

## Landscape Referral Response

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| <b>Application Number:</b>             | DA2023/1763  |
| <b>Date:</b>                           | 08/05/2024   |
| <b>Proposed Development:</b>           | Construction of a warehouse and distribution centre with associated office, including tree removal |
| <b>Responsible Officer:</b>            | Jordan Davies  |
| <b>Land to be developed (Address):</b> | Lot 502 DP 875858 , 4 Minna Close 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

Council's Landscape Referral section have assessed the application against the Warringah Local Environment Plan 2011 zone C2 Environmental Conservation objectives and zone SP4 Enterprise, and the following Warringah Development Control Plan 2011 controls (but not limited to): D1 Landscaped Open Space and Bushland Setting; E1 Preservation of Trees or Bushland Vegetation and E2 Prescribed Vegetation; and E6 Retaining Unique Environmental Features.

The site is within zone C2 Environmental Conservation, and the following objectives are to be achieved and/or maintained by development: protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values; prevent development that could destroy, damage or otherwise have an adverse effect on those values; protect and enhance the quality and character of visually sensitive areas and preserve significant natural landforms in their natural state; and ensure that development, by way of its type, design and location, complements and enhances the natural environment in environmentally sensitive areas.

Amended plans and reports have been submitted with an increase in the front setback distance, and the documents include amended Landscape Plans and an amended Arboricultural Impact Assessment (AIA) report.

Preservation of existing remnant Duffy's Forest Endangered Ecological Community at the rear of the property to the extent as proposed in the amended plans is maintained, and Landscape Referral raise no objections to the proposed existing tree removal as listed in the amended AIA, that requires a further five native trees to be removed to accommodate the increased front setback. Should the application be approved tree removal as identified in the amended AIA is unavoidable.

The amended Landscape Plans propose built form softening within the front setback including small

native trees and mass planting. Landscape Referral consider that the proposed Grevillea species nominated, that is a short-lived species and is difficult to commercially attain, is likely to struggle due to lack of sunlight where the species is located against the building and it is advised that an alternative suited to shade shall be nominated as a substitution to replace the Grevillea, and conditions shall be imposed. The proposed tree planting at 200 litre pot size shall require pre-order and conditions shall be imposed.

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 Plans**

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

- a) the nominated Grevillea linearifolia shall be substituted with a species suited to the microclimate (sun and shade), capable of attaining a similar size and form,
- b) all nominated trees (Banksia serrata) at 200 litre pot size shall be pre-ordered to ensure delivery to site as per the tree schedule.

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

Reason: Landscape amenity.

## **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 as nominated in the approved Arboricultural Impact Assessment, and in particular:

- a) all parts of section 11. Tree Protection Requirements, including sign-off for item 11.5,
- b) section 12. Construction Hold Points for Tree Protection,

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 under section 11 and section 12 of the approved Arboricultural Impact Assessment for the protection of the existing trees have been carried out satisfactorily to ensure no impact to the health of the trees. 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: Tree protection.

### **Tree Removal Within the Property**

This consent approves the removal of existing prescribed trees on the subject site as identified in the approved Arboricultural Impact Assessment. 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 within the site not approved for removal,
- ii) all trees and vegetation located on adjoining properties,
- 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 recommendations 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 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 Plans, and inclusive of the following conditions:

- a) tree, shrub and groundcover planting shall be installed as indicated on the approved Amended Landscape Plans, unless otherwise imposed by conditions,
- b) the nominated *Grevillea linearifolia* shall be substituted with a species suited to the microclimate (sun and shade), capable of attaining a similar size and form,
- c) all nominated trees (*Banksia serrata*) at 200 litre pot size shall be pre-ordered to ensure delivery to site as per the tree schedule.

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 in the approved Arboricultural Impact Assessment, including the following information:

- a) certification of arboricultural works under section 11 and section 12 of the approved Arboricultural Impact Assessment,
- b) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- c) extent of damage sustained by vegetation as a result of the construction works,
- d) 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 Plans 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.