

Landscape Referral Response

Application Number:	DA2025/1540
Date:	11/11/2025
Proposed Development:	Demolition works and construction of a dual occupancy and strata subdivision
Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 1 DP 237377 , 1 Neridah Avenue BELROSE NSW 2085

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 proposal is for strata subdivision and for the construction of dual occupancy dwellings, that are permitted under State Environmental Planning Policy (Housing) 2021, clause 166 Development permitted with development consent, subject to satisfaction of clause 167 Landscaping (1) within R2 zones and (2) in consideration of the Tree Canopy Guide for Low and Mid Rise Housing, for deep soil and tree planting requirements. The application is assessed by Landscape Referral additionally against the objectives and controls of Warringah Local Environmental Plan (WLEP) 2011 and Warringah Development Control Plan (WDGP) 2011 including (but not limited to): D1 Landscaped Open Space and Bushland Setting; E1 Preservation of Trees or Bushland Vegetation; and G10.1 Dual Occupancies and Semi-Detached Dwellings.

The submitted Arboricultural Impact Assessment (AIA) identifies that one native tree within the property (tree 3 - Eucalyptus scoparia) and one tree within the road reserve verge (tree 1) require removal should the application be approved. It is noted that tree 3 is listed on Council's exempt tree list and does not require consent for management or removal. Tree 1 is impacted by then proposed driveway crossover and removal is unavoidable based on the site planning layout and an alternative design layout in consideration of building setbacks is not available. Landscape Referral accept removal of tree 1 subject to street tree replacement with two locally native trees, and conditions shall be imposed.

The development proposal reports that the 40% landscaped area to each Lot is achieved, and this is subject to confirmation and determination by the Assessing Planning Officer. The minimum deep soil requirements for each Lot under the Tree Canopy Plan are achieved.

The submitted Landscape Plan is inadequate in terms of the landscape setting outcomes as envisaged in both the State Environmental Planning Policy (Housing) 2021, clause 167 Landscaping (1), and WDGP control D1 Landscaped Open Space and Bushland Setting, and does not provide sufficient canopy loss offset planting, and an Amended Landscape Plan shall be amended and prepared by a suitably qualified professional in accordance with Council's DA Lodgement requirements. It is noted that the nominated tree

planting (*Acer buergerianum* and *Melaleuca nodosa*) are non native (*Acer*) and not a tree (*Melaleuca*).

Under the Tree Canopy Plan, five native trees are required to be planted within the property, and in consideration of the existing canopy from the Liquidamber street tree, Lot 1A shall support one medium native tree to the setback area facing Ralston Avenue and one medium native tree to the setback area facing Neridah Avenue. Lot 1B shall support one large native tree to the setback area facing Neridah Avenue and two medium native trees within the rear setback of Lot 1B.

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 prepared by a suitably qualified professional (landscape architect or landscape designer) shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- a) plan is to include all information as listed under Form ID 20260 Development Application & Modification Lodgement requirements for Landscape Plans
- b) two (2) street trees shall be documented within the road reserve verge fronting Lot B, in accordance with the separate condition for street tree planting
- c) Lot 1A shall support one medium native tree capable of attaining 6.0 metres in height at maturity to the setback area facing Ralston Avenue and one medium native tree capable of attaining 6.0 metres in height at maturity to the setback area facing Neridah Avenue
- d) Lot 1B shall support one large native tree capable of attaining 8.5 metres in height at maturity to the setback area facing Neridah Avenue and two medium native trees capable of attaining 6.0 metres in height at maturity within the rear setback of Lot 1B
- e) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; generally selected from Northern Beaches Council's Native Plant Species Guide - Frenchs Forest Ward, or Council's Tree Guide; and shall be located at least 3.0 metres from buildings and other trees or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn
- f) the nominated shrub planting at the street frontages to Lot 1A and Lot 1B shall be documented at a minimum 1 metre interval and at a minimum 200mm container size at planting or as otherwise scheduled if greater; and shall be in garden beds prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Road Reserve

This consent approves the removal of existing tree within the road reserve as identified in the Arboricultural Impact Assessment, or as listed below:

- a) tree 1 - Deodar Cedar
- b) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Removal of the approved tree/s in the road reserve shall only be undertaken by a Council approved tree contractor, as engaged by the applicant. Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services business unit prior to removal.

Reason: Public liability.

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 identified as tree 2 - Liquidamber, in the Arboricultural Impact Assessment shall be protected by tree protection fencing in accordance with Section 4 of AS4970-2025 Protection of trees on development sites. As a minimum the tree protection fencing for street tree fronting the development site shall consist of standard 2.4m panel length to four sides and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, 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.

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 trees and vegetation within the road reserve.
- b) Tree protection shall be undertaken as follows:
 - i) tree protection shall be in accordance with AS4970-2025 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment
 - ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project 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/Project 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/Project 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/Project 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/Project 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/Project Arborist to the Principal Certifier
- 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 AS4970-2025 Protection of trees on development sites
- ix) the activities listed in section 4.2 of AS4970-2025 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 AS4373-2007 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.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken as compliant to AS4970-2025 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.

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

Street Tree Planting

Street tree planting shall be installed in accordance with the following: two (2) *Callistemon viminalis* located within the road reserve verge fronting Lot 2B.

All street trees shall be a minimum pre-ordered planting size of 75 litres and shall meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use. All street 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, including a four post and top and mid rail timber tree guard, and watered until established, and shall be generally located at least 3.0 metres from driveways and 5.0 metres apart, and shall generally be centralised within the road verge.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To maintain environmental and streetscape amenity.

Landscape Completion

Landscape works are to be implemented in accordance with the approved Amended Landscape Plan, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries
- b) planting shall be installed as indicated on the approved Amended Landscape Plan, unless otherwise imposed by conditions

- c) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established
- d) mass planting shall be in garden beds prepared with a suitable free draining soil mix and minimum 75mm depth of mulch
- e) Lot 1A shall support one medium native tree capable of attaining 6.0 metres in height at maturity to the setback area facing Ralston Avenue and one medium native tree capable of attaining 6.0 metres in height at maturity to the setback area facing Neridah Avenue
- f) Lot 1B shall support one large native tree capable of attaining 8.5 metres in height at maturity to the setback area facing Neridah Avenue and two medium native trees capable of attaining 6.0 metres in height at maturity within the rear setback of Lot 1B.

Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) 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.

Condition of Retained Vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained on the approved Plans or as listed in the Arboricultural Impact Assessment, including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during 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: Tree and vegetation protection.

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.

The approved landscape area shall in perpetuity remain as planting under the development consent and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.