

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0378
<b>Date:</b>	04/07/2019
<b>Responsible Officer:</b>	Claire Ryan
<b>Land to be developed (Address):</b>	Lot 235 DP 4889 , 50 Grandview Grove 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

This DA seeks development consent for Torrens Title subdivision to create 2 Lots (Lot 235A and 235B) and a residential dwelling on Lot 235A.

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, including 4.1.1.2 Residential Land Subdivision, and 4.4.8 Subdivision.

#### Subdivision

The proposed subdivision plan is acceptable subject to the retention of existing trees assessed with a high significant rating in the Arboricultural Impact Statement prepared by Naturally Trees, identified as T1 - Magnolia grandifolia, T2 - Magnolia grandiflora, and T3 - Glochidion ferdinandi (Cheese Tree) that are located within the proposed Lot 235B.

Any future residential dwelling on Lot 235B shall be sited and designed to accommodate setbacks from T1, T2, and T3 as prescribed in Australian Standard AS4970-2009 Protection of Trees on Development Sites. Generally, the existing ground levels within the tree protection zone shall be retained, with any need for retaining and altering ground levels to be established beyond the tree protection zone.

The recommendations of tree removal for existing trees T4 and T5, as assessed in the Arboricultural Impact Statement is accepted.

Additionally, street tree planting to satisfy 3.3.3 Footpath Tree Planting shall be provided. In accordance with the Manly Council Street Tree Masterplan 2015, 1 x Eucalyptus haemastoma shall be planted within the road verge of Grandview Grove, and 1 x Eucalyptus botryoides shall be planted within the road verge of Munoorra Street.

#### Residential Dwelling on Lot 235A

The landscape component of the residential dwelling proposal on Lot 235A, based on the amended Landscape Plans prepared by Riverview Landscape designs, issue D, dated 27.06.2019, is acceptable subject to the completion of landscaping and any conditions of consent.

### **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**

Tree protection fencing shall be installed around the existing trees to be retained on site, identified as T1 - Magnolia grandiflora, T2 - Magnolia grandiflora, and T3 - Glochidion ferdinandi, within the Arboricultural Impact Assessment prepared by Naturally Trees, located along the northern boundary to No. 6 Munoorra Street.

Fencing shall consist of minimum 1.8m high x 2.4m length standard wire mesh construction fencing in accordance with Australian Standard AS 4687-2007 - Temporary Fencing & Hoardings, with fencing to be set at least 3 metres from the existing tree trunks to protect the tree protection zone.

Additionally, the Certifying Authority or a Project Arborist AQZ Level 5 must ensure that:

- i) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- ii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

The tree protection measures and fencing 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.

Note. A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: to ensure tree protection is provided and maintained.

#### **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 as shown on the Survey Plan and Site Plans, excluding exempt vegetation under the relevant planning instruments of legislation,
- 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:

DA2019/0378

- 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 AQF 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 AQF Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF 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 AQF 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 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,
- 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 approved for removal 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 works**

Landscaping shall be implemented in accordance with the landscape plans numbered 1 of 2 and 2 of 2, prepared by Riverview Landscape Designs, issue D, dated 27.06.2019, and inclusive of the following requirements:

- i) the documented street tree planting to Munoorra Street (*Eucalyptus haemastoma*), shall be changed to *Eucalyptus botryoides*,
- ii) the documented street tree planting to Grandview Grove (*Eucalyptus botryoides*), shall be changed to *Eucalyptus haemastoma*,
- iii) street tree planting shall be completed in accordance with the typical tree planting detail, and set a minimum of 2 metres from the kerb.

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 Plan and any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

**Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist with qualifications in arboriculture/horticulture, shall be submitted to the Certifying Authority, assessing the health and impact on existing trees required to be retained (T1, T2, and T3) as a result of the proposed development, 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**

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.

**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.