

Landscape Referral Response

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| Application Number: | DA2024/0756 |
| Date: | 25/06/2024 |
| Proposed Development: | Demolition works and subdivision of one lot into two |
| Responsible Officer: | Adam Croft |
| Land to be developed (Address): | Lot 166 DP 13643 , 41 Coolangatta Avenue 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 application is for demolition of existing structures and existing trees within the property, and Torrens Title subdivision of one lot into two lots, along with construction of a driveway and the provision of infrastructure services.

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 with ecological, scientific or aesthetic values, including the retention of natural landscape features and existing trees, to satisfy the landscape objectives of the C4 Environmental Living zone, that include the provision of 60% landscape area that is defined in Pittwater LEP as " a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area". Areas under 60% are generally not able to achieve a landscape setting synonymous with the principle objectives of the zone, and landscape proposals therefore shall include an appropriate scheme.

All existing prescribed trees within the property are proposed for removal, with three endemic trees impacted by the proposed driveway under this subdivision application and a further one endemic tree impacted by the proposed indicative building layout upon the proposed lot 1. Should the subdivision application be approved only the three trees impacted by subdivision works are able to be approved for removal, and any other tree removal shall be considered in future building applications upon the lots. All existing street trees shall be protected as shall all trees and vegetation within adjoining properties. Exempt species within the development property are able to be managed or removed without Council consent.

It is noted that Landscape Referral have considered what is required to preserve the existing Port Jackson Fig (tree 16) and the three Red Mahogany Gums (trees 9, 10 and 11) located within proposed lot 1 and this would require rearrangement of the lot layout along a north-south alignment resulting in a

west lot and a east lot, however the east lot facing Coolangatta Avenue will still require removal of trees 9, 10 and 11, and the front setback requirement of the east lot will result in a building in proximity to tree 16 and limitations to private open space at the rear.

The proposed indicative building footprint occupies much of the permitted built upon area, thus the remaining landscape area will be occupied by further hardstand elements that will erode the landscape area, including: side boundary pavements for the function of access between the front and rear of the properties, hardstand for utilities such as air conditioners, water tanks etc, retaining walling, pool surrounds etc, and this matter shall be determined by the Assessing Planning Officer.

In terms of the provision of landscape planting to satisfy Pittwater C1.1 Landscaping, it is considered that the provision of a range of low-lying shrubs, medium-high shrubs and small canopy trees (three per lot) to soften the built form, is achievable, subject to continuance of any landscape areas under an approved subdivision consent, without any future encroachment.

Should the Assessing Planning Officer provide approval for the subdivision application, Landscape Referral shall provide landscape 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 existing prescribed trees on the subject site as listed below only as part of the subdivision works:

- a) Red Mahogany Gums (trees 9, 10 and 11),
- b) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

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 (MLALC) are to be contacted.

Reason: Preservation of significant environmental features.

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 trees fronting the development site, identified as T1 to T5 inclusive in the Arboricultural Impact Assessment, shall be protected by tree protection fencing in accordance with Section 4 of AS4970-2009 Protection of trees on development sites. As a minimum the tree protection fencing for street trees fronting the development site shall consist of standard 2.4m panel length to four sides and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, unless

otherwise directed by an Arborist with minimum AQF Level 5 in arboriculture. All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

All street trees within the road verge 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 trees is prohibited. No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

Reason: Street tree protection.

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees within the site not approved for removal, including T15 (Cheese Tree) and T16 (Port Jackson Fig),
- ii) all trees and vegetation located on adjoining properties,
- iii) 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 tree protection 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 as complaint to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.

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

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.