

Landscape Referral Response

Application Number:	DA2019/1399
Date:	24/02/2020
Responsible Officer:	Tony Collier
Land to be developed (Address):	Lot 18 DP 21872 , 34 Adams Street 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 the existing structures and the construction of a multi dwelling development pursuant to Seniors Housing SEPP.

A Landscape Plan is submitted that satisfies the landscape objectives of Warringah DCP 2011, including:

B7 Front Boundary Setbacks
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

Key components of the proposed landscape plan include planting of screening vegetation around the boundaries of the site and replenishment tree planting to the front and rear of the site, with low front fencing comprising masonry and timber construction.

An Arboricultural Assessment Report has been prepared by Hugh the Arborist, Revision B dated 25 November 2019, which addresses the trees within the site. The proposal addresses the potential impacts on sixteen (16) trees within the site, with thirteen (13) trees to be removed. Three (3) trees are to be retained and recommendations are provided to ensure the remaining trees are retained and protected throughout the works.

Of the trees that are suggested for removal, Trees 5, 7, 11 & 15 are high retention value species located within the building footprint, and are thus unable to be viably retained within the proposed development.

Of these trees, Tree 11 (*Eucalyptus saligna* - Sydney Blue Gum) is the most significant, indicated in the Arborist's Report to be 22m high with an 8m canopy spread. The tree is located in the rear yard. Removal of the tree has been recommended due to the extent of impacts within the Tree Protection

Zone and Structural Root Zone caused by the proposed development.

It is noted that the development proposes a compliant 6 metre rear building setback. This setback is not however sufficient clearance for the tree root system of Tree 11 as indicated in the Arborist's Report.

In order for T 11 to be retained, Unit 3 would need to be deleted. Whilst a significant tree, Tree 11 is not a locally native species and has the potential to grow in excess of 30m in height at maturity. Sufficient space is available for replanting of other trees in the rear yard to compensate for the removal of T11, which is also noted to have some decay in the trunk.

In view of the above, no objection is raised to removal of T11 subject to consent conditions for replanting to provide replacement canopy in the long term with a more suitable species.

A further nine trees being removed as a result of the development include Trees 2, 3, 4, 6, 8, 9, 12, 13 and 14 are noted as low retention value, and comprise exempt species and exotics.

The proposed landscaping schedule includes substantial screening planting as perimeter hedges and understory planting which will assist in maintaining privacy for the dwelling owners and neighbours and softening the visual appearance of the proposed built form.

The landscape proposal is therefore considered to be consistent with the aims of the SEPP, and is acceptable subject to protection of existing trees nominated for retention, and the completion of landscape works.

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

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: Brush Cherry
- Tree 5: Tibouchina
- Tree 7: Weeping Bottlebrush
- Tree 8: Photinia
- Tree 11: Sydney Blue Gum
- Tree 15: Weeping Bottlebrush

All are subject to tree replacement within the site, in accordance with the Landscape Plan and any associated conditions of consent.

note:

The following trees are exempt from protection requiring approval from Northern Beaches Council due to either their species (exempt) or height (under 5m) and are proposed to be removed to facilitate the proposed development:

- Trees 2, 3, 6, 9, 12, 13 and 14.

Tree Protection Measures

All trees not indicated for removal on the approved plans shall be protected during construction works and shall be retained for the life of the development or for the safe useful life expectancy of individual species, unless exempt under relevant planning instruments or legislation.

All trees and vegetation on adjoining land and within the road reserve shall be protected and retained.

a) Tree protection shall include the following measures:

- i) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified AQF Level 5 Arborist on site,
- ii) all structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified AQF Level 5 Arborist on site,
- iii) all tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures,
- iv) all tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees, and
- v) all tree protection measures, including fencing, are to be in place prior to commencement of works.

b) The tree protection measures specified in this clause must:

- i) be in place before work commences on the site,
- ii) be maintained in good condition during the construction period, and
- iii) remain in place for the duration of the construction works.

c) Additionally, the Certifying Authority or a qualified AQF Level 5 Project Arborist must ensure that:

- i) 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
- ii) 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.

d) The Project Arborist shall provide the Certifying Authority with certification details as follows:

- i) that the tree protection measures are in place at the commencement of works,
- ii) that the Project Arborist has attended the site and undertaken inspections of the works in accordance with the Arboricultural Impact Assessment recommendations.

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.

Project Arborist

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, requiring site attendance during excavation and construction works, in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4, and the recommendations of the Arboricultural Impact Assessment prepared by Hugh The Arborist: including works in the vicinity of the following trees:

- Tree 1 (Brush Cherry) within adjoining property,
- Tree 10 (Prunus) within the development site, and
- Tree 16 (Sweet Gum) within the road reserve.

The following recommendations of the Arboricultural Impact Assessment shall be specifically undertaken/supervised/approved and certified by the Project Arborist:

- Section 10: Arboricultural Work Method Statement and Tree Protection Requirements, with specific attention to Section 10.5, Table 4: Protection requirements, and
- Section 11: Hold Points.

The Arborist shall submit certification that the works described within the Arboricultural Impact Assessment have been correctly installed and adhered to during the construction period.

Reason: to ensure the protection of the existing landscape amenity.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection - General

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

- i) all trees and vegetation within the site not approved for removal including T10, excluding exempt vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties, including T1,
- iii) all road reserve trees and vegetation, including T16.

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, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 minimum qualification Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 minimum qualification Arborist,
- iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF Level 5 minimum qualification Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,
- v) 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,
- vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF Level 5 minimum qualification Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 minimum qualification Arborist on site,
- viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF Level 5 minimum qualification Arborist, including advice on root protection measures,
- ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF Level 5 minimum qualification 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,
- x) 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,

xi) 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.

c) All protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

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 completion

Landscaping is to be implemented in accordance with the Landscape Plan numbered 001, prepared by Formed Gardens, inclusive of the following conditions:

- i) the proposed *Angophora costata* tree planting shall be substituted with 1 x *Eucalyptus haemastoma*,
- ii) an additional 1 x *Eucalyptus haemastoma* shall be planted within the rear setback,
- iii) a total of 3 x *Tristaniopsis laurina* 'luscious' shall be planted within the front setback,
- iv) all tree planting shall be installed at minimum 75 litre pot size,
- v) tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight, existing approved buildings and structures, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views,
- vi) all *Elaeocarpus reticulatus* screen planting along the western side boundary shall be installed at minimum 75 litre pot size,
- vii) all *Rhapis excelsa* screen planting along the eastern side boundary shall be installed at minimum 75 litre pot size.

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: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

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

Landscape maintenance

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

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