

Landscape Referral Response

Application Number:	DA2023/0669
Date:	12/03/2024
Proposed Development:	Demolition work and the construction of 28 dwellings, infrastructure, roadworks, tree removal, landscaping, community title subdivision and the dedication of the creekline corridor to Council.
Responsible Officer:	Alex Keller
Land to be developed (Address):	Lot 4 DP 553816 , 16 Macpherson Street WARRIEWOOD NSW 2102

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

Council's Landscape Referral section have assessed the application against the Pittwater Local Environment Plan (PLEP), and the following Pittwater 21 DCP (PDCP) controls (but not limited to):

- C6.2 Natural Environment and Landscaping Principles; C6.4 The Road System and Pedestrian and Cyclist Network; and C6.7 Landscape Area (Sector, Buffer Area or Development Site)
- D16 Warriewood Valley Locality, and in particular D16.5 Landscaped Area for Newly Created Individual Allotments; and D16.12 Fences
- Warriewood Valley Landscape Masterplan and Design Guidelines, August 2018 (WVLMG); and the Warriewood Valley Roads Masterplan, August 2018 (WVRM).

The proposed works include landscape outcomes for the public domain and for the residential lots. Landscape Referral have reviewed submitted Landscape Plans, Civil Plans and the Arboricultural Impact Assessment in consideration of landscape outcomes.

It is noted that the Landscape and Civil Plans are now adjusted to include the 2.1 metre wide sharepath, street lighting and street tree planting spatially in accordance with WVLMG and WVRM, and the sharepath is connected to the Warriewood Valley public pedestrian and cycle connections. The Architectural Plans maintain fencing forward of the building line contrary to D16.12 fences, whilst the Landscape Plans identify removal of the previously documented fences and gates forward of the building line, and conditions shall be imposed to meet the control standard of D16.12. The matter of 'landscape area' is deferred to the Assessing Planning Officer for assessment and determination.

The Landscape Plans for the development application shall require design detailing and

documentation for construction to ensure that the approved landscape plans under the development application maintain the design intent, detail landscape plans shall be submitted to Council for approval prior to the issue of a Construction Certificate, and conditions shall be imposed. Additionally all works within the road reserve verge is subject to a section 138 application for all works within the road reserve including civil and landscape works.

Riparian creek line works are noted as per the Biodiversity Management Plan, and defer to Natural Environment Referral Response - Biodiversity for comments and any conditions.

Previous Landscape Referral Response:

The following concerns are raised and require adjustment to the proposed development works:

- The Civil Plans and the Landscape Plans indicate required 2.1 metre wide share path connection along Brands Lane to connect with the existing pedestrian bridge over Narrabeen Creek, as identified in the WVLMMDG. The Landscape Plans additionally propose street tree planting within the 2.1 metre wide sharepath and this is not supported. Both footpaths/share paths and street tree planting are required within the road reservation of all roads identified in WVLMMDG and WVRM. Within the design guidelines of WVLMMDG all street tree planting is separated from footpaths/share paths, and the encroachment of street tree planting into the 2.1 metre wide share path is not accepted as a sensible outcome when the share path is a vital component of Warriewood Valley for pedestrian and cycle connections.
- The 'landscape area' calculations as identified in the architectural site plans are based solely of building footprint within the residential lot and include areas that are under structures such as roofs, terraces and balconies, and additionally include external stairs, dwelling entry paths as 'landscape area' when such areas are clearly unable to support planting, such that the 'landscape area' calculations as defined in the PLEP are overstated. The Landscape Plan proposals further compromise the 'landscape area' with timber decking and areas of pavers and gravel shown on the plans within calculated 'landscape areas'. A typical analysis of this assessment is available in Figure 1.
- Within the proposed residential lots front fencing is proposed contrary to D16.12.

Landscape Referral note the following assessment which raise no concerns:

- Rehabilitation works within the creekline corridor is indicated in the Biodiversity Management Plan, including a works schedule and a regeneration species list, and this matter is deferred to Natural Environment Bushland and Biodiversity Referral team, as well as for any additional requirements for regeneration works associated with the proposed Bioretention Basin.
- Existing native trees within the development site as identified in the Arboricultural Impact Assessment are to be removed as they cannot be retained due to ground level adjustments and the proposed subdivision and arrangement of roads, buildings and infrastructure. One existing native tree is unaffected by the development works. The conclusions and recommendations of the Arboricultural Impact Assessment raise no concerns. The Landscape Plans submitted proposed tree replacement planting as well as other planting within the public domain and within the residential lots.

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

Detailed Landscape Plans

a) Detailed Landscape Plans shall be issued to Council for approval prior to the issue of a Construction Certificate to include the following design details for construction:

- hard landscape layout and materials; including but not limited to features, walling, fences, pavements, garden edges, lawns, ground stabilisation, drainage, irrigation etc,
- existing and proposed ground levels,
- location of any underground services.
- planters on structure design indicating the proposed soil type, planting, automatic irrigation, and services connections; and planter depths and widths,
- planting layout and schedules; including species selection, location, quantities, mature heights and pot sizes,
- street trees within the development land shall be pre-ordered 200 lite container size at a minimum, each installed with a tree guard as per Warriewood Valley Landscape Masterplan and Design Guidelines S-1 to S-4, including tree pit dimensions, soilmix, mulch and tree guards as detailed,
- all other trees within the development shall be as nominated on the Landscape Plans,
- note: fencing forward of each building line is not permitted.

b) Detailed Landscape Plans for landscape works within the road reserve, for section 138 Roads Act application of works within the road reserve, shall document the following for Council approval, prior to the issue of a Construction Certificate:

- 2.1 metre wide sharepath to both Macpherson Street and Brands Lane, typically as per Warriewood Valley Landscape Masterplan and Design Guidelines S-1 and the Warriewood Valley Roads Masterplan, and connected to existing footpaths and the existing bridge and the end of Brands Lane,
- street tree planting to Macpherson Street shall be pre-ordered 400L container size *Waterhousia floribunda*, each installed with a tree guard as per Warriewood Valley Landscape Masterplan and Design Guidelines S-1 to S-4, including tree pit dimensions, soilmix, mulch and tree guards as detailed,
- street tree planting to Brands Lane shall be pre-ordered 200L container size *Tristaniopsis laurina* 'Luscious', each installed with a tree guard as per Warriewood Valley Landscape Masterplan and Design Guidelines S-1 to S-4, including tree pit dimensions, soilmix, mulch and tree guards as detailed.

Reason: Landscape and streetscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree Removal Within the Property

This consent approves the removal of existing prescribed trees on the subject site as identified in the Arboricultural Impact Assessment prepared by Tree Management Strategies. A qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation located on adjoining properties,
- ii) all trees and vegetation within the road reserve.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with AS4970-2009 Protection of trees on development sites,
- ii) the following arboricultural requirements shall be adhered to unless authorised by an Arborist with

minimum AQF level 5 qualifications: existing ground levels shall be maintained within the tree protection zone of trees to be retained; removal of existing tree roots at or >25mm (Ø) diameter is not permitted; no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained; and structures are to bridge tree roots at or >25mm (Ø) diameter,

iii) the activities listed in section 4.2 of AS4970-2009 Protection of trees on development sites, shall not occur within the tree protection zone of any tree identified in a) i) and ii),

iv) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2007 Pruning of amenity trees.

The Principal Certifier must ensure that:

c) The arboricultural works listed in a) and b) are undertaken as complaint to AS4970-2009 Protection of trees on development sites, to protect all trees and vegetation identified in a) i) and ii).

Reason: Tree and vegetation protection

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Landscape Completion

Landscape works are to be implemented in accordance with the approved Detailed Landscape Plans.

Prior to the issue of an Occupation Certificate, details (from a landscape architect) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Landscape and streetscape amenity.

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

Landscape Maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. 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. 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 Detailed Landscape Plans and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.