

Landscape Referral Response

Application Number:	DA2024/1003
Date:	04/09/2024
Proposed Development:	Demolition works and construction of shop top housing
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 8 DP 16212 , 3 Rickard Road NORTH NARRABEEN NSW 2101 Lot 7 DP 16212 , 1 Rickard Road NORTH NARRABEEN NSW 2101 Lot 9 DP 16212 , 5 Rickard Road NORTH NARRABEEN 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 development application is assessed by Council's Landscape Referral against the following relevant landscape controls and policies:

- Chapter 4 of State Environmental Planning Policy (Housing) 2021, including: (a) Clause 147(1)(a) requires the proposal to be assessed against the nine design quality principles contained in the Apartment Design Guide and specifically for Landscape Referral, Principle 5 - Landscape; and (b) Clause 147(1)(b) requires the consent authority to take into consideration the Apartment Design Guide - 3E Deep soil zones, 4O Landscape design, and 4P Planting on structures.
- Pittwater Development Control Plan, including but not limited to: B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; and D11 North Narrabeen Locality.

A Arboricultural Impact Assessment (AIA) and Landscape Plans are submitted for consideration of the landscape setting outcomes. It is noted that the site plans provide for deep soil area that presents to the Rickard Road public domain streetscape in excess of the minimum 7% requirement under the Apartment Design Guide. This deep soil zone retains the two existing trees within the development property along the streetscape frontage. A communal open space is provided on structure at residential level 1, and this area additionally incorporates on structure planting as nominated on the Landscape Plans.

The AIA report identifies tree protection measures for the two existing trees to be retained within the property along the Rickard Road frontage (T 5 and T6) and conditions shall be imposed based on the tree protection measures recommended. The proposed AIA report tree removals raise no concerns

and should the application be approved there is no design alternative for retention, however it is noted that that these trees are exempt species as identified in the AIA report and do not require Council consent for management or removal.

The Landscape Plans as reviewed provide hard and soft landscape proposals that present a suitable landscape setting outcome, and include street tree planting within the road reserve verge; planting to deep soil areas; and planting to the on structure podium at the communal open space area.

Landscape Referral raise no issues in terms of the landscape outcomes of the proposal.

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

On slab landscape planters

Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections. The following soil depths are required: as shown on the approved plans, or to comply with the following ADG soil depth guidelines: 300-450mm for groundcovers; 500-600mm for shrubs and accents; and 800-1200mm for trees, whichever is the greatest.

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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged 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 with regard to excavations within the tree protection zone of existing trees T5 and T6.

The Project Arborist shall be in attendance and supervise excavation works as nominated in the Arboricultural Impact Assessment, and in particular under section 2.2.1 [parts a) to d)] and 2.3 [parts a) to m)].

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.

Tree and Vegetation Protection

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

- i) all prescribed trees within the site, including trees and vegetation nominated for retention on the approved Plans,
- 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 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

Street Tree Planting

Street tree planting shall be installed in accordance with the approved Landscape Plans in species selection and location.

All street trees shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size, and shall meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use. All street trees shall be 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 to the extent of the garden on the ground and maintained, including a four post and top and mid rail timber tree guard, and watered until established, and shall be generally located at least 2.0 metres from driveways, and shall generally be centralised within the road verge. The nominated understorey planting shall include timber edging to the garden bed.

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, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) tree, shrub and groundcover planting shall be installed as indicated on the approved Landscape Plans, unless otherwise imposed by conditions,
- c) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use; backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained,
- d) mass planting shall be installed in a garden / planter bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch,
- e) the nominated *Pennisetum alopecuroides* shall not be planted and shall be substituted with a non self-seeding species of similar size and form.

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

Reason: Environmental 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, 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.

A maintenance activity schedule for on-going maintenance of planters on slab shall be incorporated to monitor and replenish soil levels as a result of soil shrinkage over time.

The approved landscape planted areas consisting of planting at grade and planting on structure 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.