

Landscape Referral Response

Application Number:	DA2021/2622
Date:	03/03/2022
Responsible Officer:	Kye Miles
Land to be developed (Address):	Lot 46 DP 9224 , 65 Hillside Road NEWPORT NSW 2106

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 alterations and additions to a dwelling house including a secondary dwelling, new swimming pool and an incline lift.

Council's Landscape Referral section have assessed the application against the Pittwater Local Environment Plan C4 Environmental Living Zone, and the following Pittwater 21 DCP controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- C1.5 Visual Privacy
- C1.11 Secondary Dwellings and Rural Workers Dwellings
- C1.19 Incline Passenger Lifts and Stairways
- D10 Newport Locality

No Arboricultural information has been provided however it is noted that no trees are to be removed within the property boundary. One tree, shown in the architectural plans and supported by satellite imagery, has previously been removed.

It is noted the landscape open space area has a requirement of 60% for C4 Environmental Living however the existing landscape open space is 39%. This will be further reduced to 32% and assessed to the planners merit discretion.

A Landscape Plan accompanies the application and is assessed as part of this Landscape Referral. It is noted that the Landscape Plan does not propose any additional mass, screening or tree planting. The

proposed incline lift and pool may directly impact the existing vegetation, which is identified to remain, along the northern boundary. Upon further investigation of available satellite imagery, extensive clearing of this area has already occurred. Vegetation will be required to be re-established along the northern property boundary to all existing disturbed garden beds, including screen planting, subject to imposed conditions. All other existing vegetation is to be retained and protected subject to imposed conditions.

One (1) small native tree, with fire retardant properties, shall be installed to help reduce the impact of the built form. The tree shall be installed between the dwelling and secondary dwelling subject to imposed conditions.

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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Landscape Features and Sites of Significance

All natural landscape features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed during demolition, excavation and construction works, except where affected by works detailed on approved plans.

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.

Tree and Vegetation Protection

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

- i) all trees and vegetation within the site, 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) 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, and should additional pruning be required an application to Council's Tree Services shall be submitted for approval or otherwise.

The Certifying Authority must ensure that:

- c) 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

Required Screen Planting

Screen planting shall be planted in accordance with the following:

i) Along the northern boundary starting at the pool and finishing (at least) at the rear of the neighbouring building line (67 Hillside Road). Appropriate species shall be selected to ensure sustained growth and adaptability to the site conditions,

The selected planting is to comprise of species capable of attaining a height of 2.4 metres at maturity.

Plants are to be installed at minimum 1 metre intervals and be of a minimum container size of 200mm at planting in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch.

If any screen planting shall be adjacent the proposed pool, selected planting shall comply with the requirement of Australian Standard AS 1926.1 for a Non Climbable Zone.

Reason: To maintain environmental amenity.

Landscape Completion

Although no landscaping was proposed in the approved Landscape Plan, the following conditions shall apply:

- i) All new landscaping along the northern boundary, and any vegetation re-establishment of disturbed areas, is to incorporate a minimum 80% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the Littoral Rainforest Endangered Ecological Community and the Northern Beaches Native Plant Species Guide - Pittwater Ward,
- ii) 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 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,
- iii) one (1) small native tree, with fire retardant properties, shall be planted between the dwelling and secondary dwelling to achieve at least 6 metres height at maturity, and shall be selected from Northern Beaches Council's Native Plant Species Guide - Pittwater Ward, Council's Tree Guide, or consistent with the Littoral Rainforest Endangered Ecological Community, and in accordance with iv), v) and vi),
- iv) all tree planting shall be a minimum planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees,
- v) all trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established, and shall be located at least 3.0 metres from buildings, 2.0 metres from structures, and at least 1.5 metres from common boundaries, and located either within garden bed or within a prepared bed within lawn,
- vi) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

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.