

## Landscape Referral Response

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|----------------------------------------|-------------------------------------------------------------|
| <b>Application Number:</b>             | DA2025/0994                                                 |
| <b>Date:</b>                           | 08/08/2025                                                  |
| <b>Proposed Development:</b>           | Construction of a dwelling house and detached double garage |
| <b>Responsible Officer:</b>            | Anaiis Sarkissian                                           |
| <b>Land to be developed (Address):</b> | Lot 2 DP 1237357 , 12 A John Street 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

The application seeks consent for: Construction of a dwelling house and detached double garage, indicated on the plans as 12A John Street.

It is noted that a separate application for Construction of a dwelling house and detached double garage, indicated on the plans as 12B John Street, has been lodged concurrently for the adjoining Lot. The Arborist's Report and Landscape Plans address both proposals concurrently. Referral comments provided are made on the basis of the information provided across both Lots.

The site is noted to have been the subject of a previous approval for sub-division (one Lot into two Lots) under DA2012/0420. Sub-division approval included environmental works to be undertaken in the identified riparian zone within the land (covering both Lots), including planting of locally native trees, shrubs and groundcovers.

Assessment of potential tree removals for indicative building envelopes was undertaken as part of the sub-division assessment.

The Arborist's report submitted with the application prepared by Naturally Trees is noted. The Report reflects tree removals as indicated in the sub-division Arborist's report, also prepared by Naturally Trees.

The Landscape Plan prepared by ATC documents trees proposed for removal and retention, reflective of the Naturally Trees Arborist Reports.

In addition to the riparian works, which required tree planting at a rate of 1 tree per 4m<sup>2</sup>, the Landscape Plans submitted with the application indicate 22 additional trees (capable of attaining a height of >5m) to be planted across the Lots. 14 of these trees are indicated on this site, 12A John Street.

In view of the above, no objections are raised regarding landscape issues subject to conditions.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

**Recommended Landscape Conditions:**

**CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**Project Arborist**

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with the Arboricultural Impact Appraisal and Method Statement Revision D dated 8 May 2025 prepared by Naturally Trees and AS4970-2025 Protection of trees on development sites,

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment,

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Principal Certifier that all tree protection measures under AS4970-2025 have been satisfied, and the recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: Any potential impact to trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

**CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

**Protection of Landscape Features and Sites of Significance**

All natural landscape features including natural rock outcrops, natural vegetation, soil and watercourses are to remain undisturbed during demolition, excavation and construction works except where affected by works detailed on approved plans.

Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office contacted to assess the finds.

Under Section 89a of the NPW Act should the objects be found to be Aboriginal, NSW Biodiversity and Conservation Division, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.

Reason: Preservation of significant environmental features.

### **Tree and Vegetation Protection**

- a) Existing trees and vegetation shall be retained and protected, including:
  - i) all trees within the site not indicated for removal on Proposed Landscape Plan Dwg No. L01 A dated 27/05/25 prepared by ATC Landscape Architects and Swimming Pool Designers,
  - ii) all trees and vegetation located on adjoining properties,
  - iii) all trees and vegetation within the road reserve.
  
- b) Tree protection shall be undertaken as follows:
  - i) tree protection shall be in accordance with the Arboricultural Impact Appraisal and Method Statement Revision D dated 8 May 2025 prepared by Naturally Trees and AS4970-2025 Protection of trees on development sites,
  - ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by the Project Arborist,
  - iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with the Project Arborist,
  - iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
  - v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by the Project Arborist on site,
  - vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with the Project Arborist including advice on root protection measures,
  - vii) should either or all of v) or vi) occur during site establishment and construction works, the Project Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Project Arborist to the Principal Certifier,
  - viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS4970-2025 Protection of trees on development sites,
  - ix) the activities listed in section 4.2 of AS4970-2025 Protection of trees on development sites, shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
  - x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2007 Pruning of amenity trees,
  - xi) the tree protection measures specified in this clause must:
    - i) be in place before work commences on the site, and
    - ii) be maintained in good condition during the construction period, and
    - iii) remain in place for the duration of the construction works.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken and certified by the Project Arborist as complaint to AS4970-2025 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

Reason: Tree and vegetation protection.

### **Condition of Trees**

During the construction period the applicant is responsible for ensuring all existing trees required to be retained are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to or by seeking arboricultural advice from the Project Arborist during the works.

In this regard all protected trees shall not exhibit:

- i) a general decline in health and vigour,
- ii) damaged, crushed or dying roots due to poor pruning techniques,
- iii) more than 10% loss or dieback of roots, branches and foliage,
- iv) mechanical damage or bruising of bark and timber of roots, trunk and branches,
- v) yellowing of foliage or a thinning of the canopy untypical of its species,
- vi) an increase in the amount of deadwood not associated with normal growth,
- vii) an increase in kino or gum exudation,
- viii) inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition,
- ix) branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of trees.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Landscape Completion**

Landscape works are to be implemented in accordance with Proposed Landscape Plans Dwg Nos. L01 A and L02 A dated 27/05/25 prepared by ATC Landscape Architects and Swimming Pool Designers, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) all tree planting shall be a minimum pre-ordered planting size as scheduled on the plans; meet the requirements of Natspec - Specifying Trees; planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and located either within garden bed or within a prepared bed within lawn,
- c) tree, shrub and groundcover planting shall be installed as indicated on the approved Landscape Plans,

Prior to the issue of an Occupation Certificate, details (from a qualified landscape architect, landscape designer or horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

**Condition of Retained Vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by the Project Arborist shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained on the approved Plans or as listed in the Arboricultural Impact Assessment, including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- b) extent of damage sustained by vegetation as a result of the construction works,
- c) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree and vegetation protection.