

Landscape Referral Response

Application Number:	DA2020/0008
Date:	25/11/2020
Responsible Officer:	Renee Ezzy
Land to be developed (Address):	Lot 27 DP 9151 , 3 Central Road AVALON BEACH 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 development application proposes the demolition of existing building and structures and the construction of a seniors housing development under SEPP65 - Seniors Housing.

In the landscape assessment of this application, consideration of the submitted Amended Landscape Documents dated 23 October 2020 and prepared by Place Design Group, and the updated Arboricultural Impact Assessment dated 2 September 2020 and prepared by RainTree Consulting is assessed for compliance with the following relevant controls and policies:

Housing for Seniors or People with a Disability:

Clause 33 Neighbourhood amenity and streetscape; and Clause 34 Visual and acoustic privacy.

Pittwater 21 DCP Controls:

B4.22 Preservation of Existing Trees and Bushland Vegetation; C1.1 Landscaping; C1.21 Seniors Housing; and C1.24 Public Road Reserve - Landscaping and infrastructure

The amended plans with changes/deletion to the front setback paths, structures and walling allows for additional trees to be retained as well as reduced encroachment to the tree protection zone of 7 trees (T8, T9, T10, T11, T14, T15 and T16) that as a group are valuable in maintaining the existing landscape character and also soften the built form. The quantity of deep soil is now adequate to support the existing trees for the long term, and/or, to support any replacement tree planting in the future.

The existing Central Road street trees (T12, T13 and T17) are proposed for retention and shall be subject to tree sensitive design as recommended in the updated Arboricultural Impact Assessment, and the retention of the street trees maintains the existing streetscape amenity value.

Sufficient deep soil is available for additional tree planting in the rear of the property. The Landscape

Documents provide a scheme that retains existing trees within the front and rear setbacks to satisfy the landscape controls of Housing for Seniors or People with a Disability, and provides additional landscape treatments at natural ground level including trees and shrubs, and a common open space area for residential amenity to satisfy the landscape controls of Pittwater 21 DCP.

Based on the Amended Landscape Documents and the updated Arboricultural Impact Assessment, Landscape Referral is of the view that the application can be supported.

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

Planting Plan

A Planting Plan shall be issued to the Certifying Authority prior to the issue of a Construction Certificate, based on the Amended Landscape Documents, to include the following details:

i) proposed species and design arrangement, based on the Typical Planting Palette (drawing 13 of the Amended Landscape Documents), consistent with the nominated pot sizes and planting densities.

Certification shall be provided to the Certifying Authority that the the Planting Plan is consistent with the design intent of the Amended Landscape Documents.

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, based on the Detail Plan 2 - Level 01 Communal Space (drawing 10 of the Amended Landscape Documents).

Landscape treatment details shall be submitted to the Certifying Authority prior to the issue of the 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

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.

Pier footing design near existing trees T8 to T17 inclusive

- a) The pier footing structural layout plans for the suspended timber ramp/walkway, in proximity to existing trees identified as T8 to T17 inclusive, shall be developed in co-ordination with an Arborist with AQF minimum Level 5 qualifications in arboriculture.
- b) The Arborist shall review, comment, recommend design revision as required and approve the pier footing layout, to ensure the locations of piers will be manageable in terms of tree protection measures.
- c) The Arborist shall submit certification to the Certifying Authority, that the locations of the pier footings are accepted and based on suitable trunk clearances to allow for future growth.
- d) The agreed pier footing structural layout plans shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate.

Reason: tree protection.

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. 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 including but not limited to section 1.4.2 of the updated Arboricultural Impact Assessment dated 2 September 2020:

- i) design review of pier footings for the suspended walkway in proximity to existing trees identified as T8 to T17 inclusive,
- ii) tree protection fencing for existing trees identified as T3, T10, T11, and T15 as shown within Appendix E01 and E02,
- iii) tree sensitive design for the Central Road footpath in proximity to existing trees identified as T12, T13 and T17,
- iv) trunk protection for existing tree identified as T20 within Patterson Lane,
- v) excavation works in proximity to existing trees identified as T30 to T35 inclusive, to select location of path near T30 and select fence post footings for T31-T35, within Dunbar Park,
- vi) tree protection fencing for existing tree identified as T36 within Dunbar Park.

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) 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:

- i) 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.
- ii) 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 removal within the property

This consent approves the removal of the following trees within the property impacted by development (as recommended in the updated Arboricultural Impact Assessment dated 2 September 2020):

- trees numbered 4, 4a and 18 (Cheese Tree), 6 (Bloodwood), 7 (Lillypilly), 19 (Lemon Scented Gum), 23, 26 and 28 (Bottlebrush), 24, 25, 28a and 29 (Lemon Scented Tea Tree), and 37 (Swamp Mahogany).

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

- trees numbered 5, 5a, and 27.

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 at or >25mm (Ø) 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: 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 (existing trees numbered and identified for retention as 3 (Rough Barked Apple), 8, 9, 10, 11 and 15 (all Angophora), 14 (Bloodwood), 16 (Swamp Mahogany) and 36 (Cheese Tree) in the updated Arboricultural Impact Assessment dated 2 September 2020, and as located on the Tree Removal Plan number 7 of the Amended Landscape Documents),
- ii) all trees and vegetation located on adjoining properties, including but not limited to existing trees numbered and identified for retention as 1, 1a, 2, 20, 21, 22, 30, 31, 32, 33, 34, and 35,
- iii) all road reserve trees and vegetation not approved for removal, including but not limited to existing trees numbered and identified as 12, 13 and 17.

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), 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 updated Arboricultural Impact Assessment dated 2 September 2020, as listed in the following sections: 1.4 and 2.0 inclusive (with particular attention to section 2.2.2 part 5 Hold Points, and Appendix E01 and E02.

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.

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

Landscape works completion

Landscaping is to be implemented in accordance with the Amended Landscape Documents dated 23 October 2020 and the Planting Plan, inclusive of the following conditions:

- i) tree planting shall be located within a 9m² deep soil area and be located a minimum of 4metres from existing and proposed buildings,
- ii) tree planting shall be located to minimise significant impacts on neighbours in terms of blocking winter sunlight,
- iii) the *Cupaniopsis anacardioides* nominated on the plans shall be replaced with a locally native canopy tree,
- iv) landscape materials shall be in accordance with drawing number 14 'Materials Look and Feel'.

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

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.