

Landscape Referral Response

Application Number:	DA2022/1915
Date:	10/07/2023
Proposed Development:	Alterations and additions to a dwelling house including a swimming pool
Responsible Officer:	Dean Pattalis
Land to be developed (Address):	Lot 89 DP 13760 , 29 Wandeen Road CLAREVILLE NSW 2107

Reasons for referral

This application seeks consent for the following:

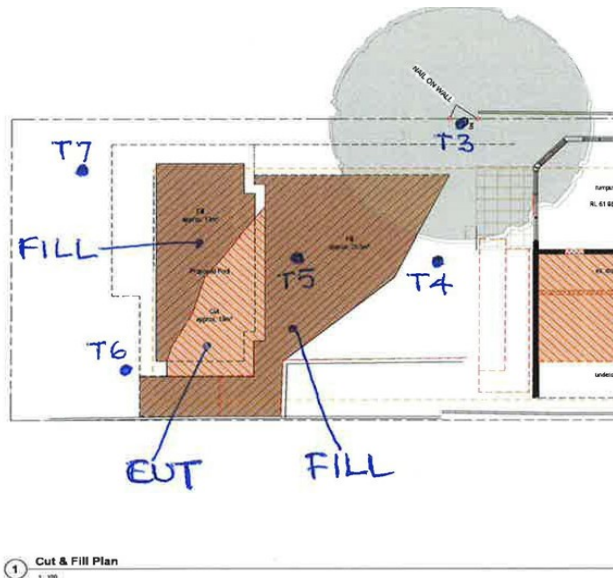
- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

Officer comments

The proposed development upon land zoned C4 Environmental Living Zone proposes a landscape area of 46.4% or 52.4% with the permitted Pittwater DCP variation, and this matter shall be assessed and determined by the Assessing Planning Officer. In terms of the landscape setting and outcome of the proposed development, the shortfall in landscape area results in the inefficacy of existing trees to be incorporated into the proposed development, and this is contrary to the objectives of the C4 Environmental Living Zone. The landscape objectives of the C4 Environmental Living zone requires development to achieve a scale integrated with the landform and landscape, and to minimise impact on the natural environment, including the retention of natural landscape features and existing trees.

The development proposal reduces the landscape area and this impacts upon the ability to preserve existing Spotted Gum trees that exist throughout the property.

Within the rear setback, the proposed pool, associated terrace and retaining walling is in close proximity to existing native trees of high retention value, including Spotted Gums identified as tree 5, 6, and 7. The sectional details include excavation and fill in close proximity to these native trees, and it is considered that such proximity will impact the health of the existing native trees in the long term, and any arboricultural review must report on the long term impacts to the existing trees rather than capability to construct in proximity to trees. It is noted that the pool excavation is approximately to an assumed depth of RL59.90 and existing tree 5 is located at RL61.52, tree 6 is located at 58.84, and the tree 7 existing level is not surveyed however exists between RL 56.30 and RL58.84, such that tree 5 is certainly impacted upon. Additionally the Cut and Fill Plan identifies the extent of cut and fill near existing trees 4, 5 and 6, and the Arborist review may not have taken the cut and fill impact into consideration nor into the percentage encroachment for each tree within the tree protection zone. All native gum trees are sensitive to changes in ground levels including excavation, removal of existing tree roots or covering of existing roots aeration.



It is considered that construction in close proximity to the existing trees will impact the health, vigour and condition of the trees in the long term and this cannot be accepted by Council as it is contrary to Pittwater LEP 2014 - Clause 7.6 Biodiversity Protection and the stated objectives of the C4 Environmental Living Zone, and Pittwater DCP 21 - Clause B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community, B4.22 Preservation of Trees and Bushland Vegetation, and C1.1 Landscaping.

Additionally the site planning locations of the pool and surrounds, should approval be granted, shall increase the likelihood of requests for tree removal of existing (that is once approved) structures and property, and protection of persons.

Concern is raised that the proposed retaining wall identified on the plans as either "concrete block or sandstone retaining wall on strip and pier footing" in proximity to the Spotted Gum identified as tree 3 will impact the health of this tree in the long term. The existing ground level of tree 3 is RL61.41 and the proposed pool and surrounds level is RL61.90 which is equivalent to the existing dwelling house level at RL62.00, such that it is therefore assumed that the turf area between pool and dwelling and the proposed retaining walling near tree 3 will also be at RL61.90/RL62.00, resulting in fill over the natural ground under tree 3, and incidentally also under the Spotted Gum identified as tree 5 (RL61.52), and thus such alteration of existing ground levels will impact on the long term viability of the existing trees.

Within the front setback, The two Spotted Gum trees identified as tree 1 and tree 2 are proposed for removal solely based on the location of the proposed car turning area and balcony above. The car turning area is approximately 7.5 metres in width and appears to be more rather additional car spaces rather than a turning area for vehicles. It is noted that a two car garage is existing within the front setback. Should the proposal be approved, the two existing trees are unable to be retained. However upon review there is no arboricultural reason for removal as these trees are assessed as high retention value trees, and under the stated objectives of the C4 Environmental Living Zone, and Pittwater DCP 21 - Clause B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community, B4.22 Preservation of Trees and Bushland Vegetation, and C1.1 Landscaping, should be retained unless there is no design alternative.

Design alternatives are available including utilising the existing front lawn area in association with new retaining walling to create a suitable turning area, widening of the existing driveway as well as reconfiguring turning areas, and on site turn tables, to reduce the encroachment into the tree protection zone of the existing trees.

The proposal is therefore unsupported.

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

Recommended Landscape Conditions:

Nil.