

## Landscape Referral Response

<b>Application Number:</b>	DA2025/0026
<b>Date:</b>	29/01/2025
<b>Proposed Development:</b>	Alterations and additions to a dwelling house including a swimming pool
<b>Responsible Officer:</b>	Simon Ferguson Tuor
<b>Land to be developed (Address):</b>	Lot 17 DP 30849 , 17 Egan Place BEACON HILL NSW 2100

### 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 proposed development includes alterations and additions as described in reports and as illustrated on plans.

Following review of the submitted Arboricultural Impact Assessment (AIA) Landscape Referral raise concerns regarding preservation of trees on adjoining property. The AIA report identifies that proposed retaining walling will impact upon T8 (Jacaranda) located within 18 Egan Place. To avoid this the existing ground levels within the frontage of the development property shall remain and the proposed retaining walling/ raised lawn shall be deleted and the existing landscape area treatment shall remain as landscape (garden or lawn) and a condition of consent shall be imposed should the application be approved. Impacts to any tree within adjoining properties regardless of species is not permitted. No prescribed trees are located within the property.

It is noted that the existing decking around the existing pool is to be demolished and some of the area is to return to landscape area. The existing property at the rear include a low height retaining wall with fencing above this, and the proposal is likewise a similar proposal however the height of walling and fencing approximately 300mm higher although there is no measurements or heights provided to accurately ascertain this. Given that the proposal remains consistent with the rear boundary in terms of walling and fencing, Landscape Referral raise no concerns in terms of the transition between private and public land in consideration of Warringah DCP control E7 Development on land adjoining public open space, under a alterations and additions proposal.

No Landscape Plan is submitted under the alterations and additions proposal, however the rear of the property includes extensive alteration to the existing character such that conditions shall be imposed to guide on an appropriate landscape setting outcome in consideration of Warringah DCP control E7 Development on land adjoining public open space.

Subject to conditions for deletion of the proposed retaining walling/ raised lawn at the frontage of the development property and completion of landscape works, Landscape Referral raise no concerns in respect to the landscape setting outcome.

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 Plans**

Amended Plans shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

a) the proposed retaining walling and raised lawn at the street facing property frontage (south west corner), shall be deleted and existing natural ground shall be preserved.

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

Reason: Preservation of existing tree with adjoining property.

## **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 nominated for retention on the approved Plans,
- ii) all trees and vegetation located on adjoining properties, including trees identified as T1, T2, T3, T4, T6, T7, T8, T10, T11 and T12,
- iii) 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 tree protection measures recommendation of an approved Arboricultural Impact Assessment,
- 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 compliance 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**

The approved landscape areas under the development consent shall be landscaped as either lawn or garden planting, including the following specific requirement:

- a) along the rear boundary within the property, native shrub planting to achieve at least 3 metres in height at maturity, except-
- b) where swimming pools are part of the development works, selected planting shall comply with the planting and care requirements of AS1926.1 for a non-climbable zone,
- c) 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.

Prior to the issue of an Occupation Certificate, details 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 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.