

Landscape Referral Response

Application Number:	DA2023/0379
Date:	02/05/2023
Proposed Development:	Torrens Subdivision of one lot into four lots
Responsible Officer:	Jordan Howard
Land to be developed (Address):	Lot 18 DP 19022 , 107 Iris Street 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 application is assessed by Landscape Referral against Warringah Development Control Plan 2011 (WLEP), and the following Warringah Development Control Plan 2011 (WDGP) controls (but not limited to):

- C1 Subdivision
- E1 Preservation of Trees or Bushland Vegetation
- E6 Retaining unique environmental features

Upon the property, existing landscape features includes: an exposed horizontal rock shelf that is located within the indicative building envelope of proposed lot 2 (No.113) that is not visible to the streetscape due to an existing vegetation buffer; a vertical rock outcrop shelf that is visible to the streetscape and runs along the frontage of proposed lot 2 (No.113); and a large English Oak tree that is located within proposed lot 2 (No.113). Other smaller vegetation types and insignificant rock outcrops exist amongst the other proposed lots.

Should the subdivision proposal be approved, the exposed horizontal rock shelf is unlikely to be preserved as a visible landscape feature noting that the existing feature is not currently readily seen from the streetscape, however the vertical rock outcrop shelf is able to be preserved and thus WDGP control E6 is able to be incorporated into the amenity of the proposed lot and the streetscape.

An Arboricultural Impact Assessment report is submitted to determine the impact to the existing English Oak from the proposed development works for subdivision, as well as the indicative building envelope arrangement. The report recommends retention however notes that encroachments within the tree protection zone from the proposed driveway occurs, and furthermore additional encroachment from any proposed building and parking area will be expected. To minimise impact the following recommendations are provided:

- tree root investigation along the proposed driveway alignment to map existing critical roots and thus provide extent of pier and beam construction and suspended slabs required for the proposed driveway as part of the subdivision, and conditions shall be imposed should the application be approved,
- tree protection fencing around the English Oak during Subdivision works, and conditions shall be

imposed should the application be approved,

- tree root investigations for each individual lot applications for new dwelling and associated works where proposed buildings and proposed parking areas are located in proximity to the English Oak, to determine the tree sensitive building measures required. This is not part of this Subdivision application.

The indicative building envelope of lot 1 is not acceptable until further information (tree root investigation) is provided and that may result in rearrangement of the footprint under any future development application for a new dwelling and associated works in Lot 2.

Adequate landscape areas are available for proposed landscape works within each lot to satisfy WDCP control D1, and the following outcomes are able to be achieved with a minimum 40% landscaped area: 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; and enhance privacy between buildings.

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

Tree Root Investigation and Tree Root Map

a) prior to the issue of a Construction Certificate, a tree root mapping investigation along the proposed driveway alignment the subject of Subdivision works near the existing English Oak (tree 1) shall be undertaken, and a tree root map shall be documented that will be the basis for determining construction methodology near the existing English Oak, including the requirement for pier and beam construction and suspended slabs.

b) an Arborist with minimum AQF Level 5 in arboriculture shall supervise the works to verify tree root locations. A non-destructive root investigation shall be conducted complying with clause 3.3.4 of AS 4970-2009 Protection of Trees on Development Sites.

c) the root investigation shall map existing roots of significance that must not be impacted by construction works. The tree root investigation shall be conducted to confirm the following data to be used for the location/alignment of any proposed driveway works:

- i) confirmation of the location of any tree roots at or >25mm (Ø) diameter to areas that require excavation for proposed works. Alternative alignment of proposed works shall be provided as necessary to avoid major roots, and
- ii) mapping of the suitable location/alignment of proposed works, and/or
- iii) recommended tree sensitive construction methods such as pier and beam construction and suspended slabs, and the extent of such works.

d) the tree root map shall be issued to a qualified Structural Engineer as a basis for structural design, and for determining the final location/alignment and construction methodology of proposed works within the tree protection zone (TPZ).

e) prior to the issue of a Construction Certificate, the Arborist shall provide certification to the Principal Certifier that the tree root investigation and clear distance recommendations have been adequately addressed in the Construction Certificate plans.

Reason: To ensure protection of vegetation proposed for retention or adjacent to the site.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Protection Fencing

Tree protection fencing to the existing English Oak (tree 1) shall be erected in accordance with Section 4 of AS4970-2009 Protection of trees on development sites. As a minimum the tree protection fencing shall consist of standard 2.4m panel length to four sides and to the extent and alignment as determined by a qualified AQF level 5 Arborist, and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings.

The Arborist shall provide certification to the Certifier that all tree protection measures under AS4970-2009 have been satisfied.

Reason: Tree protection.

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 Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office contacted to assess the finds.

Reason: Preservation of significant environmental features.

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, including trees and vegetation nominated for retention on the approved Plans,
- 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 and certified by an Arborist/Project Arborist as compliant to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

Reason: Tree and vegetation protection.