

Landscape Referral Response

Application Number:	DA2020/1072
Date:	05/01/2021
Responsible Officer:	Anne-Marie Young
Land to be developed (Address):	Lot 1 DP 228962 , 1 Drew Place BELROSE NSW 2085 Lot 2 DP 228962 , 1 Drew Place 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 development application proposes the construction of a seniors housing development incorporating 6 x 2 bedroom in-fill self-care housing units and at-grade car parking for 6 vehicles pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD).

In the landscape assessment of this application, consideration of the submitted Landscape Documents prepared by APLD Landscape Design, and the Arboricultural Impact Assessment prepared by Hugh The Arborist is assessed for compliance with the following relevant controls and policies:

- Housing for Seniors or People with a Disability: clause 33 Neighbourhood amenity and streetscape,
- Seniors Living Policy: clause 2. Site Planning and Design - deep soil zone of 15% with minimum dimension of 3 metres; and clause 3. Impacts on Streetscape - retain trees on the street and in front and rear setbacks to minimise impact on the streetscape and neighbours,
- Warringah DCP Controls: D1 Landscaped Open Space and Bushland Setting, D9 Building Bulk, and E1 Preservation of Trees and Bushland Vegetation.

The existing landscape site character is of a relatively flat site with no existing significant trees nor landscape features. Existing vegetation consists of small trees not protected by DCP controls (ie. not over 5 metres in height), shrubs and hedges in maintained gardens and extensive lawn areas. All existing trees within the site are Exempt Species and the Arboricultural Impact Assessment recommended the removal of these trees with the exception of the Tibouchina. A total of five Cherry Plum trees within the road verge are recommended for removal to accommodate the a footpath across the frontage, and otherwise the remaining street trees are retained, and are subject to conditions of consent based on the construction methodology recommended in the Arboricultural Impact Assessment.

The Landscape Plan illustrates the landscape proposal inclusive of landscape treatments to satisfy Housing for Seniors or People with a Disability, Seniors Living Policy, and Warringah DCP Controls. The front deep soil setback along the southern boundary is interrupted by the bin store and pedestrian entry structure, and additional small tree planting will be required to reduce the streetscape built form.

The front deep soil setback along the western boundary includes minimal planting to satisfy the relevant controls and conditions of consent shall be imposed requiring additional tree planting to soften the streetscape built form.

Consideration should be given by Planning to the relocation of the proposed bin store northward against the garage wall to avoid an isolated space contrary to SEPP HSPD clause 37 Crime Prevention, and thus increase available landscape area to screen the bin store at the boundary.

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 issued to the Certifying Authority prior to the issue of a Construction Certificate to include the following details:

- i) two native small trees: Scribbly Gum (*Eucalyptus haemastoma*) as listed in the Northern Beaches Council's Native Plant Species Guide - Frenchs Forest Ward, shall be documented to the southern boundary deep soil area, nominated at a 75 litre pot container size,
- ii) two native small trees: Scribbly Gum (*Eucalyptus haemastoma*) as listed in the Northern Beaches Council's Native Plant Species Guide - Frenchs Forest Ward, shall be documented to the western boundary deep soil area, nominated at a 75 litre pot container size,
- iii) tree planting shall be located to minimise impact to adjoining properties and shall be located at least 2 metres from common boundaries, and accordingly garden areas shall be expanded to support such planting locations,
- iv) two street trees: Water Gum (*Tristania laurina*) shall be documented within the road verge installed at 6 metre centres within the western road verge, nominated at a 75 litre pot container size, and centred within the road verge between footpath and kerb.

Certification shall be provided to the Certifying Authority that these amendments have been documented.

Reason: landscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

The following Exempt Species do not require Council consent for removal:

- T4 Nyssa; T11 Chinese Elm; T12 and T13 Japanese Camellia; T17 Bangalow Palm; and T18 Bird Cherry.

Reason: to enable authorised building works

Note: 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.

Tree removal within the road reserve

This consent approves the removal of the following trees within the road reserve, as recommended in the Arboricultural Impact Assessment, impacted by the proposed new footpath across the site frontages and driveway:

- T5, T6, T8, T9 and T10 (all Cherry Plum).

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 Section prior to removal.

Reason: public liability.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages. The following street trees fronting the site shall be protected: T1 and T2 Weeping Bottlebrush; and T7 Hong Kong Orchid.

Existing street trees within the frontage of the development site shall be protected by tree protection fencing to the extent and alignment as determined by an Arborist with minimum AQF Level 5 in arboriculture, or otherwise as directed by the Arborist, and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, and in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites.

Should any problems arise with regard to the existing or proposed trees on public land during the construction or bond period, Council's Tree Services section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: tree protection.

Tree and vegetation protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site not approved for removal, excluding exempt trees and vegetation under the relevant planning instruments of legislation, except as proposed by the development application for retention ie. T14 Tibouchina,
- 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 place for the duration of the construction works.
- c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment prepared by Hugh The Arborist, as listed in the following sections:
- i) section 10. Proposed Public Footpath,
 - ii) section 11. Recommendations,
 - iii) section 12. Arboricultural Work Method Statement and Tree Protection Requirements,
 - iv) section 13. Hold Points,
 - v) Appendix 1B - Tree Retention and Protection Plan

The Certifying Authority must ensure that:

- d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.
- e) 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.

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 approved Amended Landscape Plan.

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.

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, 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 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 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 approved Amended Landscape Plan.

Reason: to maintain local environmental amenity.