

Landscape Referral Response

Application Number:	DA2020/0224
Date:	03/04/2020
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot 33 DP 12186 , 37 Parkes Street MANLY VALE NSW 2093

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 Arborists report provided with the application is noted. The report assess the impacts of the existing *Eucalyptus bangalay* and "classifies the tree to be an unacceptable 'risk' on the basis of many recent years of 'live branch' failure incidents of a significant diameter. " The Arborist's Report recommends removal of the tree but on the unacceptable risk it presents due to the ongoing limb failure.

The plans and the SEE do not indicate removal of the tree. The SEE indicates that 1 x Jacaranda is to be removed to accommodate the works. Jacaranda is an exempt species under WDCP.

Whilst the plans and SEE are silent on the removal of the Eucalyptus tree, the findings of the Arborist's Report support the need for removal of the Eucalyptus tree.

In view of the above, conditions have been included authorising removal of both trees.

No landscape plans was submitted with the application. However, replacement tree planting and protection of existing rock outcrops have been included in recommended conditions.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Landscape Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree protection

- (a) Existing trees which must be retained
 - i) All trees, unless exempt under relevant planning instruments or legislation with the exception of 1 x *Eucalyptus botryoides* located on the rear boundary and 1 x *Jacaranda mimosifolia* located on the eastern boundary, which may be removed
 - ii) Trees located on adjoining land
- (b) Tree protection
 - i) No tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
 - ii) All structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified Arborist on site.
 - iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
 - iv) All tree pruning within the subject site is to be in accordance with WDCCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
 - v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of rock and sites of significance

- a) 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.
- b) 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

Required Planting

Trees shall be planted in accordance with the following schedule:

Minimum No. of Trees Required.	Species	Location	Minimum Pot Size
1	Tree species capable of attaining a minimum height of 8 metres at maturity	1 x Rear yard	200mm

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To maintain environmental amenity.