

## Landscape Referral Response

<b>Application Number:</b>	DA2021/1189
<b>Date:</b>	26/07/2021
<b>Responsible Officer:</b>	Ashley Warnest
<b>Land to be developed (Address):</b>	Lot 103 DP 860197 , 73 McCarrs Creek Road CHURCH POINT NSW 2105

### 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 alterations and additions of an existing residential dwelling. Alterations include the minor demolition of existing site structures in order to facilitate internal re-configurations creating a larger, open plan living space. Additions are inclusive of a new storage area adjacent to the existing garage, a new living area with bedroom extension above, as well as a cabana and media room adjacent to the existing swimming pool.

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
- D4.10 Landscaped Area - Environmentally Sensitive Land

The Statement of Environmental Effects provided with the application notes that no trees are to be removed as a result of proposed works. This statement is largely supported by the Architectural Plans provided as it is clear no existing tree is shown to be removed. It is noted that no Arboricultural Impact Assessment is provided with the application.

Concern is raised regarding the potential impacts of proposed works on existing trees to be retained, particularly those located to the south-west of the proposed pool cabana, as well as those located to the north of the existing garage. The site falls within area identified as containing Pittwater Spotted Gum Forest, an endangered ecological community, and for this reason, efforts should be taken to ensure existing significant trees are retained and not impacted where possible.

Firstly, the proposed cabana and media room appears to encroach into the Tree Protection Zone (TPZ), and possibly the Structural Root Zone (SRZ) of existing trees located adjacent to the south-west boundary, outside of the property boundaries. As these trees are not located within the site, they are required to be protected and retained, irrespective of species. Further concern is raised regarding the increase in hard surfaces in this area, as the Landscape Plan indicates that a gravel parking area is

proposed outside of the site. This increase in hard surface, and the required excavation to construct it, has the possibility to negatively impact both the short-term and long-term health of these existing trees. Any negative impacts to these trees would likely not be supported. Secondly, the proposed storage area on the northern side of the existing garage also encroaches into both the TPZ and SRZ of existing significant trees in this area. It is noted that the existing garage and structures in this area already encroach into both of these zones, however the proposed works seek to increase this, putting further stress on these existing trees.

As no Arboricultural Impact Assessment has been provided with the application, the true impacts of proposed works is not fully known. Due to the presence of high value endangered ecological communities, the retention of these trees should be a priority, with impacts as a result of development to be minimal. The retention of these existing trees is vital to satisfy control B4.22 and D4.10, as key objectives of these controls include "to effectively manage the risks that come with an established urban forest through professional management of trees", "to protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities", 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 with the application to fully understand the potential impacts of proposed works. It should be noted that any encroachment into the TPZ by 10% or more, or any encroachment into the SRZ, is deemed major, and requires a tree root investigation as per AS4970-2009, specifically *Clause 3.3.3 Major Encroachment*. Should proposed works be found to detrimentally effect existing significant trees, an alternative design arrangement should be sought.

The landscape component of the proposal is therefore not currently supported due to the unknown impacts of proposed works on existing significant native trees. It is recommended that an Arboricultural Impact Assessment be provided with the application to fully understand the potential impacts of proposed works. It should be noted that any encroachment into the TPZ by 10% or more, or any encroachment into the SRZ, is deemed major, and requires a tree root investigation as per AS4970-2009, specifically *Clause 3.3.3 Major Encroachment*.

Upon 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.