

## Landscape Referral Response

<b>Application Number:</b>	DA2020/0543
<b>Date:</b>	06/08/2020
<b>Responsible Officer:</b>	Phil Lane
<b>Land to be developed (Address):</b>	Lot 1 DP 571975 , 50 Lawrence Street FRESHWATER NSW 2096

### Reasons for referral

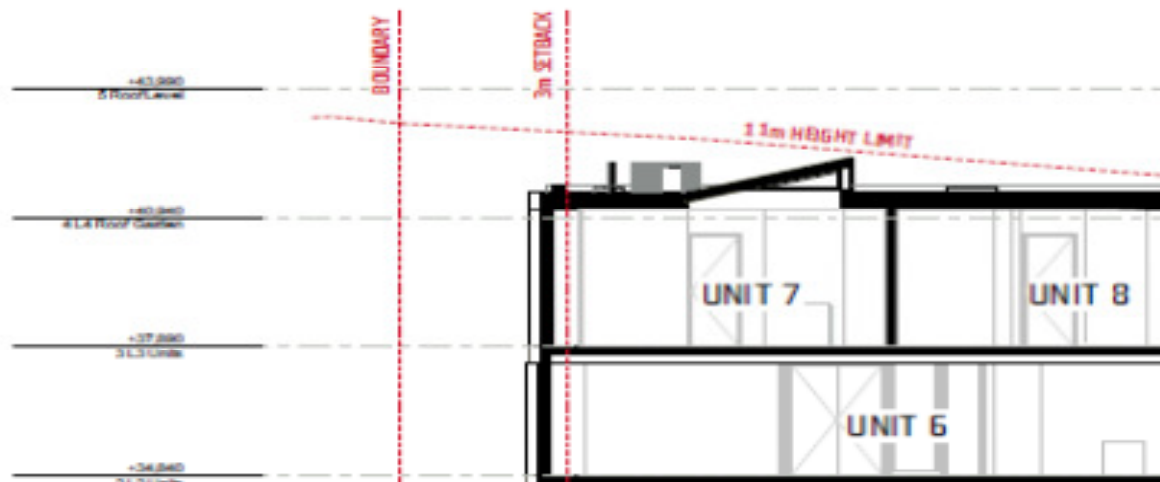
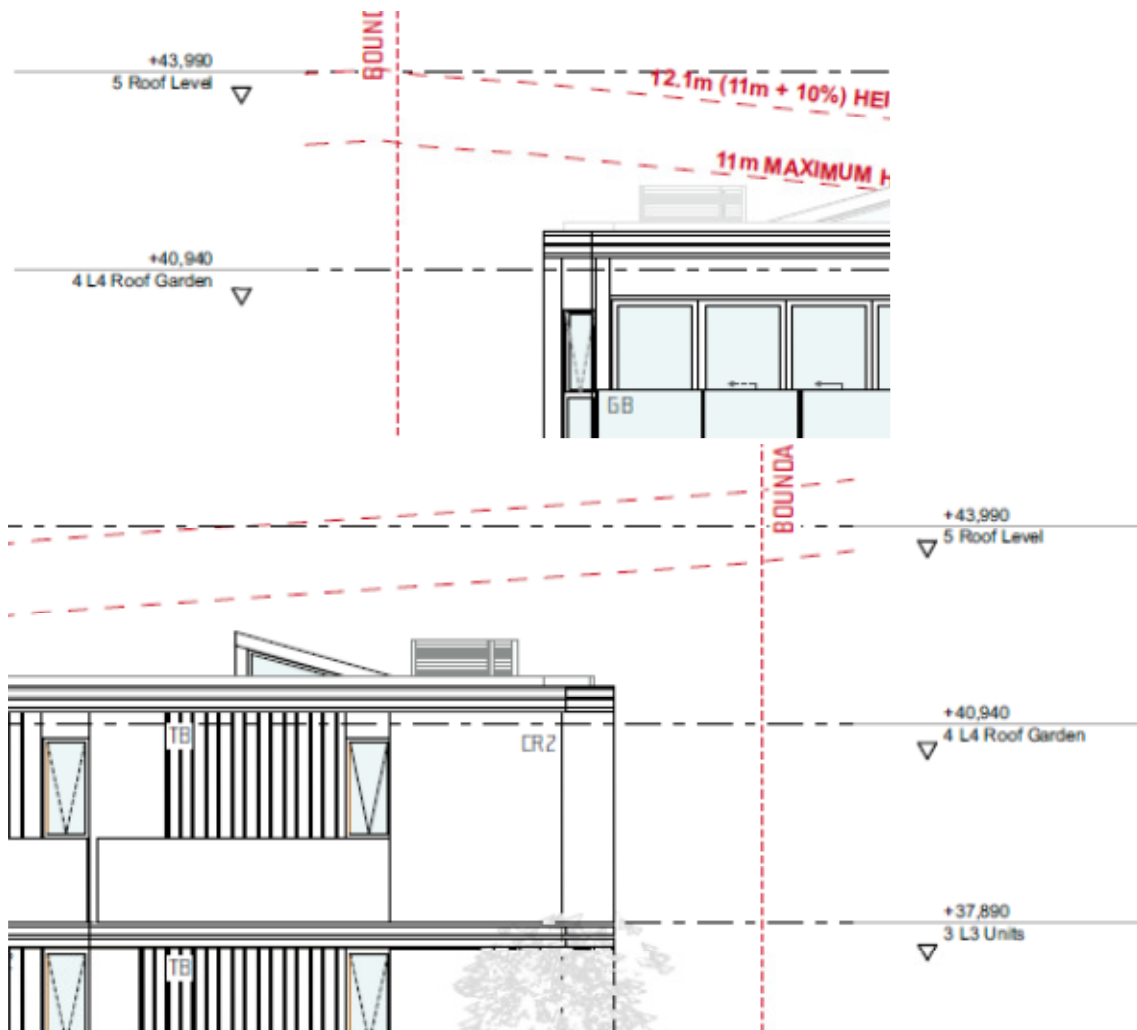
This application seeks consent for the following:

- 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

Concern is raised regarding proposed landscape treatment and the requirements of the planning controls.

1. Rear setback. The rear (southern) setback of the site adjoins land zoned R2 - Low Density Residential. Planning controls require dense landscaping in the rear setback. The rear setback is dominated by access paths and bicycle storage areas. Little opportunity for meaningful landscape provision is available. The area is also located over the basement, which extends to the boundary. The rear setback treatment is therefore not considered to comply with or adequately address the planning control.
2. Front setback. The front (northern) setback at ground level is nil. It is noted that the planning control requires level 3 to be setback a minimum of 5m and that landscaping in that area is encouraged This has not ben adequately addressed in the application with one small triangular planter off the balcony on level 3 being provided only.
3. The Elevations and Section provided make reference to L4 Roof Garden. No roof garden is indicated on the Landscape Plans.



4. Two street trees are indicated for removal along the Oliver Street side of the site. Two trees are indicated to be replaced. Existing trees on the Dowling Street frontage are to be retained. No other streetscape improvements are proposed other than the replacement tree planting. Very little is provided

via landscape treatment within the site with the basement extending to the boundaries and built form with nil setback to three sides. Improvements within the public realm would assist to provide for an environment for pedestrians that is safe comfortable and interesting and to integrate the development into the surrounding residential and local centre streetscapes.

5. Landscape treatments proposed are minimal and rely on non-native species and do not relate favourably in landscape treatment to neighbouring land uses and to the natural environment.

The proposal is therefore not able to be supported with regard to the relevant planning controls relating to landscape issues. Relevant controls with emphasis added provided below.

Warringah Local Environmental Plan 2011 » Land Use Table » Zone B2 Local Centre  
**Zone B2 Local Centre**

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide an environment for pedestrians that is safe, comfortable and interesting.
- To create urban form that relates favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment.
- To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.

Warringah Development Control Plan » Part G Special Area Controls » G5 Freshwater Village » 10.  
Front setback

**10. Front setback**

Objectives Requirements

- O1. To improve pedestrian and customer amenity
- O2. To expand publicly accessible areas at ground level
- O3. To help enliven street frontages
- O4. To maintain uninterrupted pedestrian circulation and flow Ground level and second storey
- R1. New buildings may be built to the boundary or may be set back a maximum of 3m, for outdoor seating, display of goods, etc
- O5. To create a sense of openness
- O6. To protect and enhance the visual quality of streetscapes and public spaces Third storey
- R2. The third storey is to be set back a minimum of 5m from the property boundary

R3. Landscaping or gardens within the 5m setback area of buildings are encouraged

Warringah Development Control Plan » Part G Special Area Controls » G5 Freshwater Village » 11.  
Side and rear setbacks

**11. Side and rear setbacks**

Objectives Requirements

O1. To provide a transition to any adjacent residential zones

O2. To provide landscaped screening of the built form

O3. To help protect the character, amenity and outlook of residential areas surrounding Freshwater Village

O4. To help reduce any adverse impact from the business nature of the development on residential amenity

R1. Where a side or rear boundary of the proposed development site adjoins land zoned for residential purposes, excluding roads, a minimum setback of 2m is required

R2. This setback area is to be landscaped and densely planted

Exception

This control does not apply where the residential zone is a road

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.