

Landscape Referral Response

Application Number:	DA2023/0998
Date:	12/10/2023
Proposed Development:	Alterations and additions to a Community Facility Crown land – Part Lot 2797 DP820312, Lot 1 DP909023 & Lots 21 to 23 Section 2 DP975183 – part Reserves D500403 and R64997 for Public Recreation – Freshwater Surf Life Saving Club.
Responsible Officer:	Alex Keller
Land to be developed (Address):	Lot 1 DP 909023 , 9999 The Esplanade 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 supported with regard to landscape issues.

The application is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 and the Warringah Development Control Plan 2011.

The Arboricultural Impact Assessment (AIA) identified eight trees of which two are proposed to be removed. Tree 2 (consisting of *Banksia integrifolia*, *Banksia serrata* and *Schefflera arboricola*) will be directly impacted by the works and require removal, should the development application be approved. Tree 5 is exempt by proximity to an approved dwelling, therefore no concerns are raised with its removal. Replacement tree planting is shown on the Landscape Plans which will offset any canopy loss. A Project Arborist shall be engaged to ensure tree protection requirements are installed and maintained throughout the works.

The landscape proposal is generally supported; however, all *Buckinghamia celsissima* shall be substituted with one (or a combination) of the following species: *Acacia longifolia*, *Leptospermum laevigatum*, *Banksia integrifolia*, *Monotoca elliptica*.

There will likely be a desire line through the proposed garden to gain access to the west verandah when approaching from the south; further consideration shall be given to this area.

Ensure all stormwater infrastructure is coordinated with the Freshwater Beach Masterplan and the

Development Application Landscape Plans.

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 Plan

- a) amended Landscape Plan(s) shall be issued to the Certifier prior to the issue of a Construction Certificate to include the following details:
- i) coordinate the Landscape Plans with the works that will be completed as part of Freshwater Beach Master Plan Stage 4 works (including but not limited to demolition beyond the scope of works boundary on drawing L-03 and planting beyond the scope of works boundary on drawing L-06),
 - ii) reduce the diameter of the circular tree pits in pavement P1 (to the NE of the Surf Club) to max. 1.8 metres increasing circulation space, and amend native grass quantities as necessary,
 - iii) coordinate Landscape Plans, stormwater works, and the Freshwater Beach Masterplan (including but not limited to the location of the absorption pit relative to pathways and tree planting shown on the masterplan),
 - iv) consider and amend the design as deemed relevant to the likely desire line through the proposed garden to gain access to the west verandah when approaching from the south,
 - v) substitute all *Buckinghamia celsissima* with one (or a combination) of the following species: *Acacia longifolia*, *Leptospermum laevigatum*, *Banksia integrifolia*, *Monotoca elliptica*, and ensure locations will not inhibit pedestrian movement.
- b) certification shall be submitted to the Certifier that these amendments have been documented.

Reason: Landscape amenity.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

- a) a Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with AS 4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.
- b) the Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, and in particular:
- i) the installation and maintenance of all tree protection measures for the duration of the works.
- c) All tree protection measures specified 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.
- d) the Project Arborist shall provide certification to the Certifier that all tree protection measures under AS 4970-2009 have been satisfied, and the recommendations listed for the protection of the existing

tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: any potential impact to trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

Tree Removal Within the Reserve

- a) this consent approves the removal of existing trees on the subject site as listed below:
- i) tree 2 - *Banksia integrifolia*, *Banksia serrata*, *Schefflera arboricola*, and tree 5 - *Banksia integrifolia*.
- b) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal. Trees shall only be removed after site establishment has been completed.

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 within the site not approved for removal, including trees and vegetation nominated for retention on the approved Plans,
 - ii) all trees and vegetation located on adjoining properties,
 - iii) all trees and vegetation within the road reserve.
- b) tree protection shall be undertaken as follows:
- i) tree protection shall be in accordance with AS 4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment,
 - ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
 - iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
 - iv) 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,
 - v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture on site,
 - vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
 - vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist/Project Arborist to the Principal Certifier,
 - viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS 4970-2009 Protection of trees on development sites,
 - ix) the activities listed in section 4.2 of AS 4970-2009 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,

- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS 4373-2007 Pruning of amenity trees,
 - xi) the tree protection measures specified in this clause must: be in place before work commences on the site, be maintained in good condition during the construction period, and remain in place for the duration of the construction works.
- c) the Principal Certifier must ensure that:
- i) If activated, the arboricultural works listed in a) and b) are undertaken and certified by an Arborist/Project Arborist as complaint to AS 4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

Reason: Tree and vegetation protection.

Condition of Trees

- a) during the construction period the applicant is responsible for ensuring all existing trees required to be retained are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to, or by seeking arboricultural advice from an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture during the works. In this regard all protected trees shall not exhibit:
- i) a general decline in health and vigour,
 - ii) damaged, crushed or dying roots due to poor pruning techniques,
 - iii) more than 10% loss or dieback of roots, branches and foliage,
 - iv) mechanical damage or bruising of bark and timber of roots, trunk and branches,
 - v) yellowing of foliage or a thinning of the canopy untypical of its species,
 - vi) an increase in the amount of deadwood not associated with normal growth,
 - vii) an increase in kino or gum exudation,
 - viii) inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition,
 - ix) branch drop, torn branches and stripped bark not associated with natural climatic conditions.
- b) any mitigating measures and recommendations required by the Arborist/Project Arborist are to be implemented.
- c) the owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of trees.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Landscape Completion

- a) landscape works are to be implemented in accordance with the approved amended Landscape Plan(s), and inclusive of the following conditions:
- i) all tree planting shall be a minimum pre-ordered planting size of 75 litres; meet the requirements of Natspec - Specifying Trees; 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,
 - ii) mass planting shall be installed at minimum 1 metre intervals (or less) 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.

b) 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.

Condition of Retained Vegetation

a) prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained on the approved Plans or as listed in the Arboricultural Impact Assessment, including the following information:

- i) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- ii) extent of damage sustained by vegetation as a result of the construction works,
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree and vegetation protection.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape Maintenance

a) if any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components.

b) 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.

c) 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 amended Landscape Plan(s) and any conditions of consent.

Reason: To maintain local environmental amenity.