

## Landscape Referral Response

<b>Application Number:</b>	DA2024/0826
<b>Date:</b>	17/07/2024
<b>Proposed Development:</b>	Demolition works and construction of a dwelling house including swimming pool
<b>Responsible Officer:</b>	Lachlan Rose
<b>Land to be developed (Address):</b>	Lot 1 DP 1292851 , 71 Pitt Road NORTH CURL CURL NSW 2099

### 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 is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 (WLEP) and the following Warringah Development Control Plan 2011 (WDCP) controls (but not limited to): D1 Landscaped Open Space and Bushland Setting; E1 Preservation of Trees or Bushland Vegetation; and E2 Prescribed Vegetation.

The objectives of D1 Landscaped Open Space and Bushland Setting, that shall be satisfied include that at least 40% of the site shall be 'landscaped area' containing "a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area", to achieve the following: enable planting to maintain and enhance the streetscape; provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building; enhance privacy between buildings; amongst other objectives.

The existing property contains a managed landscape setting without any prescribed trees located within the property. The existing exempt species (by height and species type) do not require Council consent for management or removal. The submitted Landscape Plan is noted that, subject to imposed conditions, is able to satisfy the landscape objectives of D1. The nominated Cupaniopsis (Tuckeroo) and Ulmus (Chinese Elm) proposed within the front of the property are exempt species that are able to be removed without Council consent. Additionally the Tuckeroo is self-seeding into Council bushland and reserves and a tree as selected from Council's tree list shall be planted instead. Across the front boundary a garden bed shall be provided with shrub planting to establish a suitable landscape setting to satisfy the intent of control D1.

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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### Amended Landscape Plan

An Amended Landscape Plan shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- a) the nominated Cupaniopsis (Tuckeroo) and Ulmus (Chinese Elm) shall be substituted with a tree species selected from Northern Beaches Council's Native Plant Species Guide - Curl Curl Ward, or Council's Tree Guide, to achieve at least 6.0 metres in height at maturity, and shall be scheduled at a minimum pre-ordered planting size of 75 litres,
- b) the nominated Murraya at the rear of the property shall be substituted with a tree species selected from Northern Beaches Council's Native Plant Species Guide - Curl Curl Ward, or Council's Tree Guide, to achieve at least 6.0 metres in height at maturity,
- c) a garden bed of minimum 900mm width shall extend across the front boundary within the property and shall be planted with shrub planting installed at minimum 1 metre intervals for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

## 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 prescribed trees within the site, or otherwise existing trees 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,
  - ii) the following arboricultural requirements shall be adhered to unless authorised by an Arborist with minimum AQF level 5 qualifications: existing ground levels shall be maintained within the tree protection zone of trees to be retained; removal of existing tree roots at or >25mm (Ø) diameter is not permitted; 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; and structures are to bridge tree roots at or >25mm (Ø) diameter,
  - iii) 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,
  - iv) 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,
  - v) 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.

Reason: Tree and vegetation protection.

## **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 the approved Amended Landscape Plan, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) tree, shrub and groundcover planting shall be installed as indicated on the approved Amended Landscape Plan, unless otherwise imposed by conditions,
- c) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and shall be located at least 3.0 metres from buildings or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn,
- d) Cupaniopsis (Tuckeroo) and Ulmus (Chinese Elm) are not permitted to be planted,
- e) mass planting shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified 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.

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

### **Landscape Maintenance**

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Amended Landscape Plan and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.