

15 April, 2013.

Mr Mark Ferguson
General Manager
Pittwater Council
1 Park Street
MONA VALE NSW 2013

By email: fiona_garrity@pittwater.nsw.gov.au

Dear Mr Ferguson,

79-91 Macpherson Street Warriewood (DA NO353/12, 2013SYE001)

Further to our letter of the 9 April 2013 (see attached), Condition 1 in Schedule 3 of the Concept Plan Approval states that future Development Applications shall comply with flood levels at the time of lodgement. A copy of the Concept Approval is attached.

We have lodged all documentation that complies with the concept plan flood level condition, and this is even recognised in Council's report on page 34. As such, we fully comply with the flood level requirements of Council and the Planning and Assessment Commission.

The Concept Plan condition makes no reference to provide flood storage at the PMF. Flood storage was calculated using the 1 in 100 year ARI for the entire site that was subsequently approved by the Planning and Assessment Commission by virtue of the Brown Consulting Report, which is reflected in the Concept Approval.

Council therefore must recognise that the Deferred Commencement Condition 1 of Schedule 3 is inconsistent with the Concept Plan flood level condition and cannot be imposed. Under these circumstances we reiterate our position outlined in the letter to you on the 09 April 2013 that the Deferred Commencement conditions must be deleted at the JRPP meeting.

Landscaping

The landscaping condition outlined in the Concept Plan approval states that future Development Applications shall include detailed landscape plans demonstrating sufficient deep soil particularly along the street frontages. Notwithstanding this, I have attached a deep soil plan and arborist letter qualifying adequate space for growth of trees. This, along with the previous amended plans lodged with the Council remains consistent with the concept plan condition. Therefore the deferred commencement condition can be transferred into the main body of the approval.

Condition Amendments

Deferred Commencement Condition 2(c) states that the landscape plan be amended to include a bicycle path with elevated timber boardwalks to provide access over sensitive riparian planting. This proposed condition would have applied to much earlier landscape concept plans that showed a bicycle path behind Buildings O and P. The most recent approved concept approval dated January 2013 has no elevated bicycle path. This condition is not in accordance with the current landscape concept plan approval and should be deleted. I have attached the most recent approved landscape concept plan which has no bicycle path adjoining the Wetlands.

Condition A6 – restricts hours of work on Saturday between 7am and 1pm. The approval for stage 1 permitted working on Saturday between 7am and 5pm. Saturday is accepted as a working day by the community in general and should be permitted on the site to 5pm. Stage 2 is more isolated from any adjoining residential use compared to Stage 1, and will therefore have minimal impact. We therefore request that this condition be amended to reflect what was permitted in the Stage 1 approval, to have working hours between 7am-5pm on Saturday.

Part C – conditions relate to matters to be satisfied prior to the issues of the Construction Certificate (refer to Page 13 of the consent Notice). There is also a Note that states all matters under this section are to be submitted to the certifier together. This would be an acceptable solution for a dwelling house, but not for a multiple residential flat building redevelopment that contains over 220 units with over 100 million dollars at stake from time delays in commencing works.

The way Part C is currently worded does not allow the steady staging of construction on site. For example, the requirement of a mosquito report is not essential to excavation. Such a report can be prepared and provided to the certifier during excavation or prior to above ground works commencing. There are many other examples in this section of the draft notice of consent that are not required for commencement of works on-site.

To overcome this, we suggest that the wording of the heading to Part C be amended as follows to allow construction to commence within a timely fashion and not be held up by conditions that do not relate to commencement. The wording to the Part C heading can be amended easily as follow.

Proposed Wording

*"C. Matters to be satisfied prior to the issue of the **relevant** Construction Certificate:*

Note: All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications/details cannot be accepted."

The above wording changes are consistent with similar development application conditions throughout the metropolitan area. Not changing this condition will have serious ramifications to commencing work on site, financial loss due to time delays and retaining relevant contractors.

Condition C 1(c) – requires an additional 0.5sqm per dwelling for on-site storage separate to storage in the basement. This is above and beyond the requirements of SEPP65. The requirement is from a guide and does not hold substantial weight under Section 79C of the Environmental Planning and Assessment Act 1979. It is therefore requested that this condition be deleted.

Condition D19 – requires construction in the public road reserve to be undertaken by a Council authorised contractor. This condition does not reflect all qualified contractors. The recent road construction undertaken to Macpherson Street was completed by a qualified contractor and subsequently approved by Council. We request that the same applies for Stage 2, where by a qualified contractor be permitted to undertake the road works.

We note that for the roadworks to Boondah Road that fronts our site is being undertaken by contractors we use and is funded by Council. It is therefore requested to amend Condition D19 as follows or be deleted.

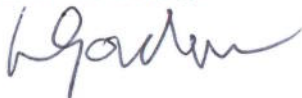
"Construction in the public road reserve must be undertaken by a qualified contractor and that Council be notified."

Conclusion

The request to amend the draft conditions is realistic, consistent with the Environmental Planning and Assessment Act, and financially responsible to commence construction on site within a managed staged approach.

Yours faithfully

MERITON GROUP



Walter Gordon

Manager Planning and Development

CC: Steve Evans - steve_evans@pittwater.nsw.gov.au
 Gordon Edgar - gordon_edgar@pittwater.nsw.gov.au
 Members of the Sydney East JRPP jrppenquiry@jrpp.nsw.gov.au

9 April 2013.

Mr Mark Ferguson
General Manager
Pittwater Council
1 Park Street
MONA VALE NSW 2013

By email: mark_ferguson@pittwater.nsw.gov.au

Dear Mr Ferguson,

79-91 MACPHERSON STREET WARRIEWOOD (DA N0353/12)

As you are aware, the abovementioned Development is to be considered by the Joint Regional Planning Panel on the 17th April 2013. Whilst we appreciate the recommendation for approval, we cannot commence work on site while the two deferred commencement conditions apply.

The deferred commencement conditions relate only to flooding and landscaping. In regard to the landscaping conditions, they have no bearing on commencing work on site and can therefore be placed in the main body of conditions. This way, we can amend the landscape plans whilst work on site is underway.

With regard to flood management, approval has already been granted by the Planning and Assessment Commission (PAC) for the whole site and is also supported by Council in proposed condition 11 of the main approval notice. Council should therefore be comfortable with deleting the deferred commencement requirements and rely on the PAC approval which is outlined in proposed condition 11 that has been prepared by your staff.

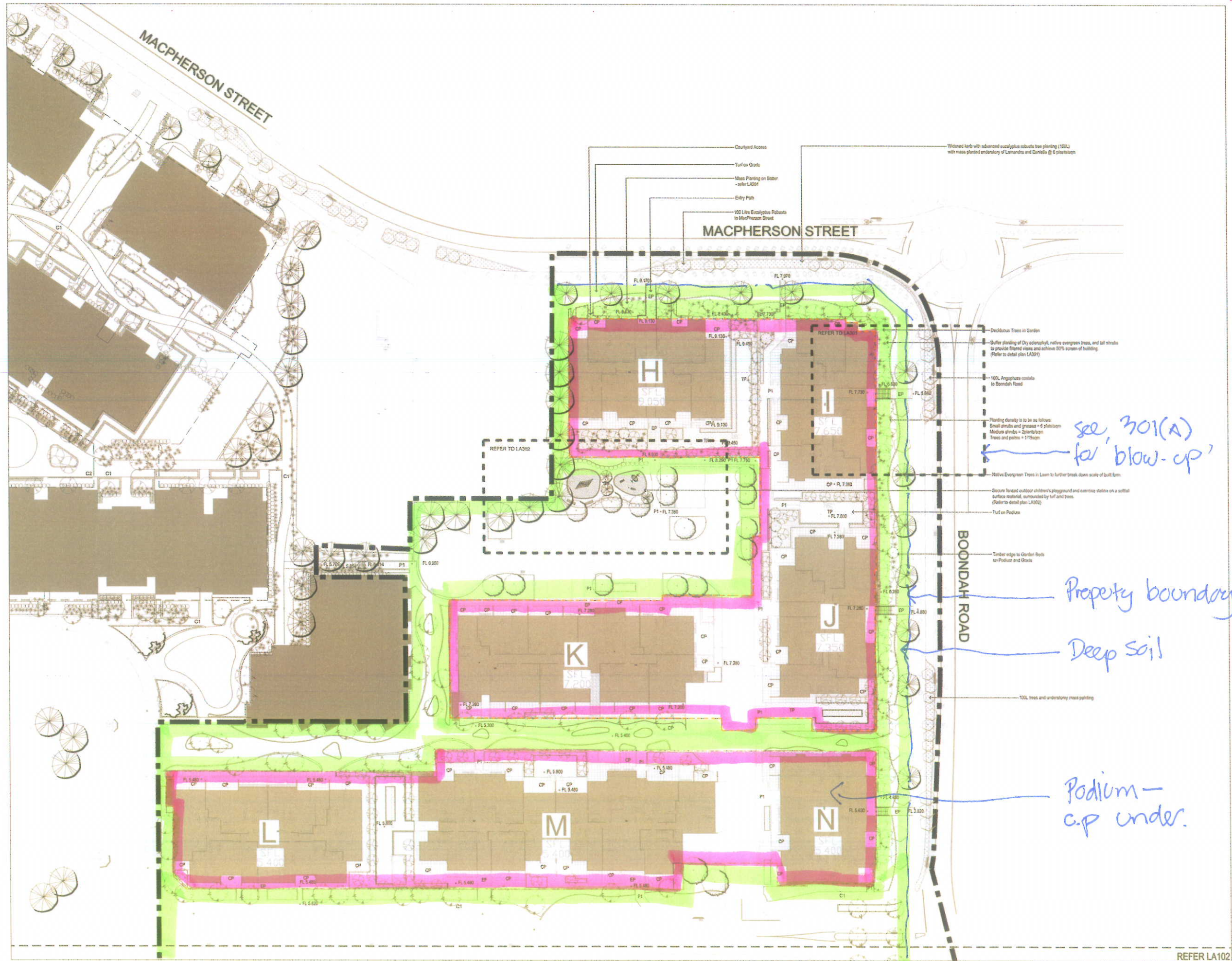
We have many buyers who are waiting to purchase units for the next stage of development and seek your assistance to delete these two conditions before we go to the JRPP.

Yours faithfully
MERITON GROUP



Peter Spira AM
General Manager

Deep Soil.



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Rev	Description	By	Date
1	Initial drawing	AM	14/01/2017
2	Revised drawing	AM	14/01/2017

Meriton Apartments

14-18 Boondah Road
Warriewood

SITE IMAGE

470 Wilson Street
East Melbourne VIC 3201
Australia
Tel: 03 9594 4000
Email: info@siteimage.com.au
Drawing No: SM10041
Drawing Date: 14/01/2017

PRELIMINARY

Drawing Title: Landscape Plan 01

Scale: 1:200 @ A0

Sheet: SM10041 LA101 B

REFER LA102



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Rev	Description	By	Check	Date
1	Issue for tender	SM	CC	14/12/11
2	Issue for construction	SM	CC	14/12/11

Client: Meriton Apartments

Project: 14-18 Boondah Road, Warriewood

Site Image Pty Ltd
14-18 Boondah Road, Warriewood NSW 1586
Tel: 02 9388 8813
Fax: 02 9388 8814
Email: info@siteimage.com.au
Website: www.siteimage.com.au

SITE IMAGE

PRELIMINARY

Drawing Name: Landscape Plan 02

Scale: 1:250 @ A0

Job Number: SM10041

Sheet Number: LA102

Page: 8



TREE & LANDSCAPE CONSULTANTS

Site Analysis, Arboricultural Assessments

MEMBER OF

INSTITUTE OF AUSTRALIAN



CONSULTING ARBORICULTURISTS

Dip. Hort. (Arboriculture)
Assoc. Dip. Hort. (Park Management)
Hort. Cert., Bush Regeneration. Cert.
Tree Surgery Cert.
Member IACA, Member ISAAC

P.O. Box 50

Padstow 2211 N.S.W.

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02) 9785 2678

0418 277 379

talc2@optusnet.com.au

11th April 2013

Meriton Group Pty Limited

Level 11, 528 Kent Street
Sydney NSW 2000

Our reference: 3133

Report: Tree Management

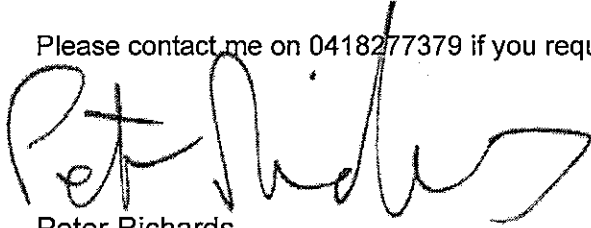
14-18 Boondah Road,
Warriewood 2102

I have attended the site to ascertain whether the proposed planting of a series of 400 Litre Angophora costata along Boondah Road street frontage at 1 per 15metre square spacing's would be feasible option for trees within this area. The following drawings prepared by Site Image Design have been reviewed for the purposes of this report:

- LA 101 Issue B dated 6/3/13
- LA 102 Issue B dated 6/3/13
- LA 201 Issue A dated 26/11/12
- LA 301 Issue B dated 6/3/13
- LA 302 B dated 6/3/13.

The roots of most of the tree species of the world grow within the upper 1 metre of the soil and usually spread beyond the dripline of their crown and may extend for distances in excess of two – three times the mature height of a tree (*Perry 1982, pp. 197-221*). Following consideration of this and following observations of nearby excavation works during the course of the development it is considered that adequate natural soil depths to support the root structure of larger trees is present and that the proposed spacing's are sufficient to enable the successful establishment and continued survival of the new trees to maturity in this area regardless of any proposed soil imports required to achieve the final levels and landscape treatments along Boondah Road frontage.

Please contact me on 0418277379 if you require further information

A handwritten signature in black ink, appearing to read 'Peter Richards', with a stylized, flowing script.

Peter Richards

Tree & Landscape Consultants

SCHEDULE 3

FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS

1. Flood Levels

Future Development Applications shall comply with the Brown Consulting Flood Management Report and consider and address any recommendations in the Council's adopted Flood Study and relevant state policies at the time of lodgement of the application to demonstrate the finished floor levels of the buildings will be above the probable maximum flood levels for the site.

2. Building Design

Future Development Applications shall demonstrate existing locally significant Angophora trees within the Boondah Road reserve can be retained unless specific approval is granted by Pittwater Council for removal of these trees. This requirement excludes the area required for clearing for the proposed road access onto Boondah Road.

3. Children's Play Area

Future Development Applications shall demonstrate the eastern half of the landscaped area identified on Plan No. LA101 Issue B as an exercise station precinct between Buildings H, I, J and K will incorporate child play areas.

4. SEPP 65

Future Development Applications shall be consistent with the provisions of the *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development* (SEPP 65) and the accompanying *Residential Flat Design Code 2002*.

5. Landscaping

Future Development Applications shall include detailed landscape plans demonstrating that sufficient deep soil can be provided for landscaping, particularly along street frontages.

6. Travel Access Guide (TAG) / Green Travel Plan

Future Development Applications shall provide details of any Travel Access Guide (TAG)/Green Travel Plan prior to the occupation of any building on site. This should include an investigation of car sharing schemes.

7. Road Improvement Works

Future development applications shall provide details of any road improvement works that may be required to accommodate the traffic generated by the development on the site. All required works for each application shall be implemented prior to the occupation of any buildings in that development application.

PEDESTRIAN / CYCLE PATH

CHILDCARE CENTRE
- REFER TO SEPARATE APPLICATION

MACPHERSON STREET ENTRY STATEMENT
Stone wall signage and feature paving.
Feature tree and shrub planting include:
Livistona australis (400 Litre), *Doryanthes excelsa*

OVERLAND FLOWPATH
Grassed drainage swale with screening tree planting
and banks of massed native grasses located on steep
contouring.

25m 'BUFFER STRIP'
Strip to be rehabilitated to contain open space
areas, gardens and a pedestrian/ cycle path. The
'Buffer Strip' is to provide a transition from the public
riparian zone and residential precinct

PEDESTRIAN BOARDWALK LINK
An elevated crossing will be provided to
enable pedestrian connectivity to
adjoining Warriewood wetland

50m PUBLIC RIPARIAN ZONE
A 50m creekline reservation to be
planned and implemented as a
multi-use open space corridor. Restore
creek banks, water quality, water flow
and ecology. Control and manage
creekbank erosion with rock
armouring. Preserve and restore
habitat areas. Permit only low impact,
passive recreational access.
Provide widenings to creek to slow
water movement. Regrade and
stabilise creek banks to 1:3 max grade
(vegetated) and 1:6 max grade at
water access points. Extensive weed
eradication is to be undertaken prior to
any revegetation programmes
commencing.

BIO-RETENTION POND
Ponds to filter stormwater runoff
through densely planted
surface vegetation and then
percolate runoff through
a prescribed filter media.

FERN CREEK
Rock armouring of waterline particularly
outer bends
of creek to reduce possible erosion.
Extensive weed eradication is to be
undertaken prior to any revegetation
programmes commencing.
Native aquatic species to be used to
revegetate creekline margins. Species to
include:
Allisma plantago
Baumea articulata
Baumea juncea
Baumea ribnosa
Bolboschoenus fluviatilis
Bolboschoenus cadwellii
Eleocharis spachelata
Philydrum lanuginosum
Phragmites australis
Schenoplectus validus
Triglochin procera

EDGE OF
EXISTING WETLANDS

20m CORE RIPARIAN ZONE
Extensive weed eradication is to be
undertaken prior to any revegetation
programmes commencing. Riparian
and native vegetation is to be
conserved and restored with
supplementary plantings of
selected trees, shrubs and
groundcovers to provide linkages and
stepping stones for wildlife movement.

100 Year FLOOD STORAGE
AREA (grey fill) Refer to engineer's
drawings for details Managed
grassland area with native tree
planting.

ASSET PROTECTION ZONE (APZ)
25m wide buffer managed to reduce the
bush fire hazard to an acceptable
level. The APZ is made up of a 15m
wide Inner Protection Area (IPA) and a
10m wide Buffer Zone consisting of
carefully selected and located
vegetation so as not to create a fire
path.

PEDESTRIAN/ CYCLE PATH
A shared bicycle/pedestrian path has
been located
to form the primary buffer between the
Asset Protection Zone (APZ) and the
core riparian zone. The path is to link
with similar paths on adjoining land. The
proposal allows for 3 (three) lookouts to
be located at suitable points for viewing
into the wetlands.
Elevated timber boardwalks are to
provide access over
sensitive Riparian planting and flood
storage area.
Seating, signage, solar lights and litter
bins to be provided.

MACPHERSON STREET STREETSCAPE
Indigenous tree species will be planted to
create filtered views in and out of the site
through the development of a tree canopy on
the street frontage. Kerb widenings are to
include a managed understorey of low-growing
shrubs and grasses

LEGEND

EXISTING TREES TO BE RETAINED
Refer to tree survey plans:
123899/ TREES1 REV 1
123899/ TREES2 REV 1
123899/ TREES3 REV 1
prepared by JBV Surveyors Pty Ltd
for details of tree species.

DECIDUOUS COURTYARD TREES
Lagerströmia indica (Cape Myrtle)
Pyrus calleryana 'Chantrelle'
Magnolia x soulangeana

BOONDAH ROAD
Angophora costata (Sydney Red Gum)

MACPHERSON STREET TREES
Eucalyptus robusta (Swamp Mahogany)

ROAD TYPE A
Waterhousea floribunda (Brush Cherry)

ROAD TYPE B
Tristramia laurina (Water Gum)

SWAMP OAK FOREST
Casuarina glauca (Swamp Oak)
Eucalyptus robusta
Melaleuca linariifolia
Banksia integrifolia
Aemona sinclairi

RAINFORST PLANTING
Livistona australis (Cabbage Palm)
Asplenium australasicum
Stenocarpus sinuatus

MASSSED NATIVE SHRUBS
Planted in groups of 5 and 10
Species include:
Acacia, *Banksia*, *Callistemon*,
Elaeocarpus, *Grevillea*, *Leptospermum*,
Metelaleuca and *Vesicaria*

MASSSED NATIVE GRASSES
Planted in groups of 5 and 10
Species include:
Dianella, *Lomandra*, *Pennisetum*,
Poa and *Themeda*

Turf
Bio-Retention Basin

Mass Planting
- shrubs and grasses
- refer to ind. plant schedule

Courtyard Paving to arch, doc.
- Private
- Unit pavers

Entry Paving
- Public
- Unit pavers

Paving Type 1
- Public
- Broom finished concrete

Paving Type 2
- Public
- Unit pavers

Softfall Mutch

Gravel / Crushed Sandstone

Pedestrian /
Bike Path

Planter wall /
Retaining Wall



NSW GOVERNMENT
Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved Section 75W Modification Application

No. 3 granted on the 14 January 2013

in respect to MP 090162

CHILDREN'S PLAYGROUND
Secure outdoor children's playground
and exercise station on a softfall
Signed: [Signature] dated [Date]

Sheet No. 7 of 7

BOONDAH ROAD STREETSCAPE
Existing *Angophoras* to be retained
where possible.
Additional *Angophoras* (400 Litre) will
be planted to create filtered views in
and out
of the site through the development of
a tree canopy on the road frontage.

BOONDAH ROAD ENTRY STATEMENT
Stone wall signage and feature paving.
Feature tree and shrub planting include:
Livistona australis (400 Litre), *Doryanthes excelsa*

EXISTING SWAMP SCLEROPHYLL FOREST
All native vegetation that is outside footpath, road
and building reserve is to be retained as part of the
wetland buffer strip and will form a vegetated link
between the wetlands to the south
and Boondah Road.



Client
Meriton Apartments Pty Ltd

Project
14-18 Boondah Road
Warriewood

SITE IMAGE
10 Oldfords Street
East Maitland NSW 2323
Australia
Tel: (01) 93 9852 1987
Fax: (01) 93 9852 2447
Email: info@abingdon.com.au
Abingdon Pty Ltd
1892 10 010 001 001

FOR APPROVAL

Drawing Name:
Landscape Masterplan
Stage 2 DA

Scale: 1:500 @ A4

Date: 07.02.2010

Drawn: [Signature]

Check: [Signature]

SM10041

LA101 J