

## Landscape Referral Response

<b>Application Number:</b>	DA2025/0037
<b>Date:</b>	05/02/2025
<b>Proposed Development:</b>	Demolition works and construction of a dual occupancy including swimming pools
<b>Responsible Officer:</b>	Thomas Burns
<b>Land to be developed (Address):</b>	Lot 13 DP 25368 , 41 Ferguson Street FORESTVILLE NSW 2087

### 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 application seeks consent for: Demolition works and construction of a dual occupancy including swimming pools.

The plans indicate removal of several small/exempt trees from the site to accommodate the works, which is not objected to subject to suitable re-planting.

The Plans indicate one street tree - *Cupressus sempervirens* 'Stricta' on Ferguson Street is to be removed and one *Lophostemon conferta* (Brushbox) located on Ferguson Street to be retained.

The plans indicate a new driveway crossover on Ferguson Street between the tree and an existing power pole (Fig. 1 below).



Additional excavation is proposed from within the property boundary down to a new basement level.

Concern is raised regarding the impacts on the Brushbox Tree from the excavation proposed.

The tree has been pruned away from powerlines and has a significant asymmetrical crown which extends predominately over the road.

The extent of excavation is considered to be likely to destabilise the tree and it is not considered viable for retention under the proposed scheme.

If the proposal is to be approved, it is recommended that the tree is removed and replaced with a suitable replacement species at the cost of the applicant/owner.

The Pencil Pine is likewise not able to be retained due to the extent of excavation proposed.

Conditions have been provided addressing tree removal and replacement if the proposal is to be approved.

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 Removal Within the Road Reserve**

This consent approves the removal of existing trees within the road reserve as listed below:

- i) 1 x *Cupressus* sp. (Pencil Pine) and 1 x *Lophostemon conferta* (Brushbox) located in the Ferguson Street road reserve forward of the property.
- ii) 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. 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**

**Tree and Vegetation Protection**

- a) Existing trees and vegetation shall be retained and protected, including:
  - i) all trees within the site not indicated for removal on the approved Plans,
  - ii) all trees and vegetation located on adjoining properties,
  - iii) all trees and vegetation within the road reserve not approved for removal.
- b) Tree protection shall be undertaken as follows:
  - i) tree protection shall be in accordance with AS4970-2009 Protection of trees on development sites,
  - 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 AS4970-2009 Protection of trees on development sites,
- ix) the activities listed in section 4.2 of AS4970-2009 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 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 and complaint to AS4970-2009 Protection of trees on development sites.

Reason: Tree and vegetation protection.

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

### **Required Tree Planting**

Trees shall be planted in accordance with the following:

- a) 4 x locally native trees shall be planted within the property to achieve at least 5 metres height at maturity, and in accordance with the following:
  - i) tree planting shall be a minimum pre-ordered planting size of 75 litres; may be selected from Northern Beaches Council's Native Plant Species Guide - Frenchs Forest Ward <<https://www.northernbeaches.nsw.gov.au/environment/native-plants/native-planting-guide/frenchs-forest-ward>>, 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 located either within garden bed or within a prepared bed within lawn,

- ii) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces,
- b) Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To maintain environmental amenity.

### **Street Tree Planting**

Street tree planting shall be installed in accordance with the following: 1 x *Tristaniopsis laurina* 'Luscious' located in the Ferguson Street road reserve forward of the property and 2 x *Eucalyptus haemastoma* located in the Ashton Avenue road reserve forward of the property.

- a) All street trees shall be a minimum pre-ordered planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees. 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 2.0 metres from driveways, and shall generally be centralised within the road verge.
- b) 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 Landscape Plans and conditions of consent, and inclusive of the following conditions:

- a) landscape works (other than required street tree planting) are to be contained within the legal property boundaries,
- b) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces,
- c) where swimming pools are part of the development works, selected planting shall comply with the planting and care requirements of AS1926.1 for a non-climbable zone,

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