

Landscape Referral Response

Application Number:	DA2025/0020
Date:	05/05/2025
Proposed Development:	Construction of a secondary dwelling
Responsible Officer:	Olivia Ramage
Land to be developed (Address):	Lot 217 DP 16902 , 4 Wollombi Road BILGOLA PLATEAU 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

Further comments 28/04/2025:

In response to Landscape Referral comments dated 01/04/2025, a tree root investigation is undertaken by a qualified Arborist and the Arboricultural Impact Assessment, revision B dated 22/04/2025 (AIA report B) trim 2025/306515 determines that all six existing trees (trees numbered 7 to 11) in proximity to the proposed concrete driveway within the road reserve verge are able to be preserved subject to the recommendations of the AIA report B, and condition shall be imposed.

Following concerns regarding the location of the secondary dwelling in close proximity to existing trees it is noted that amended MasterSet Plans have relocated the proposed secondary dwelling further away from the nearest existing tree (tree number 1) by a distance of 2528 to the building wall, and based on the arboricultural recommendations of the Arboricultural Impact Assessment, revision A dated 08/01/2024 (AIA report A) trim 2025/020381, no concerns are raised subject to conditions.

Note: Arboricultural Impact Assessment, revision A (AIA report A) remains valid in terms of tree protection measures for trees 1 to 5 within the property and tree 6 within adjoining property, near the proposed secondary dwelling. It is noted that the AIA report A that all trees are able to be preserved in proximity to the proposed secondary dwelling.

Subject to conditions of consent Landscape Referral raise no concerns.

Updated comments 01/04/2025:

It is noted that the Arborist letter dated 25/03/2025 assesses that no impact is anticipated to existing trees around the proposed car spaces within the property, based on surface material being restricted to crushed granite with no excavation, and Landscape Referral raise no issues with this assessment, subject to conditions.

The Arborist letter nominates this treatment to the existing driveway access however it is concluded that this is for the car spaces within the property and not the existing driveway access located within the road reserve verge. This matter shall be confirmed on the Plans that shall be updated to document the surface material finish to the car spaces within the property as crushed granite above existing grade.

The Plans indicate that the road reserve verge driveway is to be used for access. The Development Engineering Referral conditions requires a sealed driveway within the road reserve verge. It is unknown what the impacts to existing trees within the road reserve verge are from a sealed driveway.

Landscape Referral require additional arboricultural information that assesses the impact of a sealed driveway on the existing trees within 5 metres of the driveway alignment. It is Landscape Referral's preference that all existing trees be retained, and this may require a reduced driveway width and possibly above existing grade construction. The proposed driveway construction shall be determined by the Arborist to ensure tree retention. Any unavoidable impacts to existing trees to allow for a sealed driveway shall be advised.

Landscape Referral shall recommence assessment following issue of required plans and reports as indicated below:

- updated Arborist report.*
- amended plans with all proposed surface material identified and layout for the proposed driveway within the road reserve verge.*

Updated comments 10/03/2025:

In response to Council's request for information dated 19 February 2025 it is noted that item 1. Landscape, in terms of the location of the secondary dwelling relative to existing trees provides a location setback that removes the DCP provision permitting tree removal without Council consent, and more importantly provides a setback where the structural root zone is preserved. No updated arboricultural information is provided to determine tree protection measures.

Concern is raised regarding the impact to existing trees from the proposed parking facility at the northern corner of the property, where existing trees are located in proximity within the property and within the road reserve. No arboricultural information is provided that assesses the impacts to existing trees including any proposed excavation works that may impact the health of existing trees.

In summary, whilst the location of the proposed secondary dwelling is located appropriately, updated arboricultural information shall provide the following:

- recommended tree protection measures for tree 1 and tree 2.*
- Additionally arboricultural comments and/or recommended tree protection measures for existing trees in proximity to the proposed parking facility and any associated works in the road reserve shall provide the following:*
- impact of the proposed parking facility from any excavation works near the existing trees in proximity.*

Previous comments 23/01/2025:

The proposal recommends the retention of all existing trees. The proposal in terms of retention of existing trees in proximity to the secondary dwelling is not supported, and Landscape Referral consider that to preserve existing trees numbered T1 and T2 the proposed building setback shall be more than 2 metres (2.5 metres at least) away from T1 and T2 for long term tree health and viability, and to not allow the 2 metre exempt rule to be utilised. The DCP permits removal of any tree within 2 metres of an approved dwelling.

Landscape Referral consider that the proposed secondary dwelling shall be located at least 2.5 metres

from the outer edge of existing trees, or otherwise at a greater distance should a qualified Arborist determine that the structural root zone requires protection at a greater distance.

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 AS4970-2009 Protection of trees on development sites, and any recommendations of the approved Arboricultural Impact Assessment reports.

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

- i) any excavation in proximity of tree numbers 1 and 2 for the secondary dwelling pier footings and any utility services, where tree roots are found larger than 25mm diameter,
- ii) stem protection for tree number 6 (report dated 8/01/2024),
- iii) any excavation in proximity to tree numbers 7 to 11 for driveway excavation works, where tree roots are found larger than 25mm diameter,
- iv) stem protection for tree number 10 (report dated 22/04/2025).

All tree protection measures specified must: be in place before work commences on the site; be maintained in good condition during the construction period; and remain in place for the duration of the construction works. The Project Arborist shall provide certification to the Certifier that all tree protection measures under AS4970-2009 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 Existing Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages, and the street trees fronting the development site shall be protected by tree protection fencing in accordance with Section 4 of AS4970-2009 Protection of trees on development sites. As a minimum the tree protection fencing for street trees fronting the development site shall consist of standard 2.4m panel length to four sides and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, unless otherwise directed by an Arborist with minimum AQF Level 5 in arboriculture. All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

All street trees within the road verge are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any trees is prohibited. No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

Reason: Street tree protection.

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees within the site, including trees and vegetation nominated for retention on the approved Plans,
- 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 AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment reports dated 8/01/2024 (trees 1-6) and 22/04/2025 (trees 7-11),
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- 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 an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist/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 AS4970-2009 Protection of trees on development sites,
- ix) the activities listed in section 4.2 of AS4970-2009 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 as complaint to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment reports and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.

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

Condition of Retained Vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture 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 reports, 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.