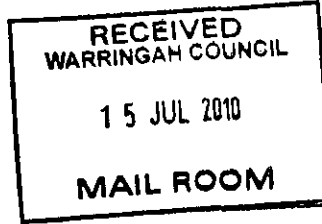


Ref: 29139

12 July 2010

The General Manager  
Warringah Council  
Civic Centre  
725 Pittwater Road  
Dee Why, NSW 2099



Scan	
Title	
Author	
Date	
Comment	

Att: Peter Robinson / Rodney Piggott / Lashta Haidari

**RE: DA 2010/0697 – FRESHWATER VILLAGE REDEVELOPMENT**

Thank you for arranging a meeting last week in response to our request of 25 June 2010 following your letter to our clients of 22 June 2010 identifying areas of concern.

As already stated in writing on 18 June 2010 and at our meeting on Thursday we believe that we can satisfactorily address all your concerns. However, we understand that you have stated that you will not receive or consider amended plans to address these issues. Rather that you will be preparing a report to the 15 September 2010 JRPP with a recommendation for refusal and that whilst you will comment on our response (which must be in letter form only – no amended plans) and acknowledge where you believe we can address your concern, we must seek a formal deferral from the JRPP at that time to be able to address those issues with plans.

Unfortunately, this would mean that we are not being allowed to address staff concerns, if at all, for a further 6 weeks. This seems a poor use of time and certainly is not in the spirit of achieving reasonable assessment and determination timeframes for such complex matters.

In summary, our response to your issues is as follows:-

**EXTERNAL REFERRALS:-**

**1. Energy Australia**

A report investigating electromagnetic impact is currently underway and is expected to be completed by mid July 2010.

**2. Roads and Traffic Authority (RTA)**

Refer to point 4 under internal referrals below.

## **INTERNAL REFERRALS:-**

### **1. Planning issues**

- 1.1 Detached Style Housing (non-compliance with Density and Landscape open space) within H1 locality – we shall review the arrangement of the townhouses in light of the impact of the stormwater and a detailed SEPP 65 assessment;
- 1.2 The additional height was intentionally located where it would result in minimal or no environmental impact (the centre of the site) adjoining a substation and adjacent to an existing 6 storey Telstra building. There is however the potential to reduce the size of the proposed plant rooms in order to reduce numerical non-compliance;
- 1.3 Street Setback – refer to point 5 below;
- 1.4 The design can easily accommodate additional vertical elements along Lawrence Street; and
- 1.5 General Principles:
  - Safety and security refer to point 5
  - Solar Access refer to point 2
  - Landscape open Space refer to point 2
  - Private open space refer to point 2
  - Site facilities refer to point 6
  - Traffic, access and parking refer to point 4
  - Management of Stormwater refer to point 3

### **2. SEPP 65 matters**

- 2.1 The applicant will provide additional information including a peer review demonstrating compliance with SEPP 65 specifically sunlight access and separation between buildings; and
- 2.2 Deep soil zones; private open space and communal open space will be identified on the plans.

### **3. Stormwater**

In summary the issue with stormwater appears to stem from 4 points:-

- 3.1 A concern and desire for a 3m unencumbered easement for the moved pipe on a portion of the north-western and northern boundary. We can provide 2.4m but 3m will see the loss of a minimum of 6 retail car parking spaces and 1 unit. We will continue our discussions with Councils technical staff to address this issue;
- 3.2 The concern of Council that there is a need for greater on site detention from the 2 sub-catchments will be investigated further and if need be the applicant will provide additional detention. This is a technical matter that can be easily resolved;

- 3.3 The concern that there may be a Council pipe along the western boundary within our site and your request that this be moved. As we understand it, you are unsure it exists, have no easement over private land to use it but wish our client to find it (if it exists) and then move it at our cost, assuming it can be moved to a suitable location. Our engineers will liaise with Council staff in relation to this 'pipe'; and
- 3.4 Likewise we understand that Council wishes to run overland flow from its Lawrence Street car parks across our clients site. The engineers will discuss the appropriateness of this request.

#### **4 Traffic and Parking**

- 4.1 The service area (loading dock) will be re-designed to only allow for medium rigid tucks and the proposed turntable and "stop go" lights will be removed;
- 4.2 A roundabout at the intersection of Lawrence Street and Oliver Street will be introduced and the traffic report will include new modelling to demonstrate the traffic calming effect; and
- 4.3 With respect to parking the traffic report will be amended to include further detail and /or comparison of other similar developments in order to determine an appropriate parking rate;
- 4.4 Additional information will be provided regarding crash history in that location.

#### **5 Urban Design**

- 5.1 The proposal purposefully did not allow public access across the entire site (linkages to Lawrence/Oliver Street Car Parks or Mamora Street) in order to promote safety and in an attempt to enhance privacy to residents;
- 5.2 Building A only exceeds the building height at the eastern most part of the building whilst the western part of the building is only 2 storeys high;
- 5.3 With respect to Street Setback – further investigations will be undertaken to demonstrate that the proposed 4m setback to that part of Building A, being 3 storeys, does not have a visual impact from the public domain (viewed as 2 storeys) and has minimal impact by way of additional overshadowing to the public domain (footpath);
- 5.4 Building D parapet – we shall modify the top level overhang to that it reads as an open and more transparent structure; and
- 5.5 For sunlight and building separation refer to SEPP 65 at point 2 above.

#### **6 Waste Management**

- 6.1 With respect to generated waste – we shall provide further details to the workings of the design and the method of waste removal; and
- 6.2 With respect to onsite waste collection we note that it is very common for urban integrated developments to rely on private waste contractors. This requirement can be written into the by-laws.

Given that we are confident we can address your concerns and wish to be timely in terms of the consideration of the matter by the JRPP, we would respectfully request to be able to submit amended plans to address these issues so that the report to the JRPP will be meaningful and reflective of the applicants position on the matters raised.

Your response to this request would be appreciated as soon as possible so that we can undertake the task of preparing plans.

Yours Sincerely,



**SUE FRANCIS  
EXECUTIVE DIRECTOR  
CITY PLAN STRATEGY AND DEVELOPMENT PTY LIMITED.**

Cc: Mr. Markus Ray (Executive Director Assessment Systems, General Counsel – Department of Planning)  
JRPP Secretariat