

Landscape Referral Response

Application Number:	DA2025/0861
Date:	23/07/2025
Proposed Development:	Demolition works and construction of a dwelling house
Responsible Officer:	Nick Keeler
Land to be developed (Address):	Lot 64 DP 8139 , 51 Quirk Street DEE WHY 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 proposed development as described in reports and as illustrated on plans includes the proposal to remove a large existing Norfolk Island Pine at the rear of the property.

The submitted Arboricultural Impact Assessment (AIA) in section 3.4.3 identifies that the tree represents "an imminent risk to human life and / or property should failure occur". If this is the assessment of the arborist it is noted that under the Warringah DCP removal of trees is permitted if a tree:

Is considered a high risk/imminent danger certified by a Level 5 qualified arborist. These trees can be removed without Council consent by the owner of the tree subject to the owner obtaining written confirmation from the arborist that clearly states:

- The arborist qualifications: AQF Level 5 Arborist or equivalent*
- That the tree(s) is declared an imminent danger and high risk to life and property*
- That immediate removal of the tree(s) is recommended*
- A copy of the report must be sent to Council for record keeping purpose.*

The AIA concludes in section 5.1.3 " finds the removal of the tree to be warranted as part of the development due to the safety hazards posed". Landscape Referral do not raise any concerns with the recommendation of the AIA report in section 6.

The submitted Landscape Plan does not provide adequate canopy cover offset, and conditions shall be imposed for the inclusion of replacement tree planting, to satisfy Warringah Council control D1 Landscape Open Space. All existing natural rock outcrops shall be preserved beyond any approved footprints.

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**

A Landscape Plan as Amended shall be issued to the Certifier prior to the issue of a Construction Certificate to include the following details:

- i) one locally native tree species shall be planted in proximity to the removed Norfolk Island Pine; capable of attaining at least 8.5 metres in height and 6.0 metres in width at maturity; nominated at a minimum pre-ordered planting size of 75 litres; and selected from Northern Beaches Council's Native Plant Species Guide - Curl Curl Ward, or Council's Tree Guide,
- ii) one locally native tree species shall be planted within the front of the property; capable of attaining at least 6.0 metres in height at maturity; nominated at a minimum pre-ordered planting size of 75 litres; and selected from Northern Beaches Council's Native Plant Species Guide - Curl Curl Ward, or Council's Tree Guide.

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

Reason: Landscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**Tree Removal Within the Property**

This consent approves the removal of the existing prescribed tree on the subject site as identified in the 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**Protection of Rock and Sites of Significance**

All rock outcrops outside of the area of approved works are to be preserved and protected at all times during demolition excavation and construction works. Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council (MLALC) are to be contacted.

Reason: Preservation of significant environmental features.

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 Protection of trees on development sites,
- ii) the following arboricultural requirements shall be adhered to unless authorised by an Arborist with minimum AQF level 5 qualifications: existing ground levels shall be maintained within the tree protection zone of trees to be retained; removal of existing tree roots at or >25mm (Ø) diameter is not permitted; 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; and structures are to

bridge tree roots at or >25mm (Ø) diameter,

iii) the activities listed in section 4.2 of AS4970 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,

iv) 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 Pruning of amenity trees,

v) 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 Protection of trees on development sites.

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 Landscape Plan as Amended, 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 Landscape Plan as Amended, unless otherwise imposed by conditions,

c) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use; planted into a prepared planting hole 1m x 1m x 600mm depth generally, 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 or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn,

d) mass planting shall be in garden beds prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

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.

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 as Amended 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.