



11 April 2024

REF: WTJ23-388

Jordan Howard  
Northern Beaches Council  
Via NSW Planning Portal

**Attention: Jordan Howard**

**RE: REQUEST FOR ADDITIONAL INFORMATION - DA2024/0081**  
**PROPERTY AT: 49 BLACKBUTTS ROAD & 21A WARILI ROAD, FRENCHS FOREST**

Dear Jordan,

I refer to the Request for Additional Information (RFI) provided by Northern Beaches Council dated 3 April 2024 in relation to Application No. **DA2024/0081** for the demolition of all structures on the Site.

Please refer to the following letter which provides the applicant's response/clarifications to each matter raised in the RFI. Supporting evidence and amended plans are also provided at the following appendices:

<b>RFI Appendix 1</b>	Council RFI Letter
<b>RFI Appendix 2</b>	Arboricultural Impact Assessment
<b>RFI Appendix 3</b>	Flora and Fauna Assessment
<b>RFI Appendix 4</b>	Stormwater Detail Plan

The following matters were raised in Council's RFI letter provided at **RFI Appendix 1** and have been summarised to identify key issues to be addressed.

## **1. Landscape Referral Response**

*The proposed application is for demolition works of existing structures upon the property. The Demolition Work Plan provides for perimeter fencing and for stockpiling of demolished material. Concern is raised that the Demolition Work Plan provides no consideration of existing prescribed trees within the property in terms of tree protection measures during the demolition works, and thus there is no protection mechanism in place to prevent damage to such prescribed trees.*

*To assess the application further, Landscape Referral require a definitive Tree Protection Plan prepared by a qualified Arborist that identifies existing prescribed trees and these shall be protected during demolition. It is expected that all prescribed trees within the site shall be protected by standard chain-wire construction fencing and this shall be documented in the Tree Protection Plan, and all stockpile areas shall be excluded form within the tree fencing zones.*

*In summary, the Tree Protection Plan, prepared by an Arborist with minimum AQF Level 5 in arboriculture shall document:*

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- i) location of all prescribed trees, including extent of canopy,
- ii) access routes throughout the site for demolition activity,
- iii) location of tree protection fencing / barriers,
- iv) root protection in the form of mulching or boards proposed within the tree protection zone,
- v) trunk and branch protection within the tree protection zone,
- vi) location of stockpile areas and materials storage,
- vii) other general tree protection measures.

Applicant comment:

An Arboricultural Impact Assessment (AIA) has been prepared in support of the proposed demolition and is provided at **RFI Appendix 2**. The AIA includes the location of all prescribed trees to be removed and retained.

The AIA includes a Tree Protection plan that identifies that any tree to be retained has tree protection fencing installed at nominated distances thus forcing machinery / traffic around. The AIA discusses protection measures to leave existing driveways in place until the end of project and then replace with rumble boards.

## **2. Bushland and Biodiversity Referral Response**

*It is noted that the Statement of Environmental Effects confirms that no tree removal will take place unless trees to be removed are considered exempt under Council's current tree management regulations. The proposal has been submitted without an arboricultural impact assessment. Impacts to prescribed trees from the proposed demolition works need to be assessed as indicated during the PLM meeting.*

*Additionally, if more than 4 prescribed trees are to be removed due to impacts stemming from the impact of works, a Flora and Fauna assessment will have to be prepared by an appropriately qualified ecologist as per Council's Biodiversity requirements for Development Applications. The biodiversity referral will recommence upon reception of an arboricultural impact assessment.*

Applicant comment:

A Flora and Fauna Assessment (FFA) has been carried out by Ecological Consultants Australia in support of the Proposal and is provided at RFI **Appendix 3**. The FFA includes an assessment of the Proposal against the Biodiversity Offsets Scheme (BOS) under the BC Act, and confirms that the BOS is not triggered, given:

- The proposed development does not trigger the area clearing threshold.
- The proposed development does not require the clearing of native vegetation or other biodiversity impacts prescribed by clause 6.1 of the Biodiversity Regulation 2017 on land identified on the Biodiversity Values (BV) Map and therefore, the BV Map threshold is not triggered.

The FFA assesses the potential impacts of the proposed development, including direct and indirect impacts on threatened species, populations, ecological communities and their habitats, according to Section 5A of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act). Subject to the adoption of appropriate management actions as recommended in the FFA, the Proposal is considered to be satisfactory.



### 3. Development Engineering Referral Response

*Development Application is for demolition works of existing structures upon the property. Council maps shows there is Council's stormwater pipe running parallel along Northwest boundary of the subject site. Demolition works can have detrimental impact on Council drainage infrastructure, hence applicant is advised to accurately locate, confirm dimensions including depth, and plot to scale Council's stormwater pipeline and associated infrastructure on the survey and master plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor (evidence of methodology used for locating stormwater system should be provided).*

#### Applicant comment:

The location of the abovementioned Council stormwater line is illustrated on the Stormwater Detail Plan provided at **RFI Appendix 4**. The project Surveyor used a theodolite to locate the pits and pipe inverts and assumed a straight line between all pits.

#### **Conclusion**

We trust the above information satisfactorily closes out the queries raised by Northern Beaches Council in the RFI.

If you have any queries or concerns in relation to the above and/or attached, or if you require any further clarification, please do not hesitate to contact Asher Richardson by email at [asher.richardson@willowtp.com.au](mailto:asher.richardson@willowtp.com.au) or by phone on 0488010636.

Kind regards



Asher Richardson  
Associate  
Willowtree Planning Pty Ltd

