

## Landscape Referral Response

<b>Application Number:</b>	DA2022/0922
<b>Date:</b>	24/06/2022
<b>Responsible Officer:</b>	Claire Ryan
<b>Land to be developed (Address):</b>	Lot 1 DP 712236 , 39 B Ocean Road PALM BEACH NSW 2108

### 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 development application is for the construction of a cabana, retaining walls and stairs, as described and illustrated in the Reports and Plans. A Landscape Plan and a Arboricultural Impact Assessment accompany the application and are assessed as part of this Landscape Referral.

Council's Landscape Referral is assessed against the Pittwater Local Environment Plan clause C4 zone Environmental Living, and the following Pittwater 21 DCP controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D12 Palm Beach 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, including the retention of natural landscape features and existing trees, to satisfy the landscape objectives of the C4 Environmental Living zone.

The submitted Arboricultural Impact Assessment report addresses ten trees that may be impacted by the development and determines that two trees will require removal, including a high retention value endemic Cabbage Tree Palm (identified as tree 4) and one Exempt Species palm (identified as tree 3). Should the application be approved as documented, the removal of the Cabbage Tree Palm is unavoidable. The design of the works has been carried out to ensure that an existing high retention value endemic Cheese Tree (identified as tree 9 in the Arboricultural Impact Assessment and as tree 8 in Plans) can be suitably retained.

On review of the location of the proposed Cabana, it is considered that minor design adjustments may result in the retention of the tree 4 - Cabbage Tree Palm, as the rootball of such species are not extensively spread, and thus relocation of the Cabana northward to ensure at least a distance of more than 2 metres from construction is seen as a better design solution. It is noted that trees 1 and 2 are Exempt Species under the DCP that may be removed without Council consent. Therefore relocation of the Cabana northward will result in removal of only trees 1, 2, and 3, which are all Exempt Species, and

the retention of the high retention value endemic Cabbage Tree Palm, and Landscape Referral recommend such design amendment to achieve support for the application.

The Landscape Plan submitted proposes extensive enhancement of the areas impacted by development works and the proposal is generally supported, with the exception by the proposed Kentia Palm planting, which as an Exempt Species under the DCP, may be removed without Council consent, and should be substituted with a semi-mature Cabbage Tree Palm.

Landscape Referral do not support the application in its current form as a design amendment is available for the Cabana location to adequately retain the high retention value endemic Cabbage Tree Palm, and thus meet the objectives of the C4 land zone.

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.