

Landscape Referral Response

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| Application Number: | DA2019/0457 |
| Date: | 12/08/2019 |
| Responsible Officer: | Jordan Davies |
| Land to be developed (Address): | Lot A DP 383227 , 4 Irrubel 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 seeks approval for alterations and additions of the existing dwelling including extensions, new decks/terraces, new hydrotherapy spa pool, alterations to the carport and garage.

The proposal in terms of landscape outcome is acceptable subject to the protection of existing trees and vegetation, and the completion of landscaping.

A arboricultural impact assessment report dated 3/03/2019, and updated 8/08/2019 is submitted with the application satisfying the DA Lodgement Requirements, subject to conditions. Existing trees in close proximity to the development works are rated with a High landscape significance and shall be managed during the site works. A root investigation carried out in the vicinity of the existing T3 Spotted Gum found the existance of roots less than 20mm in diameter north of T3, supporting the location of the proposed terrace in this area, and recommednations are made to delete the terrace south of T3 to reduce impact to the Spotted Gum. The root investigation carried out in the vicinity of the existing Spotted Gums identified as T4, T5, T6 and T7 found the existance of roots less than 20mm in diameter, and these pier locations shall be utilised for the proposed deck works.

No landscape plan is submitted with the application. Landscape information is presented by way of a materials plan indicating a selection of trees, shrubs and paving materials to be utilised. The Site Plan indicates new tree planting along the boundary to the extent of the new building adiitions and terrace / spa pool. Landscape conditions shall be imposed to ensure the planting privacy visual relief along the boundary.

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

B4.22 Preservation of Trees and Bushland Vegetation
C1.1 Landscaping
D10 Newport Locality

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Deck pier footing design

The structural engineer shall submit to the Certifying Authority and to a AQZ level 5 qualified Arborist a pier footing construction plan for the eastern deck extension in the vicinity of the existing Spotted Gum trees identified as T4 to T7, that is in accordance with tree root investigations as referenced in the Addendum Report to Arboricultural Impact Assessment conducted by Complete Arborcare, and the Raft Slab & Footing Plan prepared by GZ Consulting Engineers.

The final pier footing locations for construction shall be certified by the Arborist as in accordance with the recommendations of the Addendum Report to Arboricultural Impact Assessment. Certification from the Arborist shall be submitted to the Certifying Authority.

Any request to change the pier footing locations shall be subject to selection of locations as approved by a AQZ level 5 qualified Arborist, and any and all changes shall be subject to site investigation verified by photographs and reports, and issued to the Certifying Authority.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree protection measures

An Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be engaged to provide tree protection measures in accordance with the Arboricultural Impact Assessment dated 3.03/2019 and the Addendum Report dated 8/08/2019 prepared by Complete Arborcare, and in accordance with Australian Standard 4970- 2009 Protection of Trees on Development Sites, as follows:

- site attendance, inspection and certification of tree protection measures within the tree protection zone, and pier footing locations, during all stages of works for existing trees identified as trees T4, T5, T6, and T7 (all Spotted Gums),
- site attendance, inspection and certification of tree protection measures within the tree protection zone of tree T2 and T3 (both Spotted Gums).

The tree protection measures and fencing 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 and vegetation protection - General

a) Existing trees and vegetation shall be retained and protected as identified in the Arboricultural Impact Assessment dated 3.03/2019 and the Addendum Report dated 8/08/2019 prepared by Complete Arborcare, including:

- i) all trees and vegetation within the site 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 inclusive of the following requirements:

- i) the documented terrace located south of existing tree T3 is to be deleted and replaced with making good the existing retaining wall where necessary and maintaining existing ground levels during soft landscaping within the tree protection zones of existing trees T2 & T3,
- ii) all tree planting as indicated on the Site Plan drawing 003 are to be installed at 75 litre container size,
- iii) all tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight as described in the clause, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views.

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 on site and on adjoining properties, 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 required to be retained together with any additional landscaping required by this Consent is to be maintained for the life of the development.

Landscape works shall be maintained for a minimum period of 12 months following practical completion. 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 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.
DA2019/0457

