

Landscape Referral Response

Application Number:	Mod2024/0033
Date:	07/02/2024
Proposed Development:	Modification of Development Consent DA2022/0714 granted for Construction of a swimming pool
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot B DP 396785 , 201 Whale Beach Road WHALE BEACH NSW 2107

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 Modification includes amended Landscape Plans prepared by Wyer & Co.

The amended Landscape Plans include planting of 1 x *Banksia integrifolia* and 38 x *Waterhousia floribunda* with removal of one small tree in addition to those previously approved for removal.

The plans also include planting of numerous native and indigenous shrubs and groundcovers across the rear of the site.

The amended design requires removal of vegetation from the rear of the site with replacement planting as described above.

No objections are raised with regard to landscape issues, however, I would defer to the comments of Council's Bushland and Biodiversity section regarding biodiversity impacts of the proposal.

If the proposal is to be approved, conditions will be required to be amended to update the reference to the previously approved landscape plans (prepared by Jamie King).

Specific conditions would need to be amended as follows:

11. Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

i) all trees and vegetation within the site **not indicated for removal on the approved plans. excluding exempt trees and vegetation under the relevant planning instruments of legislation,**

- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

15. Landscape Completion

Landscape works is to be implemented in accordance with the approved Landscape Plans, and inclusive of the following conditions:

- i) all tree planting shall be a minimum pre-ordered planting size of ~~75~~ 25 litres, and shall meet the requirements of Natspec - Specifying Trees,
- ii) tree planting shown along the western boundary shall be managed to achieve a height no higher than 3 metres above the ~~pool terrace and~~ deck level 37.41 (ie. no higher than RL40.41),
- iv) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

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

Reason: Environmental amenity.

17. Certification of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans (~~Jamie King 2022~~ Wyr & Co.) and these conditions of consent.

Details demonstrating compliance are to be prepared by the landscape architect and provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site

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:

Nil.