

Landscape Referral Response

Application Number:	Mod2025/0166
Date:	29/04/2025
Proposed Development:	Modification of Development Consent DA2023/1289 granted for Demolition works and construction of Shop Top Housing
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot 21 DP 571298 , 1112 - 1116 Barrenjoey Road PALM BEACH NSW 2108

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 DA2023/1289.

The proposed amendments are mainly contained to the dwelling footprint and as such no concerns are raised. Some changes have been made to the landscape proposal; however, the landscape outcome approved under DA2023/1289 is maintained.

Update conditions as per the below:

- 9. Amended Landscape Plan - delete,
- 69. Landscape Completion - amend as part of this modification,
- 99. Landscape Maintenance - amend as part of this modification,
- 111. Landscape Maintenance - delete (duplicate).

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 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 amended Landscape Plan(s) unless otherwise imposed by any conditions,
 - iii) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of AS2303 – Tree Stock for Landscape Use; mulched to 75mm depth minimum and maintained, and watered until established,
 - iv) mass planting shall be installed at minimum 200mm container size at planting for shrubs or as otherwise scheduled if greater in size, and at minimum 140mm container size at planting or as otherwise scheduled if greater in size for groundcovers/grasses, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.
- 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.

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

- a) if any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components.
- b) 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.
- c) 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 Landscape Plan(s) and any conditions of consent.
- d) a maintenance activity schedule for on-going maintenance of planters on slab shall be incorporated to monitor and replenish soil levels as a result of soil shrinkage over time.
- e) the approved landscape planted areas, whether containing lawn, gardens or planters shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.
- f) manage and maintain all proposed trees and vegetation to ensure planting does:
- i) not exceed a mature height greater than 5 metres in the rear setback,
 - ii) not exceed a mature height greater than the immediately adjacent built form height (within the property) in the side setbacks.

Reason: To maintain local environmental amenity.