

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2022/0396
Responsible Officer:	Adam Susko
Land to be developed (Address):	Lot 2 DP 1282038, 100 South Creek Road CROMER NSW 2099 Lot 3 DP 1282038, 10 Inman Road CROMER NSW 2099 Lot 1 DP 1282038, 4 - 8 Inman Road CROMER NSW 2099
Proposed Development:	Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and selfstorage office premises and ancillary cafe
Zoning:	Warringah LEP2011 - Land zoned IN1 General Industrial
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Perpetual Corporate Trust Ltd
Applicant:	James McBride

Application Lodged:	28/07/2022
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	08/08/2022 to 22/08/2022
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

This Section 4.55(1A) Modification Application seeks to remove three (3) trees from the site (additional to existing approved tree removal) as they interfere with and are unable to be retained with the overland flow path through the site and approved stormwater systems. The Applicant's engineers have advised that there are no alternative solutions available for the stormwater system.

The three (3) trees proposed for removal are identified as:

- Tree 56 - *Angophora costata*
- Tree 57 - *Melaluca*

- Tree 58 - *Eucalyptus piperita*

The application as submitted sought to provide replacement native canopy trees at a ratio of 2:1. Through discussions with Council, this ratio has been increased to 3:1, and therefore nine (9) native replacement canopy trees are proposed to be planted under this application.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Assessment - Concurrence - Roads and Maritime Service - SEPP (Transport and Infrastructure) 2021, s2.118

SITE DESCRIPTION

Property Description:	Lot 2 DP 1282038 , 100 South Creek Road CROMER NSW 2099 Lot 3 DP 1282038 , 10 Inman Road CROMER NSW 2099 Lot 1 DP 1282038 , 4 - 8 Inman Road CROMER NSW 2099
Detailed Site Description:	The site is legally described as Lot 1 within DP 1220196 and is known as No.4-10 Inman Road (also being known as 100 South Creek Road), Cromer. The subject site is more commonly referred to as the former Roche Products Australia premises. It has four (4) street frontages, being South Creek Road to the south, Inman Road to the west, Campbell Avenue to the east and Orlando Road to the north. The north-western corner of the site is bound by Orlando Road, which connects to Parkes Road. The site also has frontage to Campbell Avenue, however the proposed development does not extend to the eastern part

of the site. The remainder of the subject site shares a common boundary with existing residential dwellings and a childcare centre to the north.

The site is zoned IN1 General Industrial under the Warringah Local Environmental Plan 2011 (WLEP2011) and includes mostly office buildings and large warehouse/manufacturing buildings.

The site was previously development to include a variety of buildings and structures, ranging in age from the 1920's through to 2005. More recently, a large portion of the site has been cleared and demolished.

The site contains three (3) heritage items, being the central industrial "Roche" building, the weatherboard cottage located in the south-eastern corner of the site and a stand of trees adjacent to Campbell Avenue. These items will remain unaffected by the current proposal. There is also known to be some Aboriginal cultural relics within or near the north-western corner of the site.

Vehicle access to the site is available off both South Creek Road and Inman Road.

Map:



SITE HISTORY

- **Development Application 2019/1346** for demolition works and alterations and additions to an existing industrial facility including new warehousing, self-storage units, office premises and an ancillary cafe.

Approved by the Sydney North Planning panel on 17 August 2020.

- **Modification Application 2020/0611** to amend stormwater conditions of the parent consent.
Approved under delegated authority on 1 April 2021.
- **Development Application 2021/1464** for the subdivision of land into three (3) allotments.
Approved under delegated authority on 23 February 2022.
- **Modification Application 2022/0452** seeking to amend DA2019/1346 has been submitted concurrent to the modifications subject of this report and remains undetermined at the time of writing.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2019/1346, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	<p>Yes The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <ul style="list-style-type: none"> • The tree removal proposed is required to ensure that the overland flow path which traverses parallel to the site boundary can remain free of interference. The three (3) trees in question unreasonably interfere with the path, and are unable to be retained given the proximity of the path to the trees. To compensate for the loss of

Section 4.55(1A) - Other Modifications	Comments
	<p>these trees, the applicant is required (by the recommendations of this consent) to plant an additional nine (9) native canopy trees on the site.</p> <p>Whilst the removal of the trees is unfortunate, it is considered that sufficient compensatory planting has been enforced to minimise any environmental impacts.</p>
<p>(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and</p>	<p>The consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2019/1346 for the following reasons:</p> <ul style="list-style-type: none"> The modifications sought do not alter the approved land use, built form or density of the site. The stormwater / overland flow path that is causal of the tree removal has already been approved.
<p>(c) it has notified the application in accordance with:</p> <p>(i) the regulations, if the regulations so require,</p> <p>or</p> <p>(ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and</p>	<p>The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021, and the Northern Beaches Community Participation Plan.</p>
<p>(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.</p>	<p>See discussion on “Notification & Submissions Received” in this report.</p>

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent in the original application..</p> <p><u>Clauses 62</u> and/or 64 of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent in the original application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 08/08/2022 to 22/08/2022 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

Name:	Address:
Mr Derek Thomson	7 / 6 Michele Road CROMER NSW 2099

During the public exhibition of the modification application one (1) submission was received in opposition to the proposal, specifically to the removal of three (3) trees on the site.

The Applicant has demonstrated that there is no other reasonable alternative for stormwater management on the site. The modification, as submitted, included tree replacement at a ratio of 2:1 (i.e., six (6) new trees). Through negotiations, the Applicant has agreed to increase this ratio to nine (9) new trees to replace those to be removed.

On balance, whilst unfortunate that additional existing trees are required to be removed, their removal is necessary and is compensated by nine (9) new trees which will, over time, contribute an equal (if not greater) ecological and amenity value than those existing on the site.

REFERRALS

Internal Referral Body	Comments
Environmental Health (Contaminated Lands)	<p><i>Supported, with additional conditions</i></p> <p>The scope of works sought under the modification application does not materially alter the outcomes reached in the contaminated lands assessment of the parent consent. However, the proposal does seek to disturb ground which may include disturbance of undeclared contaminants in an area not previously identified for excavation.</p> <p>A new Condition 39A <i>Site Auditor</i> is recommended to read as follows:</p> <p><i>The accredited site auditor assigned to the development (as per</i></p>

Internal Referral Body	Comments
	<p><i>Condition 39) is to ensure that any work on site required in relation to soil and/or groundwater contamination is appropriately managed and shall include the works area approved under this consent in any reports required through the consent. Any new contaminates discovered during works shall be appropriately managed and the certifying authority notified before work continues.</i></p> <p><i>Reason: To protect the Environment</i></p>
Landscape Officer	<p>Supported, with additional conditions <u>Updated Comment 17/10/22</u></p> <p>Council's Bushland and Biodiversity Referral body has assessed the modification application. Landscape Referral can support the removal of the 3 trees, tree 56, 57, and 58, and supports the 6 replacement native trees as recommended in the Arborist's Report and conditioned in the Bushland and Biodiversity Referral Response. All Landscape conditions imposed in DA2019/1346 remain, and 2 additional conditions, Tree Removal and Landscape Completion, shall be added as part of this Landscape Referral.</p> <p>Planner note: the ratio of tree replacement has been agreed to be increased to 3:1 instead of 2:1, and therefore the proposal includes nine (9) replacement trees.</p> <p><u>Original Comment Summary</u> The three trees proposed to be removed needed assessment from Council's Bushland and Biodiversity Referral body to continue the Landscape Referral.</p>
NECC (Bushland and Biodiversity)	<p>Supported, with additional conditions</p> <p>The application is for modification to development consent DA2019/1346, seeking to remove an additional 3 native trees. The submitted report from Travers is noted, especially their conclusion that additional biodiversity credits would not be generated by the additional impacts, and an amendment to the Biodiversity Development Assessment Report is not required.</p> <p>This is agreed to by Council under this current modification, however any additional impacts to native vegetation, or prescribed impacts, that may be subject to a future modification must be addressed via and amended BDAR including a revised and updated Biodiversity Credit calculation for Ecosystem credits and Species Credit Species credits. This update, if required, must include the additional area of impact proposed under this current application.</p>
NECC (Development Engineering)	<p>Supported, no additional conditions</p> <p>No objections to the proposed modification which seeks to remove the three trees that are in conflict with the open channel works.</p>
NECC (Stormwater and Floodplain Engineering – Flood risk)	<p>Supported, no additional conditions</p> <p>The proposed Mod involves the removal of trees.</p> <p>No objections or conditions from the flood team.</p>

Internal Referral Body	Comments
NECC (Water Management)	<p>Supported, no additional conditions NECC Water Management has no objection to the trees removal.</p>
Strategic and Place Planning (Heritage Officer)	<p>Supported, no additional conditions</p> <p>This application has been referred as the site contains a local heritage item, being Item 152 - Roche Building, listed in Schedule 5 of Warringah LEP 2011. The site has been subdivided since the original DA approval and therefore the site now adjoins heritage items on the adjoining land, being Item 153 - Givaudan-Roure Office and Item 138 - Trees - Campbell Avenue.</p> <p><u>Statement of Significance:</u> A substantial & excellent example of an industrial complex in the late 20th Century international style. Displays high degree of integrity. One of first industrial complexes set in substantial landscaped grounds. Socially significant due to landmark nature.</p> <p><u>Physical Description:</u> Industrial/office building of off-form concrete with glass curtain walling. Assymetrical arrangement with hexagonal tower of off-form concrete with squatter glass-walled tower to east. Strong horizontal element provided by 3 storey office wing to west.</p> <p><u>Comments:</u> This application proposes a modification of DA Consent 2019/1346. The modification involves the removal of 3 trees, which require removal as a result of drainage works associated with the riparian corridor. The trees to be removed were identified as Trees 56, 57 and 58 located in the southern portion of the site. It is noted that the applicant also proposes to plant 6 additional medium height trees to offset the removal of these 3 mature trees. There are no other changes to the approved development.</p> <p>The heritage item affected by the DA Consent 2019/1346 is a complex of office buildings from the former Roche use of the site. These buildings are largely being retained and reused as part of redevelopment of the site. They are located on the Inman Road frontage of the site, some 200 metres away from the trees proposed to be removed. Therefore, the removal of these trees will not have an adverse impact upon the heritage significance of this heritage item. The adjoining site, fronting South Creek Road, is heritage listed for its vegetation, however it is considered that the removal of these 3 trees and the planting of 6 replacement trees, will not have a significant impact on this adjoining vegetation.</p>
External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	<p>Supported, no additional conditions Ausgrid raised no objections to the modifications, subject to compliance with relevant standards which have been enforced through Condition 2 <i>Compliance with Other Department, Authority or Service Requirements</i> of the parent development consent. No further action is required for the purpose of this modification application.</p>

External Referral Body	Comments
Nominated Integrated Development – WaterNSW - Water Management Act 2000 (s91 Permit for Temporary Construction Dewatering)	Supported, no conditions The Department of Planning and Environment—Water has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval is not required for the proposed works and no further assessment by this agency is necessary.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Resilience and Hazards) 2021

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for industrial / commercial purposes for a significant period of time with no prior land uses. Council's Contamination Officers are satisfied that the works are unlikely to cause any unacceptable contamination risks over and above the approved development, but have imposed additional conditions to safeguard this position. Subject to those conditions, the land is considered to be suitable for the industrial / commercial land use.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

The modification application seeks consent to remove three additional trees from the site. No changes are proposed to the approved built form, and thus there are no changes to the conclusions reached under previous assessments pertaining to the Principal Development Standards. Therefore, no further assessment on these matters is warranted in this report.

Compliance Assessment

Clause	Compliance with Requirements

Clause	Compliance with Requirements
5.3 Development near zone boundaries	Yes
5.10 Heritage conservation	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes
Schedule 5 Environmental heritage	Yes

Warringah Development Control Plan

Built Form Controls

The modification application seeks consent to remove three additional trees from the site. No changes are proposed to the approved built form, and thus there are no changes to the conclusions reached under previous assessments pertaining to the Built Form Controls. Therefore, no further assessment on these matters is warranted in this report.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C4 Stormwater	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D9 Building Bulk	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility and Adaptability	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E10 Landslip Risk	Yes	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2022

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2022/0396 for Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and selfstorage office premises and ancillary cafe on land at Lot 2 DP 1282038,100 South Creek Road, CROMER, Lot 3 DP 1282038,10 Inman Road, CROMER, Lot 1 DP 1282038,4 - 8 Inman Road, CROMER, subject to the conditions printed below:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Engineering Plans		
Drawing No.	Dated	Prepared By
C013674.01-DA41 Issue D.2 - Stormwater Drainage Plan - Ground Floor	20 May 2022	Costin Roe Consulting Pty Ltd
C013674.01-DA51 Issue D.2 - Finished Levels Plan - Ground Floor	20 May 2022	Costin Roe Consulting Pty Ltd

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Arboricultural Letter (ref: 18EGO3T)	7 June 2022	Travers Bushfire & Ecology

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Add Condition 25A - Amended Landscape - to read as follows:

The latest Landscape Master Plan (Site Image Rev E Architectural Coordination dated 23/05/2022) issued as part of the Construction certificate, is to be amended in accordance with the following:

- Provision of nine (9) additional native trees.

The amended Landscape Plan is to be certified by a qualified landscape architect and provided to the certifying authority prior to issue of the Construction Certificate.

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

C. Add Condition 39A - Site Auditor - to read as follows:

The accredited site auditor assigned to the development (as per Condition 39) is to ensure that any work on site required in relation to soil and / or groundwater contamination is appropriately managed and shall include the works area approved under this consent in any reports required through the consent. Any new contaminates discovered during works shall be appropriately managed and the certifying authority notified before work continues.

Reason: To protect the environment.

D. Add Condition 41A - Tree Removal Within Property - to read as follows:

This consent approves the removal of the following tree within the property (as recommended and identified by tree number in the Arborist's Report dated 07/06/22):

- i) Tree 56 - *Angophora costata*, tree 57 - *Melaleuca* sp., and tree 58 *Eucalyptus piperita*,
- ii) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised building works.

E. Add Condition 50A - Trees Condition - to read as follows:

All tree hollows proposed for clearing are to be inspected by the Project Ecologist prior to removal. Inspection of tree hollows is to be facilitated by a qualified tree climber or arborist with the use of an elevated work platform where necessary.

The Project Ecologist is to provide written certification of compliance to the Principal Certifier prior to commencement of tree removals.

Reason: To protect native wildlife.

F. Add Condition 58A - Landscape Completion - to read as follows:

Nine (9) replacement native trees shall be installed as per the recommendations in the Arborist's Report (07/06/22), and inclusive of the following conditions:

- i) all tree planting shall be a minimum planting size of 100 litres, and shall meet the requirements of Natspec - Specifying Trees,
- ii) all trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, 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, and at least 1.5 metres from common boundaries, and located either within garden bed or within a prepared bed within lawn,

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.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Adam Susko, Principal Planner

The application is determined on 16/11/2022, under the delegated authority of:



Rodney Piggott, Manager Development Assessments