

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0339
<b>Date:</b>	14/06/2019
<b>Responsible Officer:</b>	Monique Perera
<b>Land to be developed (Address):</b>	Lot 262 DP 16719 , 42 Gondola Road NORTH NARRABEEN NSW 2101

### 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 the existing trees and vegetation, and the completion of landscaping.

Council's Landscape section has assessed the proposal against the following Pittwater21 DCPControls:  
B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D13 North Narrabeen Locality

No Arboricultural Impact Assessment report is provided in accordance with DA Lodgement Requirements. The development will require the removal of 2 small trees illustrated on the Survey as T6 - Avocado (Exempt species) and T17 - Chinese Loquat (Exempt species), as well as existing shrubs T1 - Murraya, and T7 and T8 - Draceana. Conditions of consent shall be imposed to protect existing trees and vegetation not impacted by development and within adjoining properties.

The existing front boundary Murraya shrub hedge is not identified for removal in the Demolition Plan, but is shown for removal on the Landscape Plan to allow for the proposed new timber picket fence and new hedge planting. Removal of the existing shrub hedge is permitted without approval as Council's consideration for removal is based upon vegetation 5 metres and over in height.

A Landscape Plan is provided in accordance with DA Lodgement Requirements. and conditions of consent shall be imposed to requiring substitution of proposed tree species.

The proposal to plant Gleditsia tricanthos is not permitted. This weed species is listed by NSW Government Department of Primary Industries as a plant not to be sold within NSW.

### 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

##### Amended Landscape Plan

An Amended Landscape Plan is to be issued to the Certifying Authority documenting the following required changes to the plan:

- i) three (3) native canopy trees capable of attaining 8-12 metres shall be planted on site to satisfy C1.1, with 2 in the front yard and 1 in the rear yard, as shown on the Landscape Plan, and shall be selected from the following list indigenous to the area: *Angophora floribunda*, *Banksia serrata*, *Glochidion ferdinandi*, and *Melaleuca linariifolia*,
- ii) the proposed *Cupaniopsis anacardoides*, which has become a self seeding species spreading into bushland, shall be replaced with a native tree achieving a similar height and spread as intended by the design,
- iii) the proposed *Gleditsia tricanthos*, which is listed as an exempt species as well as a weed species, shall be replaced with a native tree achieving a similar height and spread as intended by the design,
- iv) all tree planting is to be installed at a minimum 75 litre container size,
- v) all tree planting shall have a minimum individual area of 3 metres x 3 metres of soil area, and shall be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.
- vi) all proposed screen planting shall be installed at a minimum pot container size of 200mm, and planted no more than 1 metre apart.

The Certifying Authority shall document acceptance of the Amended Landscape Plan satisfying the above conditions i), ii), iii), iv), v) and vi).

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and ensure appropriate tree canopy planting.

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

##### Tree and vegetation removal

The following existing trees and vegetation documented on the Demolition Plan numbered 02, impacted by development, are granted approval for removal:

- T6 - Avocado (Exempt species)
- T17 - Chinese Loquat (Exempt species)
- existing shrub T1 - *Murraya*
- existing accent T7 and T8 - *Draceana*

#### 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 shown on the Landscape Plan, excluding exempt trees and palms 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,
  - 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.

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 Amended Landscape Plan.

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 Amended Landscape 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.

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

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 natural life. Planting that may die or is removed must be replaced.

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.