

Landscape Referral Response

Application Number:	DA2020/0129
Date:	30/04/2020
Responsible Officer:	Anne-Marie Young
Land to be developed (Address):	Lot 2 DP 18143 , 4 Lewis Street BALGOWLAH HEIGHTS 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 development application is for the demolition of the existing house and garage on site and construction of a new two storey house with double garage within the building footprint, hardstand to the front, new landscape works, and new vehicle crossing to replace existing to Lewis Street.

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

b) i) landscaped areas must be capable of supporting new native tree species that are typically expected to reach a mature height of 10m,

b) iii) trees should be positioned in locations that minimise significant impacts on neighbours in terms of blocking winter sunlight to either living rooms, private open space or solar collectors; or where the proposed location of the tree may be otherwise positioned to minimise any significant loss of views.

- 3.3.2 Preservation of Trees or Bushland Vegetation

The objectives are to promote the retention and planting of trees.

- 3.3.3 Footpath Tree Planting

The installation of footpath trees is supported to satisfy the aims of Manly Council's Tree Management Policy 2011 and the Street Tree Master Plan, which nominates *Tristania laurina* in Lewis St under wires.

- 4.1.5 Open Space and Landscaping

The objectives are to maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation, and maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.

- 4.1.5.2 Landscaped Area

c) A Minimum Tree Plantings required on this site is 2 trees.

No Arboricultural Impact Assessment is provided with this application. An existing Crepe Myrtle is located at the rear of the site and is proposed to be retained. A condition of consent shall be imposed regarding retention and protection measures.

A Landscape Plan is submitted with the application in accordance with DA Lodgement Requirements. Generally the landscape proposes are acceptable with the exception of the following requirements that are to be submitted prior to Construction Certificate approval:

- native tree planting is not included in the landscape scheme to satisfy 3.3.1 and 4.1.5.2
- street tree planting is not included in the landscape scheme to satisfy 3.3.3
- the rear boundary provides an inadequate garden width to provide suitable area for the planting of appropriate screening planting that satisfies 4.1.5

An Amended Landscape Plan shall be submitted indicating the following landscape outcomes:

- at least 2 native trees are to be located within the site, with one in the front yard and one in the rear yard,
- street tree planting of *Tristania laurina*,
- a garden bed width of at least 2 metres along the rear boundary to support either tall shrub planting or small tree planting as screening.

Conditions of consent shall be imposed in regard to the requirements to be documented in the Amended Landscape Plan. No issues are raised regarding the other design components of the landscape plan.

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.

Specifically, the amended landscape plan shall incorporate the following requirements over and above the Landscape Plan L-01 issue F, prepared by EcoDesign:

- 1 x *Tristania laurina* 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,
- 2 x native trees as listed in Schedule 4 - Part B Native Tree Selection, suited to the site conditions, shall be documented on the plans including one in the front yard and one in the rear yard, installed at 75 litre container size, and located to satisfy 3.3.1 Landscaping Design b) iii),
- increase the current 600mm wide garden bed width to at least 2 metres along the back boundary to support suitable screening plants,
- delete the proposed *Bambusa textilis* bamboo species and replace with either tall shrub or small tree planting, such as *Acmena smithii* 'dwarf varieties', *Elaeocarpus* 'dwarf varieties', *Syzygium* 'dwarf varieties', *Viburnum* species, *Murraya paniculata*, and the like, to achieve a mature height of 4 metres.

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 and provide neighbourhood landscape amenity.

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

d) 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 a tree presents an imminent risk to life or property.

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.