

Landscape Referral Response

Application Number:	DA2020/0341
Date:	20/05/2020
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot 2413 DP 752038 , 87 Blackbutts Road 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 the proposed demolition of existing structures and construction of a new Seniors Housing development, under the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The Landscape Referral is assessed against the Seniors Housing SEPP and the following landscape objectives of Warringah DCP 2011:

- B9 Rear Boundary Setbacks
- D1 Landscaped Open Space and Bushland Setting
- D9 Building Bulk
- D13 Front Fences and Front Walls
- E1 Preservation of Trees or Bushland Vegetation

An Arboricultural Impact Assessment report is provided with the recommendation to remove all vegetation within the site, consisting of one high retention value Oak and various other species that are Exempt. The Oak can't be retained and the recommendations of the report are accepted, subject to tree replacement within the site.

A Landscape Concept Plan is provided with the application. Whilst sufficient deep soil areas are provided, the landscape design does not satisfactorily provide adequate provision of landscaping to satisfy B9, D1 and D9, and a Amended Landscape Plan shall be submitted prior to the issue of a Construction Certificate to satisfy the relevant conditions of consent.

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

Amended Landscape Plans shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate, and shall document the following landscape design outcome:

- i) two (2) *Eucalytus haemastoma* shall be planted within the front yard at 75L container size,
- ii) the front boundary shall support shrub screen planting capable of attaining to at least 3 metres in height,
- iii) the western boundary shall consist of a continuous 1.0m wide garden and shall support shrub screen planting capable of attaining to at least 3 metres in height, with all planting to be a 300mm container size at installation and planted no more than 1m apart,
- iv) the southern rear boundary shall consist of a continuous 1.0m wide garden and shall support shrub screen planting capable of attaining to at least 3 metres in height, with all planting to be a 300mm container size at installation and planted no more than 1m apart,
- v) two (2) small native trees shall be planted within the rear yard of Unit 3, and shall be selected from the following list: *Eucalytus haemastoma*, *Elaeocarpus reticulatus*, *Hymenosporum flavum*, *Callistemon viminalis*, or *Syzygium leuhmannii*,
- vi) all other planting shall be in accordance with the Landscape Concept Plan L001 prepared by Walsh Architects.

Reason: to soften the built form and improve streetscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree protection measures

A Project Arborist with AQF Level 5 qualifications shall be engaged to undertake tree protection measures in accordance with the Arboricultural Impact Assessment Report prepared by Hugh The Arborist, under the following sections:

- 10 Recommendations
- 11 Tree protection requirements
- 12 Hold points

The works shall be undertaken to protect the existing street tree identified as T13, and existing trees on adjoining property identified as T1, T2, T3 and T6.

The Project Arborist shall submit certification that the works and activities described in the above sections have been correctly installed and adhered to during the construction period.

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 Certifying Authority or a Project Arborist AQF Level 5 must ensure that:

- iv) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- v) 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.

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.

Reason: to ensure tree protection is provided and maintained.

Tree removal within the property

The following existing trees are approved for removal based on the assessment and recommendations of the Arboricultural Impact Assessment submitted by Hugh The Arborist:

- Tree 4: Common Oak
- Tree 8: Black Bean
- Tree 9: Jacaranda
- Tree 10: Mulberry
- Tree 11: Sweet Pittosporum
- Tree 12: Jacaranda

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection

a) Existing trees and vegetation shall be retained and protected as follows:

- i) all trees and vegetation located on adjoining properties,
- ii) all road reserve trees and vegetation.

b) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- iv) to minimise the impact on trees and vegetation to be retained and protected, 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, and in particular the existing trees within adjoining properties and the existing street tree,
- v) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a Project Arborist on site,
- vi) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,
- vii) excavation for stormwater lines is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist,
- viii) should either or all of v), vi) and vii) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,

- ix) 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 AS 4970-2009,
- x) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

Reason: to retain and protect significant planting on development and adjoining sites.

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

Landscape works completion

Landscaping is to be implemented in accordance with the approved Amended Landscape Plans.

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 the approved amended landscape plans and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape maintenance

A 12 month establishment period shall apply for all new landscaping within the site.

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.