

## Landscape Referral Response

<b>Application Number:</b>	DA2025/0167
<b>Date:</b>	10/06/2025
<b>Proposed Development:</b>	Alterations and additions to a dwelling house including a secondary dwelling and garage
<b>Responsible Officer:</b>	Brittany Harrison
<b>Land to be developed (Address):</b>	Lot 2 DP 528345 , 45 A Riviera Avenue AVALON BEACH 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 application as described in reports and as illustrated on plans is assessed by Landscape Referral against the Pittwater Local Environment Plan (PLEP) clause C4 zone Environmental Living, and the following Pittwater 21 Development Control Plan (PDCP) controls (but not limited to): B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; and D1 Avalon Locality. The site is located in the C4 Environmental Living zone, requiring development to achieve a scale integrated with the landform and landscape, and to minimise impact on the natural environment with ecological, scientific or aesthetic values, including the retention of natural landscape features and existing trees, to satisfy the landscape objectives of the C4 Environmental Living zone.

updated comment 10/06/2025:

The proposed external stairs within the road reserve verge are removed on amended plans and this issue is thus resolved through deletion of the proposed external stairs from the application. The Arboricultural Impact Assessment (AIA) remains unaltered. Landscape Referral raise no concerns with the recommendations of the AIA report to remove trees 13 and 14. The tree protection measures as identified in the AIA report for existing trees to be retained shall be included in conditions of consent.

previous comment 11/03/2025:

The development application seeks approval for the proposed double garage and a secondary dwelling to an existing main residence. Additionally, the proposal includes new external stairs located within the public road reserve of Capua Place that features a substantial sandstone escarpment within the road reserve verge of visual prominence. The proposed external stairs lead into the property open space area without connecting to the residence.

The proposed double garage is over existing timber decking, and the secondary dwelling is located upon landscape area that will require removal of two existing trees (tree 13 and tree 14) should the secondary dwelling be approved, as assessed in the Arboricultural Impact Assessment (AIA). It is noted that trees 13 and 14 are not located in the Biodiversity Values Map (BVM) and Landscape Referral raise no concerns with the recommendations of the AIA report. The tree protection measures as identified in the AIA report for existing trees to be retained shall be included in conditions of consent.

Landscape Referral raise concern with the proposed external stairs within the road reserve verge as this impacts upon the landscape character of the streetscape, specifically that the proposal does not satisfy PDCP control D1.1 Character as viewed from a public place, and PDCP control D1.4 Scenic protection - General. PDCP D1.1 requires any development works to respond to the natural environment and the proposal instead present a prominent built structure that will diminish the presence and visual amenity of the existing sandstone escarpment. PDCP D1.4 requires that development shall minimise any visual impact on the natural environment when viewed from the road and the proposed built structure will likewise diminish the presence and visual amenity of the existing sandstone escarpment.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **Tree Removal Within the Property**

This consent approves the removal of existing prescribed trees on the subject site as identified in the Arboricultural Impact Assessment. A qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

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

#### **Tree and Vegetation Protection**

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees within the site not approved for removal, including trees and vegetation nominated for retention 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 AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- 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 an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist/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 sections 4.5.3 and 4.5.6 of AS4970-2009 Protection of trees on development sites,
- ix) the activities listed in section 4.2 of AS4970-2009 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 as compliant to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.