

Landscape Referral Response

Application Number:	DA2021/2490
Date:	26/04/2022
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot 2 DP 1214257 , 34 Plateau Road BILGOLA PLATEAU 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

Further updated comments:

A Arboricultural Impact Assessment is submitted and reports that a total of eleven existing trees are required to be removed to accommodate the proposed dwelling. Of these nine are Exempt Species that do not require Council consent for management or removal, including one Illawarra Flame Tree, six Bangalow Palms, and two Kentia Palms. Two prescribed trees that require Council consent for removal include one Port Jackson Fig and one Tree Fern, and should the application be approved, removal is subject to tree replacement within the property. All road reserve verge street trees and neighbouring trees within proximity to the works shall be retained and protected and conditions shall be imposed.

No Landscape Plan is submitted and conditions shall therefore be imposed for tree replacement and any other necessary landscape treatment.

updated comments:

As requested the following information is required to progress the Landscape Referral assessment:

- Arboricultural Impact Assessment on existing trees within the road reserve in regards to the impact from the proposed elevated driveway structure and associated pier footings
- Landscape Plan or landscape analysis on how the development complies with the landscape objectives of C4 zone and DCP controls C1.1

previous comments:

The development application is for a new dwelling including a new driveway and parking bay within the site.

Council's Landscape Referral is assessed against the Pittwater Local Environment Plan clause C4 zone Environmental Living, and the following Pittwater 21 DCP controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D3 Bilgola 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.

No Landscape Plan or Arboricultural Impact Assessment is submitted with the application. The proposed new dwelling is located upon cleared land with no prescribed (ie. protected) existing trees present. Under the requirements of the C4 zone Environmental Living and DCP control C1.1, landscape amenity including any existing prescribed trees are to be maintained or enhanced when not existing to ensure compliance with the LEP and DCP. No information is provided with the application and a Landscape Plan shall be provided to demonstrate compliance with the C4 zone Environmental Living and DCP control C1.1.

The proposed driveway alignment within the road reserve is in close proximity to an existing Gum tree located within the road verge and no Arboricultural Impact Assessment is submitted to determine the impact to the existing Gum or other existing trees within the road reserve verge. No engineering information is submitted on the design of the crossover and driveway to determine the extent of excavation or otherwise in the vicinity of the proposed driveway.

Landscape Referral are unable to provide an assessment without the information referred to in the above comments.

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

Tree Removal Within the Property

This consent approves the removal of the following tree(s) within the property (as recommended in the Arboricultural Impact Assessment):

- i) tree 17 Port Jackson Fig
- ii) tree 20 Tree Fern
- iii) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Note: Exempt Species as listed in the Development Control Plan or the Arboricultural Impact Assessment do not require Council consent for removal, and in this case the following are identified for removal: tree 5 - Illawarra Flame Tree, trees 10, 13, 14, 16, 18, and 19 - Bangalow Palms, and trees 12 and 15 - Kentia Palms.

Reason: To enable authorised development works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Existing Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages and the street trees fronting the development site shall be protected by tree protection fencing in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites, and as per

the recommendations in the Arboricultural Impact Assessment. as listed in the following:

- section 4 for trees identified as tree 2 (section 4.5), tree 3 (section 4.7), and tree 4 (section 4.9), trees 6 and 7 (section 4.12), tree 11 (section 4.13),
- section 5. Recommendations
- appendix 4 Site Plan and 4A Tree Protection Plan

All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge. No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

All street trees within the road verge are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited. Should any problems arise with regard to the existing or proposed trees on public land during construction, Council's Tree Services section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: Street tree protection.

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site not approved for removal, excluding exempt trees and vegetation 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 undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an 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 >25mm (Ø) diameter unless directed by an 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 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 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 to the Certifying Authority,
- 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 Australian Standard 4970-2009 Protection of Trees on Development Sites,
- ix) the activities listed in section 4.2 of Australian Standard 4970-2009 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 Australian Standard 4373-2007 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.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment.

The Certifying Authority must ensure that:

d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.

e) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and 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.

Reason: Tree and vegetation protection.

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

Landscape Completion

Landscaping is to be implemented in accordance with the following conditions:

- i) two (2) locally native canopy trees capable of attaining at least 8.5 metres in height shall be installed within the property, and selected from Northern Beaches Council's Native Plant Species Guide - Pittwater Ward, or Council's Tree Guide, and the following species are suggested: Rough-barked Angophora - *Angophora floribunda*, Grey Myrtle - *Backhousia myrtifolia*, Magenta Lilly Pilly - *Syzygium paniculatum*, or as otherwise selected from the guides,
- ii) all tree planting shall be a minimum planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees, and planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established, and shall be located at least 3.0 metres from buildings, and at least 1.5 metres from common boundaries, and located either within garden bed or within a prepared bed within lawn,
- iii) all disturbed landscaped areas shall be mass planted consisting of shrubs installed at minimum 1 metre intervals and at a minimum 200mm container size at planting, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch,
- iv) 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 any Occupation Certificate details shall be submitted to the Principal Certifying Authority 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 with minimum AQF Level 5 in arboriculture 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 generally and during 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: Tree and vegetation protection.