

## Landscape Referral Response

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| <b>Application Number:</b>             | DA2025/0136   |
| <b>Date:</b>                           | 04/06/2025  |
| <b>Proposed Development:</b>           | Construction of a boat shed, waterway access stairs and landscaping |
| <b>Responsible Officer:</b>            | Anaiis Sarkissian   |
| <b>Land to be developed (Address):</b> | Lot 56 DP 7794 , 60 Hudson Parade CLAREVILLE NSW 2107               |

### 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 zone C4 Environmental Living and zone W1 Natural Waterways, and the following Pittwater 21 Development Control Plan (PDCP) controls (but not limited to): B4.7 Pittwater Spotted Gum Forest; B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; and D1 Avalon 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.

The proposed works are for the construction of a Boatshed and associated works.

updated comments 04/06/2025:

Master Set Plans, Landscape Plans, Stormwater Plans and Arboricultural reports, all as amended, have been reviewed by Landscape Referral.

The Amended Landscape Plans (issue D) includes proposals for enhancement of the foreshore zone with native tree and understory planting, identification of retained hard landscape elements such as the existing walling, stairs, pavements, stone edges and rock outcrops. The Boatshed is proposed with a green roof with 300mm soil depth, and the proposed planting can be adequately supported for long term establishment. Any reference to retention / removal of trees and vegetation shall be deferred to the Arborist Reports and conditions shall be imposed. No prescribed trees are to be removed.

The Amended Landscape Plans proposal for tree planting shall be the subject of conditions as the proposed locations of the nominated trees are not supported. Whilst the proposal to plant one Spotted Gum and one Dwarf Apple is supported to assist in the Spotted Gum Forest association renewal, it is advised that the proposed locations are more sensibly to be located away from other trees, buildings and side boundaries and the locations shall be subject to conditions.

The Amended Stormwater Plans (issue B) indicates stormwater pits and lines away from existing trees, and no concerns are raised subject to standard tree protection measures.

The Boatshed location as proposed is in proximity to existing Spotted Gum Forest trees, and the following reports are reviewed: Addendum B Arboricultural Impact Assessment Report dated 29th January 2025; and Arboricultural Statement dated 12th May 2025.

As a group existing trees T15, T16 and T17 within the rear of the property are worthy of retention to protect the natural foreshore amenity and to maintain biodiversity value. Landscape Referral consider that in terms of site planning it is clear that a boatshed to the northern end of the property at the rear is a sensible outcome for tree preservation. It is noted that this part of the property includes extensive hard landscape elements including stone walling, stairs and pavements. In continuing to locate the boatshed at the southern end of the property, the applicant has undertaken various activities to justify its proposed location including:

- the footprint of the Boatshed is reduced and located closer to the waterway to increase the setback distance to existing trees T16 and T17. The external wall of the proposed Boatshed is measured at 2.2 metres from T17 and 2.4 metres from T16.
- tree root investigation along the proposed alignment of excavation for the Boatshed has been undertaken.

The Arboricultural Statement dated 12th May 2025 includes results of the tree root investigation conducted to the extent of the proposed Boatshed excavation footprint. The report reads "The investigatory excavation works demonstrate that construction of the Boatshed should not impact Trees T15, T16 and T17, as no woody roots are present in the rear section of the Boatshed footprint and the front section of the Boatshed will be constructed above existing grade on piers (located to avoid significant roots)". Based on this it is expected that existing tree roots are upslope and thus Landscape Referral do not raise objection to the location of the proposed Boatshed. The upslope natural ground area is proposed for retention as a landscape area, and it is considered that the upslope area is adequate in soil volume to preserve the existing trees. Both the Addendum B Arboricultural Impact Assessment Report dated 29th January 2025 and Arboricultural Statement dated 12th May 2025 provide various tree protection measures and conditions shall be imposed.

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**

#### **Footing Design Near Trees to be Retained**

a) Pier footing locations for the Boatshed shall be developed in co-ordination with an Arborist with AQF minimum Level 5 qualifications in arboriculture, and a qualified Structural Engineer, near existing trees T16 and T17, to locate critical tree roots and recommend footing design and locations for the

construction works.

- b) the Arborist shall review, comment, recommend design revision as required and approve the footing layout, to ensure the locations of footings will be manageable in terms of tree protection measures.
- c) the Arborist shall submit certification to the Certifier, that the locations of the footings are accepted.
- d) the agreed footing structural layout plans shall be submitted to the Certifier for approval prior to the issue of a Construction Certificate.

Reason: Tree protection.

### **Green roof over Boatshed**

Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to the green roof planter over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections. The following soil depths are required to support the nominated planting: 300mm.

Design certification shall be submitted to the Certifier 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 ensure 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 prior to any commencement of works on site to provide tree protection measures in accordance with AS4970-2009 Protection of trees on development sites, and any recommendations for tree protection measures of the approved Arboricultural Impact Assessment reports.

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

- a) Addendum B Arboricultural Impact Assessment Report dated 29th January 2025-
- i) Prior to the commencement of the construction stage of the project, TPZ areas shall be established for Trees T14, T15, T16, T17, F and G. To provide for construction access, the detailed set out for TPZ fencing, trunk protection and ground protection shall be determined through consultation between the Project Arborist and the Project Manager prior to the commencement of the works.
- ii) When constructing the proposed retaining wall and the Boatshed within the TPZ areas of Trees T15, T16 and T17, over excavation, benching or battering to the rear of the wall/Boatshed slab shall be avoided.
- iii) A slimline drain-cell type product shall be installed to below ground level sections of the Boatshed walls to avoid the need to over excavate for the installation of sub surface drainage.
- iv) Excavation works and the pruning of the two (2) roots identified by root mapping investigations in the SRZ of Tree T16 shall be supervised/undertaken by the Project Arborist.
- v) Above grade sections of the Boatshed and stairs within TPZ areas shall be installed on isolated, piered footings. Pier locations shall be excavated by hand to a minimum depth of 600mm (or rock) and where roots >20mm diameter are encountered the pier location shall be adjusted (unless root pruning is approved by the Project Arborist). Mechanical augering of confirmed pier locations is permissible at depths >600mm. Where required, pier holes shall be sleeved to prevent contact between roots and

freshly poured concrete.

vi) Underground services within TPZ areas shall be installed using tree sensitive methods and retain all roots >20mm diameter (or as specified by the Project Arborist).

b) Arboricultural Statement 12th May 2025-

vii) Tree specific TPZ requirements should be determined as part of a preconstruction site meeting between the Project Arborist and the Project Manager.

All tree protection measures specified must: be in place before work commences on the site; be maintained in good condition during the construction period; and remain in place for the duration of the construction works. The Project Arborist shall provide certification to the Certifier that all tree protection measures under AS4970-2009 have been satisfied, and the recommendations listed for the protection of the existing trees have been carried out satisfactorily to ensure no impact to the health of the trees. Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: 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.

## **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 prescribed trees within the site,
- ii) all trees and vegetation located on adjoining properties,
- iii) all trees and vegetation within the road reserve.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with AS4970-2009 Protection of trees on development sites, and the recommendations for tree protection measures in Addendum B Arboricultural Impact Assessment Report dated 29th January 2025, and Arboricultural Statement dated 12th May 2025,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >20mm (Ø) diameter is not permitted without consultation with an Arborist/Project 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 >20mm (Ø) diameter unless directed by an Arborist/Project 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/Project 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/Project 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/Project 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 AS4970-2009 Protection of trees on

development sites,

- ix) the activities listed in section 4.2 of AS4970-2009 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 AS4373-2007 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.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken as complaint to AS4970-2009 Protection of trees on development sites, and any recommendations of the approved Arboricultural Impact Assessments as listed above and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.

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

### **Landscape Completion**

Landscape works are to be implemented in accordance with the approved Landscape Plans (issue D), and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) planting shall be installed as indicated on the approved Landscape Plans, unless otherwise imposed by conditions,
- c) the nominated *Corymbia maculata* and *Angophora hispida* tree planting shall be located directly behind existing trees T15, T16 and T17, at a middle distance between the existing trees and the dwelling (approximate 4.5 metres minimum from building), be pre-ordered at a planting size as scheduled; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; at least 3.0 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn,
- d) mass planting shall be in a garden bed / on slab planter prepared with a suitable free draining soil mix and minimum 75mm depth of mulch,
- e) 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.

Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

### **Condition of Retained Vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project 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 on the approved Plans or as listed in the Arboricultural Impact Assessment approved reports, 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 and vegetation 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 Plans and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.