

## Landscape Referral Response

<b>Application Number:</b>	Mod2021/0160
<b>Date:</b>	29/04/2021
<b>Responsible Officer:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot A DP 411784 , 3 Berith Street WHEELER HEIGHTS NSW 2097

### 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 modification includes application to remove one street tree (*Liquidambar styraciflua*) located forward of the property. The tree is located adjacent to the pedestrian entry to the development and the required new public footpath. Concern has been raised regarding the safety of residents and the public caused by the seed pods of the tree. As pedestrian traffic is likely to increase as a result of the public and private works, the concern raised is considered legitimate. Additionally, the new footpath works are likely to impact on tree roots, Liquidambar being noted for extensive shallow roots. Liquidambar is also an exempt tree species as listed under WDCP E1 Preservation of Trees or Bushland Vegetation.

In consideration of the above, removal of the tree is not objected to, subject to replanting of 2 native trees in the road verge forward of the property, as conditioned below.

The requirement of condition of consent to provide additional basement carparking results in the basement wall being extended further toward the street. The result is that the works will impacts on a tree previously conditioned for retention (Tree 4). The tree is only in fair condition and it is recommended that approval to remove the tree be included in conditions, subject to replacement as conditioned below.

No objections are raised to the modification, subject to amended conditions as indicated below.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**Tree Removal Within the Property**

This consent approves the removal of the following tree(s) within the property as identified in the Arboricultural Impact Assessment dated 12 June 2019 prepared by Jacksons Nature Works:

- i) Tree 4

Note: Exempt Species as listed in the Development Control Plan or the Arboricultural Impact Assessment do not require Council consent for removal.

Reason: To enable authorised building works.

**Tree Removal Within the Road Reserve**

This consent approves the removal of the following tree within the road reserve as identified in the Arboricultural Impact Assessment dated 12 June 2019 prepared by Jacksons Nature Works:

- i) 1 x *Liquidambar styraciflua*, Tree 1

Removal of the approved tree 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 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) 1 x *Banksia integrifolia*, located in the front yard to replace tree 4; minimum pot size 75 litre

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.

**Street Tree Planting**

Street trees shall be planted in accordance with the following:

- i) 2 x *Eucalyptus haemastoma*; located in the Berith St road reserve forward of the property, clear of driveway sightlines and generally in alignment with other street trees; minimum pot size 25 litre

All street trees shall be a minimum planting size of 25 litres, and shall meet the requirements of Natspec - Specifying Trees.

All street trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained including a four post and top and mid rail timber tree guard and watered until established.

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.