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**Sent:** 7/02/2020 12:55:19 PM  
**Subject:** Online Submission

07/02/2020

MR Alexander Austin  
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**RE: DA2020/0008 - 3 Central Road AVALON BEACH NSW 2107**

Alex Austin 7th February 2020  
Owner - 12/63 Old Barrenjoey Road  
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0413842183  
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Attn Clare Ryan,

Re: DA 2020/0008 - Proposed Development at 3 Central Avenue Avalon Beach

Thank you for the opportunity to provide this submission as part of the DA process.

I have referenced a few of the reports and plans and provided my initials when responding.  
My comments are as follows;

**Traffic/ Parking**

The parking study was completed in October - a low demand month which does not represent the typical summer and holiday demand. Therefore these results are misleading. The parking study should also have a summer period / weekend analysis completed, similar to summer/winter with shadow impacts analysis.

Paterson Lane has considerable pedestrian activity and is frequented by school children attending the Mata Maria school opposite. No assessment of the impact to this pedestrian activity has been made.

Any use of Paterson Lane by the developer during construction and the subsequent resident use is likely to have an impact on;

- Pedestrians
- School children
- Existing usability of Paterson Lane.
- Tree 20

**Statement of Environmental effects**

This report makes no comment regarding the quantity of tree removal, it simply summarises the Arborist report.

Page 16 - "The (Arborist) report concludes that 19 trees require or are recommended for removal to accommodate the proposal's preferred design. Specific tree management recommendations are also provided to ensure the protection and ongoing viability of existing trees to be retained on or in the vicinity of the site."

No assessment on the ecological impact or the amount of tree removal has been made.

Species proposed for removal are representative of the original vegetation of the area. No calculation on the loss of canopy has been made.

"L.E.P. Control Objective 6

To minimise the adverse visual impact of development on the natural environment, heritage

conservation areas and heritage items.

Response

The proposal has no impact on Heritage and conservation areas and a negligible impact the natural environment. The proposal is consistent with this objective. "

AA- There has been no analysis on the impact to the natural environment, so this statement is invalid.

Page 34 Objective - "To protect and enhance Pittwater's natural environment and recreation areas,

Response

As stated previously the recreation area to the south of the site and its subsequent visual integration with the proposed building is central to the overall design. Whilst considering the natural environment, the proposal has negligible impact upon native and existing flora and fauna and retains a number of trees on the site."

AA- This proposal has not ascertained its impact on the natural environment.

Page 36 "Objective - To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,

Response - The proposal has a negligible impact upon the natural environment. "

AA- This proposal has not ascertained its impact on the natural environment. Species proposed for removal are representative of the original vegetation of the area

Page 43 - Environmental

"The review of the proposal has shown that any environmental impacts will be negligible.

Regard is shown for the natural environment with appropriate measures incorporated into the overall design that operate in concert with the existing infrastructure and the site layout".

AA- This proposal has not ascertained its impact on the natural environment.

Landscape

The replanting does not appear to adequately replace the removed vegetation. The current species selection does nothing to improve local biodiversity.

Species for replanting should use locally indigenous species such as;

- *Glochidion ferdinandi*
- *Elaeocarpus reticulatus*

Arborist Report

Pre DA Minutes

"A proposal to remove an existing tree(s) of High and Medium significance shall be justified, and otherwise shall be refused if an alternative design layout or construction techniques is available "

AA - 19 of the 24 site trees are proposed for removal including many with high or medium retention values.

AA - Tree 10, 11, 14, 15, 16, 18 & 19 are located on the front central façade. All are proposed for removal without any attempt for alternative design. They are all locally indigenous species with good prospects for retention according to the report. This will significantly reduce the canopy cover and amenity provided by the trees across the façade.

Tree 17 and 12 have major encroachments into the TPZ's from the bin area. Also this area is marked as a storage area in the construction plan. The Australian standard 4970:2009 indicates that the Arborist must demonstrate that the trees will remain viable during and post

construction when the encroachment in to the TPZ exceeds 10%.

No such demonstration in to the viability of this encroachment has been made. The report leaves this open and suggests the site Arborist makes the call once final design is prepared. As this section of the development is not finalized, there is a strong likelihood that the trees marked for retention on these plans will be removed when it comes time to build the "approved design" as they will not be able to be viably retained with such major levels of encroachment.

Arborist Report page 20 - "T17 - Design proposes a major to high level of coverage and disturbance within a 13.8m TPZ. The TPZ has been determined by two trunk diameters of 550 & 600mm(Ø) where individual stems would normally contain between 6 to 7m TPZ setbacks. Given individual stem diameters a 6m development exclusion zone is recommended as being a tree protection area (TPA)."

AA - This idea of reducing the TPZ from 13.8m to 6m is directly in conflict with AS 4970:2009 and not referenced in anyway. I have never seen such an attempt to accommodate a design. T17 has a 13.8m TPZ and this is the only TPZ that can be considered. Any works proposed within the 13.8m must be analyzed by the arborist. The Arborist must demonstrate this tree will tolerate any planned works within this distance. Tree 17 directly impacts the entry/egress for construction. The truck tyre cleaning grids are in the middle of the TPZ.

No Tree protection plan has been prepared. This must be prepared and overlaid onto the final plans and construction drawings. The conflict with the bin area, proposed construction storage and entry/egress point will become apparent.

#### Building Height

The proposal varies the control contained within the SEPP by up to 19.3% (1.91m).

AA - Justification for this breach is inadequate and existing controls should be applied.

I would welcome the opportunity to see height poles installed prior to approval of this DA.

#### Floor space

The proposed GFA is 925.4sqm and therefore varies the control contained within the policy by 30%

AA - Justification for this breach is inadequate and existing controls should be applied.