

Landscape Referral Response

Application Number:	DA2019/0471
Date:	21/06/2019
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 40 DP 4603 , 2 Pacific Parade 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

Existing landscape features on the site are retained, with the exception of a low bed in the front yard on the eastern boundary, which is to be altered to accommodate new access path.

The street trees in Pacific Parade are noted to be listed as items of environmental heritage under Manly LEP. Tree protection conditions have been included.

The proposed changes are not considered significant and no objections are raised subject to conditions as recommended.

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

Heritage Listed Trees

- a) The street trees in Pacific Parade are listed items of environmental heritage under the Manly Local Environmental Plan. The heritage listed trees are to be protected from damage during construction.
- b) Details of the method of protection of the trees forward of the site (in accordance with AS4973-2009 Protection of trees on development sites) must be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

c) Annotated photographs of the trees, with particular emphasis on the lower part of the trees, must be submitted to the Certifying Authority prior to the commencement of any building work.

Reason: To ensure appropriate tree protection measures are adopted to preserve significant community assets.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree trunk, branch and root 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
- iii) All street trees

(b) Tree protection

- i) No tree roots greater than 30mm 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 30mm 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 the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees.

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

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist (or equivalent), shall be submitted to the Principal Certifying Authority, assessing the health and any impacts on the heritage listed street trees forward of the property required to be retained as a result of the proposed development, including the following information:

- a) Compliance with conditions of tree protection.
- b) Extent of damage sustained by vegetation as a result of the construction works.
- c) Any subsequent remedial works required and undertaken to ensure the long term retention of the vegetation.

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

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Tree Protection

No tree other than on land identified for the construction of buildings and works as shown on the building drawing can be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

Reason: To prevent the destruction of trees on other properties adjoining the development site.