

Landscape Referral Response

Application Number:	DA2025/0599
Date:	05/06/2025
Proposed Development:	Demolition works and construction of a dual occupancy (attached) including strata subdivision
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot 15 DP 7022 , 35 Moore Road FRESHWATER NSW 2096

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 application for a dual occupancy and strata subdivision is described in reports and illustrated on plans.

The application as described in reports and as illustrated on plans is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 (WLEP) and the following Warringah Development Control Plan 2011 (WDCP) controls (but not limited to): C1 Subdivision; D1 Landscaped Open Space and Bushland Setting; and E1 Preservation of Trees or Bushland Vegetation.

The following documents are reviewed in particular: Statement of Environmental Effects, MasterSet Plans, Stormwater Plans; Arboricultural Impact Assessment, and Landscape Plans.

The Arboricultural Impact Assessment (AIA) report determines that all existing trees within the property are impacted by the development works and requires removal of ten trees, should the application be approved. Of the ten existing trees nine are exempt species that do not require Council consent for management or removal, and one is a prescribed tree (tree ID 10) which exhibits fair health, poor structure and low retention value. No objections are raised regarding the AIA report recommendations.

The landscape area calculations are noted including on slab planters on the second level at 1 metre depth to achieve the minimum landscape area requirement under WDCP control D1. Without the second level on slab planter the landscape area requirement is not satisfied, and this matter is to be determined by the Assessing Planning Officer. The structural design of slabs to support such soil depth will require an appropriate structural slab design and conditions shall be imposed, should the application be supported.

The Landscape Plan submitted require adjustment to satisfy the landscape objectives of WDCP

control D1 to achieve the following: (i) enable planting to maintain and enhance the streetscape; provide for landscaped open space with dimensions that are sufficient to enable the establishment of shrubs and trees of a size and density to mitigate the height, bulk and scale of the building; enhance privacy between buildings; amongst other objectives; and (ii) co-ordinate with the Stormwater Plans that proposed above ground OSD within the front setback; and conditions of consent shall be imposed for Amended Landscape Plans. Tree planting within the front setback shall be required to mitigate the scale and bulk presenting to the streetscape, amongst other landscape requirements.

The Stormwater Plans indicate above ground OSD Basin for each lot within the front setback, and the OSD layout and structures are not reflected on the Landscape Plans. Only tree planting with clear trunks within the OSD basin with turf shall be permitted within the OSD basin to ensure no impact to storage levels. One tree per lot is required within the front setback. Other planting to the bypass OSD area along the side boundaries is suitable as shown on the Landscape Plans.

Landscape Referral conditions of consent are included should the application be approved.

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

Amended Landscape Plans

Amended Landscape Plans shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following additional details:

- a) documented co-ordination of the stormwater plans to indicate the above ground OSD basin within the front setbacks,
- b) within the OSD basin area planting shall consist of one locally native tree (clear trunked) and lawn to each Lot, and shrub planting shall be limited to outside of the OSD basin along the side boundaries,
- c) tree planting within the front setback shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; generally selected from Northern Beaches Council's Native Plant Species Guide, or Council's Tree Guide; to achieve at least 6.0 metres height at maturity; and shall be located at least 3.0 metres from buildings or more; and located within a prepared bed within lawn,
- d) mass planting shall be installed at minimum 1metre intervals for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting or as otherwise scheduled if greater in size, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

On slab landscape planters

Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting

is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections. Planter depths shall be as indicated on the approved plan DA16.

Design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: To ensure appropriate soil depth for planting and ensure waterproofing and drainage is installed.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

This consent approves the removal of existing prescribed tree (Tree ID 10) on the subject site as identified in the Arboricultural Impact Assessment. 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, and any recommendations of an approved Arboricultural Impact Assessment,
- 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 on the lot or any tree on an adjoining site,
- 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,
- v) the tree protection measures specified in this clause must: i) be in place before work commences on the site, and ii) be maintained in good condition during the construction period, and iii) remain in place for the duration of the construction works.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken as compliant to AS4970-2009 Protection of trees on development sites.

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 Landscape Plans as Amended, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) planting shall be installed as indicated on the approved Landscape Plans as Amended, unless otherwise imposed by conditions,
- c) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and shall be located at least 3.0 metres from buildings or more; and located either within garden bed or within a prepared bed within lawn,
- d) mass planting shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

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

Reason: Environmental 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 Landscape Plans as Amended 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.