

Landscape Referral Response

Application Number:	DA2023/0617
Date:	22/06/2023
Proposed Development:	Demolition and the construction of a Residential Flat Building
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot 6 DP 9585 , 24 Angle Street BALGOWLAH NSW 2093 Lot 7 DP 9585 , 22 Angle Street BALGOWLAH 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 assessed by Council's Landscape Referral against the following relevant landscape controls and policies:

- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP65) under: clause 28(2) (a) (b) and (c), including Schedule 1, Principle 5: Landscape,
- the associated Apartment Design Guide (ADG), including the objectives of control 3E Deep Soil Zones, 4O Landscape Design, 4P Planting on Structures, and
- Manly Local Environment Plan (MLEP), and the following Manly DCP 2013 (MDCP) controls (but not limited to): 3.3.1 Landscaping Design; 3.3.2 Preservation of Trees or Bushland Vegetation; and 4.1.5 Open Space and Landscaping, including 4.1.5.2 (c) Minimum Tree Plantings where applicable.

Landscape Plans and a Arboricultural Impact Assessment are submitted with the development application in accordance with Council's DA Lodgement requirements, and these are reviewed based on the site planning and subsequent design layout of the building and associated services.

Concerns are raised that the landscape outcome requirements of the Apartment Design Guide (ADG) and Manly DCP 2013 (MDCP) are not satisfied as listed below:

- the Landscape Plan includes proposed removal of existing trees within public land and this is not supported,
- the Landscape Plan includes proposed tree planting within public land and this is not supported under this development application,
- the proposed stormwater OSD basin location and design within the rear setback includes structures (walling, pits, stormwater lines, OSD basin restriction for planting except for lawn) that negates the requirements of deep soil areas under ADG control 3E Deep Soil zones, where the presence of the OSD with associated restrictions does not satisfy the intent of the ADG control 3E Dee Soil zones, ie. " ... promote environmental benefits. such as growth of large trees with large canopies and protect existing mature trees ... ", and the rear of the property is instead covered by structures contrary to the guidelines of 3E, and the rear is limited to small shrub planting as shown on the Landscape Plan,
- overall the available landscape areas and deep soil area do not provide any opportunity for tree

planting to satisfy ADG control 4O Landscape Design, and Manly DCP 2013 (MDCP) controls 3.3.1 Landscaping Design, and 4.1.5 Open Space and Landscaping - 4.1.5.2 (c) Minimum Tree Plantings, • the Arboricultural Impact Assessment report does not provide assessment on the impact of the proposed footpath construction between existing tree 3 and 4 within public land, and the impact to existing trees 1, 2, 3 and 4 within public land from the proposed front fencing, walling within the front setback, and stormwater works excavation, or alternatively provide sensitive tree construction recommendations.

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.