

Landscape Referral Response

Application Number:	DA2023/0646
Date:	29/06/2023
Proposed Development:	Demolition works and construction of a dwelling house
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot 1 DP 22672 , 121 Narrabeen Park Parade MONA VALE NSW 2103

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

Council's Landscape Referral is assessed against the Pittwater Local Environment Plan (PLEP) clause C4 zone Environmental Living, and the following Pittwater 21 Development Control Plan (PDCP) controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D14 Warriewood Locality

The site is located in the C4 Environmental Living zone, requiring development to achieve a scale integrated with the landform and landscape, and to minimise impact on the natural environment, including the retention of natural landscape features and existing trees, to satisfy the landscape objectives of the C4 Environmental Living zone.

The Landscape Plans submitted include landscape area calculations (drawing DA:20.00 Site Analysis) that 65% of the site area is 'landscaped area', however this is in fact 51.6% of soft landscape area that can be planted and 13.4% of hard landscape area that can't be planted. The definition of 'landscaped area' in the PLEP " means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area", thus the proposal does not meet the 60% 'landscaped area' requirements of the PLEP, and this matter shall be determined by the Assessing Planning Officer.

Proposed road reserve verge encroachment works including stairs, walling and landscape works are illustrated on the plans and a minor encroachment application is to be submitted to Council for approval or otherwise, and such works are not part of this development application.

The Landscape Plans include conceptual hard and soft landscape proposals such as walling, pavements, planters and planting. New tree planting is proposed in the public road verge and this shall be relocated within the property boundaries instead to ensure the development achieves the landscape outcome intent of the C4 Environmental Living zone and PDCP control C1.1, should the development

be approved. No other concerns are raised on the planting proposal subject to imposed conditions, should the development be approved, including location of any new tree planting to maintain the intent of PDCP control D14.1 Character as viewed from a public place, such as "preserve and enhance district and local views which reinforce and protect the Pittwater's natural context", PDCP control D14.2 Scenic protection - General, such as "Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve", and PDCP control D14.8 Side and rear building line, such as "Equitable preservation of views and vistas to and/or from public/private places".

The property does not contain any prescribed trees or native vegetation, requiring Council consent for management or removal. All trees and vegetation within adjoining properties and within the road reserve shall be protected.

It is Landscape Referral's opinion that proposals under the 60% 'landscaped area' limit the capability of the property to satisfy the landscape outcome intent of the C4 Environmental Living zone and PDCP control C1.1 as reduced areas of deep soil are provided and this alters the landscape outcome such as capacity for tree canopy development. Should the proposed landscape area be acceptable to the Assessing Planning Officer on merit, Landscape Referral shall impose conditions to soften the built form and minimise the bulk and scale.

The auto generated comment below, regarding support or otherwise from Landscape Referral is subject to acceptance of the proposal by the Assessing Planning Officer.

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 Plans

Landscape Plans DA:2.00, DA:2.01 and DA:2.02 shall be amended and issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- a) removal of landscape works within the public road reserve verge, and any such works requires a Minor Encroachments application to Council for approval or otherwise,
- b) three locally native trees shall be planted within the property, with at least one in the front setback, to achieve at least 6.0 metres height at maturity, and in accordance with the following: i) tree planting shall be a minimum pre-ordered planting size of 75 litres; generally selected from Northern Beaches Council's Native Plant Species Guide - North Narrabeen, or Council's Tree Guide; located at least 3.0 metres from buildings and other trees or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn; and ii) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces,
- c) all trees shall be in accordance with b) i) and ii) above,
- d) mass planting shall be installed at minimum 1metre intervals for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and at 4 plants per metre square for groundcovers of a minimum 140mm 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,

e) the following nominated species shall be deleted: Fountain Grass (*Pennisetum alopecuroides*); and replaced with a non invasive and self-seeding species,

f) it is advised that the planting of Tuckeroo (*Cupaniopsis anacardioides*) is not supported.

Details demonstrating compliance and that these amendments have been documented are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: Landscape amenity.

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: 300mm for groundcovers, perennials, grasses and lawn; 600mm for shrubs; and 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 ensure waterproofing and drainage is installed.

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 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,
- 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 and certified by an Arborist/Project Arborist as compliant to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

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 Plans, 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 Plans,
- c) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces,
- d) where swimming pools are part of the development works, selected planting shall comply with the planting and care requirements of AS1926.1 for a non-climbable zone.

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.

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, 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

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(s) 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 planted areas consisting of lawn, planting at grade, planting on structure 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.