

Landscape Referral Response

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| Application Number: | DA2024/0597 |
| Date: | 04/12/2024 |
| Proposed Development: | Demolition works and construction of Shop top Housing |
| Responsible Officer: | Adam Croft |
| Land to be developed (Address): | Lot 10 DP 8172 , 21 Oaks Avenue DEE WHY NSW 2099 |

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 assessed by Council's Landscape Referral against the following relevant landscape controls and policies:

- Chapter 4 of State Environmental Planning Policy (Housing) 2021, including: (a) Clause 147(1)(a) requires the proposal to be assessed against the nine design quality principles contained in the Apartment Design Guide (ADG) and specifically for Landscape Referral, Principle 5 - Landscape; and (b) Clause 147(1)(b) requires the consent authority to take into consideration the Apartment Design Guide - 3E Deep soil zones, 4O Landscape design, and 4P Planting on structures.
- Warringah Development Control Plan (WDCP), Part G1 Dee Why Town Centre, part 11 Landscaping.

Updated comments 04/12/2024:

Landscape Referral note the amended plans including the Landscape Plans. Deep soil zone comments remain for assessment by the Assessing Planning Officer. On structure planting on Level 3 is indicated however no dimensions are documented and to satisfy ADG on structure soil depth requirements a condition for 800mm shall be imposed to the common open space area. The concern remains regarding the selection of tall trees either side of the drainage channel, and particularly the selected *Casuarina glauca* which have aggressive root systems able to interfere with the drainage channel structure and the building structure, and conditions shall be imposed for deletion of this species and replacement with a smaller native tree.

Subject to conditions, Landscape Referral are able to support the landscape setting outcomes.

Previous comments 18/07/2024:

Landscape Plans are submitted with the development application in accordance with Council's DA Lodgement requirements.

Under ADG, 3E Deep soil zones, a minimum of 7% deep soil is required with a minimum dimension of 3 metres, whilst WDCP part 11 requires a minimum 20% of the site area to be provided as landscaped area, which may be located on balconies, ground, podium and roof top levels or green walls of buildings. The proposed development documents indicate 7.96% deep soil area at the rear of the property, and 21.23% landscaped area at the rear, in the central courtyard, level 2 podium and level 4 planters. It is unknown if the existing concrete channel at the rear is calculated as part of the deep soil area. Regardless the 3 metre minimum requirement under ADG is not achieved and this matter shall be determined by the Assessing Planning Officer.

On structure planting to level 2 and level 4 shall conform to the minimum soil depth requirements of ADG, 4P Planting on structures. Landscape Referral raise no concerns with the proposal for on structure landscape treatment including the common open space setting.

Concern is raised that the proposed extensive planting of trees at the rear of the property, specifically the nominated *Casuarina glauca* along the rear boundary, will form a solid vegetation buffer that will cast dense shadow onto adjoining residential properties, in consideration that the species are located close apart and are able to reach 20 metres in good conditions. In review of the proposed building shadows tree species along the rear should reach no more than 15 metres in height and be planted to not cast dense shadows onto adjoining residential properties

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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Amended Landscape Plans

Amended Landscape Plans shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following additional or amended details:

- a) identify retention of all public domain features within the road reserve verge of Oaks Avenue as retained and protected including pavement, street furniture, planters, and any existing trees and other planting,
- b) delete *Casuarina glauca* and replace with small native tree or tall native shrub planting to achieve 5-6 metres in height at maturity and at an appropriate spacing suited to the species,
- c) notate 800mm depth for the common open space on structure planter including providing a typical detail for construction that nominates waterproofing, drainage provisions and connections, soil type and planting layout.

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

On Slab Landscape Planters

Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of

the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections.

Design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: To ensure appropriate soil depth for planting and ensure waterproofing and drainage is installed.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Existing Public Domain Features

All existing public domain features within the Oaks Avenue road reserve verge including but not limited to utilities, road infrastructure, pavement, street furniture, planters, and any existing street trees and other planting, shall be retained and protected.

Reason: Protection of Public Domain features.

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

Landscape Completion

Landscape works are to be implemented in accordance with the approved Amended Landscape Plans, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) tree, shrub and groundcover planting shall be installed as indicated on the approved Amended Landscape Plans.

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.

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

Landscape Maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Amended Landscape Plans and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.