

From: [Sandra](#)
To: [Planning Panels - Northern Beaches](#)
Subject: DA2023/0718 1825 Pittwater Road Bayview
Date: Monday, 20 November 2023 2:00:51 PM

For attention of the Planning Panel:

The above DA2023/0718 includes removal of twenty two (22) significant canopy trees.

1. Is the Panel aware of Council's new Tree Canopy Plan which includes protection of canopy trees on private and public land?
2. Concerns remain re pollutants – e.g. herbicides used, etc. which may enter water table.
3. It is understood that flood mitigation on this land is prohibited by Council.

Yours faithfully

Sandra Murdock

Could the NB Council please confirm that on the land at 1825 Pittwater Road and 52 Cabbage Tree Road, flood mitigation is prohibited.

The proposed development includes significant upgrade works to the Golf Course which includes Flood Mitigation Works. Flood Mitigation works is defined under Pittwater Local Environmental Plan 2014 as:

“Work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.”

The subject site zoned RE2 – Private Recreation only permits:

“Community facilities; Environmental facilities; Environmental protection works; Kiosks; Marinas; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Roads; Signage.”

All other uses that are not listed above are prohibited in the zone which includes Flood Mitigation works unless they are specifically permissible under State Environmental Planning Policies such as the State Environmental Planning Policy (Infrastructure) 2007.

SEPP (Infrastructure) permits Flood Mitigation works in any zone provided it's carried out by or on behalf of a public authority. As the proposed Flood Mitigation Works is not carried out on behalf of a public authority, Council considers that this component of the development is a prohibited Land Use.