



## Landscape Referral Response

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| <b>Application Number:</b>             | DA2019/1072  |
| <b>Date:</b>                           | 06/04/2020   |
| <b>Responsible Officer:</b>            | Renee Ezzy   |
| <b>Land to be developed (Address):</b> | Lot 1 DP 219265 , 1797 Pittwater Road MONA VALE NSW 2103<br>Lot 2 DP 219265 , 38 Park Street MONA VALE NSW 2103<br>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 plans have been developed that now have the driveway into the development from Park Street, and not Pittwater Road as pre the previous proposal. As a result an existing Spotted Gum will require removal within Park Street, subject to 2 new replacement street trees.

Council's Landscape Referral staff 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

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

### **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 on 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* 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 dated 25 September 2019, 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 Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 25 September 2019:

- Tree 1: *Grevillea robusta* (Silky Oak)
- Tree 28: *Corymbia maculata* (Spotted Gum)

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 dated 25 September 2019, 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 'cupoidata'*), 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 T2 (*Melaleuca quinquenervia*), T3 (*Melaleuca quinquenervia*), and T27 (*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 shall implemented in accordance with the Landscape Plan LA-01 (issue D), prepared by Gartner Trovato Architects, inclusive of the following requirements:

i) the planting scheme shall be installed in accordance with the design layout and schedule as shown on the Landscape Plan LA-01 (issue D),

ii) all large and medium tree shall be planted at least 5 metres from existing and proposed buildings,

iii) all small tree planting shall be planted at least 3 metres from existing and proposed buildings,

iv) tree and palm planting in close proximity to walling shall be located centrally to the garden area,

v) all edging groundcover planting to paths and the like must be at least 200mm from the edge,

vi) the street tree planting (x 2) in Park Street shall be *Corymbia maculata* planted at 75 litre minimum container size, and installed with a tree guard consisting of 4 posts and top & mid rails, and installed into a prepared planting hole 1m x 1m x 0.7m deep backfilled with sandy loam soil, finished with 75mm compacted mulch, and installed centrally between the footpath and front boundary,

vii) all tree and palm planting listed on the Landscape Plan schedule shall be planted at 75 litre minimum container size,

viii) all screen shrub planting listed on the Landscape Plan schedule shall be planted at 300mm minimum container size, at no more than 1 metre apart,

ix) all small shrub planting listed on the Landscape Plan schedule shall be planted at 200mm minimum container size,

x) all groundcover and succulent planting listed on the Landscape Plan schedule shall be planted at 140mm minimum container size,

xi) no planting is permitted within the road reserve, with the exception of street tree planting and turf.

xii) hard landscape elements such as retaining walling, paving, fencing, and planters shall be located

and finished in accordance with the Ground Floor Plan DA-04, prepared by Gartner Trovato Architects, xiii) all on slab planters shall include a dripline irrigation system.

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 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.