

Landscape Referral Response

Application Number:	DA2019/1239
Date:	12/12/2019
Responsible Officer:	Rhiannon McLardy
Land to be developed (Address):	Lot 98 DP 35319 , 8 Phillip Avenue 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 development application proposes alterations and additions to an existing dwelling and construction of an attached secondary dwelling.

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 DCP 2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types.

A Landscape Plan prepared by Conzept Landscape Architects is submitted with the application, and satisfies the DA Lodgement Requirements, subject to conditions.

No Arboricultural review of the existing trees and vegetation is provided. Existing trees are indicated on the Landscape Plan for retention, and shall be subject to conditions. Removal of 3 shrubs within the front setback is proposed and no objection is raised.

Existing trees within the road verge, within the site, and within adjoining property, as shown on the Landscape Plan shall be protected during all stages of construction. A Tree Protection Plan shall be provided at Construction Certificate stage demonstrating tree protection measures, including tree fencing, trunk and ground protection, and maintenance activities during construction works.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

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 following trees:

- Fraxinus and Lagerstroemia street trees within road verge,
- Spotted Gum along northern boundary,
- Gum along rear east boundary,
- All existing trees within 5 metres of development located on adjoining properties.

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

- Layout of the approved development
- Location of trees identified for retention
- Extent of canopy spread
- Location of tree protection fencing / barriers (fencing in accordance with AS2470 – 2009)
- General tree protection measures

1.8m high construction fencing shall be located around the existing street trees, and the existing trees within the site, to the extent and alignment as determined by the Arborist.

Tree protection measures identified on the plan are to be in place prior to commencement of works.

Reason: to ensure compliance with the requirement to retain and protect existing trees.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree protection measures

An Arborist with AQF Level 5 qualifications in arboriculture/horticulture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970 - 2009 Protection of Trees on Development Sites, including the following:

- site attendance, inspection and certification of tree protection measures as provided in the approved Tree Protection Plan,
- site attendance, inspection and certification of tree fencing and ground protection works within the tree protection zone.

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.

Additionally, the Certifying Authority or a Project Arborist AQF 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 Arborist shall provide the Certifying Authority with certification details that the tree protection measures are in place at the commencement of works.

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 intrusions into the tree protection zone are minimised to protect existing trees.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Project Arborist

A Project Arborist with AQF Level 5 qualifications in arboriculture/horticulture shall be engaged to supervise any excavation works in the vicinity of existing trees the subject of stormwater repairs/replacement as proposed in the Stormwater Plan D2.

Any repairs/replacement of the existing stormwater lines along the northern boundary and across to the rear pit shall be undertaken under the supervision of the Project Arborist. Any new stormwater lines within the tree protection zones shall require location of such lines to be determined by the Project Arborist.

The Project Arborist shall provide the Certifying Authority with certification that stormwater works within the tree protection zones have been undertaken under the direction and advice of the Project Arborist.

Reason: protection of existing trees.

Tree and vegetation protection

- a) Existing trees and vegetation shall be retained and protected as identified on the Landscape Plan LPDA20-20/1 prepared by Conzept Landscape Architects, including:
 - i) all trees and vegetation within the site not approved for removal (Callistemon within front yard and the existing Gums (2) within the rear yard), 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:
 - i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
 - 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 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 Plan

Landscaping is to be implemented in accordance with the the Landscape Plan LPDA20-20/1 and Details LPDA20-20/2, prepared by Conzept Landscape Architects.

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 relevant condition of consent.

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

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.
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