

## Landscape Referral Response

<b>Application Number:</b>	DA2018/2015
<b>Date:</b>	04/03/2019
<b>Responsible Officer:</b>	Catriona Shirley
<b>Land to be developed (Address):</b>	Lot 1 DP 19396 , 163 Riverview Road AVALON BEACH 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

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

Council's Landscape section has assessed the proposal against the following Pittwater 21 DCP 2014 Controls:

B4.22 Preservation of Trees or Bushland Vegetation

C1.1 Landscaping

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Refusal comments

### Recommended Landscape Conditions:

#### **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **Project Arborist**

A Project Arborist with minimum horticulture qualification equivalent to AQF Level 5 is to be appointed prior to commencement of works to supervise and certify works as identified in the Arboricultural Impact Assessment prepared by Urban Forestry Australia with section 5. Recommendations, including all items listed under 5.1 Minimising Impacts on Trees to be Retained, 5.2 Tree protection, and 5.3 Arboricultural Advice.

The Project Arborist is to provide details to the Certifying Authority that all components of this condition

have been satisfied.

In particular, the Project Arborist and Certifying Authority must ensure the following works, as recommended within the Arboricultural Impact Assessment are undertaken near trees:

- i) following demolition of structures and pavements within the TPZ of trees to be retained, the newly exposed ground is to be watered and mulched with coarse mulch to a depth of 100mm,
- ii) all decking, including allowances for bearers, joists and decking timbers must be elevated at least 200mm above existing ground within 6m of Tree 9,
- iii) the existing wall adjacent to adjoining Trees 4 and 5 should be retained within a 2.5m radius of each tree to avoid potential destabilising of the trees,
- iv) the Project Arborist is to be present to supervise all works within: 3 metres of Tree 3; 5 metres from Trees 10, 12 and 13; 6 metres from Tree 9; and 8 metres from Trees 14 and 15,
- v) landscaping other than proposed new paths is to retain the existing ground levels within the 10 metres radius of Trees 14 and 15,
- vi) garden edging must only be installed under the supervision of the Project Arborist,
- vii) the Project Arborist must advise on all aspects of tree protection prior to and during construction. Fencing may be removed for soft landscaping. No skid-steer loaders (e.g. Bobcats) or similar landscaping machinery or equipment are to be used within the TPZ during landscaping.

Reason: to ensure protection of vegetation is provided and maintained.

### **Tree removal**

The following existing trees within the site are granted approval for removal based on the assessment and recommendations of the Arboricultural Impact Assessment prepared by Urban Forestry Australia: Trees 1, 7, 8, 11, and 16.

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

### **Tree and vegetation protection**

A) Existing trees and vegetation shall be retained and protected as follows:

- i) all trees and vegetation within the site identified for retention in the Arboricultural Impact Assessment prepared by Urban Forestry Australia: Trees 2, 3, 4, 6, 9, 12, 13 and 14,
- ii) exempt trees and palms within the site under the relevant planning instruments of legislation are excluded,
- iii) all other trees and vegetation located on adjoining properties, including Trees 10, 15 and 17,
- iv) all road reserve trees and vegetation, including Tree 18.

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, with particular reference to Section 4,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- iv) 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,
- v) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a Project Arborist on site,
- vi) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,
- vii) excavation for stormwater lines is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist,

viii) should either or all of v), vi) and vii) 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,

ix) 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,

x) 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.

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 plan I-01, issue H, as prepared by Space Landscape Designs.

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 conditions of consent.

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

### **Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist (or equivalent), shall be submitted to the Certifying Authority, assessing the health and impact of trees and vegetation required to be retained as a result of the proposed development, including the following information:

- i) Compliance to 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 ensure compliance with the requirement to retain and protect significant planting on development sites.

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

### **Landscape maintenance**

All landscape components are to be maintained for the life of the development.

A maintenance program is to be established. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components and species to maintain the landscape theme of the 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.