

## Landscape Referral Response

<b>Application Number:</b>	DA2020/0443
<b>Date:</b>	19/05/2020
<b>Responsible Officer:</b>	Kent Bull
<b>Land to be developed (Address):</b>	Lot 20 DP 22275 , 60 Binburra 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

The development application is for the installation of a swimming pool and associated timber deck and associated landscape works.

Council's Landscape Referral staff have assessed the proposal against the following Pittwater 21 DCP Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D1 Avalon Beach Locality

The proposal in terms of landscape outcome is acceptable subject to conditions of consent to complete proposed landscape works to satisfy the relevant landscape controls, and subject to the protection of trees and vegetation in proximity to the development works identified for retention.

A landscape plan is provided with the development application in accordance with Council's Lodgement Requirements, subject to conditions of consent.

An arborist report is provided with the development application in accordance with Council's Lodgement Requirements. An existing Red Bloodwood Gum in advanced decline is proposed to be removed as part of this application and is recommended in the report to be replaced.

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**

### **Tree removal within the property**

Approval is granted for the removal of the existing tree identified in the Arboriculture Impact Assessment prepared by Growing My Way as T1 - Red Bloodwood. This tree is in decline and has been compromised by raised soil levels within the tree protection zone and the recommendation for removal and replacement is supported.

A total of one Red Bloodwood (*Corymbia gummiifera*) tree shall be planted within the site as replacement within the site as conditioned.

Additionally exempt species, located within the zone of development works, are proposed for removal consisting of eight Bangalow Palms as shown on the Landscape Concept Plan L101 prepared by Spirit Level Designs. Council consent is not required for removal of exempt species.

Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by a AQF level 5 Arborist that determines that the tree presents an imminent risk to life or property.

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

### **Tree and vegetation protection**

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

- i) all trees and vegetation within the site not approved for removal, excluding exempt vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

b) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF minimum Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF minimum Level 5 Arborist,
- iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF minimum Level 5 Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,
- v) to minimise the impact on trees and vegetation to be retained and protected, 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,
- vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF minimum Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF minimum Level 5 Arborist on site,
- viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF minimum Level 5 Arborist, including advice on root protection measures,
- ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF minimum Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
- x) 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 AS 4970-2009,

xi) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

c) All protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

Reason: to retain and protect significant planting on development and adjoining sites.

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

### **Landscape works completion**

Landscape works are to be implemented in accordance with the Landscape Concept Plan L100 (revision H) and L101 (revision B), prepared by Spirit Level Designs, inclusive of the following requirements:

- i) one Red Bloodwood (*Corymbia gummifera*) shall installed within the rear yard at 75 litre pot container size and shall be at least 5 metres from existing or approved building under construction, and at least 4 metres from any existing or proposed tree,
- ii) All *Bambusa* species shall be maintained no higher than the lowest building eaves height along the side boundary adjacent to a building, and at a maximum 5 metre height above ground elsewhere.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the landscape plans and with any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **Landscape maintenance**

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.