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**Sent:** 27/08/2019 12:58:03 PM

**Subject:** RE: DA2019/0055 - 9 Minkara Road, Bayview - Urgent Referral Comments

Hi Livia, Julie,

Please refer to below landscape comments.

A Landscape Referral response was included on the development application proposal represented by a Statement of Environmental Effects, supporting surveys, plans and reports. The comments reflect the current state of the site.

As noted in the Landscape Referral response, no Landscape Plan nor Arboricultural Impact Assessment was included with the application, and conditions of consent were applied regarding completion of landscape works, and for the protection of trees and vegetation including the engagement of a Project Arborist to supervise works near all trees.

Landscape conditions of consent were applied (refer to Appendix A)

More recently, both a Landscape Plan and a Tree Assessment & Management Plan have become available.

The Landscape Plan prepared by CAB Consulting is consistent with the landscape controls of Pittwater DCP 21 (particularly clause C1.1), and includes 5 new canopy trees as well as understorey mass planting to integrate the development with the surrounding landscape character.

The landscape proposal recognises the requirement to manage the landscape around the dwelling as an inner protection area buffer, compliant to the asset protection zone guidelines contained within Planning for Bush Fire Protection 2006.

The Tree Assessment & Management Plan prepared by Syncarpia Vegetation Management assesses 12 existing trees located within 5 metres of the proposed driveway and 3 existing trees located within 5 metres of the proposed wastewater disposal area. No existing trees are located within 5 metres of the proposed dwelling, terrace, pool, spa & carport.

The arboricultural investigation recommends the removal of 1 Turpentine (T13), which is located within the footprint of the proposed driveway.

The arboricultural investigation recommends retention of all other existing trees and recommends the management of these existing trees for long term preservation through: re-establishment and/or maintenance of natural soil levels; remediation works to ameliorate the impact of recent soil level changes and construction of retaining walls; and removal of fill and sandstone retaining walls to re-establish natural soil levels.

The following recommendations are included within the Tree Assessment & Management Plan:

- To ensure adequate protection during construction tree protective zones (TPZ) are to be established with protective fencing prior to commencement of works.  
Tree protective fencing must be adequate to protect all existing trees to be retained from the adverse impact of construction activity. Tree protection measures must be suitable to adequately protect trees and vegetation including trunks, branches, roots and soil. Tree / trunk / soil protective fencing is to be in place prior to commencement of site works and is to be maintained for the duration of construction works.
- Excavated soil is not to be disposed of or stored within 5m of existing trees, (unless works are part of the approved development).
- Natural soil levels are to be re-established and/or maintained between trees to be retained and the

proposed new driveway (Trees 2, 3, 4, 6, 7, 8, 9, 10, 11 & 12).

- Remediation works to ameliorate the impact of recent soil level changes and construction of retaining walls is to be undertaken within 5m of Trees 1, 9, 14 & 15.
- Removal of fill & sandstone retaining walls to re-establish natural soil levels is to be undertaken sensitively to avoid soil compaction & prevent disturbance to the natural soil profile.
- Trees 8 & 11 are mature specimens of *Eucalyptus pipertia* (Sydney Peppermint) in poor – fair health and condition and contain numerous cavities and hollows. These trees are nominated for retention as habitat trees.
- To prevent soil compaction within the root zone of existing trees all vehicles and machinery are to be excluded from within designated tree protection areas of existing trees to be retained.
- If machinery access is unavoidable measures must be implemented to minimize soil compaction such as avoiding machinery movement during periods following rain when soil is saturated, the application of 100mm of mulch or similar covered by a layer ply board or similar.
- In the event that significant structural roots (roots greater than 50mm) are encountered, during excavation, and cutting the roots cannot be avoided, the project arborist is to assess and report on the likely impact of damage to the roots on the health and structural stability of the tree.
- There **must be no additional changes** to existing soil levels other than excavation / fill detailed as a part of this proposed development.
- Materials and stock piled subsoil and topsoil are to be stored in designated storage area only.
- No construction waste such as excavated soil, concrete, mortar, paint etc. is to be disposed of within, designated tree protection areas.
- Crown maintenance pruning (removal of dead, diseased & defective branches) is recommended for all trees to be retained.
- Planting of three replacement specimens of *Syncaipia glomulifera* (Turpentine) in a suitable location on the property is recommended.

## **Appendix A**

### **Project Arborist**

A Project Arborist with AQZ Level 5 qualification in horticulture is to be appointed to supervise and certify tree protection measures for all existing trees located within 5 metres of the proposed concrete driveway and vehicular road crossing.

The Project Arborist is to recommend tree protection measures such as tree fencing, trunk protection and ground protection, and supervise all excavation and construction works near all trees, including recommending the construction methods near the existing trees to protect tree roots, trunks, branches and canopy. Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Reason: to ensure the protection of the existing landscape amenity.

### **Tree and vegetation protection**

A) Existing trees and vegetation shall be retained and protected as follows:

- i) all trees and vegetation within the site, excluding exempt trees under the relevant planning instruments or 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, 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, to provide for root protection measures,

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) 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,

x) 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.

#### **Protection of rock and sites of significance**

All rock outcrops and ledges outside of the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: Preservation of significant environmental features.

#### **Landscape works**

Landscaping is to be implemented in accordance with the Site Plan 2416-DA01 prepared by Stephen Crosby & Assoc Pty Ltd, indicating the extent of native gardens and lawn, including the following requirements:

i) any ground area exposed due to construction activity shall be regenerated with indigenous shrubs and groundcovers/herbs,

ii) areas of weed removal shall be regenerated with indigenous shrubs and groundcovers/herbs,

iii) all regenerated planting of shrub and groundcover/herb species shall be locally native species as listed in Table 2 Plant Species of the Site and Table 3 Plant Species of the Biodiversity Development Assessment Report prepared by GIS Environmental Consultants,

iv) all landscape regeneration with indigenous shrubs and groundcovers/herbs, shall be in accordance with the Bushfire Threat Assessment prepared by ABSP,

v) proposed boulder walls shall include intermittently located soil pockets for landscape regeneration with indigenous shrubs and groundcovers/herbs,

vi) the lawn area shall not exceed the area as shown on Site Plan 2416-DA01.

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 the 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:

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 ensure compliance with the requirement to retain and protect significant planting on development sites.

**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 of the site.

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.

**Joseph Tramonte**

Senior Landscape Architect

Park Assets - Planning Design & Delivery  
t 02 9970 1379 m 0481 033 391  
joseph.tramonte@northernbeaches.nsw.gov.au  
northernbeaches.nsw.gov.au

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**From:** Livia Kekwick  
**Sent:** Tuesday, 27 August 2019 10:20 AM  
**To:** Joseph Tramonte  
**Cc:** Julie Edwards  
**Subject:** FW: DA2019/0055 - 9 Minkara Road, Bayview - Urgent Referral Comments

Hi Joseph,

Please see attached documents for the above Development Application.

Can you please provide landscape comments by tomorrow morning as it is going to tomorrows DDP meeting.

Thank you, it is much appreciated!!

Liv 😊😊

**Livia Kekwick**

Senior Administration Officer

Business Systems & Administration  
t 02 9942 2739  
livia.kekwick@northernbeaches.nsw.gov.au  
northernbeaches.nsw.gov.au



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**From:** Livia Kekwick

**Sent:** Tuesday, 27 August 2019 9:58 AM

**To:** Brendan Smith <[Brendan.Smith@northernbeaches.nsw.gov.au](mailto:Brendan.Smith@northernbeaches.nsw.gov.au)>; Robert Blackall <[Robert.Blackall@northernbeaches.nsw.gov.au](mailto:Robert.Blackall@northernbeaches.nsw.gov.au)>

**Cc:** Julie Edwards <[Julie.Edwards@northernbeaches.nsw.gov.au](mailto:Julie.Edwards@northernbeaches.nsw.gov.au)>

**Subject:** DA2019/0055 - 9 Minkara Road, Bayview - Urgent Referral Comments

Hi,

Please see attached documents in relation to the above DA.

Can you please provide referrals comments before tomorrow's DDP meeting.

There is also a Biodiversity Management Report but it is too big to send. Here is the link - [TRIM: 2019/484205](#)

Thank you!

**Livia Kekwick**  
Senior Administration Officer

Business Systems & Administration  
t 02 9942 2739  
[livia.kekwick@northernbeaches.nsw.gov.au](mailto:livia.kekwick@northernbeaches.nsw.gov.au)  
[northernbeaches.nsw.gov.au](http://northernbeaches.nsw.gov.au)

