

Landscape Referral Response

Application Number:	DA2019/1404
Date:	14/01/2020
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot 1 DP 527461 , 46 Francis Street MANLY NSW 2095

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 proposes alterations and additions to an existing dwelling and a new swimming pool. The landscape component of the proposal is acceptable subject to the protection of existing trees and vegetation within adjoining properties and within the road verge, and the completion of landscaping to establish buffer planting along the boundaries of private open space areas.

The proposal includes a new crossover and driveway from Francis Street, between two existing Cabbage Tree Palms with Manly LEP 2013 Local Significance clarification, under Item No. i53. Along the Francis Street road verge, four Cabbage Tree Palms exist as part of Item No. i53 and provide a significant streetscape amenity. All the palms shall be protected during construction works and the basis for the driveway alignment and the construction methodology and materials shall be determined following arboricultural investigation of the two Cabbage Tree Palms fronting the development site, and the subsequent recommendations.

The current DA proposed driveway alignment and width is not approved without further arboricultural investigation. The driveway alignment and width shall be determined and approved at Construction Certificate stage subject to further arboricultural investigation to definitely determine the location and depth of existing roots that shall not be impacted upon during excavation works. This may require that the alignment and width of the driveway to be altered from the alignment and width shown on the DA plans. Conditions of Consent shall be applied at Construction Certificate stage to satisfy the requirement to retain and protect the existing Cabbage Tree Palms.

Council's Landscape section have assessed the application against the landscape controls of Manly DCP 2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types.

No Landscape Plan is provided in accordance with the DA Lodgement Requirements. The Site Plan provides an indication and intention for planting to landscaped open space areas, and is subject to Conditions of Consent.

No significant vegetation occurs within the site. Heritage Listed Cabbage Tree Palms are located within

the Francis Street road verge and street trees are present along Arthur Street. A Arboricultural Impact Assessment is provided in accordance with the DA Lodgement Requirements.

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

Heritage Listed Trees

The heritage listed trees/palms (Cabbage Tree Palms under Item i53 of Manly LEP 2013) are to be protected from damage during excavation and construction works.

A Tree Protection Plan with details of the method of protection of the trees/palms must be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate. Annotated photographs of the trees/palms, with particular emphasis on the lower part of the trees/palms and the root system, must be submitted to the Certifying Authority prior to the commencement of any excavation and construction works.

Reason: to ensure appropriate tree/palm protection measures are adopted to preserve significant community assets.

Tree Root Investigation

A non-destructive root investigation shall be conducted complying with clause 3.3.4 (TPZ encroachment considerations) of AS 4970-2009 Protection of Trees on Development Sites, prior to the issue of a Construction Certificate. This shall be conducted by an Arborist with a minimum AQF Level 5 qualification in arboriculture/horticulture.

The findings of the root investigation shall be documented in a Root Mapping Plan and shall be the basis for determining the driveway alignment and width, and the construction methodology and materials for the driveway. A Driveway Alignment Plan, prepared by the Arborist, shall be issued to the Certifying Authority identifying a suitable layout for the driveway, including identifying the location of the vehicle crossing at kerb (maximum 3 metres width) and the driveway alignment at the property boundary (5.5 meters maximum width or less if determined necessary by the Arborist).

If structural roots are encountered (>25mm in diameter), recommendations for root pruning and preferably design change to the driveway alignment and width must be recommended and documented in the Driveway Alignment Plan.

The root investigation shall map existing roots of significance that must not be impacted by construction works.

The Root Mapping Plan shall provide a setback clearance recommendation from the trunks of the Cabbage Tree Palms and provide recommended construction techniques to ensure no impact to existing roots.

The Root Mapping Plan and the Driveway Alignment Plan shall be issued to the Certifying Authority, and shall be issued to the structural engineer as a basis for structural design.

The Arborist shall provide certification to the Certifying Authority that the Root Mapping Plan and clear distances recommended in the Driveway Alignment Plan will ensure the long term survival of the existing Cabbage Tree Palms.

The Certifying Authority shall approve Construction Certificate design that satisfies the recommendations of the Root Mapping Plan and Driveway Alignment Plan.

Reason: to ensure protection of the Heritage Listed Cabbage Tree Palms.

On Slab Landscape Works

- i) Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided,
- ii) Landscape treatment details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule,
- iii) The following soil depths are required to support landscaping:
 - 300mm for lawn
 - 600mm for shrubs
 - 1m for small trees
- iv) Design certification shall be submitted to the Certifying Authority by a structural engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection - General

- a) Existing trees and vegetation shall be retained and protected, including:
 - i) all trees and vegetation within the site, excluding exempt 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 generally undertaken as follows:
 - i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
 - ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 minimum qualification Arborist,
 - iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 minimum qualification Arborist,
 - iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF Level 5 minimum qualification Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,
 - v) to minimise the impact on trees and vegetation to be retained and protected, 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,
 - vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF Level 5 minimum qualification Project Arborist on site,
 - vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5

minimum qualification Arborist on site,
viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF Level 5 minimum qualification Arborist, including advice on root protection measures,
ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF Level 5 minimum qualification Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
x) 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 AS 4970-2009,
xi) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

c) All protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

Reason: to retain and protect significant planting on development and adjoining sites.

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 indicative landscaping shown on the Site Plan 01-02-01, inclusive of the following requirements:

- i) screen planting along the south and east boundaries adjacent to the swimming pool shall consist of shrub planting capable of attaining 3 metres in height at maturity, planted at 300mm container pot size, and installed no more than 900mm apart,
- ii) on slab landscape works are constructed in accordance with the Construction Certificate details,
- iii) planting to the frontage shall consist of mass planted mixed species, including 1 x small native tree (as listed in Manly DCP) installed at 75 litre container pot size.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the condition of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQF minimum Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, including the following information:

- i) compliance to any Arborist recommendations for tree protection and excavation works,
- ii) extent of damage sustained by vegetation as a result of the construction works,
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Specifically, the Arborist shall provide certification that the existing Heritage Listed Cabbage Tree Palms in Francis Street, and the street trees in Arthur Street are healthy and vigorous.

Reason: to retain and protect significant planting on development sites.

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

Landscape Maintenance

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping, including watering and fertilising to the existing road verge palms and trees. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.