

Landscape Referral Response

Application Number:	Mod2020/0335
Date:	01/10/2020
Responsible Officer:	Kent Bull
Land to be developed (Address):	Lot 69 DP 9517 , 9 Beatrice Street CLONTARF NSW 2093

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

Additional information comment 1/10/2020

The Arborist's Report provided with additional information is noted.

The Report assesses two trees within the road reserve potentiality affected by the works. The trees are identified as Tree 1 and tree 2, both mature locally native *Angophora costata* trees.

The report concludes that there will be minimal impact upon Tree 2.

Tree 1 however is located immediately adjacent to the works and may be affected by excavations for pier footings. The report recommends hand digging under supervision of a Project Arborist and in consultation with the structural engineer.

Piers will need to be adjusted on site to accommodate roots found once excavation commences.

The Report also notes that irrigation should be provided to the tree to maintain moisture levels due to the increase in impervious cover over the root zone .

Subject to conditions addressing the Arborist's recommendations, no objections are raised to the modification works.

It is noted that the application seeks to also remove Condition ANS01 (copy below) regarding protection of 1 x *Eucalyptus piperita* tree. It is noted that this tree has since been removed under separate approval. No objections are therefore raised to deletion of the condition, though it is noted that new conditions are recommended to address protection of Trees 1 and 2.

Condition ANS01

That a qualified arborist, minimum level 5 AQF (Australian Qualification Framework), shall

prepare a report to detail specific protection requirements and any methodologies during demolition and construction, to ensure the existing tree: Eucalyptus piperita (Sydney Peppermint) to be retained on site is not damaged. This report shall be submitted to the Accredited Certifier, who shall issue it to all builders and contractors carrying out works on the site, prior to the issue of Construction Certificate.

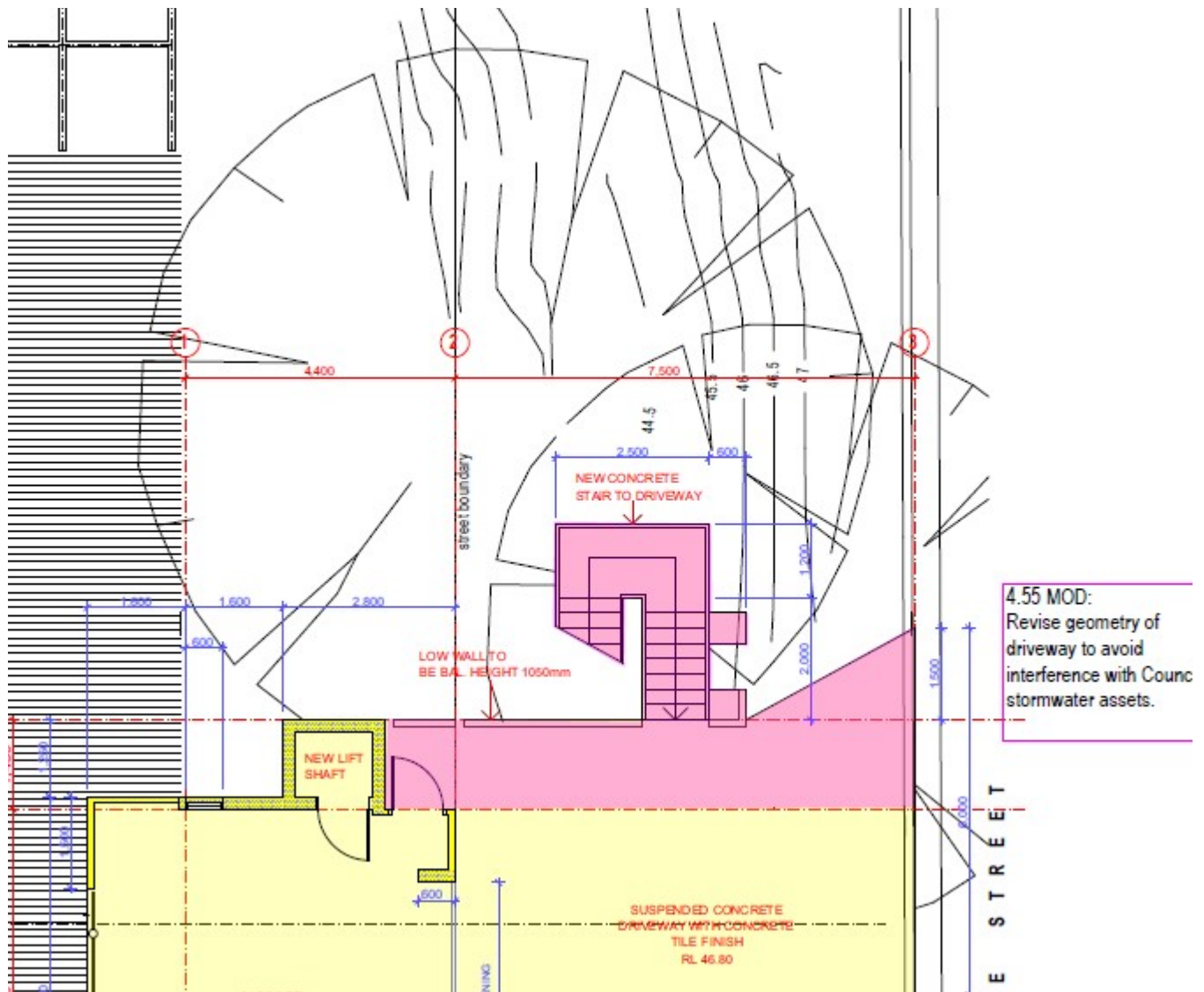
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The project arborist shall then monitor and supervise the works, as necessary to ensure the tree protection measures have been installed correctly and any specific construction methodologies required within the Tree Protection Zones and Structural Root Zones are being adhered to on-site during the works. The project arborist shall then complete a report confirming the actions taken to ensure the health, structure, amenity or environmental value of these existing trees, were not adversely affected by the development, for submission to the Accredited Certifier prior to the issue of Occupation Certificate.

Original Comment

The information provided is insufficient to enable assessment of the impacts of the proposed works on existing trees in the road reserve required to be retained.

The extension of the driveway to the north, amendment of material to concrete rather than porous mesh and inclusion of stairs adjacent to trees has not been adequately addressed.



An Arborist's Report prepared by a minimum AQF Level 5 Consulting Arborist is required to address impacts on trees and any mitigating measures required to be implemented.

At this stage the proposal is not supported with regard to landscape issues. If additional information is provided, further assessment can be undertaken.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree and vegetation protection

- a) Existing trees and vegetation shall be retained and protected, including:
 - i) all trees and vegetation within the site not indicated for removal on the approved plans, 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 not approved for removal.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with the Arborist Report - Tree Management Plan dated 25 August 2020 prepared by Margot Blues and 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 the Project Arborist
- iii) 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,
- iv) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with the Project Arborist including advice on root protection measures,
- v) 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,
- vi) 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
- vii) 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.
- viii) 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) The Certifying Authority must ensure that :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. Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by an Arborist with minimum AQF Level 5 in arboriculture that determines that the tree presents an imminent risk to life or property.

Reason: tree and vegetation protection.

Project Arborist

a) A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with the Arborist Report - Tree Management Plan dated 25 August 2020 prepared by Margot Blues and Australian Standard 4970-2009 Protection of Trees on

Development Sites.

- b) The Project Arborist is to specify and oversee all tree protection measures such as tree protection fencing, trunk and branch protection, and ground protection.
- c) The Project Arborist is to supervise all demolition, excavation and construction works near all trees to be retained, including construction methods near the existing trees to protect tree roots, trunks, branches and canopy. Manual excavation is to occur ensuring no tree root is damaged by works, unless approved by the Project Arborist.
- d) The Project Arborist shall be in attendance and supervise all works as nominated in the Arborist Report - Tree Management Plan dated 25 August 2020 prepared by Margot Blues, including:
 - i) Excavation for pier footings
 - ii) Installation of irrigation below the driveway slab
- e) All tree protection measures specified 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.
- f) The Project Arborist shall provide certification to the Certifying Authority that all recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

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: tree protection.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of landscape features and sites of significance

- a) All natural landscape features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed during demolition, excavation and construction works, except where affected by works detailed on approved plans.
- 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.

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

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by the Project Arborist shall be

submitted to the Principal Certifying Authority, assessing the health and impact of trees and vegetation required to be retained as a result of the proposed development, including the following information:

- a) Compliance to Arborist recommendations for tree protection and 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: To ensure compliance with the requirement to retain and protect significant planting on development sites.