

24 October 2019



CASTLE 7 PTY LTD
C/o Mr Greg Hynd
FORESIGHT MANAGEMENT
Level 6, 89 York St
Sydney NSW 2000

RE:- OPINION OF ARBORICULTURAL MATTERS – REZONING OF VIVIEN PLACE, CASTLE HILL

1.0 Background

On the 11 October 2019, Arterra were requested by Greg Hynd of Foresight Management to provide an opinion regarding the existing trees within the site that is proposed for rezoning at Vivien Place, Castle Hill. The purpose of this report is to provide a broad review of the existing trees within or immediately adjacent the site that may be affected by the proposed rezoning and provide feedback on the trees' general composition and condition and to determine if any are significant or worthy of retention as part of the rezoning considerations.

A site visit was undertaken by R. Smart of Arterra on the 14 October 2019 to review the current form and condition of the existing trees on the site. This review of the trees was taken by visual inspection from the ground only. It is important to note that direct access was not permitted to any of the private areas. All observations are therefore limited to those that could reasonably be made from the publicly accessible areas surrounding the precinct. Detailed inspection for serious defects, or pest and disease, was not possible.



Figure 1 – The site context and trees located on the site that form part of this review. Image taken on Gilham Street looking south towards Toplace high-rise development currently being constructed in the background. Apart from a select few specimens most trees were small and exotic species, many of which were not much taller than the existing low rise housing. (Source: Arterra– 14 October 2019)

2.0 Site Location and Context

The area specifically reviewed is located at Vivien Place, Castle Hill. The site comprises land bound by Gilham Street to the north, Gay Street to the east, Toplace high-rise development (currently being constructed) and an existing temporary carpark (ear marked for future development) to the south and the residential dwellings and Castle Hill Public School to the west. (Refer Figure 2)



Figure 2 – The site context and the trees identified and reviewed (highlighted with green circles) located on the site that form part of this assessment. Note, most of the larger trees to the south are on a neighbouring property and are not within the proposed rezoning site. (Source: NearMap– 14 October 2019)

The site comprises typically low density single storey detached residential dwellings and Vivien Place roadway itself. Many of the dwellings are relatively large in size and have generous landscaped gardens and setbacks. Despite this, there were relatively few larger trees within the assessed site. Many of the trees are relatively small in stature and many of them are exotic species.

Many of the trees reviewed are located on private property, with the majority being located outside of the rezoning site boundary, to the south. There are some street trees on Gay Street and Vivien Place.

3.0 Relevant Controls, Enforcement or Legislation

Hills Shire Council DCP 2012, Part 3, Section 2.4-Tree Management Provisions defines a 'tree' as follows: - A **'tree'** is a perennial plant with a self-supporting woody stem that has a spread of more than 3 metres or a height of more than 6 metres or has a trunk diameter of more than 300mm measured at the base.

The DCP then provides an extensive list of 'trees' that may be removed without Council approval. A 'tree' otherwise protected under the DCP may also be removed without Council approval if it is situated "...within 3 metres of an existing approved dwelling or ancillary structure ... the definition of which may include a garage, carport, studio, shed, workshop, swimming pool, spa or retaining walls with a height greater than 600mm.

Refer to the following Hills Shire Council documents for further information:

- DCP 2012 (Part 3, Section 2.4 – Tree Management Provisions),
- Tree Management Fact Sheet and
- Tree Management Guidelines for Trees On Private Land 2014, amended 2019.

4.0 Review of the General Tree Population

A review of the existing trees on, and immediately surrounding, the site was carried out via a brief visual inspection from the ground only. Due to difficulty in gaining access to the private residences, most of the trees were observed remotely and typically from an adjacent public street.

The trees reviewed and located within the site (including the street trees) were a mix of exotic and Australian native species, which included:

- *Acer negundo* (Box Elder)
- *Acmena smithii* (Creek Lilly Pilly)
- *Archontophoenix cunninghamiana* (Bangalow Palm)
- *Callistemon viminalis* cv. (Weeping Bottlebrush Cultivars)
- *Chamaecyparis* sp. cv. (False Cypress Cultivars)
- *Citrus* sp.
- *Corymbia citriodora* (Lemon Scented Gum)
- *Cupressus macrocarpa* cv. (Monterey Cypress Cultivar)

- *Cupressus sempervirens* 'Swanes Gold' (Swane's Gold Pencil Pine)
- *Cupressus sp.* (Unidentified Cypress)
- *Eucalyptus saligna* (Sydney Blue Gum)
- *Jacaranda mimosifolia* (Jacaranda)
- *Liquidamber formosana* (Formosan Sweet Gum)
- *Liquidamber styraciflua* (Liquidamber)
- *Lophostemon confertus* 'Variegatus' (Variegated Brush Box)
- *Magnolia x soulangeana* (Magnolia)
- *Melaleuca bracteata* (Black Tea-Tree)
- *Morus nigra* (Black Mulberry)
- *Plumeria rubra* (Frangipani)
- *Stenocarpus sinuatus* (Firewheel Tree)
- *Syzygium paniculatum* (Brush Cherry)
- *Washingtonia robusta* (Mexican Fan Palm)

The trees noted and located adjacent to, but well outside, the southern boundary of the site included:

- *Casuarina glauca* (She-oak)
- *Corymbia citriodora* (Lemon Scented Gum)
- *Corymbia maculata* (Spotted Gum)
- *Eucalyptus scoparia* (Wallangarra White Gum)
- *Eucalyptus sideroxylon* (Red Ironbark)
- *Eucalyptus tereticornis* (Forest Red Gum)
- *Eucalyptus moluccana* (Grey Box)
- *Jacaranda mimosifolia* (Jacaranda)
- *Sapium sebiferum* (Chinese Tallow Tree)
- *Syncarpia glomulifera* (Turpentine)
- *Ulmus minor* (Smooth Leafed Elm)

Generally, many of the trees reviewed within the rezoning site, that are located on the private residential allotments, are relatively small and commonplace trees. Some are exempt species and could be removed without approval. Typically they are contributing very little to the wider streetscape and general public amenity. The majority of the trees are of only fair condition, some with notable structural defects or declining health and vigour. In the author's opinion most of the trees do not contribute greatly to the historical, environmental or social significance of the site. Based on their estimated age and size, together with a review of the 1943 aerial photography of the site, all the existing trees within the site are believed to be relatively recent plantings. There is no sign of any remnant trees on or close to the site.



Figure 3 – The 1943 aerial showing the agricultural landscape use and no trees within the site. The surrounding land appears to have been generally cleared, with no remnant trees or vegetation present. (Source: Sixmaps– 14 October 2019)

There are currently no street trees on the southern side of Gilham Street along the northern boundary of the site.

There are only a few street trees located on Gay Street. The majority of the trees on Gay Street have been heavily pruned for powerline clearances. They represent very poor forms due to inappropriate lopping and topping. This has resulted in rather poor landscape amenity and reduced aesthetic and environmental value. It would be better these trees were removed and replaced as part of a comprehensive streetscape upgrade that is likely with the new development. (Refer Figure 4)

There is one larger *Corymbia citriodora* (Lemon -scented Gum) located on the rear boundary of No.6 Vivien Place. This tree is in relatively poor health. (Refer Figure 5)



Figure 4 – Gay Street east of the proposed development – street trees have been heavily lopped/topped for power line clearances, resulting in poorly formed trees (Source: Arterra– 14 October 2019)



Figure 5 – Photo illustrating the one larger *Corymbia citriodora* on the site (arrowed) illustrating that its condition is only fair and is not worth considering as a major constraint. The larger trees to the left of this tree are actually located on the adjacent site and are not part of this rezoning. (Source: Arterra– 14 October 2019)



Figure 6 – Vivien Place – *Syzygium paniculatum* street tree which is one of the more prominent trees on the site. (Source: Arterra– 14 October 2019)

One of the more prominent trees on the site is a street tree located on Vivien Place. This tree is a *Syzygium paniculatum* (Brush Cherry) which is an evergreen Australian native species. Although this tree is a relatively healthy specimen, it does not provide particularly significant public amenity and offers little to the wider streetscapes. Given that this tree is located in the centre of the proposed site, it would severely limit any future development opportunities. For this reason, it is our opinion that this tree alone would not constitute an element required to be worked around, to the detriment of far more significant and important urban design outcomes.

There is one *Eucalyptus saligna* (Sydney Blue Gum) located on the northern boundary of no. 3 Vivien Place. This is a locally endemic native tree, and although one of the larger trees in the rezoning site, this is a relatively fast growing species and it is considered to be still relatively young and not of a fully grown stature. Inspection from a distance revealed a relatively sub-standard form with some of its larger lower limbs historically pruned and the tree showing some signs of stress and poor vigour.



Figure 7 – Eucalyptus saligna – one of the larger trees within the private residences which appears to have a substandard form and habit due to historical pruning and wounds (Source: Arterra– 14 October 2019)

The most significant trees, which do provide public and visual amenity, are to the immediate south of the rezoning site, on an adjoining property (temporary carpark). As pictured in Figure 8, the larger trees to the right of the image are actually located on this neighbouring southern property. These trees can be retained and their distance from the site boundary mean that they are extremely unlikely to be impacted by any works within the proposed rezoning site.

These trees are predominantly native, and are currently providing a vegetated screen to the south of the site that would help screen and soften the proposed towers. As mentioned, these trees are mostly well set back from the southern boundary and are not likely to be impacted by the proposed development. The exception to this is a couple of larger *Eucalyptus moluccana* (Grey Box) that are on the periphery of the development behind No. 6 Vivien Place. These trees are outside the site but their retention and protection may necessitate a suitable offset to be provided from any proposed work or re-grading. A suitable offset is likely to be in the order of at least 10m radius from their centres and will therefore cross onto the proposed rezoning site. The current indicative concept proposal seems to indicate that these trees may be successfully retained. This, however, should be based on a future detailed assessment of the trees and simply noted as a desirable outcome to be considered as part of any future Development Application, where levels and setbacks, tree health and condition can be more fully explored.



Figure 8 – The site context and trees located on the site that form part of this review. Image taken on Gilham Street looking south towards the high-rise development currently being constructed. The larger trees shown in the right of the image are actually located on the adjoining property to the south. (Source: Arterra– 14 October 2019)



Figure 9 – Trees on the neighbouring property south of the development site providing a vegetated and softening screen to the proposed tower development. This image is taken looking north towards the proposed development with the construction of the adjacent high-rise development south east of the proposed development site to the right. (Source: Arterra– 14 October 2019)

5.0 Recommendation and Conclusions

The existing trees on the rezoning site that have been reviewed are mostly relatively small and insignificant specimens, contributing very little to overall public amenity, streetscape or environmental outcomes. Most of the trees would be considered to have only low or, at best, moderate retention values. There were no trees that were considered to be of 'high' retention value. It is therefore the authors opinion, that the trees reviewed are not worthy of working the proposed major development around and they should not be seen as a limit or constrain to any future development of the site. To properly achieve the important urban design outcomes, levels will need to be altered and large buildings constructed. This will necessitate removal of most trees.

The only exception to this, is making appropriate provision for the potential protection of two larger Eucalyptus, on the adjoining site, at the south-eastern corner. They are located close to the boundary and their nominal Tree Protection Areas would likely cross into the rezoning site. This appears to be possible under the current rezoning application as there is a generous setback from these trees already displayed and a generally green corridor

indicated within this location. In our opinion this should merely be noted as an element to be looked at and reviewed during future detailed development applications. Successful retention may only be possible if the trees are in good condition, with no serious defects, and there is the reasonable ability to maintain the existing levels around the trees.

Furthermore, many of the existing species within the rezoning site are not considered appropriate for the scale of the proposed development and their retention may limit provision of more appropriate landscape treatments. It is our recommendation that future tree planting and species selection be undertaken with a view to providing new trees that are far more in keeping with the position, microclimate and scale of the proposed development. It may be worth considering larger exotic and some deciduous trees for better solar access during the cooler months around the proposed development, and in particular to the lower residential units and podium spaces. It would also be more beneficial, in our opinion, to have some much larger scale plantings to mitigate the visual prominence of the high-rise development, as well as screening and softening views to the adjacent development currently under construction. This may include species such as *Araucaria cunninghamii* (Hoop Pine), *Araucaria columnaris* (New Caledonia Pine), *Ficus spp.* or *Eucalyptus spp.* These are species that have a far better potential to offer important screening and visual amenity, as their size and forms will allow for the foliage to be visible many storeys above the street level.

It is the authors opinion that the existing trees should not be considered a material constraint to the future development. They should not constitute an element that requires retention and working around to the detriment of far more significant and important urban design outcomes. Some of the trees could be retained when detailed designs are undertaken, but only if they are not likely to be impacted by, or constrain potentially desirable, development outcomes.

As with all aspects in the development and construction process, the tree related constraints must be weighed up against many other relevant development opportunities and constraints. Retention of any existing trees on the site must also consider economic, social, environmental, construction and practical realities. This document has been prepared by Arterra Design Pty Ltd, using the expertise of our in-house consulting arborist, Robert Smart (AQF Level 5). Robert Smart is also a Registered Consulting Arborist with Arboriculture Australia.

Regards



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