

## Landscape Referral Response

<b>Application Number:</b>	DA2021/2641
<b>Date:</b>	22/03/2022
<b>Responsible Officer:</b>	Thomas Burns
<b>Land to be developed (Address):</b>	<p>Lot 1 SP 1173 , 1 / 153 Balgowlah Road BALGOWLAH NSW 2093</p> <p>Lot 2 SP 1173 , 2 / 153 Balgowlah Road BALGOWLAH NSW 2093</p> <p>Lot 3 SP 1173 , 3 / 153 Balgowlah Road BALGOWLAH NSW 2093</p> <p>Lot 4 SP 1173 , 4 / 153 Balgowlah Road BALGOWLAH NSW 2093</p> <p>Lot CP SP 1173 , 153 Balgowlah Road BALGOWLAH NSW 2093</p>

### 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

updated comments:

A Arboricultural Impact Assessment report is submitted and provides assessment that the proposal is achievable subject to further information being provided, reviewed and endorsed by an appointed project arborist prior to obtaining a Construction Certificate, as should the application be approved, conditions shall be imposed accordingly, as follows:

- provision of civil design plans detailing preliminary crossover and driveway construction proposal, including excavation levels and pavement materials,
- sensitive tree root investigation to assess viability of the proposed civil design plans, as proposed in the report,
- provision of arboricultural advice thereafter for final crossover and driveway design and construction, including pavement design, materials and levels,
- arboricultural certification for the final crossover and driveway design.

The existing Brushbox street tree shall be retained without impact. Should the sensitive tree root investigation determine that the proposal is not possible without impact to the existing Brushbox, the development consent is to be abandoned.

previous comments:

The development application is the relocation of a car space for unit 3 from the back of the allotment to front of the allotment.

The proposal includes widening of the existing driveway within the road reserve verge and provides an increase to the hardstand area under the existing large Brushbox street tree. Council's DA Lodgement Requirements include the necessity to submit a Arboricultural Impact Assessment report when development works are within 5 metres of existing trees.

The development within include excavation that may impact the existing Brushbox and the Arboricultural Impact Assessment report shall investigate the viability of the proposal against the requirement to retain the large street tree.

Following issue of the Arboricultural Impact Assessment report, Landscape Referral shall continue the assessment.

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**

#### **Tree Root Investigation and Civil Design Plans**

Prior to the issue of a Construction Certificate, the following plans and investigations shall be undertaken:

- provision of Civil Design Plans detailing preliminary crossover and driveway construction proposal, including excavation levels and pavement materials,
- sensitive tree root investigation undertaken by an Arborist with minimum AQF Level 5 in arboriculture, to assess viability of the proposed civil design plans, in proximity to the existing Brushbox street tree.

The Arborist shall provide arboricultural advice thereafter for the final crossover and driveway design and construction, including pavement design, materials and levels, and shall provide:

- arboricultural certification for the final Civil Design Plans for the crossover and driveway design.

Prior to the issue of a Construction Certificate, the Arborist shall submit certification to the Certifying Authority that the final Civil Design Plans are acceptable in terms of street tree retention.

Reason: To ensure protection of the existing Brushbox street tree.

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

#### **Project Arborist**

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, and the recommendations of the Arboricultural Impact Assessment, to monitor and supervise excavation within tree protection zone of the existing Brushbox street tree, and advise and provide certification of protection works conducted.

Existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by the Project Arborist.

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Certifying Authority that all 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:

- i) A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.
- ii) 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: Street tree protection.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Protection of Existing Street Trees**

All existing street trees in the vicinity of the works shall be retained during all construction stages and the Brushbox street tree fronting the development site shall be protected in accordance with Section 4 of Australian Standard 4970-2009 Protection of Trees on Development Sites, and the recommendations of the Arboricultural Impact Assessment, including:

- i) Conclusions and Recommendations, subsection 5, 6, 7, 8, 9, 10 and 11.

Should any problems arise with regard to the existing or proposed trees on public land during construction, Council's Tree Services section is to be contacted immediately to resolve the matter to Council's satisfaction and at the cost of the applicant.

Reason: Street tree protection.

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

### **Condition of Retained Vegetation - Project Arborist**

Prior to the issue of an Occupation Certificate, a report prepared by the project arborist shall be submitted to the Certifying Authority, assessing the health and impact on the existing Brushbox street tree required to be retained, 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: Street tree protection.