

## Landscape Referral Response

<b>Application Number:</b>	DA2019/1106
<b>Date:</b>	12/11/2019
<b>Responsible Officer:</b>	Kelsey Wilkes
<b>Land to be developed (Address):</b>	Lot 9 DP 113199 , 19 Government Road 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 seeks approval for the construction of a new garage, crossover & driveway, and hardstand at the front of the house. The proposal in terms of landscape outcome is acceptable subject to the protection of existing trees and vegetation including the preservation of the existing Swamp Mahogany within the frontage of the site, identified as T2 within the Arboricultural Impact Assessment, and the completion of landscaping.

A Arboricultural Impact Assessment has been prepared in accordance with DA Lodgement Requirements. One high retention value tree (identified as T1 Swamp Mahogany within the Arboricultural Impact Assessment) located within the road verge shall be retained and protected as recommended.

The proposal to remove one medium retention value tree (identified as T2 Swamp Mahogany within the Arboricultural Impact Assessment) within the frontage of the site is not supported for removal to facilitate a new path, and any new path shall be adjusted in location to ensure retention of the existing Swamp Mahogany.

The existing Swamp Mahogany T2, as reported in the Arboricultural Impact Assessment has a medium safe useful life expectancy of between 15 to 40 years with a 79% live crown and no visible pests nor diseases, and as such removal is warranted. An alternative exists for the proposed new paths to be located away from the existing Swamp Mahogany, such that removal is not required. The new path can be located along the existing southern strip driveway which directly connects to the dwelling entry.

A landscape plan has been prepared in accordance with DA Lodgement Requirements, and completion of landscaping is subject to conditions to satisfy Pittwater 21 DCP.

Council's Landscape section has assessed the proposal against the following Pittwater 21 DCP Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D9 Mona Vale Locality

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Refusal comments

### Recommended Landscape Conditions:

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### Amended Plans

The proposed new paths shall be relocated so that the existing tree identified in the Arboricultural impact Assessment prepared by Graham Brooks, dated 3/10/2016, as T2 - Swamp Mahogany (*Eucalyptus robusta*) within the frontage of the site is retained as part of the works.

The new paths shall be located away from the Structural Root Zone of T2, calculated as a minimum 2.4 metres in the Arboricultural Impact Assessment, and construction on site shall be subject to existing root investigation and supervision by a AQZ Arborist.

Additionally, the proposed extent of new concrete driveway area and the new path from the driveway to the new path shall be located away from the Structural Root Zone of T2, calculated as a minimum 2.4 metres in the Arboricultural Impact Assessment, and construction on site shall be subject to existing root investigation and supervision by a AQZ Arborist.

Amended plans demonstrating compliance are to be provided to the Certifying Authority prior to the issue of a Construction Certificate.

Reason: preservation of the existing Swamp Mahogany.

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### Project Arborist

A Project Arborist with AQZ Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for the following existing trees, requiring site attendance during establishment, excavation and construction works, in accordance with AS4970- 2009 Protection of Trees on Development Sites:

- Tree 1: *Eucalyptus robusta* (Swamp Mahogany) within the road verge
- temporary 1.8m high construction fencing to an alignment as determined by the Project Arborist,
- Tree 2: *Eucalyptus robusta* (Swamp Mahogany) within the front setback
- inspection of all excavation works within the tree protection zone,
- tree protection measures including tree root protection.

Photographic documentation of the condition of all trees to be retained shall be recorded, including at

commencement, during the works and at completion.

Reason: to ensure the protection of the existing landscape amenity.

### **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 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 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 Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF 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 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 Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF 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 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 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) 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.

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

### **Landscape works**

Landscaping is to be implemented in accordance with the Landscape Concept Plan numbered L01, as prepared by Sheralee Hogan, and as amended for Construction Certificate.

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 amended plans, and any relevant condition of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

#### **Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQZ 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 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.

#### **Environmental and priority weed control**

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

Reason: preservation of environmental amenity.