

Landscape Referral Response

Application Number:	DA2020/1162
Date:	03/03/2021
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot 33 DP 11462 , 27 Bellevue Avenue 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

Demolition of an existing dwelling house and ancillary structures, removal of trees, excavation and construction of a Seniors Housing development incorporating 3 x self-contained units, 6 car parking space and associated landscaping, site works and new tree planting.

In the initial landscape assessment of this application, consideration of the submitted Landscape Documents prepared by Botanica, and the Arboricultural Impact Assessment prepared by Construct By Design is assessed for compliance with the following relevant controls and policies:

- Housing for Seniors or People with a Disability: clause 33 Neighbourhood amenity and streetscape.
- Seniors Living Policy: clause 2. Site Planning and Design - deep soil zone of 15% with minimum dimension of 3 metres; and clause 3. Impacts on Streetscape - retain trees on the street and in front and rear setbacks to minimise impact on the streetscape and neighbours.
- Pittwater 21 DCP Controls: B4.22 Preservation of Existing Trees and Bushland Vegetation; C1.1 Landscaping; C1.21 Seniors Housing; and C1.24 Public Road Reserve - Landscaping and infrastructure.

Following issues raised regarding development impact to existing trees identified as trees 21, 23, 24, 26, 29 and 33 (Sydney Red Gum) and tree 27 (Stringy Bark), amended architectural plans and a updated arboricultural impact assessment have been issued to Council for assessment. The development works, based on amended plans and reports proposes the retention or removal of trees as follows:

- Retention within the development site: five native trees are proposed for retention (T25, T26, T30, T33, T39), with four (T26, T30, T33, T39) requiring arboricultural attendance by a Project Arborist,
- Removal within the development site: two native trees (T34, T35) are proposed for removal due to development impact, and six native trees (T16, T22, T31, T32, T36 and T38) are proposed for removal due to health conditions that require removal regardless of development, with a further four exempt species (T17, T20, T40 and T41) to be removed, pruned or relocated and not requiring Council consent,
- Relocation within the development site: two palms (T18 and T19) are proposed for relocation,
- within Council's road verge: all twenty-one street trees (T1, T2, T4, T5, T6, T9, T12, T14, T15, T21,

T23, T24, T27, T28, and T29) are proposed for retention, with four (T21, T23, T24 and T29) requiring arboricultural attendance by a Project Arborist, and six are dead/dying (T3, T7, T8, T10, T11, T13) and should be removed,

- within adjoining property: all three trees within 5 metres of development are proposed for retention, with one (T37) requiring arboricultural attendance by a Project Arborist

Tree root investigations have been carried to locate roots of significance and the updated arboricultural impact assessment provide recommendations for tree protection measures. Concerns remain that excavation works and the proximity of existing trees to proposed building and structures will place ongoing issues with the arboricultural preservation of existing trees in the long term, as opposed to arboricultural construction methods near the existing trees, as follows:

- T21 (Sydney Red Gum): the updated arboricultural impact assessment provides construction recommendations including the use of permeable pavers for the proposed new driveway which is contrary to Council's engineering standards requiring concrete driveways, and hence the advantages of permeable paving to providing moisture and aeration to the existing root system is not available, thus restricting the available area for future root growth deemed necessary where the area lost to an encroachment should be compensated elsewhere and contiguous with the tree protection zone. The amount of built elements around T21 including driveway and pavement, and building reduces the natural ground area available for future growth,
- T23 (Sydney Red Gum), T25 (Cheese Tree), and T26 (Sydney Red Gum): the existing tree trunks are suitably located approximately 3 metres and more away from buildings to be able to construct the development works, but are located against the proposed walkway, and in close proximity to the lift and pool, such that the long term preservation of these trees is at risk from resident safety concerns and requests for removal based on proximity to building, structures and the loss of solar access to the building internal areas and the pool. Council would be required to assess any such tree applications for removal on merit, and it is considered that such possible removal then does not present any opportunity for replacement trees of a similar size due to the reduced natural ground areas,
- T33 (Sydney Red Gum): the existing tree trunk is located approximately 1 metre from the lower parking level and the building line / terrace/ lounge of Apartment 3 at the lower ground level, and whilst the updated arboricultural impact assessment determines construction in close proximity is feasible, the long term preservation of this tree is at risk from resident safety concerns and requests for removal based on proximity to building and the loss of solar access to the building internal areas. Council would be required to assess any such tree application for removal on merit, and it is considered that such possible removal then does not present any opportunity for a replacement tree of a similar size as the rear setback is insufficient in area to support a equal sized canopy tree.

Landscape Referral are of the opinion that a reduction of the footprint away from these existing trees is required to achieve retention of the trees in the long term, and provide an acceptable landscape outcome, where development is incorporated into a landscape setting typical of the locality.

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.