

Landscape Referral Response

Application Number:	DA2024/0425
Date:	05/07/2024
Proposed Development:	Construction of a dwelling house
Responsible Officer:	Dean Pattalis
Land to be developed (Address):	Lot 1 DP 33000 , 11 Veterans Parade COLLAROY PLATEAU 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 application is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 and the following Warringah Development Control Plan 2011 controls (but not limited to): D1 Landscaped Open Space and Bushland Setting; and E1 Preservation of Trees or Bushland Vegetation.

updated comments:

The information provided in the tree root investigation for existing street trees 2, 3 and 4 along Telopea Street are noted and the removal of one tree root belonging to tree 4 is not expected to be a detriment to the health of this tree as stated in the Addendum to the AIA Report. Conditions shall be imposed for a Project Arborist to undertake the root pruning and also to review any excavation works in proximity to street trees 2, 3 and 4.

Additionally the comments in the AIA report regarding existing street trees 10, 11, 12 and 13 along Veterans Parade are noted, and the recommendations of the AIA report for tree sensitive construction within the tree protection zone of these trees shall be included in conditions of consent, including attendance and certification of appropriate tree protection measures by a Project Arborist.

Existing tree 14 within the property requires removal and no concerns are raised.

Under Warringah DCP control D1, the landscape area shall be calculated for areas with a dimension more than 2 metres, and shall satisfy the meaning of landscape area under Warringah LEP: means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. This matter shall be determined by the Assessing Planning Officer.

The Landscape Plan submitted in the Master Set and prepared by Accurate design & drafting is to be

dismissed and not relied upon. The Landscape Plan prepared by pdla Landscape Architects shall form any approved Plans. As shown on Sheet 5/17 Site Plan of the Master Set Plans, the distance from the boundary to the inside face of the retaining wall along Telopea Street shall be a minimum 600mm to support the proposed planting, that shall be able to attain at least 3 metres in height.

Should the application be approved, Landscape Referral provide conditions of consent for landscape matters.

previous comments:

Landscape Referral is generally supportive of the proposal; however, the Arboricultural Impact Assessment (AIA) identifies major tree protection zone encroachment for the street trees 2, 3, and 4. The Arborist has recommended non-destructive tree root investigations to determine the affect of the proposed excavations on these trees, and these investigations will need to be completed before any further comment can be provided.

Landscape Referral can continue their assessment once non-destructive tree root investigations (as recommended in the AIA) are completed for trees 2, 3, and 4. Any advice from the Arborist shall be incorporated into amended designs as required.

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

An Amended Landscape Plan, based on the Landscape Plan prepared by pdla Landscape Architects, shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- a) all landscape areas shall be planted with trees, shrubs, groundcovers, or lawn,
- b) the distance from the property boundary to the inside face of the retaining wall along Telopea Street shall be a minimum 600mm,
- c) planting to the garden bed along the retaining wall shall be selected to attain at least 3 metres in height at maturity,
- d) all tree planting shall be a minimum pre-ordered planting size of 75 litres; and shall be located at least 3.0 metres from buildings or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn,
- e) mass planting shall be installed at minimum 1metre intervals for shrubs of a minimum 200mm container size at planting, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

Tree Protection Plan

a) a Tree protection plan shall be submitted to the Certifier for approval prior to the issue of a Construction Certificate, demonstrating tree protection measures in accordance with AS4970-2009 Protection of trees on development sites, to protect the following trees:

- i) all street trees fronting the development property along Telopea Street,
- ii) all street trees fronting the development property along Veterans Parade.

b) the Tree Protection Plan shall be prepared by an Arborist with minimum AQF Level 5 in arboriculture, incorporating the following:

- i) location of all trees identified for retention, including extent of canopy,
- ii) access routes across the road reserve for construction deliveries, noting that no construction materials are to be stored upon the road reserve near existing trees,
- iii) location of tree protection fencing / barriers,
- iv) root protection in the form of mulching or boards proposed within the tree protection zone,
- v) trunk and branch protection within the tree protection zone,
- vi) location of stockpile areas and materials storage away from the tree protection zone,
- vii) other general tree protection measures.

Reason: Tree protection.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

The Project Arborist shall be in attendance and supervise all works nominated in the Arboricultural Impact Assessment or otherwise stated, and in particular:

- a) works required by the Tree Protection Plan,
- b) works required under the Arboricultural Statement dated 4 July 2024 for protection of trees 2, 3 and 4,
- c) works required under the Arboricultural Impact Assessment dated 10 April 2024 for protection of trees 10, 11, 12 and 13, inclusion of sections 9.2.1 and 9.2.2.

All tree protection measures specified must: be in place before work commences on the site; be maintained in good condition during the construction period; and remain in place for the duration of the construction works. The Project Arborist shall provide certification to the Certifier that all tree protection measures under AS4970-2009 have been satisfied, and the recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: Any potential impact to trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Street tree protection.

Tree Removal Within the Property

This consent approves the removal of existing prescribed trees on the subject site as identified in the Arboricultural Impact Assessment:

- a) tree 14,
- b) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and Vegetation Protection

- a) Existing trees and vegetation shall be retained and protected, including:
 - i) all trees and vegetation located on adjoining properties,
 - ii) all trees and vegetation within the road reserve.
- b) Tree protection shall be undertaken as follows:
 - i) tree protection shall be in accordance with AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment dated 10 April 2024 and Arboricultural Statement dated 4 July 2024,
 - ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
 - iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
 - iv) 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,
 - v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture on site,
 - vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
 - vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist/Project Arborist to the Principal Certifier,
 - viii) 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 AS4970-2009 Protection of trees on development sites,
 - ix) the activities listed in section 4.2 of AS4970-2009 Protection of trees on development sites, shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
 - x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2007 Pruning of amenity trees,
 - xi) 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 Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken as complaint to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.

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

Landscape Completion

Landscape works are to be implemented in accordance with the approved Amended Landscape Plan, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) tree, shrub and groundcover planting shall be installed as indicated on the approved Amended Landscape Plan, unless otherwise imposed by conditions.

Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

Condition of Retained Vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained on the approved Plans or as listed in the Arboricultural Impact Assessment, including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- b) extent of damage sustained by vegetation as a result of the construction works,
- c) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree and vegetation protection.

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

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Amended Landscape Plan and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.