

Landscape Referral Response

Application Number:	Mod2023/0676
Date:	08/02/2024
Proposed Development:	Modification of Development Consent DA2020/0096 granted for Demolition of a dwelling house and construction of two dwelling houses
Responsible Officer:	Adam Croft
Land to be developed (Address):	Lot 4 DP 14048 , 26 Ralston Road PALM BEACH NSW 2108 Lot 5 DP 14048 , 26 Ralston Road PALM BEACH NSW 2108

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 application is for modification to development consent DA2020/0096 as described and illustrated in the submitted Statement of Environmental Effects (SoEE), Architectural Plans and and updated Arboricultural Impact Assessment (AIA) report. Specifically the modification as advised in the SoEE is for: alteration to floor levels of the dwelling on Lot 4; reduction to floor levels of the dwellings on Lot 5; and deletion of Condition 18.

Landscape Referral note the recommendations of the AIA report, which confirm that the proposed modifications do not result in additional impacts to existing trees to be retained through the proposed additional excavation associated with the reduction of ground floor levels. Existing trees in proximity to the proposed modification works as investigated in the AIA report includes trees 2 to 9 inclusive. No concerns are raised with the AIA report recommendations and conditions shall be imposed.

Landscape condition 26. Tree protection measures shall be modified to include the reference to required arboricultural works as listed in the updated Arboricultural Impact Assessment under this modification.

All other Landscape Referral conditions shall remain including 12, 13, 14, 27, 29, 30 and 33.

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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

MODIFY 26. Tree protection measures

A Project Arborist with AQF minimum Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for existing trees to be retained and protected, requiring site attendance during excavation and construction works, in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4, and the recommendations of the Arboricultural Impact Assessment prepared by RedGum Horticultural reports dated 12 June 2020, and as modified 30 November 2023 specifically for existing trees 2 to 9 inclusive. This shall include all tree sensitive works in the vicinity of the existing trees that have been identified for retention in the Arboricultural Impact Assessments, as identified in the following sections:

- report dated 12 June 2020: Table 1.0; Section 5.0 Observations/Discussions, identifying specific tasks to be undertaken; Section 7.0 Recommendations; and Appendix F Site Plan - Survey of Subject Trees to be Retained & Tree Protection Zones, including tree protection fencing;
- or as modified specifically for existing trees 2 to 9 inclusive in report dated 30 November 2023: Section 5.0 Observations/Discussions; Section 7.0 Recommendations; and Appendix F Site Plan - Survey of Subject Trees to be Retained & Tree Protection Zones.

The Project Arborist shall submit certification that the works and activities described in the above sections have been correctly installed and adhered to during the construction period.

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.

The Certifying Authority or a Project Arborist AQF Level 5 must ensure that: the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree; and any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

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.

Reason: to ensure tree protection is provided and maintained.