

Landscape Referral Response

Application Number:	DA2019/0081
Date:	01/05/2019
Responsible Officer:	Benjamin Price
Land to be developed (Address):	Lot 1 DP 115705 , 12 Boyle Street BALGOWLAH NSW 2093 Lot D DP 335027 , 307 Sydney Road BALGOWLAH 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 landscape component of the proposal is acceptable subject to the protection of existing trees and vegetation, and completion of landscaping.

Council's Landscape section have assessed the application against the landscape controls of Manly DCP2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types, and specifically: 3.3.1 Landscaping Design; 3.3.2 Preservation of Trees or Bushland Vegetation; and 4.1.5 Open Space and Landscaping.

A Landscape Plan is provided with the development application, and this satisfies the requirements of Manly DCP2013, subject to conditions.

A Arboricultural Impact Assessment is provided with the application, and this satisfies the requirements of Manly DCP2013, subject to conditions.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION
CERTIFICATE**

On Slab Landscape Works

- Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate,
- i) indicating the proposed method of waterproofing to the concrete slabs and planters to which soil and planting is being provided,
 - ii) indicating soil type, plant species, irrigation, services connection, maintenance activity schedule and soil depth compliant with iii) below:
 - iii) the following minimum soil depths are required to be provided:
 - 300mm for lawn and groundcovers
 - 600mm for shrubs
 - 1 metre for trees
 - iv) certification shall be provided by a structural engineer that the roof garden planter is designed structurally to support the 'wet' weight of landscaping (materials, soil and established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system, and away from habitable areas.

Palm transplantation

A transplantation feasibility report including a site specific Transplant Method Statement prepared by a professional tree transplant company for the transplantation of the Canary Island Date Palm (Tree 16) and Tree Aloe (Tree 21), is to be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal

In consideration of the assessment of tree health and condition, the following existing trees are approved for removal, based on the recommendations of the Arboricultural Impact Assessment report dated March 2018, and the Addendum Letter dated 28 January 2019, both prepared by Tree Wise Men: tree T2, T3, T4, T12, T13, T14, T15, T18, T19, T20 and T22.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection

A) Existing trees and vegetation shall be retained and protected as follows:

- i) all trees and vegetation within the site as identified for retention in the Arboricultural Impact Assessment report dated March 2018, and the Addendum Letter dated 28 January 2019, both prepared by Tree Wise Men (T1), excluding exempt trees under the relevant planning instruments or legislation,
- ii) trees proposed for transplanting: T16 and T21,
- iii) all trees and vegetation located on adjoining properties, and particularly T5 to T11, and T24,
- iv) all road reserve trees and vegetation, including T24 along Boyle Street, and trees along Sydney Road.

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, with particular reference to Section 4, and the recommendations of the Arboricultural Impact Assessment report dated March 2018, and the Addendum Letter dated 28 January 2019,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- iv) 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,

v) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a Project Arborist on site,

vi) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,

vii) excavation for stormwater lines is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, to provide for root protection measures,

viii) should either or all of v), vi) and vii) occur during site establishment and construction works, a AQF 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,

ix) 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,

x) 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.

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

Project Arborist

A AQF Level 5 Project Arborist, qualified in Horticulture is to be engaged to supervise and certify tree protection works in accordance with AS4970- 2009 Protection of Trees on Development Sites, and in accordance with Attachment D: Tree Protection Requirements and Attachment E: Tree Protection Plan, as documented in the Arboricultural Impact Assessment report dated March 2018, and the Addendum Letter dated 28 January 2019, both prepared by Tree Wise Men.

Details shall be submitted to the Certifying Authority prior to the Occupation Certificate.

Reason: to ensure tree protection is provided and maintained.

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

Landscape works

Landscaping is to be implemented in accordance with the landscape plans 000 (C), 101 (E), 501 (A) and 502 (A), as prepared by Site Image, inclusive of the following conditions:

i) native tree planting shown on the plans shall be planted in ground area containing at least 3m x 3m soil area, and shall be planted at least 3 metres (small trees) or 5 metres (medium to large trees) from any structures or underground utilities

ii) a total of 21 trees, as scheduled on the landscape plans, shall be planted on site,

iii) all planting shall conform to the pot sizes as listed on the plant schedule on plan 000 (C).

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 amended landscape plan and the conditions of consent.

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

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

Landscape maintenance

All landscape components are to be maintained for the life of the development. A maintenance program

is to be established. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components and species to maintain the landscape theme of the landscape plan.

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

Environmental and priority weed control

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.