

Landscape Referral Response

Application Number:	DA2020/1597
Date:	03/03/2021
Responsible Officer:	Anne-Marie Young
Land to be developed (Address):	Lot 25 DP 7002 , 67 Pacific Parade DEE WHY NSW 2099

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 development application is for the demolition of existing structures and the construction of a part three, part four storey boarding house development, basement parking and associated landscaping.

The application is assessed by Landscape Referral against State Environmental Planning Policy (Affordable Rental Housing) 2009, Division 3 Boarding Houses, and in particular clause 29 - Standards that cannot be used to refuse consent (2) (b) landscaped area, Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011, including but not limited to the following clauses:

- D1 Landscaped Open Space and Bushland Setting
- E1 Preservation of Trees or Bushland Vegetation
- E6 Retaining Unique Environmental Features

The existing site contains natural rock outcrops at the frontage and rear that is retained in parts not impacted by development. Existing vegetation on the site is predominately Exempt Species by either species type or by height and therefore not protected by Council's DCP controls. One prescribed species (Bottlebrush), protected under the DCP and therefore requiring Council consent for removal is located within the frontage. All trees and vegetation within adjoining properties are to be protected.

A Landscape Plan and an Arboricultural Impact Assessment are provided with the application. The proposal includes deep soil areas of 6125mm to the rear setback, 2000mm to the side southern boundary, and 2000mm to the side northern boundary (in part only). Within the front setback deep soil planting is not provided apart from the southern side boundary area containing 2000m x 7095mm in area, and an insignificant garden area at the northern front corner. The front setback contains built elements including a driveway, pavement forecourt, and bin storage with a podium garden over, that excludes planting of any prominent size to be established within the front setback.

Within the front setback, the landscape proposal fails to provide adequate landscape area treatment under the SEPP (ARH) clause 29 intent, as well as under DCP clause D1, where the landscape proposal within the site is not compatible with the landscape treatment of front setbacks of adjoining residential unit developments in Pacific Parade. It is noted that the adjoining residential flat building property at No. 65 does not provide landscape planting within the frontage, however on balance when

the remainder of Pacific Parade is considered, the front setback areas typically contain tree planting and other vegetation to soften the built form, and this is not achieved by the proposed development.

Landscaped Area under WLEP is defined as: a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. The landscape plans indicate areas of landscaped area on slab that do not provide the required minimum soil depth of 1 metre to be included as landscaped open space.

The inadequate provision of Landscaped Area deep soil within the front setback is not compatible with the streetscape in which the building is located, to be able to satisfy the provision of State Environmental Planning Policy (Affordable Rental Housing) 2009, Division 3 Boarding Houses, and in particular clause 29 - Standards that cannot be used to refuse consent (2) (b) landscaped area.

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.