

## Landscape Referral Response

<b>Application Number:</b>	DA2018/1989
<b>Date:</b>	25/03/2019
<b>Responsible Officer:</b>	Alex Keller
<b>Land to be developed (Address):</b>	<p>Lot 8 DP 629464 , 102 Cabarita Road AVALON BEACH NSW 2107</p> <p>Lot 15 DP 858130 , 100 Cabarita Road AVALON BEACH NSW 2107</p> <p>Lot 14 DP 858130 , 96 Cabarita Road AVALON BEACH NSW 2107</p> <p>Lot 9 DP 629464 , 104 Cabarita 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

The proposed development includes the subdivision of the existing 4 lots into 2 torrens title lots with one of the proposed lots accommodating the existing dwelling and boat shed and the other lot then being further subdivided into a community title subdivision comprising 9 residential lots and one community lot.

The landscape component includes retention and management of the Pittwater Spotted Gum Endangered Ecological Community as a Environmental Protection Area within Lots 2, 3, 4 and 5; the Swamp Oak Floodplain Forest Endangered Ecological Community as a Vegetated Riparian Zone, both subject to a Biodiversity Management Plan; and general landscaping and native planting around the proposed dwellings.

Council's Landscape section has assessed the proposal against the following Pittwater21 DCP Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C4.4 Subdivision - Public Roads, Footpath and Streetscape

C4.7 Subdivision - Amenity and Design

C4.8 Subdivision - Landscaping on the existing and proposed public road reserve frontage to subdivision lots

The application omits to provide arboricultural information on existing trees within the road reserve, or those in close proximity to the road reserve, that may be impacted by the requirements for a public footpath as required by C4.4. As such the subdivision proposal is currently unacceptable with the information provided.

Insufficient information is provided at this stage to warrant approval, as follows:

- The Civil plans include the requires 1.5m wide footpath for the full width of the road reserve. A barrier is required to prevent the vehicles potentially travelling off the road and into the residential houses. Retaining walling may be required for both the footpath and crash barrier. This has not been represented on the plans. Additionally, the impact to existing vegetation from construction of a 1.5m footpath, crash barrier and any retaining walling has not been demonstrated. Should a 1.5m wide footpath impact upon existing trees, a 1.2m wide footpath shall be considered.
- The Tree Assessment and Development Impact Report prepared by Growing My Way Tree Services does not provide arboricultural assessment to determine the impact to the following existing trees located within the Environment Protection Area that are subject to the requirement for a footpath, crash barrier and any retaining walling within the road reserve: 18 Spotted gum, 25 Grey Ironbark, 34 Grey ironbark, 37 Spotted Gum, 37B Forest Oak, 37E Grey Ironbark, 38 Spotted Gum, 39 Spotted Gum, 42 Grey Ironbark, and unidentified trees 164 and 167, to satisfy B4.22
- Insufficient information is provided on the landscape treatment proposals and ongoing landscape management program to be provided within the area containing the Pittwater Spotted Gum Endangered Ecological Community within Lots 2, 3, 4 and 5; and the Swamp Oak Floodplain Forest Endangered Ecological Community identified as Vegetated Riparian Zone, apart from the proposal for quantified tree planting. Reference is provided in the Biodiversity Development Assessment Report prepared by GIS Environmental Consultants that this work is subject to a future Biodiversity management Plan (BMP). A detailed plan for preparation, construction and ongoing management of these areas is required.
- It is unknown how the Endangered Ecological Communities will be managed on Title, including ongoing management responsibility and restrictions on Title for future applications for residential additions and alterations.

## **Referral Body Recommendation**

Recommended for refusal

## **Refusal comments**

## **Recommended Landscape Conditions:**

Nil.