

Landscape Referral Response

Application Number:	DA2021/0965
Date:	20/07/2021
Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot Y DP 106688 , 13 Bellevue Street FAIRLIGHT NSW 2094 Lot X DP 106688 , 11 Bellevue Street FAIRLIGHT NSW 2094

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 proposed development is for alterations and additions to the existing semi-detached dwelling to provide for the construction of a crossover, driveway and hard stand parking area within the frontage of properties No. 11 and No. 13.

Council's Landscape Referral has considered the application against the Manly Local Environment Plan, and the following Manly DCP 2013 controls:

- 3.3.1 Landscaping Design
- 3.3.2 Preservation of Trees or Bushland Vegetation
- 4.1.5 Open Space and Landscaping

No Landscape Plan is provided with the application, whilst an Arboricultural Impact Assessment is provided. Two existing Brushbox street trees identified as tree 1 and tree 2 are located in close proximity to the proposed driveway.

The proposal requires the removal of one existing Brushbox street tree as identified on the Site Plans and the Arboricultural Impact Assessment. Tree root investigations have been undertaken to assess the impact to the street trees and existing tree 2 is not impacted by the proposed driveway works with one minor and non-critical root to be removed, and as such the driveway alignment is able to be supported. Tree 1 investigations reveal that five critical tree roots will be impacted upon, and in consideration of the poor condition of the tree, retention is not viable and removal is unavoidable due to the extent of impact from the proposed driveway works.

The existing street trees along Bellevue Street are a prominent streetscape element and a replacement street tree is required. The proposed works within the front setback reduce the landscape area capable of supporting planting to soften development in accordance with clauses 3.3.1 and 4.1.5, and therefore to each lot one small native tree shall be provided to satisfy the landscape controls.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Road Reserve

This consent approves the removal of the following tree(s) within the road reserve (as recommended in the Arboricultural Impact Assessment):

- i) tree 1 - Brushbox, located south of the proposed driveway, subject to replacement.

Removal of the approved tree/s in the road reserve shall only be undertaken by a Council approved tree contractor. Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services Section prior to removal.

Reason: Public liability.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Existing Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages and the street trees fronting the development site shall be protected by tree protection fencing in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings and in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites.

As a minimum, the tree protection fencing for street tree(s) fronting the development site, identified as tree 2 - Brushbox, located north of the proposed driveway, shall consist of standard 2.4m panel length to four sides unless otherwise directed by an Arborist with minimum AQF Level 5 in arboriculture.

All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

Should any problems arise with regard to the existing or proposed trees on public land during construction, Council's Tree Services section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: Tree protection.

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site not approved for removal, excluding exempt trees and vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation, unless approved for removal.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained,

unless authorised by an 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 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 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 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 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 to the Certifying Authority.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment.

The Certifying Authority must ensure that:

d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.
e) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

Note: All street trees within the road verge and trees within private property are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited.

Reason: Tree and vegetation protection.

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

Required Tree Planting

Trees shall be planted in accordance with the following:

- i) one small native tree to each lot shall be installed within the front setback, and installed at a minimum 75 litre pot size and capable of attaining a mature height of 6 metres minimum, and selected from Northern Beaches Council's Native Plant Species Guide - Manly Ward,
- ii) tree planting shall be located within a 9m² deep soil area wholly within the site and be located a minimum of 3 metres from existing and proposed buildings.

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

Reason: To maintain environmental amenity.

Street Tree Planting

Street trees shall be planted in accordance with the following:

- i) one *Lophostemon confertus* (Brushbox) street tree shall be located south of the proposed driveway,

installed at a pre-ordered minimum 200 litre container size, and shall meet the requirements of Natspec - Specifying Trees,

- ii) the street tree shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained to achieve establishment, and shall be located at least 2 metres from the driveway edge and shall be centrally located between the footpath and road kerb,
- iii) tree protection shall be a timber guard consisting of four 50 x 50 x 1800 posts, top and mid rails, and hessian ties to the tree.

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

Reason: To maintain environmental amenity.

Note: Please consider registering your new tree through the link below to be counted as part of the NSW State Governments 5 Million trees initiative

<https://5milliontrees.nsw.gov.au/>