

## Landscape Referral Response

<b>Application Number:</b>	DA2024/0799
<b>Date:</b>	16/07/2024
<b>Proposed Development:</b>	Part demolition and construction of a dwelling house including pool and outbuilding
<b>Responsible Officer:</b>	Anaiis Sarkissian
<b>Land to be developed (Address):</b>	Lot 9A DP 21243 , 18 North Avalon Road 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

Council's Landscape Referral section have assessed the application against the Pittwater Local Environment Plan, and the following Pittwater 21 DCP controls (but not limited to): B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; D1 Avalon Beach Locality.

An Arboricultural Impact Assessment (AIA) and a Landscape Plan are submitted with the application for consideration by Landscape Referral.

The following concerns are raised with the site planning that results in the AIA report recommendations:

- Tree 6 - Bangalay, is the most prominent of site trees that holds high retention value yet the site planning has not considered its amenity value in determining the proposed building footprint. It is noted that the tree is located centrally to the Lot and this does hold a reason for removal to permit allowable building within permitted setback, however the rear of the property, in the site planning layout of a pool, pool house and decking eliminates any opportunity for tree replacement.
- The proposed retention of Trees 4 and 5 is not confirmed by any sensitive tree root investigations. The encroachments of 20% and 26% respectively is a major encroachment that under AS4970-2009 Protection of trees on development sites, section 3.3.3 Major encroachment - "If the proposed encroachment is greater than 10% of the TPZ or inside the SRZ, the project arborist must demonstrate that the tree(s) would remain viable. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ. This may require root investigation by non-destructive methods and consideration of relevant factors listed in Clause 3.3.4". It is necessary to provide such evidence prior to any approval.

The following concerns are raised with the site planning and Landscape Plans:

- The landscape area calculations include paverslabs as landscape area however the function of such areas are to function for pedestrian access and not planting. The definition of landscape areas "means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area".
- The rear of the property is unable to support tree canopy planting as the entire rear if designed to functionally act as passive recreation space.
- The rear boundary screen planting within the narrow garden width results in any planting near the pool to be selected to comply with the planting and care requirements of AS1926.1 for a non-climbable zone, and thus low height planting will only be permitted, and to achieve the suggested screen planting a wider rear garden width is required.

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.