

## Landscape Referral Response

<b>Application Number:</b>	DA2020/0178
<b>Date:</b>	28/04/2020
<b>Responsible Officer:</b>	Penny Wood
<b>Land to be developed (Address):</b>	Lot 318 DP 11162 , 33 Kirkwood Street 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

The development application is for the demolition of the existing dwelling house and construction of a new dwelling house and associated works.

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

The proposal provides landscaped area capable of retaining existing trees as well has enhancing residential amenity through additional tree planting and other landscaping. A Landscape Plan is submitted with the application. The information is inadequate and an amended Landscape Plan shall be provided prior to Construction Certificate, in accordance with DA Lodgement Requirements.

No Arboricultural Impact Assessment is submitted with the application. It is noted that no significant trees are proposed for removal, with existing vegetation required to be removed consisting of Exempt species by height (5 metres or less) or by type.

In terms of landscape outcomes, the landscape component of the application is acceptable subject to the protection of existing trees and vegetation and subject to the completion of landscaping to satisfy the landscape controls of Manly DCP.

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 SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION**

## CERTIFICATE

### **Amended Landscape Plan**

An amended landscape plan shall be provided to the Certifying Authority for approval prior to the issue of a Construction Certificate.

The Landscape Plan must illustrate:

- proposed surface treatments and materials, including but not limited to structures, features, walling, fences, pavements, gardens, lawns, ground stabilisation, drainage, irrigation etc.,
- existing and proposed ground levels,
- outline of proposed buildings, driveways and structures, including swimming pools, pavements, walls and fences, all consistent and co-ordinated with building and services plans,
- location, height and materiality of proposed retaining walls and fences,
- existing street trees or trees on neighbouring properties that may be impacted by the proposed development,
- existing trees and other vegetation to be retained or removed. All trees are to be located, identified and numbered, and shall coincide with the arborists report,
- proposed planting scheme including species selection, location, quantities, mature heights and pot sizes,
- location of any underground services,
- any irrigation systems.

Specifically, the amended landscape plan shall:

- i) demonstrate that the intent of Manly DCP clause 3.3.1 Landscaping Design and clause 4.1.5 Open Space and Landscaping is satisfied, and that the number of trees to be provided within the site in accordance with 4.1.5.2 (c) Minimum Tree Planting. It is expected that garden areas and lawn open space areas shall support new tree planting, and
- ii) provide perimeter boundary screen planting to ensure private open space areas for the property and for adjoining properties are adequately provided.

New tree planting shall meet the following requirements:

- located within natural ground areas of substantial area (minimum 12m<sup>2</sup>) for each tree,
- located away from common boundaries,
- planted at least 4-5 metres from buildings, and at least 4-5 metres from all other trees, and
- shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views.

The Certifying Authority must be satisfied that all of the relevant requirements listed above have been included in the amended landscape plan.

Reason: ensure the landscape treatments soften the built form.

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### **Vegetation removal within the property**

Vegetation removal as indicated on the Demolition Plan (page 3 of 14), is permitted to be removed as Exempt Species under 5 metres in height or as exempt species type.

Any future request for tree removal is subject to a Section 4.55 modification application, or an assessment by a AQF level 5 Arborist that determines that the tree presents an imminent risk to life or property.

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### 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 vegetation under the relevant planning instruments of legislation,
  - ii) all trees and vegetation located on adjoining properties,
  - iii) all trees and vegetation within the road reserve.
- 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 minimum Level 5 Arborist,
  - iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF minimum Level 5 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 minimum Level 5 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 minimum Level 5 Project Arborist on site,
  - vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF minimum Level 5 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 minimum Level 5 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 minimum Level 5 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 works completion

Landscape works are to be implemented in accordance with the approved Amended Landscape Plan.

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 approved Amended Landscape Plan and any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

#### **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. 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.