

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0599
<b>Date:</b>	02/08/2019
<b>Responsible Officer:</b>	Georgia Quinn
<b>Land to be developed (Address):</b>	Lot 26 DP 7027 , 8 Hope Avenue NORTH MANLY NSW 2100

### 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 front of the site is remarkably in a near natural state with rock outcrops and local native trees within the frontage. Retention of as much of this unique character as possible is encouraged. As such, minimisation of impacts is supported and any opportunity for avoiding excavation is recommended.

It is noted that pre-lodgement plans indicated that the inclinators on the eastern side of the site was to be constructed above existing ground levels.

The plans submitted with this DA indicate that excavation is required at the southern (lowest) end of the site to accommodate the inclinators track. This will require removal of rock and potential additional impact on trees. It would be preferable if the inclinators could be constructed above ground levels, however no detail on the technical engineering requirements and angles are provided. Whilst the proposal can be supported in principle, in view of the unique natural features of the site it is recommended that any opportunities for reducing excavation be explored with the applicant prior to approval being granted.

The Arborist's Report incorporates detailed requirements for tree protection during works, which will require supervision of a Project Arborist.

Recommended conditions have been included if the proposal is to be approved.

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Refusal comments

### Recommended Landscape Conditions:

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## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### Tree protection

- (a) Existing trees which must be retained
  - i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
  - ii) Trees located on adjoining land
- (b) Tree protection
  - i) No tree roots greater than 30mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
  - ii) All structures are to bridge tree roots greater than 30mm diameter unless directed otherwise by a qualified Arborist on site.
  - iii) All tree protection to be in accordance with the recommendations of the Arboricultural Impact Assessment dated May 2019 prepared by Selena Hannan Consulting Arborist and AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
  - iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
  - v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

### Project Arborist

- i) A Project Arborist with minimum qualification AQF Level 5 is to be appointed prior to commencement of works.
- ii) The Project Arborist is to oversee all tree protection measures, removals and works adjacent to protected trees as outlined in the Arboricultural Impact Assessment dated May 2019 prepared by Selena Hannan Consulting Arborist and AS4970-2009 Protection of trees on development sites.
- iii) The Project Arborist is to ensure compliance as relevant with any other environmental requirements conditioned under this consent.

Reason: to ensure protection of vegetation proposed for retention on the site.

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

### Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.

(h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.

(i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees.

**Protection of rock and sites of significance**

a) All rock outcrops outside of and below the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

b) Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: Preservation of significant environmental features.

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

**Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by the Project Arborist shall be submitted to the Principal Certifying Authority, assessing the health and impact of trees and vegetation required to be retained as a result of the proposed development, including the following information:

- a) Compliance with the recommendations of the Arboricultural Impact Assessment dated May 2019 prepared by Selena Hannan Consulting Arborist. .
- b) Extent of damage sustained by vegetation as a result of the construction works.
- c) Any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: To ensure compliance with the requirement to retain and protect significant planting on development sites, and protect the existing amenity that trees and/or bushland vegetation provide.