

Landscape Referral Response

Application Number:	DA2021/0175
Date:	16/04/2021
Responsible Officer:	Catriona Shirley
Land to be developed (Address):	Lot 4 DP 556466 , 12 Fisher Street BALGOWLAH HEIGHTS NSW 2093

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 for landscape works to the rear of the property including construction of new masonry terrace retaining walls and stairs, and replacement of existing pavements.

Council's Landscape Referral section have assessed the application against the Manly Local Environment Plan, and against the following landscape controls of Manly Development Control (but not limited to):

- section 3: General Principles of Development, including but not limited to clauses 3.3.1 Landscape Design, and 3.3.2 Preservation of Trees and Bushland Vegetation,
- section 4: Development Controls and Development Types, including but not limited to clauses 4.1.5 Open Space and Landscaping, and 4.4.5 Eathworks (Excavation and Filling) of particular reference to this application.

Concern is raised that the filling as part of the retaining wall terraces works is over 1 metre in height, contrary to clause 4.4.5.3 Filling a) Filling must not exceed 1m above natural ground level.

This results on open space privacy issues for adjoining properties. Existing vegetation and hedge planting within adjoining properties may not be used to assert that privacy is gained as existing planting within adjoining properties are able to be removed under Exempt Species provisions or by approval, and hence reliance of other properties vegetation is not justified. Any proposed screen planting within the property will not achieve a reasonable height to provide privacy for many years.

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.