

Landscape Referral Response

Application Number:	DA2020/0016
Date:	15/04/2020
Responsible Officer:	Kent Bull
Land to be developed (Address):	Lot 10 DP 1207743 , 1110 Barrenjoey Road PALM BEACH NSW 2108

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 proposed development application is for the construction of a new dwelling upon Lot 2, No.1110 Barrenjoey Road, Palm Beach.

Council's Landscape Referral of the development application is assessed against E4 Environmental Living Zone under the Pittwater Local Environmental Plan 2014, and the following Pittwater 21 DCP 2014 Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D12 Palm Beach Locality, and specifically D12.1, D12.2, and D12.10

The site contains key landscape features typical of the Pittwater area including rock outcrops and large indigenous canopy trees. Three significant canopy trees are proposed for retention and two are proposed for removal as they can't be retained and there is no alternative site planning layout to result in their retention without impacting upon the significant canopy trees.

The Arboricultural Impact Assessment identifies that the existing trees to be retained may be impacted during construction without arboricultural intervention and tree protection measures. Therefore to reduce any detrimental impact to the existing trees to be retained, conditions of consent shall be imposed to require tree root investigation, documentation of a root mapping map, to thus allow a pier footing plan to be developed to locate appropriate pier footings, prior to the issue of a Construction Certificate.

The landscape component of the development application is acceptable subject to the protection of existing trees and vegetation, and subject to conditions for the completion of landscaping.

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

Tree Root Investigation

A non-destructive root investigation shall be conducted complying with clause 3.3.4 (TPZ encroachment considerations) of AS 4970-2009 Protection of Trees on Development Sites to all construction areas within the tree protection zone of existing trees T5 (Cheese Tree), T7 (Port Jackson Fig), and T8 (Spotted Gum), as identified in the Arboricultural Impact Assessment prepared by Urban Arbor, dated 11 December 2019, issue C, including all footings for building structural posts in the vicinity of T5, T7, and T8, stone steps pathway under T7, and excavation for utilities in close proximity to T5.

This investigation shall be undertaken prior to the issue of a Construction Certificate. The investigation shall be conducted by an Arborist with a minimum AQF Level 5 qualification in arboriculture/horticulture.

The findings of the root investigation shall be documented in a Root Mapping Plan that documents 'no-go' areas that can't be excavated and shall be the basis for determining the location of all pier footings for the proposed dwelling, stone step pathway, and all utility services.

Reason: to ensure protection of the existing trees identified as T5, T7, and T8.

Root Mapping Plan

The findings of the root investigation shall be documented in a Root Mapping Plan that documents 'no-go' areas that can't be excavated without supervision and guidance of a AQF Level 5 Arborist, and shall be the basis for determining the location of all pier footings for the proposed dwelling, stone step pathway, and all utility services within the tree protection zone of the existing trees identified as T5, T7, and T8.

The Root Mapping Plan shall be issued to the Certifying Authority and to the Structural Engineer as the basis for preparation of Construction Certificate structural design. The Root Mapping Plan shall provide a setback clearance recommendation from the existing tree roots of the existing trees and provide recommended construction techniques to ensure no impact to existing roots.

The Arborist shall provide certification to the Certifying Authority that the Root Mapping Plan and clear distances recommended will ensure the long term survival of the existing trees. The Certifying Authority shall approve Construction Certificate design that satisfies the recommendations of the Root Mapping Plan.

Reason: to ensure protection of the existing trees identified as T5, T7, and T8.

Pier Footing Plan

A Pier Footing Plan shall be developed in co-ordination with a AQF minimum Level 5 Arborist with qualifications in arboriculture/horticulture and a qualified Structural Engineer, and shall be issued to the Certifying Authority identifying suitable locations for piers for all proposed structural building posts within the tree protection zones of existing trees T5, T7, and T8.

If structural roots are encountered (>25mm in diameter), recommendations for root pruning and preferably design change to the pier footing location must be recommended and documented in the Pier Footing Plan.

The Pier Footing Plan shall be issued to the Certifying Authority identifying a suitable locations for each pier footing. The Certifying Authority shall approve Construction Certificate design that satisfies the

recommendations of the Pier Footing Plan.

Reason: to ensure protection of the existing trees identified as T5, T7, and T8.

Amended Landscape Plan

An Amended Landscape Plan is to be issued to the Certifying Authority for approval, and shall be documented in accordance with Council's DA Lodgement Requirements for Landscape Plans.

The amended landscape plan shall document the following design elements as a minimum:

- existing trees to be retained and protected,
- all proposed planting shall include 60% native plant species that are characteristic of the Pittwater Spotted Gum Forest vegetation community,
- at least three locally native canopy trees are to be planted onsite at a minimum 75 litre container size, two in the front area and one in the rear southern area,
- 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,
- screen planting to boundaries where required to ensure privacy to adjoining properties private open space areas.

Canopy tree species are to be consistent with locally native species growing onsite such as Cheese Tree and Spotted Gum, or as selected from the Tree Guide list on Northern Beaches Council's website as per the vegetation mapping typical of this site.

Reason: to ensure the adequate provision of landscape amenity is retained and enhanced.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

The following trees located on the property assessed as impacted by development, and without an alternative design layout to retain the trees, are approved for removal based on the recommendations of the Arboricultural Impact Assessment prepared by Urban Arbor, dated 11 December 2019:

T6 - Cheese Tree (subject to replacement within the site)

T9 - Cheese Tree (subject to replacement within the site)

No other existing tree is approved for removal. Any subsequent request for tree removal is subject to a Section 4.55 modification application, or an investigation by a AQF Level 5 Arborist for any tree that presents an imminent risk to life.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Project Arborist

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, requiring site attendance during excavation and construction works, in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4, the recommendations of the Arboricultural Impact Assessment prepared by Urban Arbor dated 11 December 2019, and the recommendations / guidelines of the Root Mapping Plan, including works in the vicinity of the following trees:

T5 Cheese Tree
T7 Port Jackson Fig
T8 Spotted Gum

The following activities as listed in the Arboricultural Impact Assessment shall be specifically supervised and certified as approved following attendance on site, review of the works and acceptance of the works:

- all works under Section 11 Recommendations,
- all works under Section 12 Tree Protection Requirements,
- all works under Section 13 Construction Hold Points.

The Arborist shall submit certification that the works described in the above sections have been correctly installed and adhered to during the construction period.

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 and vegetation protection

a) Existing trees and vegetation shall be retained and protected as recommended in the Arboricultural Impact Assessment prepared by Urban Arbor dated 11 December 2019 issue C, 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 not approved for removal.

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, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF minimum Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by 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 an 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 AQF minimum Level 5 Project Arborist on site,

vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a 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 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 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.

Protection of rock and sites of significance

All rock outcrops as shown on the plans and all existing not shown on the plans are to be preserved and protected at all times during demolition excavation and construction works.

Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: preservation of significant environmental features.

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 approved Amended 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 amended 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, 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 and adjoining 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.