

Landscape Referral Response

Application Number:	DA2022/0420
Date:	06/04/2022
Responsible Officer:	Brittany Harrison
Land to be developed (Address):	Lot A DP 374373 , 27 Carrington Avenue CROMER NSW 2099

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 development application is for alterations and additions to the existing garage, including a secondary dwelling, as described and illustrated in the reports and plans.

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
- E1 Preservation of Trees or Bushland Vegetation and E2 Prescribed Vegetation

The Statement of Environmental Effects notes "The site has a landscaped area of 219sqm (32.8%) which complies." Landscape Referral notes, as per Warringah DCP landscape controls D1, 40% of the site is required to be landscape open space however this matter shall be determined by the Assessing Planner.

It is noted an Arboricultural Statement has been included in the application. The statement identifies the tree along the western boundary as an exempt species which may be removed without any applications or special permits. This option is available to private land owners at any time, except when a development application is submitted as the Landscape Referral is based on the information submitted under the development application. The proposed plans show the tree as retained and the Architectural plans refer back to tree protection measures in the Arborist Report, of which no such measures exist.

The Landscape Referral assessment is based on how the proposal satisfies Warringah DCP landscape controls D1 and E1. If the exempt tree is to be removed, a tree replacement is required to satisfy the control of D1 where tree and other vegetation are required upon a property to soften the built form.

Removal of the existing tree adjacent to the western boundary results in the loss of canopy coverage, contrary to the requirements of D1 and E1. Conditions of consent shall be imposed for the installation of tree planting within the property boundary to satisfy the controls of D1 and E1. All other trees and vegetation shall be retained and protected subject to the imposed conditions.

The excavation works in the road reserve to remove the existing concrete driveway and reinstate a turf verge shall be subject to the imposed conditions. These conditions will ensure there is no impact to the existing native street tree located outside the neighbouring property.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.

The Project Arborist shall be in attendance and supervise all works as nominated below:

i) excavation works within the road reserve to remove the existing concrete driveway and install a turf batter between the neighbouring driveway and proposed driveway,

Excavation works within the tree protection zone of trees to be retained shall be monitored and authorised by the Project Arborist.

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Certifying Authority that all 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:

- i) A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.
- ii) 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.

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 within the site, excluding exempt trees and vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation,

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an 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 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 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 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 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 to the Certifying Authority,
- 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 Australian Standard 4970-2009 Protection of Trees on Development Sites,
- ix) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees, and should additional pruning be required an application to Council's Tree Services shall be submitted for approval or otherwise.

The Certifying Authority must ensure that:

c) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

Note: All street trees within the road verge and trees within private property are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited.

Reason: Tree and vegetation protection.

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

Required Tree Planting

i) any exempt species tree(s) that is removed at any time during the proposed works shall be replaced at a ratio of 1:1 with a locally native tree species.

ii) locally native tree(s) shall be planted within the property boundary to achieve at least 6 metres height at maturity, and shall be selected from Northern Beaches Council's Native Plant Species Guide - Narrabeen Ward, or Council's Tree Guide, and may include the following suggested species: Coast Banksia - *Banksia integrifolia*, Scribbly Gum - *Eucalyptus haemastoma*, Sydney Red Gum - *Angophora costata*, Dwarf Apple - *Angophora hispida*, Magenta Lilly Pilly - *Syzygium paniculatum*, Snow in Summer - *Melaleuca linariifolia*,

iii) tree planting shall be a minimum planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees, planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established, and shall be located at least 3.0 metres from buildings and other trees, and at least 1.5 metres from common boundaries, and located either within garden bed or within a prepared bed within lawn,

iv) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To maintain environmental amenity.

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

Landscape Maintenance

Trees required to be planted under this consent are to be mulched, watered and fertilised as required at

the time of planting.

If any tree 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 any conditions of consent.

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.