

## Landscape Referral Response

<b>Application Number:</b>	DA2021/2173
<b>Date:</b>	06/01/2022
<b>Responsible Officer:</b>	Adam Mitchell
<b>Land to be developed (Address):</b>	Lot 7094 DP 1059297 , 394 Barrenjoey Road NEWPORT NSW 2106 Lot 1 DP 1139445 , 394 Barrenjoey Road NEWPORT NSW 2106

### 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 for alterations and additions to Newport Surf Life Saving Club, including: partial demolition of the existing Newport SLSC building and part of the existing carpark; construction of a new two-storey northern wing comprising storage facilities on the ground floor, and committee room, lounge, training rooms and terrace on the first floor; reconfiguration of internal layout of building to improve building functionality and circulation; upgrade of public and member male and female amenities; new hard and soft landscaping; and coastal protection works.

Council's Landscape Referral section have assessed the application against the Crown Land Management Act 2016, Pittwater Council's Ocean Beaches Plan of Management 2006, Pittwater Local Environment Plan, and the following Pittwater 21 DCP controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping

A Landscape Plan is submitted that essentially preserves the existing landscape area and additional planting is suitable for the coastal environment, albeit some minor changes and no concerns are raised generally, excluding items as listed below:

- the extended building containing the storage facility at ground level and multi-purpose room on the first floor level occupies existing carparking surface areas and removes existing kerb and footpaths, and no information is provided on the landscape plan, and all other relevant documents, on the treatment to the proposed new footpath and kerb alignment, kerb ramping, and any other safety provisions for pedestrians if required,
- identification of existing vegetation to be retained in proximity to the development and within existing gardens, and detail information on new planting including species selection, pot sizes, and planting densities.

Amended Landscape Plans, and other relevant Engineering Plans and applications, to address the above information shall be issued to the relevant Council departments for approval prior to the issue of

the Construction Certificate.

A Arboricultural Impact Assessment is submitted addressing existing trees in proximity to the development works and reports that the Norfolk Island Pines located north and south of the existing surf club, and identified in the report as Tree 1 and Tree 2 have major incursions to their tree protection zones by the proposed development, however, with the sensitive construction methods and tree protection measures outlined in Section 5 - Tree Management Plan, impacts are minimised with no adverse effects expected. Tree 1 and 2 shall be retained and remain healthy and viable into the future, and to ensure this is achieved conditions shall be imposed for a Project Arborist to be engaged. The report also notes that the existing Coast Banksia identified as Tree 3 has a zero incursion by the development and will remain healthy and viable into the future.

Landscape Referral raise no concerns subject to the issue of Amended Landscape Plans, and other relevant Engineering Plans and applications, and the provision of tree and vegetation protection measures.

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

- i) detail design information on the treatment to the proposed new footpath and kerb alignment, kerb ramping, and any other safety provisions for pedestrians if required, and supporting associated Engineering Plans and details,
- ii) identification of existing vegetation to be retained in proximity to the development and within existing gardens,
- iii) detail information on new planting including species selection and mass planting shall be installed at minimum 1 metre intervals for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting or as otherwise scheduled if greater in size, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch.

Amended Landscape Plans, and other relevant Engineering Plans shall be issued to the relevant Council departments for approval prior to the issue of the Construction Certificate.

Reason: Landscape amenity.

### **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. 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.

Existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by the Project Arborist.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, including:

- i) section 4. Observations/Impacts
- ii) section 5. Tree Management Plan, including the following works:
  - a) action 1: Tree Protection Fencing for the existing Norfolk Island Pines Tree 1 and 2: a tree protection fence is to be erected around Tree 1 and 2,
  - b) action 2: Hardstand Paving: the paving encroaches into the tree protection zone of Tree 1 and 2. To reduce the impact to an acceptable level a no dig type construction is recommended for the removal of existing concrete path and installation of the proposed paving within the tree protection zone of Tree 1 and 2. A project arborist should be onsite to supervise the demolition and construction within the tree protection zone of Tree 1 and 2.
  - c) action 3: Seawall Excavation: A Project Arborist should be onsite for the excavation of the proposed seawall, where the Project Arborist identifies roots to be pruned within or at the outer edge of the tree protection zone, they should be pruned with a final cut to undamaged wood,
  - d) action 4: Temporary Irrigation and Soil Conditioner: to ensure no adverse effects occur by the minor incursion to Tree 2, a temporary Irrigation system should be installed before construction commences. The temporary irrigation system is to be installed within the tree protection zone prior to demolition to combat the root loss of Tree 2. The Project Arborist will nominate irrigation scheduling and certify its installation.

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) 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 are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

## **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 development site area, unless shown on the approved Amended Landscape Plans for removal or management.

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,
- 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) or vi) 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.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment.

The Certifying Authority must ensure that:

d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.

Reason: Tree and vegetation protection.

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

### **Landscape Completion**

Landscaping is to be implemented in accordance with the approved Amended Landscape Plans.

Prior to the issue of any Occupation Certificate details (from a landscape architect or landscape designer) shall be submitted to the Principal 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 (ie. tree numbers 1, 2 and 3), including the following information:

- i) compliance to any Arborist recommendations for tree protection generally and during 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: 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 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 Plan and any conditions of consent.

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

Reason: To maintain local environmental amenity.