

Landscape Referral Response

Application Number:	Mod2021/0711
Date:	22/10/2021
Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot 4 DP 76695 , 1795 Pittwater Road MONA VALE NSW 2103 Lot 1 DP 219265 , 1797 Pittwater Road MONA VALE NSW 2103 Lot 2 DP 219265 , 38 Park Street MONA VALE NSW 2103 Lot 5 DP 77493 , 1793 Pittwater Road MONA VALE NSW 2103

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 proposes to modify Condition 20 of development consent DA2020/1179, and permit the removal of the existing tree identified as T22 - *Jacaranda mimosifolia*.

It is noted that the Statement of Environmental Effects proposes the removal of the *Jacaranda mimosifolia* as it is an exempt species under the Development Control Plan. The development application documents including architectural and landscape plans nominated retention of this tree and other exempt trees along the boundary and the application determination thus was based on the amenity provided by such trees in maintaining privacy to neighbouring properties and reducing the built form, and satisfying relevant privacy and built form controls of the DCP, and conditions were imposed for retention.

Therefore any exempt species under a development consent does not provide automatic exemption thereafter to remove any of the exempt species under the exempt provisions. The modification application is provided based on current arboricultural review of the extent of basement excavation works in proximity to T22 - *Jacaranda mimosifolia*. The arboricultural investigation submitted with this application provides assessment "that a number of significant roots will be severed during construction, and this will put the tree at an increased risk of failure. The result of this would be the whole tree failing into the neighbouring property".

Based on the current arboricultural investigation, Council raises no issues with removal of T22 - *Jacaranda mimosifolia*. The proposal to install the transplanted *Livistona australis* identified as T38, in place of T22, is not supported as a direct canopy tree replacement, and conditions shall be imposed requiring a canopy tree replacement, rather than the tall trunked *Livistona australis*.

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

Tree Protection Plan

The following tree shall be excluded from Tree Protection Plan requirements under development consent Condition 20 of DA2020/1179:

- T22 - Jacaranda mimosifolia

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Property

This consent approves the removal of the following tree within the property (as recommended in the Arboricultural Impact Assessment):

- T22 - Jacaranda mimosifolia

Reason: To enable authorised development works.

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

Required Tree Requirement Planting

The following replacement canopy tree shall be planted in the area of the approved T22 removal:

- one (1) Syzygium leuhmannii planted at a pre-ordered 200 litre container size.

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

Reason: To maintain environmental amenity