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## MEMORANDUM

**DATE:** 25 August 2020  
**TO:** Northern Beaches Development Determination Panel  
**CC:** Rodney Piggott, Manager Development Assessments  
**FROM:** Catriona Shirley, Planner  
**SUBJECT:** DA2020/0370 13 Loch Street Freshwater– Supplementary Report

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Dear Panel,

The Landscaping Referral response for Development Application DA2020/0370 was not able to be completed before the Assessment Report was included on the agenda for the Development Determination Panel to be held on the 26 August 2020.

As a result, the Landscape referral response below is to be included as a part of the assessment report, with the additional Landscaping conditions to be included as applied conditions of consent.

### **Landscape Officer comments**

The proposal is for the demolition of the existing dwelling house, and construction of a new dwelling house, swimming pool, and landscaping works.

The application is assessed by Landscape Referral against Warringah Development Control Plan 2011, including but not limited to the following clauses:

- D1 Landscaped Open Space and Bushland Setting
- D2 Private Open Space
- D9 Building Bulk
- E1 Preservation of Trees or Bushland Vegetation
- E6 Retaining unique environmental features

The Statement of Environmental Effects identifies that landscape works are proposed including screen planting at the front of the site, as well as native planting to the rear of the site. The site contains dense vegetation to the rear of the site and rock outcrops, both of which shall be retained and preserved, to satisfy E1 and E6, with augmentation of planting within the rear. The development requires removal of two Exempt Species (Tree Fern and Frangipani), both exempt by height and/or species. All existing trees and vegetation within adjoining properties shall be retained, and conditions of consent shall be imposed.

No Landscape Plan is provided and conditions of consent shall be imposed. No Arboricultural Impact Assessment is provided nor required in this instance with Exempt Species proposed for removal that do not require Council consent.

The landscape outcome of the development proposal satisfies the landscape outcomes of the



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Warringah DCP, subject to landscape works within the site, including screen planting along boundaries of the private open areas, and the protection of existing trees and vegetation within the rear of the site and within adjoining property.

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**

### **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 not approved for removal.

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), vi) and vii) 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



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place for the duration of the construction works.

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.

#### **Protection of landscape features and sites of significance**

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.

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**

#### **Landscape completion**

Landscaping is to be implemented in accordance with the indicative landscape works shown on Plans DA03, DA04, and DA05 prepared by Corben Architects, inclusive of the following conditions:

- i) screen planting along the side boundaries as shown on the Plans to achieve a mature height of 3 metres at maturity, installed at minimum 1 metre intervals and be of a minimum container size of 200mm at planting in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch,
- ii) small tree planting as shown on the Plans shall be selected native trees to attain a mature height of 5 metres, located within a 9m<sup>2</sup> deep soil area individually and be located a minimum of 3 metres from existing and proposed buildings, and shall be located to minimise significant impacts on neighbours in terms of blocking winter sunlight, or where the proposed tree location may impact upon significant views.

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.

### **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**



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### **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 fertilized 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 conditions of consent.

Reason: to maintain local environmental amenity.

Catriona Shirley  
Planner