

Landscape Referral Response

Application Number:	Mod2023/0479
Date:	19/12/2023
Proposed Development:	Modification of Development Consent DA2021/2034 granted by the Land and Environment Court for demolition works and construction of a residential flat building
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot 50 DP 705739 , 30 Fairlight Street FAIRLIGHT NSW 2094

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 proposed modifications to development consent DA2021/2034 to be considered by Landscape Referral include:

1. Planter and deep soil reduced to accommodate relocation of mailbox for DDA compliance. This is an unavoidable modification which is required so as to ensure that equitable access is provided to the proposed mailboxes.
2. OSD tank extended to accommodate minimum volume as per Stormwater Engineer's report. This is an unavoidable modification required in order to ensure that compliance is achieved with the minimum OSD storage volume. Reference is made to the Arborists Report prepared by Jacksons Nature Works and dated 15/8/23 and which confirms that the modification will not impact upon the adjoining tree.
3. Landscaping and planter replaced with terrace hardscape to accommodate OSD tank volume below.
4. Wall of front terrace rationalised for buildability.
5. Amendments to the courtyard landscaping.

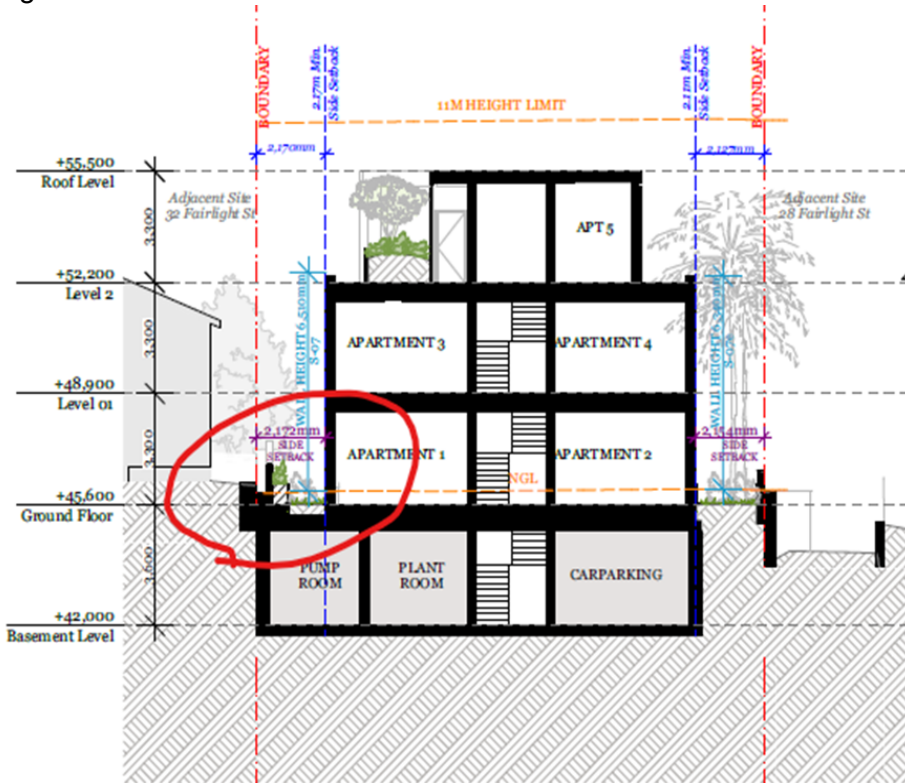
It is noted that the reduced deep soil area does not impact upon the retention of existing tree T37 within property number 32 Fairlight Street, based on the assessment of the arboricultural information submitted.

Landscape Referral raise no concerns for items 1, 2, 4, and 5 as listed above. However Landscape Referral do not support the item 3 as listed above.

The approved Court landscape outcome includes soil within planters over structure, to apartment 1 ground level, as illustrated in figure 1, and there is no valid reason to alter this. As such the Court

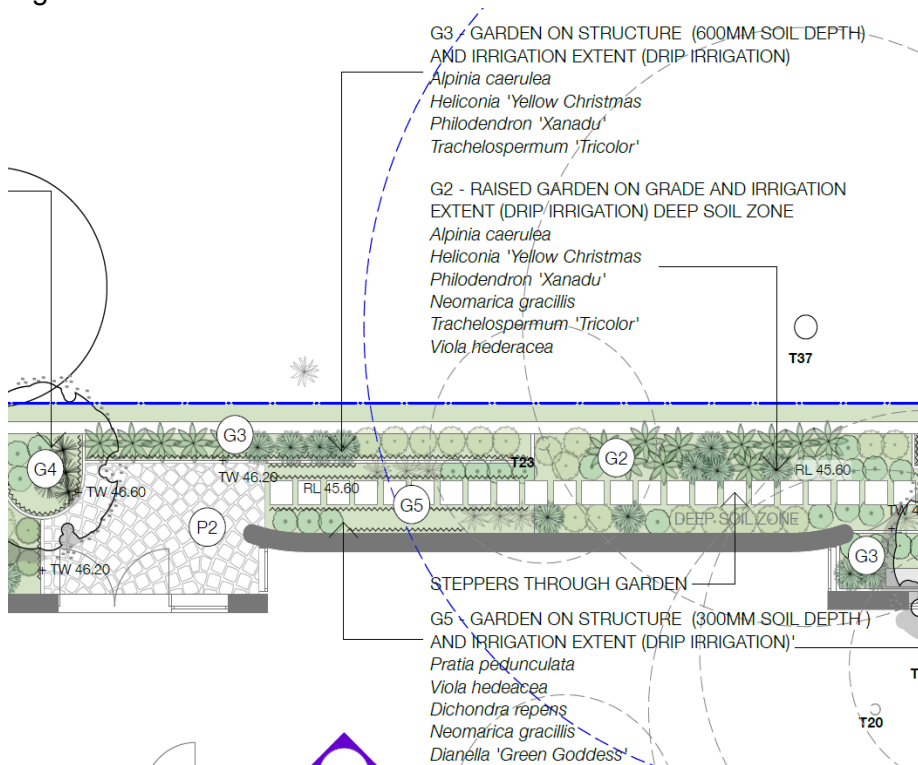
approved landscape outcome (over structure ie. OSD tank) as illustrated in figure 2 shall remain, and conditions shall be imposed.

Figure 1 below:



Section - S-07

Figure 2 below:



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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Amended Plans

Amended Plans (not limited to but including Architectural and Landscape Plans) shall be submitted to the Principal Certifier illustrating the following to the ground level of apartment 1 over the OSD tank structure:

- delete paving and restore planting of approved landscape scheme, as shown below:

