

## Landscape Referral Response

<b>Application Number:</b>	DA2019/0636
<b>Date:</b>	01/08/2019
<b>Responsible Officer:</b>	Kent Bull
<b>Land to be developed (Address):</b>	Lot 4 DP 747057 , 26 Bate Avenue ALLAMBIE HEIGHTS NSW 2100

### 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

#### Additional information comment 1 August 2019

Additional information regarding recent failure of one of the co-dominant stems of the *Eucalyptus piperita* tree (with photographs) is noted. The Arborist's Report submitted with the application indicated the potential for decay in the tree and assessed it to be in fair condition only with a medium/low retention value.

In view of the recent significant failure, no objections to removal are raised. Comments and conditions of Council's Biodiversity Section are noted and concurred with.

No objections to approval subject to conditions as recommended.

#### Original assessment

The Arborist Report concludes that a Root Investigation for T1 (impact approx. 30% into the TPZ) is provided should roots larger than 50mm be found.

To facilitate the development to be undertaken in its current footprint, it is recommended that root investigations along the eastern face of the proposed pool perimeter be undertaken to determine possible impacts. If roots >50mmø are encountered, removal and replacement of the subject tree must be considered.

The last line of the recommendation is not acceptable. We will not accept that a tree needs removal post DA approval and require determination during the DA.

No assessment of trees within adjoining property near the proposed works is provided.

The Arborist report needs updating to provide a definitive Arborist recommendation (remove T1 or retain T1) based upon a Root Investigation. This root investigation will also allow determination of root locations for the adjoining trees that may be impacted.

No impact to adjoining trees within neighbouring properties is acceptable, and should tree roots greater than 50mm be found, the location of proposed works should be relocated to ensure protection of the adjoining trees.

### **Referral Body Recommendation**

Recommended for approval, subject to conditions

### **Refusal comments**

### **Recommended Landscape Conditions:**

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

### **Tree protection**

(a) Existing trees which must be retained

- i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
- ii) Trees located on adjoining land

(b) Tree protection

- i) No tree roots greater than 30mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
- ii) All structures are to bridge tree roots greater than 30mm diameter unless directed otherwise by a qualified Arborist on site.
- iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
- v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

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