

## Landscape Referral Response

<b>Application Number:</b>	DA2019/1072
<b>Date:</b>	04/12/2019
<b>Responsible Officer:</b>	Renee Ezzy
<b>Land to be developed (Address):</b>	Lot 1 DP 219265 , 1797 Pittwater Road MONA VALE NSW 2103 Lot 2 DP 219265 , 38 Park Street MONA VALE NSW 2103 Lot 4 DP 76695 , 1795 Pittwater Road MONA VALE NSW 2103

### 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 application seeks approval of a seniors housing development.

The landscape component of the proposal is acceptable subject to the protection of nominated existing trees, and the completion of landscape works.

Amended Landscape Plans prior to the issue of a Construction Certificate are required to detail the design intent of the landscape works within the site. and within the road reserve verge.

Council's Landscape section have assessed the application against the following documents relevant to landscape assessment:

- Pittwater 21 DCP, including B4.22 Preservation of Trees and Bushland Vegetation, C1.1 Landscaping, C1.21 Senior Housing, C1.24 Public Road Reserve - Landscaping and Infrastructure, D9 - Mona Vale Locality.
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

### 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 Plans

Amended Landscape Plans, with sufficient detail design information as listed in the Northern Beaches Council DA Lodgement requirements including hardscape elements layout and details, as well as planting layout and schedules, shall be issued to the Certifying Authority at Construction Certificate stage.

The Amended Landscape Plans shall be in accordance with the landscape plan LA-01 and LA-02, prepared by Gartner Trovato Architects, except where modified by conditions, and shall demonstrate the following:

- Proposed surface treatments and materials, including but not limited to structures, features, walling, pavements, planters, on slab and at grade gardens, drainage and irrigation,
- Location, height and materiality of proposed walling and planters,
- Fencing / walling in compliance with D9.12 Fences - General,
- Irrigation for all on slab planters,
- Layout of planting scheme including species selection, quantities and pot sizes, with the following to be detailed on the drawings:

The Amended Landscape Plans shall indicate an additional two (2) street trees planted along the Park Street road verge. Street trees shall be planted generally at 6m centres. Street trees are to be planted to encourage the free passage of pedestrians. New tree plantings are to be a minimum 75 litre size, with 1m x 1m tree pit and backfilled with suitable planting medium. Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with hessian ties. Street trees shall be located following consideration of existing trees, existing underground services and street lighting. Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade. All work within the road verge is subject to a Section 139 approval from Council.

Reason: provide landscape amenity to soften the built form and provide landscape amenity.

#### On-slab planter works

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided.

Landscape treatment details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule.

The following soil depths are required to support landscaping as proposed:

- 300mm for lawn
- 600mm for shrubs
- 1m for small trees

Design certification shall be submitted to the Certifying Authority by a structural engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and

established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow away from habitable areas.

### **Tree Protection Plan**

In order to protect existing trees and vegetation within the road reserve footpath (T27 *Corymbia maculata* and T28 *Corymbia maculata*, along Park Street), within the site (T4 *Glochidion ferdinandi*, T7 *Michelia figo*, T8 *Magnolia grandiflora*, T22 *Jacaranda mimosifolia*, T24 *Brachychiton acerifolius*, T30 *Olea europaea 'cupsidata'*, T35 *Pittosporum undulatum*, and T45 *Lagerstroemia indica*), and within adjoining property (T25 *Melaleuca quinquernervia*), the following applies to the development site:

a) A Tree Protection Plan prepared by a AQF Level 5 Arborist with qualifications in arboriculture/horticulture, in accordance with AS4970-2009 Protection of trees on development sites, and consistent with the recommendations of the Arboricultural Impact Assessment prepared by Jacksons Nature Works, section 4j and 4k, demonstrating as a minimum, the following:

- Layout of the approved development,
- Extent of permitted basement,
- Location of trees including trunk, structural root zone and tree protection zone,
- Location of tree protection fencing / barriers,
- General tree protection measures, including ground and trunk protection.

b) A schedule of site inspections, hold points and related certification of construction works near the existing trees the subject of the Tree Protection Plan.

c) The Tree Protection Plan is to be submitted to the Certifying Authority for approval prior to issue of a Construction Certificate.

d) Tree protection measures identified on the plan are to be in place prior to commencement of works.

Reason: to ensure compliance with the requirement to retain and protect significant planting on the site.

### **Transplanting Methodology**

A Transplanting Methodology prepared by a AQF Level 5 Arborist with qualifications in arboriculture/horticulture, shall be prepared to demonstrate the requirement for transplanting the proposed T38 *Livistona australis* (Cabbage Tree Palm), including:

- schedule of events, inspections, hold points and related certification
- preparation for trenching
- treatment of roots following trenching
- lifting technique
- sitting and planting
- post planting treatment of roots
- watering and fertilising regime
- maintenance program
- replacement strategy if transplanting fails in the long term

The Transplanting Methodology is to be submitted to the Certifying Authority for approval prior to issue of a Construction Certificate.

Reason: to ensure adequate planning, execution and on-going care is undertaken.

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### Tree removal within the property

The following tree within the property are approved for removal based on the recommendations of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 25 September 2019:

Tree 23: *Acmena smithii*

The following trees proposed for removal are Exempt Species, and approval from Council is not required:

Trees numbered 5, 6, 9, 10, 10A, 11 to 21 inclusive, 29, 31 to 34 inclusive, 37, 39 to 42 inclusive, and 44.

### Tree removal within the road reserve

The following tree is approved for removal within the public reserve based on the recommendations of the Construction Impact Assessment and Management Plan prepared by Botanics Tree Wise People Pty Ltd:

- Tree 1: *Grevillea robusta* (Silky Oak)
- Tree 2: *Melaleuca quinquenervia* (Paperbark)
- Tree 3: *Melaleuca quinquenervia* (Paperbark)

Removal of these trees within public land shall only be undertaken by a Council approved Tree Contractor.

Details of currently approved Tree Contractors can be obtained from Northern Beaches Council's Tree Services section prior to removal.

Reason: Public liability

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### Project Arborist

- a) A Project Arborist with a minimum AQF Level 5 qualification in arboriculture/horticulture is to be appointed prior to commencement of works,
- b) The Project Arborist is to oversee all tree protection measures, removals and works adjacent to protected trees as outlined in the approved Tree Protection Plan, the Transplanting Methodology plan, and Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 25 September 2019, and AS 4970-2009 Protection of trees on development sites,
- c) The Project Arborist is to ensure compliance as relevant with any other environmental requirements conditioned under this consent.

The Project Arborist is to supervise and certify all 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 in accordance with the approved Tree Protection Plan, the Arboricultural Impact Assessment prepared by Jacksons Nature Works, and AS 4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures, and as follows:

- i) all trees and vegetation, including T4 (*Glochidion ferdinandi*), T7 (*Michelia figo*), T8 (*Magnolia grandiflora*), T22 (*Jacaranda mimosifolia*), T24 (*Brachychiton acerifolius*), T30 (*Olea europaea 'cupsidata'*), T35 (*Pittosporum undulatum*), T36 (*Ulmus carpinifolia*), T43 (*Cedrus deodara*), and T45 (*Lagerstroemia indica*) within the site not approved for removal,
- ii) all trees and vegetation located on adjoining properties, including T25 (*Melaleuca quinquenervia*), and T39 (*Jacaranda mimosifolia*),
- iii) all road reserve trees and vegetation, including T27 (*Corymbia maculata*) and T28 (*Corymbia maculata*),
- iv) the following palm recommended in the Arboricultural Impact Assessment for transplanting - T38 *Livistona australis* (Cabbage Tree Palm).

b) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- 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.

c) All protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

Reason: to retain and protect planting worthy of retention 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 approved Amended Landscape Plans.

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 amended landscape plans, and any relevant condition 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 Arborist with AQF Level 5 qualifications in arboriculture/horticulture 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 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**

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 useful life expectancy. Planting that may die or is approved for removal must be replaced.

Newly planted street trees must be maintained, by a watering, fertilising and mulching program as a minimum, for a period of 12 months following the issue of an Occupation Certificate. Any failure due to lack of maintenance will require replacement tree planting with a further 12 months maintenance period applying.

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.