

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0974
<b>Date:</b>	16/09/2019
<b>Responsible Officer:</b>	Kelsey Wilkes
<b>Land to be developed (Address):</b>	Lot 13 DP 6462 , 16 Powderworks Road NORTH NARRABEEN NSW 2101

### 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 seeks approval for alterations and additions to a secondary dwelling conversion. The proposal in terms of landscape outcome is acceptable subject to the protection of existing trees and vegetation, and the completion of landscaping to soften the built form.

A Arboricultural Impact Assessment is provided in accordance with DA Lodgement Requirements, and the recommendations are supported, subject to conditions. One tree will require removal from the development works.

A Landscape Concept Plan is provided in accordance with DA Lodgement Requirements, and completion of landscaping is subject to conditions.

Council's Landscape section has assessed the proposal against the following Pittwater 21

DCPControls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

C1.11 Secondary Dwellings

D11 North Narrabeen Locality

### Referral Body Recommendation

No answer provided

### Refusal comments

### Recommended Landscape Conditions:

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### Tree protection measures

An Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be engaged to provide the following:

- site establishment attendance, inspection and certification in accordance with the recommendations of the Arboricultural Impact Assessment prepared by Bluegum Tree Care and Consultancy, dated August 2019, and in particular:
- site attendance, inspection and certification of trunk and ground protection to existing trees identified as 1, 2, 4, and 5 in the Arboricultural Impact Assessment,
- site attendance, inspection and certification of all tree protection measures during excavation for the deck sub-structure near existing trees identified as 1, and 2.

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.

Additionally, the Certifying Authority or a Project Arborist AQZ Level 5 must ensure that:

- i) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- ii) 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.

The Arborist shall provide the Certifying Authority with certification details that the tree protection measures are in place at the commencement of works.

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: to ensure tree protection is provided and maintained.

### Tree removal within the property

The following existing tree located within the property is granted approval for removal as recommended in the Arboricultural Impact Assessment prepared by Bluegum Tree Care and Consultancy, dated August 2019, based on the assessment of development impact:

- Tree 3 (Weeping Bottlebrush)

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

### Tree and vegetation protection

a) Existing trees and vegetation shall be retained and protected in accordance with AS4970-2009 Protection of Trees on Development Sites, and the Arboricultural Impact Assessment prepared by Bluegum Tree Care and Consultancy, dated August 2019, including:

- i) all trees and vegetation within the property not approved for removal, excluding exempt 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 generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 Arborist,
- iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF Level 5 Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,
- v) 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,
- vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,
- viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, including advice on root protection measures,
- ix) should either or all of vi), vii) and viii) 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,
- x) 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,
- xi) 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.

c) All protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

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 concept plan prepared by JJ Drafting, inclusive of the following requirements:

- i) all proposed screen planting shall be installed at a minimum 300mm container size, planted no more than 1m apart.

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 approved plan and inclusive of any conditions of consent.

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

the built form.

**Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, as a result of the proposed development, including the following information:

- i) compliance to any 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.

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

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

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.