

Landscape Referral Response

Application Number:	DA2021/1841
Date:	21/10/2021
Responsible Officer:	Anne-Marie Young
Land to be developed (Address):	Lot 35 DP 25446 , 8 Coronation Street MONA VALE NSW 2103 Lot 34 DP 25446 , 7 Coronation Street 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

The development application is for the demolition of the existing site structures, and the construction of 8 x 3 bedroom seniors house dwellings with basement parking, and associated external works.

Council's Landscape Referral section have assessed the application against the following relevant landscape controls and policies:

- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: clause 33 Neighbourhood amenity and streetscape, and clause 34 Visual and acoustic privacy.
- Seniors Living Policy: clause 2. Site Planning and Design; and clause 3. Impacts on Streetscape.
- Pittwater 21 DCP including: B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; C1.21 Seniors Housing; C1.24 Public Road Reserve - Landscaping and Infrastructure, and D9 Mona Vale Locality.

Under clause 33 of Housing for Seniors or People with a Disability, development should - (e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and (f) retain, wherever reasonable, major existing trees, and (g) be designed so that no building is constructed in a riparian zone.

Under clause 34 of Housing for Seniors or People with a Disability, development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by (a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping.

The application documents note that the total landscaped area of 794m² or 51.8% of the site exceeds the minimum requirement, and the total deep soil landscaped area exceeds the required 15%, under the Seniors Living Policy controls.

A Landscape Plan and a Arboricultural Impact Assessment is submitted with the application. The existing site contains many exempt species as listed in the DCP that do not require Council consent for

management or removal, and the site also supports five prescribed trees protected under the DCP that requiring consent if proposed for removal. The proposal requires the removal two prescribed trees and proposes to retain three. All exempt species are recommended for removal in the Arboricultural Impact Assessment and in this instance Council raise no concerns, including the removal of the two nominated prescribed trees, subject to tree replacement throughout the site.

All existing street trees including within the road verge frontage of the site, and all existing trees and vegetation within adjoining properties shall be protected, and conditions of consent shall be imposed.

The submitted Landscape Plan is generally acceptable subject to conditions including: appropriate location of trees away from the proposed basement, building structures and from other trees; selection of alternative tree planting species; addition of small trees along boundaries in areas, and density of landscape planting.

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

Tree Protection Plan

a) A Tree Protection Plan shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate, demonstrating tree protection measures to protect the following trees as identified in the Arboricultural Impact Assessment:

i) tree numbers 1, 2, 5, 6, 7, 7A, 8, 9, 10, 11, 23, 24, and 25.

b) The Tree Protection Plan shall be prepared by an Arborist with minimum AQF Level 5 in arboriculture, incorporating the following:

- i) layout of the development, including existing and proposed underground services,
- ii) location of all trees identified for retention, including extent of canopy,
- iii) access routes throughout the site for construction activity,
- iv) location of tree protection fencing / barriers,
- v) root protection in the form of mulching or boards proposed within the tree protection zone,
- vi) trunk and branch protection within the tree protection zone,
- vii) location of stockpile areas and materials storage,
- viii) inspection hold points,
- ix) other general tree protection measures.

c) Tree protection methods are to be in accordance with AS4970-2009 Protection of Trees on Development Sites.

Reason: Tree protection

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Property

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

- Tree number 15 - *Eucalyptus leucoxylon* 'Rosea', and Tree number 17 - *Thuja arborescens*.

Note: Exempt Species as listed in the Development Control Plan or the Arboricultural Impact Assessment do not require Council consent for removal, and within this site these include the following identified tree numbers as reported in the Arboricultural Impact Assessment: Tree numbers 3, 4, 12, 13, 14, 16, 18, 19, 20, 21, and 22.

Reason: To enable authorised development works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Existing Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages and the street tree fronting the development site identified as Tree number 10 - *Eucalyptus robusta*, shall be protected in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites.

The street tree protection measures shall satisfy the Arboricultural Impact Assessment requirements under section 4 Recommendations, items h) and i), requiring temporary fencing and trunk protection.

All tree protection measures shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

Should any problems arise with regard to the existing or proposed trees on public land during construction, Council's Tree Services section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: Street tree protection.

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) or vi) 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, as listed in the following sections:

i) section 4 Recommendations.

The Certifying Authority must ensure that:

d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.

e) 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 is to be implemented in accordance with the approved Landscape Plan, and inclusive of the following conditions:

i) the proposed *Eucalyptus piperita* (shown on the Landscape Plan as symbol Ep), located within proximity of the eastern basement is to be planted within in front of the property, and shall be replaced with *Eucalyptus gummifera* (Red Bloodwood),

ii) the proposed *Eucalyptus haemastoma* (shown on the Landscape Plan as symbol Eh), located within proximity of the basement at the rear of property, shall be located in rear garden or lawn area, and at least 2 metres from the rear boundary,

iii) the proposed *Banksia integrifolia* (shown on the Landscape Plan as symbol Bi) are to be spaced at a regular distance apart, and a least 4 metres from each other,

iv) three (3) *Syzygium leuhmannii* (Cherry Alder Lillypilly) small trees shall be provided along both side boundaries and the rear boundary, planted at least 3 metres from each other and from other trees,

v) the proposed *Livistona australis* shall be planted with clear 2 metre tall trunks,

vi) all tree planting shall be a minimum planting size of 75 litres or larger, and shall meet the requirements of Natspec - Specifying Trees,

vii) mass planting shall be installed at minimum 1 metre 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 accent and 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 50mm depth of mulch.

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.

Reason: Environmental amenity.

Note: Please consider registering your new tree through the link below to be counted as part of the NSW State Governments 5 Million trees initiative.

<https://5milliontrees.nsw.gov.au/>

Condition of Retained Vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with minimum AQF Level 5 in arboriculture 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 generally and during 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: 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 Landscape Plan and any conditions of consent.

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.