

Landscape Referral Response

Application Number:	DA2019/1340
Date:	15/04/2020
Responsible Officer:	Lashta Haidari
Land to be developed (Address):	Lot 100 DP 1023183 Part Lot 1046 DP 752038 Part Lot 1047 DP 752038 Part Lot 1053 DP 752038 Permissive Occupancy 88/31 A/C 174235 Closed Crown Road Licence 199961 , 100 / 0 Meatworks Avenue OXFORD FALLS NSW 2100

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 Landscape Plans and Arborist's Report submitted with the application are noted.

The proposed works require excavation into previously undisturbed areas of the site and removal of rock outcrops and native vegetation.

The Arborist's Report indicates that 25 trees are to be removed. Of these, 16 are local native species with another 6 non local native species. Lower understorey shrubs and ground covers are also required to be removed in the excavated areas.

The Landscape Plan provided indicates replanting of only 2 local native trees and 6 non local native trees.

The proposal therefore clearly impacts upon existing natural features of the site.

it is noted that a previous approval has been granted on the site by the Land and Environment Court.

The SEE provided addresses the judgement and notes at Page 16:

• In these proceedings it was agreed between the parties that the light industrial/ warehouse development with ancillary office space was appropriately described as a low intensity and low impact use consistent with the existing and desired future character (DFC) for the B2 Oxford Falls Valley Locality. In forming this opinion, consideration was given to the fact that the proposed works were confined to previously disturbed areas of the site, would facilitate the cessation of the long established waste management facility use of the site, would facilitate the rehabilitation of disturbed perimeter bushland and would provide for substantial betterment in terms of environmental outcomes and consistency with the DFC .

The works the subject of this application seek to extend development beyond previously developed parts of the site. The site is within the B2 Locality under WLEP2000. The LEP makes specific mention of environmental features in the Locality, including retention of unique environmental features, minimising excavation and preservation of natural vegetation as per extracts below (*italicised emphasis added*):

Warringah Local Environmental Plan 2000

Part 4 Division 4 Clause 56

56 Retaining distinctive environmental features on sites

Development is to be designed to retain and complement any distinctive environmental features of its site and on adjoining and nearby land.

In particular, development is to be designed to incorporate or be sympathetic to environmental features such as rock outcrops, remnant bushland and watercourses

Part 4 Division 4 Clause 57

57 Development on sloping land

On sloping land, the height and bulk of development, particularly on the downhill side, is to be minimised and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope.

In particular—

- *the amount of fill is not to exceed more than 1 metre in depth, and*
- *fill is not to spread beyond the footprint of the building, and*
- *excavation of the landform is to be minimised.*

The geotechnical stability of sloping land to support development is to be demonstrated.

Consent must not be granted for development involving the erection of a structure, including additions to an existing structure, on land identified as being potentially subject to landslip on the Landslip Hazard Map unless the consent authority has considered a report from a suitably qualified engineer as to the geotechnical stability of the land to support such development and an assessment of stormwater prepared by a suitably qualified hydraulic engineer.

Part 4 Division 4 Clause 58

58 Protection of existing flora

Development is to be sited and designed to minimise the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native ground cover species.

LOCALITY B2 OXFORD FALLS VALLEY

DESIRED FUTURE CHARACTER

The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.

Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

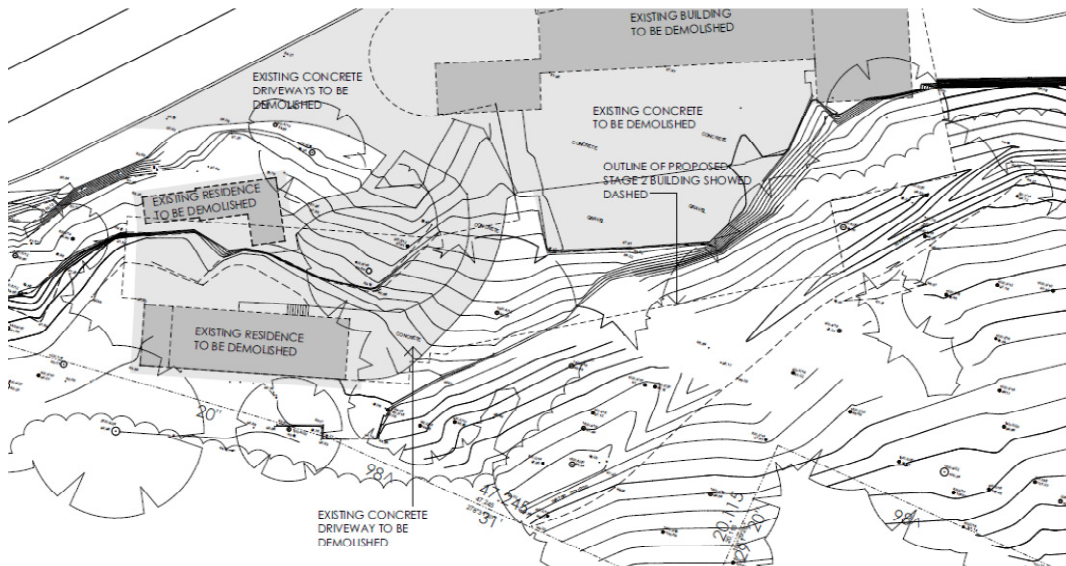
The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway.

Fencing is not to detract from the landscaped vista of the streetscape.
Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

It's difficult to reconcile the proposed works with the development controls and Court consideration as described above.

The proposal is therefore not supported with regard to landscape issues due to the extended development in to previously undisturbed areas. A development that was confined to existing disturbed areas only may be more acceptable in relation to the issues raised above.



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:

Nil.