

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0172
<b>Date:</b>	17/05/2019
<b>Responsible Officer:</b>	Benjamin Price
<b>Land to be developed (Address):</b>	Lot 37L DP 402192 , 56 Crescent Road NEWPORT NSW 2106

### 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.

Council's Landscape section has assessed the proposal against the following Pittwater 21 DCP 2014 Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

No Landscape Plan is provided to satisfy DA Lodgement Requirements, and conditions of consent shall be applied.

A Arboricultural Impact Assessment is provided with the application, satisfying DA Lodgement Requirements.

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Refusal comments

### Recommended Landscape Conditions:

#### **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **Tree Protection Measures / Project Arborist**

A Project Arborist with minimum qualification in arboriculture/horticulture, equivalent to AQF Level 5 is

to be appointed prior to the commencement of works to supervise all tree protection measures as recommended in the Arboricultural Impact Assessment & Development Impact Report prepared by RainTree Consulting, inclusive of the following specific works and certification:

- Tree 1 - as identified on page 6 section 1.3 Discussion of development works, with certification as provided to the Certifying Authority that the works comply with section 1.3.1 - items 1, 2, 3, 4, 5 and 6, and as scheduled on page 8 section 2.2.1,
- Tree 2 - as identified on page 7 section 1.3 Discussion of development works, with certification as provided to the Certifying Authority that the works comply with section 1.3.1 - items 1, 2, and 3,
- Tree 3- as identified on page 7 section 1.3 Discussion of development works, with certification as provided to the Certifying Authority that the works comply with section 1.3.1 - items 1 and 2,
- all certification shall be issued to the Certifying Authority at the end of each hold point stage as identified on page 9 section 4a, 4b, and 4c.

Tree protection measures shall be generally undertaken as recommended in the Arboricultural Impact Assessment & Development Impact Report, including:

A) The Principal Certifying Authority or Project Arborist must ensure that:

- i) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site, and
- ii) 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.

B) 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.

Reason: to ensure protection of vegetation proposed for retention is provided and maintained.

## **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 identified in the Arboricultural Impact Assessment & Development Impact Report prepared by RainTree Consulting, excluding exempt trees under the relevant planning instruments or legislation,
- ii) all trees and vegetation located on adjoining properties,
- iv) 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, with particular reference to Section 4, and the recommendations listed in Arboricultural Impact Assessment & Development Impact Report under section 2. Conclusions & Recommendations,
- 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 Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist 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 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 is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, to provide for 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.

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 following requirement:

- i) all existing shrubs along the western boundary are to be retained,
- ii) additional shrub planting shall be planted along the southern and northern boundary to the alignment extent of the pool and deck to ensure privacy to the adjoining properties and thus not rely on adjoining property vegetation,
- iii) the shrub planting shall be capable of attaining 3 metres at maturity and be planted no more than 1 metre apart, and at a minimum container size of 200mm pots.

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 plan and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and privacy.

### **Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist with qualifications in arboriculture/horticulture 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**

All landscape components are to be maintained for the life of the development. A maintenance program is to be established. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components and species to maintain the landscape theme of the site.

Reason: to maintain the environmental amenity and ensure landscaping continues to provide privacy.

**Environmental and priority weed control**

Condition: All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.