

Landscape Referral Response

Application Number:	DA2021/0744
Date:	09/09/2021
Responsible Officer:	Rebecca Englund
Land to be developed (Address):	Lot 1 DP 571975 , 50 Lawrence 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

Amended Plans Comment 09/09/2023

Amended architectural and landscape plans are noted.

The plans indicate additional planting to the Oliver Street frontage and further clarity of the vertical planting proposal for building walls.

The plans show some additional planting within the road reserve to provide for more soft landscape around the building.

No objections are raised from a landscape perspective to the proposed landscape treatments in the road reserve, however comment from Roads Assets should be sought regarding this aspect of the proposal.

If the proposal is to be approved, recommended conditions have been provided.

Original comment

The application seeks consent for the demolition of existing site structures and the construction of a shop top housing development with provided over 2 levels with access provided from both the Dowling and Oliver Street frontages.

Councils Landscape Referral section has considered the application against the Warringah Local Environmental Plan 2011 Zone B2 Local Centre , and the following Warringah DCP 2011 controls:
D1 Landscaped Open Space and Bushland Setting
E1 Preservation of Trees or Bushland Vegetation
G5 Freshwater Village

The Landscape Plans prepared by Conzept Landscape Architects are noted.

The plans indicate deep soil planting at the rear of the site, adjoining R2 Zoned land. The species selected are capable of growing to maturity and once mature, are considered to be able to provide adequate separation to the adjoining R2 Land.

The Landscape Plans indicate above ground planters on the Dowling St side of the development to accommodate a climber over stainless steel wires. The depth of the planters are unknown and no clear indication of maintenance access is shown on the plans. Whilst desirable, the planting is not considered to be a significant component of the development and the built form should be of such design to stand alone as a structure compliant with the objectives and requirements of the Freshwater Village DCP and this should form part of Urban Design considerations.

The Oliver St frontage contains very little by way of soft landscape on the site, with building and basement built to the boundary. One small planter with a climber is indicated along with several small planters on upper level terraces. Two replacement street trees are indicated at the southern end of the development. It is noted that existing powerlines along this alignment will require planting of small trees only, less than the height of the building.

The façade of the building along Oliver St contains driveway access and other service entrances. The existing lower section of the road reserve is indicated to be retained for al-fresco seating.

The lack of any meaningful landscape planting within the site along this frontage results in a broad expanse of built form extending along the majority of the Oliver St frontage. The amenity for residents along this west facing frontage is addressed architecturally through screens and louvers, however the resultant presentation to the street frontage is considered poor with regard to any natural shade and amenity provided by shrub and tree planting in keeping with what might be expected from a village atmosphere and an important entrance to the Freshwater Village.

Other than the two replacement trees indicated for Oliver St road reserve, no additional public domain improvements are proposed by the development.

If the proposal is to be approved, conditions addressing tree replacement and implementation of the proposed landscape works have been provided.

Overall, the proposal is considered to provide little landscape amenity, other than the rear setback area. The assessment of the suitability of the built form design in consideration for the planning controls will rely on Urban Design and Planning assessment of the building. The landscape plans have provided planting where allowed for in the building, however any additional planting will require redesign of the building layout.

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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

On Slab Landscape Works

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided.

Landscape treatment details shall also be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule.

The following soil depths are required to support landscaping as proposed:

- i) 300mm for lawn
- ii) 600mm for shrubs
- iii) 1m for small trees

Design certification shall be submitted to the Certifying Authority by a qualified Structural Engineer that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

For all new residential works with two or more dwellings and mixed use developments the maintenance activity schedule shall incorporate an on-going maintenance plan that shall be submitted to the Certifying Authority outlining a program to monitor and replenish soil levels as a result of soil shrinkage over time.

Reason: To ensure appropriate soil depth for planting and secure waterproofing and drainage is installed.

Public Road Reserve Landscaping and Infrastructure

a) The proposed landscape works within the road verge shall be part of the road reserve works application under section 138 and 139 of the Roads Act.

Note:

Council has two applications under 138 and 139:

Form 4025 Infrastructure Works on Council Roadway – generally civil, landscape, other

Form 4033 Minor Encroachments – generally minor in nature such as planting, letterboxes

b) Evidence of the approved Section 139 Infrastructure Works on Council Roadway (made under the Roads Act 1993) is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To enable the long term retention of the desired streetscape character.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Road Reserve

a) This consent approves the removal of the following tree(s) within the road reserve:

- i) 2 x *Glieditsia tricanthos* (Oliver St road reserve)

b) Removal of the approved tree/s in the road reserve shall only be undertaken by a Council approved tree contractor. Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services Section prior to removal.

Reason: Public liability.

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 not indicated for removal on the approved plans, excluding exempt trees and vegetation under the relevant planning instruments of legislation,
 - ii) all trees and vegetation located on adjoining private properties,
 - iii) all road reserve trees and vegetation not approved for removal.
- 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 the Project Arborist,
 - iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with the Project Arborist,
 - 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 the Project Arborist on site,
 - vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone without consultation with the Project Arborist including advice on root protection measures,
 - vii) should either or all of v), vi) and vii) occur during site establishment and construction works, the Project 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,
 - 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.

The Certifying Authority must ensure that:

- c) 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 unless authorised in this consent.

Reason: Tree and vegetation protection.

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

Street Tree Planting

a) Street trees shall be planted in accordance with the following:

i) 2 x *Banksia integrifolia* located within the Oliver St road reserve generally as indicated on the Landscape Plan (to replace the indicated *Gleditsia tricanthos*); minimum pot size 75 litre

b) All street trees shall meet the requirements of Natspec - Specifying Trees.

c) All street trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained including a four post and top and mid rail timber tree guard and watered until established.

d) Details demonstrating compliance from a qualified horticulturalist, landscape architect or landscape designer are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To maintain environmental amenity.

Landscape Completion

a) Landscaping and planting are to be implemented in accordance with the approved Landscape Plan.

b) Prior to the issue of any Occupation Certificate details (from a qualified horticulturalist, landscape architect or landscape designer) shall be submitted to the Principal 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

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.

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.