

Landscape Referral Response

Application Number:	Mod2024/0705
Date:	09/04/2025
Proposed Development:	Modification of Development Consent REV2021/0034 granted for Review of Determination of Application DA2020/0442 for demolition works and construction of a Mixed Use Development comprising Shop Top Housing and retail premises, with associated carparking, landscaping and strata subdivision
Responsible Officer:	Anaiis Sarkissian
Land to be developed (Address):	Lot B DP 316404 , 231 Whale Beach Road WHALE BEACH NSW 2107

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 application is for modification to development consent REV2021/0034.

Additional Comment 09/04/25:

Landscape referral has been made aware of section 5 drawing CW1.02 by Barrenjoey Consulting Engineers revision 2 dated 22/02/24 which shows a significant design change for the overland flow path along the southern boundary approved under REV2021/0034. As shown in section 5, the new overland flow path design will require excavation along the southern boundary and the Arborist will need to provide comment on this with regard to the impact to neighbouring trees, which must be retained and protected. The Arboricultural Impact Assessment outlines the plans used for assessment under section 1.1.5 and the new overland flow path design has not been reviewed by the Arborist.

Additional Comment 31/03/25:

Condition 36 Project Arborist is amended to ensure the protection of neighbouring vegetation.

Original Comment:

The updated Arboricultural Impact Assessment states "*There are no trees on site and none of the documented trees will be directly affected by either the currently approved or currently proposed Section 4.55 application to modify this*" and as such no concerns are raised with the proposed modifications in regard to trees. Condition 36 Project Arborist shall be amended as part of this modification application.

The landscape outcomes approved under REV2021/0034 generally remain as approved noting some reconfiguration of landscaped areas. Condition 62 Required Planting shall be deleted as part of this modification application and condition 63 Landscape Completion shall be amended as part of this modification application. All other conditions remain.

All public domain works shall be approved under the relevant pathway and in accordance with the imposed conditions.

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.