



## Landscape Referral Response

<b>Application Number:</b>	DA2019/0154
<b>Date:</b>	19/09/2019
<b>Responsible Officer:</b>	Catriona Shirley
<b>Land to be developed (Address):</b>	Lot 1 DP 373531 , 1955 Pittwater Road BAYVIEW NSW 2104

### 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

Following adjustments to the site planning layout, the proposal in terms of landscape outcomes is acceptable, subject to the retention and protection of nominated trees and the completion of landscape works as conditioned.

Council's Landscape section has assessed the proposal against the following Pittwater 21 DCP Controls:

B4.22 Preservation of Trees and Bushland Vegetation

C1.1 Landscaping

C1.21 Seniors Housing

D4 Church Point and Bayview Locality

A Landscape Plan is provided in accordance with DA Lodgement Requirements, and is supported, subject to conditions for additional canopy tree planting to satisfy Pittwater 21 DCP landscape controls.

A Arboricultural Impact Assessment is provided in accordance with DA Lodgement Requirements, and conditions of consent shall be applied in accordance with the recommendations of the report, including permitted tree removal and requirement for tree protection measures.

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Refusal comments

### Recommended Landscape Conditions:

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### **On slab landscape planting and associated works**

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing to all internal walls and slab, and drainage of the planters over which soil and planting is being provided.

Landscape planters shall be in accordance with the Typical Planter Box Detail illustrated on drawing L001 revision B.

The following soil depths are required to support landscaping:

- 300mm for lawn
- 600mm for shrubs
- 1m for trees

Design certification shall be submitted to the Certifying Authority by a structural engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system.

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### **Tree Removal within the Property**

The following existing trees located within the property are granted approval for removal as recommended in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting, based on the assessment of development impact:

- Tree 4 (High rated significance), subject to replacement within the road reserve,
- Tree 7 (Moderate to High rated significance), subject to replacement within the property,
- Trees 8, 9, 11 to 24 inclusive, and 26 to 32 inclusive (all Low rated significance).

It is noted that the following existing trees listed above are Exempt Species: 5, 6, 8, 9, 11 to 16 inclusive, 18, 20, 24, and 26 to 32 inclusive.

### **Tree Protection Measures**

An Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be engaged to provide the following: site establishment attendance, inspection and certification in accordance with the recommendations of the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting, and in particular:

- site attendance, inspection and certification of all tree protection measures including fencing, trunk and ground protection to existing trees required to be retained (being trees identified as 1, 2, 3, and 10, including all adjoining property trees, in consideration of the recommendations of the Arboricultural Impact Appraisal and Method Statement, section 4.2, Appendix 6, Appendix 7, and Appendix 8.

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.

Additionally, the Certifying Authority or a Project Arborist AQZ 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.

The Arborist shall provide the Certifying Authority with certification details that the tree protection measures are in place at the commencement of works.

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 Removal within the Road Reserve**

The following existing trees located within the road reserve are granted approval for removal as recommended in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting, based on the assessment of development impact:

- Tree 4 (High rated significance), subject to replacement within the road reserve,
- Trees 5, 6, (Low rated significance).

Removal of the approved trees 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 Tree Services Section.

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 in accordance with AS4970-2009 Protection of Trees on Development Sites, and the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees Arboricultural Consulting, including:

- i) all trees and vegetation within the property 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) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 Arborist,

- iii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF 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 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 Level 5 Project Arborist on site,
  - vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF 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 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 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.

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

### **Landscape works**

Landscaping is to be implemented in accordance with the landscape concept plan L001 revision B, prepared by Peta Gilliland Landscape Design, inclusive of the following requirements:

- i) all tree planting shall be planted within the site 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,
- iii) large canopy tree planting (Angophora, Corymbia and Eucalyptus) shall have a minimum individual soil area wholly within the site of 3 metres x 3 metres, and shall be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used,
- iv) all planting shall be in accordance with the landscape concept plan L001 revision B,
- v) the following additional tree planting shall be installed:
  - one (1) Corymbia maculata within the road reserve verge
  - one (1) Corymbia maculata within the front setback

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 plan and inclusive of any conditions of consent,

and in particular item v) above.

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 AQZ 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, as a result of the proposed development, 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 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.

#### **Environmental and priority weed control**

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.