

Landscape Referral Response

Application Number:	DA2020/0068
Date:	23/03/2020
Responsible Officer:	Nick Keeler
Land to be developed (Address):	Lot 8 DP 28920 , 10 Surf Side Avenue AVALON BEACH NSW 2107 Lot 9 DP 28920 , 9 Surf Side Avenue 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 development application is for the demolition of two existing dwellings and construction of a new dwelling.

No significant trees exist on the properties at 9-10 Surf Side Avenue, with the existing landscape consisting of small trees and shrubs currently under 5 metres in height. Existing trees are not impacted by the development proposal and are proposed to be retained and incorporated into the design scheme, with removal of vegetation limited to exempt species. A Landscape Plan is submitted with the application in accordance with Council's DA Lodgement Requirements, and this provides landscape treatment that satisfies the Pittwater 21 DCP landscape controls.

A front low sandstone wall up to 1.6m at its highest point is proposed due to the slope of the land. The average wall height is less than 1 metre and is acceptable with the inclusion of planting in front of the wall, between the wall and the front boundary. Conditions of consent shall be imposed to ensure a suitable setback distance is achieved and the planting is selected to soften the wall.

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

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D1 Avalon Beach Locality, and specifically the controls of D1.1 Character as viewed from a public place, D1.14 Landscaped Area - Environmentally Sensitive Land, and D1.15 Fences - General.

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

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

Vegetation removal within the property

The following existing vegetation, as shown on the Landscape Plan DA1 submitted by Volker Klemm Landscape Design, is approved for removal as part of this application:

- T2 Grevillea hybrid (Grevillea)
- T3 Ilex aquifolium (Holly)

No other existing vegetation is approved for removal. Any subsequent request for tree or vegetation removal is subject to a Section 4.55 modification application, excluding exempt vegetation under the relevant planning instruments of legislation.

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 identified on the Landscape Plan DA1 submitted by Volker Klemm Landscape Design, including:

- i) all trees and vegetation within the site not approved for removal, excluding exempt 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 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 qualified AQF minimum Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by a qualified AQF minimum 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 a qualified AQF minimum 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 qualified AQF minimum Level 5 Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a qualified AQF minimum 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 a qualified AQF minimum 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 qualified AQF minimum 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 within the site under a)i 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 completion

Landscaping is to be implemented in accordance with the Landscape Plan DA1 submitted by Volker Klemm Landscape Design, inclusive of the following additional requirements:

- i) the front sandstone wall shall be setback a minimum of 900mm from the front boundary,
- ii) the planting in front of the sandstone wall shall be planted with selected shrub planting capable of achieving a mature height of 1 metre,
- iii) all tree planting, except where maintained as hedges, shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views, and shall be planted at least 4-5 metres from buildings and pools, and other trees,
- iv) at least one indigenous canopy tree shall be planted within the front setback, and at least two indigenous canopy tree shall be planted within the rear setback.

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 conditions of consent.

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

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 tree and vegetation 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.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.