

## Landscape Referral Response

<b>Application Number:</b>	DA2018/1708
<b>Date:</b>	20/06/2019
<b>Responsible Officer:</b>	Claire Ryan
<b>Land to be developed (Address):</b>	Lot 2 DP 589654 , 197 Sydney Road FAIRLIGHT NSW 2094 Lot 87 DP 1729 , 195 Sydney Road 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 landscape component of the proposal is acceptable subject to the provision of amended landscape plans to soften the built form.

Council's Landscape section have assessed the application against the landscape controls of Manly DCP2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types, and specifically 3.3.1 Landscaping Design.

Landscape Plans are provided in accordance with DA Lodgement Requirements, and generally satisfy the requirements of Manly DCP2013, subject to conditions specifically to ensure adequate landscape treatments to side boundaries and to podium planters to soften the built form.

#### Rear Setback

The rear setback landscape outcome is satisfactory.

#### Side Setback

Side setbacks shall be altered to increase the available area for soil volume to support small tree planting to soften the built form.

The paths proposed along the side boundaries are to be aligned against the building, with a maximum 1200mm width. Continuous deep planters to approximately 1 metre depth are to be provided to support small tree planting growth, with tree planting to be generally set 3 metres apart, except where change in levels require planter walling stepping. For such situations tree planting shall be set 2 metres from the step down wall (ie. 4 metres apart). A minimum internal planter walling width of 1.4 metres is to be provided to provide sufficient soil area and soil volume. Tree planting species shall achieve a height of 6 metres at maturity, with trees selected for their dense canopy, including *Elaeocarpus*, *Syzygium*, *Acmena*, *Banksia*, and *Glochidion*. The side boundary planters shall include only tree and groundcovers to ensure soil volume availability is maximised for tree growth. Irrigation is to be provided to the planters for planting establishment and to control root distribution.

### Level 01 podium fronting Sydney Road

The frontage viewing area is accepted as providing residential amenity, allowing that landscaping is provided to the majority of the frontage. Deep soil planters are to provide landscaping across the frontage to accommodate small tree planting to achieve 5-6 metres at maturity and understorey, to reduce the built form. Tree planting types that exhibit a 'open' canopy are acceptable.

### Front Setback

Adequate landscaping is required to the frontage to soften the built form. The landscape areas are to support tree canopy planting and mixed understorey planting.

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Previous refusal comments:

The landscape component of the proposal, in its current form, is not acceptable, with the following concerns raised:

- Inadequate landscape treatment, including substantial tree planting, commensurate with the size of the development, to reduce the bulk and scale of the development and its built form dominance to the streetscape and surrounding properties, as a result of a reduced front setback,
- Capacity of the landscape areas along the side boundaries to support appropriate tree and screening planting, with soil volume area interrupted and impacted by built structures including paths, walling and stairs. The Manly Development Control Plan defines landscaped area as: part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Council's Landscape section have assessed the application against the landscape controls of Manly DCP2013, section 3: General Principles of Development, section 4: Development Controls and Development Types, and the State Environmental Planning Policy (Affordable Rental Housing).

State Environmental Planning Policy (Affordable Rental Housing), Division 3, clause 29 (b) requires that the landscape treatment of the front setback area is compatible with the streetscape.

- Concern is raised that the built form of the frontage walling, basement entry and cafe at street level as illustrated on drawing A01.00 (A) and the limited landscape setback on Level 01 as illustrated on drawing A01.01 (A), fails to provide adequate landscape area to allow for the establishment of tree and screening vegetation to integrate the development into the streetscape character. The landscape outcome as illustrated on the Landscape Plans LA-DA06 to LA-DA10 results in the built form / development height dominating the streetscape, with inadequate tree and screening vegetation to soften the development.

The following Manly Development Control Plan 2013 controls are not satisfied:

#### *3.3.1 Landscaping Design*

##### *b) Planting criteria including Native Plant Species and Amenity*

*i) Landscaped Areas must be capable of supporting new native tree species that are typically expected to reach a mature height of 10m notwithstanding the minimum dimension requirements at paragraph 4.1.5.2 of this plan.*

- Concern is raised that the landscape proposal for tree planting on-slab to provide softening to

the built form is not achievable, excluding the central courtyard area, with insufficient soil volume provided for planting. Tree planting as proposed to the on-slab planters are not sufficient in soil volume and thus the capacity of the planters to support vegetation is reduced to smaller vegetation such as shrubs. Typically, medium sized trees (9-12m high) require 35 cubic metres of soil, and small trees (6-8m high) require 15 cubic metres of soil (source: NSW Apartment Design Guide 2015), to support root and canopy growth in the long term.

### 3.3.3 Footpath Tree Planting

*The installation of footpath trees is supported to satisfy the aims of the former Manly Council's Tree Management Policy 2011*

- No street tree planting is proposed to provide softening of the built form.

#### 4.1.4.1 Street Front setbacks

*b) a minimum 6m front setback generally applies.*

*d) Projections into the front setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, chimneys, meter boxes and the like, where no adverse impact on the streetscape or adjoining properties is demonstrated to Council's satisfaction.*

- Concern is raised that the built form of the frontage walling, basement entry and cafe at street level within the front setback creates a visual and physical impact upon the landscape amenity of Sydney Road and fails to integrate the development into the streetscape character.

#### 4.1.5.2 Landscaped Area

*Minimum Dimensions and Areas*

*b) Minimum dimensions and areas must provide for the following:*

*i) soil depth of at least 1m for all landscaped areas either in ground or above ground in raised planter beds*

- Clarification is required that all on-slab planters used for the landscape area calculation are a minimum of 1.0m depth, as concern is raised that planters as proposed in areas do not achieve this requirement, and thus the landscape amenity and capacity to soften the built form is diminished.
- It is noted that the rooftop planter is shallow in depth and can't be used for landscape area calculations.

#### Assessing Officer's Comment:

The above comments have been incorporated as reasons for refusal of the application.

#### **Referral Body Recommendation**

Recommended for approval, subject to conditions

#### **Refusal comments**

#### **Recommended Landscape Conditions:**

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### Amended Landscape Plans

Amended Landscape Plans shall be submitted to the Certifying Authority and to the Council for approval indicating the following alterations on the submitted Landscape Plans LA-DA06, LA-DA07, LA-DA08, LA-DA09, and LA-DA10, and any other relevant document:

- a) Generally, landscape plans are to be documented to satisfy the DA Lodgement requirements.
- b) Along the side boundary setback, the landscape plans shall be amended as follows:
  - i) the side boundary paths are to be aligned against the building, with the maximum 1200mm width,
  - ii) continuous deep planters to approximately 1 metre depth are to be provided to support small tree planting growth, with tree planting to be generally set 3 metres apart, except where change in levels require planter walling stepping. For such situations tree planting shall be set 2 metres from the step down wall (ie. 4 metres apart),
  - iii) a minimum internal planter walling width of 1.4 metres is to be provided to provide sufficient soil area and soil volume,
  - iv) tree planting species shall achieve a height of 6 metres at maturity, with trees selected for their dense canopy, including *Elaeocarpus*, *Syzygium*, *Acmena*, *Banksia*, and *Glochidion*,
  - v) all tree planting is to be installed at 100 litre container size,
  - vi) all tree planting shall comply with 3.3.1 Landscaping Design, section b) item iii) where trees should be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight as described in the clause, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views,
  - vii) side boundary planters shall include only tree and groundcovers to ensure soil volume availability is maximised for tree root growth,
  - viii) dripline irrigation is to be provided to the planters for planting establishment and to control root distribution.
- c) The Level 01 podium fronting Sydney Road shall be landscaped as follows:
  - i) deep soil planters approximately 1 metre depth, are to provide landscaping across the frontage to accommodate small tree planting to achieve 5-6 metres at maturity and inclusive of understorey planting,
  - ii) at least 5 small trees shall be provided,
  - iii) all tree planting is to be installed at 100 litre container size,
  - iv) all tree planting shall comply with 3.3.1 Landscaping Design, section b) item iii) where trees should be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight as described in the clause, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views,
  - v) planter widths shall be a minimum of 1.4 metres,
  - vi) dripline irrigation is to be provided to the planters for planting establishment and to control root distribution.
- d) The front setback shall be landscaped to support tree canopy planting and mixed understorey planting,
  - i) at least 4 small trees shall be provided, equally spaced along the landscape area.
- e) Street tree planting, replacing the existing poor specimen, shall be provided in accordance with the Manly Council Street Tree Masterplan 2015, consisting of:
  - i) 1 x *Buckinghamiana celsissima*, planted at 200 litre container size,
  - ii) tree pit excavation 1m x 1m x 700mm depth, excavated to loosen all compacted sides of the tree pit, and backfilled with sandy loam soil mix,

- iii) surface finish consisting of dark gray coloured porous paving,
- iv) timber tree guard 1m x 1m square, with 50x50x1800 posts and 30x70 top and mid rail,
- v) all street tree works are subject to Council inspections and approvals,
- vi) a 12 month establishment period shall apply for the street tree planting works. Any tree failure is to be replaced within this period.

### **On Slab landscape works**

- i) Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing to all internal walls and slab, and drainage of planters over which soil and planting is being provided,
- ii) Landscape treatment details shall 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,
- iii) The following minimum soil depths are required to support landscaping as proposed:
  - 600mm for shrubs
  - 1000mm for small trees
- iv) Design certification shall be submitted to the Certifying Authority by a structural engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system.

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

### **Landscape works**

Landscaping is to be implemented in accordance with the approved Amended Landscape Plans.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the approved plan and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **Landscape maintenance**

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components.

All planting must be maintained for the life of the development, or for their safe natural life. Planting that may die or is removed must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

### **Environmental and priority weed control**

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

Reason: preservation of environmental amenity.  
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