

Landscape Referral Response

Application Number:	DA2024/1219
Date:	09/10/2024
Proposed Development:	Demolition and construction of mixed use development with residential and senior living housing, shops and basement
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot 28 DP 394337 , 142 - 146 Pitt Road NORTH CURL CURL NSW 2099 Lot 29 DP 394337 , 142 - 146 Pitt Road NORTH CURL CURL NSW 2099 Lot 30 DP 394337 , 142 - 146 Pitt Road NORTH CURL CURL NSW 2099 Lot 262 DP 1028346 , 142 - 146 Pitt Road NORTH CURL CURL NSW 2099

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 proposed development is described in reports and illustrated on plans. Landscape Referral assessment includes review of the Arboricultural Impact Assessment (AIA) and the Landscape Plans, against State Environmental Planning Policy (Housing) 2021, the Apartment Design Guide (ADG), Warringah Local Environmental Plan 2011, and Warringah Development Control Plan 2011.

It is noted that the proposal is deficient in landscaped area as well as deep soil area, and this matter shall be determined by the Assessing Planning Officer. The submitted Landscape Plans provide a landscape setting based on the proposed quantity of landscaped area and deep soil area available, and Landscape Referral raise no issues with the landscape design based on the areas available under the proposal. Additionally it is noted that on structure planting within planters and green roof planting is proposed to assist with softening of the built form. The proposed planters at 600mm depth and green roof planters at 300mm depth are consistent with section 4P Planting on structures, of the Apartment Design Guide.

There are no prescribed trees located within the development property, and the AIA report addresses existing trees within adjoining properties. The AIA report indicates that exempt species T2, T3 and T5 within adjoining properties should be considered for removal, under section 6.0 Results. Council does not support any impact to trees and vegetation within adjoining properties and all such trees and

vegetation shall be protected, and conditions of consent shall be imposed for tree and vegetation protection. A consent condition shall be imposed for a Project Arborist to be in attendance during excavation and construction works within proximity to existing trees in adjoining properties identified as T1 and T5 in the AIA report, and the supervision of tree protection measures to protect trees within adjoining properties.

The AIA report provides adequate assessment to require that the Cooks Pine (identified as T1 and located within adjoining property) be retained and be a constraint to development such that any development works are to be arranged to preserve the Cooks Pine. Landscape Referral consider that the basement alignment allows for retention of the Cooks Pine. The AIA indicates that tree root investigations undertaken determines that tree sensitive installation of the proposed stormwater pipe will be required under supervision of a Project Arborist. Upon review Landscape Referral consider that as the stormwater pipe encroaches into the structural root zone of the Cooks Pine and is a 'major' encroachment as assessed in the AIA report, that to ensure the protection of the Cooks Pine the location of the proposed stormwater pipe and junction pits shall be relocated to the western edge of the 3m drainage easement, outside of the structural root zone, rather than be centrally located, and conditions shall be imposed for amended stormwater plans to document such relocation.

Landscape Referral raise no concerns with the Landscape Plans generally subject to the imposition of consent conditions. The proposed landscape works within the road reserve verge shall be subject to a separate section 138 application, for works within the road reserve. The proposed landscape furniture (paving, seats, bins and bicycle racks) shall recognise Council's Northern Beaches Public Space Vision and Design Guidelines, in satisfying Council's strategies and policies within the public domain. It is noted that the proposed street tree planting detail is consistent with Council's standard street tree planting detail. Parking bays 1,2, 6, 10 and 11 will require wheel stops to ensure that the raised street tree planters are not impacted by cars. Likewise proposed seating within the road reserve is in the line of parking vehicles and parking bays 4, 8, 9 and 12 will require wheel stops to ensure person safety. Given the extent of structures (raised street tree planters, seating and bins) in proximity to parking vehicles, wheel stops to all parking bays shall be required. It is noted that the parking bay lengths are 6.5 metres and there is an additional 800mm length approx. before the kerb such that wheel stops are feasible.

It is noted that some plans and images indicate planting on the awning structure however the Landscape Plans do not indicate any such planting and this component is not approved without detailed information including planting design, drainage provisions and maintenance accessibility.

Should the application be approved, Landscape Referral provide 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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Amended Plans

The following amendments shall be documented to all relevant plans to assist with the landscape outcomes:

i) the location of the stormwater pipe and junction pits shall be relocated to the western edge of the 3

metre wide drainage easement, outside of the structural root zone, rather than be centrally located, ii) permanent wheel tops, compliant to Australian Standards, shall be installed to all car parking bays fronting the development site, to ensure the raised planters supporting street tree planting, public seating structures and bins are not impacted.

Certification shall be provided to the Certifier that these amendments have been documented.

Reason: Public domain amenity.

On Slab Landscape Works

Roof garden planters and terrace planters shall be constructed in accordance with the dimensions of the approved Plans and Landscape Plans.

Design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: To ensure appropriate soil depth for planting and ensure waterproofing and drainage is installed.

Public domain and landscape works within the road reserve verge

The Applicant is to submit an application for approval of the public domain and landscape works within the road reserve, to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993. The application is to include Detailed Landscape Plans and specifications for the landscape pavements and furniture (paving, seating, bins, and bicycle racks) and street tree planting as proposed within the road reserve and materials shall be selected in accordance with Council's Northern Beaches Public Space Vision and Design Guidelines.

Street tree planting including sub surface works shall be in accordance Council's Standard Drawing - Tree Pit Details 1300.

Council approval of works within the road reserve is to be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Reason: To ensure engineering and landscape works are constructed in accordance with relevant standards and Council's specification.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, and in particular:

- a) section 8.5 and 8.6 - excavation works near T1 and T5,
- b) section 9.1, 9.2 and 9.3.

All tree protection measures specified must: be in place before work commences on the site; be maintained in good condition during the construction period; and remain in place for the duration of the

construction works. The Project Arborist shall provide certification to the Certifier that all tree protection measures under AS4970-2009 have been satisfied, and the 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: 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 located on adjoining properties,
-) 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 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 compliance 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

Street Tree Planting

Street tree planting shall be installed in accordance with the approved Landscape Plans information as follows:

- a) tree selection as per Landscape Plan 1 of 3,
- b) strata vault zone as per Landscape Plan 1 of 3,
- c) standard street tree planting details as per Detail 7 on Landscape Plan 2 of 3.

All street trees shall be a minimum pre-ordered planting size of 200 litres, and shall meet the requirements of Natspec - Specifying Trees.

Council shall inspect the excavation extent prior to the installation of the strata vault and provide approval to proceed. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To maintain environmental and streetscape amenity.

Landscape Completion

Landscape works are to be implemented in accordance with the approved Landscape Plans prepared by Paul Scrivener Landscape Architects, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries, unless approved otherwise by a S138 approval for works within the road reserve,
- b) landscape hard works shall be installed as indicated on the approved Landscape Plans, unless otherwise imposed by conditions,
- c) tree, shrub and groundcover planting shall be installed as indicated on the approved Landscape Plans, unless otherwise imposed by conditions,
- d) all tree planting shall be pre-ordered to delivery in accordance with the Planting Schedule; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established.

Prior to the issue of an Occupation Certificate, details from a qualified Landscape Architect shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Public domain and landscape amenity.

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 (ie. tree 1 and tree 5), 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.

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 Plans and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.