

Landscape Referral Response

Application Number:	DA2019/0191
Date:	15/05/2019
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 22 DP 739842 , 2 A West Street 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.

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: 3.3.2 Preservation of Trees or Bushland Vegetation; 4.1 Residential Development Controls, and 4.4.8 Subdivision.

The subdivision development works will require the removal of existing trees numbered in the Arboriculture Impact Statement prepared by The Ents Tree Consultancy as Trees 3, 5, 7, 8 and 12.

The proposal retains existing trees of High retention value including Trees 17, 18, 18a, 19, 20 and 21, to satisfy the requirements of Manly DCP2013, including clause 4.4.8.2 Prevailing subdivision pattern and natural features where the proposed subdivision has regard to retention of existing vegetation on site, and clause 3.3.2 Preservation of Trees or Bushland Vegetation in particular. These trees shall be conditioned to ensure protected during subdivision works and any ongoing works.

Additionally existing Trees 6 and 11 are assessed as dead, and do not require approval for removal.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Protection Measures

A Project Arborist with AQZ Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for the existing trees nominated for retention and protection in the Arboriculture Impact Assessment prepared by The Ents Tree Consultancy, requiring site attendance during clearing, excavation and construction works, and in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4.

The project arborist will be required to supervise any works within the tree protection zone (TPZ) of existing trees to be retained.

Reason: to ensure the protection of the existing landscape amenity.

Tree protection measures shall be installed as recommended in section 5. Recommendations; Appendix 4a - Proposed Tree Protection Plan, within the Arboriculture Impact Assessment, consisting of 1.8m high tree protection fencing to the extent shown in Appendix 4a; and works as listed in Appendix 8 - Tree Protection Guidelines. The tree protection measures specified in this clause must:

- i) be in place before work commences on the site, and
- ii) be maintained in good condition during the construction period, and
- iii) remain in place for the duration of the construction works.

The Project Arborist shall submit certification to the Certifying Authority that all tree protection measures as listed above have been completed prior to the commencement of excavation and construction works,

Reason: to ensure tree protection is provided and maintained.

Tree removal

In consideration of the assessment of development impact, the following existing trees are approved for removal, based on the recommendations of the Arboriculture Impact Assessment report prepared by The Ents Tree Consultancy:

- Trees 3 (dead), 5, 7 (exempt), 8 and 12.

Additionally existing Trees 6 and 11 are assessed as dead, and do not require approval for removal.

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 for retention in the Arboriculture Impact Statement prepared by The Ents Tree Consultancy, and in particular existing trees 17, 18, 18a, 19, 20 and 21, excluding exempt trees and palms under the relevant planning instruments of legislation,
- ii) all other trees and vegetation located on adjoining properties, including as identified in the Arboriculture Impact Assessment, and in particular existing trees 1, 2, 4, 9, 10, 11, 13, 14, 15, and 16.
- iii) 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, with particular reference to Section 4,
- 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.