

Landscape Referral Response

Application Number:	DA2020/0259
Date:	06/05/2020
Responsible Officer:	Tony Collier
Land to be developed (Address):	Lot 1 DP 1237847 , 128 Elanora Road ELANORA HEIGHTS NSW 2101

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 construction of a new dwelling, is acceptable in terms of landscape outcome, subject to the protection of the existing trees and vegetation, and the completion of landscaping.

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

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

D5 Elanora Heights Locality

A Arboricultural Impact Assessment report is provided in accordance with DA Lodgement Requirements, prepared by Seasoned Tree Consulting and dated 6 February 2020. This report assesses two existing trees in close vicinity to development, with an existing Tallowwood tree, identified as T1 located close to the front section of the proposed dwelling. The encroachment into the Tallowwood tree protection zone, by the dwelling footprint, entry path boardwalk and the proposed stormwater works is considered a major encroachment under Australian Standard AS4970 -2009 Protection of trees on development sites, section 3.3.3 Major encroachment. A Project Arborist shall be engaged to manage the encroachment including a root investigation by non-destructive methods and consideration of relevant factors listed in Clause 3.3.4.

Additionally there is a Coastal Banksia, identified as T5 located in the front left hand corner of the block. The tree is outside of any construction encroachment and is recommended to be retained. There are other small palms and strelitzia surrounding both trees. All these palms and strelitzias are exempt species under the Northern Beaches Council tree management policy and can be removed if required without permission.

A Landscape Plan is provided. Conditions of consent shall be imposed to satisfy the Pittwater DCP landscape controls.

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

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 as identified for retention in the Arboricultural Impact Assessment prepared by Seasoned Tree Consulting dated 6 February 2020.

The root investigation shall locate existing tree roots to be protected during excavation works for the proposed dwelling pier footings, entry path boardwalk and the proposed stormwater excavation for pits and lines (*) for tree T1 Tallowwood (*Eucalyptus microcorys*).

(*) It is recommended that all stormwater lines to the front dwelling be located to the underside of the dwelling floor. The Stormwater Plans indicate either in-ground or to the underside and these are shown between the dwelling and T1. Should the underside of the dwelling floor not be practical, then the Project Arborist shall locate the extent and alignment of excavation.

The Arboricultural Impact Assessment determines that the retention of existing tree T1 subject to intrusion within the tree protection zones can be managed due to the above ground building design on pier footings, and as such a tree root investigation to locate major roots is required to be documented to assist with structural engineering and construction design.

Reason: to investigation the location of existing tree roots as a basis for building pier location, entry path boardwalk pier supports, and proposed stormwater works, and protect the existing tree identified for retention.

Root Mapping Plan

The findings of the root investigation shall be documented in a Root Mapping Plan that documents 'nogo' 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 building, entry path boardwalk and the proposed stormwater excavation for pits and lines within the tree protection zone of the existing tree identified as T1 Tallowwood.

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 pier footing layout recommendations.

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 tree T1 Tallowwood. The Certifying Authority shall approve Construction Certificate design that satisfies the recommendations of the Root Mapping Plan.

Reason: to ensure protection of the existing tree identified as T1 Tallowwood for on-site management and retention.

Pier Footing Plan

A Pier Footing Plan shall be developed in co-ordination with a AQF minimum Level 5 Arborist and a qualified Structural Engineer, and shall be issued to the Certifying Authority identifying suitable locations for all pier footing locations for the proposed building, entry path boardwalk and the proposed stormwater excavation for pits and lines within the tree protection zone.

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 for management and retention.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree Protection Measures

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, and the recommendations of the Arboricultural Impact Assessment prepared by Seasoned Tree Consulting dated 6 February 2020.

This shall include all tree sensitive works in the vicinity of the existing trees that have been identified for retention in the Arboricultural Impact Assessment: and in particular the following trees: T1 Tallowwood and T5 Coast Banksia.

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:

- i) recommendations as listed under General Recommendations on page 9,
- ii) arboricultural activity as listed under Recommendations and Tree Protection Measures on page 10,
- iii) works as listed under Tree Protection Plan on page 11.

The Arborist shall submit certification that the works and activities 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:

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

The Certifying Authority or a Project Arborist AQF Level 5 must ensure that:

- vii) 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
- 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 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 Seasoned Tree Consulting dated 6 February 2020, 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.

Advice: Any request for tree removal of an existing tree required to be retained under approval for this development application, namely T1 Tallowood and T5 Coast Banksia is subject to a Section 4.55 modification application, or an assessment by a AQF level 5 Arborist that determines that the tree presents an imminent risk to life or property.

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

Landscape works completion

Landscape works are to be implemented in accordance with the Landscape Plan A5.1 prepared by The

Rubix Collective, inclusive of the following requirements:

- i) the nominated tree planting of *Eucalyptus haemastoma* shall be planted at least 2 metres from the edge of the driveway, and installed at a minimum 75 litre container size,
- ii) 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 more than 3 metres from buildings,
- iii) screen planting around the perimeter boundary adjoining No. 128B Elanora Rd shall be planted to achieve a height of at least 3 metres at maturity,
- iv) nominated garden areas shall consist of a mix of shrubs, accents and groundcovers to establish dense planting.

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 landscape plan 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.