

Landscape Referral Response

Application Number:	DA2019/0395
Date:	25/06/2019
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot 1 DP 202857 , 7 Trentwood Park AVALON BEACH 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

The proposal seeks the construction of a new dwelling, attached garage and associated landscaping upon Lot 3, 7 Trentwood Park Avalon.

Consent for subdivision was granted under Development Application No. N0530/15, including the removal of three (3) existing trees on Lot 3, identified in the Arboricultural Impact Assessment prepared by Tree Wise Men, dated August 2017 as trees T2, T80, and T105A.

An updated Arboricultural Impact Assessment has been prepared by Urban Forestry Australia, dated 5 March 2019, identifying no additional existing trees are proposed for removal. The updated Arboricultural Impact Assessment provides specific recommendations for construction in the vicinity of existing trees T103, T104, T110, T130, and group of Turpentine T120, T121, T123, and T124.

The proposal, in terms of landscape outcome, is acceptable subject to the protection of the existing trees and vegetation, and the completion of landscaping.

The relevant conditions of consent for N0530/15 continue to apply in respect to the protection of landscape features and trees, including B7, B9, B10, B17, C13, D8, D18 and F15.

Council's Landscape section has assessed the proposal against the following Pittwater21 DCPC Controls:

- B4.22 Existing Trees and Bushland Vegetation
- C1.1 Landscaping
- D1.4 Scenic protection - General
- D1.14 Landscaped Area - Environmentally Sensitive Land

A Arboricultural Impact Assessment report is provided in accordance with DA Lodgement Requirements for the Subdivision approval with additional arboricultural advice provided for this development application. Conditions of consent shall be imposed to protect existing trees nominated for retention in accordance with the Arboricultural Impact Assessment approved for subdivision, and in consideration of the updated Arboricultural Impact Assessment.

A Landscape Plan is provided that provides insufficient information as required to satisfy the DA Lodgement Requirements. Amended landscape design information shall be provided and conditions of consent shall be imposed on landscape works.

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

Tree Protection Plan

A Tree protection Plan shall be issued to the Certifying Authority documenting the extent and alignment of tree protection fencing to the following existing trees required to be retained and protected during all construction stages:

- within Lot 3: T85, T96 to T99, T101 to T104, T106 to T110, T113 to T128, T130, and T131,
- within adjoining property: T83, T84, T92 to T95, T100 and T132.

Reason: to protection existing trees not impacted by the development.

Amended Landscape Plan

The Landscape Plan DA-06 for Lot 3, prepared by Gartner Trovato Architects shall be amended to include detail information and design provisions to soften the built form.

A Landscape Plan in accordance with the DA Lodgement Requirements is to be issued to the Certifying Authority documenting the following:

- i) existing trees on-site to be retained in accordance with the Arboricultural Impact Assessment and Updated Arboricultural Impact Assessment, including identification,
- ii) the proposed transplanting of T111 (Cabbage Tree Palm) shall include details of trenching, rootball preparation, subsurface anchors and a maintenance schedule to ensure establishment,
- iii) the proposed Purple Lea (*Pennisetum* sp.) is known to spread into bushland, and shall be deleted from the plans and replaced with a non-spreading native tall grass,
- iv) screen shrub planting to attain a mature height of 3 metres shall be planted along the northern boundary to 43C Chisholm Avenue, planted no more than 1.5m metres apart, and planted at a minimum container size of 300mm,
- v) screen shrub planting to attain a mature height of 3 metres shall be planted along the southern boundary to 43D Chisholm Avenue, planted no more than 1.5m metres apart, and planted at a minimum container size of 300mm,
- vi) screen shrub planting to attain a mature height of 3 metres shall be planted along the eastern and western boundaries as indicated on the plans, planted no more than 1.5m metres apart, and planted at a minimum container size of 300mm,
- vii) all other soft landscape areas are to be planted with a mix of tall native grasses and groundcovers as indicated on the plans,
- viii) an updated planting schedule with plant species selection, quantities and container sizes.

The Certifying Authority shall document acceptance of the Landscape Plan satisfying the above conditions i) to xi) inclusive.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and ensure appropriate landscape treatment to soften the built form.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist with AQF Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures and construction works in the vicinity of all existing trees identified within this consent for retention and protection, with the following works to be reviewed, inspected and certified by the Project Arborist, including as scheduled in the Arboricultural Impact Assessment prepared by Tree Wise Men, section 5.1 Arborist Involvement, and including the tree protection measures as listed in the updated Arboricultural Impact Assessment prepared by Urban Forestry, under the section 'specific recommendation' shall be undertaken for existing trees T103, T014, T106, T110, T120 to T124, and T130.

a) All construction activity shall be in accordance with the following general protection guidelines:

- 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 unaltered under the tree protection zone of trees to be retained, unless authorised by a 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 Arborist. Details including photographic evidence of any works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- v) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,

b) Specifically the following works shall be undertaken:

- i) the Project Arborist shall locate and approve all required footings and/or piers within the tree protection zone,
- ii) the Project Arborist shall monitor any excavation, machine trenching or compacted fill placed within the tree protection zone of all trees to be retained,
- iii) if excavation is required it should be carried out under the supervision of the Project Arborist to identify roots critical to tree stability,
- iv) where the Project Arborist identifies roots to be pruned within or at the outer edge of the TPZ, they should be pruned with a final cut to undamaged wood, as directed by the Project Arborist,
- v) pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws, as directed by the Project Arborist,
- vi) pruning wounds shall be dressed as directed by the Project Arborist,

c) Activities listed below are excluded from the tree protection zone, unless directed and supervised by the Project Arborist:

- i) machine excavation including trenching,
- ii) excavation for silt fencing,
- iii) construction material storage,
- iv) dumping of waste,
- v) placement of fill,
- vi) soil level changes,

- vii) temporary or permanent installation of utilities and signs,
- viii) physical damage to the tree.

Certification reports and photographic documentation of development works shall be recorded and issued to the Certifying Authority, including as listed in the Arboricultural Impact Assessment prepared by Tree Wise Men, section 5.1.3.

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

Tree removal

Consent N0530/15 exists for the removal of the following existing trees on Lot 3, identified in the Arboricultural Impact Assessment prepared by Tree Wise Men, dated August 2017 as trees T2, and T80, and T105.

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 as follows:

- i) all trees and vegetation within the site nominated on the Arboricultural Impact Assessment, prepared by Tree Wise Men, including T85, T96 to T99, T101 to T104, T106 to T110, T113 to T128, T130, and T131, and excluding exempt trees and palms under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties, including T83, T84, T92 to T95, T100 and T132,
- iii) tree protection measures as listed in the updated Arboricultural Impact Assessment prepared by Urban Forestry, under the section 'specific recommendation' shall be undertaken for existing trees T103, T014, T106, T110, T120 to T124, and T130.

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.

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 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 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 the approved Landscape 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

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 removed must be replaced.

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.