

Landscape Referral Response

Application Number:	DA2021/2260
Date:	08/12/2021
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot 27 DP 6544 , 11 Oak Street NORTH NARRABEEN 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 development application is for construction of a new dwelling, associated works and landscape works.

Council's Landscape Referral section have assessed the application against the Pittwater Local Environment Plan, and the following Pittwater 21 DCP controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D11 North Narrabeen Locality

A Landscape Plan is submitted with the application. It is reported in the Statement of Environmental Effects that a Landscape Area of 37.5% is provided which is less than required. To ensure that a satisfactory landscape outcome is achieved, should Planning determine that the Landscape Area is acceptable, additional landscape treatment is required and shall be the subject of conditions as imposed, including appropriate tree planting and boundary screen planting to soften the development.

The planting of a large canopy tree (*Angophora costata*) within the front setback in a garden bed of minimal width and adjacent to the driveway and common boundary is not appropriate and this tree shall be substituted with a small native tree as imposed by conditions. To satisfy DCP control C1.1, a native canopy tree shall be located within the lawn area of the front setback, and as imposed by conditions.

Similarly the proposed location of the *Angophora costata* at the rear of the property in close proximity to the adjoining property building at 1555 Pittwater Road, estimated to be within 2 metres of the building, is inappropriate and may be interpreted that such planting can therefore be removed under the 2m exemption rule. As such conditions shall be imposed for location of an appropriate tree away from existing buildings.

Screen shrub planting shall be provided to the extent of the swimming pool and surrounds alignment extent.

A Arboricultural Impact Assessment is submitted investigating impacts to existing trees and vegetation in proximity to the development works, including within the property, road reserve, and within adjoining properties. Existing trees within the property include Exempt Species that may be managed or removed without Council consent and these include: trees exempt by species type (tree 2 - Avocado, and tree 3 - Privet) and trees exempt by height (tree 5 and 6 - Hibiscus, and tree 7 and 8 - Murraya). Existing trees and vegetation within adjoining properties shall be protected as will the existing street tree within the road reserve fronting the development site.

Should Planning approve the development application, Landscape Referral provide conditions of consent.

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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Existing Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages, and the street tree fronting the development site shall be protected by tree protection fencing 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.

As a minimum the tree protection fencing for the street tree fronting the development site shall consist of standard 2.4m panel length to four sides, unless otherwise directed by an Arborist with minimum AQF Level 5 in arboriculture.

All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

All street trees within the road verge are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited.

No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

Should any problems arise with regard to the existing or proposed trees on public land during construction, 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: Street tree protection.

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation located on adjoining properties,
- ii) all road reserve trees and vegetation.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 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 be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist with minimum AQF Level 5 in arboriculture,
- iv) 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,
- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
- 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 during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of Australian Standard 4970-2009 Protection of Trees on Development Sites,
- ix) the activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees,
- xi) 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.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment, as listed in the following sections:

- i) Tree Management Plan TMP01

The Certifying Authority must ensure that:

- d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.
- e) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and 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.

Reason: Tree and vegetation protection.

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

Landscape Completion

Screen shrub planting shall be provided to the extent of the swimming pool and surrounds alignment extent.

Landscaping is to be implemented in accordance with the approved Landscape Plan, and inclusive of the following conditions:

- i) the nominated *Angophora costata* within the front setback shall be substituted with one (1) *Livistona australis* (Cabbage Tree Palm) installed at a min 1 metre trunk height,
- ii) one (1) *Syzygium paniculatum* (Magenta Lillypilly) tree shall be planted within the front setback lawn area and at least 3 metres minimum from the building,
- iii) the nominated *Angophora costata* within the rear setback shall be substituted with one (1) *Syzygium smithii* (Common Lillypilly) tree, planted within the rear setback lawn area and at least 3 metres minimum from any building,
- iv) all tree planting shall be a minimum planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees,
- v) all trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established, and shall be located at least 3 metres from buildings, and at least 2 metres from common boundaries,
- vi) screen shrub planting shall be provided to the extent of the swimming pool and surrounds alignment extent, to achieve a mature height of at least 3 metres at maturity, installed at minimum 1 metre intervals and of a minimum 200mm container size at planting, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch,
- vii) selected planting near the swimming pool shall comply with the requirement of Australian Standard AS 1926.1 for a Non Climbable Zone for planting care.

Prior to the issue of an Occupation Certificate, details (from 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.

Note: Please consider registering your new tree through the link below to be counted as part of the NSW State Governments 5 Million trees initiative.

<https://5milliontrees.nsw.gov.au/>

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.

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

Reason: To maintain local environmental amenity.