

Landscape Referral Response

Application Number:	DA2020/0661
Date:	27/08/2020
Responsible Officer:	Phil Lane
Land to be developed (Address):	Lot 7356 DP 1167221 Crown Licence RI 569549 , 7356 / 1167221 Huston Parade NORTH CURL CURL NSW 2099

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 development proposal is for construction and ongoing operation of a telecommunications facility located within the Abbott Road sportsground in North Curl Curl. The proposal includes co-locating the telecommunications facility with Council's existing flood lighting, as well as a shelter on the ground levels for associated equipment.

As reported in the Statement of Environmental Effects, the facility comprises the replacement of a 22 metre lighting pole with a 22.5 metre monopole, six panel antennas, nine remote radio units, council floodlights, an outdoor cabinet and other associated ancillary equipment. The new structure will have a total height of 25.7m (including antennas and floodlights).

The Landscape Referral is considered against State Environmental Planning Policy (Infrastructure) 2007, and the NSW Telecommunications Facilities Guideline including Broadband 2010, Warringah LEP, and Warringah DCP including D1 Landscaped Open Space and Bushland Setting, D4 Electromagnetic Radiation, D9 Building Bulk, and D21 Provision and Location of Utility Services. The Landscape analysis against the Warringah DCP controls requires development to minimise built form and impact of development when viewed from adjoining properties, streets, waterways and public recreation land.

The Land upon where the proposal is located is identified as RE1 Public Recreation, and in this zone telecommunications facilities are not permitted under the Warringah LEP. Under clause 115 of the State Environmental Planning Policy (Infrastructure) 2007, which prevails over the Warringah LEP, the proposed telecommunication facility is permitted with consent from Council.

A total of eight suggested locations are analysed for suitability to secure optimal service improvements as outlined in the Statement of Environmental Effects. In consideration of location, analysis of co-location has been undertaken, concluding inadequate location and upgrade options to secure the required service improvements to the Curl Curl area. All locations result in some form of impact in terms of distance from residential, sporting and educational land use areas, as well as visual impacts to the landscape. It is considered that rather than add additional visual, heritage and environmental impacts

- relocation of the elevated equipment platform
- additional creek embankment rehabilitation planting containing a mix of indigenous trees, shrubs and groundcovers

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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

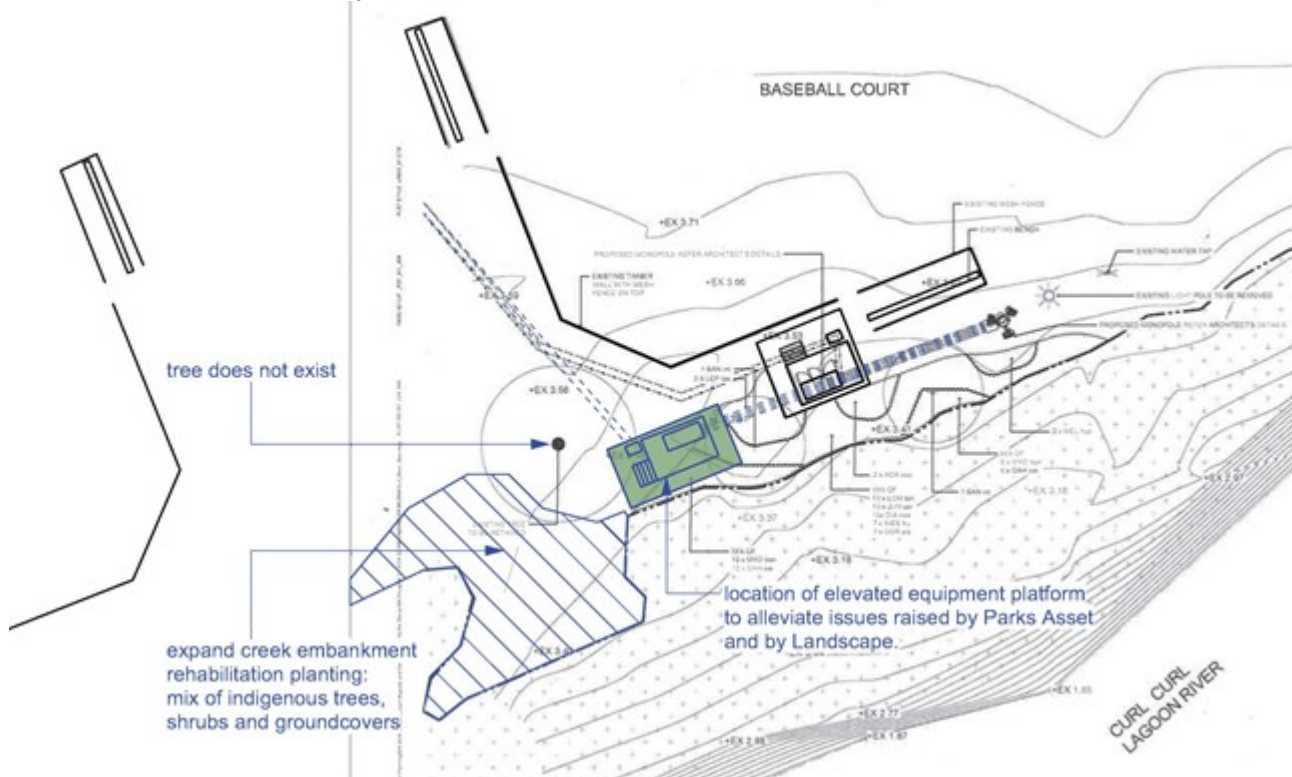
Amended Landscape Plan

An Amended Landscape Plan shall be issued to the Certifying Authority prior to the issue of a Construction Certificate to include the following details:

- i) relocation of the elevated equipment platform, as per attached sketch,
- ii) additional creek embankment rehabilitation planting containing a mix of indigenous trees, shrubs and groundcovers.

Certification shall be provided to the Certifying Authority that these amendments have been documented.

Reason: landscape amenity.



CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection - General

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

- i) all trees and vegetation within the site, 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), vi) and vii) 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.

The Certifying Authority must ensure that:

- c) 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.

Note: All street trees within the road verge and trees within private property 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.

Reason: tree and vegetation protection.

Condition of existing trees and vegetation

During the construction period the applicant is responsible for ensuring all existing trees and vegetation

required to be retained are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified protection measures are adhered to, or by seeking arboricultural advice from an Arborist with minimum AQF Level 5 in arboriculture during the works. In this regard all protected trees and vegetation shall not exhibit:

- i) a general decline in health and vigour,
- ii) damaged, crushed or dying roots due to poor pruning techniques,
- iii) more than 10% loss or dieback of roots, branches and foliage,
- iv) mechanical damage or bruising of bark and timber of roots, trunk and branches,
- v) yellowing of foliage or a thinning of the canopy untypical of its species,
- vi) an increase in the amount of deadwood not associated with normal growth,
- vii) an increase in kino or gum exudation,
- viii) inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition,
- ix) branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of trees and vegetation.

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 approved 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 any conditions of consent.

Reason: environmental amenity.

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

Environmental and priority weed control

All weeds within the development works area are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.

Landscape maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilized as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Amended Landscape Plan.

Reason: to maintain local environmental amenity.