
Sent: 24/08/2021 7:02:23 AM
Subject: DA2021/1032 - 8 Delecta Avenue CLAREVILLE
Attachments: G & S Coops submission 2.pdf; David Tory Architect's report.pdf;

Dear Mr Prosser

Please find attached our second letter on the above DA at 8 Delecta Avenue and the report from our expert architect, David Tory dated 24 August.

Many thanks for your kind consideration.

Yours sincerely

Greg and Sheonagh Coops

1 Delecta Avenue
Clareville
NSW 2017

23 August 2021

Mr Thomas Prosser
Northern Beaches Council
PO Box 82
Manly NSW 1655

DA2021/1032, Lot 20 DP 13291
8 Delecta Avenue, Clareville

Dear Mr Prosser

This is our second submission on the above Development Application based on:

- further conversations with our neighbours who will be most directly affected by this proposed construction;
- the opinions of the independent architect (David Tory) who has completed his report.

David Tory's calculations on landscaped areas, bulk and scale strongly confirm our initial fears on the negative impact of this massive redevelopment of the site at 8 Delecta Avenue will have on our streetscape. We have attached our expert's report in in a separate PDF file.

Our primary objection is that the site plans are calculated on a false premise i.e. the land to building ratio. Mr Tory has covered this at length in his report, however, we would like to reiterate some of our more personal concerns on this DA and how this DA has been presented.

The proposed plans prepared by the architects (Rama) are incomplete (e.g. the NW and SE facades) and we believe the development clearly contravenes the rules and/or principles put in place to protect:

- against disproportionate bulk and scale of buildings;
- the environment (enshrined in the Charter of the Northern Beaches Council Design & Sustainability Advisory Panel: DSAP Source: <https://files.northernbeaches.nsw.gov.au/sites/default/files/design-and-sustainability-advisory-panel-charter.pdf>);
- the ambiance of Clareville Reserve;
- the quiet enjoyment of the area by existing residents who take their responsibilities, as caretakers in this delicate, and ever increasingly popular area, seriously.

Specific Issues

1. We are concerned that conversations that Mr. Mackay (6 Delecta Ave) had with the owners about their plans prior to the release of the DA were clearly at odds with their architects' designs. What was described as "some alterations" to the garage and the addition of a "carport" is now a large, standalone second house involving the removal a mature tree. Mr Mackay also had a discussion with Rama where one of the architects there admitted that the spaces marked "Bunks" (page 3 of Master Plans) in reality would be a kitchen in the second house. What else has been mislabelled?
2. We are concerned by the **omissions** of the NW and SE facades of the existing house. Why would these be excluded from the DA?
3. We are concerned by the **lack of consultation with neighbours**. In discussion with long term residents in Delecta Ave, most of the other major renovations/ additions/ rebuilding in our street were informally discussed with their neighbours and, in some cases, significantly modified prior to submission of the DA. Whilst this is not required by law of course, this lack of sensitivity to the opinions of those in one's immediate community appears emblematic of what this DA is designed to do.
4. We are also concerned by the **"greenwashing"** aspects of the proposal. Pigface planted in a roof garden or grass strips in the driveway in no way offset the built area or compensate for the destruction of a mature Melaleuca (in contravention of the DCP) and the reduction in the deep soil garden area and unoccupied space above. The environmental impact on birds and other wildlife has been raised by other residents so I will conclude this section by reminding us that the carbon emissions in the construction of a massive, brick and steel second house and permanent "heat sink" nature of this is yet another example of individuals warming our micro-climate in Clareville as well as contributing to global warming¹.

Finally, on a personal note, we would like to object to the **loss of tree canopy and open space** at the rear of 8 Delecta Ave. We have an uninterrupted view of the rear of the planned development capped with a shiny steel roof. The proposed second storey terrace would have the owners' guests or Airbnb revellers (theoretically possible with a second house on the block) looking straight up at our front balcony. While they would obviously enjoy looking at our house which was built in the forties on a modest scale amongst large gardens and massive trees, our view will be people (gathered on a high terrace), brick walls and a roof – a far cry from the current vista.

We would like to see the footprint of the proposed second house reduced back from Delecta Avenue and the eastern facing rear terrace removed.

¹ In December 2019 Northern Beaches Council adopted [Protect. Create. Live. Environment and Climate Change Strategy 2040](#)(Opens in a new window). The strategy provides a roadmap for how we are shaping a bright environmental future by addressing the challenges and embracing opportunities. The strategy is supported by the [Climate Change Action Plan](#)(Opens in a new window).

The architecture firm's own website <https://www.ramaarchitects.com/about> lists its design principles as follows: *simplicity; functionality of space; **a connection with the landscape; ecologically sustainable design**, harnessing of natural light; **scale and proportion**, expression of structural integrity; **use of natural materials***. We would applaud these principles (especially those in bold) and request that they be adopted on this sensitive site.

Thanks again for the chance to have our views heard and for extension of time to commission an independent architect to perform an unbiased assessment on bulk and scale as well as accurate landscaped area calculations.

Appreciatively

A handwritten signature in black ink, appearing to read 'Greg and Sheonagh Coops'.

Greg and Sheonagh Coops

1 Delecta Avenue

Clareville 2107

P.S. May we also request the placement of height poles prior to approval of the final design to allow affected residents to see the extent of the impairment to their views?

24th August 2021

Northern Beaches Council
P.O. Box 82
Manly, NSW, 1655

email: council@northernbeaches.nsw.gov.au

Attn: Mr Thomas Prosser

OBJECTION TO DEVELOPMENT APPLICATION DA2021/1032

Alterations and Additions to a dwelling House
at Lot 20 in DP 13291
8 Delecta Avenue
Clareville NSW 2107

This submission has been prepared for and on behalf of

Bruce and Judith Mackay
6 Delecta Avenue
Clareville NSW 2107

Richard and Anne Barker
10 Delecta Avenue
Clareville NSW 2107

Greg and Sheonagh Coops
1 Delecta Avenue
Clareville NSW 2107

Collectively, the Respondents

by

David Tory Architect
BScArch. B Arch. A.A.I.A.
Architect NSW ARB 5547

M. 0416 017 127
E. david@davidtoryarchitect.com

A: SUMMARY:

The Respondent's concerns are summarised as follows:

1. The proposal contravenes the "Landscape Area" control of the DCP, and does not satisfy the required outcomes of that part.
2. The DA mistakenly includes the area of a roof garden as part of "Landscape Area", and takes into account wheel strips in lieu of a complying driveway.
3. The contravention results in a proposed building which is excessive in its site coverage, resulting in the unnecessary and avoidable proposal to remove a significant canopy tree.
4. The contravention results in potential building elements which are out of scale and character with existing adjacent dwellings. Most particularly, this impact will be felt by the owners of No. 6 Delecta Avenue.
5. Use of the shared vehicular access way across the road reserve during construction will prove problematic to the neighbouring properties, and most particularly to the owners of No. 10 Delecta Avenue. It is felt that the proposal should include a separate driveway access from Delecta Avenue to the site.
6. Elevations of the altered NW and SE facades of the existing house are not included in the DA drawings. This absence of information denies assessment of these elements of the proposed works, and leaves their design open to future development without public scrutiny.

In conclusion, the Respondents are strongly opposed to the proposed development in its current form, as it does not comply with certain numerical and qualitative aspects of Council's Controls, and does not accord with the amenity and qualities of the neighbourhood.

The Respondents request that Council refuses it in its current form, and that it should be reconfigured in a way that complies with the numerical controls and qualitative outcomes of the LEP and the DCP, and where the tree that is proposed to be removed, is retained.

B: STATUTORY CONTROLS:

Pittwater Local Environmental Plan 2014, and Pittwater 21 Development Control Plan and Appendices, apply to this land.

These are referred to as the LEP and the DCP in the following report.

B1: Aims and objectives of Pittwater Local Environmental Plan 2014:

Clause 1.2 of the LEP includes the following:

*“(b) to ensure development is consistent with the desired character of Pittwater’s localities,
(g) to protect and enhance Pittwater’s natural environment and recreation areas.”*

The site is zoned E4 “Environmental Living” as stated in the Land Use Table, Part 2 of the LEP.
The aims of the Zone are as follows:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To provide for residential development of a low density and scale integrated with the landform and landscape.

B2: Pittwater 21 Development Control Plan

Extracts from Clause A3.1 of the DCP “The Characteristics of Pittwater” state the following:

“Pittwater is characterised by spectacular natural beauty”.

“Urbanisation continues to impact on natural areas, and therefore, careful consideration needs to be given when developing land,....., endangered vegetation communitiesand a wide range of biodiversity that needs to be protected and maintained.”

Clause A3.4 of the DCP, “Key objectives of the Pittwater 21 Development Control Plan” states that
“The environmental objectives of this DCP(include)

(to).....prescribe limits to urban development having regard to the potential impacts of development on the natural environment,”

C: CLAREVILLE BEACH AND DELECTA AVENUE:

The aims and objectives of the LEP and the DCP are focused upon the maintenance of the character of the unique individual environments of Pittwater, in this case Clareville Beach and Delecta Avenue: to protect and enhance the natural environment, and respect and enhance it's natural beauty; and control the bulk and scale of development.

The row of houses between Delecta Avenue and the Clareville Beach Reserve are on relatively small plots of land. There is strong pressure to over-develop these beautiful and valuable level sites.

The sites and the reserve have a casual, family oriented, intimate relationship with Pittwater residents, and Sydney-siders generally. The Beach and the reserve have great commodity as a place of recreation and relaxation.

The curving narrow "lane-like" Delecta Avenue and the houses that line it constitute a unique streetscape.

The houses reflect the qualities of the Beach and the Reserve. Delecta Avenue is heavily utilised in summer, on weekends, and on days of celebration, and pressure is placed upon it in terms of congestion and parking.

The control of bulk and scale of the houses along Delecta Avenue and the Reserve is fundamentally important in the maintenance of the unique character of this precinct.

D: LANDSCAPED AREA:

D1: Landscaped Area Generally:

The Landscape Area Control is a critical factor in the equation of controlling bulk and scale on this flat site within the E4 zone.

The 8.5 metre height limit of the DCP is generous, and the building envelope allows for a substantial building form to be achieved within the planes of the envelope.

However, the Landscape Area Control is the sole determinant of the extent of the building footprint on the site. It operates in the absence of a Floor Space Ratio control, (as is in place for example in the Manly DCP where it is a good control for Bulk and Scale on sites of similar size and density).

Control of Bulk and Scale is in turn a critical mechanism for maintenance of existing character and protection of the natural environment.

In the subject DA the Applicants are applying for a roof garden on top of part of the building with a big footprint, and a large bulk and scale. The DA assumes that the roof garden will be counted as Landscape Area.

The DA is applying for wheel strips to be implemented as a driveway, reducing the area of the driveway resulting in a significant increase in the Landscape Area.

These design elements are circumventing the purpose of the Landscape Area calculation as a control of bulk and scale.

Part D1.14 of the DCP "Landscaped Area - Environmentally Sensitive land" applies to this site, which is located within area 1 of the Pittwater landscaped Area Map.

The DCP Outcomes of this section include the following:

Desired Outcomes

Achievement of Outcome in DA

The bulk and scale of the built form is minimised.

Not achieved

Vegetation is retained and enhanced to visually reduce the built form.

Not achieved

Conservation of natural vegetation and biodiversity.

Not achieved

D2: Definition of Landscaped Area

The LEP dictionary defines “Landscape Area” as:

“a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area”.

In this regard a “site” is taken to be a portion of land or ground upon which a building is to be placed.

There is no provision within the DCP in relation to this land zoning which allows for roof gardens to be included within the calculation of Landscape Area. This has been confirmed by consultation with Council’s town planning staff.

D3: Landscape Area Controls of Part D1.14 of the DCP

Part D1.14, of this Control states:

“Any alterations or additions to an existing dwelling on land zonedE4 Environmental Living, shall provide a minimum 60% of the site area as landscaped area”.

Part D1.14 allows for the following variations in the calculation of “Landscape Area” provided the outcomes of this Control are achieved. The following may be permitted on the landscaped proportion of the site:

- Impervious areas less than 1 metre in width (e.g. pathways and the like);
- for single dwellings on land zonedE4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

The Respondents believe that in this instance the outcomes of the Control are being disregarded, and would not be achieved by construction of the subject DA, hence these variations to the Landscape Area Control should not apply to the proposed development.

D4: Revised Landscaped Area Calculations:

Table 1 shows the Landscape Area calculations for the existing site, and the proposed alterations and additions for this report, in the form required by Clause D1.15 of the DCP. (See also Appendix 1). These are compared with the Landscape Area figures stated in the DA (page 11).

The Landscape Area calculations for this report do not include the proposed roof garden as Landscaped Area, as this is not a provision of the DCP as mentioned in D2 above. The calculations in this report include the area of a full driveway in lieu of the wheel strips for the reasons mentioned later in Part E.

	Landscape Area Calculations in this report		Landscape Area Calculations in the DA	
	Existing Site	Proposed Development	Existing Site	Proposed Development
Site Area	632.3 sq m	632.3 sq m	632.3 sq m	632.3 sq m
Hard Surface Area	314.76 sq m	380.56 sq m	334.60 sq m	300.10 sq m
Hard Surface Area Percentage	49.8%	60.2%		
Landscape Area	317.54 sq m	251.74 sq m	297.70 sq m	332.20 sq m
Landscape Area Percentage	50.2%	39.80%	47.08%	52.54%

Table 1: Comparison of Landscape Area calculations stated in this report, with those stated in the DA.

.The numerical figures stated for this report have been calculated from figured dimensions shown on the DA drawings and the site survey, and are independent of the areas quoted on the drawings and in the S.E.E.

The landscaped area in the DA includes the area of roof garden and the wheel strips instead of a solid driveway. The inclusion of these two elements increases the bulk and scale of the proposal. The roof garden is built on top of the building which has a lot of bulk and scale, on the spurious pretext that it reduces the bulk and scale.

The comparison in the DA between the existing and the proposed development is misleading and specious. This is graphically shown in the following two images.

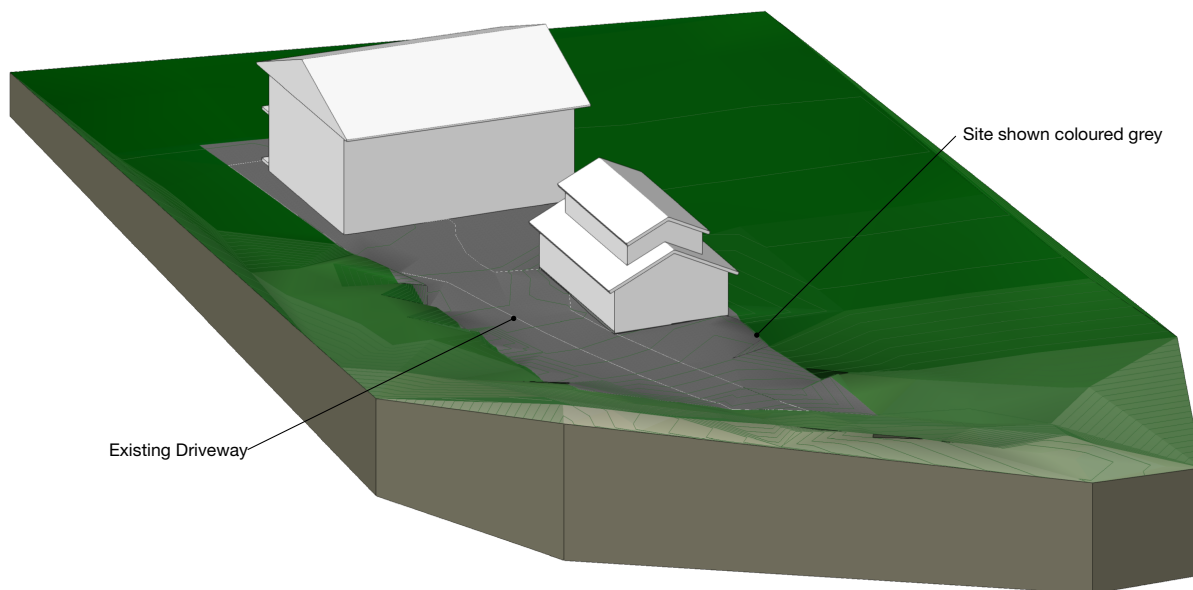


Image A: Model of Proposed Site Development

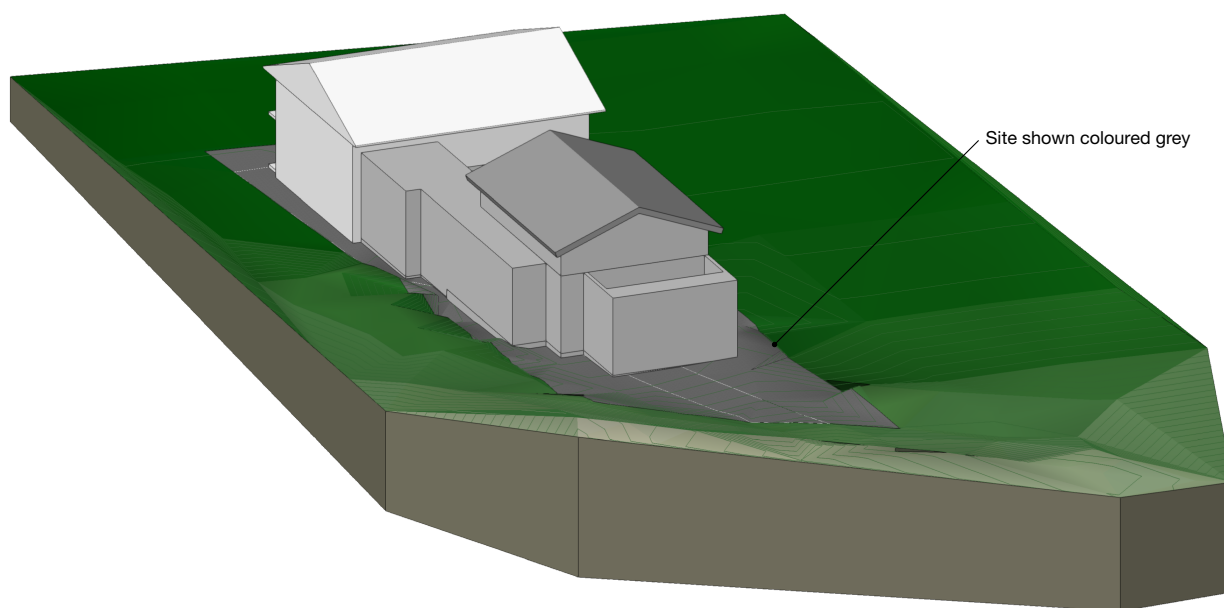


Image A: Model of Proposed Site Development

According to the DA calculations expressed in table 1, Image A has a landscaped area of 47.08% of the site whereas image B has a landscaped area of 52.5% of the site.

Where Landscape Area is a control of Bulk and Scale the figures mentioned in the DA are specious and misleading.

It is clear that Image A has a large area of open space around the buildings, the buildings are of low bulk and scale, and there is the potential for much green landscaping. Image B, on the other hand, has a small amount of open space around a building with a high level of bulk and scale, with a limited opportunity for green landscaping.

Yet the DA states that Image B has more Landscape Area, and consequently less bulk and scale, than Image A. Clearly that is not actually correct.

The Respondents object to the inclusion of the roof garden in the Landscape Area, and to the implementation of wheel strips in the landscape Area equation, and believe that the proposal should conform to Part D1.14, of the DCP, and require the development to provide a minimum 60% of the site area as landscaped area.

E: INTERNAL DRIVEWAY:

The DA proposes wheel strips in lieu of a driveway to convey cars from the shared access way on the road reserve adjacent to Delecta Avenue to the proposed garage.

Drawing No. DA 801: "Driveway Comparison", indicates that this measure is proposed as a means of increasing the Landscaped Area of the site, not for functional reasons.

The Respondent's objection to the wheel strip design is that it manipulates Landscape Area to argue for larger bulk and scale of building.

The Respondents also comment that in order for cars to adequately turn onto the wheel strips and be in alignment with those strips before driving onto them and thus to not cross the intermediate grass, the shared access way would need to be widened and extended to occupy more of the road reserve adjacent to the South Eastern site boundary. This extension would involve partial excavation on the road reserve, retention of the ground, and increased hard surface. These measures have not been considered or indicated on the DA drawings.

The difficulties in turning onto the wheel strips, and also reversing off them, and the extra driving surface required on the access way, would be obviated by the construction of a separate new driveway from Delecta Avenue to the site.

Clause B6.2 of the DCP applies to internal driveways on this land. The outcome of this Control is to provide safe and convenient access.

This Control stipulates that an internal driveway must be provided for any alteration and addition where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 sq metres, which is so in this case.

The DCP states that internal driveways shall have a stable surface for all weather construction. and that the internal driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be 3.0 metres minimum for single dwellings.

This Control implies that the driveway corridor may have grassed shoulders, and a stable surface between the shoulders.

As a general indication of functional driveway design, AS/NZS 2890. 1. 2004 Parking Facilities states in Clause 2.6.1 Design of Domestic Driveways, "The minimum width of of Domestic Driveways shall be 3.00m".

F: DRIVEWAY ACROSS ROAD RESERVE:

The existing shared access way across the Council's road reserve will result in congestion and stress upon the owners of No. 10 Delecta Avenue during construction, and upon the access way itself. The shared access way is constructed of **bitumen paving**, which is showing signs of wear. It is wholly on Council land.

This access way is located below the level of Delecta Avenue in a section of this Avenue where there is very limited street parking. It is in close proximity to the steep, narrow, and sharp change in direction in Delecta Avenue where commonly car drivers experience difficulty in passing other vehicles, or being able to make the incline without spinning their wheels, and for underpowered vehicles making the incline in one continuous pass.

There is no parking space on the side of Delecta adjacent to the site, and one tenuous spot on the opposite side adjacent to No. 1 Delecta Avenue.

Construction vehicles will include excavators, bogie tipper trucks, concrete mixers, concrete pumps, cranes (possibly), supply trucks for masonry, timber and sheet products with hyab cranes and/or fork lifts. These large heavy vehicles will use the bitumen shared access way. Due to the physical constraints of Delecta Avenue trucks will drive onto the access way from a Northerly direction, and they will most probably back out across the road reserve.

The road reserve is narrow, curving, and has well established and tended soft and hard garden elements on either side of it.

The construction and strength of the bitumen Access Way is unknown, and may not be able to cope with these loads imposed upon it by such traffic.

Tradesmen's vehicles will also most probably use the access way and park on or adjacent to the site, and on the road reserve below Delecta Avenue.

In light of these anticipated difficulties and potential conflicts the Respondents strongly believe that the DA should include a separate complying driveway from Delecta Avenue to the site.

G: ROOF GARDEN:

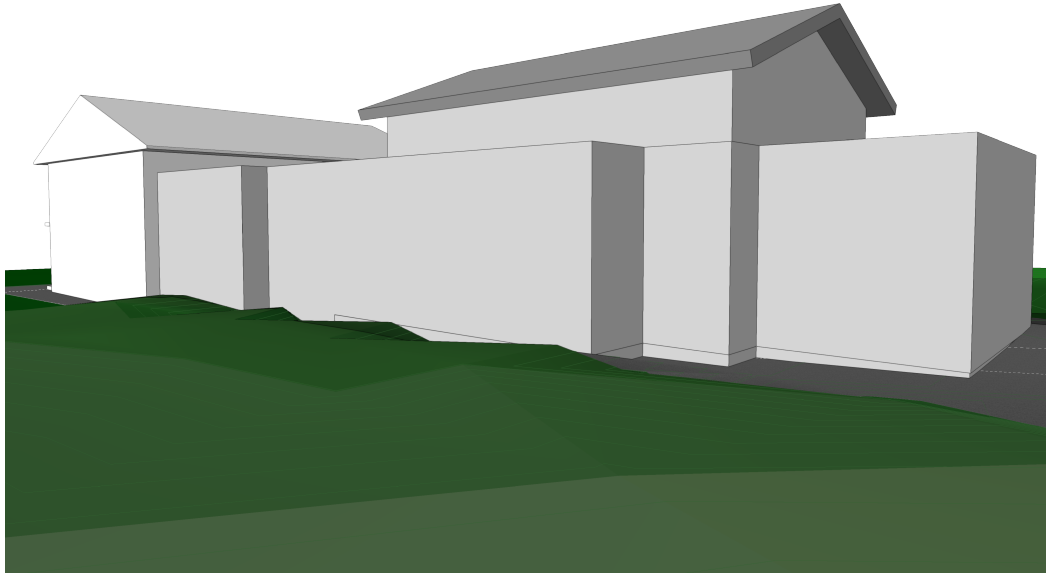
The single story brick and concrete green roof structure has an average height of 4.5 metres above natural ground level. This results from a 3.2 metre ceiling height (to part), and a 1 metre soil depth above. It is proposed to be built on the south western side of the alterations and additions, close and adjacent to the shared boundary with the house at No 6 Delecta Avenue.

The western end of the green roof joins to the eastern wall of the existing house on the site, and extends south east to the proposed front door. Here it joins the south western brick wall of the proposed garage which has the same height. The resulting combined new and existing brick wall is approximately 34 metres long.

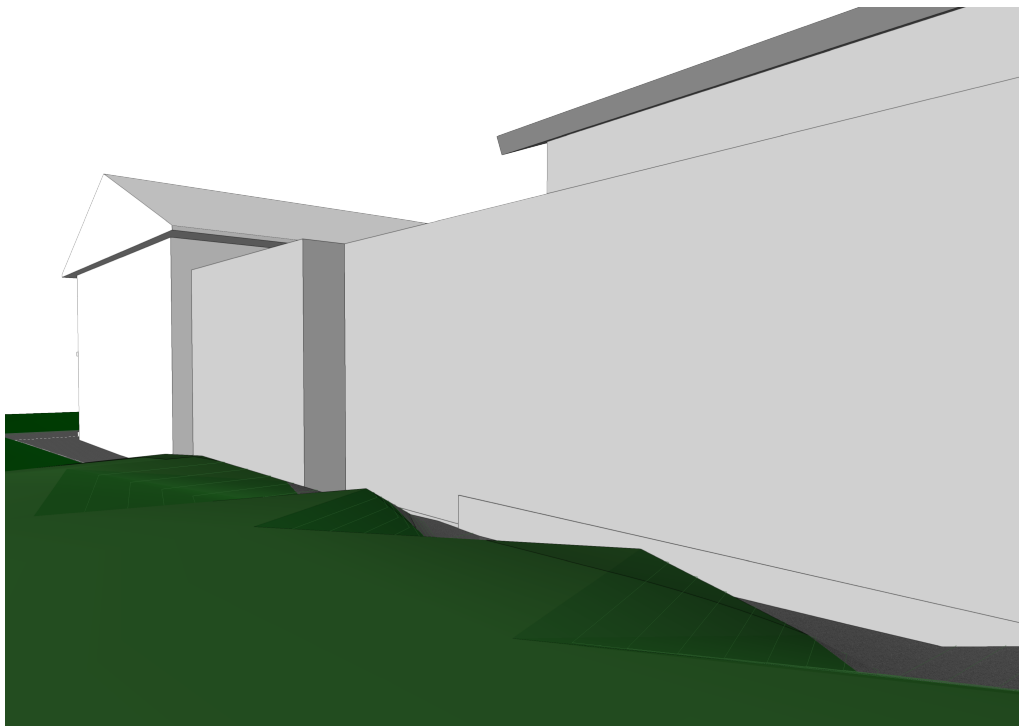
The Respondents believe the length and height of this brick expanse is out of scale with the house at No. 6 Delecta Avenue. This neighbouring house has been designed in the following manner:

- It is well modulated in its height and has generous stepping offset distances from the boundary.
- The roofs respectfully slope back away from the boundary.
- The owners and Architect worked hard to maintain a group of trees adjacent to the shared site boundary.

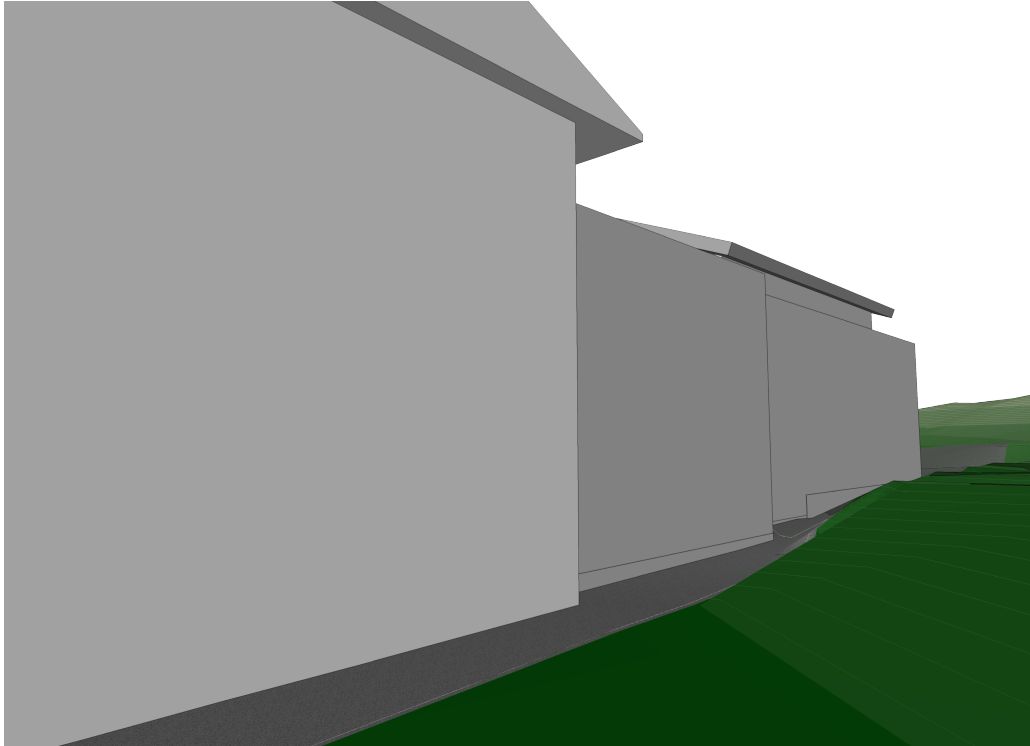
In comparison, the length and height of the south western wall of the proposal is a relatively massive proposed structure. It does not acknowledge the good neighbourliness of the house at No. 6, or pay heed to the maintenance of the canopy tree which the owner's of No. 6 Delecta Avenue worked hard to preserve.



OVERALL VIEW OF SW WALL OF PROPOSED HOUSE



PARTIAL VIEW OF SW WALL OF PROPOSED HOUSE (VIEWED FROM SOUTH)



PARTIAL VIEW OF SW WALL OF PROPOSED HOUSE (VIEWED FROM NORTH WEST)

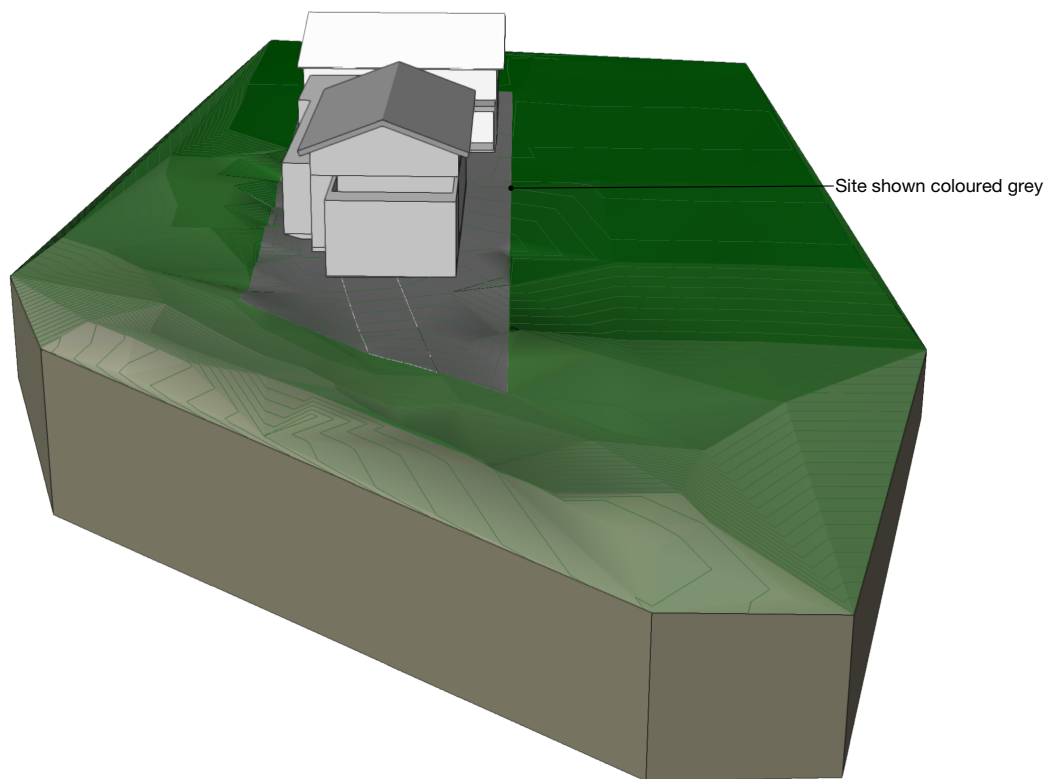
The Respondents do not understand why this building element is so massive, out of scale, and out of context with its surroundings.

Firstly, they believe that the green roof would have little to no effect on the modulation of the internal thermal environment of the habitable parts of the house as it is located over a hallway, a powder room, a laundry, and a watercraft storage room only, not over any habitable rooms.

Secondly, they cannot understand why it has a 1 metre soil depth, as Drawing DA-500 "Landscape Plan" states that the ground cover plant *Carpobrotus* (Pigface) will be planted on this roof. Pigface would grow in much shallower soil depth. Accordingly, the high parapet walling on both sides of the planting bed creates unnecessary bulk and scale.

Thirdly, green roofs are often implemented to soften the appearance and scale of buildings when viewed from above or from the side, by the presence of foliage and trailing vines and the like. In this instance there are only two houses that could potentially view the green roof, those at No 1 and No 2 Delecta Avenue. The proposal cannot be seen from the house at No 2 Delecta Avenue. The view of the proposal from the balcony of No. 1 Delecta Avenue is a small slither of the proposed green roof due to the angle of the view. See the following sketch.

As the proposed foliage is pig face the vegetation will not be visually prominent when view from the side of the building.



View of the proposed house from the balcony of No. 1 Delecta Avenue.

The Respondents believe that the bulk and scale of the green roof structure is unnecessary and that it could be replaced with a lower, lighter weight structure with metal roof, located further away from the boundary, with more varied modulation to its edge and fenestration, and a marked reduction in bulk and scale. This structure could be located further away from the Melaleuca , with a lighter floor structure and footing system that would allow the tree to remain. A lower structure would also allow the branches of the tree to remain in place.

H: ABSENCE OF ELEVATIONS OF ALTERATIONS AND ADDITIONS TO EXISTING HOUSE:

The Respondents object to the absence of drawings regarding the proposed alterations and additions to the north west and south east elevations of the existing house.

The Ground floor General Arrangement Plan (DA-100), and the First Floor General Arrangement Plan (DA-101), show that the openings and fenestration in the above mentioned walls are proposed to be altered.

The alterations to openings in these facades and the proposed fenestration, and all other detailing, such as balustrading are not shown.

As this development fronts onto an important public reserve within a sensitive and beautiful environment, the resolution of facade treatments should be well considered and illustrated in the DA documents.

In the absence of this information in a development application, the owner and designer of the development are be provided with a free hand during the construction certificate stage without public consultation, and then into construction.

I: TREE PROTECTION:

The Development Application seeks removal of a mature Melaleuca Quinquenervia. This healthy specimen is the largest canopy tree on the site and is important for it's landscape quality and as a habitat tree. Two other Melaleuca Quinquenervia grow adjacent to the north eastern boundary, close to the fence at 10 Delecta Avenue, (one of these is a large and mature tree). These form a grouping of Melaleucas which provide a canopy for the site.

They are appropriately sited native trees established within this flood prone area where the water table is likely to be high. Melaleucas typically grow in estuarine plains and seasonal swamps in the coastal and near-coastal areas and in narrow strips beside streams.

During the construction of the new house at No 6 Delecta, the Owners of that property were required by Council to implement measures to ensure the retention of this tree.

Ironically, this tree which is part of an important landscape buffer between No. 6 and No. 8 Delecta Avenue, is proposed to be removed to make way for a building with unreasonably large bulk and scale that will be intrusive to the owners of No. 6 Delecta Avenue.

The tree is listed in the S.E.E. as High Retention Value and High Significance.

The Development Application seeks removal of this tree for the reason that during the process of building design the existing tree has not been respected and considered carefully enough as a healthy living organism. The Respondents consider that the retention of this tree on the site is of vital important.

In reality there are many ways in which the building could be designed or modified in a way that the tree can continue to flourish.

This outcome would be to the benefit of the owners of No. 8 Delecta Avenue, and the neighbours.

The removal of this tree conflicts with the claims made in the Statement of Environmental Effects page 21 - "The proposal will not have any impact on the existing tree canopy".

The objectives of the DCP section A4.1 Avalon Beach Locality are not complied with; specifically, "Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses."

The tree is the subject of an independent letter prepared by a Grade 8 Arborist on behalf of the Respondents, which is included as Appendix 2.

The Respondents strongly object to the removal of this tree, and request that the design of the addition be amended to allow for its retention. The Respondents strongly believe that Council should require the owners of No. 8 Delecta Avenue to employ an Arborist to carry out exploratory excavation or root mapping and demonstrate how the tree can be retained, and then to design the addition accordingly.

J: VIEW LOSS:

The residents at No. 1 Delecta Avenue will experience a change in appearance in the view down onto the site of 8 Delecta Avenue from an open yard adorned by a canopy of Melaleuca to a densely arranged building form with half of the Melaleuca canopy destroyed. The un-necessary view loss of the tree canopy should be avoided.

K: CONCLUSION:

The Respondent's concerns stated in Part A are strongly re-iterated.

They request the following:

That the proposal is re-visited and re-submitted in a form where the Landscape Area is 60% of the site area, measured in accordance with the provisions of the DCP, without a roof garden being counted as Landscape Area, and with a complying driveway included in the design calculations.

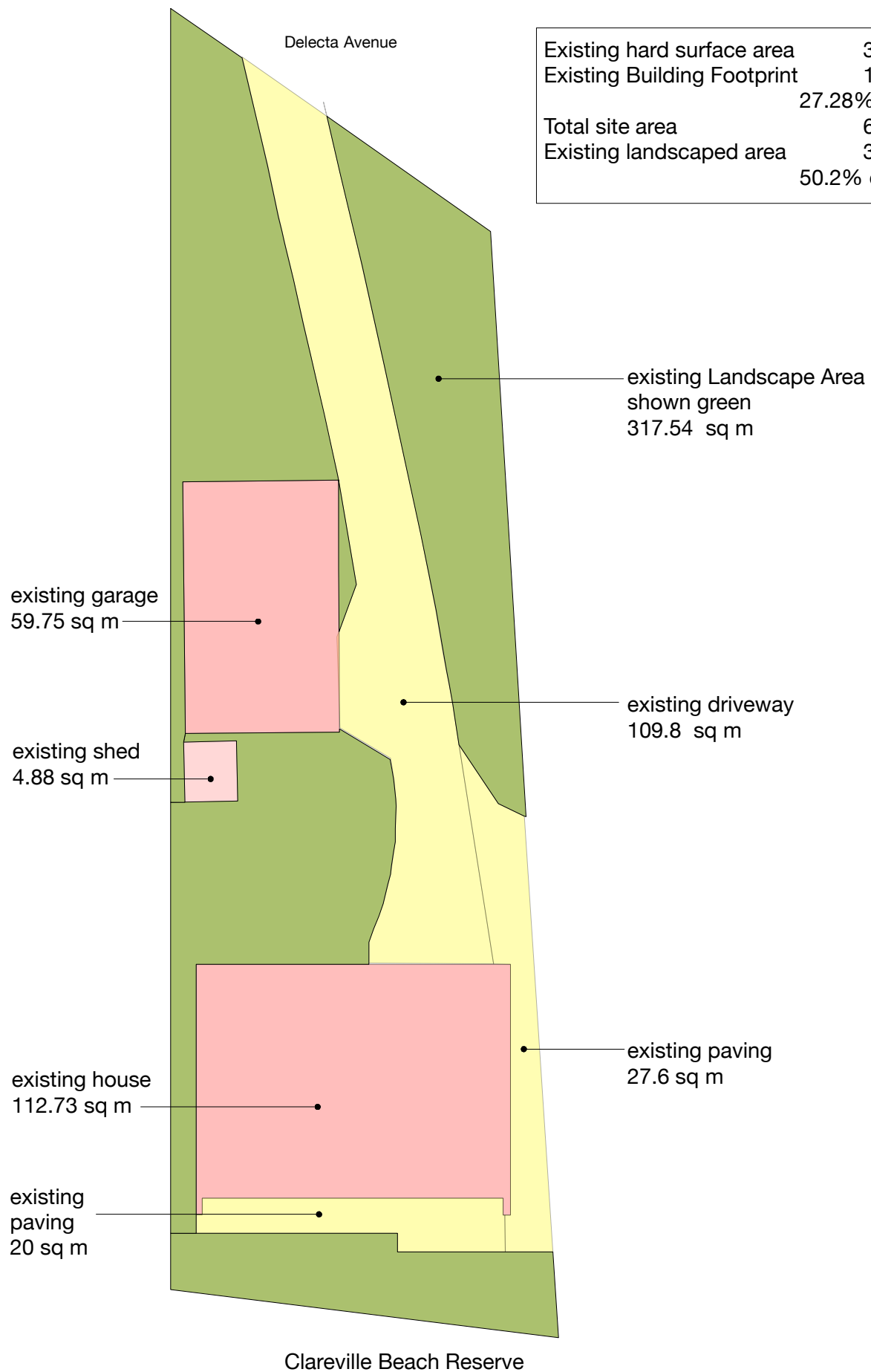
That the design is re-configured to allow for the retention of the mature Melaleuca Quinquenervia.

That the walls adjacent to the boundary of No. 6 Delecta Avenue are brought back to a single storey scale that is friendly and responsive to its neighbour.

That the proposal includes a separate driveway.

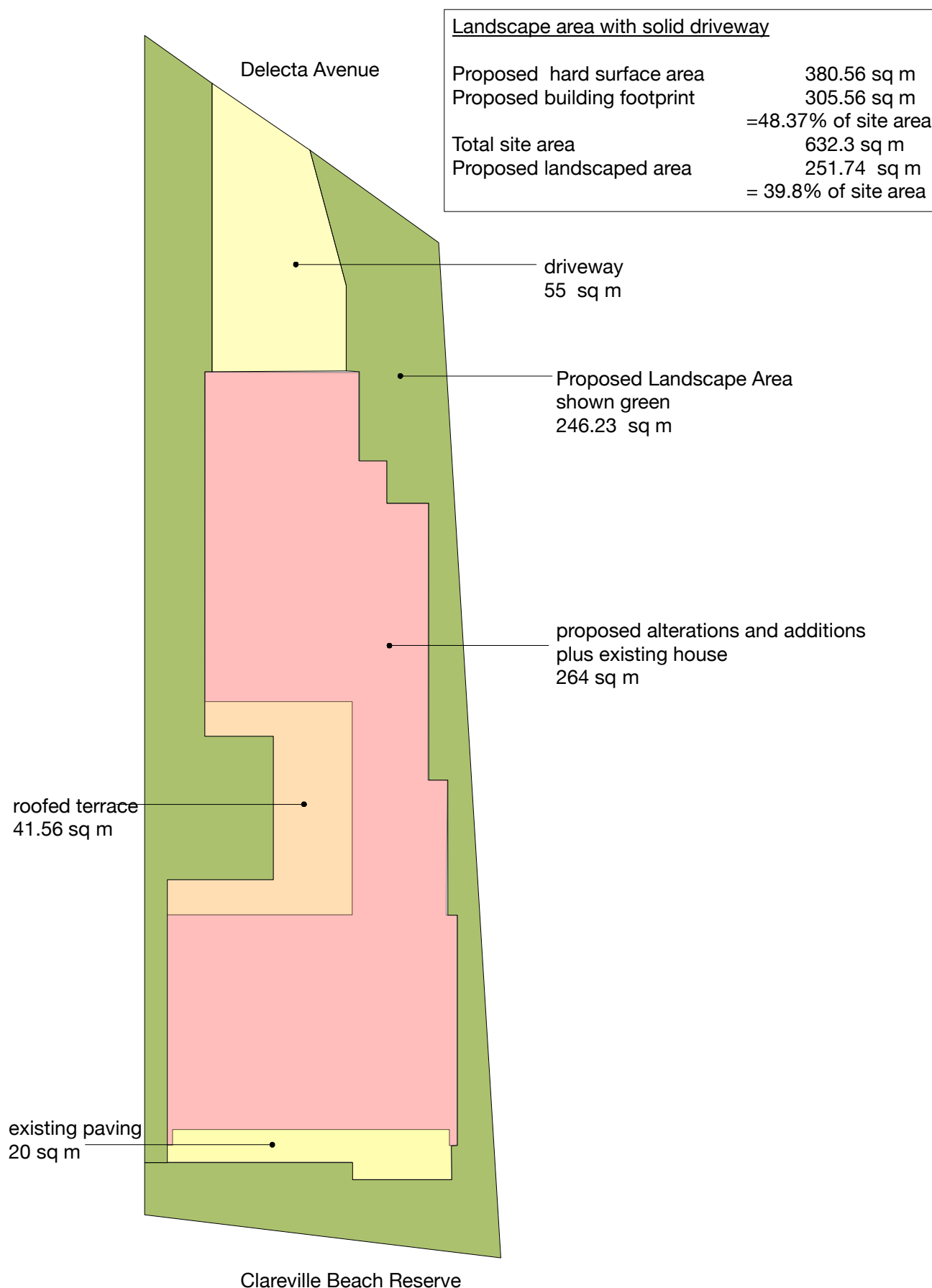
APPENDIX 1:

EXISTING AND PROPOSED LANDSCAPE AREAS CALCULATED FOR THIS REPORT:

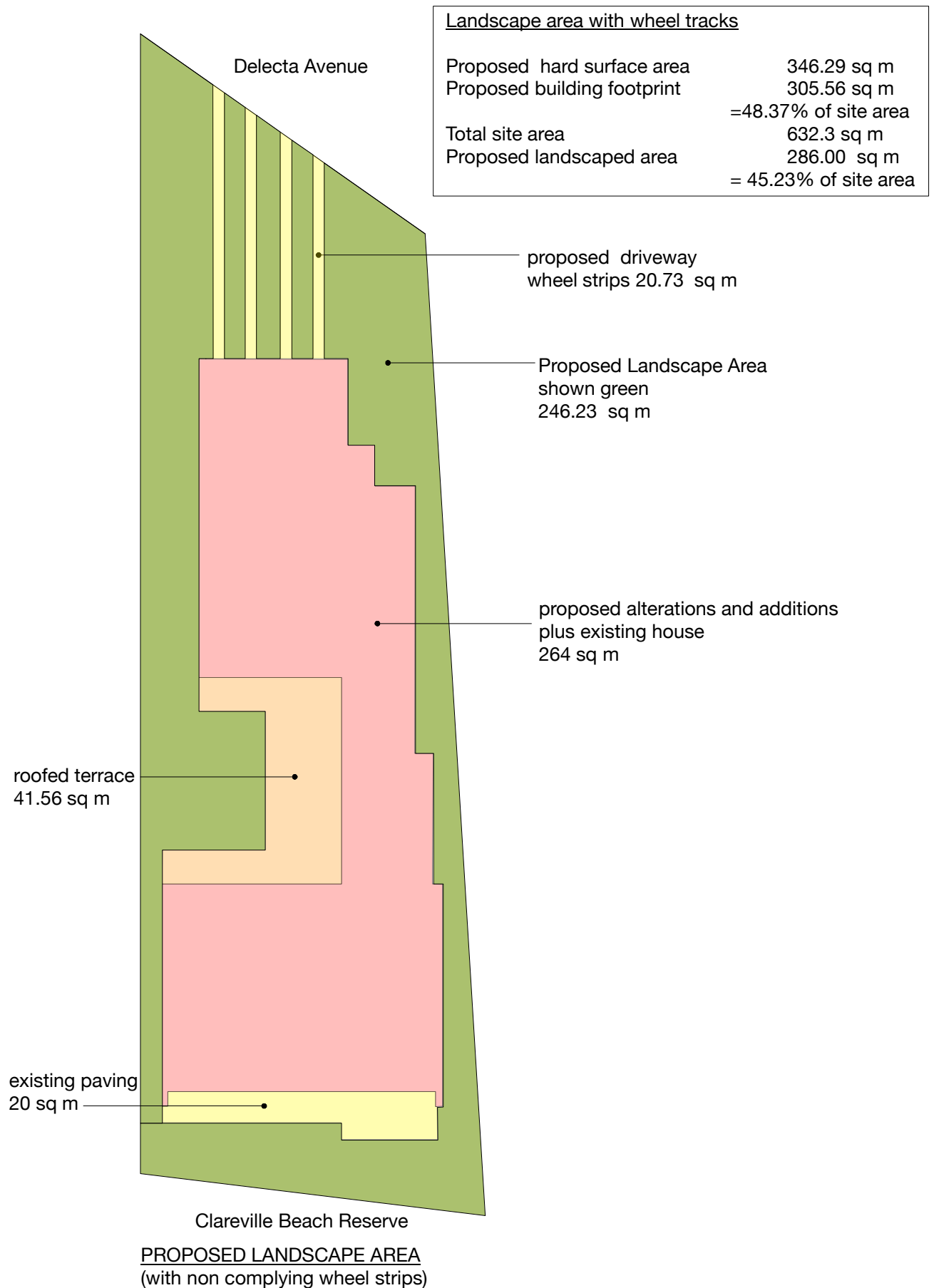


Existing hard surface area	314.76 sq m
Existing Building Footprint	172.49 sq m
	27.28% of site area
Total site area	632.3 sq m
Existing landscaped area	317.54 sq m
	50.2% of site area

EXISTING LANDSCAPE AREA



PROPOSED LANDSCAPE AREA
(with complying driveway)



APPENDIX 2:

LETTER FROM ARBORIST



16/8/2021

Alex Austin AQF Level 8 Consulting Arborist
PO Box 84 Avalon Beach, NSW 2107
Ph. 0413 842183 e:arborsaw@gmail.com

Date: 16/08/2021

Site: 8 DELECTA AVENUE, CLAREVILLE.

Details: DA2021/1032 Arborist Review

Alex Austin was commissioned by the owners of 10 Delecta Ave to review the documents within DA2021/1032 with specific attention to be made to the potential impact on the site and neighbouring trees located at 6 & 10 Delecta Ave.

A site inspection was completed on the 6th of August 2021 where site trees were inspected from 10 Delecta Ave.

Reviewed Documents

- Arborist report,
- Complete Set of Plans
- Statement of Environmental Effects,
- The Natural Environment Referral Response - Biodiversity.

Following a review of the documents and trees potentially impacted, my notes and comments are as follows,

Arborist Report.

The arborist report does not determine the impact on the trees for 10 Delecta Ave, specifically tree 10.

The proposed TPZ encroachment for Tree 10 has not been calculated. Is it Major or Minor?

Will the tree remain viable? Why?

Tree 5. The tree is listed as High Retention Value and high Significance. Site discussions revealed that a development at 6 Delecta was forced to be modified to retain Tree 5. Site discussion also revealed that the owners of 10 Delecta had recently had a Tree Removal Permit declined for another Paperbark (Tree 12 in the Report). The reasoning for the removal of Tree 5 is inadequate and appears to support the removal rather than determine the impact and demonstrate why removal is required or reasonable.

What can't the plans be modified to accommodate the tree?

What is the setback of the tree from the build?

Exploratory excavation or root mapping should be undertaken to demonstrate the tree can be retained or requires removal due to major root conflict.

The statement of environmental Effects;

Does not consider the removal of Tree 5 - This is the largest tree onsite and the majority of the site canopy cover. The removal of this tree conflicts with the claims made in the Statement of Environmental Effects page 21 - "The proposal will not have any impact on the existing tree canopy".

The objectives of the NBC DCP section A4.1 Avalon Beach Locality are not complied with; specifically, "Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses"

It is noted the NBC landscape referral response identified the error in the statement of environmental effects.

Natural Environment Referral Response - Biodiversity

Eucalyptus camaldulensis is not a locally occurring species and is inappropriate for the site due to its potential site/conflict with coastal growing environment. This species should be changed to a Pittwater indigenous species such as *Angophora costata* or *Corymbia maculata*.

For any further information relating to this site please don't hesitate to contact me.

Regards



Alex Austin
arborsaw@gmail.com
0413842183
PO Box 84, Avalon 2107.
AQF Level 8 Consulting Arborist.

Industry Qualifications

AQF Level 5 & 8 Consulting Arborist.

ISA Certified Arborist # AU-0348A

Tree Risk Assessment Qualification (TRAQ) (Valid until Oct 2023)

Advanced Quantified Tree Risk Assessment Registered User # 3692

Masters of Environmental Law