

Landscape Referral Response

Application Number:	DA2020/1108
Date:	09/12/2020
Responsible Officer:	Nick England
Land to be developed (Address):	Lot 2 DP 1237847 , 128 A Elanora Road ELANORA HEIGHTS 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 proposal is for the construction of a new dwelling, secondary dwelling, driveway and garage, and associated site landscape works.

Council's Landscape Referral is assessed against Pittwater Local Environmental Plan E4 Environmental Living zone, and the following Pittwater 21 DCP Controls:

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- C1.11 Secondary Dwellings and Rural Workers Dwellings
- D5 Elanora Heights Locality

The site is located in the E4 Environmental Living zone, requiring development to achieve a scale integrated with the landform and landscape, including the retention of natural landscape features such as rock ledges and outcrops and existing trees.

The existing site is a vacant lot under subdivision approval N0345/13. The site supports three existing trees, identified in the Arboricultural Impact Assessment, and with recommendations to protect the significant Moreton Bay Fig. Recommended removal of the two other existing trees are justified based on development impacts without an design alternative. The existing Moreton Bay Fig shall be the subject of conditions of consent to ensure the provision of tree protection measures.

A Landscape Plan is submitted with the application and the proposal satisfies the intent of E4 Environmental Living zone, subject to conditions of consent.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

This consent approves the removal of the following trees within the property (as recommended in the Arboricultural Impact Assessment):

- T3 - Tallow wood (*Eucalyptus microcorys*)

The following Exempt Species do not require Council consent for removal:

- T4 - Monterey Pine (*Pinus radiata*)

Reason: to enable authorised building works

Note: Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by an Arborist with minimum AQF Level 5 in arboriculture that determines that the tree presents an imminent risk to life or property.

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites. The Project Arborist is to specify and oversee all tree protection measures such as tree protection fencing, trunk and branch protection, and ground protection to existing trees identified in the Arboricultural Impact Assessment as T1 - Moreton Bay Fig within the site.

The Project Arborist is to supervise all demolition, excavation and construction works near existing trees T1 to be retained, including construction methods near the existing trees to protect tree roots, trunks, branches and canopy. Where required, manual excavation is to occur ensuring no tree root at or >25mm (Ø) is damaged by works, unless approved by the Project Arborist.

The Project Arborist shall be in attendance and supervise all works within the tree protection zone of T1, including as listed in the Arboricultural Impact Assessment under the following sections:

- i) all requirements under 10. Recommendations, and specifically 10.6, 10.7, 10.8, and 10.9,
- ii) all requirements under 11. Arboricultural Work Method Statement and Tree Protection Requirements, and specifically 11.2, 11.4 and 11.5,
- iii) all requirements under 12. Hold Points.

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 Certifying Authority that all 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:

- i) 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.
- ii) 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.

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 not approved for removal, excluding exempt trees and vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

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.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment.

The Certifying Authority must ensure that:

- 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.

Protection of rock and sites of significance

All rock outcrops outside of the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: preservation of significant environmental features.

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

Landscape completion

Landscaping is to be implemented in accordance with the Landscape Plan Sht-101 and Sht-102, prepared by Jamie King Landscape Architect, inclusive of the following conditions:

- i) the proposed tree replacement species nominated as *Eucalyptus saligna* shall be replaced with a locally native tree species as listed in Council's Native Plant Species Guide for Narrabeen Ward, and shall be selected from either Sydney Red Gum - *Angophora costata*, Red Bloodwood - *Corymbia gummifera*, Bangalay - *Eucalyptus botryoides*, or Scribbly Gum - *Eucalyptus haemastoma*,
- ii) an addition, a further one locally native tree shall be planted within the rear yard to comply with the total number of trees under C1.1, and selected from Council's Native Plant Species Guide for Narrabeen Ward,
- iii) all trees shall be a minimum 75 litre container size, planted at least 3 metres from any other trees, and located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.

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 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 fertilized 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.

Reason: to maintain local environmental amenity.