

## Landscape Referral Response

<b>Application Number:</b>	DA2024/1091
<b>Date:</b>	31/07/2025
<b>Proposed Development:</b>	Demolition works and construction of a mixed use development with basement parking comprising of retail uses and a childcare centre
<b>Responsible Officer:</b>	Claire Ryan
<b>Land to be developed (Address):</b>	<p>Lot 5 S/P 32656 , 5 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 5 S/P 32656 , 5 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot B DP 385973 , 3 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 3 S/P 32656 , 3 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 3 S/P 32656 , 3 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 7 S/P 32656 , 7 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 7 S/P 32656 , 7 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 1 S/P 32656 , 1 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 1 S/P 32656 , 1 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 4 S/P 32656 , 4 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 4 S/P 32656 , 4 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 6 S/P 32656 , 6 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 6 S/P 32656 , 6 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 2 S/P 32656 , 2 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot 2 S/P 32656 , 2 / 1 Careel Head Road AVALON BEACH NSW 2107</p> <p>Lot CP SP 32656 , 1 Careel Head Road AVALON BEACH NSW 2107</p>

### Reasons for referral

This application seeks consent for the following:

- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

## Officer comments

### Amended Plans Comment 31/07/2025

Amended plans following conciliation discussions are noted.

The plans have been amended to enable retention of the Trees 1 and 2, which is supported.

Additional deep soil and soft landscape areas above slab have been provided, enabling a more suitable landscape setting to the proposed development.

Landscape Plans have clarified species proposed (particularly relating to trees), and are generally acceptable.

Conditions have been included requiring some additional taller plant species to the Careel Head Road frontage of the site and in the garden bed at the corner of Careel Head and Barrenjoey Roads to improve the creation of built form in an landscaped setting. Street tree species to be planted have also been included in conditions.

No objections are now raised regarding landscape issues subject to conditions as recommended.

### Original comment

The application seeks consent for: Demolition works and construction of a mixed use development with basement parking comprising of retail uses and a childcare centre, including signage.

The Arborist's Report prepared by Redgum Horticultural and Landscape Plans prepared by Canvas are noted.

The Arborist's Report indicates that all trees on the site are to be removed. The trees include two High retention value trees, T1 - *Araucaria heterophylla* (Norfolk Island Pine) and T2 - *Casuarina glauca* (Swamp She Oak) located on the northern boundary to Careel Head Road. 5 x existing *Syagrus romanzoffiana* (Cocos Palms) located along the Barrenjoey Road frontage are also indicated for removal.

The Landscape Plans indicate planting of low shrubs in a planter along a small portion of Careel Head Road and a narrow planting area containing trees and low shrubs/grouncovers along the Barrenjoey Road frontage. Additional planting is proposed along the southern boundary adjacent to existing residential dwellings.

The plans provided do not indicate replacement planting of trees of commensurate scale with the Norfolk Island Pine and She Oak trees that are to be removed.

The resultant landscape setting of the proposal is not supported in consideration of the planning controls relevant to the site in terms of providing buildings in a landscape setting with the built form subservient to the landscape.

Specific issued raised are as follows:

#### 1. Retention of Trees 1 and 2.

Removal of the Norfolk Island Pine and Swamp She Oak are not supported. The trees provide a significant



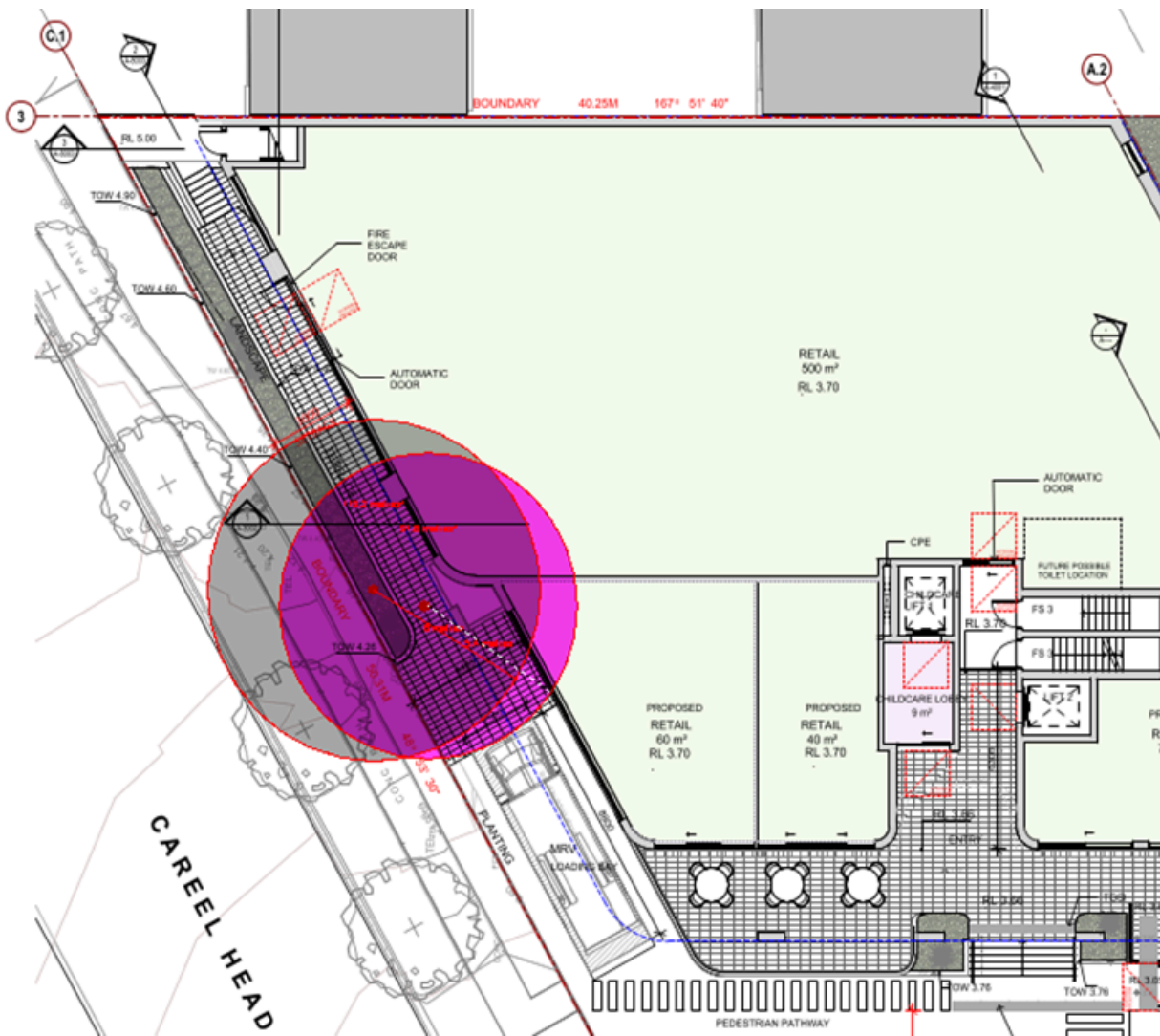
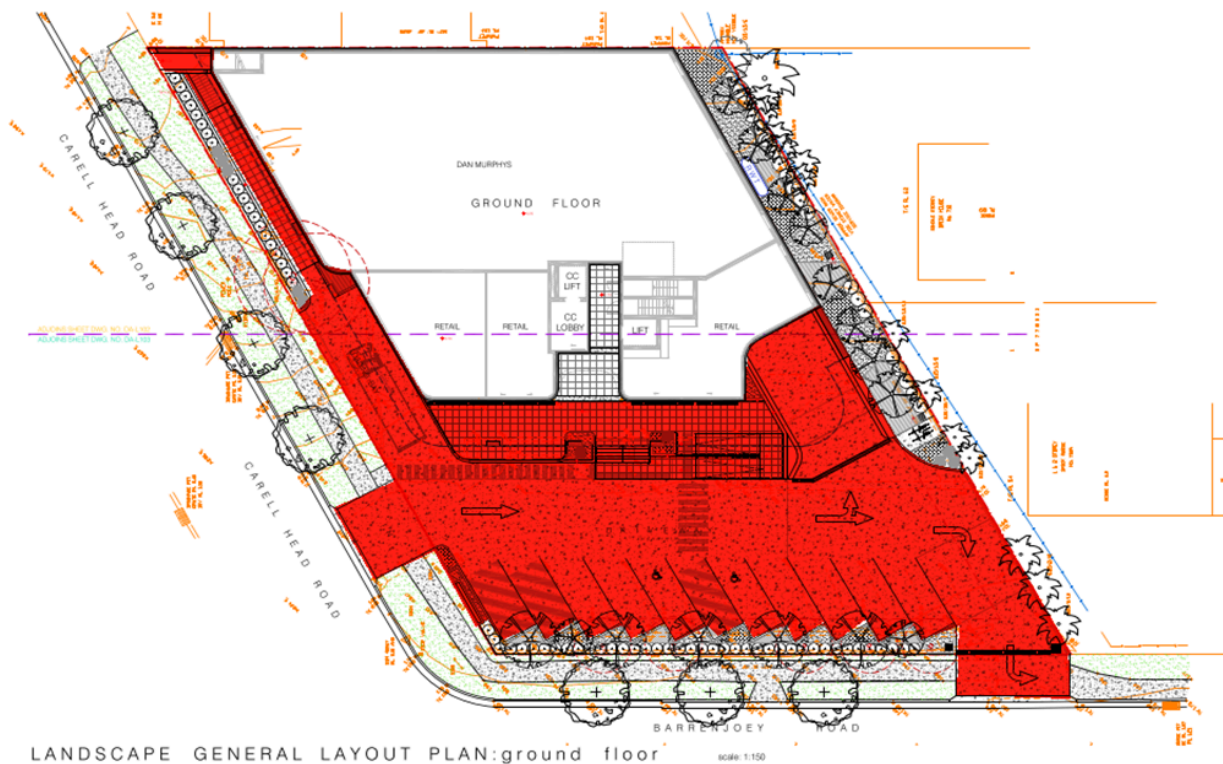


Fig.2 Trees 1 and 2 TPZ overlaid to the proposed ground floor level

Given the size of the site, it is considered that the setback required to retain the trees is achievable. Consideration of the planning controls and benefits to the childcare centre indicates that the retention of the trees is desirable. It is considered that the trees should be retained in the re-development of the site.

## 2. Landscape Setting to the Development.

The plans indicate that the landscape setting of the proposed development results in a predominance of hard surfaces to the Careel Head Road and Barrenjoey Road frontage of the site. Fig. 3 indicates the extent of hard paved area that present to the public interface.



LANDSCAPE GENERAL LAYOUT PLAN:ground floor  
Fig.3 Hard paved areas around the proposed building

The landscape Plans indicate the provision of an 800mm wide (soil width) raised planter constructed above slab along Careel Head Road. The planter is indicated to provide small shrubs and groundcovers. No screening of the building bulk is provided by the planter and no screening of the loading bay is provided.

The Landscape Plans provide angled planting forward of the parking bays fronting Barrenjoey Road.

The proposed planting width varies between 2 m and 750mm, resulting in an average width of 1.38m.

The planning controls require a more substantial landscape setback.

The landscape planting and landscape outcome proposed is not considered to provide the outcome as envisaged by the planning controls.

Relevant Planning Controls:

## **C2.1 Landscaping**

### **D1.4 Scenic protection - General**

### **D1.8 Front building line**

### **D1.9 Side and rear building line**

### **D1.1 Character as viewed from a public place**

### **A4.1 Avalon Beach Locality**



The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

#### Recommended Landscape Conditions:

### CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

#### Amended Landscape Plan

An Amended Landscape Plan shall be issued to the Certifier prior to the issue of a Construction Certificate to include the following details:

- i) inclusion of an additional 5 x *Doryanthes excelsa* to be planted in the garden areas to the east of Trees 01 and 02.
- ii) substitute *Raphiolepis indica* 'Snow Maiden' with native species such as *Philotheca myoporoides*, *Correa alba* or *Westringesia fruticosa*
- iii) substitute *Duranta* 'Mini Gold' with native species such as *Acacia* 'Limelight' (*Acacia cognata* cv.) or *Lomandra* 'Lime Tuff'
- iv) inclusion of an additional 3 x *Livistona australis* with minimum trunk height of 2 metres to be located in the raised planter immediately adjacent to the entrance driveway (western side of the driveway).
- v) delete new street tree planting in the Barrenjoey Road road reserve
- vi) indicate street tree planting species to Careel Head Road in locations as shown on the plan as *Eucalyptus robusta* minimum 75 litre pot size.

Certification shall be provided to the Certifier that these amendments have been documented.

Reason: Landscape amenity.

#### Tree Protection Specification and Protection Plan

- a) A Tree Protection Specification and Tree Protection Plan shall be submitted to the Certifier for approval prior to the issue of a Construction Certificate, demonstrating the Tree Protection Zone, tree protection measures and Arboricultural inspection hold points and requirements for on-site supervision by the Project Arborist in accordance with AS4970-2025 Protection of Trees on Development Sites, to protect the following trees:
  - i) T1 - *Araucaria heterophylla* (Norfolk Island Pine) and T2 - *Casuarina glauca* (Swamp She Oak) as identified in the Arborist's Report prepared by Redgum Horticultural
- b) The Tree Protection Plan shall be prepared by an Arborist with minimum AQF Level 5 in arboriculture, incorporating the following:
  - i) location of all trees identified for retention, including extent of canopy,
  - ii) access routes throughout the site for construction 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 and requirements for on-site supervision by the Project Arborist.

Reason: Tree protection.

### On Slab Landscape Works

Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections.

The following soil depths are required to support landscaping:

- i) 300mm for groundcovers, perennials, grasses and lawn
- ii) 600mm for shrubs
- iii) 1m for small trees

Design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: To ensure appropriate soil depth for planting and secure waterproofing and drainage is installed.

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with the approved Tree Protection Specification and Tree Protection Plan, AS4970-2025 Protection of trees on development sites.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, and in particular:

- a) Demolition, excavation and construction within the Tree Protection Zone of trees T1 - *Araucaria heterophylla* (Norfolk Island Pine) and T2 - *Casuarina glauca* (Swamp She Oak) as identified in the Arborist's Report prepared by Redgum Horticultural

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Principal Certifier that all tree protection measures under AS4970-2025 have been satisfied, and the recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s).

Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: Any potential impact to trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Protection of Sites of Significance**

Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works shall cease in the area and the Aboriginal Heritage Office contacted to assess the finds.

Under Section 89a of the NPW Act should the objects be found to be Aboriginal, NSW Biodiversity and Conservation Division, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) shall be contacted.

Reason: Preservation of significant environmental features.

### **Protection of Existing Street Trees**

All existing street trees in the vicinity of the works shall be retained during all construction stages, and the street tree(s) fronting the development site shall be protected by tree protection fencing in accordance with Section 4 of AS4970-2025 Protection of trees on development sites. As a minimum the tree protection fencing for street tree(s) fronting the development site shall consist of standard 2.4m panel length to four sides and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, unless otherwise directed by an Arborist with minimum AQF Level 5 in arboriculture. All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

All street trees within the road verge are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited. No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

Reason: Street tree protection.

### **Tree and Vegetation Protection**

- a) Existing trees and vegetation shall be retained and protected, including:
  - i) all trees within the site not indicated for removal on the approved Plans,
  - ii) all trees and vegetation located on adjoining properties,
  - iii) all trees and vegetation within the road reserve.
- b) Tree protection shall be undertaken as follows:
  - i) tree protection shall be in accordance with the approved Tree Protection Specification and Tree Protection Plan and AS4970-2025 Protection of trees on development sites,
  - ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by the Project Arborist,



- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with the Project Arborist,
- iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by the Project Arborist on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with the Project Arborist including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, the Project Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Project Arborist to the Principal Certifier,
- viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in section 4 of AS4970-2025 Protection of trees on development sites,
- ix) the activities listed in section 4 of AS4970-2025 Protection of trees on development sites, shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2007 Pruning of amenity trees,
- xi) the tree protection measures specified in this clause must:
  - i) be in place before work commences on the site, and
  - ii) be maintained in good condition during the construction period, and
  - iii) remain in place for the duration of the construction works.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken and certified by the Project Arborist as compliant to AS4970-2025 Protection of trees on development sites, and any recommendations of the approved Tree Protection Specification and Tree Protection Plan.

Reason: Tree and vegetation protection.

### **Condition of Trees**

During the construction period the applicant is responsible for ensuring all existing trees required to be retained are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to or by seeking arboricultural advice from the Project Arborist during the works.

In this regard all protected trees shall not exhibit:

- i) a general decline in health and vigour,
- ii) damaged, crushed or dying roots due to poor pruning techniques,
- iii) more than 10% loss or dieback of roots, branches and foliage,
- iv) mechanical damage or bruising of bark and timber of roots, trunk and branches,
- v) yellowing of foliage or a thinning of the canopy untypical of its species,

- vi) an increase in the amount of deadwood not associated with normal growth,
- vii) an increase in kino or gum exudation,
- viii) inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition,
- ix) branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of trees.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Street Tree Planting**

Street tree planting shall be installed in accordance with the approved Landscape Plans.

- a) All street trees shall be a minimum pre-ordered planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees. All street trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, including a four post and top and mid rail timber tree guard, and watered until established, and shall be generally located as indicated on the Landscape Plans.
- b) Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To maintain environmental and streetscape amenity.

### **Landscape Completion**

Landscape works including tree, shrub and ground-cover planting are to be implemented in accordance with Landscape Plans Ground Floor - east and west, Revision F , Dwg Nos L102 and L103 dated 24/07/2025 Landscape Plan Level 01 Rev E dated 23/07/25 prepared by Canvas (as amended by Conditions of Consent) , and inclusive of the following conditions:

- a) landscape works (other than street tree planting) are to be contained within the legal property boundaries,
- b) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Natspec - Specifying Trees; planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established;
- c) tree, shrub and groundcover planting shall be installed as indicated on the Landscape Plans,

Prior to the issue of an Occupation Certificate, details (from a qualified landscape architect, landscape designer or horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

### **Condition of Retained Vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by the Project Arborist shall be

submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- b) extent of damage sustained by vegetation as a result of the construction works,
- c) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree and vegetation protection.

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **Landscape Maintenance**

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan(s) and any conditions of consent.

A maintenance activity schedule for on-going maintenance of planters on slab shall be incorporated to monitor and replenish soil levels as a result of soil shrinkage over time.

The approved landscape area shall in perpetuity remain as planting under the development consent.

Reason: To maintain local environmental amenity.