

Landscape Referral Response

Application Number:	DA2022/2152
Date:	08/02/2023
Proposed Development:	Demolition works and subdivision of land into 9 lots including tree removal and infrastructure work
Responsible Officer:	Adam Croft
Land to be developed (Address):	<p>Lot 3 DP 210342 , 128 Crescent Road NEWPORT NSW 2106</p> <p>Lot 21 DP 545339 , 57 The Avenue NEWPORT NSW 2106</p> <p>Lot LIC 407538 , 57 The Avenue NEWPORT NSW 2106</p> <p>Lot LIC 460612 , 57 The Avenue NEWPORT NSW 2106</p> <p>Lot 1 DP 503390 , 126 Crescent Road NEWPORT NSW 2106</p> <p>Lot 2 DP 210342 , 55 The Avenue NEWPORT NSW 2106</p> <p>Lot 111 DP 556902 , 122 Crescent Road NEWPORT NSW 2106</p> <p>Lot 112 DP 556902 , 122 Crescent Road NEWPORT NSW 2106</p> <p>Lot LIC 188424 , 122 Crescent Road NEWPORT NSW 2106</p> <p>Lot 295 DP 820302 , 122 Crescent Road NEWPORT NSW 2106</p> <p>Lot 295 DP 820302 , 122 Crescent Road NEWPORT NSW 2106</p>

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 not supported with regard to landscape issues.

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):

- C4.4 Subdivision - Public Roads, Footpath and Streetscape
- C4.7 Subdivision - Amenity and Design
- C4.8 Subdivision - Landscaping on the Existing and proposed public road reserve frontage to subdivision lots
- D10 Newport 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 Arboricultural Impact Assessment identifies 76 trees and Landscape Referral highlights the following breakdown:

- 12 trees are located within the road reserve (trees 1, 2, 3, 57, 58, 59, 60, 61, 62, 63, 64, and 69) and the remaining 64 trees are located within the property boundaries,
- 19 trees are shown to be retained on the architectural plans (trees 3, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, and 76),
- 43 are exempt trees, within the property boundaries, and as such they can be removed without consent (trees 4, 5, 7, 8, 11-15, 18, 20-28, 31-36, 38-42, 44, 46, 47, 49, 50, 52-55, 65, 67, 71, 72),
- Trees 19 and 29 can be supported for removal as they are structurally defective,
- Trees 16, 17, 30, 37, 43, 45, 48 and 51 shall be retained as their removal is not required for the subdivision works, and their removal will be determined in future Development Applications,
- Trees 6, 9 and 10 can be supported for removal to allow for the installation of the stormwater infrastructure,
- Street trees 1 and 2 can be supported for removal as replacement native street trees will be required,
- Trees 56, 57, 58 and 59 will be discussed below.

The proposed driveway from The Avenue to Lot 9 shall be relocated to the existing hardstand area to the west or located internally off the proposed central right of way. Relocation of this driveway will remove any potential impact to tree 59 and 56, and both trees shall be retained. Although Lot 9 driveway is to be relocated tree 58 can be supported for removal as it is a weed species. Tree 57 must be retained and a lack of information does not allow for an accurate assessment. The Arborist indicates the current arrangement will create a significant encroachment of 35% which is not generally acceptable, without tree sensitive construction methods. A non-destructive tree root investigation shall be completed to inform the design and location of the driveway crossover. Furthermore, the proposed services and pits in the tree protection zone of tree 57 shall be determined upon results of the tree root investigation. The proposed levels of the site access driveway shall be determined in collaboration with the Arborist, and existing and proposed levels shall be shown on the plans.

An amended plan shall be submitted showing any requirements for works in the road reserve (footpaths etc.) as per PDCP C4.4 and street tree planting as per the controls outlined in C4.8.

Landscape Referral can continue the assessment after the completion of the non-destructive tree root investigation, and amended plans are submitted.

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.