



18 March 2025

## REFERRAL RESPONSE – TREES AND LANDSCAPING

**FILE NO:** Development Applications: 557/2024/1

**ADDRESS:** 4 Manning Road DOUBLE BAY 2028

**PROPOSAL:** Demolition of existing structures and construction of a new 4 storey building for health services facility with basement car parking

**FROM:** Nick Williams - Tree & Landscape Officer

**TO:** Ms S Soliman

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### 1. ISSUES

- 1) The proposal does not include a landscaped area with 50 % deep soil as per Control C.1 of Chapter 5.6.5.3 of the Double Bay Centre DCP.
- 2) The Level 1 Landscape Planter beds require greater depth in order to support the proposed planting of *Livistona australis* trees. Currently the planter bed depth does not satisfy Control C.2 of Chapter 5.6.5.3 of the Double Bay Centre DCP.

### 2. DOCUMENTATION

I refer to the following documents received for this report:

- Statement of Environmental Effects, prepared by Paro Consulting, dated December 2024.
- Survey Plan No.SH01, drafted by Beveridge Williams, dated 31/3/2021.
- Architectural Drawing No's 942.00.00, 942.00.05, 942.00.11, 942.00.12, 942.10.10 - 942.10.16, 942.10.30, 942.10.31, 942.10.32, 942.20.00 - 942.20.03, 942.30.00, 942.30.01, 942.40.00 - 942.40.07, 942.40.09, drawn by Shellshear Young Architects, dated November 2024.
- Landscape Plan No's DA\_01- DA\_04 designed by Wyer & Co, dated 11/12/2024

A site inspection was carried out on.

### 3. RELEVANT CONTROLS

- Woollahra Local Environment Plan 2014
- Chapter D5 Double Bay Centre DCP
- Apartment Design Guide – Tools for improving the design of residential apartment development, Part 4, 4P – Planting on Structures, written by NSW Department of Planning, Industry and Environment, dated July 2015

### 4. SUMMARY



Control drawing 7 of chapter D 5.5.7 of the Double Bay Centre DCP requires a landscaped area of 90 square metres at the rear southeastern section of 8 Manning Road. The relevant landscape objectives set out in chapter 5.6.5.3 (Landscaped areas) being:

*O1 Ensure development immediately adjoining residential blocks continues the pattern of built form and open space established in the block.*

*O2 Provide landscaped areas, typically in the centre of blocks, to preserve and extend established open spaces.*

Within this area the proposal includes a Landscaped area of 53 square metres on Level 1 and a Roof Garden/open space area of 94 square metres. As the proposed planting is entirely within elevated structures and planter beds the proposal does not technically satisfy control C1 of chapter 5.6.5.3 *Landscaped areas* that states:

*Control C1 "Above ground development may not occur within the landscaped area shown on the control drawings, Section 5.5.5—5.5.11. 50% of the area designated as landscaped area must be a deep soil landscaped area".*

In addition to this the depth of planter beds proposed for the Level 1 Landscaped area are 800 mm which is considered insufficient for the planting of 4 *Livistona australis* trees that will grow to a minimum height of 8 metres. This also translates to the proposal not satisfying Control C2 of chapter 5.6.5.3 *Landscaped areas* which states that:

*Control C.2 Plantings over underground structures should have sufficient soil depth to allow sustainable planting.*

When assessed against the Apartment Design Guide – Tools for improving the design of residential apartment development, Part 4, 4P – *Planting on Structures* the minimum planter bed depth to support trees of this size should be 1 metre.

## **5. COMMENTS**

While strictly speaking the proposal does not satisfy Controls C1 & C2 of Chapter D5.6.5.3 *Landscaped areas*, it is obvious that proper thought and consideration has been given to the species selection represented on the submitted Landscape Plan. All of the species selected are considered suitable for planting on structures and with an increase in depth to the planter beds on Level 1 there is a likelihood of a high-quality landscape outcome. Condition D.1 of this referral response requires changes to the details of the development to ensure an increase to the Level 1 planter bed depth.

Although the design of Control C1 within D5.6.5.3 is to ensure that objectives O1 and O2 of the chapter are met it should be noted the open space area currently existing in the rear of 8 Manning Road and neighbouring 10-12 Manning Road is a concrete carpark only and devoid of deep soil garden areas.

## **6. RECOMMENDATIONS**

Council's Tree and Landscape Officer has determined that for the development proposal to be satisfactory in terms of tree preservation and landscaping, compliance with the following Conditions of Consent are recommended.

### **A. GENERAL CONDITIONS**



## A.1 Approved Plans and Supporting Documents

Those with the benefit of this consent must carry out all work and maintain the use and works in accordance with both the architectural plans to which is affixed a Council stamp “Approved” and supporting documents listed below unless modified by any following condition.

Where the plans relate to alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author	Date
DA_00, DA_01, DA_02, DA_03, DA_04.	Landscape Plan	Wyer & Co	11/12/2024

### Notes:

- Warning to Principal Certifier – You must always insist on sighting the original Council stamped approved plans. You must not rely solely upon the plan reference numbers in this condition. Should the Applicant not be able to provide you with the original copy Council will provide you with access to its files so you may review our original copy of the approved plans.
- These plans and supporting documentation may be subject to conditions imposed under section 4.17(1)(g) of the Act modifying or amending the development.

**Condition Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

Standard Condition A.2 (Autotext 2A)

## B. BEFORE DEMOLITION WORK COMMENCES

Nil

## C. ON COMPLETION OF REMEDIATION WORK

Nil.

## D. BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

### D.1 Modification of Details of the Development (section 4.17(1)(g) of the Act

Before the issue of any construction certificate, the approved plans and the construction certificate plans and specification, required to be submitted to the Principal Certifier under clause 7 of the Development Certification and Fire Safety Regulations, must detail the following amendments:

- a) The Landscape Plan and construction certificate drawings shall be amended to include the following:
  - To ensure the viability of the proposed *Livistona australis* trees in the Level 1 Landscape area, the proposed soil depth for the Level 1 Landscape area shall be increased from 800 mm to 1 metre (as per Apartment Design Guide – Tools for improving the design of residential apartment development, Part 4, 4P – Planting on Structures).



- The required planter bed depth of 1 metre on both the Level 1 Landscaped area and the Level 3 planter beds shall be specified on the construction certificate drawings.

**Notes:**

- Clause 20 of the Development Certification and Fire Safety Regulations prohibits **the** issue of any construction certificate subject to this condition unless the Principal Certifier is satisfied that the condition has been complied with.
- Clause 19 of the Development Certification and Fire Safety Regulations prohibits the issue of any construction certificate that is inconsistent with this consent.

**Condition Reason:** To require design changes and/or further information to be provided to address specific issues identified during the assessment under section 4.15 of the Act.

Standard Condition D.4 (Autotext 4D)

**E. BEFORE BUILDING WORK COMMENCES**

Nil.

**F. DURING BUILDING WORK**

Nil

**G. BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

**G.1 Amenity Landscaping**

Before the issue of any occupation certificate, all approved amenity landscaping (screen planting, soil stabilisation planting, etc.) and replacement/supplementary tree planting must be installed in accordance with the approved plans and documents and any relevant conditions of consent.

**Condition Reason:** To ensure that the environmental impacts of the development are mitigated by approved landscaping prior to the occupation of the development.

Standard Condition G.6 (Autotext 6G)

**G.2 Landscaping**

Before the issue of any occupation certificate, the Principal Certifier and Council must be provided with a works-as-executed landscape plan and certification from a qualified landscape architect/designer, horticulturist and/or arborist as applicable to the effect that the landscaping and replacement/supplementary tree planting works comply with this consent.

**Condition Reason:** To ensure that all landscaping work is completed prior to occupation.

**H. OCCUPATION AND ONGOING USE**

**H.1 Maintenance of Landscaping**

During the occupation and ongoing use, all landscaping must be maintained in general accordance with this consent.



This condition does not prohibit the planting of additional trees or shrubs subject that they are native species endemic to the immediate locality.

**Notes:**

- This condition also acknowledges that development consent is not required to plant vegetation and that over time additional vegetation may be planted to replace vegetation or enhance the amenity of the locality.
- Owners must have regard to the amenity impact of trees upon the site and neighbouring land.

**Condition Reason:** To ensure that the landscaping design intent is not eroded over time by the removal of landscaping or inappropriate exotic planting.

Standard Condition H.25 (Autotext 25H)

**I. BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE**

**Nil.**

**J. BEFORE SUBDIVISION WORK COMMENCES**

**Nil.**

**K. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE (subdivision works)**

**Nil.**

**L. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE (no subdivision works)**

**Nil.**

**M. BEFORE ISSUE OF A STRATA CERTIFICATE**

**Nil**

Nick Williams  
Tree & Landscape Officer

18/3/2025.  
**Completion Date**