

Landscape Referral Response

Application Number:	DA2020/0816
Date:	25/11/2020
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 38 DP 7236 , 23 Bassett Street MONA VALE NSW 2103 Lot 2 DP 748426 , 33 Bassett Street 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 development application proposes the demolition of existing buildings and structures and the construction of a new 118 bed residential care facility with basement parking under the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD).

In the Landscape Referral assessment of this application, consideration of the submitted Landscape Plan prepared by Trish Dobson Landscape Architect and the Arboricultural Impact Assessment prepared by Urban Forestry Australia is assessed against State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD) design requirements including neighbourhood amenity and streetscape, visual and acoustic privacy, existing vegetation, major trees, and built form and character, as well as the following relevant controls:

- Pittwater 21 DCP Controls: B4.22 Preservation of Existing Trees and Bushland Vegetation, and C1.1 Landscaping.

Landscape Referral raise no objections to the landscape proposal, subject to conditions of consent.

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 Plans

Amended Landscape Plans based on the landscape documents DA-L01 to DA-L06 inclusive, prepared by Trish Dobson Landscape Architecture, shall be issued to the Certifying Authority prior to the issue of a Construction Certificate to match the amended architectural plans, and specifically Ground Floor Plan A-04, and include the following details:

- i) revised landscape design for the entry area, incorporating planting theme of the landscape documents, and removing encroachment landscape works within the road reserve,
- ii) revised landscape design along the western boundary including relocated path against the building wall, and planting within the garden area to consist of small trees and understorey planting, including at least 7 x *Syzygium leuhmannii* small trees,
- iii) the provision of 3 street trees planted at 75 litre container size within the road verge, selected as either *Banksia* or *Melaleuca* species, protected with 4 posts and top and mid rails, and shade cloth wrapping, and installed centrally between the footpath and kerb,
- iv) an additional 5 locally native small trees capable of attaining at least 6 metres in height shall be planted along the southern boundary,
- v) an additional 3 *Hibiscus tileaceus* shall be planted along the eastern boundary,
- vi) all tree planting shall be at least 3 metres from buildings for small trees and 5 metres from building for large trees,
- vii) all self-seeding invasive species such as *Rhaphiolepis* species nominated shall be deleted and replaced with non-seed spreading plants of a similar form and size.

Certification shall be provided to the Certifying Authority that these amendments have been documented.

Reason: landscape amenity.

On Slab Landscape Works

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. 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, including:

- i) works as recommended in section 5.3 Minimising Impacts on Trees to be Retained, including tree 5 (Cooks Pine), tree 6 (Chinese Elm), tree 10 (Umbrella Tree) in adjoining property, trees 11 and 12 (Old Man *Banksia*) within road verge, group 13 (Swamp She-Oak), group 14 (Brush Cherry), tree 15 (Paperbark), and tree 16 (Common Ash),
- ii) works as recommended in Appendix D Tree Protection Plan.

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 Arboricultural Impact Assessment):

- number 1 (Prickly Paperbark), 3 (Bangalay), 25 (Pin Oak), 29 (Cabbage Tree Palm), and 32 (Cabbage Tree Palm)

The following Exempt Species (by type, height under 5 metres or proximity to buildings ie. 2m rule) and do not require Council consent for removal:

- number 4 (Jacaranda), 7 (Frangipani), 9 (Umbrella Tree), 18 (Weeping Bottlebrush), 19, 23, 27, 30 and 31 (Kentia Palm), 20 (Weeping Bottlebrush), 21 and 22 (Paperbark)

Note: the following trees represented on the survey do not exist and are reported in the Arboricultural Impact Assessment as 'removed': number 2, 8, 17, 24, 26, 28, 33, and 34.

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

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, including trees numbered 5 (Cooks Pine), 6 (Chinese Elm), 13 (group of Swamp She-Oak), 14 (group of Brush Cherry), 15 (Paperbark), and 16 (Common Ash),
- ii) all trees and vegetation located on adjoining properties, including trees numbered 11 and 12 (Old Man Banksia),
- iii) all road reserve trees and vegetation, including tree numbered 10 (Umbrella Tree).

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 Arboricultural Impact Assessment prepared by Urban Forestry Australia.

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 approved Amended Landscape Plans.

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.