

The General Manager  
Northern Beaches Council

27.01.22

Re: approved alterations and additions to the existing dwelling at 188  
McCarrs Creek Rd Palm Beach – Mod2021/0079.

Dear Sir / Madam,

This section 4.55 (1A) application seeks to modify Condition of Consent *P. Added Condition 23 – Tree Plantings, requirement ii)*. This condition stipulates that the 2 new canopy trees be planted a minimum of 5 metres from other trees and structures.

Please note that site conditions have changed since the Condition was written, due to a landslide that occurred in March 2021. The changes in site topography were not fully visible until the site was re-surveyed in late June 2021, after emergency stabilisation works had been undertaken. ( See Emergency Works order LGA2021/0028 )

A new DA has just been submitted to comply with the Geotech Engineer's recommendations for long-term remedial work following the landslide, and for a new boatshed, inclined lift etc. ( See PAN-189979 )

As a result, strict compliance with the location of the 2 new trees is not practical, but these 2 trees have been included in the new DA – refer to the recently submitted landscaping plan – see attached. Site constraints imposed by the undersized lot, and the location of the existing house are also contributing factors.

The author proposes that this alternate landscaping arrangement achieves the intended outcomes of *Condition P.23, without requirement ii)*.

Sincerely  
Simon Downes  
Building Designer

