

Landscape Referral Response

Application Number:	DA2020/0023
Date:	18/03/2020
Responsible Officer:	Catriona Shirley
Land to be developed (Address):	Lot 39 DP 11909 , 33 Careel Head Road 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 seeks approval for the construction of a proposed dwelling and swimming pool.

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

The proposal in terms of landscape outcome is acceptable subject to conditions of consent to provide landscaping to satisfy the relevant landscape controls and subject to the requirements to ensure the protection of trees and vegetation in proximity to the development works.

A landscape plan is provided in accordance with Council's DA Lodgement Requirements, and is generally acceptable subject to conditions of consent. The landscape outcome shall maintain existing tree canopy and additionally replace trees to be removed, and shall provide screening planting along boundaries to ensure amenity privacy to private open space.

A arboricultural assessment of existing trees in the vicinity of the development works is provided in accordance with Council's DA Lodgement Requirements. A Project Arborist shall be engaged to ensure construction activities do not impact upon existing trees nominated for retention in the Arboricultural Impact Appraisal report, with particular reference to the following works: approved location, supervision and certification of the proposed stormwater absorption 'everglas' trench, piping and pits; the temporary stabilising of the vehicle access driveway, and the final construction of the vehicle driveway; and the provision tree protection measures, supervision and certification of works undertaken near existing trees.

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 protection measures

An Arborist with AQF minimum Level 5 qualifications in arboriculture/horticulture shall be engaged to provide tree protection measures near existing trees nominated for retention in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 19 March 2019, including supervision, approval and certification of the following:

- tree protection fencing as shown on TMP01 - Tree Management Plan, as prepared by Naturally Trees, and section 4.1.2 and 4.2.1, for existing trees T01 within the road verge, T10 and T13 within the site,
- ground protection as shown on TMP01 - Tree Management Plan, as prepared by Naturally Trees, and section 4.2.2, for existing tree T10 within the site,
- attendance on site during demolition of existing surface near existing trees T02 and T03 within the road verge, shown on TMP01 - Tree Management Plan, as prepared by Naturally Trees, and section 4.3,
- attendance on site during installation of the temporary stabilised vehicle access driveway, with authority to recommend the installation materials and technique.

Additionally, the Project Arborist shall be engaged to locate the absorption 'everglas' trench, piping and pits, supervise excavation, and approve installation works to ensure that the absorption system works are located to minimise arboricultural impact to existing trees T10 and T13 located in close proximity, as documented on the Stormwater Layout prepared by Ibrahim Stormwater Consultants, drawing W8948-180504, sheet 1 of 2.

The Project Arborist shall also provide the following report to the Certifying Authority at the commencement of works:

- Transplanting Methodology Plan for the relocation of T11 - Cabbage Tree Palm, including details on preparation, timing, lifting, placement, and ongoing maintenance.

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.

The Certifying Authority or a Project Arborist AQF Level 5 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, 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.

A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: to ensure tree protection is provided and maintained.

Tree removal within the property

The following existing trees assessed and recommended for removal in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 19 March 2019, are approved for removal as part of this application:

- Tree 04 - *Angophora floribunda* (subject to replacement planting within the property)
- Tree 07 - *Acacia* sp.
- Tree 08 - *Grevillea robusta* (#)
- Tree 09 - *Brachychiton acerifolius* (#)
- Tree 12 - *Acacia* sp.

(#) These existing trees do not require Council consent for removal as they are identified on Northern Beaches Council's Exempt Species list.

No other existing tree is approved for removal. Any subsequent request for tree removal is subject to a Section 4.55 modification application.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Project Arborist supervision and certification of works

During the works, a Project Arborist is to be engaged to attend site to supervise and approve the location of tree protection measures and development works such as tree fencing, ground protection, demolition works, new driveway, plant relocation, and the absorption trench, as conditioned under Prior to Commencement - Tree Protection Measures.

The Project Arborist shall document all the associated works including site instructions, recommendations during the works, and photographic evidence to report acceptance of works. The Project Arborist shall issue to the Certifying Authority the following certification:

- acceptance of tree fencing to existing trees T01, T10 and T13 at commencement of site works,
- acceptance of ground protection to existing tree T10 at commencement of site works,
- acceptance of the demolition of the existing driveway surface and installation of the temporary stabilised vehicle access driveway under the direction of the Project Arborist,
- acceptance of trenching and lifting techniques, and relocation planting for the relocation of the existing Cabbage Tree Palm T11.

The Certifying Authority shall ensure that the tree protection measures are in place for the duration of the construction activity.

Reason: ensure the correction procedures are in place to retain existing trees required for retention.

Tree and vegetation protection

a) Existing trees and vegetation shall be retained and protected as identified in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 19 March 2019, 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 and the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 19 March 2019,
- 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 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 Plans identified as sheets 01, 02, 03, 04, and 05, prepared by Wisdom Pools & Landscapes, inclusive of the following conditions:

- i) all existing trees as nominated for retention (excluding exempt species) in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 19 March 2019 shall be protected during the installation of landscape works, including T01, T02, T03, T10, relocated T11, and T13 within the site, and T15 and T16 on neighbouring property,
- ii) one replacement canopy tree shall be planted within the front yard of the site, planted at 75 litre container pot size, and selected from the following list: *Melaleuca linariifolia*, *Syzygium leuhmannii*, *Syzygium paniculatum*, *Elaeocarpus reticulatus*, or any other native small to medium sized native tree listed in the Tree Guide on Council's website,
- iii) all tree planting 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) the following proposed trees nominated on the plant schedule within the landscape plans are not permitted: *Cupaniopsis anacardioides* and *Brachychiton acerifolius*,

v) shrub screen planting along the boundary extent of the swimming pool and terrace shall be installed at 300mm pot size, and to the density as shown on the landscape plan.

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 with any conditions of consent.

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

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQF minimum 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, and in particular existing trees identified as T01, T02, T03, T10, T11, T13, T15 and T16, as a result of the development works, 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.

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