

Landscape Referral Response

Application Number:	DA2024/1362
Date:	20/11/2024
Proposed Development:	Demolition works and construction of mixed use hospitality venue with supporting car parking, servicing and landscaping works
Responsible Officer:	Anne-Marie Young
Land to be developed (Address):	Lot 180 DP 752017 , 40 Myoora Road TERREY HILLS NSW 2084

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 proposal is not supported with regard to landscape issues.

The application is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 and the following Warringah Development Control Plan 2011 controls (but not limited to):

- D1 Landscaped Open Space and Bushland Setting
- E1 Preservation of Trees or Bushland Vegetation

The Arboricultural Impact Assessment identified tree 33 as having a major encroachment and requiring removal. It is noted tree 33 has poor health and structure, low landscape significance and retention value, and a short life expectancy. Tree 33 is located in the neighbouring property and therefore cannot be removed. Due to its condition, identified by the Arborist, if owners consent from the neighbouring property owner for the removal of tree 33 is obtained removal could be supported. It is noted that the adjoining property owner does not have any obligation to consent and may choose to not provide an agreement.

Landscape referral can continue their assessment upon receipt of further information regarding tree 33.

General comments:

- Landscape referral notes the development does not achieve the 70% landscaped area under the WDCP requirement, and this matter shall be assessed and determined under merit consideration by the Assessing Planning Officer. Furthermore and as identified in

PLM2024/0035, the calculations include areas that do not satisfy the definition of landscaped area under the WLEP and include areas less than 2m in width. It is also noted that the overflow carpark takes up a considerable portion of the available compliant landscaped area and the frequency of its use as a carpark rather than a landscaped area due to the shortfall of parking (DCP parking requirements) provided on site is questioned,

- Extensive medium to large tree replacement planting is proposed and as such the removal of the 11 prescribed trees within the property boundaries can be supported. Tree stand 1 is exempt by species and can be managed or removed at the discretion of the applicant without consent,
- An area of permeable paving is shown on landscape drawing LP02-D0224 within the front 10m setback to Myoora Rd and this shall be removed and replaced with mass planting.

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.