

Landscape Referral Response

Application Number:	DA2019/0624
Date:	28/06/2019
Responsible Officer:	Ashley Warnest
Land to be developed (Address):	Lot 23 DP 9242 , 2163 Pittwater Road CHURCH POINT NSW 2105

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. The proposal is for the construction of a new single storey secondary dwelling and associated landscaping.

Council's Landscape section has assessed the proposal against the following Pittwater21 DCPControls:
B4.22 Preservation of Trees and Bushland Vegetation
C1.1 Landscaping
C1.11 Secondary Dwellings
D4 Church Point and Bayview Locality

No existing trees are proposed for removal with this application. Existing vegetation between this site and the adjoining site at No. 2165 is retained to continue the ability of the existing vegetation to provide visual privacy between the two properties. Conditions of consent shall be applied to protect existing trees and vegetation.

A Landscape Plan is provided that satisfies the DA Lodgement requirements, subject to conditions. A small canopy tree is to be provided between the main dwelling and the secondary dwelling, to enhance visual privacy to the Living area of the secondary dwelling.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

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 as shown on the Survey Plan and Site Plan, excluding exempt trees and palms 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 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 shall be implemented in accordance with the Landscape Plan 1909L, and inclusive of the following requirements:

- i) all existing landscaping, including new planting shall be maintained for the life of the development or the safe useful life expectancy and replaced should they fail,
- ii) a small locally native canopy tree, such as *Elaeocarpus reticulatus* or *Synoum glandulosum*, typically

found in Spotted Gum Forest vegetation communities, shall be planted between the main dwelling and the secondary dwelling, to provide visual privacy to the Living area of the secondary dwelling, planted at a minimum container size of 75 litre,

iii) the nominated planting shown on the Landscape Plan shall consist of at least 80% of vegetation selected from the planting list pertaining to the vegetation community (Pittwater Spotted Gum Forest), consisting of a mix of tall and low shrubs and groundcovers,

iv) the planting along the southern boundary, to the extent of the secondary dwelling, shall continue in a west direction to the extent of the new footpath, and shall consist of shrub planting to a mature height of 2 metres.

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 any 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, 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.