

Landscape Referral Response

Application Number:	DA2023/1395
Date:	19/06/2024
Proposed Development:	Demolition works and construction of Shop Top housing
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 3 DP 6777 , 1012 Pittwater Road COLLAROY NSW 2097 Lot 2 DP 314645 , 1014 Pittwater Road COLLAROY NSW 2097 Lot 4 DP 6777 , 1010 Pittwater Road COLLAROY NSW 2097

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

Updated Arborist's Report comment 19/06/2024

Receipt of an addendum to the Arborist's report by Jacksons Nature Works is noted.

The addendum addresses impacts of the amended plans on Tree 12 - *Araucaria columnaris*, located at the rear of the property.

The amended basement encroaches 19.5% into the Tree Protection Zone of T12.

No encroachment into the Structural Root Zone of the tree is proposed, which, based on AS4970-2009, supports the comments that the tree will not be structurally compromised by the works.

The addendum Report indicates that a 15-20% incursion can be considered a Moderate impact on the tree and includes an assessment of mitigating factors to support retention of the tree.

The Report indicates that the tree has been assessed as in good health and vigour and compensatory root volume area is provided outside of the area of root removal contiguous with the TPZ. and the tree is not a particularly sensitive species.

The Addendum Report maintains that the tree can be retained.

The findings of the addendum report are concurred with, subject to specific tree protection conditions

and supervision by a Project Arborist, as included in recommended conditions.

Amended Plans Comment 08/05/2024

Amended Architectural. Stormwater and Landscape Plans are noted.

No objections are raised to the amended plans in general terms and previous conditions are still recommended.

It is noted that the reconfiguring of the entrance drive and ground floor arrangement seems to make access to the rear Common Open Space for residents rather poor. There is no objection to the provision of the space, but it seems that other amendments requested reduce the desirability of accessing the space.

It is noted that the DSAP notes suggested raised planters/kerbs to the trees proposed along Pittwater Road. Provision of raised planters would not be supported with preference for plantings at ground level to allow for extended root development. However, conditions recommended indicate that a separate application will be required for works in the road reserve and details can be assessed at that stage.

No objections are raised with regard to landscape issues subject to conditions.

Original Comment

The application seeks consent for demolition works and construction of Shop Top housing.

The Arborist's Report prepared by Jackson's Nature Works and Landscape Plans prepared by Sym Studio are noted.

The Arborist's Report indicates that 4 exempt trees are to be removed to accommodate the proposed works.

The Report appears to include one tree on an adjoining property, identified as Tree 7. It would appear that this has been included in error as the works do not impact on the tree. Subsequently, 3 within trees the site are to be removed. Removal of exempt trees on the site is not objected to.

The Landscape Plans indicate a range of trees, shrubs and groundcovers across the site and within the floor levels.

It is considered that the proposal would benefit from the inclusion of an additional canopy tree in the rear deep soil area to provide improved softening of the built form and transition to the adjoining residential land.

The Landscape Plans also indicate planting of street trees to Pittwater Road. The trees are located between proposed awnings, which are indicated to be set back from the roadway.

Works within the road reserve will require a separate application under the Roads Act. Assessment of street trees is best left to be addressed as part of that application.

No objections are raised with regard to 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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Amended Landscape Plan

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

The addition of 1 x *Angophora costata* to be located within the rear deep soil area.

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

Reason: Landscape amenity.

Tree Protection Plan

- a) A Tree protection plan shall be submitted to the Certifier for approval prior to the issue of a Construction Certificate, demonstrating tree protection measures in accordance with AS4970-2009 Protection of Trees on Development Sites, to protect all trees to be retained within 5m of the approved works, with particular reference to Tree 12 *Araucaria columnaris* as identified in the Arboricultural Impact Assessment dated 24 June 2023 and addendum report dated 12th June 2024 prepared by Jacksons Nature Works.
- b) The Tree Protection Plan shall be prepared by an Arborist with minimum AQF Level 5 in arboriculture, incorporating the following:
 - i) location of all trees identified for retention, including extent of canopy,
 - ii) access routes throughout the site for construction activity,
 - iii) location of tree protection fencing / barriers,
 - iv) root protection in the form of mulching or boards proposed within the tree protection zone,
 - v) trunk and branch protection within the tree protection zone,
 - vi) location of stockpile areas and materials storage,
 - vii) other general tree protection measures including works approved within the Tree Protection Zone of the tree.

Reason: Tree protection.

On Slab Landscape Works

Details shall be submitted to the Certifier 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 Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections.

The following soil depths are required to support landscaping:

- i) 300mm for groundcovers, perennials, grasses and lawn
- ii) 600mm for shrubs

- iii) 1m for small trees

Design certification shall be submitted to the Certifier 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

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 approved Tree Protection Plan and AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment and approved Tree Protection Plan, and in particular:

- a) Works around T12 *Araucaria columnaris* located at the rear of the site.

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 AS4970-2009 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.

Tree Removal Within the Property

This consent approves the removal of existing trees on the subject site as identified in the Arboricultural Impact Assessment dated 24 June 2023 prepared by Jackson's Nature Works:

- i) Trees numbered 1, 4 and 5
ii) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised building works.

Works within the road reserve

The proposed street tree planting and any paving works within the road verge shall be part of a road reserve works application under section 138 and 139 of the Roads Act.

Reason: Public liability and Protection of public assets

Note:

Council has two applications under 138 and 139:

Form 4025 Infrastructure Works on Council Roadway – generally civil, landscape, other

Form 4033 Minor Encroachments – generally minor in nature such as planting, letterboxes

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Sites of Significance

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 approved for removal,
 - 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 recommendations of the approved Tree Protection Plan, the Arboricultural Impact Assessment dated 24 June 2023 prepared by Jacksons Nature Works and AS4970-2009 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 AS4970-2009 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 and certified by the Project Arborist as compliant to the approved Tree Protection Plan, AS4970-2009 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 an Arborist with minimum AQF Level 5 in arboriculture 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 the approved Landscape Plans as amended by Conditions of Consent.

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.

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

Landscape Maintenance

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 Plans and any conditions of consent.

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.

The approved landscape area shall in perpetuity remain as planting under the development consent.

Reason: To maintain local environmental amenity.