

Landscape Referral Response

Application Number:	DA2018/1877
Date:	09/01/2019
Responsible Officer:	Daniel Milliken
Land to be developed (Address):	Lot 24 DP 11978 , 4 Bilgola Avenue BILGOLA BEACH NSW 2107 Lot 25 DP 11978 , 2 Bilgola Avenue BILGOLA 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 landscape component of the proposal is acceptable subject to the protection of existing trees and vegetation, and completion of landscaping.

The proposed planting along the western boundary shall be increased in quantity and/or installation size, as conditioned, to provide a landscape buffer for the common benefit of both No. 4 and No. 6 Bilgola Avenue.

The proposed planting along the northern boundary in the vicinity of the proposed removal of exempt species, shall be increased in quantity and/or installation size, as conditioned, to provide a landscape buffer for the common benefit of both No. 4 and No. 8 The Serpentine.

The DA documents indicate that the existing driveway servicing No. 4 Bilgola Avenue is to removed. No arboricultural assessment or recommendations are provided on the proposed verge works including the protection of the existing heritage listed Norfolk Island Pine in close proximity to the driveway. Demolition of the existing driveway, removal of the existing walls and filling to match existing ground levels may impact upon the the Norfolk Island Pine, and as such may not be advisable, with retention of the retaining walls and the existing driveway to boundary to be considered.

An Arboricultural Impact Assessment report is required to provide recommendations on the proposed work within the road verge, that protects the long term health of the Norfolk Island Pine.

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

DA2018/1877

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

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

Tree protection plan for existing Norfolk Island Pine within road verge

An Arboricultural Impact Assessment shall be conducted by a AQF level 5 qualified Arborist on the action required to the existing driveway servicing No. 4 Bilgola Avenue, to provide recommendations of the ground works near the existing heritage listed Norfolk Island Pine.

The report shall determine if the existing driveway and stone walling is to remain in place within the road verge, or otherwise removed, in terms of the best long-term outcome for the retention of the existing Norfolk Island Pine.

A tree protection plan is to be prepared indicating:

- i) location of driveway and walling,
- ii) location of the existing Norfolk Island Pine,
- iii) extent of canopy spread and subsurface root locations;
- iv) recommended works within the road verge to preserve the existing Norfolk Island Pine,
- v) tree protection measures;
- vi) location of tree protection fencing / barriers

The Arboricultural Impact Assessment shall be issued to the Certifying Authority and Council for approval prior to the issue of a Construction Certificate.

Annotated photographs of the existing Norfolk Island Pine, with emphasis on the lower part of the tree and the canopy distribution, shall be submitted to the Certifying Authority prior to issue of a Construction Certificate.

Reason: to retain and protect the significant Norfolk Island Pine planting on the road verge.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist with minimum qualification equivalent to AQF Level 5 is to be appointed prior to commencement of works.

The Project Arborist is to specifically oversee all tree protection measures and works adjacent to the existing Norfolk Island Pines within the road verge fronting No. 4 Bilgola Avenue and the existing Norfolk Island Pine within No. 2 Bilgola Avenue, located at the western boundary corner with the southern boundary.

All works in the vicinity of these trees shall be conducted under the supervision of the Project Arborist.

All tree protection measures shall be place 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.

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

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, as nominated on DA Tree Schedule, drawing 180603, prepared by Tropic of Sydney, excluding exempt trees and palms under the relevant planning instruments of legislation,
- ii) all other 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, 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) 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 DA Landscape Plan, drawing number 180602, prepared by Tropic of Sydney, inclusive of the following requirements:

- i) all large canopy tree planting as listed in the planting schedule (*Acmena smithii*, *Casuarina glauca*, and *Syzygium australe*) shall be planted a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used, with each tree to have a minimum area of 3 metres x 3 metres to ensure growth is not restricted,
- ii) all other trees / palms listed in the planting schedule shall be planted a minimum of 5 metres from existing and proposed built structures,
- iii) all trees planted along the northern or western boundary shall be a minimum size of 75 litres,
- iv) all shrubs planted along the northern or western boundary shall be a minimum size of 300mm pot size, and planted no more than 1 metre apart,
- v) the Cabbage Tree Palm proposed within the north-west corner area shall consist of at least five (5) planted with a 2 metre trunk, and two (2) planted with a 3 metre trunk.

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 landscape plan and inclusive of any 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:

- a) Compliance to Arborist recommendations for tree protection and 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: to retain and protect significant planting on development sites, and protect the existing amenity that trees and/or bushland vegetation provide.

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 in accordance with 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 No. 24.

Reason: preservation of environmental amenity.