

Landscape Referral Response

Application Number:	DA2020/1728
Date:	24/02/2021
Responsible Officer:	Dean Pattalis
Land to be developed (Address):	Lot 3 DP 259647 , 54 Smith Street 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

Additional Information Comment 24/02/2020

The Arborist's report submitted as additional information is noted The report indicates that one native tree, *Syzygium leuhmannii* is required to be removed by the proposed works, with work being undertaken within the tree's Structural Root Zone.

In accordance with requirements of Manly DCP, a replacement tree is required to be planted. No indication of replacement planting has been provided, as requested in the previous referral comments.

In view of the information provided, no objections are raised to removal of the tree subject to replanting as recommended in conditions.

Original Comment

The plans indicate removal of the sole tree on the site to accommodate the proposed paved area.

No Arborist's Report was submitted with the application indicating health or structural issues with the tree. No replacement tree planting has been provided on the landscape plan.

It is recommended in the first instance that the tree be retained and the rear yard designed to accommodate the tree.

If the tree is not able to be retained following Arboricultural advice, replacement tree planting in a suitable sized garden bed is required to address the planning controls applicable to the site.

At this stage, the proposal is not supported with regard to landscape issues as the application fails to address the relevant planning controls for landscaping.

Relevant Planning Controls:

Manly DCP

1.7 Aims and Objectives of this Plan

The General Aims of this plan are to:

- a) Ensure that development contributes to the quality of the natural and built environments.
- b) Encourage development that contributes to the quality of our streetscapes and townscape.
- c) Ensure that development is economically, socially and environmentally sustainable and to require the principles of ecologically sustainable development to be taken into consideration when determining DAs.

3.3.1 Landscaping Design

Relevant DCP objectives to satisfy in relation to this part include the following:

Objective 1) To encourage appropriate tree planting and maintenance of existing vegetation.

Objective 2) To retain and augment important landscape features and vegetation remnant populations of native flora and fauna.

Landscape Character

b) Planting criteria including Native Plant Species and Amenity

- i) Landscaped Areas must be capable of supporting new native tree species that are typically expected to reach a mature height of 10m notwithstanding the minimum dimension requirements at paragraph 4.1.5.2 of this plan.
- ii) The use of locally occurring native plant species is preferred to assist in providing habitat for local fauna; and preserve threatened native plants.

3.3.2 Preservation of Trees or Bushland Vegetation

This control applies all land, waterways and Bushland covered by the LEP.

Relevant DCP objectives to be met in relation to this part include:

Objective 1) To protect and enhance the urban forest of the Northern Beaches.

Objective 2) To effectively manage the risks that come with an established urban forest through professional management of trees.

Objective 3) To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.

Objective 4) To protect and enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.

Objective 5) To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long term.

Objective 6) To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.

3.3.2.2 Requirements for other DAs

When a DA is required for clearing vegetation, the following requirements apply:

a) Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees, understorey vegetation and remnant native ground cover species.

b) Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.

4.1.5.2 Landscaped Area

Minimum Dimensions and Areas

b) Minimum dimensions and areas must provide for the following:

i) soil depth of at least 1m for all landscaped areas either in ground or above ground in raised planter beds; and

See also paragraph 4.1.5.1.c regarding the extent of open space above ground.

ii) a minimum horizontal dimension of 0.5m measured from the inner side of the planter bed/ box, wall or any other structure which defines the landscaped area and incorporating an appropriate drainage and irrigation regime.

See also paragraph 3.3 Landscaping regards requirements for design and planting principles.

c) Minimum Tree Plantings

i) The minimum tree numbers must be in accordance with Figure 37 - Minimum Number of Native Trees Required.

Figure 37 - Minimum Number of Native Trees Required

Note: to be read in conjunction with the LEP Lot Size Map.

Site Area (sqm) Areas in the LEP Lot Size Map Minimum number of native trees listed in Schedule 4 Part B

up to 500 Area 'C' on the LEP Lot Size Map 1 tree

ii) The minimum tree requirement may include either existing established native trees or new native trees planted at a pot/container size to be at least 25 litres capacity and being a species selected in accordance with Schedule 4 Part B - Native Tree Selection.

iii) The required minimum number of native trees required under this paragraph must be planted in a deep soil zone as defined in this plan's Dictionary

deep soil zone

means an area (within the landscaped area) within a development that is unimpeded by building or structures above or below ground and have a minimum dimension of 6m. Deep soil zones exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and rood areas.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree protection

(a) Existing trees which must be retained

i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation

ii) Trees located on adjoining land

(b) Tree protection

- i) No tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
- ii) All structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified Arborist on site.
- iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
- v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on and adjacent to the site.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Required Tree Planting

a) Trees shall be planted in accordance with the following:

- i) **1 tree, 25 litre pot size, within the grounds of the property**

b) Tree planting shall be located within a deep soil area wholly within the site.

c) Native tree planting species shall be selected from Council's list:

www.northernbeaches.nsw.gov.au/environment/native-plants/native-plant-species-guide.

d) Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To maintain environmental amenity.