

## Landscape Referral Response

<b>Application Number:</b>	DA2022/0246
<b>Date:</b>	13/04/2022
<b>Responsible Officer:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	<p>Lot 9 DP 752046 , 120 Prince Alfred Parade NEWPORT NSW 2106</p> <p>Lot 34 DP 13457 , 120 Prince Alfred Parade NEWPORT NSW 2106</p> <p>Lot 35 DP 13457 , 120 Prince Alfred Parade NEWPORT NSW 2106</p> <p>Lot B DP 391307 , 120 Prince Alfred Parade NEWPORT NSW 2106</p> <p>Lot LIC 190387 , 120 Prince Alfred Parade NEWPORT NSW 2106</p>

### 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, subdivision into (2) Torrens Title lots and the construction of a new dwelling house on each new lot including a swimming pool and associated landscaping works.

Council's Landscape Referral is assessed against the Pittwater Local Environment Plan clause C4 zone Environmental Living and W1 Natural Waterways zone, and the following Pittwater 21 DCP controls (but not limited to):

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D10 Newport Locality

The property is located in the C4 Environmental Living zone by majority and in part in the W1 Natural Waterways zone for the portion identified as Lot 9 DP752046 adjoining the waterway, requiring development to achieve a scale integrated with the landform and landscape, and to minimise impact on the natural environment, including the retention of natural landscape features and existing trees, to satisfy the landscape objectives of the C4 Environmental Living zone.

The proposed development proposal plans and reports are similar to those provided at the pre-lodgement meeting, and in terms of landscape outcome, do not satisfy the objective requirements of the C4 Environmental Living zone nor the requirements of DCP clause C1.1 Landscaping, where in " all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or

provided to soften the built form" and at least "2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site" and " trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form".

The Landscape Plan proposal exclusively provides only native Cabbage Tree Planting as the canopy proposal, and although proposed to be planted at a 3 metre height, such palms do not achieve canopy heights for decades as they are slow growing. Small trees and ferns are additionally proposed within the front and side setbacks, including between the two proposed lot boundaries in association with fencing and paverslab paths than result in limited soil area for growth of planting.

The proposed landscape areas are inadequate in providing sufficient soil area within the front and side setbacks to support any substantial planting to satisfy the landscape objectives of C4 Environmental Living zone and DCP clause C1.1 Landscaping, to add to the tree canopy of Pittwater and soften the built form, and canopy trees are unable to be provided within the allocated proposed landscape areas. To achieve a suitable landscape outcome the front setback shall be substantially increased to permit the planting of canopy trees.

The proposed planting as it stands is within 2 metres of the proposed buildings and hence may be conceived as exempt and removable under the 2m exemption rule.

The proposed plans additionally propose public road reserve landscape encroachment that cannot be supported under a development application and all new landscape works shall be located within the site boundaries.

A Arboricultural Impact Assessment is submitted and recommends tree protection measures such as excavation techniques, tree protection fencing and ground protection for trees located within Florence Park in vicinity of the works and advises that no adverse effects are expected if the development works are managed in consultation with a qualified Arborist, and includes the requirement for pruning of such selected trees and no objections are raised to 10% pruning under a development consent should the application be approved. Any requirements for additional pruning shall be subject to a separate application to Council's Tree Services business unit.

The landscape component of the development proposal is not supported due to inadequate landscape outcomes within the front and side setbacks.

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.