

Landscape Referral Response

Application Number:	Mod2024/0568
Date:	12/12/2024
Proposed Development:	Modification of Development Consent DA2019/0916 granted for Demolition works and construction of a dwelling house including swimming pools
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot 28 DP 8075 , 32 Bower Street MANLY NSW 2095

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 DA2019/0916.

An additional pedestrian entry to Bower Street is shown on the Landscape Plan which encroaches into the road reserve. Encroachment into the road reserve includes retaining walls, planting, a gate, fencing and a path connection (it is noted this pedestrian entrance was annotated on the plans in MOD2023/0211, however, no physical works were shown to service this entrance). While concerns are not raised with these works, landscape referral will only assess the proposed works within the legal property boundaries thus the aforementioned encroachments in the road reserve shall be applied for under the correct pathway (minor encroachment application and/or S138 application etc.). Any future application must ensure the retaining wall that is proposed adjacent to tree 2 is located atop the existing approved concrete footing under application S138A2022/0041 (approximately 1.8m from the trunk) and as annotated on drawing Landscape Plan - Masterplan dated 06/12/24 revision C.

Condition 41 Landscape works will be amended as part of this modification application. All other conditions remain.

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:

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

Landscape Completion

- a) Landscape works are to be implemented in accordance with the approved amended Landscape Plan(s), and inclusive of the following conditions:
- i) Landscape works are to be contained within the legal property boundaries,
 - ii) Planting shall be installed as indicated on the approved Landscape Plan(s) unless otherwise imposed by any conditions,
 - iii) At minimum two (2) *Glochidion ferdinandi* shall be installed within the property boundary, one in the rear setback and one in the front setback; three (3) *Livistona australis* and one (1) *Ficus rubiginosa* shall be installed within the property boundaries,
 - iv) All native tree planting shall be a minimum pre-ordered planting size of 100 litres or as otherwise scheduled if greater in size; meet the requirements of Natspec - Specifying Trees; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and shall be located at least 3.0 metres from buildings and other trees or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn,
 - v) Mass planting shall be installed in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch,
 - vi) The area in the rear setback (adjacent to Marine Parade) shown as existing garden to be retained shall be mass planted in accordance with Council's Bushland and Biodiversity's Amendment of Landscape Plans condition,
 - vii) Where swimming pools are part of the development works, selected planting shall comply with the planting and care requirements of AS1926.1 for a non-climbable zone,
 - viii) Where the property is certified Bush Fire Prone Land, any new planting may be managed in accordance with Planning for Bushfire Protection 2019; the trees specified in ii) shall take priority for installation should APZ requirements limit proposed tree planting.
- b) Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.