



Pre-lodgement Meeting Notes

Application No: PLM2023/0035
Meeting Date: 4 April 2023
Property Address: 5 Bushrangers Hill NEWPORT
Proposal: Construction of driveway and tree removal
Attendees for Council: Daniel Milliken (manager Development Advisory Services)
Penny Wood (Planner)
Joe Tramonte (Landscape Officer)
Emily Rix (Biodiversity Officer)
Pierre La Bas (Biodiversity Officer)

General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team 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 advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the 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 application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concern have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.



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SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Response to Matters Raised by the Applicant
<ol style="list-style-type: none">1. Location of the proposed driveway.2. Removal of trees to facilitate the new driveway and future dwelling. <p>Comments relating to the above issues are discussed within the Specialist comments section below in these Notes.</p>

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014 (PLEP 2014)

PLEP 2014 can be viewed at <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0320>

Part 2 - Zoning and Permissibility	
Definition of proposed development: (ref. PLEP 2014 Dictionary)	Driveway and tree removal (Note: these works are not defined in the PLEP. The Applicant is encouraged to lodge a development application for the driveway works, tree removal and dwelling)
Zone:	C4 Environmental Living
Permitted with Consent or Prohibited:	Permitted with Consent

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
N/A - No assessment against Principal Development Standards is required			

PITTWATER 21 DEVELOPMENT CONTROL PLAN (P21DCP)

P21DCP can be viewed at <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Pages/Plan/Book.aspx?exhibit=PDCP>

The following notes the identified non-compliant areas of the proposal only.



Part D Locality Specific Development Controls		
D10 Newport Locality		
Control	Permitted	Proposed
D10.13 Landscaped Area - Environmentally Sensitive Land	60%	Unable to be calculated
<p>The plans do not provide an accurate representation of the landscaped area proposed given the proposal does not include the construction of a dwelling house. The Applicant is advised to ensure the site provides compliance with the above control (D10.13). The development is to achieve the following outcomes:</p> <ul style="list-style-type: none"> • <i>Achieve the desired future character of the Locality.</i> • <i>The bulk and scale of the built form is minimised.</i> • <i>A reasonable level of amenity and solar access is provided and maintained.</i> • <i>Vegetation is retained and enhanced to visually reduce the built form.</i> • <i>Conservation of natural vegetation and biodiversity.</i> • <i>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.</i> • <i>To preserve and enhance the rural and bushland character of the area.</i> • <i>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.</i> <p>Given the generous size of the site, Council will not accept a variation to this control. A detailed landscape plan is required to be lodged with any future development application.</p>		

Specialist Advice
<p><u>Landscape comments</u></p> <p>The Statement of Environmental Effects shall include commentary of relevant landscape clauses of the DCP, and in this instance the following:</p> <ul style="list-style-type: none"> • B4.22 Preservation of Trees and Bushland Vegetation • C1.1 Landscaping <p>A Landscape Plan is required as part of any new works application in this instance (for either separate new driveway application, or new driveway and dwelling application) to demonstrate that the proposed development satisfies the DCP clauses, including:</p> <p><u>C1.1 Landscaping</u></p>



Specialist Advice

- development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops,
- canopy tree offset replacement within the lot where trees are proposed for removal at a 1:1 ratio,
- screen planting to assist with privacy to open space areas within the property and to adjoining properties.

An **Arboricultural Impact Assessment** is required to provide definitive clarification on which trees are to be retained, including tree protection measures, and which trees are to be removed, and shall satisfy DCP clauses, including:

B4.22 Preservation of Trees and Bushland Vegetation

The draft Arboricultural Impact Assessment under the Pre-Lodgement has been reviewed and no concerns are raised.

The Arboricultural Impact Assessment report shall indicate the impact of development upon the existing trees within the site, and for any existing tree on adjoining properties located 5 metres from the site (building and associated excavation or fill zones).

The report shall be prepared by a qualified Arborist AQF Level 5 and shall cover assessment of excavation and construction impacts upon the SRZ and TPZ, tree protection requirements, and recommendations. Recommendations shall include the setback distance from each tree where no construction impact is to occur to ensure the long term retention of the tree.

Any development impact shall be outside of the structural root zone, and impact to the tree protection zone, for trees retained, shall be limited to satisfy AS4970-2009.

No impact to existing trees and vegetation within adjoining properties is acceptable, regardless of species type.

Landscape concerns

Nil

Biodiversity Comments

Relevant Considerations

The following biodiversity-related provisions apply to the site:

- **Pittwater 21 DCP – Clause B4.3** Flora and Fauna Habitat Enhancement Category 2 Land

Compliance with applicable provisions will need to be demonstrated within the submitted Statement of Environmental Effects (SEE) and/or supporting documentation.



Specialist Advice

Required Supporting Documentation

On review of the site and submitted pre-lodgement plans the following documentation is required to accompany the Development Application (DA):

- Landscape Plan
- Arboricultural Impact Assessment

General Biodiversity Comments

The proposal will have to demonstrate that the proposed “elevated” driveway will not impact any trees in the long term. Evidence is requested to ensure that alternative designs are not possible and that the proposed driveway is the option that avoids and/or minimises impacts to biodiversity.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in the Native Plant Species Guide - Pittwater Ward, which is available on the Council website <https://www.northernbeaches.nsw.gov.au/node/34932>). Landscaping is to be outside areas of existing bushland and not include environmental weeds.

Development Engineering comments:

Access:

1. The internal driveway access grades, driveway crossing widths must be in accordance with AS2890.1
2. The driveway crossings is to be in accordance with Council’s Vehicular Crossing profile which is available on Council’s web page.

<https://www.northernbeaches.nsw.gov.au/planning-development/permits-and-certification/driveway-and-vehicle-crossings>

3. A long section and cross sections for the proposed driveway with chainage, grades and existing & proposed levels are to be included in the submission.
4. Vehicle should be restricted to forward in and forward out movement, it is noticed that a turn table is proposed but no parking facility (garage) is proposed in the submission.

Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
 - Site Plan;
 - Floor Plans;
 - Elevations; and



- Sections.
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of works estimate/ Quote
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Detailed Landscape Plan
- Excavation and fill Plan
- Arboricultural Impact Assessment
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist

IMPORTANT NOTE FOR DA LODGEMENT

Please refer to the Development Application Lodgement Requirements on Council's website (link details below) for further detail on the above list of plans, reports, survey and certificates.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-mar21.pdf>

The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 4 April (on site) to discuss the proposed driveway and tree removal at 5 Bushrangers Hill Newport. The notes reference the plans prepared by Gartner Trovato Architects dated 13 March 2023.

The proposed works could be supported by Council provided the recommendations in these Notes are followed.

The applicant is encouraged to lodge a development application for all proposed works to ensure the best possible outcome for the site is achieved. Particularly in regard to the protection and removal of existing trees and ensuring the site maintains a minimum 60% of landscaped area.

Question on these Notes?

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.

