

Landscape Referral Response

Application Number:	DA2022/1252
Date:	21/09/2022
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 32 DP 7090 , 20 The Esplanade 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 demolition of existing structures and the construction of a new dwelling as described and illustrated in the reports and plans. A Landscape Plan and a Arboricultural Impact Assessment accompany the application and are assessed as part of this Landscape Referral.

The application is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 (LEP) and the following Warringah Development Control Plan 2011 (DCP) controls (but not limited to):

- D1 Landscaped Open Space and Bushland Setting
- E1 Preservation of Trees or Bushland Vegetation and E2 Prescribed Vegetation

The existing landscape character of the property exhibits limited landscaping with the property grassed in the majority and with one palm tree at the rear of the property and one native tree along the side boundary. The Arboricultural Impact Assessment report notes that the existing native tree identified as tree number 1 (Magenta Lillypilly) is impacted by the development proposal and requires removal should the application be approved. In support of the request for removal the report notes that the existing tree is in fair health with a poor structure due to lopping. Additionally it is reported that the existing tree is located 1.5 metres from an existing approved dwelling and as such the 2 metre exemption rule under the DCP applies where Council consent is not required for removal. All existing trees indicated for retention of the site plans and those within adjoining properties shall be preserved and conditions shall be imposed.

The Landscape Plan is noted and includes low height planting as documented to perimeter boundaries. To satisfy DCP control D1, the landscape outcome shall "enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building" as identified under control D1, and Landscape Referral shall impose condition to comply with this control.

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**

Amended Landscape Plan

An Amended Landscape Plan shall be issued to the Certifying Authority prior to the issue of a Construction Certificate to include the following details, additional to Landscape Plan L-01 issue A:

- i) one native tree within the front of the property and one within the rear of the property shall be planted to achieve a mature height of at least 6.0 metres, as selected from Northern Beaches Council's Native Plant Species Guide - Narrabeen Ward, or Council's Tree Guide, and the following species are suggested as a guide: Coast Banksia - *Banksia integrifolia*, Scribbly Gum - *Eucalyptus haemastoma*, Magenta Lilly Pilly - *Syzygium paniculatum*,
- ii) tree planting shall be a minimum pre-ordered planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees, 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 3.0 metres from buildings, and at least 1.5 metres from common boundaries, and located either within garden bed or within a prepared bed within lawn.

Certification shall be provided to the Certifying Authority that these amendments have been documented.

Reason: Landscape amenity.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and Vegetation Protection

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

- i) all trees and vegetation within the site, excluding exempt trees and vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) 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) 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, and should additional pruning be required an application to Council's Tree Services shall be submitted for approval or otherwise.

The Certifying Authority must ensure that:

c) 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.

Note: All street trees within the road verge and trees within private property 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.

Reason: Tree and 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 Amended Landscape Plan.

Prior to the issue of any Occupation Certificate details shall be submitted to the Principal Certifier certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

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 Amended Landscape Plan and any conditions of consent.

All landscape areas approved under the development consent shall be maintained as landscaping (ie. grass, groundcovers, shrubs and trees).

Reason: To maintain local environmental amenity.