

Landscape Referral Response

Application Number:	DA2021/2034
Date:	23/11/2021
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 50 DP 705739 , 30 Fairlight Street FAIRLIGHT NSW 2094

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 the existing dwelling house and construction of a residential flat building containing five units above basement parking.

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)(b) against the design quality principles within schedule 1; the Apartment Design Guide under SEPP 65 clause 28(2)(c); and clause 30.
- the associated Apartment Design Guide, including Principle 5: Landscape, and the objectives of control 3E Deep Soil Zones, 4O Landscape Design, 4P Planting on Structures, and
- Manly Local Environment Plan, and the following Manly DCP 2013 controls (but not limited to): 3.3.1 Landscaping Design; Preservation of Trees or Bushland Vegetation; and 4.1.5 Open Space and Landscaping, including 4.1.5.2 (c) Minimum Tree Plantings.

A Landscape Plan prepared by Black Bettie Landscape Architecture and a Arboricultural Impact Assessment prepared by Treeism, are submitted in accordance with Council's DA Lodgement Requirements,

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

The existing site vegetation contains 38 trees and all are proposed for removal. Four (4) are assessed as prescribed trees under the Manly DCP and thus requiring Council consent for removal and these include T13 Cedrus deodara, T16 and T17 Yucca aloifolia, and T25 Pittosporum undulatum. The remaining thirty four (34) are Exempt Species by either height or by species type. Exempt Species located on the site include Black Bean, Cypress, Umbrella Tree, Gleditsia, Willow, Sweet Pittosporum, Kentia Palm, Golden Cane Palm, Cocus Palm, Alexandra Palm, and Canary Island Date Palm.

The Landscape Plans provide the minimum 7% deep soil zone required under the Apartment Design

Guide to the rear of the property, however this is disrupted with retaining walling for change of levels and by lawn areas. It is advised that to provide the landscape outcome intended for deep soil areas to support tree planting, the lawn areas shall be deleted and mass planting shall occupy the area. The location of the retaining wall shall be aligned to ensure that tree planting is at least two metres from walling.

Smaller areas of natural ground landscape areas are provided along the front northern boundary and otherwise the remaining landscape areas are contained on slab within planters. Concern is raised on the impact of the basement alignment and excavation to the side boundaries in proximity of existing trees within adjoining property at No. 32. Existing trees T27 Camphor Laurel assessed in the Arboricultural Impact Assessment with a medium retention value, and T37 Rose Apple assessed in the Arboricultural Impact Assessment with a high retention value are both located in close proximity to the basement. The Arboricultural Impact Assessment recommends that the retention of T27 is not achievable based on the impact of development and whilst not providing a recommendation for removal for T37, the Arboricultural Impact Assessment notes that a tree root investigation is required to determine whether or not the tree can be retained.

Council does not support the removal of any existing tree or vegetation within adjoining properties and does not provide recommendations for any removal upon land not the subject of a development application. The applicant may seek by way of written owners consent from the adjoining property owner at No. 32 for common agreement to remove existing tree T27 but this is not a matter for Council to impose any recommendations. The matter of a firm understanding of the impact to existing tree T37 is not known at this stage and without evidence to the contrary to suggest retention of existing tree T37 is viable, it is suggested that the basement alignment shall be altered and setback at a distance as determined through arboricultural investigation. Likewise without owners consent for removal of existing tree T37, the basement alignment shall be altered and setback at a distance as determined through arboricultural investigation.

At this stage Landscape Referral are unable to support the development application as the outcome of existing trees within adjoining property is unknown, potentially requiring the redesign of the basement alignment, and the Landscape Plans shall be adjusted to provide a deep soil zone to the rear of the property to establish tree planting.

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.