

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0534
<b>Date:</b>	27/06/2019
<b>Responsible Officer:</b>	Penny Wood
<b>Land to be developed (Address):</b>	Lot 179 DP 15376 , 271 Whale Beach Road WHALE 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 proposal indicates provision of an inclinator and construction of a pool to the rear of the site.

The rear of the site is heavily disturbed and no trees are impacted. Some minor impact on a rock outcrop is indicated near the top of the inclinator, which is outside of the area mapped as High potential for sites of Aboriginal significance, however referral to the AHO may be considered if potential sites are identified during assessment.

The Landscape Plan indicates that the area below the pool is to be cleared of weeds, and made good after construction is complete. Removal of weeds may increase potential for erosion and open up areas for additional weed proliferation. A vegetation management may be required requiring that weedy areas be rehabilitated with local native species in consideration of the environmental planning controls applicable to the site, however I would defer to advice from Council's Biodiversity section regarding this aspect.

No objections in general terms subject to consideration of the above and conditions as recommended.

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Refusal comments

### Recommended Landscape Conditions:

DA2019/0534

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### Tree protection

(a) Existing trees which must be retained

- i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
- ii) Trees located on adjoining land

(b) Tree protection

- i) No tree roots greater than 30mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
- ii) All structures are to bridge tree roots greater than 30mm diameter unless directed otherwise by a qualified Arborist on site.
- iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
- v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### Protection of rock and sites of significance

a) All rock outcrops outside of and below the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

b) 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.

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

### Environmental and priority weed control (PLEP)

Condition: All weeds are to be removed and controlled in accordance with the Biodiversity Conservation Act 2016.

Reason: Preservation of environmental amenity.