

Landscape Referral Response

Application Number:	DA2022/1985
Date:	01/08/2023
Proposed Development:	Demolition works and construction of a residential flat building.
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot A DP 412396 , 27 Waine Street FRESHWATER NSW 2096

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

Council's Landscape Referral have assessed the application against the following relevant landscape controls and policies:

- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP65) under: clause 28(2) (a) (b) and (c), including Schedule 1, Principle 5: Landscape,
- the associated Apartment Design Guide, including the objectives of control 3E Deep Soil Zones, 4O Landscape Design, 4P Planting on Structures, and
- Warringah Local Environmental Plan (WLEP) 2011 and the following Warringah Development Control Plan (WDCP) 2011 controls (but not limited to): D1 Landscaped Open Space and Bushland Setting; E1 Preservation of Trees or Bushland Vegetation; and E2 Prescribed Vegetation

The landscape proposal is required to satisfy Schedule 1 Design quality principles of SEPP65, including:

- Principle 5: Landscape - positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood; enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks; optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

Additionally, the objectives of the Apartment Design Guide shall be satisfied as follows: 2G Street Setback: to contribute to the landscape character; 2H Side and rear setbacks: to achieve setbacks that maximise deep soil areas and retain existing landscaping and support mature vegetation; 3C Public domain interface: as contributes to the quality and character of the streetscape; 3D Communal and public open space: to provide residential amenity; 3E Deep Soil Zone: to promote the retention and/or establishment of canopy trees to provide shade and amenity for residents, as well an achieve environmental benefits and stormwater management; 4O Landscape Design: to contribute to the setting

of the property within the locality; and 4P Planting on Structures: to provide amenity, improve air quality and microclimate, and reduce direct energy use and stormwater runoff, and supplement deep soil planting.

Updated Landscape Plans and a Arboricultural Impact Assessment and an Addendum to the Arboricultural Impact Assessment are provided with the development application in accordance with Council's DA Lodgement requirements.

The Addendum to the Arboricultural Impact Assessment addresses the potential to retain T8 Rusty Fig, and the recommendation following further review is that this tree can't be retained and has arboricultural issues including several pockets of decay and a overall poor condition and low vitality. As recommended in the Arboricultural Impact Assessment all other existing trees within the property (T1, T2, T7 - Brushbox; T3 - Bottlebrush; and T4 Irish Strawberry) are proposed for removal based on impact of the proposed development. Two existing trees within the road reserve verge (T22 Lillypilly and T23 Paperbark) are impacted by the proposed driveway and require removal should the application be approved. Landscape referral raise no objections to removal, subject to tree canopy replacement within the property in deep soil with a locally native trees as indicated on the Landscape Plans.

The updated Landscape Plans are a response to the site planning architectural layout including the availability of deep soil planting areas. In principle Landscape Referral raise no objections to the scheme as the Landscape Plans show buffer screening to boundaries adjoining neighbouring residential properties as well as amenity planting to soften the built form as viewed from the streetscape. However the Landscape Plans are conceptual only and do not provide the information as listed under Council's DA Lodgement Requirements for Landscape Plans, including (but not limited to):

- proposed surface treatments and materials, including but not limited to structures, features, walling, fences, pavements, gardens, lawns, ground stabilisation, drainage, irrigation etc.,
- location, height and materiality of proposed retaining walls and fences,
- existing trees and other vegetation to be retained or removed. All trees are to be located, identified and numbered, and shall coincide with the arborists report.
- proposed planting scheme including species selection, location, quantities, mature heights and pot sizes,
- soil depth of planter boxes on-slab,
- any irrigation systems,

In particular the Landscape Plans shall document the planting scheme including species selection, location, quantities, mature heights and pot sizes, to allow Landscape Referral to ascertain the effectiveness of any proposed planting in satisfying the landscape outcomes intended by State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP65), the associated Apartment Design Guide, and Warringah Development Control Plan (WDCP) 2011 controls. The north eastern boundary area shall support native trees of adequate size to provide canopy establishment; the southern, northern, and south west boundary shall support small tree planting.

It is noted that whilst numerically the requirement for deep soil under Apartment Design Guide, section 3E Deep soil zones, is satisfied, the WDCP requirement for landscape area is not satisfied and this impacts the landscape scheme to provision of more small trees rather than canopy trees, and the matter of landscape area as a planning principle shall be determined by the Assessing Planning Officer.

At this stage Landscape Referral are unable to support the application without receipt of further Landscape Plans detailing the above requested information.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Landscape Conditions:

Nil.