

Landscape Referral Response

Application Number:	DA2020/0130
Date:	12/05/2020
Responsible Officer:	Catriona Shirley
Land to be developed (Address):	Lot 100 DP 509808 , 981 Barrenjoey Road PALM BEACH NSW 2108

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 proposed development application is for the proposed alterations and additions to the existing dwelling and other associated works such as new driveway, new inclinor, stormwater drainage and landscaping.

Council's Landscape Referral of the development application is assessed against E4 Environmental Living Zone under the Pittwater Local Environmental Plan 2014, and the following Pittwater 21 DCP 2014 Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D12 Palm Beach Locality, and specifically D12.1, D12.2, and D12.10

A Landscape Plan and Arboricultural Impact Statement are provided with the application in accordance with Council's DA Lodgement Requirements, and are acceptable subject to conditions of consent.

All four high retention value trees on the site are recommended for retention and protection, and the majority of medium retention value trees are to be retained, and are subject to tree protection measures. Five trees are proposed for removal including four with a low retention value and one with a medium retention value. The medium retention value tree is subject to a replacement and this is proposed within the Landscape Plan.

Tree root investigation have been undertaken to assess impact to existing trees within close proximity to development works including T2 and T3. Exploratory excavation was undertaken near Tree 2 with one (1) x 80mm diameter root exposed at a depth of 400mm in the location of the proposed sauna/steam room footing. This root was located outside of the Structural Root Zone at a distance of 4.0m from the centre of trunk. This root is not considered to critical for inground structural support. Pruning of this root is unlikely to compromise the stability of Tree 2. Exploratory excavation was undertaken near Tree 3. This was undertaken to a depth of 600mm which was sufficient to expose the

underlying sandstone bedrock. No tree roots were found in the locations of exploratory excavation.

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

Project Arborist

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, requiring site attendance during demolition, excavation and construction works, in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4, the recommendations of the Arboricultural Impact Assessment prepared by BlueGum Tree Care & Consultancy, as follows under section 7.1 Site Establishment - Prior to Demolition/Construction:

- i) Appointment of a Project Arborist,
- ii) Tree removal,
- iii) Canopy pruning of T3.

The Arborist shall submit certification that the works described under section 7.1 Site Establishment - Prior to Demolition/Construction have been correctly adhered to during demolition, excavation and construction works.

Reason: to ensure tree protection is provided and maintained.

Tree removal within the property

The following trees located on the property and assessed as impacted by development, and without an alternative design layout to retain the trees, as assessed and recommended in the Arboricultural Impact Statement prepared by BlueGum Tree Care & Consultancy and dated January 2020, are granted approval for removal:

- T8 - Giant Bird of Paradise (exempt),
- T17 - Cocus Palm (exempt),
- T19 - Cocus Palm (exempt),
- T21 - Bangalow Palm (exempt),
- T26 - Cocus Palm (exempt).

Advice: Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by a AQF level 5 Arborist that determines that the tree presents an imminent risk to life or property.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree protection measures

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, requiring site attendance during demolition and construction works, in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4, the recommendations of the Arboricultural Impact Assessment prepared by BlueGum Tree Care & Consultancy, as follows under section 7.1 Site Establishment - Prior to Demolition/Construction, 7.2 During Demolition, 7.3 During Construction, and 7.4 Post Construction:

- i) trunk protection to trees T2, T3, T4, T5, T20, and T22,
- ii) existing flagstone within the tree protection zone of T2 and T3 shall be retained as ground protection during demolition and remain throughout the entire project,
- iii) excavation for building footing near T2 and T3 must be undertaken using hand tools within the top 600mm of soil or to the depth of bedrock,
- iv) tree Protection Zones works prohibited include: stripping of topsoil or organic surface material, storage of material, vehicles and machinery, and disposal of solid, liquid or chemical waste, and
- v) works as documented in the Tree protection Plan.

The Arborist shall submit certification that the works described above have been correctly adhered to during demolition, excavation and construction works.

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 Certifying Authority or a Project Arborist AQF 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.

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

a) Existing trees and vegetation shall be retained and protected as recommended in the Arboricultural Impact Assessment prepared by BlueGum Tree Care and Consultancy listed under section 2 Summary, including:

- i) all trees and vegetation within the site not approved for removal,
- ii) all trees and vegetation located on adjoining properties.

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 minimum Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF minimum 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 minimum 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 minimum Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF

minimum 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 minimum 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 minimum 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 completion

Landscape works are to be implemented in accordance with the Landscape Plans L01, L02, L03 and L04 prepared by Zenith Landscape Designs and accompanying Landscape Design Statement.

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 landscape plan and with 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 AQF minimum 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, 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 and adjoining 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.