

Landscape Referral Response

Application Number:	DA2021/0375
Date:	04/05/2021
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot 3 DP 224801 , 54 Yarrabin Street BELROSE NSW 2085

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 demolition of an existing residential dwelling, and the construction of a new two-storey dwelling with attached secondary dwelling.

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

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

A Landscape Plan is provided with the application and proposed works include the in-ground planting of trees and shrubs.

The Statement of Environmental Effects provided with the application does not note the removal or retention of existing trees and vegetation within the site. In contrast, the Landscape Plan provided indicates the removal of one existing tree located towards the rear of the property, however the Architectural Plan only notes the removal of one significant tree located largely within the neighbouring property at 52 Yarrabin Street. It is worth noting this tree is also partly located within the site itself as well as the road reserve.

An Arboricultural Impact Assessment has been provided with the application which has assessed the existing tree located in the adjoining property only. As a result of the investigation, the Arboricultural Impact Assessment has identified a lean in the trunk of this tree, and believes it should be removed. Concern is raised with this Arboricultural Impact Assessment as no industry standard risk assessment has been provided. This is required in order to fully understand the risks associated with the tree, and more specifically the likelihood anything will happen that could potentially compromise this tree in the future. It is noted that this tree is mature, and has exhibited trunk lean for some years, during which it has withstood numerous storms and weather events with no visible damages occurring as a result. In order for this tree to be approved for removal, it would require an amended Arboricultural Impact Assessment which provides an in-depth industry standard risk assessment identifying the likelihood of failure, and sufficient justification as to why it should be removed.

As this tree proposed for removal is largely located within the neighbouring property, owners consent is also required prior to approval being given. Should owners consent be given, alongside an amended Arboricultural Impact Assessment that adequately justifies this trees removal through a risk assessment, the removal of this tree would likely be supported subject to replacement tree planting. If sufficient justification cannot be provided, the removal of this tree would not be supported. The Arboricultural Impact Assessment is also required to assess the tree proposed for removal towards the rear of the property, adjacent to the western boundary, as this has been identified for removal within the Landscape Plan. Upon review of the Site Survey, this tree has been identified as being 9m tall. It is recommended that the Arboricultural Impact Assessment identify the species of this tree, and the potential impacts of the proposed development. Should this tree be identified as an exempt species, it may be removed without Council's approval.

Further concern is raised regarding the proximity of proposed works to the large significant tree located in the north-east corner of the site. The proposed tiled concrete patio area is located well within the Tree Protection Zone (TPZ), and possibly the Structural Root Zone (SRZ) as well. Should works have an encroachment above 10% or be within the SRZ, a tree root investigation is required to take place in accordance with AS4970-2009, specifically *Clause 3.3.3 Major Encroachment*. It is recommended this concrete slab be redesigned to utilise pier footings where possible to minimise soil disturbance with the TPZ and SRZ of this tree. The retention of this tree, as well as all other trees noted as retained, is necessary to satisfy control E1, as key objectives of this control include "to protect and enhance the urban forest of the Northern Beaches", as well as "to protect and enhance the scenic value and character that trees and/or bushland vegetation provide".

Additional concern is raised regarding the proposed tree planting of a *Brachychiton acerifolius* as this is an exempt tree. Therefore the use of this tree is not supported, and is required to be substituted for a locally native canopy tree. No additional concerns are raised regarding the proposed landscape works. The implementation of this species change, as well as the completion of landscape works as proposed on the Landscape Plan is vital to satisfy control D1, as key objectives seek to "enable planting to maintain and enhance the streetscape", as well as "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 building".

In its current form, the landscape component of the proposal cannot be supported due to no owners consent provided for the removal of the significant native canopy tree located largely within the adjoining property. It is recommended that owners consent be sought, as well as the submission of an amended Arboricultural Impact Assessment that provides an industry standard risk assessment of this tree to be removed, and further assessment of the proposed development and its impact on trees to be retained at the rear of the dwelling. Following the 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.