

Landscape Referral Response

Application Number:	DA2024/1501
Date:	12/12/2024
Proposed Development:	Subdivision of one lot into two, demolition works and construction of two dwelling houses including swimming pools
Responsible Officer:	Claire Ryan
Land to be developed (Address):	Lot 11 DP 14450 , 90 Brighton Street 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 proposal is not supported with regard to landscape issues.

The application is assessed by Landscape Referral against Warringah Local Environmental Plan (WLEP) 2011 and the following Warringah Development Control Plan (WDGP) 2011 controls (but not limited to):

- D1 Landscaped Open Space and Bushland Setting
- E1 Preservation of Trees or Bushland Vegetation

The Arboricultural Impact Assessment (AIA) identified 12 trees and of these trees 8 are proposed to be removed. Trees 6 and 10 are exempt by species or height and as such may be managed or removed at the discretion of the applicant without consent. If the application is approved tree removal can be expected due to the narrowness and topography of the site. Trees 4, 5 and 11 are centrally located and have large tree protection zones that would significantly reduce the developable area of the site. The topography of the site, sloping up from north to south, would further impact developable area as excavation and development upslope and in close proximity of trees would likely destabilise the existing root structure. Trees 8, 9 and 12 are low significance and category Z trees which can be easily replaced. Transplanting tree 7 is supported.

At this stage landscape referral is unsupportive of the proposal as tree 2 (proposed for retention) will suffer considerable encroachment due to the excavation proposed in its tree protection zone. Up to 900mm will be excavated in the tree protection zone, as shown on drawing DA09 Lot 1 - Section AA, and some form of excavation will occur for majority of the upslope tree protection zone, which will detrimentally impact the tree. It is suggested the 'door to front garden' is removed and existing ground

levels are maintained in the tree protection zone of tree 2 (tree 2 must be retained). The AIA states, regarding tree 2, "...*The proposed works result in a very minor encroachment within this trees TPZ...*" which suggests this excavation has not been assessed or considered.

Landscape referral will continue their assessment upon receipt of further information.

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.