

Landscape Referral Response

Application Number:	DA2022/0033
Date:	18/08/2022
Responsible Officer:	Stephanie Gelder
Land to be developed (Address):	Lot B DP 360797 , 30 A Addison Road MANLY NSW 2095 Lot LIC 30002346 , 30 A Addison Road 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

The development application is for the demolition of existing structures, and the construction of a new dwelling and associated landscape works, as described and illustrated in the reports and plans. A Landscape Plan and a Arboricultural Impact Assessment accompany the application and are assessed as part of this Landscape Referral.

Council's Landscape Referral section have considered the application against the Manly Local Environment Plan, and the following Manly DCP 2013 controls (but not limited to):

- 3.3.1 Landscaping Design
- 3.3.2 Preservation of Trees or Bushland Vegetation
- 4.1.5 Open Space and Landscaping, including 4.1.5.2 (c) Minimum Tree Plantings where applicable

updated comments 18/08/2022:

The updated Landscape Plans include landscape proposals across the property within landscape areas including replacement of the Thuja conifer hedge, ornamental tree planting, and other native and exotic garden planting. However as raised previously native tree planting is required to satisfy 4.1.5.2 (c) Minimum Tree Plantings, and conditions shall be imposed should the application be approved. No other concerns are raised with the updated Landscape Plans.

The amended Arboricultural Impact Assessment provides recommendations for removal and retention of trees within the property, and no concerns are raised. Existing trees within adjoining property shall be protected, and it is noted that there is no impact to the existing Spotted Gum in adjoining property, identified as tree number 3, in consideration of the distance of the tree from the works and as existing driveway pavement is sufficient protection.

previous comments 02/03/2022:

Clarification is required to continue the landscape referral assessment.

The Arboricultural Impact Assessment report includes removal of existing conifers along the existing

driveway within a landscape strip. The report includes a plan that shows this strip as a pedestrian access with paverslabs and thus removal of the trees would be required to accommodate the access path. However, neither the Site Plans nor the Landscape Plans show this area as an access path. The Site Plan indicates this area as a landscaped area with the retention of the low brick wall and the Landscape Plan shows this area as newly planted including the low retaining wall. Therefore the reason for tree removal is uncertain as these trees (*Thuja orientalis*) are not Exempt Species and any at 5 metres or higher require Council consent.

Other existing trees within the property in vicinity of the existing dwelling are proposed for removal and no concerns are raised as these are Exempt Species by either proximity to an existing dwelling, size or species type. No concerns are raised regarding the Landscape Plan, subject to conditions to be imposed for native small tree planting, and the resolution of the existing driveway landscape area and the status of the existing *Thuja orientalis* along the driveway.

Co-ordinated plans and reports are required to continue the Landscape Referral assessment.

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 Removal Within the Property

This consent approves the removal of the following tree(s) within the property (as recommended in the Arboricultural Impact Assessment):

- i) tree 4, 6, 8, 9 and Group G1 - *Thuja orientalis*,
- ii) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Exempt Species (by species type or by height) as listed in the Development Control Plan do not require Council consent for management or removal, and the following exempt species are identified in the Arboricultural Impact Assessment: tree 5 and 7.

Reason: To enable authorised development works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site not approved for removal, excluding exempt trees and 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 undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist with minimum AQF Level 5 in arboriculture,

- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist with minimum AQF Level 5 in arboriculture,
 - iv) 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,
 - v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist with minimum AQF Level 5 in arboriculture on site,
 - vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
 - vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
 - viii) 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 Australian Standard 4970-2009 Protection of Trees on Development Sites,
 - ix) the activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
 - x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees,
 - xi) 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.
- c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment.

The Certifying Authority must ensure that:

- d) The arboricultural works listed in c) are undertaken and certified by an Arborist as compliant to the recommendations of the Arboricultural Impact Assessment.
- e) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and 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.

Note: All street trees within the road verge and trees within private property are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited.

Reason: Tree and vegetation protection.

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

Landscape Completion

Landscaping is to be implemented in accordance with the approved Landscape Plan, and inclusive of the following conditions:

- i) two (2) native tree planting species selected from Northern Beaches Council's Native Plant Species Guide - Manly Ward, or Council's Tree Guide, shall be planted at a minimum pre-ordered planting size

of 75 litres, and shall meet the requirements of Natspec - Specifying Trees,

ii) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

Prior to the issue of an Occupation Certificate, details shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

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

Landscape Maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan and any conditions of consent.

Reason: To maintain local environmental amenity.