

## Landscape Referral Response

<b>Application Number:</b>	DA2021/1524
<b>Date:</b>	31/08/2021
<b>Responsible Officer:</b>	Phil Lane
<b>Land to be developed (Address):</b>	Lot 42 DP 8394 , 58 Marine Parade 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

This application is for the construction of a secondary dwelling located towards the rear of an existing residential dwelling.

Councils Landscape Referral section has considered the application against the Pittwater Local Environmental plan, 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

The Statement of Environmental Effects provided with the application notes that the majority of trees, including canopy trees, have been retained on site and shall not be removed as a result of proposed works. This statement is largely supported by the Architectural Plans provided as it is evident that no tree is proposed to be removed.

Concern however is raised regarding the impacts of proposed works on these existing trees to be retained. It is noted that the existing shed is already likely to impact a number of trees located in the south-west corner of the site, however the extent of demolition, excavation and construction is not fully understood, hence the true impacts of the proposed works is not clear. The proposed works seek to create a larger footprint than that created by the existing shed, which appears to be located well within the Tree Protection Zone (TPZ) of these trees, and possibly the Structural Root Zone (SRZ) as well. These trees provide valuable privacy screening, as well as landscape amenity through the canopy coverage they provide, and as a result should be retained and protected throughout proposed works. The removal of these trees, or any negative impacts towards both the short-term and long-term health of these trees, would likely not be supported. The retention of these trees is key to satisfying control B4.22 as key objectives of this control include "to protect and enhance the urban forest of the Northern Beaches", as well as "to protect and enhance the scenic value and character that trees and/or bushland vegetation provide". For this reason, it is recommended that an Arboricultural Impact Assessment be provided in accordance with Councils Development Application Lodgement Requirements. This

Arboricultural Impact Assessment is required to assess the impacts of proposed works on existing trees, specifically those located at the rear of the site adjacent to the southern and western boundaries. It should be noted that any encroachment into the TPZ by 10% or more, or any encroachment into the SRZ is deemed to be major, and as a result, requires a tree root investigation as per AS4970-2009, specifically *Clause 3.3.3 Major Encroachment*.

Slight concern is also raised regarding the limited screen planting along the western boundary, as the proposed secondary dwelling has the opportunity to negatively impact the amenity and privacy of those located in the neighbouring property. It is therefore recommended that screen planting be incorporated into the proposal along this boundary to ensure the bulk and scale of the secondary dwelling is softening and complemented by landscaping. This screen planting is essential to satisfy controls C1.1 and D1.14, as key objectives of these controls seek to ensure "landscaping enhances habitat and amenity value", "landscaping reflects the scale and form of development", as well as that the "built form is softened and complemented by landscaping". Rather than the need for a Landscape Plan, this required screen planting can be dealt with through conditions of consent.

The landscape component of the proposal is therefore not currently supported due to the unknown impacts of proposed works on existing trees to be retained. It is therefore recommended that an Arboricultural Impact Assessment be provided with the application in accordance with Council's Development Application Lodgement Requirements. This Arboricultural Impact Assessment shall assess the impacts of proposed works, including the required demolition, excavation and construction, on the health and vitality of these existing trees to be retained. Should proposed works encroach into the TPZ of these trees by 10% or greater, or into the SRZ at all, a tree root investigation shall be required as per AS4970-2009, specifically *Clause 3.3.3 Major Encroachment*.

Upon the receipt of the required information, further assessment can be made.

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.