

Landscape Referral Response

Application Number:	DA2022/2249
Date:	03/02/2023
Proposed Development:	Alterations and additions to a dwelling house including a swimming pool
Responsible Officer:	Nick Keeler
Land to be developed (Address):	Lot 3 DP 533936 , 2097 Pittwater Road CHURCH POINT NSW 2105

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

Council's Landscape Referral is assessed against the Pittwater Local Environment Plan (PLEP) clause C4 zone Environmental Living, and the following Pittwater 21 Development Control Plan (DCP) controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D4 Church Point and Bayview Locality

The site is located in the C4 Environmental Living zone, requiring development to achieve a scale integrated with the landform and landscape, and to minimise impact on the natural environment, including the retention of natural landscape features and existing trees, to satisfy the landscape objectives of the C4 Environmental Living zone.

An Arborist report is submitted recommending the removal of one native tree (T3 - Paperbark) impacted by the proposed location of the swimming pool, and the requirement to construct the proposed extension of the terrace by tree sensitive construction techniques near one tree (T4 - Atlas Cedar). Landscape Referral raise no concerns with the recommendations of the Arborist report subject to one native tree replacement within the property.

Landscape Referral have considered whether or not a design alternative is available to retain the existing Paperbark. Relocation of the proposed development near other trees such as T4 Atlas Cedar (assessed with a high retention value) and the nearby Spotted Gum at the northern end of the property (viewed as a high retention value tree) may potentially impact on such trees. The Paperbark species is known to have aggressive root systems capable of damaging building and structures, and in view of the inappropriate location of this tree near the existing dwelling (measured at approximately at 2.88m), it is determined that removal can be supported, and a more suitable native tree will be able to be located elsewhere upon the property.

Landscape Referral shall impose conditions for replacement tree planting as well as screen planting along the southern pool alignment noted as lawn area to reduce the built form of the proposed development.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Property

This consent approves the removal of the following tree(s) within the property (as recommended in the Arboricultural Impact Assessment):

- i) T3 - Paperbark (*Melaleuca quinquernervia*), subject to tree replacement within the property,
- ii) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

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,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

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) 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 Principal Certifier,
- 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, and in particular:

i) section 7 Assessment of Construction Impacts

ii) section 10 Recommendations

iii) section 11 Arboricultural Work Method Statement and Tree Protection Requirements

iv) section 12 Hold Points

The Principal Certifier 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.

e) 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. No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

Reason: Tree and vegetation protection.

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

Required Tree Planting

One (1) locally native tree shall be planted within the property to achieve at least 8.5 metres height at maturity, and shall be selected from Northern Beaches Council's Native Plant Species Guide - Pittwater Ward, or Council's Tree Guide, and in accordance with the following:

i) tree planting shall be a minimum pre-ordered planting size of 75 litres; shall meet the requirements of Natspec - Specifying Trees; planted into a prepared planting hole 1m x 1m x 600mm depth; backfilled with a sandy loam mix or approved similar; mulched to 75mm depth minimum and maintained; watered until established; located at least 3.0 metres from buildings or more, and other trees; at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn.

ii) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces,

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To maintain environmental amenity.

Required Screen Planting

Screen planting shall be planted in accordance with the following:

- i) along the southern alignment of the swimming pool between the 'retaining wall to be extended to pool level' and the 'existing stone wall' as shown on the approved plans, for the full length of the 'retaining wall to be extended to pool level'.

The selected planting is to comprise of native species capable of attaining a height of 3.0 metres at maturity.

Plants are to be installed at minimum 1 metre intervals and be of a minimum container size of 200mm at planting in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch. Selected planting shall comply with the requirement of Australian Standard AS 1926.1 for a Non Climbable Zone.

Reason: To maintain environmental amenity.

Condition of Retained Vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained as listed in the Arboricultural Impact Assessment, 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 and vegetation protection.