

Landscape Referral Response

Application Number:	DA2020/0389
Date:	19/08/2020
Responsible Officer:	Tony Collier
Land to be developed (Address):	Lot 51 DP 703721 , 17 Anzac Avenue COLLAROY NSW 2097

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 is for the demolition of the existing building and construction of a shop top housing development within the B1 Neighbourhood Centre zone.

The application is assessed by Landscape Referral against the SEPP65 - Design Quality of Residential Apartment Development; the Apartment Design Guide; and the Warringah Development Control Plan 2011, including but not limited to the following clauses:

- D1 Landscaped Open Space and Bushland Setting.
- D9 Building Bulk.
- E1 Preservation of Trees or Bushland Vegetation

The existing site is predominately building and hard surfaces, with three existing small trees at the western boundary, one street tree proposed for removal, and three trees within adjoining property in close proximity, and a paved road verge.

A Landscape Plan and Arboricultural Impact Assessment is provided with the application. The Landscape Plan is generally acceptable with the exclusion that no soft landscape shall be located on public land within the road reserve verge, apart from street tree planting as imposed by conditions of consent. The findings of the Arboricultural Impact Assessment are accepted.

The proposal to continue with the full width road verge as public domain pavement is a sensible proposal commensurate with the retail premises at ground level that may support cafes or restaurants or the like that benefit the community, as this meets the Zone B1 Neighbourhood Centre objectives to provide small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood, with the expectation that the proposal has potential for outdoor seating as part of the proposed retail premises.

In discussion with Council's Engineering Referral staff, it is accepted that the full width road verge as

pavement is considered appropriate for this development, and conditions of consent shall be imposed including the requirement for a Roads Act Application for Civil Works under Sections 138 and 139, as required by the Engineering Referral Response. The development proposal for the pavement finish shall be a concrete pavement finish from building to kerb.

The proposal in terms of landscape outcomes is acceptable, subject to completion of landscape works including public domain works and replacement street tree planting, and the protection of existing trees and vegetation within adjoining property.

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

Public Domain Plan

A Public Domain Plan shall be concurrently submitted as part of the Roads Act Application for Civil Works under the provisions of Section 138 and 139 to Council for development works within the road reserve, with sufficient detail design information including the following:

- i) alignment levels showing existing and proposed levels for altered driveway crossovers, and kerbs and gutters,
- ii) existing and proposed pavement levels, with proposed gradients no more than a 2.5% fall from building openings to top of kerb, and to match existing levels along adjoining properties,
- iii) details of any utility alignment and level changes,
- iv) details of the proposed concrete pavement finish from building to kerb, except for street tree planting pits,
- v) proposed street tree planting (x 2) either side of the driveway, located at least 2m from the driveway edge, and in accordance with Northern Beaches Standard Drawing 1300 - Tree Pit Details, Plan and Section, including strata cell system, 1200 x 1200 tree pit opening finished with mulch,
- vi) the street tree shall be *Hibiscus tiliaceus*, installed at a pre-ordered 200 litre container size.

Any work carried out upon public land shall have all the necessary prior approvals and permits from Council in place prior to commencement to conduct such works.

Reason: compliance with Council standards for works on public land.

On Slab landscape 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:

- i) 600mm for mixed planting including shrubs

Design certification shall be submitted to the Certifying Authority by a qualified Structural Engineer, that

the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate soil depth for planting and secure waterproofing and drainage is installed.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

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

- Species: Cheese Tree (x 3)
- Location: along western boundary
- Tree ID: T5, T6 and T7

Reason: to enable authorised building works.

Note: Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by an Arborist with minimum AQF Level 5 in arboriculture that determines that the tree presents an imminent risk to life or property.

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites. The Project Arborist is to specify and oversee all tree protection measures to minimise impacts to existing trees and vegetation on neighbouring properties.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, under:

- i) section 5.2 Project Arboriculturist,
- ii) section 5.3 Minimising Impacts to Trees to be Retained, items 5.3.1, 5.3.2, and 5.3.3,
- iii) section 5.4 Tree Protection,
- iv) section 5.5 Arboricultural advice.

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Certifying Authority that all recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: 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: tree protection.

Tree removal within the road reserve

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

- Species: Weeping Bottlebrush
- Location: road reserve as identified in the Arboricultural Impact Assessment
- Tree ID: T4

Removal of the approved tree/s in the road reserve shall only be undertaken by a Council approved tree contractor.

Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services Section prior to removal.

Reason: public liability.

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, 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 not approved for removal.

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 prepared by Urban Forestry Australia, as listed in: section 5 Recommendations.

The Certifying Authority must ensure that:

d) 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 street trees within the road verge and 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

Landscape completion

Landscaping is to be implemented in accordance with the Landscape Plans LA-01, LA-02, and LA-03, revision 01, prepared by Gartner Trovato Architects, inclusive of the following conditions:

- i) all soft landscape works indicated on the plans forward of the boundary line, over the road verge reserve, is not permitted,
- ii) two (2) Hibiscus tiliaceus street trees shall be installed, planted 900mm from the back of kerb, in accordance with the Public Domain 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 any conditions of consent.

Reason: environmental amenity.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilized as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the Landscape Plans.

Street trees shall be maintained for a period of 12 months following the issue of an occupation certificate. Any failure due to lack of maintenance will require replacement.

Reason: to maintain local environmental amenity.