

## Landscape Referral Response

<b>Application Number:</b>	DA2020/0177
<b>Date:</b>	07/05/2020
<b>Responsible Officer:</b>	Megan Surtees
<b>Land to be developed (Address):</b>	Lot 16 DP 6462 , 5 The Crescent NORTH NARRABEEN NSW 2101

### 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 construction of a detached secondary dwelling, detached single carport within the rear yard and screen planting along the boundaries.

The proposal in terms of landscape outcome is acceptable subject to the protection of existing trees and vegetation, and the completion of landscaping.

No Arboricultural Impact Assessment is not provided as all existing significant trees and palms are not impacted by the development proposal. Tree protection measures such as protection fencing shall be a condition of consent to ensure adequate provisions are provided.

A Concept Landscape Plan is provided. This plan inadequately addresses screen planting solutions for the common boundaries and an amended landscape plan is required prior to construction certificate. To alleviate any privacy issues from the elevated proposed floor level, screen planting shall be incorporated to provide visual privacy to adjoining private open space along the common boundaries.

Amended plans are required including a co-ordinated set of plans documenting the rear setback as 2.5 metres.

Council's Landscape Referral staff have assessed the proposal against Pittwater Local Environment Plan, and the following Pittwater 21 DCP Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

C1.11 Secondary Dwellings

D11 North Narrabeen Locality

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 prepared by a Landscape Architect or Landscape Designer shall be issued to the Certifying Authority for approval in accordance with the following requirements:

- the 2.5m rear boundary setback as shown on Plan number DA-03 shall consist of at least 3 small trees such as *Elaeocarpus reticulatus* or *Ceratopetalum gummifera*, or as selected from the Northern Beaches Council website Tree Guide, planted at 75 litre container size and spaced evening along the rear boundary,
- additionally the rear setback landscape area shall consist of tall shrub screen planting, capable of attaining to at least 3 metres in height, planted at 300mm pot size, and planted no more than 1 metre apart,
- the southern common boundary adjoining No. 3 The Crescent shall consist of tall columnar shrub screen planting, capable of attaining to at least 3 metres in height, planted at 200mm pot size, and planted no more than 1 metre apart, and planted along the boundary terminating at the existing Cheese Tree trunk,
- the northern common boundary adjoining No. 7 The Crescent shall consist of tall columnar shrub screen planting, capable of attaining to at least 3 metres in height, planted at 200mm pot size, and planted no more than 1 metre apart,
- the remaining landscape areas shall be as documented in the Concept Landscape Plan DA-07.

Reason: to provide adequate landscape amenity and screening of the built form.

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

### **Tree Protection Measures**

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, including tree protection fencing as determined by the Project Arborist, in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4.

The following trees / palms shall be protected by fencing to a radius as determined by the Project Arborist:

- i) the two Cabbage Tree Palms (identity not confirmed) within the front yard,
- ii) the Cheese Tree (identity not confirmed) located at the rear on the southern common boundary adjoining No. 3 The Crescent,
- iii) any other existing tree deemed necessary by the Project Arborist to satisfy AS4970-2009 Protection of Trees on Development Sites.

The Project Arborist shall submit certification to the Certifying Authority that the works and activities described in the above sections have been correctly installed and adhered to during the construction period.

The tree protection measures specified in this clause must:

- iv) be in place before work commences on the site, and
- v) be maintained in good condition during the construction period, and
- vi) remain in place for the duration of the construction works.

The Certifying Authority or a Project Arborist AQF Level 5 must ensure that:

- vii) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- 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 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.

A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: to ensure tree protection is provided and maintained.

## **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, 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 not approved for removal.

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) Stormwater alignment and excavation works shall be approved by the Project Arborist on site, as follows:

- i) final design location shall be advised and selected by the Project Arborist to minimise encroachment into the tree protection zone of all existing trees within the site, on adjoining property, and within the road verge,
- ii) certification shall be submitted to the Certifying Authority the alignment and excavation works are in accordance with the Project Arborist's recommendations.

d) 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.

Advice: Any request for tree removal of an existing tree required to be retained under approval for this 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 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 approved Amended Landscape Plan.

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 plan and with any conditions of consent.

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

### **Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQF minimum Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, including the following information:

- i) compliance to any Arborist recommendations for tree protection and excavation works,
- ii) extent of damage sustained by vegetation as a result of the construction works,
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

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

## **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.