

## Landscape Referral Response

<b>Application Number:</b>	DA2020/0455
<b>Date:</b>	10/07/2020
<b>Responsible Officer:</b>	Alex Keller
<b>Land to be developed (Address):</b>	Lot 1 DP 133456 , 50 - 52 Golf Avenue MONA VALE NSW 2103 Lot 2 DP 133456 , 50 - 52 Golf Avenue MONA VALE NSW 2103 Lot 1 DP 963829 , 50 - 52 Golf Avenue 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 application seeks approval for the demolition of an existing building and associated structures, and the construction of a residential flat building comprising 14 apartments, infrastructure and external landscape works.

Council's Landscape section have assessed the application against the following documents relevant to landscape assessment:

- Pittwater 21 DCP, including B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; and D9 Mona Vale Locality.
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP65)
- The Apartment Design Guide

Landscape Plans and a Arboricultural Impact Assessment is provided with the development application in accordance with Council's DA Lodgement requirements. The landscape proposal generally provides adequate landscape treatment to deep soil areas around the perimeter of the site and on-slab structures to satisfy SEPP65 Principle 5: Landscape, as well as the design criteria of the Apartment Design Guide of the following objectives: 3E Deep Soil Zone is 16% and exceeds the required 7% design objective; 4O Landscape Design provides a landscaped setting with planting along the perimeter to reduce the built form, as well as provide privacy to private open spaces; and 4P Planting on Structures are designed appropriately. 3D Communal and Public Open Space is not provided by the design as all apartments have large private open spaces attached to each apartment.

The landscape component of the proposal is acceptable subject to conditions for the completion of the

proposed landscape works including additional tree canopy planting, and subject to protection of existing nominated nominated for retention within the site and on adjoining property. Additional tree canopy planting is required to satisfy C1.1 Landscaping, where the front of buildings shall be landscaped to screen those buildings from the street.

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 Landscape Plan**

An Amended Landscape Plan shall be issued to the Certifying Authority prior to the issue of a Construction Certificate to include the following details:

- i) the front setback shall support at least two (2) locally native canopy trees such as *Banksia integrifolia* or *Melaleuca linariifolia*, or a combination, and two (2) *Livistona australis*, planted at least 3m from buildings and least 3m from other trees,
- ii) the garden along the north west common boundary with No. 48 Golf Avenue shall additionally support tall columnar screen planting to achieve at least 3m in height at maturity,
- iii) the deep soil garden along the north west common boundary with No. 46 Golf Avenue (northern end not under the existing Port Jackson Fig) shall support at least three (3) locally native canopy trees, located 2m from common boundaries and at least 4m from each and all other trees,
- iv) the deep soil garden along the north east common boundary with No. 9 to 11 Darley Street East shall support at least one (1) locally native canopy tree to each of the apartment open space courtyards, located 2m from common boundaries and at least 4m from each and all other trees,
- v) all nominated *Rhapiolepis* species shall be deleted from the schedule and replaced with a non-seed spreading species of similar form and size,
- vi) selection of locally native trees as required above, unless nominated, shall be as listed within Northern Beaches Council's Tree Guide,
- vii) all other landscape components including surface treatments, walling, on slab works, and planting shall be in accordance with Landscape Plans numbered LP01, LP02, LP03 and LP04 prepared by Black Beetle Landscape Architecture and Design, unless excluded by items as referenced above.

Certification shall be provided to the Certifying Authority that these amendments have been documented on Amended Landscape Plans prior to the issue of a Construction Certificate..

Reason: landscape amenity

#### **On slab landscape works**

Details shall be submitted to the Certifying Authority 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.

Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule.

The following soil depths are required to support landscaping as proposed:

- i) 300mm for lawn
- ii) 600mm for shrubs
- iii) 1m for small trees

Design certification shall be submitted to the Certifying Authority 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 secure waterproofing and drainage is installed

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

### **Project Arborist**

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, and in accordance with the recommendations of the Arboricultural Impact Assessment prepared by Urban Forestry Australia dated April 2020.

The Project Arborist is to specify and oversee all tree protection measures such as tree protection fencing, trunk and branch protection, and ground protection.

The Project Arborist is to supervise all demolition, excavation and construction works near all trees to be retained, including construction methods near the existing trees to protect tree roots, trunks, branches and canopy. Where required, manual excavation is to occur ensuring no tree root at or >25mm (Ø) is damaged by works, unless approved by the Project Arborist.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment under Appendix C Tree Protection Devices, and Appendix D Tree Protection Plan, including:

- i) oversee and approve tree protection measures during all stages of development - demolition, excavation and construction within the tree protection zone, and the location and installation of the tree protection fencing for T1 - Paperbark located within the road verge,
- ii) oversee and approve tree protection measures during all stages of development - demolition, excavation and construction within the tree protection zone, retention of the existing wall and construction of the new wall in front, retention of existing ground levels and ground protection, and the location and installation of the tree protection fencing for T7 - Port Jackson Fig located within the site,
- iii) oversee and approve tree protection measures should existing roots be encountered within the tree protection zone of T2, T3, T4, T13, T14, T15, and T16 within adjoining properties.

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Certifying Authority that all recommendations listed for the protection of the existing tree(s) as listed under items i). ii). and iii) 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: A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: tree protection

### **Tree removal within the property**

This consent approved approval to remove the following trees within the property as recommended in the Arboricultural Impact Assessment:

T10 Giant Bird of Paradise, located as shown in Appendix G: Tree Location Plan.

The following Exempt Species do not require Council consent for removal:

T5, T6, T8, T9, T11, T12, T17, T18, T19, T20, T21, T22, and T23, located as shown in Appendix G: Tree Location Plan.

Reason: to enable authorised building works

Note: Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by an Arborist with minimum AQF Level 5 in arboriculture that determines that the tree presents an imminent risk to life or property.

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

### **Protection of existing street trees**

All existing street trees in the vicinity of the works shall be retained during all construction stages.

Existing street trees within the frontage of the development site shall be protected by tree protection fencing to the extent and alignment as determined by an Arborist with minimum AQF Level 5 in arboriculture, and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, and in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites.

Unless identified by the development consent, no tree roots over 25mm diameter are to be damaged or cut and all structures are to be bridged over such roots.

Should any problems arise with regard to the existing or proposed trees on public land during the construction or bond period, Council's Public Trees section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: street tree protection

### **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 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 greater than 25mm 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 greater than 25mm 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), vi) and vii) 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) the activities listed in section 4.2 of Australian Standard 4970-2009 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 Australian Standard 4373-2007 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.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment prepared by Urban Forestry Australia dated April 2020.

The Certifying Authority must ensure that:

- d) 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

### **Landscape completion**

Landscaping is to be implemented in accordance with the approved Amended Landscape Plan, inclusive of the following conditions:

- i) the front setback shall support at least two (2) locally native canopy trees such as *Banksia integrifolia* or *Melaleuca linariifolia*, or a combination, and two (2) *Livistona australis*, planted at least 3m from buildings and least 3m from other trees,
- ii) the garden along the north west common boundary with No. 48 Golf Avenue shall additionally support tall columnar screen planting to achieve at least 3m in height at maturity,
- iii) the deep soil garden along the north west common boundary with No. 46 Golf Avenue (northern end not under the existing Port Jackson Fig) shall support at least three (3) locally native canopy trees, located 2m from common boundaries and at least 4m from each and all other trees,
- iv) the deep soil garden along the north east common boundary with No. 9 to 11 Darley Street East shall support at least one (1) locally native canopy tree to each of the apartment open space courtyards, located 2m from common boundaries and at least 4m from each and all other trees,
- v) all nominated *Rhapiolepis* species shall be deleted from the schedule and replaced with a non-seed spreading species of similar form and size,
- vi) selection of locally native trees as required above, unless nominated, shall be as listed within Northern Beaches Council's Tree Guide,
- vii) all other landscape components including surface treatments, walling, on slab works, and planting shall be in accordance with Landscape Plans numbered LP01, LP02, LP03 and LP04 prepared by Black Beetle Landscape Architecture and Design, unless excluded by items as referenced above.

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 any conditions of consent.

Reason: environmental amenity

### **Condition of retained vegetation - Project Arborist**

Prior to the issue of an Occupation Certificate, a report prepared by the project arborist shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, 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 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 fertilized 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 Plan.

Reason: to maintain local environmental amenity