

Landscape Referral Response

Application Number:	DA2021/0380
Date:	27/04/2021
Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 3 DP 12817 , 45 Ernest Street BALGOWLAH HEIGHTS NSW 2093

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 alterations and additions to an existing residential dwelling. Alterations and additions are inclusive of a new ground floor study, as well as a new swimming pool located within the front setback.

Council's Landscape Referral section has considered the application against the Manly Local Environment Plan, and the following Manly DCP 2013 controls:

- 3.3.1 Landscaping Design
- 3.3.2 Preservation of Trees or Bushland Vegetation
- 4.1.5 Open Space and Landscaping

The Statement of Environmental Effects provided with the application notes that one tree is to be removed as a result of the proposed works. This tree proposed for removal is located within the front setback adjacent to the existing driveway. This tree has been identified as a significant tree, reaching a height of 8m. The removal of this tree would not be supported as it currently provides valuable built form softening and mitigation, as well as landscape amenity that improves the overall streetscape. The retention of this tree, alongside other trees located within the site is necessary to comply with control 3.3.2, as key objectives include "to protect and enhance the urban forest of the Northern Beaches", as well as "to protect and enhance the scenic value and character that trees and/or bushland vegetation provide". It is noted no Arboricultural Impact Assessment has been provided with the application.

As the proposed seeks to construct a swimming pool within the front setback of the property, which is against control 4.1.9, specifically 4.1.9.2 a) stating "swimming pools and spas must not be located within the front setback", there is insufficient justification for this tree removal. It is therefore recommended that this existing significant tree be retained, and the proposed swimming pool be relocated to the rear of the property. If the swimming pool is relocated to the rear of the property, it is also recommended that an Arboricultural Impact Assessment be provided in accordance with Council's DA Lodgement Requirements ensuring that trees located on neighbouring property to the east are not negatively impacted by the proposed works. No negative impacts on the ongoing health and vitality of

neighbouring trees would be supported.

The landscape component of the proposal is therefore not supported as the location of the proposed pool does not justify the removal of the significant tree located within the front setback of the site. It is therefore recommended that the swimming pool be relocated to the rear of the property, and an Arboricultural Impact Assessment be provided ensuring that no detrimental impacts to trees on neighbouring properties is expected. Should amended Architectural Plans and an Arboricultural Impact Assessment 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.