

## Landscape Referral Response

<b>Application Number:</b>	DA2020/1042
<b>Date:</b>	08/01/2021
<b>Responsible Officer:</b>	Rebecca Englund
<b>Land to be developed (Address):</b>	Lot 63 DP 6248 , 349 Barrenjoey Road NEWPORT NSW 2106

### 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 application application is for the demolition of the existing buildings and structures, excavation for basement parking and the construction of a shop-top housing development.

Council's Landscape Referral section have considered the application against the following documents relevant to landscape assessment:

- Pittwater 21 DCP, including controls C1.1 Landscaping, D10.2 Character - Newport Commercial Centre, D10.17 Character of the Public Domain - Newport Commercial Centre, and D10.29 Landscaping - Newport Commercial Centre.
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development.
- The Apartment Design Guide.

Landscape Plans are provided with the application and the works proposed include on-slab planters to the ground floor of the building facade, on-slab planters to level 1 terraces facing Robertson Rd, on-slab planters to level 2 terraces facing both Robertson Rd, and Barrenjoey Rd, and a common open space area with bbq facilities, seating, pavement and on-slab planters on level 2.

The landscape component of the proposal is acceptable subject to the protection of existing public domain assets within the road reserve, comprising pavements, street furniture and structures, trees and gardens, and the completion of landscape works as proposed by the Landscape Plans.

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

### On slab landscape works

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate from a qualified Structural Engineer demonstrating that the structural slab is designed to support the landscape works (planters, drainage, soil and planting) as shown on the Landscape Plans.

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

### Protection of existing Public Domain Assets

In order to protect existing public domain assets within the road reserve, comprising pavements, street furniture and structures, trees and gardens, A Public Domain Protection Plan shall be submitted to the Certifying Authority for approval prior to issue of a Construction Certificate to demonstrate how existing public domain assets are to be protected.

Reason: protection of public domain assets.

### Tree protection measures

Tree protection measures shall be undertaken as follows to ensure no detrimental impact to all street trees fronting the development site and all other street trees within the road reserve:

- a) The Principal Certifying Authority or a qualified Level 5 AQF Arborist 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 on the lot or any tree on an adjoining site, 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.
- b) 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.

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: to ensure street tree protection is provided and maintained.

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

### Protection of existing street trees and gardens

All existing street trees and gardens in the vicinity of the works shall be retained during all construction stages.

Existing street trees within the frontage of the development site shall be protected by tree protection fencing to the extent and alignment as determined by an Arborist with minimum AQF Level 5 in

arboriculture, and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, and in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites.

Should any problems arise with regard to the existing or proposed trees on public land during the construction or bond period, Council's Tree Services section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: 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 approved Landscape Plans.

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.

### **Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees and garden vegetation required to be retained, including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- b) extent of damage sustained by vegetation as a result of the construction works,
- c) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: tree and vegetation protection.

## **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 fertilised 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 approved Landscape Plan and any conditions of consent.

Reason: to maintain local environmental amenity.