

## Landscape Referral Response

<b>Application Number:</b>	DA2021/1850
<b>Date:</b>	09/12/2021
<b>Responsible Officer:</b>	Dean Pattalis
<b>Land to be developed (Address):</b>	Lot 2 DP 11799 , 50 Carawa Road CROMER NSW 2099

### 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

This application is for the construction of a two-storey residential dwelling, inclusive of a double garage.

Councils Landscape Referral section has considered the application against the Warringah Local Environmental Plan, and the following Warringah DCP 2011 controls:

- D1 Landscaped Open Space and Bushland Setting
- E1 Preservation of Trees or Bushland Setting

### Original Comments - 28/10/2021

The Statement of Environmental Effects provided with the application notes that no trees are required to be removed as a result of proposed works. This statement is partially supported by the Architectural and Landscape Plans provided as it is evident no trees are shown to be removed. It is noted that proposed works are within close proximity to a number of trees in the adjoining property, and for this reason, an Arboricultural Impact Assessment has been provided.

This Arboricultural Impact Assessment has identified a total of eight trees, all of which are located in the adjoining property to the east. Of these eight trees, three trees, Trees No. 3, 4 and 5, are proposed to be removed, with the remaining five trees to be retained. Tree No. 3 has been identified as being in good health with good vigour, in addition to no significant defects being sited. Proposed works are anticipated to encroach into the Tree protection Zone (TPZ) by a total of 19%, likely negatively impacting the health of this tree. This level of encroachment has been labelled unsustainable by the Arboricultural Impact Assessment; hence the removal of Tree No. 3 has been proposed. Similarly, Tree No. 4 has been identified as being in good health and with good vigour, with no significant defects sited. Proposed works are expected to encroach into the TPZ of this tree by a total of 39%. This level of encroachment has again been labelled unsustainable by the Arboricultural Impact Assessment; hence the removal of this tree has been proposed. Tree No. 5 has again been identified as being in good health with good vigour, and no significant defects apparent. Proposed works are expected to encroach into the TPZ of this tree by a total of 19.5%, hence the removal of this tree has been proposed. It is worth noting that all trees located within adjoining properties are considered prescribed, irrespective of height and species, and are therefore required to be retained and protected throughout proposed

works. For this reason, the Arboricultural Impact Assessment has recommended that an alternative design be sought, minimising the level of soil disturbance and level changes currently proposed within the calculated TPZ's. Alternatively, written consent could be sought from the property owners of the neighbouring property, authorising the removal of these trees. Considering that the removal of these trees may not be supported as they are above 5m in height, whilst having high value due to the amenity and privacy screening they provide, it is recommended that redesign be a priority.

Of the remaining five trees identified, encroachments, if at all, are anticipated to be within a tolerable range, hence no major concern is raised as minimal impacts to the health of these trees is expected. The retention of these trees is vital to satisfy control E1, as key objectives of this control include "to protect and enhance the urban forest of the Northern Beaches", "to effectively manage the risks that come with an established urban forest through the professional management of trees", as well as "to protect and enhance the scenic value and character that trees and/or bushland vegetation".

The Landscape Plan provided with the application proposed the in-ground planting of trees, shrubs and grasses. Generally, no major concerns are raised with the proposed landscape works as it is evident proposed works to increase overall site amenity, mitigate the bulk and scale of the built form, as well as positively enhance the streetscape character of the locality. The completion of these landscape works is necessary to satisfy control D1, as key objectives of this control include "to enable planting to maintain and enhance the streetscape", "to provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the dwelling", as well as "to enhance the privacy between buildings".

The landscape component of the proposal is therefore not currently supported due to the impacts of proposed works on trees located in the adjoining property to the east. It is therefore recommended that an alternative design be sought, minimising the level of soil disturbance and level changes currently proposed within the calculated TPZ's. Alternatively, written consent could be sought from the property owners of the neighbouring property, authorising the removal of these trees. Considering that the removal of these trees may not be supported as they are above 5m in height, whilst having high value due to the amenity and privacy screening they provide, it is recommended that redesign be a priority.

Upon the receipt of the required information, further assessment can be made.

#### **Updated Comments 09/12/2013**

Following original concerns raised regarding the impacts of proposed works on trees in adjoining property, amended Architectural Plans have been provided.

The amended Architectural Plan demonstrate minor re-design largely in relation to proposed excavation adjacent to the eastern boundary. The amended Architectural Plans demonstrate that excavation and level changes are not to occur immediately adjacent to the boundary line, rather closer to the proposed dwelling. Although this is seen as a positive in terms of reduced impacts on trees in the adjoining property, slight concern is still raised as some level of TPZ encroachment is still apparent. No amended Arboricultural Impact Assessment has been provided. It is also noted that those trees likely to be impacted are highlighted with a red-dashed line, however it is unclear if this represents the TPZ of these trees or whether they are still proposed to be removed, as red-dashed lines typically represent trees to be removed. Considering the original Arboricultural Impact Assessment stated these trees will not survive proposed works due to the high level of total encroachment, it is recommended that further Arboricultural advice be sought to ensure the proposed amendments are acceptable with regards to minimising impacts on trees in adjoining properties. It is further reiterated that all trees in adjoining properties are considered prescribed, irrespective of species and height, are required to be protected and retained. Any negative impacts to both the short-term and long-term health of these trees shall not be supported.

The landscape component of the proposal is therefore not currently supported due to the unknown impacts of proposed amendments on trees located in the adjoining property to the east. For this reason, it is recommended that further Arboricultural advice be sought, and an amended Arboricultural Impact Assessment be provided with the application detailing proposed works and the likely impacts on Trees No. 3, 4 and 5.

Upon receipt of the required information, further assessment can be made.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

**Recommended Landscape Conditions:**

Nil.