

Landscape Referral Response

Application Number:	DA2019/0363
Date:	18/06/2019
Responsible Officer:	Rebecca Englund
Land to be developed (Address):	Lot 6 DP 5488 , 65 Seaforth Crescent SEAFORTH NSW 2092

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, and the completion of landscaping.

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: 3.3.1 Landscaping Design; 3.3.2 Preservation of Trees or Bushland Vegetation; and 4.1.5 Open Space and Landscaping.

A Landscape Plan is provided in accordance with DA Lodgement Requirements, and generally satisfies the requirements of Manly DCP2013, subject to conditions specifically to ensure adequate canopy tree planting between the proposed boathouse and dwelling to soften the built form.

A Arboricultural Impact Assessment report is provided in accordance with DA Lodgement Requirements, and provides tree protection measures for the existing trees proposed for retention. A root mapping investigation has been carried out in the vicinity of the existing Sydney Blue Gum, identified as T10, located on adjoining property No. 63, with conditions of consent to be imposed upon the construction within the tree protection zone of the tree.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

A Project Arborist with AQZ Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures and construction works in the vicinity of the existing *Eucalyptus saligna* (Sydney Blue Gum) located on adjoining property No. 63, identified in the Arboricultural impact Assessment prepared by Tree Management Strategies as T10, with the following works to be resolved on-site, inspected and certified by the Project Arborist:

- a) Any construction activity shall be in accordance with the following general protection guidelines:
 - 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 AQF Level 5 Arborist,
 - iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF 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 Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
 - v) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,
- b) Specifically the following works shall be undertaken:
 - i) the Project Arborist shall locate all required footings for the proposed access stairs,
 - ii) the proposed access stairs will need to be built on the existing ground level with footings to be hand dug,
 - iii) if excavation is required it should be carried out under the supervision of the Project Arborist to identify roots critical to tree stability,
 - iv) where the project arborist identifies roots to be pruned within or at the outer edge of the TPZ, they should be pruned with a final cut to undamaged wood, as directed by the Project Arborist,
 - v) pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws, as directed by the Project Arborist,
 - vi) pruning wounds shall be dressed as directed by the Project Arborist,
- c) activities listed below are excluded from the tree protection zone, as identified in the Arboricultural impact Assessment:
 - i) machine excavation including trenching,
 - ii) excavation for silt fencing,
 - iii) construction material storage,
 - iv) dumping of waste,
 - v) placement of fill,
 - vi) soil level changes,
 - vii) temporary or permanent installation of utilities and signs,
 - viii) physical damage to the tree.

Certification reports and photographic documentation of the works near existing tree T10 shall be recorded and issued to the Certifying Authority, including during the works and at occupation certificate stage.

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

Tree protection measures

Tree protection measures as listed in the Arboricultural impact Assessment prepared by Tree Management Strategies, section 5. Tree protection Plan, shall be installed at the commencement of works for existing trees T1 - Jacaranda, and T10 - Sydney Blue Gum, and in accordance with AS 4970-2009 Protection of Trees on Development Sites.

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 recommended have been completed prior to the commencement of excavation and construction works, and have been appropriately maintained during the works.

Reason: to ensure tree protection is provided and maintained.

Tree removal

The following existing trees impacted by development are granted approval for removal following assessment and recommendation in the Arboricultural Impact Assessment report prepared by Tree Management Strategies:

- tree 2 - *Strelitzia nicholii* (Bird of Paradise)
- tree 3 - *Pittosporum undulatum* (Sweet Pittosporum)
- tree 4 - *Banksia serrata* (Old Man Banksia)
- tree 7 - *Ligustrum* sp. (Privet)
- tree 8 - *Ligustrum* sp. (Privet)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of rock and sites of significance

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

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

Landscape works

Landscaping is to be implemented in accordance with the Landscape Plan Cov.LAN.01, prepared by Mark Hill Garden Design, inclusive of the following requirements:

- i) all proposed *Cupaniopsis anacardoides*, which has become a self seeding species spreading into bushland, shall be replaced with native trees achieving a similar height and spread as intended by the design, including all or either of the following species: *Banksia serrata*, *Ficus rubiginosa*, *Glochidion ferdinandi*, and *Syzygium paniculatum*,
- ii) all tree planting is to be installed at 75 litre container size,
- iii) all tree planting shall comply with 3.3.1 Landscaping Design, section b) item iii) where trees should be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight as described in the clause, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views,

- iv) all tree planting shall have a minimum individual area of 3 metres x 3 metres of soil area, and shall be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used,
- v) at least nine (9) native canopy trees, located on the Landscape Plan between the boathouse and the dwelling, shall be installed in this area.

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 plan and inclusive of 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 AQF Level 5 Arborist, shall be submitted to the 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:

- i) compliance to 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

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 removed must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

Environmental and priority weed control

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.