

Landscape Referral Response

Application Number:	DA2019/0195
Date:	23/05/2019
Responsible Officer:	Georgia Quinn
Land to be developed (Address):	Lot 6 DP 12463 , 54 Irrubel Road NEWPORT NSW 2106

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 DCP Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

C1.5 Visual Privacy

A Landscape Plan is provided generally satisfying DA Lodgement Requirements, and conditions of consent shall be applied.

A Arboricultural Impact Assessment is provided with the application, satisfying DA Lodgement Requirements.

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**

Site Management Plan

A Site Management Plan shall be prepared indicating ground and aerial protection for existing vegetation to be protected, identifying nominated construction access routes, utility excavation areas, and material storage areas.

The Plan shall demonstrate the proposed access provisions in accordance with AS4970-2009 Protection of trees on development sites, with specific reference to section 4.5.3 Ground protection, and the requirement for rubble board ground protection during the construction period to reduce impact upon tree roots, as well as trunk and branch protection where required.

All utility services should be located outside the tree protection zone (TPZ).

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree protection measures

A Project Arborist with AQZ Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for the existing trees nominated for retention and protection in the Arboriculture Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting, requiring site attendance during clearing, excavation and construction works, and in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4.

The Project Arborist will be required to supervise any works within the tree protection zone (TPZ) of existing trees to be retained.

Tree protection fencing as listed in section 4.2.1 of the Arboricultural Impact Appraisal and Method Statement shall be undertaken and certified by the Project Arborist.

Trunk and ground protection as listed in section 4.2.2 of the Arboricultural Impact Appraisal and Method Statement shall be undertaken and certified by the Project Arborist. Ground protection shall be installed near existing trees numbered 22, 23, 24, 25, 26, 28, 29, 30, 32, 33 and 34.

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 Project Arborist shall submit certification to the Certifying Authority that all tree protection measures as listed above have been completed prior to the commencement of excavation and construction works,

Reason: to ensure tree protection is provided and maintained.

Tree removal

In consideration of the assessment of development impact, the following existing trees are approved for removal, based on the recommendations of the Arboriculture Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting:

- Trees 31 (poor condition) and Tree 35 (dead).

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 Arboriculture Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting, including existing trees numbered 03 to 20 inclusive, 22 to 26 inclusive, 29, 30, and 32 to 34 inclusive, excluding exempt trees and palms under the relevant planning instruments of legislation,
- ii) all other trees and vegetation located on adjoining properties, including as identified in the Arboriculture Impact Appraisal and Method Statement, and in particular existing trees numbered 21, 27, and 28.
- iii) all road reserve trees and vegetation, including existing trees numbered 01 and 02.

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 Landscape Plan prepared by Geoff Burton, inclusive of the following requirement:

- i) all nominated tree planting shall have a minimum 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,
- ii) screen native shrub planting shall be planted along the western boundary for the full length of the

secondary dwelling, capable of attaining 3 metres at maturity and be planted no more than 1 metre apart, and at a minimum container size of 200mm pots.

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 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.

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist, 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 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 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 and species to maintain the landscape theme of the landscape plan and site character.

Reason: to maintain the environmental amenity and ensure landscaping continues to provide privacy.

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.