

Landscape Referral Response

Application Number:	DA2021/0020
Date:	25/02/2021
Responsible Officer:	Dean Pattalis
Land to be developed (Address):	Lot LIC 465146 , 10 Warringulla Avenue ELVINA BAY NSW 2105 Lot 3 DP 1023404 , 10 Warringulla Avenue ELVINA BAY NSW 2105 Lot LIC 623862 , 10 Warringulla Avenue ELVINA BAY 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 development application is for alterations and additions to the existing dwelling.

Council's Landscape Referral is assessed against the Pittwater Local Environment Plan clause E3 zone Environmental Management, and the following Pittwater 21 DCP Controls:

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D8 Lower Western Foreshores and Scotland Island Locality

The site is located in the E3 Environmental Management zone, requiring development to provide for residential development of a low density and scale integrated with the landform and landscape, that is not visually prominent, and that retains and enhances riparian and foreshore vegetation and wildlife corridors, as objectives of the zone, amongst other objectives.

The existing site contains many native canopy trees as part of the Pittwater Spotted Gum Forest vegetation association that are typical of the landscape character of the locality. Two existing trees are proposed for removal impacted by development works and one existing tree is proposed for removal regardless of development works.

An Arboricultural Impact Assessment is provided with the development application to justify removal and recommends the removal of existing trees identified as T2 and T3 - Spotted Gum impacted by development works and T5 - Forest Oak which is in decline with significant lower trunk decay regardless of development works.

Existing trees identified as T1 and T4 - Spotted Gum are not impacted by development works and shall be preserved and recommended tree protection measures shall be utilised as recommended in

the Arboricultural Impact Assessment.

Should the application be approved, the site provides sufficient area to accommodate the replacement of all three trees to be removed, and thus satisfy the character intent of the E3 Environmental Management zone and clause C1.1 Landscaping. Tree replacement shall be imposed as a condition of consent.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Property

This consent approves the removal of the following tree(s) within the property (as recommended in the Arboricultural Impact Assessment):

- i) tree 2 - Spotted Gum, subject to tree replacement
- ii) tree 3 - Spotted Gum, subject to tree replacement
- iii) tree 5 - Forest Oak, subject to tree replacement

Reason: To enable authorised building works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected including:

- i) all trees and vegetation within the site not approved for removal, excluding exempt trees and vegetation 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 undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained unless authorised by an Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist with minimum AQF Level 5 in arboriculture,
- iv) 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,
- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone without consultation with an Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v), vi) and vii) occur during site establishment and construction works, an Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,

viii) 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 Australian Standard 4970-2009 Protection of Trees on Development Sites,

ix) the activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,

x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees,

xi) 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.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment as listed in the following sections:

- i) section 6.0 Tree and Vegetation Protection and Management Recommendations
- ii) section 7.0 Conclusions
- iii) Figure 1 - Tree Protection Fencing

d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.

e) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites do not occur within the tree protection zone of any tree and 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.

Note: All trees within private property are protected under Northern Beaches Council development control plans except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking or removal of any tree(s) is prohibited.

Reason: Tree and vegetation protection.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Required Tree Planting

Replacement trees shall be planted in accordance with the following:

- i) two (2) 75 litre container size *Corymbia maculata* (Spotted Gum) and one (1) 75 litre container size *Allocasuarina torulosa* (Forest Oak) shall be planted in close proximity to existing trees approved for removal, or as otherwise required by Council,
- ii) tree planting shall be located within a 9m² deep soil area wholly within the site and be located a minimum of 3 metres from existing and proposed buildings and other trees,
- iii) tree planting shall be located to minimise significant impacts on neighbours in terms of blocking winter sunlight or where the proposed tree location may impact upon significant views,
- iv) all tree planting shall be maintained until establishment through a watering a fertilising program.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To maintain environmental amenity.