

## Landscape Referral Response

<b>Application Number:</b>	DA2019/1475
<b>Date:</b>	01/10/2020
<b>Responsible Officer:</b>	Renee Ezzy
<b>Land to be developed (Address):</b>	Lot 3 DP 86034 , 22 Victoria Parade 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 development application proposes the demolition of the existing structures and the construction of a new part four/part five storey hotel accommodation comprising 49 rooms, rooftop terrace, ground floor café/restaurant and associated site and landscape works.

The landscape proposal to the upper-most level of the rooftop level consists of a spa and open pergola structure over the spa, with climbers proposed over the pergola frame to provide shade and weather protection to the occupants of the roof level of the building.

Landscape Referral have considered this application against the relevant statutory requirements under Manly Local Environmental Plan, and Manly Development Control Plan, including Part 3 General Principles of Development; and Part 4 Development Controls and Development Types, and specifically 3.2.1.1 Consideration of Heritage Significance, and 3.5.5 Landscaping.

In accordance with DA Lodgement Requirements, both a Landscape Plan and an Arboricultural Impact Assessment is provided with the development application.

The Norfolk Island Pine located within the road carriageway at the frontage of the development site is identified in the Local Environment Plan with heritage value under NSW Heritage Listing Number i238, as part of a significant group of street trees.

The existing Norfolk Island Pine shall be protected from construction work impact as recommended in the Arboricultural Impact Assessment report prepared by NSW Tree Services dated 23 June 2015. The Norfolk Island Pine is identified as tree number 1 in the report.

At ground level the Landscape Plan proposes boundary planting, planter walling, seating and lawn area. The planting areas consist of deep soil planting to the southern boundary (on slab with 1 metre soil depth); western boundary (part natural ground / part on slab with 1 metre soil depth); and northern boundary (natural ground), with planting of native trees, feature accent planting, and native understorey planting.

On level 4, a raised tree planter is proposed, and on level 5 the landscape treatment consists of planting to the pergola, raised planter boxes, timber decking, seating, and lawn areas.

No objections are raised in regard to the Landscape Plan and the recommendations of the Arboricultural Impact Assessment, subject to conditions.

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**

#### **Heritage Listed Trees**

The heritage listed Norfolk Island Pine to be protected from damage during construction, in accordance with the Tree Protection Plan.

Annotated photographs of the tree, with particular emphasis on the lower part of the trees, must be submitted to the Certifying Authority prior to the commencement of any construction work.

The Certifying Authority shall not permit commencement of work until the recommendations of the Tree Protection Plan are adequately adopted.

Reason: to ensure appropriate tree protection measures are adopted to preserve significant community assets.

#### **On Slab Landscape Works**

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate:

- i) indicating the proposed method of waterproofing to concrete slabs and planters to which soil and planting is provided,
- ii) indicating the soil type, plant species, irrigation, services connections, maintenance activity schedule and soil depth compliance with iii) below:
- iii) the following minimum soil depths are required to be provided in approved landscape areas
  - 300mm for lawn and groundcovers
  - 600mm for shrubs
  - 1metre for tree planting

Design certification shall be provided by a qualified Structural Engineer to the Certifying Authority that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system, and away from habitable areas.

#### **Tree Protection Plan**

A Tree Protection Plan shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate, demonstrating tree protection measures to protect the heritage listed Norfolk Island Pine located within the road carriageway fronting the development site.

The Tree Protection Plan shall be prepared by an Arborist with AQF Level 5 qualifications in arboriculture/horticulture, and shall demonstrate the following:

- i) layout of the development, including existing and proposed underground services,
- ii) location of the Norfolk Island Pine identified for retention, including extent of canopy,
- iii) access routes and limitations/proximity to the Norfolk Island Pine along Victoria Parade, as well as entering/exiting the site for construction activity,
- iv) location of tree protection fencing / barriers,
- v) root protection in the form of mulching within the tree protection zone, and boarding is required,
- vi) trunk and branch protection within the tree protection zone,
- vii) other general tree protection measures.

Tree protection fencing to the extent and alignment as determined by an AQF Level 5 Arborist shall be included and demonstrated on the Tree Protection Plan, and shall comply to AS 4687-2007 Temporary Fencing and Hoardings, including 2.4m wide x 2.1m high fence panels, and weighted foot blocks.

Tree protection measures identified on the plan are to be in place prior to commencement of works. An AQF Level 5 Arborist shall provide certification to the Certifying Authority that the tree protection measures are satisfactory prior to the commencement of works.

All tree protection measures shall remain in place for the duration of construction activity.

Reason: to ensure compliance with the requirement to retain and protect the Norfolk Island Pine.

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

### **Tree removal within the property**

The following trees within the property are approved for removal as recommended in the Arboricultural Impact Assessment report prepared by NSW Tree Services dated 23 June 2015:

tree 2: Chusan Palm

tree 3: Leyland Cypress

tree 4: Leyland Cypress

All other Exempt Species or vegetation under 5 metres within the site do not require Council approval.

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

### **Project Arborist supervision and certification**

During the works, a AQF Level 5 Project Arborist is to be engaged to attend site to inspect and approve

the adequacy of the tree protection measures during construction works in accordance with the Tree Protection Plan.

The Project Arborist shall develop a schedule of inspections and shall document any and all site instructions, recommendations during the works, and photographic evidence to report acceptance that the works listed in the Tree Protection Plan are met at all times.

The Certifying Authority and/or Project Arborist shall ensure that the tree protection measures are in place for the duration of the construction activity.

Reason: ensure the tree protection measures are in place and are adequately maintained to retain the Norfolk Island Pine.

### **Tree and vegetation protection**

a) Existing trees and vegetation not impacted by the development works shall be retained and protected, including:

- i) all trees and vegetation located on adjoining properties,
- ii) 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,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a qualified AQF minimum Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by a qualified 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 a qualified 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 qualified AQF minimum Level 5 Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a qualified 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 qualified 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 qualified 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.

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 completion**

Landscaping is to be implemented in accordance with the Landscape Plans identified as drawing numbers LDA-001 to LDA-009 inclusive, prepared by Ground Ink Landscape Architecture, including of the following conditions:

- i) all trees as listed in the schedule shall be planted at a 75 litre container pot size minimum (Eucalyptus, Glochidion and Bambusa), 200 litre container size (Pistacia and Quercus).
- ii) all other nominated planting shall be in accordance with the plant schedule.

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 plans and with any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

### **Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQF minimum Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, as a result of the development works, including the existing Norfolk Island Pine within the road carriageway and all trees and vegetation within adjoining properties, including the following information:

- i) compliance to any 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.

## 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 tree and vegetation 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.