

Landscape Referral Response

Application Number:	Mod2023/0617
Date:	20/03/2024
Proposed Development:	Modification of Development Consent DA2021/0212 granted for demolition works and construction of a mixed development, comprising seniors housing, commercial uses, carparking, landscaping and stratum subdivision.
Responsible Officer:	Jordan Davies
Land to be developed (Address):	Lot 11 DP 1258355 , 5 Skyline Place FRENCHS FOREST NSW 2086

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 is for modification to development consent DA2021/0212.

Additional Information Comment 20/03/24:

The amended reports and plans are noted.

The Arborist has identified that tree 70 has been removed. Under development consent DA2021/0212 tree 70 was conditioned for retention (conditions 10 Amended Landscape Plan and 11 Amended Arboricultural Impact Appraisal and Method Statement), and as such these conditions will be amended as part of this modification. As approved and conditioned under DA2021/0212 trees 71, 72, 73, 100, 101, 102, 103, 104, 105, and 106 along the Skyline Place frontage must be retained.

The following conditions will also be amended; 34 Project Arborist and 58 Required Tree Planting. All other conditions remain.

Original Comment:

Changes to the pedestrian entry points along Skyline Place may impact existing trees to be retained, and in particular the pedestrian entry adjacent to the northern boundary which appears to have been widened. The widening will likely impact tree 71. Furthermore, it appears tree 70 may have been removed. Please provide an amended Arboricultural Impact Assessment (AIA) that references the current design and identifies any/all impact to trees that are shown to be retained and/or required to be retained under development consent DA2021/0212. The AIA shall also confirm if tree 70 has been removed.

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 submitted for the approval of Council's Landscape Officer to include the following details:

i) The retention of Trees 71, 72, 73, 100, 101, 102, 103, 104, 105 and 106 identified in the Arboricultural Impact Appraisal and Method Statement dated 5 March 2024 prepared by Naturally Trees.

Written correspondence from Council's Landscape Officer confirming the suitability of the Amended Landscape Plan is to be provided to the certifying authority prior to the issue of the Construction Certificate.

Reason: To ensure the safe retention of existing canopy trees and for a suitable landscape treatment along the Skyline Place frontage.

Amended Arboricultural Impact Appraisal and Method Statement

An amended Arborist Report shall be submitted for approval of Council's Landscape Officer to specifically address:

i) Any necessary design measures to ensure the safe retention of Trees 71, 72, 73, 100, 101, 102, 103, 104, 105 and 106.

Written correspondence from Council's Landscape Officer confirming the suitability of the Amended Arborist Report is to be provided to the certifying authority prior to the issue of the Construction Certificate.

Reason: To ensure the safe retention of existing canopy trees and for a suitable landscape treatment along the Skyline Place frontage.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist, with minimum AQF Level 5 in arboriculture, shall be engaged to provide tree protection measures in accordance with the recommendations of the Arboricultural Impact Appraisal and Method Statement dated 5 March 2024 prepared by Naturally Trees and Australian Standard 4970-2009 Protection of Trees on Development Sites. The Project Arborist is to specify and oversee all tree protection measures such as tree protection fencing, trunk and branch protection and ground protection.

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. Where required, manual excavation is to occur ensuring no tree root at or >25mm (Ø) is damaged by works unless approved by the Project Arborist.

Existing ground levels shall be maintained within the tree protection zone of trees to be retained unless authorised by the Project Arborist.

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

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:

- i) 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.
- ii) Any potential impact to trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree 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:

- i) All trees as indicated on Landscape Plans Dwg No.s 2046-011 Issue 1, 2046-012 Issue 1, 2046-013 Issue 1, and 2046-014 Issue 1 dated 08/11/23 prepared by Paddock Studio, and as amended by the Amended Landscape Plan required by Condition 10 of this consent.
- ii) Where the property is certified Bush Fire Prone Land, any new planting may be managed in accordance with Planning for Bushfire Protection 2019.
- iii) Existing native trees take priority over new tree planting where Asset Protection Zones restrict mature tree canopy cover.

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

Reason: To maintain environmental amenity.