

Landscape Referral Response

Application Number:	DA2019/0152
Date:	06/05/2019
Responsible Officer:	Georgia Quinn
Land to be developed (Address):	Lot 2 DP 221631 , 78 Hudson Parade CLAREVILLE NSW 2107

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 proposal, in terms of landscape outcome, is acceptable subject to the protection of existing trees and vegetation, and the completion of landscaping.

Council's Landscape section has assessed the proposal against the following Pittwater 21 DCP 2014 Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

C1.3 View Sharing

D1 Avalon Locality

Landscape Plans and an Arboricultural Impact Assessment are provided with the application. The landscape plans are acceptable subject to conditions.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal

In consideration of the assessment of tree health and condition, the following existing trees are

approved for removal, based on the recommendations of the Arboricultural Impact Assessment report prepared by Standfast Tree Services and as illustrated in the landscape documents prepared by Landart:

- existing trees identified as T3, T4, T5, T18, T19, T20, T24, T33 (all exempt) and T10, T11, T13, T23, T28, T30, T31, T32 located within the site, and
- existing tree identified as T1 (for proposed driveway), located with the road reserve.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Project Arborist

A Project Arborist with AQZ Level 5 qualification in horticulture is to be appointed to supervise and certify tree protection measures for the following existing trees, requiring site attendance during excavation and construction works, in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4, and the recommendations of the Arboricultural Impact Assessment prepared by Standfast Tree Services:

- Trees T21, T26, T27, T29, and T34, all identified as *Corymbia maculata* (Spotted Gum).

The Project Arborist shall be responsible for selecting the location of all pier footings for the proposed rear decking within the tree protection zone of existing trees T29 and T34.

Additionally, the Project Arborist is to recommend tree protection measures such as tree fencing, trunk protection and ground protection, and supervise all excavation and construction works near all trees, including recommending the construction methods near the existing trees to protect tree roots, trunks, branches and canopy. Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Reason: to ensure the protection of the existing landscape amenity.

Tree and vegetation protection

A) Existing trees and vegetation shall be retained and protected as follows:

- i) all trees and vegetation within the site as identified within the Arboricultural Impact Assessment prepared by Standfast Tree Services dated 9 February 2019: T2, T6, T7, T8, T9, T12, T21, T25, T26, T27, T29, T34, T35, and T36, excluding exempt trees under the relevant planning instruments or legislation,
- ii) all trees and vegetation located on adjoining properties, and particularly: T14, T15, T16, T17, and T22,
- iii) all road reserve trees and vegetation, unless approved by Council for removal.

B) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4, and the recommendations of the Arboricultural Impact Assessment prepared by Standfast Tree Services dated 9 February 2019,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- iv) to minimise the impact on trees and vegetation to be retained and protected, 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) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a Project Arborist on site,

vi) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,

vii) excavation for stormwater lines is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, to provide for root protection measures,

viii) should either or all of v), vi) and vii) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,

ix) 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 AS 4970-2009,

x) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

Reason: to retain and protect significant planting on development and adjoining sites.

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

Landscape works

Landscaping is to be implemented in accordance with the landscape plans LMP01, LPP01, LMP02, and LLP02, prepared by Landart, including the following requirements:

i) the existing ground levels around existing trees to be retained unless authorised and certified by the Project Arborist,

ii) the proposed tree planting shall be located at least 3 metres from building structures where pier and beam construction is used or 5 metres where ground strip footing are used, and shall be planted at the nominated pot sizes on the landscape plans,

iii) the proposed tree planting shall be located within the site to achieve a reasonable sharing of views available to adjoining properties,

iv) an additional 3 x *Corymbia maculata* (Spotted Gum) are to be planted in the rear yard to replace the existing Spotted Gums approved for removal, and shall be planted at a minimum 45 litre pot size,

v) planting of the proposed *Waterhousia floribunda* along the boundary garden area shall be replaced with a species more suited to the small garden width, to reduce future impact to the pool structure and adjoining property, with consideration given to locally native species capable of attaining 4-5 metres in height and with a columnar spread, such as selected *Syzygium* species,

vi) development shall ensure that at least 80% of any new planting incorporates native vegetation as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community,

vii) as documented within the landscape plans and the Flora & Fauna Assessment by GIS

Environmental Consultants, a 355m² area at the front of the property and a 75m² area in the eastern section of the property, north of the stairs leading down to the foreshore, will be managed as revegetation areas.

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 the landscape plans and the conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist (or equivalent), shall be submitted to the Certifying Authority, assessing the health and impact of trees and vegetation required to be retained as a result of the proposed development, including the following information:

- i) Compliance to Arborist recommendations for tree protection and excavation works.
- ii) Extent of damage sustained by vegetation as a result of the construction works.
- iii) Any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: to retain and protect significant planting on development sites, and protect the existing amenity.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape maintenance

All landscape components are to be maintained for the life of the development. A maintenance program is to be established. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components and species to maintain the landscape theme of the site.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

Environmental and priority weed control

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.