WARRIEWOOD

Proposal: Relocation of drainage infrastructure and associated easement

Attendees for Council: Rebecca Englund (Principal Planner – Development Assessment), Angela Manahan (Principal Planner – Development Assessment), Sean Khoo (Development Engineer), Ruby Ardren (Project Leader – Water Management), Cherry Varde (Land Dealings Officer)

Apologies: Jeremy Smith (Manager, Parks Assets – Planning, Design and Delivery)

Attendees for applicant: Thomas Cook (Willow Tree Planning - Consultant Planner) & Mojtaba Tajziehchi (Skycorp Australia – Land Owners)

General Comments/Limitations of these Notes

These notes have been prepared by Council 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 specific issues discussed and conclusions reached at the pre-lodgement 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 development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of Pittwater Local Environment Plan 2014 and Pittwater 21 Development Control Plan within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.

SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

| Issue Raised | Council Response |
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| <p>Location of drainage infrastructure and associated easement</p> | <p>Development Application N0013/15 approved the subdivision of land at 6 and 6A Orchard Street, with drainage infrastructure extending from the north-western corner of 6 Orchard Street and across 9 Fern Creek Road to connect to the creekline. To facilitate this stormwater connection, owners consent was provided by Council, as the relevant land owner, for the works required along 9 Fern Creek Road.</p> <p>In the time since the owners consent was granted, considerable efforts have been undertaken to enable the development of a linear public park comprising 13 Fern Creek Road, and the northern extent of 9 Fern Creek Road. In consideration of the design of this linear park, the location of the stormwater connection is no longer supported by Council's Parks and Reserves Team. Rather, Council's Parks and Reserves Team would prefer the alignment of the drainage infrastructure to extend from the north-eastern corner of 6 Orchard Street and dissect across the eastern end of 13 Fern Creek Road, to minimise impacts upon the future park.</p> |

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014 (PLEP 2014)

Note: PLEP 2014 can be viewed at the [NSW Government Legislation Website](http://www.nsw.gov.au/legislation/consultation/Pages/PLEP2014.aspx)

| Zoning and Permissibility | |
|--|---|
| Zone: | RE1 Public Recreation |
| Permitted with Consent or Prohibited: | Permitted with consent under the provisions of clause 2.6 of PLEP 2014, being works ancillary to the subdivision of land. |

| Specialist Advice | |
|---------------------------|--|
| Referral Body | Comments |
| Property | <p>It is noted that the owners of 13 Fern Creek Road, has to date provided the Applicant (on behalf of the owners of 6 Orchard Street) their consent for the owners of 6 Orchard Street to drain through 13 Fern Creek Road.</p> <p>With regards to the Applicant's other option to pursue draining through 9 Fern Creek road, please note that Property has provided information to the Applicant (on behalf of the owners of 6 Orchard Street) that it is a requirement to lodge an application with Council for an easement to obtain legal rights over 9 Fern Creek Road.</p> <p>The Applicant is aware of the process and costs associated and that the easement application is to be considered by the elected Council, should this option be taken.</p> |
| Parks and Reserves | <p>Council does not want to compromise the design of the park or make any future potential recreational development cost prohibitive by the presence of a stormwater pipe running through the middle of the site.</p> <p>Our preference is to relocate the pipe to run through 13 Fern Creek Rd and consequently we are supportive of the proposed Modification.</p> |
| Water Management | <p>The outlet into the creek should direct flows downstream, as this will reduce the risk of scouring out the creek and opposite banks. The proposed concept design showed that the pipe would direct flows straight across the creek – this should be revised.</p> <p>Refer to the Warriewood Valley Water Management</p> |



| Specialist Advice | |
|--------------------------------|--|
| | Specification on pages 36 and 39-40 for further advice on Stormwater discharge points and landscaping of the riparian area. |
| Development Engineering | <p>The applicant is to submit revised inter-allotment stormwater drainage plans to suit the new pipe location and alignment. Supporting calculations are to be provided also.</p> <p>The headwall is to be re-aligned to face downstream to prevent scouring of the creek.</p> |

| Documentation to accompany the Development Application |
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| <ul style="list-style-type: none">• Electronic copies (USB)• Statement of Environmental Effects• Site Plan• A4 Notification Plans• Survey Plan (of new location of pipe)• Arboricultural Impact Assessment Report (if new location is within 5m of any existing canopy trees)• Amended Civil Plans, Stormwater Management Plans & Report <p><i>Please refer to Development Application Checklist for further detail.</i></p> |

| Concluding Comments |
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| <p>These notes are in response to a prelodgement meeting held on 3 May 2018 to discuss the relocation of a stormwater pipe relating to the subdivision approved at 6 and 6A Orchard Street, Warriewood. The notes are made in reference:</p> <ul style="list-style-type: none">• Stormwater Management Plan, C24.02, revision F, prepared by Northrop, dated 2 February 2018 <p>The proposal appears to be acceptable and may be supported, subject to confirmation of the potential impact upon any significant vegetation and further refinement of the design of the outlet.</p> |