

Landscape Referral Response

Application Number:	DA2020/1585
Date:	11/03/2021
Responsible Officer:	Alex Keller
Land to be developed (Address):	Lot 16 DP 200638 , 60 Castle Circuit SEAFORTH NSW 2092

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 proposes the construction of a new dwelling and associated works.

Council's Landscape Referral section have assessed the application against the Manly Local Environment Plan, and against the landscape controls of Manly DCP 2013, as follows (but not limited to):

- LEP part 4.3 Height of Buildings: clause (1) a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality; and clause (1) e) to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses,
- DCP section 3: General Principles of Development, including but not limited to clauses 3.3.1 Landscape Design, 3.3.2 Preservation of Trees and Bushland Vegetation, and 3.4 Amenity,
- DCP section 4: Development Controls and Development Types, including but not limited to clauses 4.1.5 Open Space and Landscaping,
- DCP section 5: Environmentally Sensitive Lands, including clause 5.4.1 Foreshore Scenic Protection Area, where development must not detrimentally effect the visual or aesthetic amenity of land in the foreshore scenic area nor must the development similarly effect the views of that land, including ridgelines, tree lines and other natural features viewed from the Harbour.

Landscape Referral provided pre-lodgement comments at the time, including concerns raised regarding:

- loss of high retention value existing trees west of the proposed footprint required under 3.3.2 Preservation of Trees or Bushland Vegetation;
- the west elevation presented a development of considerable bulk, contrary to 5.4.1 Foreshore Scenic Protection Area;
- the west elevation setback is limited in width to support landscaping including tree planting to soften the built form required by 3.3.1 Landscape Design;
- the southern elevation landscape area within the side setback is unlikely to support landscaping including tree planting to adequately provide screening for privacy from the terraces overlooking the adjoining property required by 3.4 Amenity; and

- general concern is raised that the landscape area proposed is insufficient in terms of landscape zone width to accommodate adequate tree planting.

A Landscape Plan and a Arboricultural Impact Assessment is provided with the development application. It is noted that the site is identified as bush fire prone land and retained or new landscaping shall comply with section 3.7 Landscaping, and Appendix 4 - Asset Protection Zone Requirements, of Planning for Bush Fire Protection 2019.

The Landscape Plan is inadequate in providing a landscape setting to reduce the impact of the built form, such that the development removes the existing tree canopy landscape character when viewed from the water. The landscape area within the western boundary area appears to be occupied by retaining walls and land modification, without suitable documentation to assess the extent of retaining and land changes, and this proposal thus will result in existing trees being unable to be retained. The Landscape Plan provides a scheme of low height planting that is unable to soften the built form. The siting of the building is such that inadequate landscape areas are provided to support trees in the long term, located at a sufficient distance from buildings and retaining walling to prevent resident requests for future tree removals base on safety risks to property and persons. The Landscape Plan does not provide adequate replacement tree planting equal to those proposed for removal.

As advised in the pre-lodgement comments, Council do not support the removal of existing trees of medium and high retention values that have a useful life expectancy. The planning of the site shall consider the retention of significant trees and should result in a building footprint layout and construction techniques that incorporates significant trees. Of particular concern is the proposal to remove three existing native trees along the western boundary that are considered valuable for retention to allow development of the site to comply with the above LEP and DCP policy and control: LEP part 4.3, and DCP section 3, 4 and 5. These three trees are identified in the Arboricultural Impact Assessment as tree number 22 - Sydney Peppermint, 24 - Sydney Red Gum, and 25 - Sydney Red Gum. All have been assessed with medium retention value, medium safe useful life expectancy (15-40 years) and a high priority for retention.

At this stage, Landscape Referral are unable to support the application as the landscape outcome does not satisfy relevant LAp and DCP landscape objectives.

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.