

Landscape Referral Response

Application Number:	DA2019/0645
Date:	12/08/2019
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot CP SP 15752 , 26 Whistler 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 application seeks approval to demolish an existing residential flat building and construct of an 8 storey residential flat building containing 41 apartments. The application also proposes the implementation of an enhanced site landscape regime, the strata subdivision of the completed development and the widening of the existing publicly accessible through site link.

The landscape component of the proposal is acceptable subject to the completion of landscape works.

The public domain landscape proposal along Short Street Plaza generally provides an enhanced quality benefitting public movement and landscape amenity. The proposal provides for landscape treatment to the ground floor interface with Short Street Plaza to enhance the public domain to satisfy Manly DCP 2013 and SEPP 65, as well as planter landscaping to level 1, which provides screen planting along the southern boundary to satisfy SEPP65 landscape requirements.

The application requires the removal of all vegetation on the site, consisting of Exempt species (Chinese Elm, Alexander Palms, Murraya and Yucca).

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 SEPP 65 Design Principles

A Arboricultural Impact Assessment is provided with this application that satisfies the DA Lodgement Requirements. The Arborist recommendations are supported. Conditions of consent shall be imposed to ensure protection of the existing public domain trees within Short Street Plaza.

A Landscape Plan referenced as 19/2064 and prepared by Paul Scrivener Landscape Architecture satisfies the DA Lodgement Requirements, subject to conditions.

Referral Body Recommendation

Recommended for approval, subject to conditions

DA2019/0645

Refusal comments

Recommended Landscape Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal

The following existing vegetation is granted approval for removal following assessment and recommendation in the Arboricultural Impact Appraisal and Method Assessment prepared by Naturally Trees:

Trees 1 to 8 - Alexander Palm (Exempt Species)

Tree 9 - Yucca (Exempt Species)

Tree 10 - Chinese Elm (Exempt species)

Tree 11 - Murraya (Exempt species)

Tree 12 - group of Murraya (Exempt species)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree protection measures

a) Existing trees and vegetation shall be retained and protected as identified in the Arboricultural Impact Appraisal and Method Assessment prepared by Naturally Trees, including:

i) all trees and vegetation located on adjoining properties, being the existing trees identified as T13 and T14 - Chinese Elm located within the Short Street Plaza

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 Arborist,

iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF 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 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 Level 5 Project Arborist on site,

vii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, including advice on root protection measures,

viii) should either or all of 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, and shall be conducted under the

strict supervision of a AQF Level 5 Arborist, and in consideration of the Arboricultural Impact Appraisal and Method Assessment recommendations in section 4. Arboricultural Impact Statement, and specifically section 4.2.1, 4.2.2, 4.2.3, and 4.5.1, as well as section 6.1 and 6.2,

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.

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

Landscaping is to be implemented in accordance with the Landscape Plan referenced as 19/2064 and prepared by Paul Scrivener Landscape Architecture, inclusive of the following requirements:

- i) the proposed landscape areas at ground level shall be serviced by a 'below the surface' drip-line irrigation system, in accordance with the recommendations on the Landscape Plan,
- ii) all landscape construction elements shall be in accordance with the material recommendations on the Landscape Plan,
- iii) any replacement paving within Council land shall be approved by Council prior to installation,
- iv) a pre-order contract arrangement shall be utilised to ensure the 200 litre *Ulmus parvifolia* is delivered to site as proposed in the Landscape Plan,
- v) all other tree planting shall be installed at 75 litre container size,
- vi) all Level 1 planting within the rectangular planters shall be shade tolerant species, and capable of attaining 1 metre in height at maturity,
- vii) all planters on Level 1 shall be serviced by a 'below the surface' drip-line irrigation system, in accordance with the recommendations on the Landscape Plan,
- viii) landscape establishment maintenance for 12 months shall be undertaken, followed by ongoing maintenance commitments in accordance with the requirements of the 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 landscape plan and inclusive of any 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

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.

Following the establishment maintenance period, a long term landscape maintenance program shall be entered into by the body corporate with a landscape maintenance company to provide ongoing maintenance.

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

