

Landscape Referral Response

Application Number:	DA2021/1636
Date:	13/10/2021
Responsible Officer:	David Auster
Land to be developed (Address):	Lot 2 DP 514296 , 7 Crown Road QUEENSCLIFF NSW 2096

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 alterations and additions of an existing residential dwelling. Alterations include the minor demolition of site structures to facilitate additions which are inclusive of a garage extension, additional bin storage, lift, office as well as gym below. Other additions include a dwelling extension to the master bedroom, dining and kitchen area, storage area, wine cellar, as well as decking and new landscape works.

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

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

The Statement of Environmental Effects provided with the application notes that a number of trees are required to be removed as a result of proposed works. This statement is largely supported by the Architectural Plans as it is evident several trees are required to be removed. For this reason, an Arboricultural Impact Assessment has been provided.

The Arboricultural has identified a total of twenty-five trees, three of which are located in the road reserve at the front of the site, one within the adjoining property to the north, five within the adjoining property to the south, with the remaining sixteen trees located within the site boundaries. The Arboricultural Impact Assessment has recommended the removal of seventeen trees, with an additional one tree to be further considered subject to permission. Of these eighteen trees, seven trees, Trees No. 1, 2, 3, 12, 16, 20 and 21, have been identified as prescribed species either due to species, height, or being located within adjoining properties, with the remaining eleven trees considered exempt. Generally, no concern is raised with the removal of these exempt species as they may be removed without Council's approval.

Tree No. 1, 2 and 3 are a group of trees located within the road reserve, adjacent to the western boundary at the front of the site. All three of these trees have been identified as being in fair to good vigour and condition with a moderate to low landscape significance. Tree No. 1, 2 and 3 appear to be

competing against each other for a small portion of soil area, likely resulting in a gradual decline in health over the long-term. It is noted that all three of these trees have been identified as exempt species, however, are only considered prescribed as they are located outside the site boundaries. The application seeks to remove these and replace with one locally native canopy tree, alongside low-lying grasses, and shrubs. From a landscape perspective this outcome is supported as the proposed works seek to replace the existing trees with a more suitable species, and, as there is only one new tree proposed it will have a greater chance of survival over the long-term. This proposed replacement vegetation seeks to mitigate and soften the bulk and scale of the built form which is also a desired outcome that is supported.

Tree No. 12 has been identified as a dead tree; however, it is located on a shared boundary line and is partially located within the adjoining property to the south. Tree No. 16 is also located within the property to the south and has been recommended for removal by the Arboricultural Impact Assessment. Tree No. 16 has been identified as likely having a root plate failure, with a significant lean towards the existing dwelling where contact is being made. As both trees are located within the adjoining property, albeit relatively minor in the case of Tree No. 12, owner's consent from the neighbouring property owners must be attained prior to the removal of these two trees being supported.

Trees No. 20 and 21 are both located towards the rear of the site and are proposed for removal as they are within the footprint of proposed works. Trees No. 20 and 21 are both locally native canopy trees identified as being in good health, vigour, and condition, with a medium retention value and medium useful life expectancy. It is noted that the Landscape Plan provided indicates an additional three native trees of the same species are to be planted within the rear yard to compensate the removal of these two trees. For this reason, the removal of Trees No. 20 and 21 is supported.

It is noted that several trees proposed to be retained, including Tree No. 10, 11, 17, 22, 23, 24 and 25 have varying levels of Tree Protection Zone (TPZ) encroachment because of proposed works. Most of these trees have negligible impacts as a result of proposed works, however Tree No. 10 has been identified as having a TPZ encroachment of 10-15%. Although this total encroachment is deemed major in accordance with AS4970-2009, the impacts of proposed works are anticipated to be much less due to the presence of existing structures and retaining walls along the northern boundary. For this reason, the Arborist has noted it is viable for retention subject to tree protection measures and sensitive construction practices, inclusive of no excavation within Tree No. 10's Structural Root Zone (SRZ), tree protection fencing, supervision by an appointed Project Arborist, as well as future tree root investigations if needed. For this reason, the Arborists recommendations are supported. The retention of Tree No. 10, as well as other existing trees proposed for retention is vital to satisfy control E1, as key objectives of this control include "to effectively manage the risks that come with an established urban forest through professional management of trees", "to protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities", as well as "to protect and enhance the scenic value and character that trees and/or bushland vegetation provide".

A Landscape Plan has also been provided with the application and proposed works include the in-ground planting of trees, shrubs, grasses and groundcovers, as well as the on-slab planting of shrubs, grasses and groundcovers. Generally, no major concerns are raised regarding the proposed works as they seek to alleviate and soften the bulk and scale of the built form, whilst also utilising a largely native planting palette. The completion of these landscape works is necessary to satisfy control D1, as key objectives of this control include "to enable planting to maintain and enhance the streetscape", "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", as well as "to enhance privacy between buildings".

The landscape component of the proposal is therefore not currently supported due to the impacts of

proposed works on trees located in adjoining properties. Although Trees No. 12 and 16 are of low retention value and poor health, they are located within neighbouring properties and require written consent from the neighbouring property owner prior to be approved for removal. Should written consent be received, no further concerns are raised, and the proposal would likely be supported subject to conditions, however until this consent is received the landscape component cannot be supported. Should owners consent not be received, design amendments shall be required to ensure these trees are retained and protected.

Upon 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.