

Landscape Referral Response

Application Number:	DA2020/1759
Date:	24/03/2021
Responsible Officer:	Anne-Marie Young
Land to be developed (Address):	Lot 2 DP 233083 , 51 Arthur Street FORESTVILLE NSW 2087

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

This application is for the demolition of existing site structures, and the construction of a new shop top housing development accommodating basement car parking, four ground floor retail spaces, as well as four two-storey residential apartments above.

Councils Landscape Referral section has considered the application against the following relevant controls and policies:

- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development 2002,
- NSW Department of Planning - Apartment Design Guide 2015, specifically *Parts 3C Public Domain Interface, 3E Deep Soil Zones, 4O Landscape Design, and 4P Planting on Structures*,
- Warringah Local Environment Plan 2011,
- Warringah Development Control Plan 2011 - *C7 Excavation and Filling, D1 Landscaped Open Space and Bushland Setting, D2 Private Open Space, and E1 Preservation of Trees or Bushland Vegetation*.

A Landscape Plan is provided with the application and proposed works include the in-ground planting of trees, grasses and groundcovers in the public domain, as well as in-ground planting of palms, grasses and groundcovers and on-slab planting of grasses and groundcovers within private areas of the proposed site.

Concern is raised regarding the limited proposed deep soil areas within the site. The design criteria within *Part 3E Deep Soil Zones* of the Apartment Design Guidelines states that for developments less than 650m² in size, they shall be required to have deep soil zones totaling 7% of the site. In its current form, the proposed site would require a total of 41m² of deep soil areas, however only 14m² is provided, totaling 2% of the site. This is well below the 7% minimum requirement, and also provides insufficient area for suitable canopy tree planting to help mitigate the bulk and scale of the development. Currently, two palms (*Howea fosteriana*) are proposed within the area, and due to the growth habit of these palms, they are not likely to provide meaningful landscape amenity and canopy

coverage, and will do little in regards to providing screening and built form mitigation. In addition to this, *Howea fosteriana* is an exempt species, and the planting of this would not be supported. It is noted that a landscaped roof has also been provided adjacent to this deep soil zone, however concern is raised regarding the provided soil depth and plant species used. Currently, the soil depth is proposed to be 300mm and is to be planted with a variety of low grasses and groundcovers. The intention of this landscaped roof as per the Statement of Environmental Effects is to provide a visual buffer between the proposal and neighbouring buildings. The use of low-lying grasses and groundcovers is not expected to provide an adequate visual buffer, particularly in relation to views from adjoining properties. It would be recommended that the soil depth on this landscaped roof be increased, at minimum, to 1000mm to support the planting of small/medium trees. This would satisfy the required soil depths as outlined in *Part 4P Planting on Structures* of the Apartment Design Guidelines. This increase in soil depth would go a long way in regards to providing valuable screening and built form mitigation, a key aspect of control D1, as well as offsetting the limited deep soil zone that is currently proposed.

The State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development 2002, specifically *Clause 28 (2)(b)* requires the design quality of the development to be assessed in relation to the nine design quality principles. With regards to landscape, *Principle 5 - Landscape*, is the key principle to be assessed. A key outcome of good design within *Principle 5* is proposed developments to provide a positive image and contextual fit, which is achieved by contributing to the landscape character of the streetscape and neighbourhood. Although the proposed landscape works within the site boundaries do not contribute high levels of landscape amenity, the proposed landscape works within the public domain do provide benefits to the broader community. The public domain plan provides for the retention of existing parking facilities, but also the addition of new street trees and low-lying grasses and groundcovers. Once established, this planting shall provide valuable shading for the future retail spaces, as well as a general increase in greening, as the existing site provides little to none landscape amenity at the moment. The proposed public domain works would therefore be supported.

Further concern is raised regarding the impact of the proposed works on existing trees, specifically those located on the adjoining property to the south. In order to construct the basement car park and associated driveway, excavation works are likely to be within both the Tree Protection Zone and Structural Root Zone of existing trees located at the front of No. 34 Duke Street. It is noted that these trees are already located within raised planting areas, with walls located on both the north and west boundaries. Although these walls are expected to restrict the existing roots, the walls are approximately 500mm high, and roots are likely to be located below the existing driveway within the proposed site. It is recommended an Arboricultural Impact Assessment be provided with the application, alongside a tree root investigation, to further analyse and investigate the effects and impacts of the proposed works on long term tree health and retention values. Works that would see the decline of overall tree health would not be supported, as these trees are located within the neighbouring property and as a result shall be protected accordingly. The protection of these trees on the adjoining property are vital to satisfy control E1 of the Warringah Development Control Plan, as a key objectives of the control include "to protect and enhance the scenic value and character that trees and/or bushland vegetation provide", as well as "to effectively manage the risks that come with an established urban forest through professional management of trees".

The landscape component of the proposal is therefore not supported in its current state, as a total deep soil area of 14m², or 2% of the site, has been provided which does not satisfy the Apartment Design Guidelines requirements. In addition, the impacts of the proposed development on existing trees is not fully known at this stage. It is therefore recommended that Arboricultural advice be sought regarding the impacts on the proposed works on existing trees in adjoining properties, as well as further design exploration be made in relation to increasing the total amount of deep soil areas. This increase in soil depth can provide a positive outcome for adjoining properties as it can support small/medium tree planting, with the intention of mitigating the bulk and scale of the proposed built form.

Should additional information be provided, further assessment can be made.

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.