

## Landscape Referral Response

<b>Application Number:</b>	DA2020/0285
<b>Date:</b>	18/05/2020
<b>Responsible Officer:</b>	Kye Miles
<b>Land to be developed (Address):</b>	Lot 29 DP 11280 , 11 Bungaloe Avenue 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 proposed development is for alterations and additions to the existing dwelling house, consisting of a new inground concrete swimming pool, extension of existing single detached garage to a double garage with cabana under, a replacement boundary fence along Woodland St, and new retaining walls.

Council's Landscape section have assessed the application against the landscape controls of Manly DCP 2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types, and specifically: 3.3.1 Landscaping Design; 4.1.5 Open Space and Landscaping, and 4.4.5 Earthworks, as well as Manly Council's Tree Management Policy 2011 and the Street Tree Master Plan.

The application is acceptable following the issue of amended plans reflecting the Council advice to relocate the retaining wall along the common boundary at least 0.9m from the common boundary with No. 13 Bungaloe Avenue, to accordance with Manly DCP clause 4.4.5 Earthworks, subclause 4.4.5.1 General, where b) natural and undisturbed ground level must be maintained within 0.9m of side and rear boundaries.

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 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 on the Site Plan DA-01, prepared by Space

Landscape Designs,,

- ii) all trees and vegetation located on adjoining properties,
- 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,
- 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.

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 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 Landscape Plans numbered DA-01 (issue E), DA-03 (issue D), DA-04 (issue G), and DA-05 (issue D), prepared by Space Landscape Designs, inclusive of the following requirements:

- i) the street tree shall be planted at 75 litre container size, located centrally within the road verge, located away from underground utilities, and planted into a prepared hole of size 1m x 1m x min. 600mm depth, backfilled with sandy loam soilmix and covered with a mulch layer and staked with post (x 3) and top and mid rails,
- ii) all Rhipiolepis species shall be deleted and replaced with a similar non-invasive-seed species.

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 Plans 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.