



FM/KT
16087
21 April 2017

Kim Holt
Planning Panels Secretariat
Level 22, 320 Pitt Street
SYDNEY
NSW 2000

Attention: Deborah Dearing

Dear Ms Dearing

**DA2016/0552 BIOLOGICAL SCIENCES BUILDING
192 BALACLAVA ROAD, MACQUARIE PARK (2016 CNH002)**

We refer to the Development Application (DA) submitted by Macquarie University for a new research and administration building, to be known as the Biological Science Building. Macquarie University received Council's Report to the Planning Panel and draft conditions of consent on 12 April 2017. The Report supports the proposed development and recommends approval.

Whilst Macquarie University is supportive of Council's recommendation, the conditions relating to tree removal require further consideration.

This letter highlights the key concerns, details the conditions which Macquarie University would like the Panel to reconsider and provides a justification for the proposed changes.

1.0 BACKGROUND

The proposed Biological Science Building will operate as a research and administration building for postgraduate students and staff, benefitting from a close relationship with the existing Brain Behaviour and Evolution Building.

The DA for the building was submitted on 22 November 2016 and the SEE proposed the removal of 44 trees, in accordance with the recommendations of the Arboricultural Impact Assessment prepared by Arboreport. It has since come to the attention of Macquarie University that there is a discrepancy between what is stated in the Arboricultural Impact Assessment and what is shown on the Architectural Plans prepared by HDR Rice Daubney. Specifically, the Arboricultural Impact Assessment supports the removal of 44 trees whilst the Architectural Plans identify the removal of 46 trees (trees 43 and 49 are the additional trees identified for removal).

As noted above, the proposed building has been located to benefit from the existing academic facilities in the area as well as to minimise any potential adverse environmental impacts. Specifically:

- The site is located in close proximity to bushfire prone land to the north-east;
- A stand of significant Sydney Turpentine-Ironbark Forest and Coastal Shale Sandstone Forest is located to the north of the site; and
- There is an area of flood prone land around Mars Creek to the south and east of the site.

The proposed building has been sited to respond to these existing environmental constraints and as a result cannot be easily redesigned. Any redesign would necessitate a significant revision of the proposed stormwater system and other infrastructure associated with the building.

Therefore, it is proposed to amend the application to also seek consent for the removal of trees 43 and 49 as shown on the Architectural Plans prepared by HDR Rice Daubney. The removal of these trees will be offset at a ratio of 2:1, consistent with other offset planting associated with the development.

In accordance with Clause 55 of the Environmental Planning and Assessment Regulation 2000, Macquarie University proposes that a total of 46 trees are removed as part of DA16/0552.

2.0 PROPOSED CHANGES TO CONDITIONS

As a result of the issue outlined above, Macquarie University requests that the following changes to the conditions be considered to ensure that the consent is workable and to resolve the inconsistencies between the submitted documentation. The proposed changes to the conditions are outlined below.

~~1(a) Tree Retention. Tree 43 and 49 as described within the Arboricultural Impact Assessment prepared by Arboreport Vegetation Management Consultants dated 08th November 2016 are to be retained and protected as part of any development on site.~~

(19) Tree removal. Tree 1, 2, 3, 3A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 37, 38, 39, 41, 42, **43**, **45**, 46, & 47 & **49** (Within footprint) & Tree 17, 18, 19, 20, 21, 22, 24, 25, 26, 28, 29, 30, 31, 34, 35, 36, 40, 55, 57 (Poor health) are to be removed in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications.

(20) Tree to be retained. Trees 23, 27, 32, 33, **43**, 44, 48, **49**, 50, 51, 52, 53, 54, 56, 58, 59, 60, 61. That these trees be retained and protected during construction works.

It is noted that in the draft conditions, Condition 19 incorrectly identifies tree "4" twice. The second occurrence of "4" should refer to tree "45", in accordance with the recommendations of the submitted Arboricultural Impact Assessment.

3.0 ENVIRONMENTAL ASSESSMENT

3.1 Removal of Tree 43

As noted in the submitted Arboricultural Impact Assessment, tree 43 is a Lemon Scented Gum, in fair health and is assessed to be of low significance. Tree 43 is 2.51 metres from excavation associated with the proposed stormwater infrastructure and will experience a 12.7% encroachment into the tree protection zone. Additional comments provided by Arboreport support that tree 43 may be removed if required as it is a low significance tree.

3.2 Removal of Tree 49

Tree 49 is an English Oak, in fair health and is assessed to be of low significance. Tree 49 is 2.39 metres from excavation associated with the proposed stormwater infrastructure and will result in a 13.5% encroachment into the tree protection zone. The Arboricultural Impact Assessment specifically states that the tree should not be considered a constraint on the development and is appropriate for removal as it of low significance.

4.0 CONCLUSION

Based on the recommendations of Arboreport and in an effort to minimise any adverse environmental impact, it is requested that the DA is approved in accordance with the submitted Architectural Plans and allows for the removal of a total of 46 trees. All trees removed will be replanted at a ratio of 2:1 in accordance with Macquarie University policy.

We thank the Panel for the opportunity to provide input on the above application. We trust that the Panel will consider this response and look forward to discussing it further.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or ktudehope@jbaurban.com.au

Yours faithfully,



Frances Mehrtens
Urban Planner



Kate Tudehope
Principal Planner