

## Landscape Referral Response

<b>Application Number:</b>	DA2021/0524
<b>Date:</b>	27/05/2021
<b>Responsible Officer:</b>	Nick Keeler
<b>Land to be developed (Address):</b>	Lot 55 DP 13325 , 45 Park 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 proposal is indicated to be for replacement of existing windows, doors and decks, construction of a new driveway crossover, carport, stairs, retaining wall, secondary dwelling and demolition of structures and tree removal.

Councils Landscape Referral section has considered the application against the Pittwater Local Environment Plan, noting that the site is within the E4 Environmental Living Zone, and the following Pittwater 21 DCP controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D1.14 Landscaped Area - Environmentally Sensitive Land

D1.4 Scenic protection - General

Arborist's Report provided with the application is noted. The Report indicates that two trees, T8 *Eucalyptus paniculata* (18m ht) and T9 *Corymbia maculata* (18m ht) are required to be removed to accommodate the driveway and carport as presented in the application.

The site is noted to be on land mapped as Pittwater Spotted Gum Forest (Endangered Ecological Community) and is also on land mapped on the Biodiversity Values map under the Biodiversity Conservation Act.

The Biodiversity Conservation Regulation 2017 sets out threshold levels for when the Biodiversity Offsets Scheme will be triggered. The threshold has two elements:

- Whether the amount of native vegetation being cleared exceeds a threshold area, or
- Whether the impacts occur on an area mapped on the Biodiversity Values map published by the Chief Executive of the NSW Office of Environment and Heritage.

As the land is mapped on the Biodiversity Values map and trees from the Pittwater Spotted Gum Forest

EEC are proposed for removal, it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (the BAM) to assess the impacts of a proposal. I would defer to the comments of Bushland and Biodiversity for specific requirements regarding the required environmental assessment.

From a landscape perspective, the trees are indicated in the Arborist's report as being in Good health and are Significant trees.

As such, removal of the trees is not supported in this instance in consideration of the planning controls applicable to the site, referred to above.

No objections are raised to the secondary dwelling component, which is indicated to be clear of remnant trees and vegetation.

If environmental issues are resolved and the proposal is to be approved in consideration of other issues, conditions can be provided.

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.