

Landscape Referral Response

Application Number:	DA2020/1351
Date:	16/02/2021
Responsible Officer:	Lashta Haidari
Land to be developed (Address):	Lot 5 DP 229309 , 1 Bilambee Lane 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

The development application is for the demolition of existing structures on site and construction of a shop top housing development comprising a two retail shops at ground level and residential apartments above. Outdoor dining is proposed along the Bilkurra Avenue frontage with additional on street parking and landscaping proposed within the Bilambee Avenue and Bilkurra Avenues road reserves.

The application is assessed by Landscape Referral against State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP65), and associated Apartment Design Guide (ADG), and Pittwater Local Environmental Plan (PLEP) and Pittwater Development Control Plan (PDCP), including but not limited to the following clauses:

- Principle 5: Landscape, of SEPP65 requires " that ... landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. ... well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity ..."
- ADG: Part 3E Deep Soil Zones.
- PDCP: clause C1.1 and C2.1 Landscaping and clause C2.20 Public Road Reserve - Landscaping and Infrastructure.

No deep soil is proposed as part of this development to the ground floor area. On merit this can be supported as the development proposes accessible retail occupancy that includes outdoor dining and this will have social benefits for the community and as such satisfies the useability, equitable access and opportunities for social interaction that is a key principle objective of the SEPP65 policy.

A Landscape Plan is provided that includes public domain works consisting of road works, ramps, street furniture, paving, and planting within the road reserve verge. Works within the road reserve verge is not part of this application approval and is subject to a separate application to Council in the form of the following: Infrastructure Works on Council Roadway - Section 138A application, or any other application as advised, applicable for the approval to construct kerb & gutter, footpath, pavement and any other encroachment works on Council's road reserve.

The works as shown within the public domain are generally acceptable subject to amendments to ensure compliance with Council's Draft Public Domain Design Guidelines, section C.3 Neighbourhood Centres, that provides a list of design materials for the public domain. This shall be demonstrated by the issue of a Public Domain Plan for the Section 138A application.

Landscape planter works are proposed to level 2 consisting of 1.5 metre deep planters (as documented on the architectural plans) and the planting scheme as shown on the Landscape Plan is suitable to soften the development edge.

An Arboricultural Impact Assessment is provided with the application. The existing site supports a small garden bed at the corner with shrub planting that is exempt from requiring Council Consent as the vegetation is less than 5 metres in height, and a street tree within the road verge is located along the Bilkurra Avenue road reserve. The Arboricultural Impact Assessment recommends the removal of the garden planting within the site for development works and removal of the street tree for public domain works as well as to replace with more appropriate street tree planting. No objectives are raised to the recommendations of the Arboricultural Impact Assessment.

Additionally, any approval for the development application does not provide approval for outdoor dining, and this is a separate application to be submitted by the retail occupant under 'Outdoor Dining Area Approval Application 20/21'.

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 Public Domain Plan

An Amended Public Domain Plan, based on drawing number LS01 prepared by Melissa Wilson Landscape Architects, and in compliance with Council's Draft Public Domain Design Guidelines shall be submitted as part of a Infrastructure Works on Council Roadway - Section 138A application, for approval by Council, with sufficient detail design information including the following:

- i) alignment levels showing existing and proposed levels for altered driveway crossovers, and kerbs and gutters,
- ii) existing and proposed pavement levels, with proposed gradients no more than a 2.5% fall from building openings to top of kerb, and to match existing levels along adjoining properties,
- iii) details of any utility alignment and level changes,
- iv) details of the proposed pavement finish from building to kerb,
- v) tactile ground surface indicators at pedestrian crossings and crossovers in accordance with Australian Standard 1428.4.1-2009 - Design for Access and Mobility,
- vi) existing utility pit lids are to be altered to paver infill types to accommodate the proposed pavement type,
- vii) proposed street tree planting shall be in accordance with Northern Beaches Standard Drawing 1300 - Tree Pit Details, Plan and Section, including 4600 x 2200 strata cell system, 1600 x 1400 tree pit opening finished with porous paving sitting on a cast iron perforated grate. The perforated grate shall sit over the strata cell system.

The following works shall also be documented:

- viii) paving design is subject to the existing surrounding material palette, consisting of either clay pavers, concrete unit pavers, or granite pavers,
- ix) existing concrete pavements are to be replaced with either clay pavers, concrete unit pavers, or granite pavers, with no colour differentiation between pavers and any headers, and are subject to Council approval,
- x) sandstone edging as documented in drawing LS01,
- xi) seating is to be as per Council's Draft Public Domain Design Guidelines: Timber and Steel Stoddart Town & Park Metro Seat, code SSD.T2.SP.AR2.2000,
- xii) kerb ramps material to be selected paving material with a contrasting colour to the surrounding paving colour, and with tactile safety markers ie. stainless steel studs in accordance with AS1428.4-2002 and AS1428.1-2009,
- xiii) street trees shall be installed at a pre-ordered 200 litre container size,
- xiv) street trees to Bilambee Avenue shall be *Tristaniaopsis laurina* (x 2),
- xv) street trees to Bilkurra Avenue shall be *Buckinghamiana* (x 3),
- xvi) all other works shall be as documented on drawing number LS01 prepared by Melissa Wilson Landscape Architects.

Any work carried out upon public land shall have all the necessary prior approvals and permits from Council in place prior to commencement to conduct such works.

Reason: compliance with Council standards for works on public land.

On slab landscape works

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided.

Landscape treatment details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule.

The following minimum soil depths are required to support landscaping as proposed:

- i) 300mm for lawn
- ii) 600mm for shrubs
- iii) 1m for small trees

Design certification shall be submitted to the Certifying Authority by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate soil depth for planting and secure waterproofing and drainage is installed.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the road reserve

This consent approves the removal of the following tree within the road reserve (as recommended in the Arboricultural Impact Assessment):

- i) *Callistemon salignus* fronting the site within Bilkurra Avenue road verge.

Removal of the approved tree in the road reserve shall only be undertaken by a Council approved tree contractor. Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services Section prior to removal.

Reason: public liability.

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 located on adjoining properties,
- ii) all road reserve trees and vegetation not approved for removal.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an 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 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 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 with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v), vi) and vii) occur during site establishment and construction works, an 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 to the Certifying Authority,
- 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 Australian Standard 4970-2009 Protection of Trees on Development Sites,
- ix) the activities listed in section 4.2 of Australian Standard 4970-2009 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 Australian Standard 4373-2007 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 Certifying Authority must ensure that:

- c) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.
- d) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

Note: All street trees within the road verge and trees within private property 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 tree(s) is prohibited.

Reason: tree and vegetation protection.

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

Landscape completion

Landscaping within the site is to be implemented in accordance with the approved Landscape Plan.

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

Note: Public Domain Works are subject to a Infrastructure Works on Council Roadway - Section 138A application and are not included under this condition.

Reason: landscape 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 Landscape Plan and any conditions of consent.

For all new residential works with two or more dwellings and mixed use developments, a maintenance activity schedule for on-going maintenance of planters on slab shall be incorporated to monitor and replenish soil levels as a result of soil shrinkage over time.

Reason: to maintain local environmental amenity.