

Landscape Referral Response

Application Number:	DA2021/1039
Date:	23/07/2021
Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot 2566 DP 752038 , 16 Wyatt Avenue BELROSE NSW 2085 Lot 2597 DP 752038 , 16 Wyatt Avenue BELROSE NSW 2085

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 the existing dwelling house and construction of a boarding house.

The application is assessed by Landscape Referral against Warringah Local Environmental Plan 2000 deferred land clauses 12 (3)(b); 13; 52; 56; 58; 63 and 66, and the Locality Statement C8 Belrose North, and the State Environmental Planning Policy (Affordable Rental Housing) 2009, Division 3 Boarding Houses.

The landscape outcomes prescribed under the Warringah Local Environmental Plan 2000 are considered in the assessment of the development proposal.

The landscape outcomes under Warringah Local Environmental Plan 2000, are considered including:

- clause 12 (3)(b), What matters are considered before consent is granted: requires that the development is consistent with the desired future character described in the relevant Locality Statement.
- clause 13, To what extent should neighbouring Locality Statement be considered: requires that the provisions of a Locality Statement be considered as specifically described in the Locality Statement for the locality in which the development is proposed.
- clause 52, Development near parks, bushland reserves and other public open spaces: requires development adjacent to bushland reserves is to complement the landscape character and public use and enjoyment of that land.
- clause 56, Retaining distinctive environmental features on sites: requires development to be designed to retain and complement any distinctive environmental features of its site and on adjoining and nearby land.
- clause 58, Protection of existing flora: requires development to be sited and designed to minimise the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native ground cover species.

- clause 63, Landscaped open space: requires development proposals to enable the establishment of appropriate plantings to maintain and enhance the streetscape and the desired future character of the locality; enable the establishment of appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale; enhance privacy between dwelling; enable the establishment of indigenous vegetation and habitat for native fauna, and conserve significant features of the site. amongst other objectives.
- clause 66, Building bulk: such that buildings are to have a visual bulk and an architectural scale consistent with structures on adjoining or nearby land and are not to visually dominate the street or surrounding spaces, and in particular appropriate landscape plantings are to be provided to reduce the visual bulk of new buildings and works.

Under the Locality Statement C8 Belrose North of the Warringah Local Environmental Plan 2000, the following considerations are assessed:

- Desired Future Character: The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape.
- Front building setback: The minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences.
- Rear and side building setback: The minimum rear and side building setback is 10 metres. The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.
- Bushland setting: A minimum of 50 per cent of the site area is to be kept as natural bushland or landscaped with local species.

The application is also assessed against State Environmental Planning Policy (Affordable Rental Housing) 2009, Division 3 Boarding Houses, including clause 29 - Standards that cannot be used to refuse consent (2) (b) landscaped area, and clause 30A - Character of local area, with relevance associated with the landscape character assessment within Warringah Local Environmental Plan 2000 deferred land clauses 12 (3)(b); 13; 52; 56; 58; 63 and 66, and the Locality Statement C8 Belrose North.

A Landscape Plan and a Arboricultural Impact Assessment is provided with the development application. The existing site is predominately cleared land with remnant stands of natural bushland trees and vegetation, and otherwise contains open paddocks and managed landscape areas.

Concern is raised regarding components of the Landscape Plan that require amendment to be acceptable and to satisfy Warringah Local Environmental Plan 2000 and State Environmental Planning Policy (Affordable Rental Housing) 2009.

The front setback proposal includes one native Angophora tree canopy tree and three Tuckeroo trees. Tuckeroo trees are known to self seed into bushland area and shall be deleted from the landscape proposal. The front setback area shall instead support tree planting to enable the proposed development to be integrated into a landscaped setting and it is suggested the proposed four canopy trees shown on the Landscape Plan shall be locally native canopy trees spread across the front setback at a suitable distance apart, within both garden beds and the lawn area, to soften the built form whilst maintaining the requirement for bushfire control measures under Planning for Bush Fire Protection 2019.

The selected locally native canopy trees may be a mix of Eucalyptus haemastoma (Scribbly Gum) or Angophora costata (Sydney Red Gum), or as otherwise selected. The proposal for other landscape planting as shown on the Landscape Plan to the front setback is generally supported subject to the

inclusion of small trees / tall shrubs within garden beds to add to the landscape effect of vegetation to ensure that development is integrated into the landscape setting, and satisfy C8 Belrose North locality statement for the front setback area required to be densely landscaped using locally occurring species of canopy trees and shrubs.

Garden beds across the whole of the site shall be a minimum of 2 metres in width at any point to ensure adequate area is available for the establishment of mass planting, with preference for wider garden bed widths, and a minimum of at least 3 metres when fronting the streetscape.

The bin store within the front setback has the potential to impact upon the streetscape amenity as an additional built element. With the requirement that the lower building bin store is to be located within 6.5 metres of the front property boundary for servicing these bins, the overall size of the bin store will be increased thus the bulk and size will impact upon the streetscape unless suitably landscaped. To negate the streetscape impact the re-designed bin store shall be relocated from the front boundary to a distance of at least 3 metres, where upon mass planting shall be provided to screen the bin store from the streetscape. Similarly a minimum side setback distance of 3 metres shall apply.

The southern boundary adjoining 18 Wyatt Avenue shall contain additional small and medium sized trees to soften the built form and integrate the development with the landscape setting character of the locality, whilst maintaining the requirement for bushfire control measures under Planning for Bush Fire Protection 2019.

Concern is raised generally regarding the landscape strip provided at the lower portion of the site between the proposed road access and the northern boundary, and this landscape strip is considered insufficient to support adequate landscape planting to satisfy Warringah Local Environmental Plan 2000, clauses 63 and 66: to enable the establishment of appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale; enhance privacy between dwelling; and such that buildings ... are not to visually dominate ... surrounding spaces ... and landscape plantings are to be provided to reduce the visual bulk of new buildings and works. Additionally under C8 Belrose North locality statement, side building setback areas to be landscaped, requiring the inclusion of tree, shrub and groundcover planting along the side boundary.

To achieve this objective the road access is required to be relocated away from the side boundary at a distance that will allow for the provision of suitable landscape treatment.

The Arboricultural Impact Assessment recommendations are noted and no concerns are raised subject to the imposition of conditions to ensure tree protection measures are in place and a project arborist is engaged to perform the activities recommended in the report.

The Arboricultural Impact Assessment includes recommended protection measures to ensure the retention of 31 existing trees as part of the proposed development, and two of these are located within adjoining properties within five metres of the development works. Existing trees recommended to be retained include tree numbers 10, 11, 12, 13, 17, 18, 19, 19a, 20, 21, 22, 23, 24, 30, 31, 32, 34, 36, 36a, 36b, 36c, 36d, 38, and 39 within the site assessed with a high retention value, tree numbers 16, 25, 33, and 35 within the site assessed with a low retention value, tree number 4 within the road verge assessed with a high retention value, and tree numbers 6 and 6a with adjoining properties.

The following eight prescribed trees (ie. protected trees) recommended in the Arboricultural Impact Assessment for removal to accommodate the proposed development: trees numbered 3, 3a, 3b, 26, 27, 28, 29 and 37. Two of these trees (3a, and 3b) are located within the road verge.

Existing trees numbered 1, 2, 5, 7, 8, 9, 14, 15, 26 are Exempt Species or trees eligible for removal under the 10/50 bushfire clearing entitlement and no Council consent is required for management nor

removal.

Landscape Referral at this stage require minor amendments to the Landscape Plan as listed in the comments within this Referral to achieve acceptance, including the issues regarding the internal access road and bin store design requiring site planning adjustment.

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.