

Landscape Referral Response

Application Number:	DA2020/1670
Date:	01/02/2021
Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 44 DP 11214 , 95 Gurney Crescent SEAFORTH NSW 2092

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

This application is for the construction of an external timber access stairway and retained walls along the Middle Harbour Foreshore as a result of an extremely steep and currently un-trafficable area that is uneven and destabilised. The proposed works are an extension to a previously approved, and currently under construction residential dwelling.

Councils Landscape Referral section has considered the application against the Manly Local Environment Plan, and the following Manly DCP 2013 controls:

- 3.3.1 Landscaping
- 4.1.5 Open Space and Landscaping
- 5.4.1 Foreshore Scenic Protection Area
- 5.6.2 Gurney Crescent and Clavering Road, Seaforth

A Landscape Plan has been provided with the application and the works include the in-ground planting of trees, shrubs, grasses and groundcovers.

As noted in the Statement of Environmental Effects, the property has been through a series of alternating construction phases and stop work phases, and as a result has not been lived in for approximately 20 years. The rear garden along the Middle Harbour Foreshore became overgrown and full of noxious weeds which have since been cleared, resulting in a bare, rocky outcrop. This is evident in the Site Survey provided with the application.

The Landscape Plan seeks to restore planting to the area, whilst providing an access path from the water to the dwelling that is currently under construction. The implementation of this Landscape Plan is necessary to satisfy conditions 3.3.1, 4.1.5, 5.4.1 and 5.6.2.

The landscape component of the proposal is therefore acceptable subject to the protection of rocks and sites of significance, and the completion of landscape works as proposed on the Landscape Plans.

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 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 are to be contacted.

Reason: preservation of significant environmental features.

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

Landscape completion

Landscaping is to be implemented in accordance with the approved Landscape Plan, inclusive of the following conditions:

i) At minimum, three trees must be proposed within the site to compensate for the lack of native trees and vegetation on site.

Tree planting shall be located within the back of the property, with a 9m² deep soil area and located a minimum of 3 metres from existing and proposed buildings, and 2 metres from adjoining boundaries.

Tree planting shall be located to minimise significant impacts on neighbours views in terms of blocking winter sunlight, or where the proposed tree location may impact upon significant views.

Native tree planting species shall be selected from Councils list, specifically the *Native Plant Species Guide - Manly Ward*. <https://www.northernbeaches.nsw.gov.au/environment/native-plants/native-plant-species-guide>

Prior to the issue of an Occupation Certificate, details shall be submitted to the Certifying Authority, 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 and 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.