

Landscape Referral Response

Application Number:	DA2020/0237
Date:	12/05/2020
Responsible Officer:	Catriona Shirley
Land to be developed (Address):	Lot 130 DP 11162 , 15 Alto Avenue 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 construction of a new dwelling and swimming pool.

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, and in particular the following clauses: 3.3.1 Landscaping Design, 3.3.2 Preservation of Trees or Bushland Vegetation, 3.3.3 Footpath Tree Planting, 4.1.5 Open Space and Landscaping, and 4.1.5.2 Landscaped Area.

A Landscape Plan is to be submitted for approval prior to the release of the Construction Certificate in accordance with DA Lodgement Requirements, to satisfy the landscape controls as referred above, and as a minimum shall include the following:

- native tree planting to satisfy 3.3.1 and 4.1.5.2
- screen planting along side boundaries to provide privacy to private open space to satisfy 3.3.1 and 4.1.5
- street tree planting to satisfy 3.3.3

A Arboricultural Impact Assessment prepared by Growing My Way Tree Consultancy, dated March 2019 is provided in accordance with the DA Lodgement Requirements with this application for existing trees within 5 metres of any development works, being 5 trees within the property and two within adjoining properties. The proposal requires the removal of existing trees T2 - Jacaranda (exempt species), T3 - Gordonia (exempt species), T4 - Sydney Peppermint (significant lean that is detrimental in the long term), T5 - Red Bloodwood (short useful life expectancy), all located within the driveway and building footprint, and shall be subject to conditions for tree replacement within the site.

The landscape component is acceptable subject to the provisions of landscaping to satisfy the landscape controls of Manly DCP and subject to the protection of tree and vegetation not impacted by development works as listed in the Arboricultural Impact Assessment.

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

Landscape Plan

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

As a minimum, the landscape plan shall incorporate the following requirements:

- two (2) native trees planted within the frontage of the site and one (1) native tree planted within the rear of the site, as listed in Schedule 4 - Part B Native Tree Selection, suited to the site conditions, shall be documented on the plans, and to be installed at 75 litre container size,
- screen planting along side boundaries to provide privacy to private open space and to screen any potential overlooking from the proposed dwelling, consisting of shrub planting capable of attaining at least 3 metres in height at maturity, selected to suit the site conditions, and to be installed at 200mm pot container sizes and no more than 1 metre apart,
- street tree planting of one (1) *Callistemon viminalis* shall be planted within the road verge, located at least 2 metres from the proposed driveway northern edge, installed at 75 litre container size, within a prepared planting hole 1m x 1m x and at least 700mm depth, backfilled with sandy loam soilmix, and finished with a mulch layer and 3 post tree guard and hessian wrap.

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

Reason: ensure the landscape treatments soften the built form and provide neighbourhood landscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

The following trees located on the property and assessed as impacted by development, and without an alternative design layout to retain the trees, as assessed and recommended in the Construction Impact & Management Statement, dated March 2019, prepared by Growing My Way, are granted approval for removal:

- T2 - Jacaranda,
- T3 - Gordonia,
- T4 - Sydney Peppermint,
- T5 - Red Bloodwood.

Advice: Any request to remove a tree approved for retention under the development application 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 as follows:

- i) all trees and vegetation within the site, identified in the Construction Impact & Management Statement report prepared by Growing My Way, T7 - Port Wine Magnolia, excluding exempt trees under the relevant planning instruments or legislation,
- ii) all trees and vegetation located on adjoining properties, including T1 - Red Bloodwood and T6 - Broad Leaf Paperbark
- iv) all road reserve trees and vegetation.

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 aAQF 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) Specifically, the recommendations as listed under section 6. Site Specific 'Tree Management Plan' of the Construction Impact & Management Statement report prepared by Growing My Way shall be undertaken.

d) 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

Condition of retained vegetation

Prior to the issue of an Subdivision Certificate, a report prepared by an AQF Level 5 Arborist, shall be

submitted to the Certifying Authority, assessing the health and impact of trees and vegetation required to be retained as a result of the proposed subdivision works, including the following information:

- i) compliance to Arborist recommendations for tree protection and excavation works.
- ii) extent of damage sustained by vegetation as a result of the construction works.
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

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

Approved Landscape Plan

Landscape works are to be implemented in accordance with the approved 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 landscape plan and with 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.